This is a reproduction of a library book that was digitized by Google as part of an ongoing effort to preserve the information in books and make it universally accessible.

Google books

https://books.google.com

Digitized by Google

WILSON
ANNEX

1
SER .4

1774-1775

973.2
fAm3

WALTER
STORAGE

Digitized by Google

Digitized by Google

REGENTS OF THE UNIVERSITY OF MINNESOTA
THE LIBRARY

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

AMERICAN ARCHIVES:

10712
26

Fourth Series.

CONTAINING

A DOCUMENTARY HISTORY

OF

THE ENGLISH COLONIES IN NORTH AMERICA,

FROM

THE KING'S MESSAGE TO PARLIAMENT, OF MARCH 7, 1774,

TO

THE DECLARATION OF INDEPENDENCE

BY

THE UNITED STATES.

UNIVERSITY OF MINNESOTA LIBRARY

VOLUME I.

PUBLISHED BY M. ST. CLAIR CLARKE AND PETER FORCE,

UNDER AUTHORITY OF AN ACT OF CONGRESS, PASSED ON THE SECOND OF MARCH, 1833.

WASHINGTON, DECEMBER, 1837.

Digitized by Google

Digitized by Google

American Archives:

CONSISTING OF

A COLLECTION OF AUTHENTICK RECORDS, STATE PAPERS, DEBATES, AND LETTERS AND OTHER NOTICES OF PUBLICK AFFAIRS,

THE WHOLE FORMING

A DOCUMENTARY HISTORY

OF

THE ORIGIN AND PROGRESS OF THE NORTH AMERICAN COLONIES;

OF THE

CAUSES AND ACCOMPLISHMENT OF THE AMERICAN REVOLUTION;

AND OF

THE CONSTITUTION OF GOVERNMENT FOR THE UNITED STATES,

TO

THE FINAL RATIFICATION THEREOF.

IN SIX SERIES.

UNIVERSITY OF

FIRST SERIES.

From the Discovery and Settlement of the North American Colonies, to the Revolution in England, in 1688.

SECOND SERIES.

From the Revolution in England, in 1688, to the Cession of Canada to Great Britain, by the Treaty at Paris, in 1763.

THIRD SERIES.

From the Cession of Canada, in 1763, to the King's Message to Parliament, of March 7th, 1774, on the Proceedings in North America.

FOURTH SERIES.

From the King's Message, of March 7th, 1774, to the Declaration of Independence, by the United States, in 1776.

FIFTH SERIES.

From the Declaration of Independence, in 1776, to the Definitive Treaty of Peace with Great Britain, in 1783.

SIXTH SERIES.

From the Treaty of Peace, in 1783, to the final ratification of the Constitution of Government for the United States, proposed by the Convention, held at Philadelphia, in 1787.

68207

PREPARED AND PUBLISHED UNDER AUTHORITY OF AN ACT OF CONGRESS.

Digitized by Google

UNIVERSITY OF
MINNESOTA
LIBRARY

Digitized by Google

PREFACE.

We now submit to the People of the *United States*, the first fruits of our long and arduous labours. We offer the present Volume as a specimen of the manner in which our Work will be accomplished. The undertaking in which we have embarked is, emphatically, a National one: National in its scope and object, its end and aim.

The tendency of the present age has been justly and philosophically designated as historick. At no former period of the world has this characteristick been so strikingly manifested. The learning, the industry, and the sagacity of the most profound intellects have been devoted in exploring the deepest recesses, and in gathering the most widely scattered rays, for the purpose of pouring their concentrated lights upon the history of the past. The Annals of the remotest ages, and the most distant countries, have been examined with equal diligence and learning, and new and valuable lights have been thrown even upon the antiquities of *Egypt*, of *Greece*, and of *Rome*.

The same tendency has been exhibited in developing the early history of existing Nations. Ancient records have been disinterred from the dust of ages, the most obscure receptacles of historick materials have been explored, almost obliterated records have been restored, scattered documents have been collected, and forgotten writers have been republished. A combined and vigorous effort appears to be making, throughout the civilized world, together, to preserve and to scrutinize all the memorials which can rescue the history of the past from the obscurity in which time has enveloped them.

Nor has this important subject been allowed to depend, exclusively, upon individual means and private enterprise. In *England*, and in *France* especially, the Government has long since perceived and recognized the truth, that the national character and the national interests, are intimately connected with the success of these undertakings. The Publick Offices have been laid open and their rich treasures submitted to the inspection of the inquirer after historick truth. With a liberality deserving of the highest commendation, this privilege has been extended as well to foreigners as to natives, and *Brequigny* and *Von Reaumer* are not the only instances in which the records of one Nation have been employed by the historian of another. This liberty has, in several instances, been accorded to our own citizens, and the Publick Offices in *London* have been opened, and Documents allowed to be transcribed, for the purpose of verifying the general history of the *United States*.

Nor has this publick interest been confined within these limits. Large pecuniary expenditures have been made with the view to promote these objects, and to aid in publications for the completion of which the resources of individuals were inadequate. In some instances Governments have, themselves, undertaken the work, and by the instrumentality of their own agents, and the employment of their own means, have laboured in the dissemination of such information as was calculated to illustrate their past history. The Record Commission of *England*, and that organized in *France*, under the supervision of the Minister of Publick Instruction, in conformity with the recommendation of M. *Guizot*, are too well known to require more than this general allusion to them.

If in *Europe* there exist sufficient motives to prompt to such undertakings, how infinitely more weighty and more efficient ought they to be among us. These inquiries, originating in the liberal and inquisitive character of the age, may be expected to be most zealously pursued in those countries where freedom prevails. Designed, as they are, to exhibit the fundamental principles of government, they might naturally be expected to be the most warmly cherished, where free institutions exist. Independently of this, all our historical memorials are of comparatively recent date, they are written in a language familiar to all, they tend to illustrate existing institutions, and a history which still retains all its personal interest. A complete collection of the materials for a history of this country would not only be a proud monument to the memory of our ancestors, whose deeds they commemorate and whose opinions they embody, but would serve as an invaluable guide to us and to our posterity, by exhibiting the vital spirit which has pervaded the past, the

Digitized by Google

true foundations upon which our institutions rest, and the essential principles upon which their existence and perpetuity depend. It would furnish an ample vindication of those who have preceded us upon this stage, from the imputations which ignorance and prejudice have laboured to cast upon their motives and their acts; and our free institutions, by having their foundations laid open to the world, and the whole plan of their structure exhibited, will recommend themselves, more and more, to the philosophical inquirer, and to the affection and imitation of mankind.

If history be philosophy teaching by example, how infinitely instructive must be the history of such a country as this. The example which it presents is the purity of principle, the singleness of effort, the stern adherence to constitutional right, the manly subordination to law, the indignant hostility to usurpation, which are manifested in every page of our past history; the philosophy it inculcates is—that the same purity of motive, the same respect for lawful authority, the same opposition to tyranny, the same vigilance in detecting the first insidious approaches of despotism, the same stern resolution in resisting its progress, which made us a Nation, are equally essential, as the means of preserving those liberties our fathers bequeathed to us, and those institutions which they framed.

Even to this day much ignorance and much misapprehension prevail as to the principles of the *American* Revolution, and the true character and tendency of our institutions. Nor is this ignorance altogether confined to foreigners, it exists, to a great extent, among ourselves. By many superficial persons, it is supposed that the *American* Revolution began with the battle of *Lexington*, and terminated with the evacuation by the *British* Troops of these *United States*. It seems to be the opinion of such, that the whole history of that Revolution is to be found in the narrative of the campaigns of that War. Widely different from this is the truth, as developed by history; widely different was the opinion of those who mainly aided in severing the connexion with *Great Britain*. "What do we mean by the *American* Revolution?" asks one of the most prominent actors in those days: "Do we mean the *American* War? The Revolution was effected before the "War commenced. The Revolution was in the mind and heart of the people. The "radical change in the principles, opinions, sentiments, and affections of the people was "the real *American* Revolution."

Even this language may, without due reflection, be understood in a sense not contemplated by its illustrious author. A full and careful examination of the history of the times will abundantly show, that so far as regards the nature and extent of their rights, and the foundations upon which they were claimed, there was, substantially, no revolution or change in the principles of the *American* People. The first emigrants to these shores brought with them, in their full vigour, in their original purity, and in their complete development, the principles of the *American* Revolution. They abandoned their native homes, they crossed the ocean, braved the horrours of an inhospitable clime, encountered the perils of the tempest, of war, and of famine, to escape the burthen of governmental oppression. They braved all, and encountered all, in the same cause for which their sons subsequently fought and bled. From the moment they placed their feet upon the soil of this Western Hemisphere, they asserted and maintained their independency of the Parliamentary power of taxation, and denied, to that extent, the authority of a Legislature in which they were not, themselves, represented. Although the Colonies were, originally, settled by individual enterprise, and by insulated rather than combined efforts, yet the Colonists, at a very early period, perceived the advantages of union in repelling or resisting a common foe.

The Colonial history is replete with evidence of the truth of the preceding remarks. The first Legislative Assembly held in *America* was convened at *Jamestown*, in *Virginia*, as early as 1619. The proceedings of the Provincial Assemblies of *Plymouth*, in 1636, of *Maryland*, in 1650, of *Rhode-Island*, in 1663, of *New-York*, in 1691, and of *Massachusetts*, in 1692, may be referred to, as showing how deeply rooted and how widely diffused, even at these remote periods, were the true and essential principles which, subsequently expanding into maturity, produced the fruits of the *American* Revolution. In 1696 a pamphlet was published, recommending the imposition of taxes in the Colonies by authority of Parliament. It did not escape the notice of the vigilant friends of *American* Liberty. Two answers to this publication appeared, which seem to have attracted general attention, and in which the doctrine was broadly asserted and maintained, that no such right existed in Parliament, because the Colonies were not represented in that body.

The idea of combining their efforts in matters of common interest to all may be traced back to a period nearly as remote. In 1690 a communication was addressed by the General Court of *Massachusetts* to the Governours of the neighbouring Colonies, desiring them to appoint Commissioners "to meet, advise, and conclude upon suitable methods

Digitized by Google

in assisting each other, for the safety of the whole land." Such a meeting was, accordingly, held, and evidence exists inducing the belief, that it was styled by the now familiar and revered name of *Congress*.

Nor did the principles for which the Colonists contended originate on this side of the *Atlantick*. The doctrine that representation and taxation were essentially and indissolubly connected, was claimed as a portion of *English* Liberty, as interwoven in the very structure of the *English* Constitution, and as recognised among the most ancient and firmly established principles of the Common Law. It was no innovation, serving as a cloak for rebellion and revolution. It was drawn from the most ancient and pure fountains of Liberty, and sanctioned by the authority of the most eminent judicial characters in the *British* Parliament.

It is a source of honest pride, in reverting to the contemporaneous history of *England*, to contrast the characters of the individuals who, at times, it is true, with some modifications, yet concurring in the great and essential principles upon which our ancestors placed themselves, sustained the doctrines which were designated as *American*, with those who originated and defended those measures of the Ministry which drove the Colonists first to resistance, and, finally, to a dissolution of the political connexion by which they had so long been bound to the Mother Country. Such an examination will conduct to the conclusion, that had the questions upon which the controversy turned, assumed a judicial instead of a political character, and been carried for decision before the *English* Courts, the same eminent Judge, who first decided against the legality of general warrants, would have pronounced it to be the law of the land that these Colonists were not subject to the taxing power of Parliament.

The Work, of which the present volume is a specimen, will clearly unfold and develop the whole foundation of *American* principles, and will exhibit to the world the most conclusive evidence that they were, without exception, grounded in strict right, based upon constitutional Law, and upon the well settled doctrines of the *English* Government: that there was no taint or tinge of anarchy, of insubordination to all authority, no novelty, no innovation. The important, practical truth will be clearly deducible from these premises, that if such be the foundations they must ever constitute the support of our institutions. Their beautiful simplicity, their fair proportions, their majestick symmetry, and their stable grandeur, will equally recommend them to our love and veneration, and to the respect and imitation of others.

In the examination of the contents of these Volumes, a casual observer may, perhaps, at the first view, be struck with the character of much of the material which we have collected. A more mature consideration will satisfy, we apprehend, every mind, that although much of it has been drawn from perishable and ephemeral sources, no faithful portrait of the times could be presented, formed from other ingredients.

A distinguished foreign jurist has said, that laws are not to be created, but must create themselves; and the observation is equally true in its application to all that comes within the scope of legislation, whether political or municipal in its immediate character. *Burke* has, with his accustomed philosophical sagacity, remarked, that "to follow, not to force, "the publick inclination, to give a direction, a form, a technical dress, and a specifick sanc-"tion to the general sense of the community, is the true end of legislation."

If this be true in any country, and under any institutions, most emphatically is it true, and ever has been true, among us. Without concurring altogether in the observation of *De Tocqueville*, that the journals are the only historical monuments of the *United States*, it may, without fear of contradiction, be asserted, that there exist no sources of historical information in a free and enlightened country, so rich and so valuable, as its publick journals, and the proceedings and debates of its publick bodies and associations. It is peculiarly the case, at such times as those comprehended within the scope of our Work. Constitutions were to be formed, the whole frame of Government to be constructed, legislative bodies to be organized, and in this preliminary action, as well as in the movements of the machine when brought into life, publick opinion was to be the efficient and vital principle. This publick opinion must, necessarily, be created, as well as manifested, through the instrumentality of the means which have been indicated.

It was urged on more than one occasion and by high authority in *England*, that the *American* contest originated in, and was sustained by, the selfish or ambitious designs of a few leading individuals. That personal interest gave it birth, and sustenance, and support. This was only one of the palpable misrepresentations and gross delusions of the times. The present Work will show, beyond the possibility of future rational doubt, that the roots of *American* freedom had penetrated into every corner of our land and drew their active and living nourishment from every family fountain. Every reader of this compilation will perceive as

Digitized by Google

one of the most distinctly marked facts which it establishes, that the *American* Revolution was the act of the whole *American* People, and that all our institutions are the work of the same creator. This we esteem as one of the most precisely taught lessons of our history, and if properly appreciated and applied, the most valuable which it inculcates. We shall learn that unless the People, as such, had worked out their own rescue from the oppression, which was rather seen in perspective than actually endured, all the personal influence and intellect of the great men of the day would have failed to accomplish this result. Happy will it be for our beloved country, if, drawing the obvious inference from this history of the past, every *American* citizen shall be impressed with the conviction that as he is individually interested, in the blessings which freedom confers, so there is imposed upon him the personal duty and sacred trust of vigilantly watching and manfully sustaining that liberty which has been transmitted to him.

It would be unnecessary, on this occasion, to enter into a minute detail of the sources from which we have drawn the materials of this compilation. It may not be unnecessary, however, to observe that, in the prosecution of our labours, we have, personally, examined the publick records in each of the thirteen original States. We regret to say, that we have found these, in some instances, in a lamentable state of deterioration, confusion, and decay; many important documents and publick proceedings appear to be irretrievably lost. We have, however, the satisfaction of believing, that the inquiries and examinations we have instituted, have, in some instances, been instrumental in rescuing many of inestimable value from the very jaws of destruction; and, in others, in awakening a feeling of interest in the memorials of our past history, which promises to result in a more persevering search for such as may still remain in existence, and a more careful preservation of such as have survived the hazards to which they have been exposed. No doubt is entertained, but that there still exist, not only in publick places of deposite, but in family archives, papers of great importance as illustrating the history of the times, and we would earnestly press upon individuals, in whose possession such documents may be found, a minute examination among them, and a careful preservation of such as possess general interest; more particularly, the correspondence of the members of the various Committees, Conventions, Assemblies, and Congresses. Any communication made to the Editor of copies of such documents, or a notification of their existence, with the liberty of inspecting and using them, will confer not only a personal favour, but promote the general good. Papers belonging to the period of time embraced by the present Volume, which may be obtained hereafter, will be inserted in a Supplement to this Series of the work.

WASHINGTON, *December*, 1837.

Digitized by Google

CONTENTS.

PROCEEDINGS IN PARLIAMENT ON THE KING'S MESSAGE OF THE 7TH OF MARCH, 1774.

1774. *House of Lords.*

March 7, The King's Message relating to the Disturbances in America, and requesting Parliament to make provision for better securing the execution of the Laws, and the just dependence of the Colonies upon the Crown and Parliament, - - 5
Papers, relating to the Disturbances in America, laid before the House by the Earl of Dartmouth—
From Massachusetts Bay, - - - 5
From New-York, - - - - 6
From South Carolina, - - - - 7
From New-Hampshire, - - - 7
From the Admiralty, - - - - 7
From the War Office, - - - - 7
From the East India Company, - - 7
From the Treasury, - - - - 9
Address to the King ordered, - - - 9
11, More Papers submitted by the Earl of Dartmouth, 10
Papers relating to the Disturbances in America, to be considered on the 17th, - - - 10
16, Consideration postponed to the 24th, - - 10
23, Consideration further postponed, - - - 10
30, Committee ordered to inquire into the Proceedings of Massachusetts Bay, - - - 10
Papers relating to the Disturbances in Massachusetts Bay referred to the Committee, - - 10
Lords who formed the Committee, - - - 10
April 14, Address to the King for all Papers relating to Disturbances in Massachusetts Bay, received from Officers in his Majesty's service there, from July 7, 1766, which have not already been laid before the House, - - - 11
15, Papers called for in the Address of yesterday, sent by the King's command, - - - 11
Referred to the Committee appointed on the 30th of March, - - - - - - - 12
20, Report of the Committee, - - - 12–31

House of Commons.

March 7, The King's Message, - - - - - - 32
Papers presented by Lord North, - - - 32
Lord North's Speech on presenting the Papers, - 222
Motion for an Address to the King, - - 32
Debate—Lord Clare, - - - - - 33
Mr. Dowdeswell, - - - - 33
Governour Pownall, - - - 33
Mr. E. Burke, - - - - 33
Mr. Solicitor General, - - - 34
Mr. E. Burke, - - - - 34
Lord George Germain, - - - 34
General Conway, - - - - 35
Colonel Barré, - - - - 36
Address ordered, - - - - - - - 36

ON THE BOSTON PORT BILL.

House of Commons.

March 7, The King's Message, and Papers presented this day, to be considered on the 11th, - - 35
11, Papers presented by Lord North, - - - 35
Message and Papers considered, and ordered for further consideration on the 14th, - - - 35
14, Petition from William Bollan, Agent for Massachusetts, presented, - - - - - 35
Gallery of the House cleared, - - - - 36
Message and Papers considered, - - - 37
Speech of Lord North, - - - - - 37
March 14, Motion by Lord North for leave to bring in Boston Port Bill, - - - - - - 39
Debate—Mr. Grosvenor, - - - - 39
Governour Johnstone, - - - 39
Lord North, - - - - - 39
Mr. Dempster, - - - - 39
Mr. Sawbridge, - - - - 39
Mr. Byng, - - - - - 39
Mr. R. Fuller, - - - - 39
Mr. Dowdeswell, - - - - 39
Mr. Henry Cavendish, - - - 39
Captain Phipps, - - - - 39
Lord George Cavendish, - - - 39
Colonel Barré, - - - - 40
Motion agreed to, - - - - - - - 40
Committee to bring in the Bill, - - - 40
Further consideration of Message and Papers referred to Committee of the Whole House, on Friday next, the 18th, - - - - 40
18, Lord North presented the Bill, - - - 40
Read the first time, - - - - - - 41
Second reading ordered on the 21st, - - - 41
Motion to print the Bill rejected, - - - 41
Consideration of Message and Papers postponed to the 23d, - - - - - - - 41
21, The Bill read the second time, - - - 41
To be considered in Committee of the Whole, on the 23d, - - - - - - - - 41
23, Order for Committee of the Whole on the Message and Papers discharged, - - - 41
Message and Papers referred to Committee of the Whole on the Bill, - - - - - 41
House in Committee of the Whole on the Bill, 41
Debate—Mr. Fuller, - - - - - 41
Mr. Herbert, - - - - - 41
Lord North, - - - - - 42
Mr. Gascoigne, - - - - 43
Mr. Montague, - - - - 43
Mr. Byng, - - - - - 44
Mr. Stanley, - - - - - 44
Mr. Dempster, - - - - 44
Lord North, - - - - - 44
Mr. Ward, - - - - - 44
Mr. Jenkinson, - - - - 44
General Conway, - - - - 45
Mr. Fuller, - - - - - 45
Mr. Charles James Fox, - - - 45
Captain Phipps, - - - - 45
Lord North, - - - - - 45
Mr. Van, - - - - - - 45
Colonel Barré, - - - - 46
Bill reported to the House, - - - - 46
24, Third reading of the Bill ordered for to-morrow, - - - - - - - - 46
25, Petition from William Bollan, Agent for Massachusetts, offered by Mr. Crosbie, - - - 46
House refuse to receive it, - - - - 46
Notice of the rejection of this Petition, (Note,) - 46
Petition of several Natives of North America, against the Bill, presented and read, - - 47
Bill read the third time, - - - - - 47
Motion of Mr. Charles James Fox, to strike out a clause of the Bill, - - - - - 48
Rejected, - - - - - - - - 48
Motion of Mr. Charles Fox to strike out another clause of the Bill, - - - - - 48
Rejected, - - - - - - - - 48
Question on the passage of the Bill, - - 49
Debate—Mr. Dowdeswell, - - - - 49
Mr. Welbore Ellis, - - - - 49
Mr. Edmund Burke, - - - 50

Digitized by Google

1774.
May 11, Debate—Mr. Grey Cooper, - - - - 51
Mr. Anthony Bacon, - - - 52
Governour Pownall, - - - 52
Lord John Cavendish, - - - 52
Mr. T. Townshend, - - - - 52
Mr. Sawbridge, - - - - 52
Lord North, - - - - - 52
Governour Johnstone, - - - 53
Mr. Sawbridge, - - - - 57
Lord North, - - - - - 57
The Bill passed, - - - - - - 57
Remarks on Governour Johnstone's Speech, (Note,) - - - - - - - - 56

House of Lords.

March 26, Boston Port Bill received from the Commons, - 57
Read the first time, - - - - - - 58
Second reading ordered on the 28th, and the Lords summoned, - - - - - - 58
28, Petition of Stephen Sayre and others, Natives of America, presented by Lord Wycombe, - 58
Papers relating to the Disturbances in America, read, - - - - - - - - 59
Bill read the second time, - - - - 59
Motion to commit the Bill, after long debate, agreed to, - - - - - - - - 59
Committed to a Committee of the Whole House for to-morrow, - - - - - - - 60
29, Considered in Committee of the Whole, - - 60
Reported to the House, - - - - - 60
Third reading ordered to-morrow, - - - 60
30, Petition of William Bollan, Agent of Massachusetts, presented by the Earl of Stair, - - 60
Mr. Bollan heard at the Bar of the House against the Bill, - - - - - - - - 60
Bill read the third time, - - - - - 60
Passed, - - - - - - - - 60
31, Royal assent to the Bill, - - - - - - 60
Petition of Natives of North America, to the King, against the Bill, - - - - - 61
"An Act to discontinue in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping, of Goods, Wares, and Merchandise, at the Town, and within the Harbour of Boston, in the Province of Massachusetts Bay, in North America," - - - - - - - - 61–66

ON THE BILL FOR BETTER REGULATING THE GOVERNMENT OF MASSACHUSETTS BAY.

House of Commons.

March 25, Committee of the Whole House ordered on the King's Message of March 7, and Papers presented by Lord North, - - - - - 65
Papers presented November 28, and December 7, 1768, January 20, 1769, and May 7, 1770, relating to his Majesty's Colonies in North America, referred to the Committee, - - - 65
Massachusetts Bay Charter, granted by King William and Queen Mary, presented to the House on the 22d of January, 1740, referred to the Committee, - - - - - - 65
28, House in Committee on the Message and Papers, - - - - - - - - - 65
Lord North's Speech, - - - - - - 65
His motion for leave to bring in a Bill for better regulating the Government of Massachusetts Bay, - - - - - - - - - - 66
Debate—Mr. Byng, - - - - - - 66
Sir. F. Norton, (Speaker,) - - - 67
Lord North, - - - - - - 67
Mr. Stephen Fox, - - - - - 67
Lord George Germain, - - - 67
Lord North, - - - - - - 68
Mr. Pownall, - - - - - - 68
Lord North's motion agreed to, - - - 68
Committee to prepare and bring in the Bill, - 68
April 15, The Bill presented by Lord North, - - - 68
Debate—Lord North, - - - - - - 68
Mr. R. Fuller, - - - - - - 69
Mr. Dempster, - - - - - - 69
Lord North, - - - - - - 69
Mr. Dowdeswell, - - - - - 69
Governour Pownall, - - - - 69
The Bill read the first time, - - - - 69
Second reading ordered for the 22d, - - - 70
Bill ordered to be printed, - - - - - 70

1774.
April 19, Address to the King, for copies of Acts of the General Court of Massachusetts Bay, for summoning, returning, and regulating the choice of Grand and Petit Jurors, and copies of all other Acts of the said General Court, for the regulation of Townships and Town Meetings, 70
Address to the King, for Letters and other Papers, - - - - - - - - - 70
21, The Letters and other Papers presented by Lord North, - - - - - - - - - 70
22, Order of the Day, for the second reading of the Bill, read, - - - - - - - - 71
Debate—Mr. Fuller, - - - - - - 71
Sir George Savile, - - - - - 71
Mr. Welbore Ellis, - - - - - 71
General Conway, - - - - - 72
Lord North, - - - - - - 72
Sir George Yonge, - - - - - 73
Governour Johnstone, - - - - 73
Mr. C. Jenkinson, - - - - - 73
Mr. Harris, - - - - - - 74
Sir Edward Astley, - - - - - 74
Mr. Ward, - - - - - - 74
Governour Pownall, - - - - 74
Mr. Rigby, - - - - - - 76
Governour Pownall, - - - - 76
Mr. Charles James Fox, - - - 77
Sir Gilbert Elliot, - - - - - 77
Sir Richard Sutton, - - - - 77
The Bill read the second time, - - - 77
To be considered in Committee of the Whole House, on the 27th, - - - - - - 77
25, Acts of the Province of Massachusetts Bay, presented to the House pursuant to the Address to the King, of the 19th, - - - - - 77
27, House in Committee on the Bill, - - - 79
Report of Committee to be received to-morrow, - 79
28, Petition of William Bollan, Agent for Massachusetts Bay, offered by Mr. Dowdeswell, - 79
Debate—Mr. Dowdeswell, - - - - 79
Sir George Savile, - - - - - 80
Lord North, - - - - - - 80
The House refuse to receive the Petition, - - 80
Entries in the Journals of the House, of 9th of November, 1696, 19th of March, 1722, and 22d of March, 1722, read, - - - - - - 81
Motion the Report of the Committee of the Whole House be received this day four months, - 81
Rejected, - - - - - - - - 81
Report of the Committee of the Whole House received, - - - - - - - - 81
Bill ordered to be engrossed, - - - - - 81
29, Third reading of the Bill ordered for Monday next, - - - - - - - - - 81
May 2, Petition of several Natives of America, presented by Sir George Savile, - - - - - 81
Motion for the third reading of the Bill, - - 83
Debate—Mr. Dunning, - - - - - - 83
Sir William Meredith, - - - - 84
Mr. Stanley, - - - - - - 84
Mr. T. Townshend, - - - - - 85
Colonel Barré, - - - - - - 85
Mr. Stephen Fox, - - - - - 87
Marquis of Carmarthen, - - - 87
Mr. St. John, - - - - - - 87
Mr. Byng, - - - - - - 88
Mr. Rigby, - - - - - - 88
General Conway, - - - - - 89
Lord George Germain, - - - 89
Mr. Charles Fox, - - - - - 90
Mr. Attorney General Thurlow, - 90
Mr. Edmund Burke, - - - - 90
Lord North, - - - - - 91
Sir George Savile, - - - - 91
Bill read the third time, and passed, - - - 91

House of Lords.

May 3, Bill for the better regulating the Government of Massachusetts Bay, received from the Commons, - - - - - - - - - 92
Read the first time, - - - - - - 92
6, Read the second time, - - - - - - 92
9, Considered in Committee of the Whole, - - 92
10, Reported, with Amendments, - - - - - 92
Amendments agreed to, - - - - - - 92
Third reading ordered for to-morrow, - - 92
11, Petition from several Natives of America presented, - - - - - - - - - 92

Digitized by Google

1774.
May 11, Petition from William Bollan, Agent of Massachusetts Bay, presented, - - - - - 92
Motion that Mr. Bollan be called in, and heard at the Bar, - - - - - - - - 92
After debate, Rejected, - - - - - - 93
Bill read the third time, and, after long debate, passed, - - - - - - - - - 93
Protest, - - - - - - - - - 93
Notice of the proceedings of the Lords on the Bill, (Note,) - - - - - - - - 93
16, Amendments agreed to by the House of Commons, on the 13th, - - - - - - 96
19, Petition from Natives of America, in London, against the passage of the Bill, presented to the King, - - - - - - - - 96
20, The King's assent to the Bill, - - - - 96
Speech of the Bishop of St. Asaph, intended to have been spoken on the Bill, - - - - 97
"An Act for the better regulating the Government of the Province of the Massachusetts Bay, in New England," - - - - 104–112

ON THE BILL FOR THE IMPARTIAL ADMINISTRATION OF JUSTICE IN THE PROVINCE OF MASSACHUSETTS BAY.

House of Commons.

March 28, The King's Message of March 7th, and sundry other Papers, to be considered in Committee of the Whole, on the 13th of April, - - 111
April 13, Order for Committee of the Whole postponed to the 15th, - - - - - - - - - 111
Papers presented by Lord North, - - - - 111
House in Committee on the Message and Papers, 112
Lord North's Speech, - - - - - - - 112
His motion for leave to bring in a Bill for the Impartial Administration of Justice in Massachusetts Bay, - - - - - - - - 113
Debate—Colonel Barré, - - - - - - 113
Mr. Solicitor General Wedderburn, - 115
Captain Phipps, - - - - - - 116
Mr. T. Townshend, - - - - 116
Mr. Dowdeswell, - - - - - 117
Lord Carmarthen, - - - - - 117
Lord North, - - - - - - 117
Captain Phipps, - - - - - 117
General Conway, - - - - - 117
Mr. Van, - - - - - - - 118
Lord North's motion agreed to, - - - - 118
Committee appointed to prepare and bring in the Bill, - - - - - - - - - 118
21, The Bill presented by Lord North, - - - 118
Debate—Mr. Sawbridge, - - - - - 118
Lord North, - - - - - - 118
Sir Thomas Frankland, - - - 119
Mr. Byng, - - - - - - 119
Lord Beauchamp, - - - - - 119
Mr. Sawbridge, - - - - - 119
Second reading of the Bill ordered on the 25th, - 119
25, The Order, for the second reading of the Bill, read, - - - - - - - - - 120
Debate—Mr. Dowdeswell, - - - - - 120
Mr. Dyson, - - - - - - 120
Lord North, - - - - - - 120
Mr. Cavendish, - - - - - 120
Colonel Barré, - - - - - 120
The Bill read the second time, - - - - 120
Committee of the Whole House on the Bill, ordered for the 29th, - - - - - - - 120
29, The Bill considered in Committee of the Whole, 120
Report of the Committee to be received on Monday next, (May 2,) - - - - - - 120
May 2, Petition of several Natives of America, presented by Sir George Savile, - - - - - 120
Report of Committee of the Whole postponed, - 120
4, Report of Committee of the Whole received, - 120
Amendment proposed by Mr. Wallace, - - 120
Debate—Mr. Dunning, - - - - - 121
Mr. Wedderburn, - - - - - 121
Mr. Edmund Burke, - - - - 121
Mr. W. Burke, - - - - - 121
Mr. Stanley, - - - - - - 121
Mr. T. Townshend, - - - - - 122
Mr. Cornwall, - - - - - - 122
Mr. Moreton, - - - - - - 122
Mr. Phipps, - - - - - - 122
Mr. Skynner, - - - - - - 122
Sir Richard Sutton, - - - - - 123

1774.
May 4, Debate—Mr. Charles Fox, - - - - - 123
Captain Phipps, - - - - - 123
Sir George Savile, - - - - - 123
Mr. Skynner, - - - - - - 123
Motion to amend, by Mr. Wallace, withdrawn, - 123
Standing rule for exclusion of strangers strictly enforced, (Note,) - - - - - - 123
Engrossment of the Bill ordered, - - - 124
Motion to print the Bill negatived, - - - 124
Third reading of the Bill ordered for the 6th, - 124
6, Order read, for third reading of the Bill, - - 124
Debate—Mr. Dempster, - - - - - 124
Mr. Grey, - - - - - - 125
Mr. Paulet, - - - - - - 125
Mr. Sawbridge, - - - - - 125
Colonel Barré, - - - - - 125
Bill read the third time, - - - - - 126
Amendment adopted, on motion of Mr. Pultney, 126
Debate—Mr. Fuller, - - - - - - 126
Mr. H. Cavendish, - - - - - 126
The Bill passed, - - - - - - - 126

House of Lords.

May 9, Bill for Impartial Administration of Justice in Massachusetts Bay, received from the House of Commons, - - - - - - - - 126
Read the first time, - - - - - - 127
13, Read the second time, - - - - - - 127
16, Considered in Committee of the Whole, - - 127
Third reading ordered for the 18th, and the Lords summoned, - - - - - - - 127
17, Papers presented by the Earl of Dartmouth, - 127
18, The Bill read the third time, - - - - 127
Petition from William Bollan, Agent for Massachusetts Bay, presented, - - - - - 127
Motion, that Mr. Bollan be heard at the Bar, after debate, rejected, - - - - - - 127
Motion, that the Bill do pass, - - - - 127
Debate—Earl of Buckinghamshire, - - 127
Lord Shelburne, - - - - - 127
Duke of Manchester, - - - - 127
Marquis of Rockingham, - - - 127
Duke of Richmond, - - - - - 128
The Bill passed, - - - - - - - 128
Protest, - - - - - - - - - 128
Notice of the Debates on this Bill, (Note,) - 128
20, The King's assent to the Bill, - - - - 128
"An Act for the Impartial Administration of Justice in the cases of Persons questioned for any acts done by them in the Execution of the Law, or for the Suppression of Riots and Tumults, in the Province of Massachusetts Bay, in New England," - - - - - 129–132

ON THE MOTION FOR THE REPEAL OF THE DUTY ON TEA.

House of Commons.

April 19, Mr. Fuller's motion for a Committee of the Whole to take into consideration the Repeal of the Duty of three pence per pound on Tea, - - 133
Debate—Mr. Fuller, - - - - - - 133
Mr. Pennant, - - - - - - 133
Mr. Rice, - - - - - - 133
Captain Phipps, - - - - - 133
Mr. Stephen Fox, - - - - - 134
Mr. Cornwall, - - - - - 134
Mr. Edmund Burke, - - 135–163
Mr. Wedderburn, - - - - - 163
Mr. E. Burke, - - - - - 164
Mr. Charles Fox, - - - - - 164
Lord Beauchamp, - - - - - 164
General Burgoyne, - - - - - 164
Mr. T. Townshend, - - - - 164
Lord Clare, - - - - - - 165
Mr. Buller, - - - - - - 165
Mr. Frederick Montague, - - 165
Colonel Barré, - - - - - 165
Lord North, - - - - - - 166
Mr. Dowdeswell, - - - - - 166
Mr. Fuller's motion rejected, - - - - - 166

ON THE BILL FOR QUARTERING TROOPS IN AMERICA.

House of Commons.

April 29, Leave granted, and Committee appointed, to prepare and bring in a Bill providing suitable Quarters for Troops in America, - - 165
May 2, The Bill presented by Lord Barrington, - - 165
Read the first time, - - - - - - 165

Digitized by Google

1774.
May 4, Read the second time, - - - - - - 165
5, Considered in Committee of the Whole, - - 166
6, Report of Committee of the Whole received, - 167
9, Bill read the third time, and passed, - - 167

House of Lords.

May 9, Bill for Quartering Troops in America, received from the House of Commons, - - - 167
Read the first time, - - - - - - 167
12, Read the second time, - - - - - - 167
16, Considered in Committee of the Whole, - - 167
Third reading ordered for the 18th, - - 167
18, Third reading postponed to the 26th, - - 167
26, Read the third time, - - - - - - 167
Lord Chatham's Speech against the passage of the Bill, - - - - - - - - 167
The Bill passed, - - - - - - - - 169
June 2, The King's assent to the Bill, - - - 170
"An Act for the better providing suitable Quarters for Officers and Soldiers in his Majesty's service in North America," - - - 170

ON THE BILL FOR THE GOVERNMENT OF QUEBECK.

House of Lords.

May 2, Bill for the government of Quebeck, presented by the Earl of Dartmouth, - - - 169
Read the first time, - - - - - - 169
3, Address to the King for copies of Instructions to Governours in America, - - - 170
4, Second reading of the Bill ordered, and the Lords summoned, - - - - - - 170
6, Copies of Instructions to Governours of Quebeck, Nova Scotia, New-Hampshire, New-York, Virginia, North Carolina, South Carolina, Georgia, East Florida, and West Florida, laid before the House, - - - - - - 171
12, Bill read the second time, - - - - - 171
13, Considered in Committee of the Whole, - - 171
16, Report of Committee of the Whole received, - 171
17, Bill read the third time, - - - - - 171
Amendment to limit the duration of the Act, offered and rejected, - - - - - - 171
Bill passed, - - - - - - - - - 171

House of Commons.

May 18, Bill for the government of Quebeck, received from the House of Lords, - - - - - 171
Read the first time, - - - - - - 171
Ordered to be printed, - - - - - - 171
20, Address to the King, for copies of the Proclamation of 1763, and General Murray's Commission, - - - - - - - - 172
26, Presented by Lord North, - - - - - 172
Proclamation, of October 7, 1763, - - 172
General Murray's Commission as Captain General and Governour of Quebeck, - - 175
Order read, for second reading of the Bill, - 180
Debate—Mr. T. Townshend, - - - - 180
Lord North, - - - - - - 181
Mr. Dunning, - - - - - 182
Mr. Attorney General Thurlow, - 183
Colonel Barré, - - - - - - 184
Lord John Cavendish, - - - - 184
Mr. Serjeant Glynn, - - - - 184
Mr. Solicitor General Wedderburn, - 184
Mr. Charles James Fox, - - - 184
Mr. Dempster, - - - - - 184
Mr. Sawbridge, - - - - - 185
The Bill read the second time, - - - - 185
Committed to a Committee of the Whole House, on the 31st, - - - - - - - 185
31, Petition of Thomas Penn, on behalf of himself and John Penn, true and absolute Proprietors of the Province of Pennsylvania, and the Three Lower Counties on Delaware, presented by Mr. Baker, - - - - - - 185
Petitioners to be heard by their Counsel, if they think fit, - - - - - - - - 186
Petition of Merchants of London trading to Quebeck, presented by Mr. Mackworth, - - 186
Mr. Mackworth's motion for copies of Reports from Major General Carleton, Governour, William Hey, Chief Justice, and Francis Maseres, late Attorney General, of the Province of Quebeck; and from his Majesty's Advocate General, Attorney General, and Solicitor General, relating to the said Province, - 186

1774.
May Debate—Lord North, - - - - - - 187
31, Mr. T. Townshend, - - - - 187
Colonel Barré, - - - - - 187
Mr. Attorney General Thurlow, - 187
Mr. Edmund Burke, - - - - 187
Mr. Mackworth's motion rejected, - - - 188
Address to the King for copies of Reports from the Lords Commissioners of Trade and Plantations, relating to the Province of Quebeck, 188
House in Committee on the Bill, - - - 188
The Committee addressed by Mr. Mansfield, counsel for the Petitioners, against the Bill, 188
Edward Watts examined before the Committee, 188
Samuel Morin examined, - - - - - 188
June 1, Copies of Representations of the Lords Commissioners for Trade and Plantations, of September 2, 1765, and July 10, 1769, and Representation of the Board of Trade, of January 9, 1765, presented by Lord North, - - 188
Copies of Memorials from Quebeck, presented by Lord North, - - - - - - 189
2, Petition from the Inhabitants of Quebeck to the King, presented by Lord North, - - 189
House in Committee of the Whole on the Bill, 189
Examination of General Carleton before the Committee, - - - - - - - - 189
Examination of Mr. Maseres, late Attorney General of Quebeck, - - - - - - 191
Examination of Mr. Hey, Chief Justice of the Province of Quebeck, - - - - 193
3, Petition of the Common Council of the City of London, against the Bill, presented at the Bar of the House, by the Sheriffs of the City, - 194
House in Committee on the Bill, - - - 194
Examination of M. De Lotbiniere, - - 194
Examination of Dr. James Marriott, his Majesty's Advocate General, - - - - 195
Motion by Mr. Baker, that General Murray, late Governour of Canada, do attend the Committee, - - - - - - - - 202
Debate—Mr. T. Townshend, - - - 203
Lord North, - - - - - - 203
Mr. T. Townshend, - - - 203
Colonel Barré, - - - - 203
Captain Phipps, - - - - 203
Mr. Charles Fox, - - - - 203
Lord North, - - - - - 203
Mr. Baker's motion rejected, - - - 203
6, House in Committee on the Bill, - - - 203
Governour Johnstone's objections to the Bill, - 203
Mr. E. Burke's motion to amend, fixing the Boundary between Canada and New-York, agreed to, - - - - - - - 204
Further Debate on the Boundaries of Quebeck, 204
7, The Bill further considered in Committee of the Whole House, - - - - - - 204
8, House in Committee on the Bill, - - - 205
Debate—Mr. Burke, - - - - - - 205
Lord North, - - - - - - 205
Mr. T. Townshend, - - - 205
Mr. Edmund Burke, - - - 205
Colonel Barré, - - - - 205
New form of oath proposed by Mr. Jenkinson, to be inserted in the Bill, - - - - - 205
Agreed to by the Committee, - - - 205
10, The Bill reported to the House, from the Committee of the Whole, - - - - - 207
T. Penn, Esq., declined being heard by Counsel on his Petition, presented on the 31st of May, 207
Amendment to the Bill, in relation to the Southern Boundary of Canada, - - - 207
Mr. Mackworth's motion, to provide for Trials by Jury in Canada, - - - - - - 207
Debate—Lord North, - - - - - - 207
Mr. Serjeant Glynn, - - - 208
Mr. Attorney General Thurlow, - 208
Mr. Dunning, - - - - - 208
Mr. Solicitor General Wedderburn, 209
Mr. Byng, - - - - - - 209
Governour Johnstone, - - - 209
Mr. T. Townshend, - - - 209
Mr. Edmund Burke, - - - 209
Mr. Mackworth's motion rejected, - - 211
Motion by Mr. T. Townshend, to make temporary that part of the Bill which relates to the Legislative Council, rejected, - - - 211
Motion by Mr. Dempster, for establishing rules to be observed in making Ordinances, rejected, 211

Digitized by Google

1774.
June 10, Motion by Mr. Charles Fox, to secure to the Religious orders, their rights and properties, rejected, - - - - - - - 211
Motion by Mr. Dempster, to give the Canadians claiming it, the benefit of Habeas Corpus and Bail, rejected, - - - - - - - 211
13, Bill read the third time, - - - - - 211
Mr. Cooper's motion that the Bill do pass, - 211
Debate—Mr. Charles Fox, - - - - - 211
Mr. Cooper, - - - - - - 211
Mr. Howard, - - - - - - 211
The Bill passed, - - - - - - - 211

House of Lords.

June 17, Motion to agree to the Amendments made by the House of Commons, - - - - - - 211
Debate—Lord Chatham, - - - - - 211
Lord Dartmouth, - - - - - 212
Lord Lyttelton, - - - - - 212
Amendments agreed to, - - - - 214
Lords in the minority, - - - - - 214
22, Petition of the City of London to the King, against the Bill, - - - - - - 215
The King's assent to the Bill, - - - - 216
The King's Speech to both Houses of Parliament, - - - - - - - - - 216
"An Act for making more effectual provision for the government of the Province of Quebeck, in North America," - - - - - - 216
"An Act to prevent the Exportation to Foreign parts of Utensils made use of in the Cotton, Linen, Woollen and Silk Manufactures of this Kingdom," - - - - - - - 220

MISCELLANEOUS CORRESPONDENCE.

March 11, Letter from Mr. Bollan, Agent, to the Hon. John Erving, and others, Committee of the Council of Massachusetts. The King's Message of March 7—the publication of his late Petition to the King—prepares a Petition for the House of Commons—General Conway and Sir George Savile decline presenting it—the Lord Mayor consents to present it, - - - - 225
15, Letter from Mr. Bollan to the Committee. His Petition presented by Sir Joseph Mawbey. The right of Parliament to Tax the Americans denied by Lord Camden, - - - - - 227
17, Letter continued. Lord North's policy in regard to the Colonies.—Interview with Lord Camden, - - - - - - - - 228
18, Letter from Arthur Lee, London, to Richard Henry Lee. Order of the House of Commons for leave to bring in the Boston Port Bill. Recommends prudence and firmness to the Colonies. Lord North's declaration, that he would not listen to complaints from America, until she was at his feet. Character of Lord North, 228
22, Letter from Mr. Bollan to the Committee. Refused a hearing by the House, on his Petition. The Port Bill read a second time. The Lord Mayor and Sir Joseph Mawbey offer to present another Petition, - - - - - 229
23, Letter from Mr. Bollan to the Committee. Has prepared his second Petition. Sir Jos. Mawbey took it to present to the House. Objections of the Speaker and Clerk. The presentation deferred, - - - - - - 230
31, Letter from a Gentleman in London to his friend at Annapolis, Md. Encloses the Boston Port Bill. Little opposition to it in the House of Commons. The rise or fall of America now depends on the deliberations of a General Congress from the Colonies. A suspension of Exports and Imports recommended. If Boston acquiesces the whole will be forced to submission, - - - - - - - - - 230
April 2, Letter from Mr. Bollan to the Committee. After various difficulties his Petition to the House of Lords was presented, and he was called in and heard in support of it. General Gage appointed Governour of Massachusetts Bay, 231
Letter from Mr. Bollan to the Committee. Resumes his account of the proceedings on the Port Bill. His second Petition to the House of Commons presented by Alderman Crosby. Large majority against receiving it. The Bill passed by the House of Commons. Interview with Lord Temple. The Earl of Stair the first who spoke in favour of the Colonies in the House of Lords. Lord Stair refers him to the Duke of Richmond to present his Petition.—The Duke of Richmond refers him to the Earl of Dartmouth. Interview with the Earl of Dartmouth. Petition presented by Lord Stair. Mr. Bollan heard at the Bar of the House, in support of his Petition. The Lords pass the Bill, - - - - - - 231—235
April 2, Letter from Dr. Franklin, London, to Thomas Cushing. After his treatment at the Council Board he had ceased to act as Agent. Greater opposition to the Boston Port Bill in the House of Lords than in the House of Commons. Petitions of the Natives of America drawn up by Mr. Lee. Encloses a Letter from Leeds, dated March 20—alarm of the Manufacturers—Emigrations to America, - - - - 235
2, Letter from Arthur Lee, London, to Francis L. Lee. Punishment of Boston first step towards reducing all America to an acknowledgement of the right of Parliament to Tax the Colonies, and to a submission to the exercise of that right. General Gage appointed Governour of Massachusetts to reduce the people to entire obedience. Recommends a General Congress of the Colonies, at Annapolis, and a suspension of Exports and Imports, ... 237
4, Letter from Samuel Adams, to Arthur Lee. Proceedings of the Assembly, in relation to the Judges' salaries. Judge Oliver refuses to renounce the salary from the Crown—Controversy between the Governour and the Assembly. Policy of the British Government, if persisted in, will bring about the entire separation and Independence of the Colonies, - 238
5, Importance of the Commerce of the Colonies to the Trade and Manufactures of Great Britain. Value of Exports from the West India Islands and the Northern Colonies compared. Troops furnished by the Colonies in the last war, - - - - - - - - - 240
5, Letter from London to a Gentleman in New-York. The wisdom and firmness of the United Continent of America must be summoned to support their liberty. If Boston is not sustained, all the rest will fall the easy victims of Tyranny. The Sheriffs of London headed the Petitions to Parliament; they were the first in proposing, and active in getting them up, 241
7, An Apology for the late conduct of America, 241–245
9, Letter from the Earl of Dartmouth to Governour Gage. Sends his Commission, as Captain-General and Governour-in-Chief of Massachusetts Bay, with his Instructions: He must enforce due obedience to the Boston Port Bill—if necessary, must use the King's Troops with effect. The Governour to reside in Salem, and the General Court to be held there, until the King shall authorize their return to Boston. His Majesty expects the offenders (in the destruction of the Tea) to be punished, - - 245
March 31, Copy of a Minute of the Treasury Board, (enclosed in the foregoing Letter,) Instructions to the Officers of the Customs, on removing the Port from Boston to Salem, - - - - 246
April 27, Letter from London. Advises the Colonies to unite in defence of American Liberty. Power of the Ministry—their hatred of liberty. Lords Chatham, Camden, and Rockingham, are friendly to America, - - - - - - 248
May 4, Letter from Lieutenant Governour Colden to the Earl of Dartmouth. Destruction of Tea at New-York, - - - - - - - 248
April 28, Account of the Proceedings at New-York, on the arrival of Captains Chambers and Lockyer, with the Tea, (enclosed in the preceding Letter,) - - - - - - - - 249
May 12, Account of all the Proceedings in New-York, in relation to the Tea, (Note,) - - 251–256

COUNCIL OF PENNSYLVANIA.

March 16, Governour submits a Letter from Lord Dunmore, - - - - - - - - - 252
3, Letter from Lord Dunmore, Governour of Virginia, to Governour Penn. Claims Pittsburgh,

Digitized by Google

1774. as within the County of Augusta, to be under the jurisdiction of Virginia—Refuses to revoke the Commissions to Officers he has appointed there—Demands ample reparation for the insult on his Majesty's Government in Virginia, in the imprisonment of Mr. John Connolly, a Magistrate appointed by him, - - - 252

March 31, Answer of Governour Penn, to the Earl of Dunmore. Review of the respective claims of Pennsylvania and Virginia, in regard to the disputed Boundary. Claims Pittsburgh to be within the Charter limits of Pennsylvania—justifies the conduct of Mr. St. Clair, in imprisoning Connolly, - - - - - 255–260

24, Letter from Jonathan Trumbull, Esquire, Governour of Connecticut, to Governour Penn.—Connecticut Lands West of the River Delaware—requests Governour Penn to prevent settlements under claim of the Proprietaries of Pennsylvania. Has employed persons to take the latitudes of certain places beyond the Delaware, - - - - - - - - - 261

April 11, Letter from Governour Penn to Governour Trumbull, written by advice of the Council. Denies the claim of Connecticut to Lands beyond the Delaware. Protests against the sending of persons to take latitudes of places within the jurisdiction of Pennsylvania, and denies the authority of the Assembly of Connecticut to do so, - - - - - - - - 261

8, Letter from William Crawford, Westmoreland County, to Mr. Penn. Connolly sworn in a Magistrate of Augusta County, Virginia: he was furnished with blank Commissions for several gentlemen near Pittsburgh. A number of Militia Officers appointed there by Lord Dunmore. Several musters of Militia have been held. Connolly constantly surrounded with a body of armed men—and obstructs the execution of legal process under the authority of Pennsylvania. Disturbances there—arrest and confinement of Pennsylvania Magistrates—Connolly surrounds the Court House with Troops—places Centinels at the door—has a private interview with the Magistrates. Further disturbances. Persons arrested by Connolly. Mr. Crawford recommends to the Governour to fix a temporary Boundary line, - - - - - - - - - 262

Dr. Connolly's Address to the Magistrates of Westmoreland County, at his interview with them, referred to in the preceding Letter, - 263

Answer of the Magistrates of Westmoreland County to the foregoing Address, - - 263

7, Deposition of Henry Read, relative to the Disturbances made in Westmoreland County by the Virginians, - - - - - - - - 263

11, Governour advised by the Council to take no steps in relation to the Disturbances, until the return of an Express sent to the Earl of Dunmore, - 264

21, Express sent to Virginia returned without any Answer from the Governour, - - - 264

9, Letter from Æneas Mackay, Pittsburgh, to the Governour. Taken prisoner by Dr. Connolly, and, on refusing to give bail, ordered to be sent to Staunton, - - - - - - - - 264

Letter from Devereux Smith, Pittsburgh, one of the Magistrates of Westmoreland County, arrested on a King's Warrant issued by Dr. Connolly. Will go to Jail at Staunton this day, 264

21, The Council, after considering the foregoing Letters, advise the Governour to send Commissioners to the Governour of Virginia to confer with that Government on the means of restoring peace and good order, and the establishment of a temporary line of jurisdiction, - 265

22, Letter from Governour Penn to Æneas Mackay, Devereux Smith, and Andrew M'Farlane.—Will apply to Lord Dunmore for their enlargement—and has instructed Colonel Wilson to give bail, to release them from Prison at Staunton, - - - - - - - - 265

22, Letter from Governour Penn to William Crawford, and his Associates, of Westmoreland County. Will send Commissioners to expostulate with Lord Dunmore on the behaviour of the persons he has invested with power to disturb the peace of the country. As the Government of Virginia has the power to raise Militia, and there is no such in Pennsylvania, it will be vain to contend with them in the way of force. The Magistrates are, therefore, advised to conduct themselves with caution, and not to proceed with criminal prosecutions against persons acting under the authority of Virginia, - - - - - - - - 266

Jan'ry 15, Letter from Arthur St. Clair, Ligonier, to Joseph Shippen. Petition for a Court House and Jail, in Westmoreland County, - - 266

Feb'ry 2, Letter from Arthur St. Clair, Ligonier, to Governour Penn. Dr. Connolly arrested by his orders, for requiring the Militia to meet. Riotous conduct of persons under arms. Mr. Connolly has a Military Commission from Lord Dunmore, and his Subalterns are appointed, 266

Paper enclosed in the foregoing Letter, read to a party assembled in arms, after Connolly's arrest by the Magistrates of Westmoreland County, 267

25, Letter from Arthur St. Clair, Ligonier, to Joseph Shippen, Junior. Disturbances are increasing. The People, principally, in favour of Virginia. Intends to remove his office to Pittsburgh, - - - - - - - - 269

23, Letter from Joseph Spear to Arthur St. Clair. Virginians have had several musters lately, one at Red Stone, Old Fort. Connolly has just gone to Red Stone, - - - - - - 269

April 4, Letter from Æneas Mackay, Pittsburgh, to Gov. Penn. Since Connolly's return from Virginia, on the 28th of March, Pittsburgh has become a scene of confusion. Connolly arrested on the 24th of January, and in prison a few days, when he prevailed upon the Sheriff to let him out to see his friends; instead of returning to Jail, as he had promised, he assembled a party of armed men, who guarded him from Red Stone to the frontiers of Virginia. Connolly, on the 30th of March, read to the Militia, assembled at Fort Pitt, Letters from Lord Dunmore, approving his conduct, and promising him assistance. The men were assembled in obedience to Lord Dunmore's positive orders, to hear the Letters read. Connolly arrested the Sheriff the next day, by a King's Warrant, and has had, ever since, armed parties in pursuit of the Deputy Sheriff and the Constables; he is now in actual possession of the Fort, with a guard, invested with Civil and Military power to enforce the laws of Virginia—Lord Dunmore has enclosed him Commissions to fill up, at his discretion, for Militia Officers. Indians alarmed at seeing parties of armed men daily, - - 270

4, Letter from George Croghan to David Sample: has long been convinced that Fort Pitt, and its dependencies, are without the limits of Pennsylvania—will no longer submit to the laws of that Province; Virginia having, last Winter, extended the laws of that Government to this part of the country, - - - - - - 271

7, Letter from Thomas Smith to Joseph Shippen. Disturbances in Westmoreland County. Connolly's proceedings—Officers appointed by him, under Lord Dunmore's authority, - 271

8, Representation of the Commissioners and Assessors of Westmoreland County to Gov. Penn, 273

13, Letter from Thomas Smith, Bedford, to Joseph Shippen, Jun. Continued outrages of the Virginians. Three Magistrates of Westmoreland County arrested by Connolly, and now on their way to Augusta Jail, - - - - 273

VIRGINIA ASSEMBLY.

May 5, Virginia Assembly, convened by the Governour, 274

Speech of Lord Dunmore to General Assembly, 274

Address of the Council to Lord Dunmore, - 274

Address of the House of Burgesses to Lord Dunmore, - - - - - - - - 275

12, Information, by Express, of skirmishes with the Shawanese, - - - - - - - 275

13, Petition from the Inhabitants on the Waters of the Ohio, to the Governour and Assembly. Prefer the Government of Virginia to that of Pennsylvania. State their grievances, their fears of the neighbouring Indians, and request the Assembly to extend to them relief, - - - 275

Digitized by Google

1774.
May 13, Address of the House of Burgesses to the Governour on the foregoing Petition. Disapprove the imprisoning Officers by either Government. Recommend a temporary boundary until the King shall direct a proper line to be fixed upon. Request the Governour to exercise the powers he is invested with to suppress the Indian disturbances, - - - - - - - 276
March 3, "A Virginian," approving the conduct of Lord Dunmore, (Note,) - - - - - - 277
26, Letter from Pittsburgh. No disturbances with the Indians this Winter. More to be dreaded from the Pennsylvanians than the Indians, (Note,) - 277
24, "Virginius" to Lord Dunmore. An Indian war inevitable. Urges the Governour to make provision for the security of the frontier inhabitants, and be ready to meet the Indians, (Note,) 277
April 7, Connolly will be at Pittsburgh till the middle of June to dispose of lots in a new Town, to be laid out, at the Falls of the Ohio, (Note,) - 278

COUNCIL OF PENNSYLVANIA.

May 7, Mr. Tilghman and Mr. Andrew Allen appointed Commissioners to treat with Virginia, on the Disturbances in Westmoreland County, - 277
7, Commission to Mr. Tilghman and Mr. Allen, Commissioners to Virginia, - - - 278
7, Instructions to the Commissioners, - - - 279
7, Letter from Governour Penn to Lord Dunmore. Informs him of the appointment of the Commissioners, and expresses his hopes that tranquillity may be restored between the Governments, 280
18, Letter from Doctor Richard Peters to Henry Wilmot, London. History of the purchase, by Pennsylvania, under the Indian Deed of 1754, of the Lands west of the Delaware, claimed by Connecticut. The Pennsylvania purchase made openly in Council; the Susquehannah purchase, by private individuals, from Connecticut, made secretly. The Indians, in Council, refused to sell any land to Connecticut, and refused to sell the Wyomink Country to either Pennsylvania or Connecticut. Treaty at Fort Stanwix, in 1768, - - - - - - 280
April 28, Letter from Arthur St. Clair, Carlisle, to Benjamin Chew. Colonel Stephens censured by the Council of Virginia, in 1764, for sending the Militia out of that Government, when he sent relief to Fort Pitt, then besieged by the Indians, - - - - - - - - - 282
May 5, Letter from Æneas Mackay, Staunton, to Governour Penn. Interview with Lord Dunmore in relation to the claim of Virginia to Pittsburgh, and the proceedings of Connolly. Lord Dunmore justified Connolly, who acted by his authority. Gave Mr. Mackay a Letter to the Sheriff of Augusta, directing the discharge of the Pennsylvania Magistrates imprisoned by Connolly, - - - - - - - - 282
April 26, Letter from Lord Dunmore, Williamsburg, to Daniel Smith, Sheriff of Augusta, directing the discharge of the Pennsylvania Magistrates, 283
25, Lord Dunmore's Proclamation—Directs the Militia of Pittsburgh, and its dependencies, to be embodied to repel any attacks from Pennsylvania, or the Indians; and orders all the inhabitants to pay quit-rents, and all publick dues, to Officers appointed by Virginia, - - - 283
30, Extract of a Journal of the United Brethren's Mission, on Muskingum—Shawanese Chief killed by the Whites, on the Ohio—Indian war expected; Virginians, on the Ohio, threaten to fall on the Shawanese settlements, and destroy their Towns. White people on the Ohio had killed nine Mingoes. At Pittsburgh it is not believed this was done by authority of the Governour of Virginia. Indian Council at Gekelemuckepuck: Shawanese and Mingoes left it dissatisfied, and threatened to kill all the White people they met. Messenger from Mr. Croghan, at Pittsburgh, to the Delawares, Shawanese, and Mingoes, advising them to be quiet. The people there will endeavour to apprehend the Whites who committed the murder. Hopes entertained of a continuance of peace, - 283
May 21, Letter from a Missionary—More Traders arrived, - - - - - - - - - 284

1774.
May 24, Letter from David Zeisburger, Missionary at Schonbrunn. Movements of the Indians: Preparation for war with the Whites, - - 285
27, Letter from Mr. Zeisburger. Two parties of the Shawanese gone against the settlements. The Shawanese at Woaketameka, only want war. Lower Shawanese peaceable yet, - - 285
24, Letter from the Cosh, alias John Bull. Three Cherokees have killed a trader. Mingoes killed by Virginians under Cresap, at the mouth of Yellow Creek. The day following they killed a Shawanese and a Delaware. Same party killed a Shawanese woman, and a Shawanese Chief; soon after fled, and left the settlers victims to the Indians. Indian Council at Woaketameka—Delaware Chief informed the Shawanese and Mingoes that the Delawares would not assist them, - - - - - 285
29, Letter from Arthur St. Clair, Ligonier, to Governor Penn. The Shawanese inclined to peace with the Pennsylvanians. The Virginians have struck them and they will have satisfaction. Met several Chiefs of the Delawares and the Deputy of the Six Nations, at Pittsburgh; they gave assurances of their desire for peace. Number of Indians killed by Cresap and Greathouse, thirteen. Cresap lately at Pittsburgh, with intention to pursue the blow he had struck; but Connolly forbid his attempting any thing against the Indians. Cresap declares what he did before was by Connolly's orders. An Indian war, if not a Virginia plan, is certainly Connolly's plan. Country about Pittsburgh harassed by the Virginia Militia. Several at Pittsburgh have associated and raised, and pay a company of one hundred Rangers. Inhabitants of Pittsburgh propose to stockade the Town. Delaware Indian killed by John Hinckson, and others, - - - - - 286
Speech of the Shawanese, directed to Alexander McKee, George Croghan, and the Commandant at Pittsburgh, Captain John Connolly, - 288
Speech to the Chiefs of the Delawares and a few of the Six Nations, by Arthur St. Clair, at Pittsburgh, May, 1774, - - - - - 288

MISCELLANEOUS CORRESPONDENCE.

May 15, Letter from General Haldimand, New-York, to the Earl of Dartmouth. The accounts received, had made known the plan of operation intended to bring Boston to a sense of order and decency, so that when General Gage arrives they will know what to expect if they prove refractory. Many believe in New-York, that the people of Boston will acknowledge their fault, and pay for the Tea, - - - 289
April 7, Extracts of private Letters from London, printed on the back of the Boston Port Bill, and circulated in New-York, on the 14th of May, enclosed to the Earl of Dartmouth, in the preceding Letter, - - - - - - - 289
May 16, A "British American," New-York, proposes to raise by subscription money to pay for the Tea, ready to be tendered to General Gage, on his arrival. Hostile opposition to the Naval and Military Force coming out with General Gage, absurd, (Note,) - - - - - - 289

NEW-YORK COMMITTEE OF CORRESPONDENCE.

May 16, New-York Committee of Correspondence, - 293
Committee nominated at a Publick Meeting at the Exchange, - - - - - - 293
17, Meeting called for the 19th, to approve of the Committee nominated on the 16th, - - 294
17, Express from Boston, with Letters from the Committee of Correspondence there, suggesting the suspension of all Exports to, and Imports from, Great Britain and the West Indies, (Note,) - 293
19, Meeting of the Inhabitants at the Coffee House, 294
Address of Mr. Low to the meeting, - - 294
The nomination of the fifty gentlemen for a Committee, on the 16th, confirmed, and Francis Lewis added, - - - - - - - 295
Address to the People, urging them to sustain Boston, (Note,) - - - - - - 295
20, Dialogue on the Boston Port Bill—Conduct of

Digitized by Google

1774. the Bostonians justified—Proceedings of the Ministry condemned—Non-Importation Agreement recommended, (Note,) - - - 295
May 23, Isaac Low chosen Chairman of the Committee; John Alsop Deputy Chairman, - - - 295
Letter from Jonathan Blake, Chairman of the Committee of Mechanicks, expressing their concurrence in the appointment of the Committee, 295
23, Letters from Boston Committee of the 13th, and a Letter from the Philadelphia Committee read, 295
Committee appointed to prepare an Answer to the Boston Letter, and to report this evening, - 295
Letter to the Boston Committee reported and approved. Difficult to determine what course ought to be pursued. Cannot give a decisive opinion. Congress of Deputies from all the Colonies ought to be convened without delay. The Committee cannot express any opinion on the expedient proposed by the Boston Committee, - - - - - - - - 297
Copy of this Letter ordered to be sent to Philadelphia, acknowledging the receipt of a copy of their Letter to Boston, and approving the sentiments contained in it, - - - - - 298
24, Letter from Mr. Low, Chairman, to Philadelphia Committee, - - - - - - - 298
30, Rules of proceeding for the Committee adopted, 298
Joseph Allicocke appointed Secretary, - - 299
Committee appointed to write a Circular Letter to Supervisors of Counties, recommending the appointment of persons to correspond with this Committee, - - - - - - - 299
30, Letter from New-York to a Gentleman in London. Many of the principal people of the Colony are sorry for embarking in the cause so far, and are ready to join the friends of the Ministry. The Minister, with a few Ships-of-War, could carry his designs into execution, (Note,) - - - - - - - - 299
31, Letter from New-York to a Gentleman in London. General Gage hissed at a publick dinner in Boston, for giving Governour Hutchinson as a toast. Respect shown to General Gage on his landing, all hypocrisy. The Presbyterian Junto, or self-constituted Committee of Sons of Liberty of New-York, who have stood ever since the Stamp Act, offered the assistance of this City to Boston, in resisting the Parliament; in consequence of this Letter the gentlemen of property met and formed the new Committee of Fifty. There is little doubt but all will be quiet in the Colonies in a short time; the most bitter pill will be the acknowledgement of the right of Taxation in the Parliament. The Presbyterians are to blame for all the violent American Proceedings. The Government at home, can only rely upon the professors of the Church of England. The Ministry have only to put an entire stop to smuggling, and make an example of some of the factious ringleaders in every principal city; then America will give but little trouble, (Note,) - - - - - 299
31, Letter received from Charles Thomson, Philadelphia, in behalf of the several Congregations in that city, dated May 29, - - - 300
Copies of Mr. Thomson's Letter furnished to the Clergymen of New-York, - - - 300
June 1, Letter from Isaac Low, Chairman, to Charles Thomson, - - - - - - - 300
3, Letter from the Committee to the Supervisors of the Counties, - - - - - - - 300
Letter from New-York to a Gentleman in Scotland. The power thrown into the hands of the Mob at the Stamp Act, was not extinguished by the repeal of that Act. It was the leaders of the Mob, who associated to prevent the landing of the Tea here, and for returning it—which they deliberately effected. The Committee of Fifty was elected in opposition to these leaders, with some difficulty. The management of affairs is now in the hands of men opposed to precipitate measures, and the Ministry will meet with little opposition, unless the Bill for the Administration of Justice in Massachusetts Bay should be passed, (Note,) - - - - - 302
2, Letter from New-York to a Gentleman in England. The pretensions of Great Britain will be treated with resentment and disdain throughout the Continent. The strongest determination exists through all America to maintain and defend their rights, (Note,) - - - - 302
June 6, The Committee order a Letter to be written to the Boston Committee, - - - - - 302
4, Anniversary of his Majesty's birth-day. Celebrated by the King's Officers. Few of the people participated in the rejoicing, (Note,) - 303
7, Letter from the Committee to Boston Committee of Correspondence. In their former Letter did not propose a suspension of Trade. Left that and every other resolution for the discussion of the proposed General Congress—adhering to that measure as most conducive to promote the grand system of politicks we all have in view. Ready to meet at any time and place that may be appointed, giving sufficient time for Deputies as far south as the Carolinas to assemble, - - - - - - - - - 303
10, Letter received from the Committee of Correspondence for Connecticut, dated June 4, - - 304
3, Copy of a Letter from the Connecticut Committee to the Boston Committee, enclosed in the preceding Letter to New-York. A Congress absolutely necessary—Should meet by the first week in August—New-York a convenient place, but prefer Fairfield or Norwalk, - 304
10, Committee direct Letters to be written to the Committee at Hartford, and to the Committee of South Carolina, - - - - - - 305
11, Letter to the Committee of Connecticut—Approve of the Congress, chosen to speak the sentiments, and to pledge themselves for the conduct of the Colonies they represent, - 305
11, Letter to Mr. Bernard Lentot, of Branford, - 306
24, Letter from the Committee of Correspondence of the Assembly of New-York, to the Connecticut Committee. A Congress the best means of restoring peace and harmony with Great Britain; but this Committee have no power to take any steps in relation to the subject. If a Congress should meet in or near New-York, will assist with their advice, - - - - 306
Appointment of the Committee by the Assembly of New-York, (Note) - - - - 306
20, Mr. Allicocke, for particular reasons, resigned, and John Blagge appointed Secretary to the Committee in his place, - - - - - 307
27, Letters received from Easthampton, dated June 17; from Philadelphia, dated June 21; and from Boston, dated June 16, - - - - 307
Mr. M'Dougall's motion on the most eligible mode of appointing Deputies to the Congress, debated and postponed to the 29th, - - 307
29, Letters from Tryon County, dated June 22, and from Southampton, dated June 22, received, - 307
Mr. M'Dougall moved, and was seconded by Mr. Broome, that the Committee proceed immediately to nominate five Deputies for the City and County of New-York, to represent them in a Convention of the Colony, or in the General Congress, and that their names be sent to the Committee of Mechanicks for their concurrence; to be proposed to the Inhabitants on Tuesday next, for their approbation, - - 307
Postponed to Monday next, July 4, - - 307
July 4, Letters from Annapolis, dated June 26, with Resolves; from Shelter Island, dated June 7, with Resolves; from Suffolk County, dated June 25; from the Committee of Mechanicks of New-York, dated July 4; also from Dutchess County, dated June 29, received, - - 308
Mr. Booth's motion, seconded by Mr. De Lancey, for the Previous Question on Mr. M'Dougall's motion, referring the nomination of Delegates to the Committee of Mechanicks for their concurrence, - - - - - - - 308
Yeas and Nays on the question, - - - 308
Mr. Bache moved, seconded by Mr. De Lancey, that the Committee now proceed to nominate five persons as Delegates to meet in General Congress, - - - - - - - 308
Captain Sears moved, seconded by Mr. P. V. B. Livingston, that Isaac Low, James Duane, Philip Livingston, John Morin Scott, and Alexander M'Dougall, be nominated, - - 308
Yeas and Nays on the Previous Question, on Captain Sears's motion, - - - - - 308

Digitized by Google

1774.
July 4, Mr. De Lancey moved, seconded by Mr. Booth, that the Committee immediately proceed to nominate five persons to be held up to the City and County, proper to serve them as Delegates in a General Congress, - - - - 308
Philip Livingston, John Alsop, Isaac Low, James Duane, and John Jay, nominated, - - 308
A Publick Meeting ordered to be called at the City Hall, on the 7th, to concur in the nomination, or to choose others in their stead, - 309
5, Address to the Publick. Objections to a Congress—Advises an humble Address from each General Assembly to the King, for permission to send some of their own bodies to England to fix upon a Constitution, (Note,) - - 309
Answer to the foregoing Address, (Note,) - 309
7, Letter from Jacob Lansing, dated Albany, June 29, received, - - - - - - - 309
Committee appointed to meet a Committee of the Mechanicks to-morrow, to take the vote of the City on the five Delegates nominated by this Committee, and the five nominated by the Committee of Mechanicks, - - - - 309
Mr. Thurman's motion, to disavow the Proceedings of the Meeting held in the Fields, yesterday, of which Mr. M'Dougall was Chairman, as evidently calculated to throw an odium on the Committee, and to create jealousies and suspicions of their conduct, - - - 310
Mr. M'Dougall moves for the Previous Question on Mr. Thurman's motion, - - - 311
Yeas and Nays on Mr. M'Dougall's motion, - 311
Yeas and Nays on Mr. Thurman's motion, - 311
Mr. Lewis's motion, for a Committee to prepare Resolutions to be submitted to the People, - 312
Committee appointed, - - - - - 312
Mr. M'Evers's motion, for the publication of the Proceedings on the motion of Mr. Thurman, 312
Yeas and Nays on this question, - - - 312
6, Resolutions adopted by the Meeting in the Fields, referred to by Mr. Thurman. 1. That Boston is suffering in the common cause of the Colonies. 2. An invasion of the rights of one Colony is an attack upon the liberties of all. 3. The shutting up an American Port, to exact a submission to Parliamentary Taxation, is unconstitutional. 4. Suspension of Trade with Great Britain till the Boston Act is repealed, will save America. 5. Delegates from New-York to the General Congress instructed to unite in a Non-Importation Agreement. 6. The Meeting will support every measure of the Congress for securing the objects mentioned in these Resolutions. 7. Provincial Convention recommended to choose Deputies to the Congress. 8. That Subscriptions be immediately set on foot for the relief of the Poor of Boston. 9. The City Committee instructed to carry these Resolutions into execution, - 312
8, Address of Francis Lewis and other Members of the Committee to the Inhabitants—their reasons for opposing Mr. Thurman's and Mr. M'Evers's motion. Withdraw from the Committee, - 313
9, Answer of "One of the Committee" to the foregoing Address—Defence of the Committee, - 314
Mr. M'Dougall declines a nomination to the Congress, (Note,) - - - - - - - 315
Publications relative to these Proceedings, (Note,) 315
13, Committee, appointed on the 7th instant, report Resolutions, - - - - - - - 315
Ordered to be printed and distributed in handbills for the consideration of the Publick, who are requested to meet at the Coffee-House on the 19th, to express their opinion on them, - 315
The five Gentlemen nominated by the Committee as Delegates to the General Congress, to be proposed to the Citizens for their approbation, at the same time and place, - - - 315
19, Letter from Charlestown, South Carolina, dated July 8, with Resolves, received, - - - 315
At the Meeting this day at the Coffee-House, a small portion of the Citizens only attending, the sentiments of the majority not ascertained on the Resolutions, - - - - - 315
Committee appointed to take the sense of the Freeholders, Freemen, and Tax Payers in each Ward, on the Resolutions and the nomination of the Delegates, - - - - - 315

1774. Resolutions adopted by the Committee: 1. The King of Great Britain is our rightful Sovereign; it is our duty to support his Crown and dignity. 2. All Acts of Parliament for taxing the Colonies, unjust and unconstitutional, particularly the Boston Port Act. 3. Enforcing the Taxation in the Colonies, the true motive and main design of that Act. 4. It is the duty of all the Colonies to assist any one so oppressed. 5. The meeting of the proposed Congress the most prudent measure in this alarming crisis. 6. It is premature for one Colony now to resolve what ought to be done by the Congress, who should be left free to decide on what they think best. 7. Nothing but dire necessity can justify the Colonies in uniting on any measure that may injure our brethren in Great Britain. 8. If a Non-Importation Agreement should be adopted, it ought to be general, and faithfully observed. 9. The Delegates to Congress should be so chosen as to pledge themselves for the good conduct of the People they represent, - - 315
Mr. Jay's motion, to provide for the distresses of the Poor of Boston, - - - - - - 316
Committee to consider of the means for their relief, and to report with all convenient speed, - 317
Committee to prepare Answers to the Letters received, - - - - - - - - 317
Committee appointed to request the Committee of Mechanicks to appoint persons to join those appointed by this Committee, to take the sense of the Inhabitants on the Resolutions and the Delegates, - - - - - - - 317
July 20, Address of Mr. Alsop, Mr. Low, and Mr. Jay, to the Publick. The sense of the City so uncertain, that they do not consider themselves, or any others, duly chosen as Delegates to the Congress, - - - - - - - 317
20, Address of Mr. Moore, Mr. Low, Mr. Remsen, and Mr. Jay, to the Publick. After the rejection of the Resolutions offered by the Committee of Correspondence to the Meeting at the Coffee-House, on the 19th, they were appointed on another Committee to prepare new Resolutions. Their appointment irregular, and decline serving. They approve, with few exceptions, of the rejected Resolutions, - - 317
25, Letter, dated Boston, July, 1774, received, - 318
Mr. Remsen's motion, that a Poll be opened in each Ward, on the 28th, for the election of five Deputies to the Congress, - - - - - 318
Unanimously agreed to, - - - - - 318
Committee to carry it into effect, - - - 318
Amendment of the third Resolve, - - - 318
30, Queries from Ulster County, (Note,) - - 318
26, Note from the Committee, at Mr. Marriner's, to the Delegates nominated, desiring a pledge that they will support a Non-Importation Agreement in the Congress, until the American Grievances are redressed, - - - 319
27, Reply of Mr. Livingston, Mr. Low, Mr. Alsop, and Mr. Jay. They believe a general Non-Importation Agreement would prove the most efficacious means to procure a redress of Grievances, - - - - - - - - 319
27, In answer to this Reply, the Committee, at Mr. Marriner's, agree to support the nominated Delegates, - - - - - - - 319
Letter from Charles Thomson, Philadelphia, dated July 25, with Resolves, received, - 320
28, Publication of Proceedings of yesterday, ordered, to correct a mistake in Mr. Holt's Paper, - 320
The Publication of Mr. Holt, referred to by the Committee, (Note,) - - - - - - 320
Philip Livingston, Isaac Low, John Jay, John Alsop, and James Duane, unanimously elected Delegates to the Congress, - - - 320
Committee on the distresses of the Poor in Boston will report at next meeting of the Committee, - - - - - - - - 320
26, Letter to the Committee of Correspondence at Charlestown, South Carolina. Resolutions of South Carolina much approved of. Nothing but a strict union among all the Colonies can effect a restoration of the just rights of America. Will concur in every constitutional measure for obtaining a redress of Grievances.

Digitized by Google

1774. Three sets of Resolutions published in New-York, that signed by the Chairman, adopted, 320
July 28, Letter to the Committee of Correspondence at Philadelphia. After various contests on the appointment of Delegates, regular polls have been opened in each Ward in the City, which has given universal satisfaction. Letters sent to the several Counties of the Province requesting their co-operation. Resolves and Instructions of the Provincial Committee of Pennsylvania, much approved, - - - 321
28, Letter to Matthew Tilghman, Chairman of Committee for Maryland. Resolutions of Maryland much approved. The 1st of September proposed by Massachusetts for the meeting of Congress, agreed to by Eastern Colonies, except New-Hampshire, from whence no communication has been received on the present state of affairs, - - - - - 321
29, Letter sent to the Committee or Treasurer of the different Counties in the Province. Suggests the expediency of electing Delegates to Congress in the several Counties speedily; or to express their confidence in the Delegates elected in the City, - - - - - 322
Augt. 7, Letter from Elizabethtown, dated August 5th, received, - - - - - - 322
Committee appointed to answer a Letter from Boston, and to wait on the Chairman of the Mechanicks' Committee, to request the Boston Letter to them, - - - - - 322
Committee appointed to procure Collections to relieve the poor of Boston; and to request the assistance of the Committee of Mechanicks in making the subscriptions, - - - 322
Election of Delegates in Orange and Albany Counties, (Note,) - - - - - 322
9, Letter to the Committee of Correspondence, of Boston. Explain the cause of their omission to write, and express their regret that the rectitude of their intentions are doubted. Appeal to their Acts, Letters, and Resolves, to show their attachment to the general cause. Defend the Merchants against the charge of want of patriotism, made against them, in the Letter to the Committee of the Mechanicks. Request to be furnished with copies of the Letters that have given rise to the suspicions. The distresses of the Poor of Boston have engaged the earnest attention of the Committee, - 323
9, Letter to the several Counties of the Province. Urges them to contribute for the relief of the Poor of Boston. The interest and welfare of a whole Continent requires that provision should be made for all sufferers in the common cause, 323
22, Letter from Suffolk County, dated August 11, received. Colonel William Floyd elected a Delegate for that County, - - - - 324
Business of the ensuing Congress discussed, in presence of the Delegates, (Note,) - - 324
Letter to Zephaniah Platt, Dutchess County. Delegates chosen in the City approved, - 324
29, Letters received from Kingston, August, 19; New-Windsor, August 26; Bedford, August 9; Mamaroneck, August 7; and White Plains, August 27; approving the Delegates chosen for the City, - - - - - - 325
Sept. 3, Reported attack on Boston, on the 2d, (Note,) 325
5, Letters from Albany, August 27, and Poughkeepsie, August 31, approving the Resolves and Delegates for New-York, - - - 326
19, Letter from Isaac Low, Philadelphia, received, 326
Committee appointed to write to Richmond, Kings, Queens, and Tryon Counties, requesting them to send Delegates to the Congress now sitting, or to approve of those now there, for the Province of New-York, - - - - 326
29, Representation from a number of Inhabitants, signed by Joseph Totten, their President, - 326
30, Committee call a Meeting of the Inhabitants at the City-Hall, this day, to consider Mr. Totten's Representation, - - - - 326
Conduct of the persons complained of in the Representation, condemned, - - - - 327
Oct. 5, Meeting of Importers called to consider advances upon Goods imported, - - - - 328
7, Importers agree not to put unreasonable advances on Goods, from the apprehension of a Non-Importation; will discourage all Engrossers; and will decline dealing with all who attempt to defeat their Resolutions, - - - 328
Nov. 7, Committee appointed to inquire what progress has been made in Collections for the Poor of Boston, - - - - - - - 328
Meeting of the Citizens called to appoint Committees of Inspection, agreeably to the Continental Association, - - - - - 329
Committee appointed to write to the several Counties, recommending the appointment of Committees of Inspection, - - - 329
14, Letter to Daniel Dunscomb, Chairman of the Committee of Mechanicks. Requests a Conference with that Committee on the appointment of Committees of Inspection, - - 329
Contributors for the Poor of Boston, in the several Counties, requested to transmit their Donations as speedily as possible to New-York, 329
15, Committee, after their Conference with the Committee of Mechanicks, consider their body dissolved on the election of a Committee under the Association of Congress, - - - 330
Election of new Committee of Sixty ordered, on the 22d instant, - - - - - 330
22, The new Committee of Sixty elected, - - 330

CORRESPONDENCE, PROCEEDINGS, ETC.

May 10, The Port Bill received at Boston, (Note,) - 331
13, General Gage arrived at Boston, (Note,) - 331
13, Town Meeting in Boston—Advise the stoppage of all Imports from, and all Exports to, Great Britain and the West Indies, till the Port Bill is repealed, - - - - - - 331
This vote ordered to be sent to ll the Colonies, 331
Committee appointed to consider what measures are proper for the Town to adopt, in the present emergency, - - - - - 331
Committee appointed to consult with Salem and Marblehead, - - - - - - 331
14, Paul Revere despatched with Letters to the Southern Colonies, (Note,) - - - 331
16, Election of Committee of Fifty at New-York, to correspond with the Colonies, on all matters of moment, - - - - - - 293
17, General Gage landed in Boston. Sworn into office as Governour, and invited to a publick entertainment at Faneuil Hall, (Note,) - 331
18, Meeting at Faneuil Hall, Boston, recommend to the People patience, fortitude, and a firm trust in God, - - - - - - 331
Votes passed at this Meeting, - - - 332
17, Letter received in Boston from Philadelphia. Boston need not expect general support from the other Colonies. In Pennsylvania they will find none, - - - - - 332
18, Letter from Samuel Adams, Boston, to Arthur Lee, London. Injustice and barbarity of the Port Bill. The Inhabitants view it with indignation. Have resolved upon a Non-Importation. Calmness, courage, and unanimity prevail. Suspect studied insult in the appointment of General Gage, - - - - 332
19, Letter from General Gage to the Earl of Dartmouth. Occurrences at Boston, on his arrival. The Committee from Boston to Salem and Marblehead received little encouragement.—The Port Bill has staggered the most presumptuous. The Assembly may be more inclined to comply with the King's expectation at Salem, where they will be moved after the first of June, - - - - - - - 333
17, Town Meeting at Providence, Rhode-Island.—Will unite with the other Colonies in measures for protecting and securing their rights. Recommend a Congress of all the Colonies and Provinces, for establishing the firmest union between them. All the English American Colonies equally interested in the Proceedings of Parliament against Boston. Recommend the stoppage of all Trade with Great Britain, Ireland, Africa, and the West Indies, - - 333
18, Meeting at Chestertown, Maryland, on the importation of Dutiable Tea in the Geddes. No Taxes or Duties can be constitutionally imposed without our consent. The Duty on

Digitized by Google

1774. Tea unconstitutional. Whoever imports, buys, or sells it, stigmatized as enemies to America, 334
May 18, Address to the Freemen of America. Conduct of Great Britain towards America, a system of oppression. Life, liberty, and property, are now but names in America. New-York, Philadelphia, and Charlestown, cannot escape the fate of Boston. An union of the Colonies will render harmless British vengeance and tyranny. Virtue, unanimity, and perseverence, are invincible, - - - - 335
19, Publick Meeting at Farmington, Connecticut.—Liberty Pole erected, and Boston Port Bill burnt by the common hangman, - - 336
19, Letter from the Committee of Correspondence, at Westerly, to the Committee of Boston. Treatment of Boston by Great Britain worse than that of Carthage by Rome. The attack upon Boston, an attempt upon the whole Continent. The other Colonies will unite with the friends of liberty, in Boston, in support of the common cause, - - - - - - - - 336
19, Letter from the Committee of Portsmouth, New-Hampshire, to the Boston Committee. The British Ministry are endeavouring to disunite the Colonies, that they may put down their opposition. A firm union of all the Colonies will prevent the cruel effects of the Port Bill, 337
Letter to Lord North, attributed to Edmund Burke. The rights of the Crown, and the rights of the Colonies, under various Charters and Grants, - - - - - - - 337
20, Letter from a Member of the Virginia Assembly, Williamsburg, to his Correspondent in London. Resentment in Virginia, on account of the War sent to Boston. It is the universal determination to stop the principal Exports to, and all the Imports from, Great Britain. The Assembly, now in session, will agree on measures to be adopted, before they adjourn, - 340
20, Meeting of the Inhabitants of Philadelphia.—Committee of Correspondence appointed, - 340
21, Letter from the Committee of Philadelphia to the Boston Committee. It is difficult to collect the sense of the People, or to advise what ought to be done, on this crisis. The general sense of this Province, and of all the Colonies, should be obtained. If satisfying the East India Company for the Tea would end the controversy, there would be no hesitation on what ought to be done. A Congress from all the Colonies, preferred by the People of Pennsylvania, to a Non-Importation and Non-Exportation Agreement. Will endeavour to collect the sense of Pennsylvania, and the neighbouring Colonies, on these important points, - - - - 341
20, Questions and Answers, on paying for the Tea, (Note,) - - - - - - - - 295
20, Letter from Gouverneur Morris, New-York, to Mr. Penn, Philadelphia. Proceedings in New-York, on the appointment of the Committee. His opinions on the state of parties in New-York. A safe compact for re-union with the parent state, is to leave internal Taxation to the Colonies, and to vest the regulation of Trade in Great Britain. His reasons for this as the only possible mode of re-union, 343
20, Town Meeting at Newport, Rhode-Island.—The Boston Port Bill subversive of American Liberty. The same authority may destroy the Trade of every other Colony. Will unite with the other Colonies, in all proper measures, to place the rights of each on a permanent foundation, and particularly in a stoppage of all Trade with Great Britain and the West Indies, - - - - - - - - 343
Company at Newport for carrying on Woollen Manufactures in the Colony. Wool enough raised to clothe all the Inhabitants, (Note,) - 344
20, Letter from General Gage to Governour Trumbull. Informs him of his appointment as Governour of Massachusetts, and expresses his readiness to co-operate for the good of his Majesty's service, - - - - - 344
21, Letter from the Boston Committee, in reply to one from sundry Gentlemen in New-York. Thanks for their unsolicited offer of assistance. Letters countermanding orders for Goods sent by a vessel yesterday for London. The friends of Government, in Boston, procuring signers to an Address to Governour Hutchinson, and are endeavouring to raise money to pay for the Tea, - - - - - - - 344
May 23, Intelligence received at Philadelphia from Pittsburgh. On the 26th of April, two Indians killed on the Ohio, near Wheeling. Michael Cresap believed to be concerned in the murder. Cresap had previously declared he would kill every Indian he met on the River; and if he could get a sufficient number of men, he would mark a Village on Yellow Creek. Another party of Indians attacked by Cresap. Greathouse and Baker cut off a party at Yellow Creek, - - - - - - - - 345
23, Letter from the New-York Committee to the Boston Committee. Advise a General Congress of all the Colonies, to be assembled without delay; and some unanimous resolution formed, not only respecting the deplorable circumstances of Boston, but for the security of our common rights, - - - - - 297
23, Address of the Episcopal Ministers and Wardens, in Boston, to Governour Hutchinson, - 346
Governour Hutchinson's Answer, - - 346
24, Address of the Justices of the Court of General Sessions of the Peace, for the County of Suffolk, Massachusetts, to Governour Gage, - 346
The Governour's Answer, - - - - 347
24, Letter from Philadelphia to the Boston Committee. The cause of Boston the cause of all the Colonies. Must be supported against the whole strength of Great Britain. By sea they will beat us; by land they will not attempt us. We must suspend all Trade with Great Britain and the West Indies, and withhold Flax-seed from Ireland. Stopping our Ports entirely, contemplated. We shall try to convene a Congress as soon as possible, - 347
24, Meeting at Talbot Court House, Maryland, to consider the distresses of Boston. Determined to pursue every constitutional measure to avert the evils threatened by the Boston Port Bill; to support the common rights of America, and to promote union and harmony between Great Britain and the Colonies, - - - - 347
24, Letter from the New-York Committee to the Philadelphia Committee, - - - - 298
24, Letter I, to the Inhabitants of the British Colonies in America, on the present disputes with Great Britain, - - - - - 348

HOUSE OF BURGESSES OF VIRGINIA.

May 24, Resolution of the House of Burgesses of Virginia, setting apart the first day of June to be observed, by the Members of the House, as a day of Fasting, Humiliation, and Prayer, - 350
26, Assembly of Virginia dissolved by Lord Dunmore, - - - - - - - - 350
27, Association agreed to and signed by eighty-nine Members of the late House of Burgesses of Virginia, - - - - - - - 350
29, Members of the late House of Burgesses remaining in Town convened by Peyton Randolph; who, on considering the important Letters received this day, by express, from Boston, Philadelphia, and Annapolis, ordered the other Members near the City to be called together, 351
30, Twenty-five Members met, and unanimously agreed to postpone the further consideration of the subject to the first of August; when it is expected a Non-Importation Agreement will be entered into, and Resolutions to suspend, at some future day, Exports to Great Britain, - 351
June 1, Divine Service, at Williamsburg, in compliance with the Resolution of the Burgesses, of the 24th of May, (Note,) - - - - 351

CORRESPONDENCE, PROCEEDINGS, ETC.

May 29, Letter from Lord Dunmore, Williamsburg, to the Earl of Dartmouth. Resolution of the House of Burgesses to deny and oppose the authority of Parliament offered by Robert Carter Nicholas, Treasurer of the Province. Dissolved the Assembly, with the unanimous

Digitized by Google

1774.
consent of the Council. Will not call another till he hears from the Earl of Dartmouth. Many of the dissolved Members state that if the full force of the Resolution had been adverted to, it would have met with strong opposition, 352
May 26, Meeting at Annapolis, Maryland. The suffering of Boston, the common cause of America. A stoppage of Trade with Great Britain will preserve North America and her Liberties. Gentlemen of the Law in the Province should bring no suit for the recovery of a debt due to an Inhabitant of Great Britain, until the Boston Port Act be repealed. The Inhabitants of Annapolis will, and the Province ought, immediately to break off all Trade with the Colony or Province which shall refuse to adopt similar Resolutions with a majority of the Colonies. Committee appointed to unite with others of the Province, to effect an Association to secure American Liberty, - - - 352
26, Objections to the Proceedings at the Meeting at Annapolis, on the 24th, - - - - 353
27, Another Meeting, held at Annapolis, confirmed the Resolutions passed on the 24th, - - 353
30, Protest of a number of Inhabitants of Annapolis against the Resolution adopted on the 27th, against bringing suits for debts due to Persons residing in Great Britain, - - - - 353
Letter from Daniel Dulany, Jun., Annapolis, to Arthur Lee. Notice of the Proceedings on the 24th. He opposed one of the Resolutions. The Resolutions are not to be obligatory until they are agreed to by a majority of the Colonies, and the several Counties of this Province, 354
Resolutions adopted by the House of Representatives of the English Colony of Connecticut, 355
1. The King of Great Britain recognised as their lawful Sovereign, - - - - - 355
2. The Inhabitants of the Colony have all the rights and privileges of Subjects born within the Realm of England, - - - - 355
3. The Assembly of the Colony the only lawful Representatives thereof, - - - - 356
4. It is the right of the Inhabitants of the Colony to be governed only by their own Assembly, in Taxing and Internal Police, - - 356
5. Admiralty Courts, with extraordinary powers, destructive of the rights of the People of the Colony, - - - - - - - 356
6. Carrying Persons beyond the Sea, for Trial, unconstitutional, and subversive of the rights of the Colony, - - - - - - 356
7. A Port can only be shut up by the Legislature of the Colony in which it is situated, - 356
8. Closing the Port of Boston, by Act of Parliament, inconsistent with the rights and liberties of the Colonies in America, - - - 356
9. Whenever his Majesty's service shall require the aid of this Colony, it will be granted, - 356
10. The well-being and security of the Colony depends on its connection with Great Britain, 356
11. It is our duty, by all lawful means, to defend and preserve our rights and liberties, - - 357
25, Meeting of Assembly of Massachusetts, - 357
Counsellors elected, - - - - - 357
26, Counsellors rejected by the Governour, - - 357
Governour's Speech to both Houses. Informs them that after the first of June, in compliance with the King's particular commands, the General Court will be held at Salem, - - 357
25, Address presented to Governour Hutchinson, by sundry Gentlemen of Marblehead, - - 358
Governour Hutchinson's Answer, - - - 358
June 3, Declaration of Marblehead, relative to the Address from sundry Inhabitants of the Town to Governour Hutchinson; unanimously voted at a legal Town Meeting, - - - - 359

NEW-HAMPSHIRE ASSEMBLY.

May 27, Assembly of New-Hampshire authorize the enlistment of three Men, to be posted at his Majesty's Fort, William and Mary, under the command of one Officer, - - - - 360
Message from Governour Wentworth to the Assembly. He does not think it safe to entrust so important a Fortress to the care and defence of three Men and one Officer, - - - 360
1774.
May 28, Committee appointed by the Assembly of New-Hampshire, to correspond with the Committees in the other Colonies, - - - - - 361
The Speaker directed to answer such Letters as he may receive from the other Colonies relative to the Difficulties between Great Britain and the Colonies, and to assure them that this Assembly will join them in all measures for saving the rights of America, - - - 361
The Governour authorized to enlist five Men for Fort William and Mary, - - - - 361

CORRESPONDENCE, PROCEEDINGS, ETC.

May 28, Address of Merchants and Traders of the Town of Boston, presented to Governour Hutchinson, 361
Answer of Governour Hutchinson, - - 362
24, Protest of the Merchants and Traders of the Town of Boston, unanimously voted, at a full Meeting, against a Paper called an Address to Governour Hutchinson, handed about, and signed, in a private manner, - - - 362
29, Address presented to Governour Hutchinson, by several Gentlemen of the Law, - - - 363
Answer of Governour Hutchinson, - - 363
30, Letter from Bedford, Pennsylvania. Alarms on the Frontiers on account of the Indians. A party of the Shawanese out, it is supposed to attack some part of Virginia, - - - 364
30, "Join or Die!" An Appeal to the People to unite in resisting the Parliament, and supporting Boston, - - - - - - - - 364
30, Address from the Magistrates of Middlesex County, Massachusetts, to Governour Hutchinson, 364
Mr. Hutchinson's Answer, - - - - 365
30, A Meeting of a number of Persons of all societies, in Philadelphia, determine to suspend all business on the first of June, the day the Boston Port Bill takes effect, (Note,) - - - 365
30, Committee of the Society of Quakers inform the Publick that no person was authorized to represent them at the Meeting for suspending business on the first of June, - - - - 365
June 1, People of Philadelphia, except the Friends, suspend all business; nine-tenths shut up their houses. The Bells were rang muffled; and Vessels in the Port had their Colours half hoisted, (Note,) - - - - - 365
6, Rector of Christ's Church, Philadelphia, acquaints the Publick that the Bells of that Church were not rang, on the 1st, with his knowledge or approbation; he specially directed there should be no observance of that day in any of the Churches under his care, (Note,) - - - - - - - - 365
May 30, Queen Anne County, Maryland, Resolutions. The cause of Boston, the common cause of America; all legal means should be adopted to procure the repeal of the Boston Port Bill. All commercial intercourse with Great Britain should be stopped until that Act is repealed, and the right assumed by Parliament, for taxing America, in all cases whatsoever, be given up. Committee of Correspondence and Intercourse appointed, - - - - - - - - 366
30, Letter from New-York to a Gentleman in London, (Note,) - - - - - - - 299
31, Baltimore County, Maryland, Resolutions. The duty of every Colony in America to unite to obtain a repeal of the Boston Port Bill. This County will join with the Province to stop Trade with Great Britain and the West Indies. Provincial Congress recommended; to be held at Annapolis. Maryland should break off all intercourse with any Colony who shall refuse to come into similar Resolutions with a majority of the Colonies. Committee of Correspondence appointed, - - - - - - 366
31, Letter from Governour Penn to the Earl of Dartmouth. An Express despatched to Philadelphia, from Boston, with a proposal to stop all Trade with Great Britain. In consequence of this a Meeting was held, where the matter was considered and debated. It was resolved to petition the Governour to convene the General Assembly on the occasion. Should so affrontive an application be made, will treat it as it deserves, - - - - - - - 367

Digitized by Google

1774.
May 31, Letter from Governour Franklin, Burlington, to the Earl of Dartmouth. Difficult to foresee what will be the consequences of the Boston Port Act. The Merchants of New-York and Philadelphia, though inclined to co-operate with Boston, unwilling to enter into a General Non-Importation and Non-Exportation Agreement. A Congress has been proposed, but whether it will take place is uncertain, - 368
31, Letter from New-York to a Gentleman in London, (Note,) - - - - - - - 299
31, Letter from Governour Gage to the Earl of Dartmouth. Doubtful whether the other Colonies will give Boston any thing but good words. The violent seem to break, and the People to fall off from them. The Assembly hurrying through their business, to avoid meeting at Salem, were suddenly adjourned by him to meet there on the 7th of June. The Officers of the Customs leave Boston to-morrow, and the Admiral has stationed his Ships. No design has yet appeared of opposing the Act. Many wish for the arrival of the Troops; People will speak openly then, which they now dare not do, - - - - - - - - - 368
31, Letter from John Scollay, Boston, to Arthur Lee. Injurious effects that will be felt by the whole Province from the Boston Port Bill. Although it was intended to ruin the Town, yet out of this management of Lord North's, instead of despotism and tyranny over the Colonies, a foundation for peace and harmony with Great Britain will be laid. The Colonies do not wish for Independence, and they are too valuable for the Crown to part with, - - 369
31, Information of the Boston Port Bill received with indignation at Charlestown, S. Carolina, 370
31, Letter from the Norfolk, Virginia, Committee, to the Committee at Charlestown, South Carolina. The time has come when the closest union is necessary. The Boston Port Bill is an attack upon the liberties of us all. We look to Charlestown as among those to take the lead in the general establishment of the rights of the Colonies. Fear Boston will sink under the weight of their misfortunes. Approve of the expediency of a Congress. If, after all, the India Company must be reimbursed, every freeman will cheerfully join in the general expense, - 370
June 1, Letter from Lieutenant Governour Colden, New-York, to the Earl of Dartmouth. At the time the Boston Port Bill was received in New-York, the men who called themselves the Committee, were, many of them, of the lower rank, and all the warmest zealots of those called the Sons of Liberty. The principal Inhabitants, at a meeting held after the Port Act was published, dissolved this Committee and appointed a new one, of the prudent people of the city. No Resolutions have yet been adopted by this Colony, - - - - - - - - - 372
1, Letter from Major General Haldimand, New-York, to the Earl of Dartmouth. Since the late vigorous measures of Parliament, the loyal Inhabitants fear not to disapprove the rash proceedings of their Countrymen. This has prevented the passage of Resolutions to stop Trade with Great Britain and the West Indies, - 373
1, Letter from New-York to a Gentleman in Scotland, (Note,) - - - - - - - - 302
1, Fredericksburg, Virginia, Resolutions. Will concur in every proper measure adopted by the Colonies respecting Boston. Committee of Correspondence appointed, - - - 373
1, Letter II, to the Inhabitants of the British Colonies in America. An examination of the Acts relating to America, - - - - - - 374
1, An Address to all the English Colonies of North America. Effects and consequences of the Boston Port Bill, - - - - - - 377
2, Meeting of the Inhabitants of Kent County, Maryland. Committee of Correspondence appointed. Delegates to the Provincial Congress at Annapolis, chosen. Collections made for the suffering Poor of Boston, - - 379
2, Letter from a Member of the Assembly of New-Jersey. Meeting of a Committee at New-Brunswick. Will do whatever may be generally agreed on. Have requested the Governour to convene the Assembly before the first of August, - - - - - - - - - 380
June 2, Letter received in Philadelphia from a Gentleman in Boston. Closing the Port. Proposition to pay for the Tea. General Gage ordered the removal of the Province Money from Boston to Salem. Treasurer refused to comply, - 380
2, Letter from New-York to a Gentleman in England, - - - - - - - - - 302
2, Letter from the Committee of Norfolk, Virginia, to the Baltimore Committee. The late Acts of Parliament viewed as fatal to the liberties of the Colonies, and as a publick robbery of our rights. The policy of attacking a Town or Province singly, will never so delude, as to disunite us from a joint and universal opposition of all British America, - - - - - 371
3, Letter from the Committee of Norfolk, Virginia, to the Boston Committee. Are not indifferent spectators of the distresses of Boston, under the cruel exertion of British power. Observed the first of June as a day of fasting and prayer. Consider Boston as suffering in the common cause, and feel bound by the most solemn and sacred ties to support them in every measure to regain their rights and privileges, - - 371
3, Letter from the Earl of Dartmouth to General Gage. Encloses Acts for the better government of, and the administration of Justice in, Massachusetts Bay. The King has nominated thirty-six persons for the Council of Massachusetts. Mr. Oliver, of Cambridge, appointed Lieutenant Governour. Instructions. Violences must be resisted with firmness. The Acts of Parliament must be obeyed throughout the whole Empire, - - - - - - 380
3, Letter from the Committee of Correspondence for Connecticut to the Committee of Correspondence for Boston. The Assembly at their session, which closed this day, came to Resolutions relative to their rights and privileges. Resolves of Colonies will have more weight than those of the Merchants of separate Towns; and measures recommended by the whole united Colonies will have still greater weight and influence, - - - - - - 304
4, Letter from the Committee of Correspondence for Connecticut to the New-York Committee, enclosing a copy of the preceding Letter, which they have also sent to Rhode-Island and New-Hampshire, - - - - - - - 304
4, The King's birth-day. Not a house illuminated at Charlestown; no demonstrations of joy, (Note,) - - - - - - - - 382
4, Address to the People of Charlestown, South Carolina, - - - - - - - 382
4, Anne Arundel County, Maryland, Resolutions. Duty of all the Colonies to unite for obtaining a repeal of the Boston Port Bill. A stoppage of Trade with Great Britain and the West Indies the most effectual means to obtain a repeal. Provincial Congress recommended; Members for Anne Arundel County appointed, 384
Questions submitted to the consideration of the Committee for Anne Arundel County, (Note,) 385
4, Letter received at New-York from a Gentleman of Philadelphia. Some of the friends of Boston here are too warm, and wish to push all things into confusion. Our Letter, (of May 21,) moderate, yet warm and firm enough, - 386
4, Letter from Joseph Johnson, an Indian of the Mohegan Tribe, to Jonathan Trumbull, Governour of Connecticut, - - - - - 386
6, Letter from the Earl of Dunmore, Williamsburg, to the Earl of Dartmouth. Cannot tell to what lengths the People of Virginia will be induced to proceed. Members of the late House of Burgesses, after the arrival of the Boston messenger, called a meeting of the People, and proposed to them to agree to the violent measures adopted at Annapolis, which, that they may be more solemnly entered into, have deferred the execution of it to the first day of August, when all the Members of the late House of Burgesses are required to attend, - - 387
6, Meeting of the Freeholders, Merchants and other Inhabitants of the County of Prince

Digitized by Google

1774. William, and Town of Dumfries, in the Colony of Virginia, - - - - - - - 388
June 6, Letter from Philadelphia to a Gentleman in Boston. Reasons why Boston should not pay for the Tea, - - - - - - - 388
6, Meeting of the Freeholders and Inhabitants of the Township of Lower Freehold, in the County of Monmouth, in New-Jersey, - - - 390
6, Meeting of the Inhabitants of the Town of Norwich, in the Colony of Connecticut, legally warned and convened, - - - - - 390
7, Meeting of the Inhabitants of Essex County, New-Jersey, called, - - - - - - 391
7, Letter from the Committee of New-York to the Committee of Correspondence in Boston, - 303
7, Offer by the Merchants and Traders of Marblehead, of their Stores and Wharves, to their oppressed brethren of Boston, during the operation of the Boston Port Bill, - - - 391
8, Petition of sundry Inhabitants of the Province of Pennsylvania to Governour Penn, to call together the Assembly, on occasion of the late Act of Parliament respecting the Town of Boston, - - - - - - - - 391
Answer of the Governour. Does not think it expedient or consistent with his duty, - - 391
8, Meeting of the Freeholders and other Inhabitants of the County of Frederick, in Virginia, and Gentlemen practising at the Bar, held in Winchester, - - - - - - - 392
8, Letter from Governour Wentworth to the Earl of Dartmouth. Took pains to prevail upon the Assembly not to enter into extra Provincial measures; yet Committees of Correspondence were appointed. They were adjourned immediately, and, since then, kept under short adjournments, in hopes to obtain a suspension of their votes. Dissolved the Assembly this day, 393
8, Message from Governour Wentworth to the Assembly of New-Hampshire. Measures entered into by the House inconsistent with his Majesty's service. His duty to prevent any detriment that might arise from such Proceedings; therefore dissolves the Assembly, - 394
8, Express at Williamsburg from Pittsburgh. Shawanese have declared war against the Whites, 394
8, Letter III, to the Inhabitants of the British Colonies in America, - - - - - - 394
Letter to the Author of the Letters to the Inhabitants of the British Colonies in America, - 395
8, Address of the Boston Committee sent to the People of every Town in the Province, with the Covenant, - - - - - - - - 397
Form of the Covenant sent to every Town in Massachusetts, - - - - - - 397
8, Address of Merchants, Traders, and others, of Boston, presented to Governour Gage, at Salem, - - - - - - - - - 398
Governour Gage's Answer, - - - - - 399
8, Resolutions of the House of Representatives of Massachusetts. Convening the General Assembly at any other place than Boston, unnecessarily, a great Grievance, - - - - 399
9, Answer of the House of Representatives to the Speech of Governour Gage, at the opening of the Session, - - - - - - - 400
9, Answer of the Council to the Governour's Speech, - - - - - - - - 400
13, Committee of the Council presented the Address to the Governour. The Chairman not permitted to read it through, - - - - - 401
13, Message of Governour Gage to the Council. His reason for refusing to receive the Address. Considers it an insult to the King, and an affront to himself, - - - - - - 401
11, Address of Merchants and others, Inhabitants of Salem, to Governour Gage, - - - - 401
Answer of the Governour, - - - - - 402
11, Meeting of the Inhabitants of Harford County, Maryland, - - - - - - - 402
11, Meeting of the Freemen in the lower part of Frederick County, Maryland, - - - - 403
11, Meeting of the Freeholders and Inhabitants of the County of Essex, New-Jersey, - - 403
11, Letter from the New-York Committee to the Committee of Correspondence for Connecticut, 305
11, Letter from the New-York Committee to Bernard Lintot. The hints he has furnished very proper for the consideration of a General Congress of Deputies from the different Colonies; what can or will be done, must be submitted to the wisdom of their united Councils, - - 306
June 13, Letter from Norwich, in England, to a Gentleman in New-York. Distresses of Manufacturers in England, in consequence of the measures of Parliament towards America, - - - - 404
13, Intelligence at Williamsburg, Virginia. War with the Indians, - - - - - - 405
13, Meeting of Mechanicks at Philadelphia, held on Thursday evening, the 9th, - - - - 405
13, Letter from George Clymer, Philadelphia, to Josiah Quincy, Jun. New-York and Pennsylvania object to the suspension of Trade proposed by Boston. Pennsylvania appears determined on the Congress. General Subscription opened for relief of Boston, - - 406
13, Meeting of the Inhabitants of the Parish of South-Haven, in the County of Suffolk, New-York, - - - - - - - - - 407
13, Meeting of the General Committee, Charlestown, South Carolina. General Meeting of the Colony called, to consider of the steps proper to be taken in consequence of the late hostile Act of the British Parliament against Boston, - 408
13, Letter from Charlestown, South Carolina, to a Gentleman of New-York. Merchants now generally in favour of Non-Importation, - 408
14, Letter from Charlestown, South Carolina, to Philadelphia. Charlestown will join in whatever New-York and Philadelphia may adopt, - 408
14, Meeting of the Inhabitants of Charles County, Maryland, - - - - - - - 409
15, Letter IV, to the Inhabitants of the British Colonies in America, - - - - - - 410
15, Meeting of the Inhabitants of the Borough of Lancaster, Pennsylvania, - - - - - 415
15, Resolutions of the General Assembly of the English Colony of Rhode-Island and Providence Plantations. Firm and inviolable union of all the Colonies absolutely necessary for the preservation of their rights and liberties. Delegates to the Continental Congress appointed—Instructions to the Delegates, - - - 416
16, Meeting of the Freeholders and other Inhabitants of the County of Dunmore, Virginia, - 417
16, The British American, No. 4, - - - - 418
17, Writs for an election of a new Assembly ordered by the Governour and Council of Virginia, - 419
17, Address to the Gentlemen, Freeholders, and others, in the County of New-Castle, upon Delaware. Enumeration of Grievances. Meeting of the Inhabitants of the County recommended, - - - - - - - - 419
17, Meeting of the Inhabitants of the Town of East-Hampton, in the County of Suffolk, New-York, - - - - - - - - 420
17, Resolutions of the House of Representatives of Massachusetts. A Congress highly expedient and necessary, to consult upon the present state of the Colonies. Delegates on the part of the Province appointed. Discontinuance of the use of India Teas, and of the use of all Goods and Manufactures imported from the East Indies and Great Britain, recommended. Encouragement of American Manufactures, recommended, - - - - - - 421
17, The General Assembly dissolved by Governour Gage, - - - - - - - - 422
17, Meeting of the Freeholders and other Inhabitants of the Town of Boston, - - - 423
None at the Meeting in favour of paying for the Tea, (Note,) - - - - - - - 423
All the Colonies in motion. Subscriptions for support of Boston Poor, (Note,) - - 423
18, Address of Merchants and Freeholders of Salem, to Governour Gage, - - - - - 424
Answer of the Governour, - - - - - 425
18, Meeting of the Inhabitants of Caroline County, Maryland, - - - - - - - 425
18, Meeting of the Freeholders and Freemen of the City and County of Philadelphia, - - 426
Speech of the Reverend William Smith at the Meeting, - - - - - - 427
18, Meeting of the Freeholders and Inhabitants of the County of Chester, Pennsylvania, - - 428
18, Letter from Governour Franklin, Burlington, to

Digitized by Google

1774.
the Earl of Dartmouth. Transmits a copy of the Resolutions adopted at the Meeting in Essex County. Has refused to convene the Assembly in August. The other Counties are expected to follow the example of Essex; but it is doubtful whether they will agree to a general Non-Importation. Their principal aim seems to be a Congress, - - - - 428
June 19, Letter from Fort Pitt to Philadelphia. Connolly refused protection to three Shawanese who had escorted the Traders in with their Peltry; Sent a party to cut them off. Logan returned to the Shawanese Towns with thirteen Scalps, 428
19, Letter from Boston to New-York. Attempts to procure an Agreement to pay for the Tea, defeated, - - - - - - - 430
20, Address to the Inhabitants of the Province of South Carolina, - - - - - - 430
20, Letters from southern parts of North Carolina. Inhabitants there, recommend that Collections be set on foot throughout the Continent for relief of the most distressed in Boston, - - 433
20, Meeting of the Inhabitants of Frederick County, Maryland, - - - - - - - 433
20, Letter from John Dickinson, Fairhill, to Josiah Quincy, Jun. The Colonies very unanimous in favour of a Congress, - - - - - 434
20, "An American." On the means of obtaining relief, - - - - - - - - 434
21, Letter from Cave Cumberland. Indian War caused by Cresap and Greathouse, - - 435
21, Meeting of the Justices, Gentlemen of the Bar, and principal Inhabitants of Northampton County, Pennsylvania, - - - - - 435
22, Letter from England to a Gentleman in New-York. State of affairs in England, - - 436
22, Meeting of the Freeholders and other Inhabitants of the County of Westmoreland, in Virginia, - - - - - - - - - 437
22, Maryland Convention. Delegates to the Convention. Resolutions.—Duty of every Colony to unite against Boston Port Bill. Should stop Trade with Great Britain if the Act is not repealed. Instructions to Deputies to the Congress. Subscriptions to be opened in the several Counties for distressed Inhabitants of Boston. Deputies to the Congress appointed. Will break off Trade with the Colony, Province or Town, that shall refuse to unite in such measures as may be adopted by the Congress, 438
22, Reflections on appointing Delegates to the General Congress. Different modes of appointing examined. The appointment by Provincial Conventions recommended, - - - 441
22, Letter from the General Association of Congregational Ministers in Connecticut, to the Clergymen in Boston, - - - - - 442
Answer to the preceding Letter; prepared but not sent, through the confusion of the times, - 443
22, Address of the Justices of the County of Worcester, in Massachusetts, to Governour Gage, 444
Answer of the Governour, - - - - - 445
23, Letters from Fort Pitt. White Inhabitants killed by the Indians, - - - - - - 445
23, Extract from the Proceedings of the Town of Windham, in Connecticut. Addresses to Governour Hutchinson, an insult to the Town of Boston, - - - - - - - - - 445
23, Letter from Richard Henry Lee to Samuel Adams. His Resolutions prepared to be offered the day before the Assembly was dissolved by Lord Dunmore. After the dissolution, proposed to the Members the plan of a Congress. Indian War has compelled the Governour to call a new Assembly. When they meet, will adopt measures for redress of Grievances, - - - - - - - - 445
Letter from Samuel Adams to Richard Henry Lee. Inhabitants of Boston encouraged to persevere by intelligence from every part of the Continent. Lord North has made no preparation for the effects of such an union, - 447
24, Address to the Publick, from the Committee of Charlestown, South Carolina, appointed to receive and forward Donations for the Poor of Boston, - - - - - - - - 448
24, Meeting of the Freeholders and Inhabitants of Spottsylvania County, Virginia, - - - 448

1774.
June 24, Extracts of Letters received in Philadelphia, from Pittsburgh. Connolly's proceedings against the Pennsylvanians, - - - - - 449
24, Letter from the Committee of Correspondence appointed by the Assembly of New-York, to the Committee of Correspondence for Connecticut, - - - - - - - - 306
25, Meeting of the Freeholders and Inhabitants of the County of Bergen, in the Province of New-Jersey, - - - - - - - - 450
26, Letter from Governour Gage to the Earl of Dartmouth. The General Court dissolved by Proclamation outside of the door. Several Gentlemen, encouraged by the late Resolutions of Government, are endeavouring to procure a compliance with the Boston Port Bill. Neither New-York, Philadelphia, nor Boston will agree to a Non-Importation, though a Congress of some sort may be obtained. The arrival of Troops has given spirits to the friends of Government, - - - - - - 450
27, Peace Talk from the Creek Indians sent to Augusta, Georgia. General Meeting of all the Warriors of the Creek Nation called. The Cherokees have engaged to join the Creeks in case of War, - - - - - - 451
27, Meeting of the Committee of Correspondence of Norfolk and Portsmouth, in Virginia, - 451
27, Meeting of the Freeholders and Inhabitants of the County of Morris, in the Province of East New-Jersey, - - - - - - - 452
27, Letter from Huntington, to a Gentleman in New-York. Enclosing Resolutions unanimously adopted in Town Meeting, - - - - 453
21, General Town Meeting of the Inhabitants of Huntington, in Suffolk County, New-York, 453
27, Letter from Captain John Connolly, Pittsburgh, to a Gentleman in Philadelphia. Has sent a detachment to protect the Settlements about Red Stone from the Shawanese, - - - 454

COUNCIL OF PENNSYLVANIA.

June 27, Meeting of the Council, at Philadelphia, - 454
17, Report of James Tilghman and Andrew Allen, Commissioners appointed by the Honourable John Penn, Esq., Governour of Pennsylvania, to treat with the Right Honourable the Earl of Dunmore, Governour of Virginia, on sundry publick matters, - - - - - - 454
May 23, Letter from James Tilghman and Andrew Allen, Williamsburg, to Lord Dunmore, - - 455
24, Letter from Lord Dunmore, Williamsburg, to James Tilghman and Andrew Allen, - 456
25, Letter from James Tilghman and Andrew Allen, Williamsburg, to Lord Dunmore, - - 457
26, Letter from Lord Dunmore, Williamsburg, to James Tilghman and Andrew Allen, - - 459
27, Letter from James Tilghman and Andrew Allen, Williamsburg, to Lord Dunmore, - - 461
June 28, Letter from Governour Penn, Philadelphia, to Sir William Johnson. Requests his interposition and influence to induce the Six Nations to become mediators between Pennsylvania and the Shawanese and Delawares, - - - 461
28, Letter from Governour Penn to Lord Dunmore. Danger of a general Indian War, unless Pennsylvania and Virginia prevent further progress of hostilities. Conduct of Doctor Connolly; his Military operations dangerous to the peace of the Colonies in general. Hopes Lord Dunmore does not encourage Connolly in the outrages laid to his charge, - - - - 461
28, Letter from Governour Penn to Arthur St. Clair. Measures should be taken to prevent the removal of the White Inhabitants from the Frontiers, and to induce those who have gone to return. Has convened the Assembly, who will adopt measures to afford effectual relief; in the mean time he will send further supplies of Ammunition, - - - - - - - 462
May 29, Letter from Arthur St. Clair, Ligonier, to Governour Penn. Alarm among the People. A company of one hundred Rangers formed for defence of Frontiers, - - - - 463
June 3, Letter from John Montgomery, Carlisle, to Governour Penn. People in Westmoreland Coun-

Digitized by Google

1774.
ty in great confusion; in want of Arms and Ammunition; unless speedily furnished they must leave the Country, - - - - 463
June 3, Letter from John Montgomery, Carlisle, to William Allen. Distresses of the Country. Delaware Indians well disposed, but Shawanese determined on war. One hundred Men raised to range from Fort Pitt to Ligonier. Other preparations for Defence, - - - - - 464
5, Indian Intelligence. Traders on the Muskingum safe; the Shawanese had taken great pains in protecting them. Shawanese quiet. A party of Mingoes out; gone against that part of Virginia where their friends were killed, - 464
7, Letter from Arthur St. Clair, Laurel Hill, to Governour Penn. Has hitherto thought there would be no war, now thinks otherwise, - 465
8, Letter from Arthur St. Clair, Ligonier, to Governour Penn. Encloses Letter from Mr. Croghan, - - - - - - - - - 465
4, Letter from George Croghan to Arthur St. Clair. Employing the Rangers, in Pennsylvania, has alarmed Connolly. Measures of Connolly to prevent settlement of disputes, - - - 465
10, Letter from Alexander M'Kee, Agent for Indian Affairs at Fort Pitt. Hostilities between Indians and Virginians. Indians have given proof of their pacifick disposition. Reason to fear the war will become general, - - 466
12, Letter from Arthur St. Clair, Ligonier, to Governour Penn. Inhabitants of the Frontiers alarmed, and retire to the Forts, or leave the Country. In the Valley they still make a stand. The intention of the Indians will soon be known, - - - - - - - - 466
12, Letter from Devereux Smith, Pittsburgh, to Governour Penn, - - - - - - - 467
10, Letter from Devereux Smith, Pittsburgh, to Dr. Smith. Extension of the Virginia Settlements the cause of the dissatisfaction of the Indians. Account of the origin and progress of the Indian hostilities. Connolly determined on a war with the Indians. His violent proceedings against the Pennsylvania Magistrates, - - 467
14, Letter from Æneas Mackay, Pittsburgh, to Governour Penn. - - - - - - - 471
16, Letter from Arthur St. Clair to Governour Penn. A further account of the proceedings of Connolly, and of the Indian War. Delawares still friendly to Pennsylvania, - - - - - 471
19, Letter from William Thompson, Cumberland County, to Governour Penn, - - - - 473
20, Letter from Lord Dunmore, at Williamsburg, to Captain John Connolly. Approves his building a Fort at Wheeling, and of marching into the Shawanese Towns. Advises him to make prisoners of as many Women and Children as he can; and not to make peace until the Indians are effectually chastised, - - - - - 473
22, Letter from Arthur St. Clair, at Ligonier, to Governour Penn. Two of the principal Traders arrived safe at Pittsburgh, under protection of Shawanese Chiefs. Connolly ordered out a party to make prisoners of the Shawanese Chiefs. Those about Fort Pitt, (now Fort Dunmore,) intent on a war. Has had a meeting with some Six Nations and some Delawares, and made them a present, in the name of the Governour. Logan returned with thirteen Scalps and one Prisoner, and says he will now listen to the Chiefs, - - - - - - - - - 473
18, Proclamation by John Connolly, at Fort Dunmore. Prohibits intercourse with the Indians, 475
Extracts from Mr. M'Kee's Journal of Indian Transactions, - - - - - - 475–483
May 1, Message to King Custologa, Captains White Eyes, Pipe, and other Chiefs, - - - - 475
3, Conference, at Colonel Croghan's, between several Chiefs and Captain Connolly, and others, 475
4, Arrival of several Delaware Chiefs, - - 476
5, A Condolence held with the Six Nations, Delawares, Shawanese, Munsies, Mohegans, and Twightwees, - - - - - - - 476
9, Speech delivered by several Chiefs, Six Nations and Delawares, to the Governour of Virginia, 477
16, Message from Custologa, by five principal Men of the Delawares, - - - - - - 478
17, Answer to Custologa's Message, - - - 478

1774.
May 21, Message received from the Delaware Chiefs at Newcomer's Town, - - - - - 478
21, Answer to the Message of the Delaware Chiefs, 478
25, Answer of the Delawares to the Condolence Speeches, - - - - - - - 479
Answer of the Shawanese to the Condolence Speeches, - - - - - - - 479
26, Speech of Arthur St. Clair to the Six Nations and Delawares, - - - - - - 480
26, Speech to the Delawares, on receiving their Answer to the Condolence Speeches, - - 480
Reply of Captain White Eyes, - - - 481
June 1, Arrival of Moravian Indians, - - - 481
5, Messengers from Newcomer, with intelligence, 481
Answer sent by the Messengers, - - - 482
May 29, Answer of Lord Dunmore, at Williamsburg, to the Speech of the Six Nations and Delawares, at Pittsburgh, May 9th, - - - - 482
June 9, Message sent with Lord Dunmore's Speech to the Six Nations and Delawares, - - 483
22, Letter from William Thompson, in Cumberland County, to Governour Penn, - - - 483
26, Letter from Arthur St. Clair, at Ligonier, to Governour Penn. Connolly has sent in pursuit of the Shawanees who escorted the Traders, - 483
25, Memorial from the Inhabitants of Pittsburgh, to Governour Penn. Request relief from their sufferings under the arbitrary proceedings of Doctor Connolly, - - - - - - 483
25, Statement of the Grievances of the People of Pittsburgh, occasioned by the tyrannical conduct of Doctor Connolly, - - - 484

CORRESPONDENCE, PROCEEDINGS, ETC.

June 28, Letter from the Committee of Correspondence of the Assembly of Pennsylvania, to the Committee of Correspondence of Massachusetts Bay. The great cause of American Rights should be left to the Representatives in every Colony. Until this shall be fairly tried and fail, no other mode should be attempted. A Congress, constitutionally chosen, to ascertain our rights, and establish a political union between Great Britain and the Colonies, would effectually secure to Americans their future rights and privileges, 485
Remarks on the preceding Letter, (Note,) - 486
27, Address to the People of Boston, on paying for the Tea, - - - - - - - 487
27, Meeting of the Freeholders and other Inhabitants of the Town of Boston, at Faneuil Hall. Correspondence of the Committee ordered to be produced and read. Motion to censure and annihilate the Committee. Gentlemen in favour of the motion patiently heard; at their request the Meeting adjourned until to-morrow morning. The question then taken, and the motion rejected by a vast majority. Conduct of the Committee approved, - - - - 489
29, Protest against the Proceedings of the Town Meeting in Boston, held on the 27th of June; against the doings of the Committee of Correspondence, and against the Solemn League and Covenant, - - - - - - 490
29, Proclamation by Governour Gage, for discouraging of certain illegal Combinations. The League and Covenant an unlawful instrument, and the Letter of the Committee accompanying it, scandalous, traitorous, and seditious. All persons cautioned against signing the Covenant, - - - - - - - - - 491
Remarks upon the Proclamation, (Note.) - 492
29, Meeting of the Freeholders and Freemen of the County of Richmond, in Virginia, - - 492
Meeting of the Freeholders and Inhabitants of Prince George's County, Virginia, - - 493
30, The British American, No. 5, - - - 495
July 1, Letter from London, received in Philadelphia. Men in power in England wish for an Indian war, as a means of humbling and reducing the rebellious Colonies. Policy of Great Britain in regard to the Colonies, is to divide and conquer. Nothing but an union of the Colonies to stop Trade will save America, - - 498
1, Meeting of the Freeholders of James City County, Virginia, - - - - - - - 499
1, Tea, at Portsmouth, in New-Hampshire, re-shipped by order of the Town, - - - 499

Digitized by Google

1774.

CONSTITUTIONAL POST OFFICE.

July 2, Mr. Goddard's Proposal for establishing an American Post Office has been warmly patronized in the Eastern Colonies, and preparations have been made for the conveyance of the Mail, - 500

Plan for the establishing a new American Post Office, - - - - - - - - 500

Feb'ry 5, Letter to Lord North. Dismissing Dr. Franklin from the Post Office one of the most fortunate events for America. The Americans will set up a Post Office of their own, and put an end to the precedent, so often referred to, for Taxing them, (Note,) - - - - - 500

28, Letter from New-York to a Gentleman in Boston. Our tame submission to the Post Office Establishment has been constantly urged as a precedent for all other unconstitutional Acts. If we oppose it now, with manly firmness, we cannot fail of success. Mr. Goddard's Plan is well calculated to save the cause of Liberty, (Note,) - - - - - - - - - 500

March 17, Mr. Goddard at Boston. He has received the greatest encouragement from all the Colonies through which he has passed. At a Meeting in Boston, it was determined to unite with the Southern Colonies in support of this measure for the recovery of American Liberty, (Note,) 500

Heads of a Subscription Paper, for the establishment of an American Post Office, laid before the Committee of Correspondence at Boston, (Note,) - - - - - - - - - 501

29, Mr. Goddard at Salem, on the subject of establishing a Post Office independent of the unconstitutional Laws of a British Parliament, (Note,) - - - - - - - - 501

April 15, Mr. Goddard at Portsmouth: At a Meeting of the Committee of Merchants, Traders, and other Inhabitants, a Subscription to support the American Post Office, unanimously agreed upon, (Note,) - - - - - - - 502

21, Letter from Philadelphia to a Gentleman at Williamsburg. The Post Office as established is an infringement of American Liberties; but the new one proposed can scarcely succeed under Mr. Goddard. The Merchants of Philadelphia have preferred Mr. Bradford for the private Post set up between that place and Philadelphia, (Note,) - - - - - - - 502

21, Mr. Goddard at Boston, with Letters from Towns to the Eastward, expressing their concurrence in the establishment of a Post Office, on constitutional principles, throughout the Continent. The removal of Dr. Franklin from the Post Office has added fresh spirit to the promoters of this salutary plan, (Note,) - - - - 503

May 5, The Subscription for establishing an American Post Office has been liberally patronized.—Mr. Goddard will return homeward, rejoicing in the great success which has attended his endeavours to rescue the channel of publick and private intelligence from the horrid fangs of Ministerial despotism, (Note,) - - - - 503

19, The report that the Constitutional Post Rider between Philadelphia and Baltimore, with a large sum of money entrusted to his care, had absconded, is untrue, (Note,) - - - - 503

June 2, Mr. Goddard at New-York, with important despatches for all the Southern Colonies, the plan for establishing a Constitutional American Post Office having met with the greatest success in all the great Commercial Towns in the Northern Colonies, (Note,) - - - - - 503

16, Information of the proceedings in the Colonies for the establishment of an American Post Office received in London. When General Gage arrives in America, he will stop the career of the new Post Riders and their employers, (Note,) 503

July 6, Letter from Philadelphia to a Gentleman in Williamsburg. Objections to Mr. Goddard. At a Meeting of the Mechanicks, they refused to hear read Letters relating to the establishment of the Post Office, as the Americans had enough to do already, (Note,) - - - - - 503

16, The Deputy Postmasters General of North America alarmed at the progress making to establish a new Post Office, (Note,) - - - - 504

25, Letter from Baltimore to a Gentleman in Williamsburg. A complete plan of establishing a new American Post Office has been executed throughout the New England Governments. Mr. Goddard will leave here for Williamsburg, to lay his plan before the Convention, (Note,) - - - - - - - - - 504

Aug. 11, Mr. Goddard's Plan for establishing an American Post Office was agitated at the Convention in Virginia, who considered it worthy the attention of the General Congress, and, as such, particularly recommended it to the Delegates from Virginia, (Note,) - - - - - 504

CORRESPONDENCE, PROCEEDINGS, ETC.

July 3, Letter from Boston, received in New-York. Distresses of the People there; their patience, resolution, and firmness. The League and Covenant very generally signed, notwithstanding the Governour's Proclamation, - - 505

4, Letter from Carlisle, received in Philadelphia. Connolly's attack on the Shawanese, who protected the Traders. Letter of thanks from Lord Dunmore to Cresap, who first began the quarrel with the Indians, - - - - - 505

4, Meeting of the Freeholders and Inhabitants of Orange Town, in the Province of New-York, 506

4, Opinions in London of the state of affairs in the Colonies. The faction in Boston composed of Smuggling Companies, Mechanicks, Merchants indebted in England, and those who are fascinated with the extravagant notion of Independency. Seditious Committees appointed to influence the other Colonies. From Letters and other intelligence, it is evident that no permanent or vigorous measures of resistance can be adopted to support the Boston Rebels, 507

4, Address to the Inhabitants of the Province of South Carolina, about to assemble on the 6th of July, - - - - - - - - - 508

4, Letter from Governour Wentworth, in New-Hampshire, to the Earl of Dartmouth. Twenty-seven chests of Tea landed and stored at the Custom-House. The Consignee agreed with the Committee of Portsmouth to re-ship it. Mob prevented from destroying the Tea. Vessel with the twenty-seven chests sailed for Halifax, June 30, - - - - - - - - 512

5, Letter from a Gentleman in London, to his Correspondent in Philadelphia, - - - - 513

5, Letter from Governour Penn, Philadelphia, to the Earl of Dartmouth. Temper of the People very warm. They consider Boston as suffering in the common cause, - - - - 514

5, Address to the Inhabitants of the British Colonies in America, (Note,) - - - - - - 300

Reply to the preceding Address, (Note,) - - 399

5, Letter from Governour Gage, at Salem, to the Earl of Dartmouth. A number attended the late Town Meeting, to make a push to pay for the Tea, and annihilate the Committee of Correspondence, but were out-voted by a great majority of the lower class. Has done all in his power to spirit up every friend to Government; and there is now an open opposition to the faction. The terrour of Mobs is over, and the Press is becoming free, - - - - 514

6, Address of the Justices of the County of Plymouth, to Governour Gage, - - - - 515

The Governour's Answer, - - - - - 516

6, Letter from Governour Wentworth to the Earl of Dartmouth. Went with the Council and the Sheriff and dispersed an illegal Meeting, held for the purpose of appointing Delegates to a General American Congress, - - - - 516

6, Letter from Lieutenant Governour Colden to the Earl of Dartmouth. After a continual struggle of many weeks in the New-York Committee, they have carried the nomination of Deputies to the Congress. These transactions are dangerous and illegal, but cannot be prevented. The Province every where, except in the City of New-York, perfectly quiet, - - - - 517

6, Meeting of the Inhabitants of the City of New-York, convened in the Fields, - - - - 312

6, Letter from Alexandria, in Virginia, to a Gentleman in Boston. Subscriptions for the relief of the Poor in Boston, - - - - - 517

Digitized by Google

1774.
July 6, Meeting of the Freeholders, Merchants, Traders, and other Inhabitants of the County and Borough of Norfolk, in Virginia, - - - 518
6, Letter from the Earl of Dartmouth to Governour Penn. Requires him to exert every power the Constitution has placed in his hands to defeat any attempt to insult the authority of Great Britain, - - - - - - - - 519
6, Letter from the Earl of Dartmouth to Lieutenant Governour Colden. Hopes the People of New-York will not, by their rash proceedings, expose themselves to the just resentment of Parliament, - - - - - - - - 519
7, The British American, No. 6, - - - 519
7, Meeting of the Freeholders and other Inhabitants of the County of Culpepper, in Virginia, - 522
8, Proclamation of Lord Dunmore. Prorogues the Assembly from August 11, to first Thursday in November, - - - - - - - 523
8, Letter from Governour Hutchinson, London, to a Friend in Boston. Urges the payment for the Tea, by the Town of Boston, - - - - 524
8, Resolutions unanimously adopted by the Freeholders and Inhabitants of Hunterdon County, in the Province of New-Jersey, - - 524
8, Letter from Charlestown, in South Carolina, received in New-York. Account of the Meeting held in Charlestown, on the 6th, - - 525
8, Resolutions unanimously entered into by the Inhabitants of South Carolina, at a General Meeting held at Charlestown, in said Colony, on Wednesday, Thursday, and Friday, the 6th, 7th, and 8th days of July, - - - - 525
British Subjects in America owe the same allegiance to the Crown, and are entitled to the same rights with Subjects born in Great Britain, - 525
No Taxes can be imposed on the People, but by their own consent, - - - - - - 525
It is a fundamental right of his Majesty's Subjects, that no Man shall suffer, in person or property, without a fair trial, - - - - 525
Sending a person beyond the Sea to be tried is oppressive, illegal, and highly derogatory to British Subjects, - - - - - - 525
The Statute of Thirty-fifth of Henry Eighth, for Trial of Treasons committed out of the King's Dominions, does not extend to the Colonies, - 525
The Boston Port Act, and the Acts relating to the Government of Massachusetts Bay, are of the most alarming nature to all America, though levelled immediately at the People of Boston, - - - - - - - - 526
It is the duty of all the Colonies to assist and support the People of Boston, by all lawful ways in their power, - - - - - 526
Delegates to the General Congress appointed, and instructed, - - - - - - 526
While the oppressive Acts relative to Boston are enforced, will contribute towards their relief, 526
Will, by all means, endeavour to preserve harmony and union amongst all the Colonies, - 526
Committee of Ninety-Nine appointed, as a General Committee of Correspondence, - - 526
Names of the Committee for Charlestown, - 526
8, Address of Francis Lewis, and other Members of the Committee, to the Inhabitants of the City and County of New-York, - - - 313
9, Reply to the Address, by "One of the Committee," - - - - - - - - 314
9, Meeting of the Freeholders and other Inhabitants of Essex County, in Virginia, - - - 527
9, General Meeting of the Freeholders of the County of Fauquier, in Virginia, - - - 528
11, General Meeting of the Freeholders and Inhabitants of the County of Nansemond, in Virginia, 529
11, Letter from Charlestown, in South Carolina, to a Correspondent in Boston. Proceedings on the Resolutions adopted in Charlestown, - - 531
Account of the Meeting held in Charlestown, on the 6th, 7th, and 8th days of July, (Note,) - 531
11, Death of Sir William Johnson, (Note,) - - 645
12, Letter from Miles Brewton, Charlestown, South Carolina, to Josiah Quincy, Jun. Massachusetts will not fall for want of friends; if Boston does but persevere, her sisters will work out her salvation without the Musket. A Sloop load of Rice sent to Boston, and will soon send more, - - - - - - - - - 534

1774.
July 11, Committee of Inspection appointed at Portsmouth, in New-Hampshire, - - - - - 534
12, Meeting of the Freeholders and Inhabitants of the County of New-Kent, in Virginia, - 535
13, Letter from Governour Wentworth to the Earl of Dartmouth. The Meeting of Representatives at Portsmouth, dispersed. At a private meeting a Convention called to meet at Exeter, on the 21st, to appoint Delegates to the Congress, - - - - - - - - 536
14, Express at Williamsburg, with intelligence of skirmishes with the Indians. Militia ordered out by the Governour, - - - - - 536
14, Meeting of the Freeholders, and others, Inhabitants of Chesterfield County, Virginia, - 537
14, General and full Meeting of the Inhabitants of Gloucester County, Virginia, - - - 538
14, General Meeting of the Freeholders and Inhabitants of Caroline County, Virginia, - - 539
14, The British American, No. 7, - - - 541

COUNCIL OF PENNSYLVANIA.

July 14, Meeting of the Council at Philadelphia, - 545
June 29, Letters laid before the Board, containing favourable accounts of the disposition of the Indians, 545
Conclusion of Extract from Mr. M'Kee's Journal of Indian Affairs, (see page 483.) Conference with the Indians at Pittsburgh. Address from the Chiefs of the Delawares. Speech of Captain White Eyes, - - - - - - 546
30, Letter from John Montgomery, at Carlisle, to Governour Penn. Shawanese seem well disposed. Logan returned with thirteen scalps. Says he is now satisfied, and will set still until he hears what the Long Knife will say, - 546
July 2, Letter from Richard Lee, President of the Maryland Council, to Governour Penn, - - 546
4, Letter from Arthur St. Clair, at Ligonier, to Governour Penn. Large body of Virginians in motion. Colonel Henry Lewis ordered to Kenhawa; Major M'Donald to Wheeling; Cresap, and three others, to raise Ranging Companies, - - - - - - - 547
8, Letter from Æneas Mackay, Joseph Spear, and Devereux Smith, at Pittsburgh, to Joseph Shippen, Junior. Captain White Eyes has returned, with assurances of friendship from the Shawanese, Delawares, Wyandots, and Cherokees. Dr. Connolly continues his authority. The persons of the Magistrates are daily insulted, their property forcibly taken, and their lives threatened. Various instances of his outrages, - - - - - - 547
12, Letter from Arthur St. Clair, at Hanna's Town, to Governour Penn, - - - - - - 548
17, Letter from Arthur St. Clair, at Ligonier, to Governour Penn. Virginians determined to put a stop to the Indian Trade with Virginia. Connolly and two others have an exclusive privilege to carry it on, on the Frontiers of Virginia. The laying out of a new Town proposed, - - - - - - - 549

CORRESPONDENCE, PROCEEDINGS, ETC.

July 14, Meeting of the Inhabitants of the Province of Georgia called, to be held at the Liberty Pole, at Savannah, on the 27th, - - - 549
14, Chiefs of the Six Nations on their way to hold a Congress with Sir William Johnson, - - 550
15, Meeting of the loyal and patriotick People of the County of Henrico, in Virginia, - - 550
15, Meeting of the Freeholders of the County of Middlesex, in Virginia, - - - - - 551
15, Meeting of the Inhabitants of the County of Dinwiddie, in Virginia, - - - - - 552
15, Meeting of the Freeholders and Inhabitants of the County of Middlesex, in New-Jersey, - - 553
15, Delegates to the General Congress of Commissioners of the English American Colonies, appointed by the Committee of Correspondence of Connecticut, - - - - - - - 554
Three of the Delegates having resigned, others appointed on the 3d August, (Note,) - - 554
15, Proclamation by General Gage. Deserters who return by the 10th of August, to be pardoned; on failure of so doing, to expect no mercy, - 555

Digitized by Google

1774.
July 15, Provincial Meeting of Deputies, chosen by the several Counties in Pennsylvania, held at Philadelphia, July 15, and continued, by adjournments, to the 21st, - - - - - - 555
List of the Members, - - - - - - 555
Letters from Boston, of May 13th, read and considered, - - - - - - - - 555
Allegiance to the King of Great Britain acknowledged, - - - - - - - - 555
Unconstitutional Independence on the parent state is abhorrent to our principles; and our desire is, that harmony may be restored, - - 555
Inhabitants of the Colonies entitled to the same rights that British born Subjects are, - - 556
The power assumed by Parliament to bind the Colonies, in all cases whatsoever, unconstitutional, - - - - - - - - 556
The Acts of Parliament relating to Massachusetts, unconstitutional, oppressive, and dangerous; and the People of Boston are suffering in the common cause, - - - - - 556
A Congress should immediately assemble, to form a general plan of conduct for all the Colonies, - - - - - - - - 556
Suspension of Trade will be agreed to by this Province; but a statement of Grievances and claim for Redress, in the first place, would be preferred, - - - - - - - - 556
If any proceedings of Parliament shall, in the opinion of the Congress, render other steps necessary, this Province will adopt and carry them into execution, - - - - - 556
Venders of Merchandise ought not to take advantage of a Non-Importation; but sell for the same prices as heretofore, - - - - - 556
People of this Province will break off all dealing of any kind with any Colony that shall not adopt such general plan as may be agreed to in Congress, - - - - - - - - 557
Subscriptions for the distressed Inhabitants of Boston to be set on foot throughout the Province, - - - - - - - - - 557
Thanks to Mr. Dickinson, - - - - - 557
Mr. Dickinson's Reply, (Note,) - - - - 557
Instructions from the Convention to the Representatives in Assembly, - - - - - 558
Argumentative part of the Instructions, - - 564
16, Meeting of a respectable body of the Freeholders and other Inhabitants of the County of Surry, in Virginia, - - - - - - - - 593
16, Contributions from Maryland, for the relief of Boston, - - - - - - - - - 593
16, Meeting of a number of Freeholders and Inhabitants of the County of Sussex, in New-Jersey, 594
16, Letter from the Committee of Boston to the Committee of Baltimore, - - - - - 594
18, Meeting of the Freeholders and other Inhabitants of York County, in Virginia, - - - 595
18, General Meeting of the Freeholders and other Inhabitants of the County of Fairfax, in Virginia, - - - - - - - - - 597

PENNSYLVANIA ASSEMBLY.

July 18, Assembly, convened by the Governour, met this day, - - - - - - - - - 602
Message from the Governour. State of Indian affairs, - - - - - - - - - 602
19, Committee of Correspondence lay before the House Letters from Massachusetts Bay, Rhode-Island, and Virginia, - - - 603
Letters to be considered on the 21st, - - 604
The Convention now sitting, may be admitted, to hear the debates of the House, on that day, - 604
Petition from Northumberland County, - - 604
Ninth Resolution of the Convention laid before the House, - - - - - - - - 605
Governour's Message considered, - - - 605
20, Letters from Benjamin Franklin, with some papers on publick affairs, communicated to the House by the Speaker, - - - - - 605
Payment of the Rangers raised by the Magistrates of Westmoreland County, authorized, 605
21, The Convention waited on the House, and submitted their Resolves and Instructions, - 606
22, Letters from Massachusetts Bay, Rhode-Island, and Virginia, considered in Committee of the Whole, - - - - - - - - - 606

1774.
July 22, Resolution, that there is an absolute necessity for a General Congress, to consult together on the state of the Colonies, unanimously adopted, - 606
Delegates to the Congress appointed, - - 607
Committee to prepare Instructions for the Delegates, - - - - - - - - - 607
21, Paper signed "a Freeman," handed about among the Members of the House on the 21st, against the appointment and proceedings of the Convention, (Note,) - - - - - - 607
23, Letter received from Major Hamilton, commanding officer of the Barracks, - - - 607
Committee to examine the Barracks, - - 608
Instructions to the Delegates appointed to attend the Congress, - - - - - - - 608
Letter to the Speakers of the several Assemblies of the Colonies, - - - - - - 609
Answer to the Governour's Message, - - 609
Adjourned to Monday, the 19th September, - 610

CORRESPONDENCE, PROCEEDINGS, ETC.

July 19, Resolutions adopted and published by the New-York Committee, - - - - - - 315
19, Meeting of a majority of the Committees from the several Townships in the County of Monmouth, of the Colony of New-Jersey, - 610
19, Address of the Justices of the County of Suffolk, in Massachusetts, to Governour Gage, - 613
The Governour's Answer, - - - - - 613
19, Address of the Freeholders and Tradesmen of Easton, in the County of Bristol, to Governour Gage, - - - - - - - - 613
The Governour's Answer, - - - - - 614
20, Letter from a Gentleman in Bristol, England, to his friend in Philadelphia. Publick opinion in England strong against America. Nothing but firmness on the part of the Americans will ensure them the victory, - - 614
20, Letter from Governour Gage to the Earl of Dartmouth. Merchants have not repeated their attempts to comply with the Port Bill, with the spirit he hoped for. Some disaffected persons in Charlestown, have sent some Rice for the support of Boston; and a few Sheep have been sent from some other places. When the Congress assembles, the Boston Faction will probably pay the other Colonies the compliment of taking their advice. The virulent party at New-York is routed. Philadelphia is moderate. The Fast Day appointed by the Faction was kept as generally in Boston, as if it had been appointed by authority, - - 615
20, Meeting of the Freeholders of Hanover County, Virginia, - - - - - - - - 615
Meeting of the Freeholders and other Inhabitants of Stafford County, Virginia, - - - 617
21, General Meeting of the Inhabitants of the District of Wilmington, in the Province of North Carolina, - - - - - - - - 618
Circular Letter from the Wilmington Committee to the Freeholders of the several Counties of the Province of North Carolina, - - 619
21, The British American, No. 8, - - - 620
21, General Meeting of the Committees of the several Counties in the Province of New-Jersey, at New-Brunswick, on the 21st, 22d, and 23d days of July, - - - - - - - 624
The Inhabitants of New-Jersey are firm and unshaken in their loyalty to the King, and detest all thoughts of an Independence on the Crown, - - - - - - - 624
The claim of the Parliament to make Laws to bind the King's American Subjects in all cases whatsoever, unconstitutional, and oppressive, and we are bound to oppose it by all constitutional means, - - - - - - - 624
The late Acts of Parliament relative to Massachusetts, subversive of the rights of his Majesty's American Subjects, - - - 624
The most eligible method to procure a redress of Grievances, is to appoint a Congress from all the Colonies, empowered to pledge, each to the rest, the honour and faith of their constituents, inviolably to adhere to the determinations of the Congress, - - - - - - - 624
General Non-Importation and Non-Exportation Agreement recommended, - - - 624

Digitized by Google

1774.
July 21, Collections to be made throughout the Province, for relief of Boston, - - - - 625
Delegates to the General Continental Congress appointed, and instructed, - - - - 626
21, Proclamation by Governour Gage, for the encouragement of Piety and Virtue, and for preventing and punishing Vice, Profanity, and Immorality, - - - - - - - 625
21, Address to the worthy Inhabitants of the Town of Boston, - - - - - - - 626
23, Letter from London to a Gentleman in Philadelphia. The storm against Doctor Franklin much abated. Opinions in England on the late measures against America. Many persons in favour of the Colonies. Granville Sharp warmly on their side, - - - 628
23, Letter from Governour Gage to Governour Trumbull. Encloses him affidavits relating to the treatment of Mr. Green. Expects the accused persons will be apprehended and brought to trial, - - - - - - 629
20, Affidavit of Caleb Scott, - - - - 629
20, Affidavit of Francis Green, - - - - 630
Aug. 5, Representation of Hezekiah Bissell, Benjamin Lothrop, Timothy Larrabee, and Ebenezer Backus, to Governour Trumbull, of the treatment of Mr. Green, - - - - - 631
10, Letter from Governour Trumbull to Governour Gage. Has inquired into Mr. Green's complaint and finds others put a very different face upon the transaction. Full provision is made by Law for such offences, and Mr. Green may obtain the satisfaction his cause may merit, - 633
July 25, Letter from Governour Sir James Wright to the Earl of Dartmouth. Carolina in great wrath about the Acts of Parliament relative to Massachusetts Bay; and have come to some very indecent Resolutions. There are in Georgia some malecontents and Liberty People, whose conduct he cannot answer for, - - - 633
25, Meeting of the Freeholders and other Inhabitants of the County of Elizabeth City, and Town of Hampton, in Virginia, - - 634
25, Reflections on the measures proper to be adopted by the Congress; and suggestions for the consideration of the Delegates, - - - 634
26, Town Meeting in Boston. Circular Letter to the Towns relative to the Bills for vacating the Charter of Massachusetts, - - - 637
26, Meeting of the Freeholders of the County of Albemarle, in Virginia, - - - - 637
26, Letter from the New-York Committee, to the Committee of Correspondence, at Charlestown, South Carolina. - - - - - - 320
27, Letter from Governour Gage to the Earl of Dartmouth, - - - - - - - - - 638
27, General Meeting of the Inhabitants of Georgia, held in Savannah, - - - - - 638
Account of the Meeting, (Note,) - - - 639
Paper by Josiah Martin, in behalf of the Sugar Colonies, (Note,) - - - - - 639
27, Meeting of a very respectable body of the Freeholders and other Inhabitants of the County of Accomack, in Virginia, - - - 639
27, Meeting of the Freeholders and other Inhabitants of the County of Princess Anne, in Virginia, - - - - - - - - 640
27, Letter received in Philadelphia from London. Resolutions of Philadelphia, Maryland, and Virginia, esteemed very inoffensive, and as the mere ebullitions of a set of angry men. Mr. Hutchinson is much courted by the Administration. Americans, both at Court and in London, daily ridiculed. The Congress must agree not to purchase or use the Manufactures of Great Britain until the Acts are repealed, as the only means of preserving the Liberty of the Country, - - - - 641
27. Address to the Inhabitants of New-Jersey. Defence of the measures of Parliament, a denial of the authority of Great Britain to impose a Duty on Tea, absurd. Cautions the People against the madness of some men, who are inflaming their minds and hurrying them into an open rupture with the Mother Country; when, involved in the horrours of a Civil War to the ruin of their liberty, they may be compelled to submit by force, - - - - 642

1774.
July 28, Meeting of the Freeholders and other Inhabitants of the County of Buckingham, in Virginia, - - - - - - - - - 643
28, Proclamation of the Governour of Pennsylvania, for the apprehension of John Hinckson and James Cooper, - - - - - - 644
22, Letter from Guy Johnson to Governour Penn. Death of Sir William Johnson. Has had a Conference with the Six Nations, who will send Deputies to the southward to accommodate matters, - - - - - - - - 645
Account of the death of Sir William Johnson, on the 11th instant, (Note,) - - - 645
28, Governour Penn advised by the Council to write to the Earl of Dartmouth, and inform him of all the late proceedings in Pennsylvania, by the Committees and the Assembly, - - 646
28, Letter from Boston, received in New-York.—Firmness of the People there. Encouraged to persevere from all the Colonies, - - - 646
28, Address to the Gentlemen of the General Convention of Virginia. Stoppage of Trade with Great Britain will not procure a redress of Grievances. It is better to throw aside all temporizing methods. Let the Congress demand a ratification of our claims from the King and Parliament. If denied, we shall be prepared for the alternative. With the Sword our forefathers obtained their rights—by the Sword it is our duty to defend them, - - - 647
28, The British American, No. 9. If Great Britain should attempt to enforce the legislation of Parliament in America, the Americans must draw their Swords in a just cause, and rely on that God who assists the righteous. Thomson Mason avows himself the author of these Letters, 648
Address to the People of Pennsylvania. Reasons why the Tea should not be paid for, - 654
28, Letter from the Committee of Correspondence, of New-Jersey, to the Committee of Boston, - 657
28, A Brief Examination of American Grievances: being the heads of a Speech at the General Meeting at Lewestown, on Delaware, - - 658
28, Letter from the Committee of New-York to the Committee of Correspondence at Philadelphia, 321
28, Letter from the New-York Committee to Matthew Tilghman, Chairman for Maryland, - 321
29, Letter from the New-York Committee, to the Committee or Treasurer of the different Counties, - - - - - - - - 322
30, Letter from Governour Penn to the Earl of Dartmouth. The Resolutions of the Assembly rather a check, than an encouragement, to the Proceedings of the Convention, - - 661
30, Letter from London to a Gentleman in New-York. The prevailing opinion in England is, that the Colonies mean nothing—they must be divided by the arts of the Administration. Their opposition should be early and vigorous, - - - - - - - - 661
30, Letter from London to a Gentleman in New-York. Fears there will be a want of union among the Colonies. Without this, any expedients they may adopt will avail little, - 661
30, Letter from London to a Gentleman in New-York. A general suspension of Commerce, until our grievances are redressed, is the only safe and sure measure. The Ministry believe that the terror of their measures will make all America silent and submissive, - - - 662
30, Queries relating to the Resolutions of some Gentlemen, styling themselves a Committee of the City of New-York, (Note,) - - 318
31, Letter from Lieutenant Governour Bull to the Earl of Dartmouth. An universal spirit of jealousy is raised against Great Britain. Exemption from Taxation is claimed, but by their own Representatives. This spirit of opposition to Taxation so violent and universal, that it will not be soon or easily appeased, - - 663
Aug. 1, Convention of the Representatives of the Freemen of the Government of the Counties of New-Castle, Kent, and Sussex, on Delaware, meet at New-Castle, - - - - - - 663
List of the Members, - - - - - - 663
Resolutions adopted at a General Meeting of the Freeholders and Inhabitants of the County of New-Castle, on Delaware, on the 29th of June, 664

Digitized by Google

1774.
July 20, Resolutions adopted at a Meeting of the Freeholders and other Inhabitants of Kent County, on Delaware, on the 20th of June, - - 664
Resolutions adopted at a General Meeting of the Freeholders and other Inhabitants of the County of Sussex, on Delaware, on the 23d of July, 665
Letters from the Committees of Correspondence of the Province of Massachusetts Bay, the Dominion of Virginia, the Colonies of Rhode-Island, South Carolina, and Maryland, read, 666
Grievances of the Colonies, under the Acts of Parliament, - - - - - - - 667
Deputies to the Congress appointed, - - 667
Instructions to the Deputies, - - - - 667
Aug. 1, Letter from London to a Gentleman in New-York. Act of Parliament prohibiting the shipping of Utensils used in the manufacture of Cotton, Wool, or Silk, - - - - 668
1, Condition of the Town of Boston, - - - 669
2, Letter from Lieutenant Governour Colden to the Earl of Dartmouth. The Deputies from New-York, to the General Congress, moderate men. Though great pains have been taken in the several Colonies to induce the People to enter into Resolves, they have succeeded only in Suffolk County, - - - - - - - 669
2, Letter from Wilmington, in North Corolina, to a Gentleman in Boston. Subscriptions for the relief of Boston. At a meeting of six Counties in Wilmington, it was unanimously resolved to assist Massachusetts by every legal measure, - - - - - - - - 670
3, Letter from Wilmington, in North Carolina, to a Gentleman in Boston. Two thousand Pounds subscribed for Boston: very considerable will be contributed at Newbern and Edenton; Subscriptions on foot in every County. The Vessel, with a load of Provisions for Boston, goes freight free, and the Master and Mariners navigate her without receiving one farthing wages, 670
2, South Carolina Assembly meet at eight o'clock in the morning, - - - - - - 671
Ratify and confirm the Proceedings of the General Meeting of Inhabitants on the 6th, 7th, and 8th of July, - - - - - - - 671
Message from the Assembly to Lieutenant Governour Bull. Request him to distribute among the poor Settlers. Arms and Ammunition to protect them against the Indians, - - 671
Assembly prorogued by the Lieutenant Governour at half past eight o'clock, - - - 672
3, Notice of the Proceedings of the Assembly at the Session held yesterday, - - - - 672
3, Letter from Lieutenant Governour Bull to the Earl of Dartmouth. The Assembly met privately and punctually at eight yesterday morning. I immediately went to the Council Chamber and prorogued them to September 6, but they had, previously, passed their Resolutions, 672
3, Letter from the Earl of Dartmouth to Lieutenant Governour Colden. Encloses an Order in Council disallowing certain Acts, - - 672
Representation of the Board of Trade to the King, of the 12th of May, with reasons for disallowing certain Acts passed by the Assembly of New-York, - - - - - - 673
Order in Council, of the 6th of July, declaring the Acts void, and of no effect, - - - 673

COUNCIL OF PENNSYLVANIA.

Aug. 4, Letters and Papers submitted to the Council, by the Governour, - - - - - - 674
New Town to be laid out at Kittaning, for accommodation of Traders and Inhabitants of Pittsburgh, - - - - - - - - - 674
6, Letter from Governour Penn to Arthur St. Clair, 674
Message from Governour Penn to the Chiefs and Warriors of the Shawanese Indians, - - 675
Message from Governour Penn to the Chiefs and Warriors of the Delaware Indians, - - 676
July 22, Letter from Arthur St. Clair to Governour Penn. Friends of Pennsylvania determined to abandon Pittsburgh. Kittaning most suitable place for a new Town, - - - - - - - 677
13, Deposition of William Wilson, a Trader, taken by one of Connolly's parties, - - - 677
19, Letter from John Connolly to Arthur St. Clair. Complains of the depredations of the Indians. Will no longer be a dupe to their amicable professions, but will pursue every measure to offend them, - - - - - - - - 678
July 22, Letter from Arthur St. Clair to John Connolly. Ample reparation ought to be made to the Indians, and an honest intercourse established with them; this would be a more cheap and easy manner of re-establishing peace than any offensive operations whatever, - - - 678
26, Letter from Arthur St. Clair to Governour Penn. Further account of Indian affairs. No prospect of accommodation between the Shawanese and the Virginians, - - - - 679
24, Deposition of David Griffey. Indians near Hanna's Town, - - - - - - 680
23, Speech of the Delawares to Mr. Croghan, - 680
Intelligence from Captain White Eyes, - - 681
Address from Mr. Croghan to Captain White Eyes, - - - - - - - - 681
Answer of Captain White Eyes to Col. Croghan, 681
25, Letter from Æneas Mackay to Arthur St. Clair, 682
Aug. 8, Letter from Arthur St. Clair to Governour Penn. Favourable accounts from the Indian Nations about the Lakes. Most of them disposed to continue in friendship with the English, - 682
25, Letter from Arthur St. Clair to Governour Penn. It is impossible to tell what will be the consequence of the Virginia operations. Lord Dunmore must soon see the necessity of a peace. Goods seized by Connolly's orders, and persons confined in the common Guard-House, 683
27, Letter from Arthur St. Clair to Governour Penn. Mr. Butler was not only made a prisoner, but treated with insult and abuse. This has been done by Mr. Campbell, Connolly having gone to meet Lord Dunmore, - - - - 685

CORRESPONDENCE, PROCEEDINGS, ETC.

Aug. 4, Address to the People of Virginia. Urged to unite their utmost endeavours, by all means in their power, to prevent the ruin they are threatened with, - - - - - - - 685
1, Convention of Delegates from the different Counties in the Colony and Dominion of Virginia, begun at Williamsburg, on the 1st day of August, and continued, by adjournments, to the 6th, - - - - - - - 686–690
After the first day of November, will import no Goods, Wares, or Merchandise, from Great Britain, nor British Manufactures from any other place; nor purchase any that may be imported, - - - - - - - 687
Will neither import any Slave, nor purchase any that may be imported after the 1st November 687
No Tea to be imported hereafter; and that which is on hand, not permitted to be used, - - 687
No Tobacco to be exported after the 10th of August next, unless American Grievances are sooner redressed; and the Inhabitants of the Colony advised to refrain from the cultivation of it, - - - - - - - - 687
The breed of Sheep to be improved, and their number increased, to the utmost extent, - 687
Merchants are not to take advantage of the scarcity of Goods, but to sell at the present prices, 688
No Merchant or Trader to be dealt with, after the first of November next, who will not sign this Association, - - - - - - 688
If any person shall, after the 10th of August next, export Tobacco, contrary to this Association, he shall be considered an approver of American Grievances, - - - - - 688
All alterations of these Resolutions that may be made by the General Congress, with the consent of the Delegates for Virginia, shall be binding upon the Colony, - - - 688
The Inhabitants of the Colony requested to make liberal Contributions for the relief of the distressed in Boston, - - - - - - 688
Instructions for the Deputies appointed to meet in General Congress on the part of the Colony of Virginia, - - - - - - - 689
A Summary View of the Rights of British America, set forth in some Resolutions intended for the inspection of the present Delegates of the People of Virginia, now in Convention, - 690

Digitized by Google

1774.
Aug. 5, Proclamation by Governour Sir James Wright, declaring the Meeting of the Inhabitants of Georgia, proposed to be held at Savannah, on the 10th inst, under the pretence of consulting together for redress of grievances, or imaginary grievances, unconstitutional, illegal, and punishable by law, - - - - - - 699
9, Letter from the New-York Committee to the Boston Committee of Correspondence, - 323
9, Letter from the New-York Committee to several Counties of the Province, - - - - 323
10, Resolutions entered into at Savannah, in Georgia, at a General Meeting of the Inhabitants of the Province, assembled to consider the state of the Colonies in America, - - - - - 700
His Majesty's Subjects in America owe the same allegiance, and are entitled to the same rights, with their fellow-subjects in Great Britain, - 700
As protection and allegiance are reciprocal, the Americans have an indisputable right to petition the Throne on every emergency, - 700
The Boston Port Act is unconstitutional, - 700
The Act for abolishing the Charter of Massachusetts Bay, is subversive of American Rights, 700
The British Parliament has not the right to Tax his Majesty's American Subjects, - - 700
It is contrary to the Law of the Land to take any person to Great Britain, to be tried for an offence committed in any of the Colonies, - 700
Will concur with the other Colonies in every constitutional measure to obtain a redress of Grievances, - - - - - - - 701
Committee of Correspondence appointed, - 701
10, Letter from London to a Gentleman in Boston. The Ministry, by their emissaries, will try to bring about disunion when the Congress meets. It is not prudent to rely on any support in England; the Colonies must depend on their own unanimity and steadiness. Massachusetts should not enter into any violent measures without concert with other Colonies, particularly Maryland, Virginia, and the Carolinas, 701
10, Meeting of the Freeholders and Inhabitants of Poughkeepsie Precinct, in Dutchess County, New-York. Refuse to comply with the request of the New-York Committee of Correspondence, to elect Delegates, - - - 702
10, Meeting of the Freeholders and Inhabitants of the Township of Rye, in West-Chester County, New-York, - - - - - - - 703
10, Meeting of the Committee of Charles County, Maryland. Tea shipped in the Mary and Jane, Captain George Chapman, now lying in St. Mary's River, to be returned to London, - 703
11, Meeting of the Committee for Frederick County, in Maryland. Resolutions in relation to the Tea shipped in the Mary and Jane, - - 704
12, Town Meeting at Providence, in Rhode-Island. Instructions to the Deputies from the Town in the General Assembly, - - - - 705
12, Council of North Carolina. Address of Governour Martin. Considers it his duty to advise with the Council on the measures to be taken to prevent the assemblies of the People, - 705
13, Proclamation of Governour Martin. Requires all persons, as far as in them lies, to prevent the meeting of certain Deputies, appointed to be held at Newbern, on the 25th, - - - 706
13, Letter from Colonel William Preston, at Fincastle, in Virginia. Incursions of the Indians. A number of the Inhabitants on the Frontiers killed, - - - - - - - - 707
13, Letter from Governour Sir James Wright to the Earl of Dartmouth. Two meetings of the Liberty Folks have been held in Savannah. He will transmit all the particulars, - - 708
14, Letter from a Gentleman, in London, to his Correspondent in Williamsburg. Policy of the Ministry to attack one Colony at a time. America has no friends in Great Britain. Nothing but an Association strictly observed and enforced, to stop Exports and Imports, will procure a repeal of the Acts, - - - - - 708
14, John Hancock, Colonel of the Company of Cadets, having been dismissed by Governour Gage, the Company agreed to return their Standard to the Governour and disband themselves, - 709
16, Letter from Silas Deane to Governour Trumbull, 710

1774.
Aug. 14, The Rev. Samuel Peters of Hebron, Connecticut. Account of an attack on him by the Sons of Liberty, - - - - - - - 711
18, Statement of Mr. Peters's affair, by the Bolton Committee, - - - - - - - 712
Resolves drawn up by Mr. Peters, - - 713
15, Mr. Peters's Declaration, - - - - 714
Oct. 13. Letter from Thaddeus Burr, in Boston, to Governour Trumbull, - - - - - - 714
Nov. 3, Further account of Mr. Peters, - - - 715
Letter from the Reverend Samuel Peters, in Boston, to his mother, in Hebron, - - - 715
Oct. 1, Letter from the Reverend Samuel Peters, in Boston, to the Reverend Doctor Auchmuty, at New-York, - - - - - - - - 716
Nov. 29, Saul Aylford and others, to Governour Trumbull, on Mr. Peters's affair, - - - - 716
Dec. 6, Hezekiah Huntington and others, to Governour Trumbull, on Mr. Peters's affair, - - 717
Aug. 17, Address to the People of Pennsylvania. The opposition in the Colonies to the measures of Parliament condemned. The principal difficulties have been caused by the influence of the Smuggling interest in the Colonies, - - 718
18, Letter from a Gentleman, at Red Stone, to Williamsburg. Wagatomica and five other Shawanese Towns on the Muskingum, destroyed in July, by four hundred Virginia Troops, under the command of Major M'Donald, - - 722
18, Courts at Great Barrington prevented from proceeding with business, - - - - - 724
20, Letter from Matthew Griswold to Governour Trumbull. Account of an attack on Mr. Ingersoll, of Great Barrington, - - - 724
20, Letter from Josiah Quincy, Jun., to John Dickinson. Defends Massachusetts on the charge of breaking the line of opposition. At the request of many warm friends to the country, he will soon embark for England, in the hope that he may do some good the ensuing Winter, at the Court of Great Britain, - - - 725
20, Letter from John Dickinson to Arthur Lee. The Colonists now know what is designed against them. All classes are united in sentiment. The People in general look forward to extremes with resolution, - - - - - - 726
20, Meeting of the Freeholders and Inhabitants of the Borough Town of West-Chester, in New-York, - - - - - - - - 726
22, Meeting of the Inhabitants of Norfolk, Virginia, on information received that nine chests of Tea were imported in the Mary and Jane, - 727
22, Letter from the Committee of Correspondence of Boston, to the Committee for New-Jersey, - 728
23, Address to the Inhabitants of New-Jersey. This Country was settled for the sole purpose of Trade; and an absolute submission to the Laws of the Mother Country was one of the terms under which our forefathers settled. Under these terms they lived and prospered; and we have grown rich and lived happily. Should the Congress listen to the folly of the times, and think the Colonies were not planted nor protected for the extension of Commerce, but for a new Empire, then will our Country become a scene of blood and distraction; we can have no recourse but in Arms, - - - 728
23, Proclamation of Governour Gage, to prohibit all persons from attending a Town Meeting at Salem, on the 25th, - - - - - - 729
25, Town Meeting at Salem. Governour Gage orders the Meeting to be dispersed, and brings Troops to the Town. Members of the Committee of Correspondence arrested, for calling the Meeting without the permission of the Governour, - - - - - - - - 730
24, Letter from Governour Sir James Wright to the Earl of Dartmouth. Every thing was done that could be thought of to frustrate the attempt of the Liberty People in Georgia, but could not totally prevent it. If the meetings are suffered, there will be nothing but cabals and combinations in the Province. The Executive power is too weak to rectify such abuses. Prosecutions would only be laughed at. No Grand Jury would find a Bill of Indictment; and persons attempting it would, probably, be insulted and abused, - - 731

Digitized by Google

1774.
Aug. 25, Abijah Willard, one of the Mandamus Counsellors for Massachusetts, compelled to resign, - 731
List of the Mandamus Counsellors appointed by the King, (Note,) - - - - - - 731
24, Letter from Taunton, in Massachusetts. Daniel Leonard, a Mandamus Counsellor, fled to avoid the friendly cautions of his incensed neighbours, - - - - - - - 732
25, Letter from Taunton, in Massachusetts. Two or three thousand persons will be assembled tomorrow to request Colonel Gilbert not to accept the office of High Sheriff, under the new Act; and to desire Brigadier Ruggles, a Mandamus Counsellor, to quit the County immediately. It is more dangerous being a Tory here than in Boston, - - - - - 732
24, Proceedings of the first Provincial Convention of North Carolina, held at Newbern, - 733–737
List of the Delegates to the Convention, - 733
Letters from the Committees in the other Colonies, with the Answers, presented by Mr. Hewes, and considered by the Convention, - 733
Three Delegates to General Congress to be appointed, - - - - - - - - 733
Allegiance is due to the King of Great Britain, as the rightful Sovereign of this Province, - 734
We claim no more than the rights of Englishmen, and it is our duty to maintain those rights, - - - - - - - - - 734
To be taxed without our own consent, is a gross violation of the Grand Charter of our Liberties, - - - - - - - - - 734
As the British Subjects in North America cannot be represented in Parliament, any Act of Parliament to Tax them is illegal, - - - 734
Duties imposed by Act of Parliament for raising a Revenue, illegal and oppressive, - - 734
The cause in which the Inhabitants of Massachusetts now suffer, is the cause of every honest American, - - - - - - - - 734
The Boston Port Act is a cruel infringement of the rights and privileges of the People of Boston, - - - - - - - - - 734
The Act of Parliament for regulating the Police of Massachusetts, is an infringement of the Charter of that Province, - - - - 735
Trial by Juries of the vicinity, is the only lawful Inquest that can pass upon the life of a British Subject, - - - - - - - - - 735
No British or East India Goods permitted to be imported after the first of January, 1775. No Slaves to be imported after the first of November next; and no East India Tea to be used after the 10th of September next, - - 735
No Tobacco, Pitch, Tar, Turpentine, or any other article, to be exported to Great Britain, after the first of October, 1775, unless American Grievances are redressed before that time, 735
Venders of Merchandise are not to raise the prices of their Goods in consequence of their Resolves for Non-Importation, - - - 735
The People of North Carolina will break off all Trade with any Colony on the Continent, which shall refuse to adopt and carry into execution such general plan as may be agreed to in the Continental Congress, - - - 735
Deputies to the Congress appointed, - - 735
The attempts made by the Minister upon the Town of Boston, a prelude to a general attack upon the rights of the other Colonies, - 736
Committees to be appointed in the several Counties, to see that the Resolutions of this Convention are properly observed, - - - 736
Instructions to the Deputies appointed to meet in General Congress on the part of North Carolina, - - - - - - - - - 736
Proceedings signed by the Members of the Convention, - - - - - - - - - 737
25, Express at Williamsburg, from Pittsylvania County. Indian Intelligence. Lord Dunmore, with fifteen hundred Men; and Colonel Lewis and Colonel Preston, with twelve hundred, against the Indians, - - - - - - - 737
26, Letter from the Earl of Dartmouth to Governour Penn. Directs him to desist from extending the jurisdiction of Pennsylvania up to the new Maryland line, during the minority of the Heir of Lord Baltimore, - - - - - 738

1774.
May 16, Letter from Governour Penn to Governour Eden. Mr. Harford's Guardians have refused to give any instructions on the subject of the Boundary run and marked by the Commissioners; he will, therefore, issue a Proclamation himself, extending the jurisdiction of Pennsylvania, - 738
21, Letter from Governour Eden to Governour Penn. The Guardians of the Proprietor of Maryland having declined signing the Return of the Commissioners, can do nothing in relation to it, 738
Sept. 26, Letter from Governour Penn to Richard Lee. Has made official notification of the lines run by Mason and Dixon: and the jurisdiction of Pennsylvania will be extended to those lines, 739
Aug. 26, Letter from General Brattle, at Cambridge, to General Gage. Military preparations in the Province. Minute Companies. Medford Powder removed from the Arsenal, - - - 739
27, Letter from Colonel Adam Stephen to Richard Henry Lee. Ordered to the Ohio, by Lord Dunmore, which prevents his attending the General Congress. Procuring a supply of Arms and Ammunition of the utmost importance.—This should be privately considered by the Congress, - - - - - - 739
27, Resolutions adopted by the Inhabitants of Palatine District, Tryon County, New-York, - 740
27, Letter from Governour Gage to the Earl of Dartmouth. The whole Province in commotion; popular fury never greater than at present. In Worcester they keep no terms, and openly threaten resistance, - - - 741
29, An account of the manner in which the Donations for the support of the Poor of Boston has been applied, - - - - - - - - - 743
29, Letter from Boston. The new Counsellors driven into Boston. The Judges at Great Barrington turned off the Bench. The Protesters and Addressers to Mr. Hutchinson have fled to Boston for refuge. The Province will soon be declared in open rebellion, and the King's Standard hoisted, - - - - 744
27, Timothy Paine, a Mandamus Counsellor, compelled to resign, - - - - - - 745
29, Letter from Governour Wentworth to the Earl of Dartmouth. Delegates to the Congress, from New-Hampshire, elected. State of affairs in the Province, - - - - - - 745
30, Town Meeting at Providence, in Rhode-Island. Arms for the County to be made fit for use. Providence ought not to become an asylum for persons who have made themselves obnoxious to the people in any other part of America.—The Town Council requested to remove and eject all such persons, - - - - - 746
31, Town Meeting at Providence, in Rhode-Island. Magistrates required to preserve the Peace of the Town, - - - - - - - 747
30, County Court, at Springfield, sign an engagement not to do any thing whatsoever, under any authority, derived or pretended, by the Act of Parliament, for the better regulating the Government of the Province of Massachusetts Bay, 747
30, On the meeting of the Superiour Court at Boston, Chief Justice Peter Oliver on the Bench, the Jurors refuse to be sworn, - - - 747
Reasons of the Grand Jurors for refusing to be sworn, - - - - - - - - 748
Reasons of the Petit Jurors for refusing to be sworn, - - - - - - - - 749
30, Meeting of the Committees from every Town and District, in the County of Middlesex, and Province of Massachusetts Bay, - - - 750
Committee appointed to consider the Act for the better regulating the Government of the Province of Massachusetts Bay, - - - 750
Report of the Committee, - - - - 750
Adopted by the Meeting, - - - - 752
Towns in the County recommended to elect Delegates to a Provincial Congress, to meet at Concord, on the second Tuesday in October, - 752
30, Address to the Inhabitants of Pennsylvania.—Petitions and Remonstrances to the King and Parliament will have no effect. We should not implore, but demand our liberty, - - 754
31, Address to the Delegates appointed to meet in the General Congress, - - - - 754
Queries proposed to the People of America, - 755

Digitized by Google

1774.
Sept. 1, Address to the People of America. Considerations on—1st, A Petition to Parliament, with a firm declaration of the rights of Americans. 2d, A suspension of Trade with Great Britain, till the Acts be repealed. 3d, A suspension of all our Trade with Great Britain, Ireland, and the West Indies, till the Acts be repealed, - 756
1, Letter from a Virginian to the Members of Congress at Philadelphia. The Colonies have advanced from one extravagant claim to another. Their most zealous advocates are ashamed to plead a cause which all others condemn. Parliament has a right to Tax the Colonies, and cannot depend upon the uncertain mode of Requisition, - - - - - - - - 759
1, Letter from Governour Martin to the Earl of Dartmouth. The People of North Carolina have followed the rest of the Continent in caballing and forming Resolutions upon the late measures of Government. Does not know what the Committees have done, but whatever measures may have been taken, the combination is assuredly, at least, indecent and inglorious, - - - - - - - - - 761
1, Powder taken from the Charlestown Magazine, by order of General Gage, - - - 762
2, Judge Danforth and Judge Lee, Mandamus Counsellors, compelled to resign, - - 763
2, Colonel Phips, the High Sheriff of the County, gives a pledge not to execute any precept under the new Acts of Parliament for altering the Constitution of Massachusetts Bay, - 763
2, Lieutenant Governour, Thomas Oliver, compelled to resign his seat as a Mandamus Counsellor, - - - - - - - - - 764
7, Mr. Oliver's statement of the circumstances under which he resigned, - - - - - 764
2, Letter from St. John's Parish, in Georgia. Account of the Meeting at Savannah, on the 10th of August. Contributions from St. John's Parish for the Sufferers at Boston, - - 766
2, Letter from Governour Gage to the Earl of Dartmouth. State of the Colonies much changed since Mr. Hutchinson left America. Several of the Counsellors have been obliged to seek protection under the Troops in Boston. Some have been maltreated; many have resigned. He intended to send Troops to Worcester, to protect the Superiour Court and the Counsellors, but ascertained that no Court could proceed on business there. In Boston the Judges met, but could get no Juries. The Counsellors were afraid to proceed to Salem; he was, therefore, compelled to assemble them in Boston. Proposes to send to New-York, Philadelphia, and Quebeck, for the Troops there. Civil Government is near its end.—He will avoid any bloody crisis as long as possible, - - - - - - - - 767
3, Letter from Governour Gage to the Earl of Dartmouth, - - - - - - - - - 769
3, Letter from a Member of Parliament to Colonel Charles Lee, - - - - - - - - 769
3, Letter from a Gentleman, in London, to his Correspondent in New-York. Disputes of the New-York Committee published in all the London papers, and have been disadvantageous to the cause of the Colonies. The Ministry are waiting anxiously to hear the result of the Congress; they still expect the Colonies will beg for mercy, - - - - - - - 771
4, Letter from London to a Correspondent in Boston. The measures of the Colonies should be calm and temperate. None of their Resolves should contain reflections on Great Britain.—The East India Company should be indemnified by the Bostonians, and submission made for the insult offered to Government, - - 772
5, Letter from Governour Penn to the Earl of Dartmouth. The Congress met this morning. The determination to oppose the Boston Acts, and the power of Parliament to Tax America, universal throughout the Colonies; there is, however, great diversity of opinions as to the proper modes of opposition, - - - 773
5, Report of an attack on Boston, by the Men-of-War and Troops, on the 2d, received in New-York by express, - - - - - - 325

1774.
Sept. 7, Letter from Georgia to a Gentleman in New-York. Those in favour of an immediate Non-Importation Agreement there, are far in the minority. As the Colony is situated, it would be highly ungenerous for Georgia to meddle with the disputes in which the rest of the Colonies are engaged, - - - - - - 773
7, Letter from Lieutenant Governour Colden to the Earl of Dartmouth. The populace are now directed by men of property, and the former demagogues have lost their influence. Men now speak in favour of Government with greater freedom than for years past, - - 773
7, Letter from the Earl of Dartmouth to Governour Penn. The appointment of Deputies, by the different Colonies, to meet in General Congress, has given the King great concern. An humble representation to the King from each Colony would have greater weight than one from the Congress, - - - - - - 774
8, Letter from the Earl of Dartmouth to the Earl of Dunmore. Expresses the King's dissatisfaction at the ill treatment of the Indians on the Ohio by the People of Virginia, and of the proceedings of Connolly, under a commission from the Government of Virginia, - - 774
8, The County Courts, in Virginia, will do no business previous to a Session of the General Assembly. At the next General Court there will be no Trials, except in Criminal Cases, - 775
5, The Selectmen of Boston inform General Gage of the alarm of the People at his preparing to erect a Fortification on the Neck, - - 775
9, Address of the Selectmen of Boston to General Gage, on his fortifying the entrance to the Town, and the abuse and assaulting of the People passing in and out of the Town, by the Guards, - - - - - - - - - 775
Answer of the Governour, - - - - - 775
6, Resolutions adopted at a Meeting of the Delegates of every Town and District in the County of Suffolk, in Massachusetts, - - 776
9, Committee appointed by the Delegates in Suffolk County, to wait on Governour Gage, and inform him of the alarm of the People at the Fortifications making on Boston Neck, - 779
10, Address of the Committee to Governour Gage, 779
10, Answer of the Governour to the Committee, - 779
The Answer of the Governour not satisfactory. Another Address unanimously voted to his Excellency, - - - - - - - - 780
The Governour declined receiving the second Address, - - - - - - - 781
9, Thanks to the Merchants of New-York for refusing to let their Vessels transport Troops and Ammunition to Boston, - - - - 782
15, Thanks to Mechanicks of New-York, for refusing to make Chests for transportation of Arms, or to contract for building Barracks at Boston, 782
10, Letter from the Earl of Dartmouth to Lieutenant Governour Colden. The Contraband Trade between New-York and Holland deserves his particular attention. The number of Vessels from Holland for that Province is evidence of the extent of that illicit Commerce; which is now particularly alarming, in consequence of the large quantities of Gunpowder shipped there for New-York, - - - - - 782
11, Letter from Israel Putnam to Captain Trumbull. Tea arrived at Salem, - - - - - 783
7, Letter from William Cooper to Israel Putnam, Chairman of the Committee of Correspondence for Brooklyn, in Connecticut, - - - 783
12, Letter from William Cooper, in Boston, to a Gentleman in New-York. Explaining the manner in which the Donations made for the Poor of Boston are applied, - - - 784
Committee appointed by the Town of Boston to receive the Donations and employ the Poor Sufferers by the Port Bill, - - - 785
13, Letter from Governour Wentworth to the Earl of Dartmouth. Proceedings at Portsmouth, in New-Hampshire on the arrival of thirty chests of Tea there, on the 8th inst. Vessel sailed with the Tea for Halifax, on the 11th. Though this Province has so far been moderate, yet the union of the Colonies, in sentiment, is not divided or lost in New-Hampshire, - 786

Digitized by Google

1774.
Sept. 14, Letter from Fredericksburg, in Virginia. Further Indian Intelligence. Liberal contributions made in Fredericksburg, for relief of the Poor in Boston, - - - - - - 787
14, Letter from Joseph Spencer to Governour Trumbull. Doctor Beebe, a Tory, tarred and feathered by the friends of Liberty, in East Haddam, has applied to him for a surety of the peace against some of those concerned in it.—He has declined, and asks the Governour's advice on the subject. He believes if one should be granted it would not be executed to advantage, - - - - - - - - 787
15, An Army of Observation for the Colonies proposed in Connecticut, - - - - - 787
15, Resolutions adopted at a Meeting of Delegates from the Towns in the Counties of Hartford, New-London, and Windham, and a part of the County of Litchfield, in Connecticut, - 788
15, Proclamation of Governour Penn, establishing the Lines of Jurisdiction between the Province of Maryland and the Province of Pennsylvania, and Counties of New-Castle, Kent, and Sussex, on Delaware, - - - - 789
17, Proclamation of Lord Dunmore, requiring all his Majesty's Subjects, west of Laurel Hill, to pay entire obedience to the Laws of Virginia, and forbidding the exercise of any authority there, by the Province of Pennsylvania, - - 790
17, General Carleton arrived at Quebeck, - - 791
Address of the Clergy to Guy Carleton, Governour of Quebeck, - - - - - - 791
Address of his Majesty's Subjects, in the City of Quebeck, to Governour Carleton, - - 792
17, Letter from Cæsar Rodney to Captain Thomas Rodney. Action of the Congress on the Resolves of Suffolk County, Massachusetts, - 792
19, Letter from Samuel Adams to Dr. Chauncy. The Suffolk County Resolves read in Congress with great applause. America will sustain Boston to the utmost, - - - - 793
19, Letter from Cæsar Rodney to Captain Thomas Rodney. On the late false report of the attack upon the Town of Boston, by the British Ships in the Harbour, fifty thousand Men, from Connecticut and Massachusetts, well armed, were on the march for the relief of the Town, - 793

PENNSYLVANIA ASSEMBLY.

Sept. 19, The Assembly met, pursuant to their adjournment, on the 23d of July, - - - - - 794
20, Letter from Dr. Franklin, dated London, May 7, laid before the House, - - - - - 794
21, Governour has no business to lay before the House, 794
26, Message from the Governour. The Indian Disturbances not yet at an end. The Governour of Virginia is still prosecuting an Expedition against the Shawanese. The Troops on the Frontiers should be continued in pay, - 794
28, One hundred Rangers to be kept in pay until the 14th of October, - - - - - - 794
29, The Treasurer ordered to pay the Overseers of the Poor of Philadelphia, one hundred Pounds for the support of the French Neutrals, - 795

CORRESPONDENCE, PROCEEDINGS, ETC.

Sept. 20, Letter from Governour Gage to the Earl of Dartmouth. The Country People are exercising in Arms, in Massachusetts, Connecticut, and Rhode-Island, and threaten to attack the Troops in Boston, to which place the friends of Government are daily resorting for protection. The Commissioners of the Customs afraid to remain in Salem, have come to Boston, where the Governour is also obliged to reside, - - - - - - - - - 795
21, Resolutions adopted at a Convention of Committees for the County of Worcester, Massachusetts, held by adjournment on the 29th of August, and continued, by adjournments, to the 21st of September, - - - - - - 795
21, Meeting of Freeholders in Boston. Instructions to Delegates in Provincial Congress, - 798
21, Convention of the several Towns of the County of Cumberland, in Massachusetts, - - 798
Sheriff of the County required to attend the Convention, - - - - - - - - - 799
1774.
Sept. 21. He subscribes a Declaration that he has not acted under the late Acts of Parliament; and that he will not, without the general consent of the County, - - - - - - - - - 799
Committee appointed to draw up the sentiments of the Convention, - - - - - - 799
22, Report presented by the Committee, and unanimously accepted, - - - - - 799–802
24, Meeting of the Selectmen and Committee of Correspondence of Boston. Consider it inexpedient for the Mechanicks, or other Inhabitants of the Town, to assist the Troops, by furnishing them with Artificers, Labourers, or materials of any kind to build Barracks, - - 802
24, Letter from J. Warren to the Publick, with an Extract of a Letter from Samuel Adams, dated September 9th. Gentlemen of the established Church of England, among the most resolute defenders of the rights of the People of the Continent, - - - - - - - - 802
24, Declaration of Freeholders and Inhabitants of the Town of Rye, in West-Chester County, New-York. They have not been concerned in any Resolutions entered into in regard to the disputes with the Mother Country. Disapprove of the hot and furious proceedings, in consequence of the disputes, and declare they will live and die peaceable Subjects of George the Third, 803
Apology of Abraham Miller and others, for signing the above Declaration, - - - 803
Apology of Timothy Wetmore, another subscriber, (Note,) - - - - - - 803
Letter from the Committee of Mechanicks of Boston, dated September 8th, to the Committee of Mechanicks of New-York, - - - 803
24, Resolutions of the Committee of Mechanicks of New-York, on receiving the foregoing Letter, 804
25, Letter from Governour Gage to the Earl of Dartmouth. The Carpenters in New-York refuse to come to Boston to build the Barracks, but the Boston Artificers have undertaken the work. Nothing but extravagances and military preparations heard of from Boston to New-York. The support Massachusetts receives from the other Colonies, is beyond conception. The disease is now so universal that there is no knowing where to apply a remedy, - 805
26, Account of the transactions at a Meeting of the Freeholders of the County of Middlesex, in England, - - - - - - - 805
Engagement signed by John Wilkes and John Glynn, at the Middlesex Meeting, - - 806
26, Inhabitants of Worcester, in Massachusetts, from the age of sixteen to seventy, form themselves into Military Companies, and choose Officers, 806
27 Application of Doctor Warren to General Gage, for information as to his intentions in erecting Fortifications and purchasing Military Stores, 806
Answer of General Gage to Doctor Warren, - 806
27, Meeting of the Committees of Boston and the neighbouring Towns. Resolve that any person who may supply the Troops at Boston with any thing for the annoyance of the Inhabitants, shall be deemed an inveterate enemy of the People, - - - - - - - - 807
27, Letter from the Joint Committees of Boston and the neighbouring Towns, to every Town and District in the Province, - - - - - 807
28, Letter from Colonel William Preston, at Fincastle, in Virginia. March of Virginia Troops to meet Lord Dunmore at the Great Kenhawa. Attacks of the Indians on the White settlements, - - - - - - - - 808
28, Letter from Maryland to a Gentleman in London, - - - - - - - - 809
28, Handbill published at New-York. Supply of the British Troops, - - - - - - 809
28, Proclamation by Governour Gage. In consequence of the disordered state of the Province, will not meet the General Court at Salem, on the 5th of October, and discharges all persons elected as Representatives from giving their attendance, - - - - - - - 809
29, Letter from the Committee of Correspondence of Boston, to the Continental Congress. Account of the attack upon the House of Joseph Scott, upon the discovery of his selling Cannon to General Gage, - - - - - - 810

Digitized by Google

1774.
Sept. 29, Meeting of the Inhabitants of New-York, convened by the Committee, at the request of Joseph Totten, - - - - - - - 327
Oct. 1, Proclamation by the King, for dissolving the Parliament, and calling another, - - - - 810
1, Considerations on the propriety of adopting a general Non-Remittance, as one of the means of obtaining a repeal of the Boston Bills, - 811
3, Letter from Governour Gage to the Earl of Dartmouth. The other Colonies have espoused the cause of Massachusetts with great violence, though some are more moderate than others. The Congress is still sitting, but much good is not to be expected from their deliberations. The Boston Artificers have refused to work on the Barracks. A Provincial Congress will soon meet, when it is supposed measures will be taken for the government of the Province, 814
3, Letter from Governour Penn to the Earl of Dartmouth. The Congress is sitting, but as they have agreed to keep their Proceedings secret, he can furnish no account but what is found in the Newspapers, - - - - - - 815
3, Letter from London to a Gentleman in New-York. The opinions of the People have become more favourable to the Americans. As the issue of the Congress would probably require vigorous measures, the Parliament has been dissolved, and a new one ordered, - 815
3, Proceedings at a Meeting of the Livery of London, at Guildhall. The Candidates pledged, if elected to Parliament, to endeavour to procure a repeal of the American Acts, - - 817
5, Letter from Lieutenant Governour Colden to the Earl of Dartmouth. Several of the Counties in the Province refused to unite with the New-York Committee in sending Delegates to the Congress. Almost the whole of the Inhabitants of the Counties wish for moderate measures. At a meeting held last week the conduct of the persons who attempted to prevent the Merchants from sending Supplies to Boston, was highly disapproved, - - - - - - 819
5, Handbill received at New-York from Boston, 820
Memorandums for a Report, on providing permanent Barracks for the Troops at Boston, - 821
6, Address to the Inhabitants of New-York, - 821
7, Meeting of Importers of Goods from Great Britain, in the City of New-York, - - 328
7, Meeting of the Inhabitants of the Town of Stamford, in Connecticut, - - - - - 827
8, Letter from London. Reasons why the Americans should persevere, and oppose with vigorous measures the Tyranny of the British Government, - - - - - - - - 828
8, Letter from James Lovell to Josiah Quincy, Jun., 948

PROVINCIAL CONGRESS OF MASSACHUSETTS.

Oct. 5, Members elected to serve in the General Assembly of Massachusetts, meet at Salem, - - 829
7, Their Resolutions on the refusal of the Governour to admit them to the usual oaths, - 829
Provincial Congress formed, - - - 830
Names of the Delegates from the several Towns, 830
Adjourn to meet at Concord, - - - 834
11, The Provincial Congress meets at Concord, - 834
John Hancock elected President, and Benjamin Lincoln Secretary, - - - - - - 834
12, Committee appointed to take into consideration the state of the Province, - - - 834
13, Address to the Governour reported by the Committee, read and accepted, with one dissenting voice only, - - - - - - - 835
Committee to present Address to the Governour, 836
14, Constables, Collectors of Taxes, Deputy Sheriffs, and Sheriffs, directed not to pay over Money; but to retain it in their hands, subject to the order of the Towns, Provincial Congress, or General Assembly, - - - - - - 836
17, Answer of Governour Gage to the Address of the Provincial Congress, - - - - 837
Referred to the Committee on the state of the Province, - - - - - - - 837
Letters said to be wrote by the Rev. Mr. Peters, referred to the same Committee, - - - 837
18, The Galleries ordered to be cleared, and the doors of the House to be kept shut during the Debates in the Congress, - - - - 837
1774.
Oct. 18, A Reply to be made to the Answer of the Governour, - - - - - - - - - 838
19, Reply to the Governour reported, read, and recommitted; reported again, considered, and laid on the table, - - - - - - 838
20, Report from the Committee appointed to inquire into the state and operations of the Army, - 838
Committee to consider what is necessary for the defence and safety of the Province, - - 838
Report relative to Payment and Collecting of outstanding Rates and Taxes, - - - 838
21, Resolution relative to the Counsellors and others, who have acted in obedience to the late Act of Parliament, for altering the Government of Massachusetts Bay, - - - - - - 839
Committee to publish the names of the Mandamus Counsellors and others, who have acted under commissions derived from the Act of Parliament, - - - - - - - - 839
Committee to report a Non-Consumption Agreement relative to British and India Goods, - 839
Committee to examine Rivington's Newspaper, 840
Resolution adopted, recommending the total disuse of India Tea, - - - - - - 840
Report of Committee, on Defence of the Province, read, and deferred, - - - - - - 840
22, Consideration of the Report resumed, and recommitted, - - - - - - - - 840
Consideration of the propriety of sending Agents to Canada, referred to the next meeting of the Congress, - - - - - - - - 840
Day of Publick Thanksgiving throughout the Province recommended, - - - - - 840
Report on the Safety and Defence of the Province, amended, and recommitted for further amendment, - - - - - - - - 841
24, Committee to consider of the most proper time to provide a stock of Powder, Ordnance, and Ordnance Stores for the Province, - - - 841
Committee on Non-Consumption Agreement directed to report forthwith, - - - 841
Debates of the Congress to be kept secret, until leave shall be given to disclose the same, - 841
Committee report that now is the proper time to provide a stock of Powder, Ordnance, and Ordnance Stores, - - - - - - 841
Committee to determine what Quantity shall be provided, and an Estimate of the expense, - 841
Consideration of Report on the Safety and Defence of the Province resumed, and recommitted for further amendments, - - - 841
25, Committee on Non-Consumption Agreement ordered to sit forthwith, - - - - 842
Committee to inquire into the state of the Stores in the Commissary General's Office, - - 842
Report on the quantity of Powder and Ordnance Stores necessary for the Province, - - 842
All matters which shall come under the consideration of the Congress, to be kept secret, - 842
Report on the Safety and Defence of the Province, - - - - - - - - 842
26, Report considered and adopted, - - - 843
Committee to consider what Military Exercise will be best for the People of the Province to adopt, - - - - - - - - 845
27, Committee of Safety appointed, - - - 845
Five Commissaries appointed, - - - 845
Three General Officers appointed, - - 845
Committee, to sit during the recess of the Congress, appointed, - - - - - - 845
Receiver General to be appointed to-morrow; and Members particularly enjoined to attend, 845
Reply to the Governour's Answer recommitted for amendments, - - - - - - 845
28, Receiver General appointed, - - - 846
Report of Committee on the state of the Province, relative to the removal of the Inhabitants of the Town of Boston from thence, read, and recommitted, - - - - - - - 846
Report relative to Collecting and Paying outstanding Taxes, read, and adopted, - - 846
Committee to report a Resolve relative to a Non-Consumption Agreement, - - - 847
Committee to report on an equal Representation of the Province in Congress, at the next meeting, - - - - - - - - 848
Constitutional Counsellors invited to attend Congress at the next meeting, - - - - 848

Digitized by Google

1774. Oct. 28, The Resolve for a Non-Consumption Agreement, presented and adopted, - - - - - 848
Report on the Warlike Stores in the Commissary General's Office, - - - - - 848
29, Report on a System of Military Exercise for the Province, - - - - - - - - 848
Consideration of the state of the Executive Courts of the Province, referred to the next meeting of the Congress, - - - - - - 849
Committee of Safety directed to write to the Continental Congress, showing the grounds and reasons of the proceedings of this Congress, 849
Reply to the Governour's Answer agreed to, unanimously, and a Committee appointed to present it, - - - - - - - - 849
Committee to publish certain parts of the Proceedings of the Congress, passed on the 26th and 28th, - - - - - - - 851
Two Members added to the Committee of Safety, 853
Adjourned to the 23d of November, - - 853

CORRESPONDENCE, PROCEEDINGS, ETC.

Oct. 9, Letter from Montreal, to a Gentleman in New-York. Opinions of the Inhabitants of Canada relative to the Quebeck Act, - - - - 853
General Meeting of the English Inhabitants of Montreal, - - - - - - - - 853
10, Letter from Eliphalet Dyer, Roger Sherman, and Silas Deane, to Governour Trumbull.—Proceedings of the Congress, - - - - 854
11, Account of the arrest and imprisonment of Samuel Dyre, of Boston, - - - - - 855
12, Proclamation of Governour Penn. Inhabitants and Magistrates of the country west of Laurel Hill required to pay due obedience to the Laws of Pennsylvania, without the least regard to the Proclamation of Lord Dunmore, 856
12, General Committee of South Carolina recommend the non-importation of India Tea, and the non-exportation of any Arms or Ammunition whatsoever, - - - - - - - 857
13, Letter from Sir James Wright to the Earl of Dartmouth. Protests and Dissents of the People in different parts of the Province, show that they are against any Resolutions; and that those attempted by a few in Savannah, are held in contempt, - - - - - - - 867
14, Address from the County of Worcester, in Massachusetts, to Governour Gage, - - - 868
Answer of the Governour, - - - - - 869

CONNECTICUT ASSEMBLY.

Oct. 13, Meeting of the General Assembly of the English Colony of Connecticut, - - - - 858
Towns in the Colony ordered to provide double the quantity of Powder, Balls, and Flints, they were before obliged by Law to provide, - 858
Cannon at New-London to be mounted, and kept fit for service, with a proper supply of Powder and Balls, - - - - - - - 858
Fifteen thousand Pounds, in Bills of Credit, to be issued, - - - - - - - - 858
Taxes levied on the Polls and rateable Estates in the Colony, - - - - - - - - 858
Instructions and Regulations to the Overseers appointed by the Assembly for the Mohegan Indians, - - - - - - - - - 859
Memorial of Zebulon Butler and Joseph Sluman, Agents for the Town of Westmoreland, - 859
Memorial of Ebenezer Hazard, of New-York, 861

PENNSYLVANIA ASSEMBLY.

Oct. 14, New Assembly meets, - - - - - 869
List of Members, - - - - - - - 869
Edward Biddle chosen Speaker, - - - - 869
Approved by the Governour, - - - - 870
15, John Dickinson added to the Deputies from Pennsylvania to the General Congress, now sitting, 870
Entertainment to be provided for the Members of the Congress, on Thursday next, - - 870
17, Message from the Governour. Recommends keeping the Rangers a longer time in Service, 871
19, The Rangers to be kept in Pay until the first of November, - - - - - - - 871
Answer to the Governour's Message, - - 871
21, Adjourn to the 5th of December, - - - 871

1774. CORRESPONDENCE, PROCEEDINGS, ETC.

Oct. 14, Express from Lord Dunmore arrived at Williamsburg, with the Speeches at his Conference with the Indians, - - - - - - 871
Speech of Captain White Eyes, - - - 872
Answer of Lord Dunmore to the Delawares and Six Nation Chiefs, - - - - - - 872
Intelligence from Captain Pipe, at a Conference with several Delaware and Mohawk Chiefs, - 874
Speech of the Mohegans to the Shawanese, - 874
Answer of the Shawanese, - - - - - 874
Reply of the Mohawk and Delaware Chiefs to Lord Dunmore, - - - - - - 875
Speech of the Big Apple Tree, a Mohawk Chief, 875
Answer of Lord Dunmore, - - - - - 875
Reply of the Delawares, - - - - - 876
16, Speech of Edmund Burke, on offering himself a Candidate to represent the City of Bristol in Parliament, - - - - - - - - 876
16, Letter from Dr. Samuel Cooper to John Adams, 878
18, Proclamation of Governour Penn. Officers of the Customs prevented by a Mob from seizing a quantity of foreign Sugar that had not been entered at the Custom House, nor the Duties paid. All Civil Officers required to bring the Offenders to justice, - - - - - - 878
17, Letter from Captain Arthur St. Clair to Joseph Shippen, Jun., - - - - - - - 879
Speech from Captain Pipe to the Governour, in answer to his Messages sent to the Shawanese and the Delawares, - - - - - - 879
17, Letter from Governour Gage to the Earl of Dartmouth. Additional Troops expected from Quebeck, New-York, and Newfoundland. Despairs of any overtures for paying for the Tea, unless recommended by the Continental Congress, - - - - - - - - 880
19, Circular Letter from the Earl of Dartmouth to the Governours of the Colonies, - - 881
19, Order of the King, in Council, prohibiting the exportation of Gunpowder, or any sort of Arms or Ammunition from Great Britain, - 881
20, General Committee of South Carolina recommend Merchants and others, as they prize the tranquillity and happiness of America, not to take advantage of the publick distresses by raising the prices of imported Goods, - - 881
20, Address to the People of Halifax County, in Virginia, - - - - - - - - 882
20, Tea at Annapolis, in Maryland, imported in the Brig Peggy Stewart, from London. Acknowledgement of the Owners of the Tea, that they had committed a most daring insult, and an act of the most pernicious tendency to the Liberties of America; they ask pardon of the People, and voluntarily burn the Vessel with all her Sails and Colours flying, - - - 885
20, Thanks to the Merchants of New-York, who assisted in providing Barracks for the Troops at Boston, - - - - - - - - 886
20, Address to the Inhabitants of New-York. Reasons for their paying obedience to Great Britain, and the advantages they will derive from submission, - - - - - - - 886
21, Resolutions of sundry Inhabitants of Frances Town, in New-Hampshire, - - - 888
22, Letter from Silas Deane, at Philadelphia, to Governour Trumbull. The greatest unanimity has prevailed through the whole of the Proceedings of the Congress, - - - - - 888
24, Proclamation of Governour Wright. Grants of Land in Georgia, - - - - - - 889
24, Proclamation of Governour Wright. Treaty with the Creek Indians, at Savannah, on the 20th inst. Trade with the Indians renewed, 1137
24, Letter from Quebeck to a Gentleman in Boston, 891
Instructions to the English Gentlemen of the Committee of Montreal, from the Canadian Farmers, - - - - - - - - 891
25, Association signed by the Ladies of Edenton, in North Carolina, - - - - - - 891
26, Letter from Joseph Reed, at Philadelphia, to Josiah Quincy, Jun., London. Instead of divided counsels and feeble measures in the Colonies, all now is union and firmness. The Members of the Congress part with each other on terms of the utmost friendship, - - - 892

Digitized by Google

1774.

CONTINENTAL CONGRESS.

Sept. 5, Meeting of the Delegates chosen and appointed by the several Colonies and Provinces, in North America, to hold a Congress at Philadelphia, 893
Members present from the several Colonies, - 893
Peyton Randolph elected President, - - 893
Credentials read and approved, - - - 893
For New-Hampshire, - - - - 893
Massachusetts, - - - - - 894
Rhode-Island, - - - - - 894
Connecticut, - - - - - 895
New-York, - - - - - 896
New-Jersey, - - - - - 896
Pennsylvania, - - - - - 896
Delaware, - - - - - 897
Maryland, - - - - - 897
Virginia, - - - - - - 897
South Carolina, - - - - 898
6, Richard Henry Lee, from Virginia, attended, - 898
Rules of Order adopted, - - - - 898
Reverend Mr. Duché requested to open the Congress with Prayers, - - - - - 899
Thomas Johnson, Jun., from Maryland attended, 899
7, Committee appointed to state the Rights of the Colonies, the instances in which they are violated, and the means most proper to obtain a restoration of them, - - - - - 899
Committee appointed to examine and report the several Statutes which affect the Trade and Manufactures of the Colonies, - - - 900
President authorized to adjourn, from day to day, when there is no business, - - - 900
12, Matthew Tilghman, a Delegate from Maryland, attended, - - - - - - - - 900
14, William Hooper and Joseph Hewes, from North Carolina, attended, - - - - - 900
Henry Wisner, from Orange County, in New-York, attended, - - - - - 901
George Ross, from Pennsylvania, and John Alsop, from New-York, attended, - - - 901
Delegates from Massachusetts presented the Proceedings of the Joint Committees of the Towns in the County of Middlesex, at Concord, on the 30th and 31st of August, - - - 901
17, Richard Caswell, from North Carolina, attended, 901
Resolutions of the County of Suffolk, Massachusetts, on the 6th inst., laid before the Congress, 901
Resolution of the Congress, approving of the Suffolk County Resolutions, - - - 904
Contributions from all the Colonies for supplying the Sufferers in Boston, should be continued, - 904
Report of the Committee appointed to examine the Statutes, brought in and laid on the table, 904
19, Referred to the Committee appointed to state the Rights of the Colonies, - - - - 904
22, Merchants and others in the several Colonies requested not to send to Great Britain any orders for Goods, - - - - - - - 904
Report of Committee on the Rights of the Colonies, brought in and read, - - - - 904
Copy of the Report made out for each Colony, - 904
24, The Report considered, - - - - 905
Congress will now consider only such Rights as have been infringed since 1763, postponing the consideration of the General Rights of America to a future day, - - - - 905
Committee appointed to state the Rights, brought in a Report of the Infringements and Violations of American Rights, - - - 905
Consideration of the Report deferred, - - 905
Congress, in the meanwhile, to deliberate on the Means to be pursued for a restoration of our Rights, - - - - - - - - - 905
26, John Herring, from Orange County, New-York, attended, - - - - - - - 905
Consideration of the Means for restoring Rights, resumed, - - - - - - - 905
27, Further considered, - - - - - - 905
Importation of all Goods, Wares, and Merchandise, whatsoever, from Great Britain, or Ireland, prohibited after first of December next, 905
None exported from Great Britain, or Ireland, after that day, shall be used or purchased in the Colonies, - - - - - - - 905
28, Resolution offered by Mr. Galloway, declaring the Colonies hold in abhorrence the idea of being considered Independent Communities, - 905

1774.

Sept. 28, Mr. Galloway's Plan for a proposed union between Great Britain and the Colonies, - 905
Means of restoring the Rights, considered, - 906
29, Further considered, - - - - - 906
30, Further considered, - - - - - 906
Exportation of all Merchandise whatsoever, from the Colonies to Great Britain, Ireland, and the West Indies, prohibited after the 1st of September, 1775, unless American Grievances are redressed before that time, - - - 906
Committee to prepare a Plan to carry into effect the Non-Importation, Non-Consumption, and Non-Exportation resolved on, - - - 906
Oct. 1, Simon Boerum, from King's County, New-York, attended, - - - - - - - 906
Means of restoring the Rights, further considered, 906
Committee to prepare an Address to the King, requesting a Redress of Grievances, - - 907
3, Instructions to the Committee on the Address, - 907
Matters proper to be contained in the Address considered, - - - - - - - 907
4, Further considered, - - - - - 907
5, Further considered, - - - - - 907
Instruction to the Committee on the Address, - 907
Address from William Goddard received, - 907
6, Means for restoration of American Rights further considered, - - - - - 907
Letter from the Boston Committee of Correspondence laid before Congress, - - - 907
Letter to be considered to-morrow, - - 908
Consideration of means for restoration of Rights, resumed, - - - - - - - 908
Instruction to Committee appointed to prepare the form of an Association, - - - - 908
7, Letter from Boston Committee considered, - 908
Committee to prepare a Letter to General Gage, 908
8, Letter from Boston further considered, - - 908
Opposition of the Inhabitants of Massachusetts to late Acts of Parliament approved by Congress. If the Acts are attempted to be enforced by Arms, all America ought to support them in their opposition, - - - - - - 908
10, Letter from Boston further considered, - - 908
Removal of the People from Boston, so important in its consequences as to require the utmost deliberation. If absolutely necessary, they should be recompensed by all America, - 908
People of Massachusetts advised to submit to a suspension of the administration of justice, where it cannot be procured under the Charter, 909
Any Person who shall act under any authority derived from the Act of Parliament, altering the Government of Massachusetts, to be held in detestation, as a wicked tool of the despotism, which is preparing to destroy the Rights of America, - - - - - - - 909
11, Letter from the Congress to General Gage, - 909
People of Boston advised to conduct themselves peaceably towards General Gage and the Troops, - - - - - - - - 909
Committee to prepare a Memorial to the People of British America; and an Address to the People of Great Britain, - - - - - 910
12, Plan for carrying into effect the Non-Importation, Non-Consumption, and Non-Exportation Agreement, reported by the Committee, - 910
Consideration of the Rights and Grievances of the Colonies resumed, - - - - - 910
13, Further considered, - - - - - 910
14, Further considered, - - - - - 910
Resolutions declaring the Rights and Grievances of the Colonies, - - - - - 910
Letter from several Gentlemen, in Georgia, read, 912
15, Plan of Association further considered, - - 912
17, John Dickinson, from Pennsylvania, attended, 913
Plan of Association further considered, - - 913
18, Plan further considered, amended, and ordered to be transcribed, to be signed by the Members, 913
Address to the People of Great Britain reported, 913
19, The Address considered, amended, and recommitted, - - - - - - - - 913
Memorial to the Inhabitants of the Colonies reported, - - - - - - - - 913
20, The Association read and signed, - - - 913
Fac simile of the Signatures to the Asssociation, - - - - - *Opposite* 916
Memorial to the Inhabitants of the Colonies further considered, - - - - - 916

Digitized by Google

1774.
Oct. 21, Address to the People of Great Britain, - - 917
Memorial to the Inhabitants of the Colonies, - 921
Committee to prepare an Address to the People of Quebeck, and Letters to the Colonies of St. John's, Nova-Scotia, Georgia, and East and West Florida, - - - - - - - 928
Committee to revise the Minutes of Congress, 928
Address to the King considered, recommitted, and Mr. Dickinson added to the Committee, 928
The seizing a Person, in America, to transport him beyond the Sea, for Trial, declared to be against the Law, and ought to meet with resistance and reprisal, - - - - - 928
22, Peyton Randolph unable to attend the Congress, Henry Middleton chosen President, - - 928
Address from Christopher Tully received, - 928
Journal ordered to be printed, - - - 928
A Congress to be held on the 10th of May next, unless redress of Grievances should be sooner obtained, recommended, - - - - - 928
Letter from Congress to the Colonies of St. John's, &c., - - - - - - - - 929
24, Address to the People of Quebeck reported, considered, and recommitted, - - - - - 929
Address to the King reported, - - - 929
25, Address considered, approved, and ordered to be engrossed, - - - - - - - - 929
To be sent to the Colony Agents, to be presented to his Majesty; and the Agents requested to call in the aid of such Noblemen and Gentlemen as are firm friends to American Liberty, 929
Committee to prepare a Letter to the Agents, - 929
Thanks of Congress to the patriotick Advocates of Civil and Religious Liberty who have espoused the cause of America, both in and out of Parliament, - - - - - - - - - 929
26, Letter to the Colony Agents, - - - - 929
Address to the Inhabitants of the Province of Quebeck, - - - - - - - - 930
Address to the King, - - - - - - 934
List of the Colony Agents, - - - - - 938
List of the Delegates who attended the Congress, 938

CORRESPONDENCE, PROCEEDINGS, ETC.

Oct. 20, Letter from Governour Gage to Peyton Randolph, in reply to the Letter from the Congress, of the 10th of October, - - - - 939
Letter to Peyton Randolph, late President of the American Continental Congress, from an Inhabitant of Massachusetts, against the Proceedings of the Congress, and defending the conduct of General Gage, - - - - 939
27, Letter to General Gage, from Williamsburg, in Virginia, - - - - - - - - 945
27, Letter from John Dickinson to Arthur Lee. The Colonies have taken such grounds that Great Britain must relax, or involve herself in a Civil War. A determined and unanimous resolution animates the Continent, - - - - 947
28, Letter from John Dickinson to Josiah Quincy, Jun. The most peaceable Provinces are now animated; and a Civil War is inevitable, unless there be a quick change of British measures, 947
29, Letter from Colonel Charles Lee to the Duke of —. All orders of men, throughout the Colonies, are enthusiastick in the cause of Freedom. The People have Arms, and are expert in their use, - - - - - - - - - 949
30, Letter from Governour Gage to the Earl of Dartmouth. The Provincial Congress, it is reported, had in agitation the embodying of fifteen thousand Men, to be ready, at a moment's warning, and to be supported by the neighbouring Provinces. It is the intention of the Congress to assemble the old Council at the next meeting, to form as complete a Government as possible for the Province, - - - - - 950
31, Letter from Josiah Quincy to Josiah Quincy, Jun., 951
31, Letter from Governour Penn to the Earl of Dartmouth, - - - - - - - - - 952
Nov. 1, Address of the Grand Jury for the County of Essex, in New-Jersey, to Frederick Smith, Chief Justice of the Province, - - - - - 967
1, Letter from a Gentleman, at Bladensburg, Maryland, to his brother, in Glasgow. Virginia is raising a Company of Men in every County. Maryland has begun to raise Men in every County also. To the Northward they have large Bodies ready for the field. Regulation of prices of imported Goods, - - - - 953
Nov. 2, Circular Letter from the Earl of Dartmouth to the Governours of the Colonies. Requires Returns every three months of the state of their respective Councils, - - - - - 953
2, Letter from the Earl of Dartmouth to Lieutenant Governour Colden. Requires him to be particularly attentive to prevent the importation of Gunpowder: he has every day intelligence of the Americans purchasing large quantities of Arms and Ammunition in the different Ports of Europe, - - - - - - - - 953
2, Council of Pennsylvania authorize the laying out a King's Highway, from the Wind Gap, on the North side of the Blue Mountain, to Wyoming, 954
Letter from the Earl of Dartmouth to Governour Penn, dated August 26. Requires him to desist from extending the jurisdiction of Pennsylvania to the line run by the Commissioners of that Province and Maryland, - - - - 954
2, Proclamation of Governour Penn, requiring Magistrates and others to desist from exercising jurisdiction beyond those places where it has been heretofore exercised, until his Majesty's pleasure shall be known in the premises, - 955
3, Letter from Governour Penn to the Earl of Dartmouth. Explanation of his motives for issuing the Proclamation for extending the jurisdiction, - - - - - - - - - 955
2, Letter from Arthur St. Clair to Governour Penn. Report of the Battle between the Indians and Colonel Lewis, - - - - - - - 956
2, Address of the Committee to the Freeholders and Electors of the City and County of Philadelphia. Recommend the election of a new Committee, under the Association of the Congress, - - - - - - - - - 956
2, Letter from Lieutenant Governour Colden to the Earl of Dartmouth. The Congress broke up last week. Their measures do not meet with applause in New-York; on the contrary, the City is rather dissatisfied. The Merchants dislike the Non-Importation, and the Farmers will not bear the Non-Exportation. A great majority in the Province disapprove of the dangerous measures of the New England Governments, - - - - - - - - 957
2, Letter from an Officer at Boston, to his friend in Edinburgh. The Faction at Boston is very low. All ranks of People are heartily tired of disorder; and as soon as the determination of Great Britain to despise their Resolves and Petitions, is known, all will be quiet, - - 957
3, Letter from Doctor Chauncy to Josiah Quincy, Jun., London. The Colonies are united in their resolution to defend their Liberties. All wish for a restoration of harmony, and dread a bloody conflict; yet this they will universally go into, rather than submit to the tyrannical measures imposed on them, - - - - 958
4, Letter from Governour Penn to the Earl of Dartmouth, - - - - - - - - - 958
5, Charge of William Henry Drayton, one of the Judges of the General Sessions of the Peace, for the Districts of Camden and Cheraws, in South Carolina, on his Circuit, the fifth and fifteenth days of November, to the several Grand Juries, - - - - - - - - - 959
Presentments of the Grand Jury for the District of Camden, - - - - - - - 961
Presentments of the Grand Jury for the Cheraws District, - - - - - - - - 962
Address of the Petit Jury of Cheraws District, to Judge Drayton, - - - - - - 962
5, Resolutions adopted at a Meeting of the Officers under the command of Lord Dunmore, convened at Fort Gower, - - - - - 962
6, Sheep not permitted to be sent from New-York to the West Indies, - - - - - - 963
6, Letter from Joseph Reed to Josiah Quincy, Jun. The Quakers have directed their members not to serve on the Committee for carrying into effect the Association of Congress; yet, in Philadelphia, there is no fear that any discontented spirit dares oppose the measures necessary for the publick safety. There is more fear for

Digitized by Google

1774.
New-York, where there has been a strange delinquency the whole Summer, - - 963
Nov. 7, Meeting of the Inhabitants of York, in Virginia, and Proceedings of the County Committee, on the arrival of Tea, - - - - - - 964
7, Meeting of the Committee and other Inhabitants of Gloucester, in Virginia, on the arrival of Tea, 965
7, Concession of John Prentiss to the York and Gloucester Committees, for importing Tea, - 965
7, Meeting of the Inhabitants of the City of Philadelphia, to make arrangements for electing a Committee, - - - - - - - - 965
7, New-York Committee recommend the election of a Committee of Inspection, for the purposes expressed in the Association of Congress, - 967
7, Meeting of the Inhabitants of the Town of Boston, 968
7, Letter from New-York to a Correspondent in London, - - - - - - - - 969
7, Meeting at Marblehead, in Massachusetts. Appointed a Committee to execute the Association; and fixed a day for choosing Militia Officers, - - - - - - - - - 970
8, Meeting of the Committee for Westmoreland County, in Virginia. Resolutions relative to David Wardrobe, - - - - - - 970
Letter from David Wardrobe to Archibald Provan, of Glasgow, dated June 30, - 971
8, Proclamation of Governour Eden, - - 972
9, Meeting of the Inhabitants of Anne Arundel County, and the City of Annapolis. Committee of Observation and Committee of Correspondence appointed, - - - - - 972
10, Address of the Merchants, Traders, and others, of Williamsburg, to Peyton Randolph and the other Delegates, - - - - - - 973
Answer to the Address, - - - - - 973
10, Proclamation of Governour Gage, against the Resolves of the Provincial Congress, - 973
11, Treaty of Peace, Friendship, and Commerce, concluded on the 20th of October, between Georgia and the Creek Indians, - - 974
11, Concession of Nicholas Austin, to the Committee of Correspondence of Rochester, in New-Hampshire, - - - - - - - - 974
12, Proclamation of Lieutenant Governour Bull. Trade opened with the Creek and Cherokee Indians. Revokes all Indian Trade Licenses, and requires new ones to be taken out, - 975
12, Committee of Observation for Baltimore County, in Maryland, appointed, - - - - - 975
14, Political Observations, without order, addressed to the People of America, - - - - - 976
Reply to the foregoing, - - - - - 977
Another Reply, - - - - - - - - 978
14, Letter from the New-York Committee to Daniel Dunscomb, Chairman of the Committee of Mechanicks, - - - - - - - - 329
15, New-York Committee having agreed to dissolve, appoint a day for the election of a new Committee, - - - - - - - - - 330
15, Letter from a Gentleman at Amsterdam, to a friend in Philadelphia. A Vessel there loading with Ammunition and Arms, stopped by a Cutter sent from Dover, - - - - - 979
15, Letter from Nathaniel Appleton to Josiah Quincy, Jun. It is the universal voice of the People, that they will sacredly observe the recommendations of the Grand Congress, - - 980
15, Letter from Governour Gage to the Earl of Dartmouth. The Proceedings of the Continental Congress astonish and terrify all considerate men. Though many of their Resolves neither can nor will be observed, it is to be feared they will be generally received. Barracks have been provided for the Troops; and by various means, Provisions for six months have been obtained, - - - - - - - - 981
15, Letter from Governour Wentworth to the Earl of Dartmouth. Violent proceedings in some parts of New-Hampshire. No hopes of a legal establishment of the powers of Government in the Province, until they are effectually restored in Massachusetts, - - - - - 981
16, Proclamation by the King. Copper Coins for Virginia, - - - - - - - - 982
16, Meeting of Inhabitants of Calvert County, Maryland. Committees of Observation and Correspondence appointed, - - - - - 982

1774.
Nov. 16, Resolutions of the County Congress of the County of York, in Massachusetts, - - - 983
17, Meeting of the Freeholders of Henrico County, Virginia. Committee of Observation appointed, - - - - - - - - - 985
18, Meeting of the Inhabitants of Charles County, Maryland. Committees of Observation and Correspondence, and Delegates to the Convention appointed, - - - - - - 985
18, Meeting of the Inhabitants of Frederick County, Maryland. Committees of Observation and Correspondence, and Delegates to the Convention appointed, - - - - - - 986
18, Address of the Committee of Mechanicks, of New-York, to the Delegates who represented the City in the General Congress, - - - 987
Answer of the Delegates, - - - - - 987
19, Address to the People of New-Jersey. Condemns the Resolutions of the Congress. There are no instances of Laws so severe, or any regulations so inimical to Liberty, as their Resolves, 987
21. Town Meeting at Providence, in Rhode-Island. One hundred and twenty-five Pounds voted for the distressed Inhabitants of Boston, - - 989
21 Letter from Dr. Joseph Warren, to Josiah Quincy, Jun. It is the united voice of America, to preserve their Freedom, or lose their lives in defence of it. The Resolutions of the Congress are not the effect of inconsiderate rashness, but the sound result of sober inquiry and deliberation. If the Acts of Parliament are not repealed the wisest step for both Countries is to separate, and not spend their blood and treasure in destroying each other, - - 990
21, Maryland Convention, - - - - - - 991
Several Counties not being represented the Convention adjourned to the 8th of December, - 991
22, Meeting of the Freeholders of Elizabeth City County, Virginia. Committee of Observation appointed, - - - - - - - - 991
22, Letter from an Officer in the Army at Boston. As to the Colonists taking Arms to resist the Force of England, it is mere bullying. Any two Regiments here ought to be decimated, if they did not beat in the field the whole Force of the Massachusetts Province, - - - 991
22, Committee of Sixty Persons elected in New-York, for the purposes mentioned in the Association of Congress, - - - - - - 992
Address of the Magistrates of Frederick County, Maryland, to the Deputies from the Province to the late Continental Congress, - - 992
Address of the Grand Jury of Frederick County, Maryland, to their Deputies in the Congress, 993
23, Letter from Lieutenant Governour Bull to the Earl of Dartmouth, - - - - - 993
23, Committee of Observation, for Warwick County, Virginia, - - - - - - - 994

MASSACHUSETTS PROVINCIAL CONGRESS.

Nov. 23, The Provincial Congress meets, agreeably to their adjournment, on the 29th of October, - 993
Walter Spooner, one of his Majesty's Constitutional Council, desired to attend the Congress, 993
John Adams and Robert Treat Paine, of the Continental Congress, desired to attend, - 993
24, Members of the Continental Congress required to report their Proceedings, - - - 993
Dr. Appleton appointed Chaplain, - - - 993
Proceedings of the Continental Congress reported, read, and committed, - - - - 993
Petition from Officers of the Minute Men, in the Northwest part of Worcester County, read and committed, - - - - - - 994
Committee to prepare a Plan for the Defence and Safety of the Government, required to set forthwith, - - - - - - - - 994
Committee to publish a list of the Mandamus Counsellors, and others now in the Town of Boston, forthwith to prepare a Report, - - 994
25, Committee to ascertain the number of Constitutional Counsellors now in Town, - - 994
26, Committee to devise means of keeping up a Correspondence with Montreal and Quebeck, - 995
Committee to prepare Form of an Order with respect to the Treasurer's Bond, - - 995
28, Committee to take into consideration the state of

Digitized by Google

1774.
the Manufactures, and how they may be improved in the Province, - - - - 995
Nov. 29, Committee to make an estimate of the loss and damage of every kind, occasioned by the Acts of Parliament since the operation of the Port Bill, - - - - - - - - - 995
Committee to state the amount of the Sums which have been extorted from us since 1763, under certain Acts of the British Parliament, - 995
30, Members to attend the Continental Congress on the 10th of May next, to be appointed to-morrow, - - - - - - - 996
Letters from Doctor Franklin to Mr. Cushing, read and referred to the Provincial Committee of Correspondence, - - - - - - 996
Dec. 1, Report of Committee on Proceedings of Continental Congress, read, considered, and recommitted, - - - - - - - - - 996
Thanks of the Congress to the other Colonies, for their Donations to the Town of Boston, - 996
Committee to call upon the Secretary for a list of the Mandamus Counsellors, - - - 997
2, Report of Committee on the state of the Province, - - - - - - - - - 997
Members to represent the Province in Continental Congress, chosen, - - - - - - 997
3, Report of Committee on the state of the Province, considered, - - - - - - 997
5, Committee to prepare an Address to the Clergy, desiring them to exhort the People to sustain the Congress, - - - - - - - - 997
Report on the Proceedings of the Continental Congress adopted, - - - - - - 997
6, Committee to correspond with the Inhabitants of Canada appointed, - - - - - - 999
Brief to be circulated through the Province, to promote Donations for the Sufferers in Boston and Charlestown, - - - - - - 999
Address to the Clergy, - - - - - 1000
Mandamus Counsellors who have published a renunciation of their Commissions, - - - 1000
7, Committee to prepare a true state of the number of Inhabitants, and of the Exports and Imports of the Colony, - - - - - - 1001
8, Resolutions recommending the encouragement of Manufactures in the Province, - - - 1001
Two General Officers chosen, - - - 1002
9, Committee on an Address from the Baptists to the Congress, - - - - - - - 1003
Report of Committee relative to Publick Moneys in the hands of Constables and others, adopted, 1003
Committee on a Plan of Military Exercise proposed by Captain Pickering, - - - 1004
Report of Committee on Address from the Baptists, adopted, - - - - - - - 1004
Committee on Letter from the Town of Hardwick, - - - - - - - - - 1004
10, Report on Letter from Hardwick, - - 1004
Address to the Freeholders and other Inhabitants of the Towns and Districts of Massachusetts Bay, - - - - - - - - - 1005
Report of Committee on the state of the Province relative to assuming Civil Government, considered, and laid on the table, - - - 1006
Returns of the Officers and Men, of the Minute Men, and the Militia to be made, - - 1006
Report of Committee on the state of the Province, 1007
Expense of transmitting the Address to the Canadians to be paid by this Government, - - 1008
The Congress dissolved, - - - - 1008

CORRESPONDENCE, PROCEEDINGS, ETC.

Nov. 25, Meeting of a great number of the Freeholders of Chesterfield County, Virginia. County Committee appointed, - - - - - - 1007
25, Meeting of Freeholders of James City County, Virginia. Committee of Observation appointed, - - - - - - - - - 1008
26, Committee for the upper part of Frederick County, Maryland. Punishment of John Parks, 1009
28, Address of Committee of Correspondence to the Freeholders of the County of Essex, in the Province of New-Jersey, - - - - - 1009
30, Address of the Committee of Philadelphia to the Publick, - - - - - - - 1010
Committee of Observation for Philadelphia County, - - - - - - - - - 1010

1774.
Nov. 30, Queries addressed to the Committees of Observation, on the Pamphlet, "A Friendly Address to all Reasonable Americans," - - - 1011
Meeting of Freeholders of Prince George's County, Maryland. Committees of Observation and Correspondence, and Delegates to the Convention appointed, - - - - - - 1012
Dec. 1, Meeting of Freeholders of Elizabethtown, Essex County, New-Jersey. Committees of Observation and Correspondence appointed, - - 1012
2, Letter from Governour Wentworth to the Earl of Dartmouth. The measures recommended by the Continental Congress received, implicitly, by the People, as matters of obedience. Exportation of Sheep prevented, by order of the Committee, - - - - - - 1013
4, Letter from Arthur St. Clair to Governour Penn. Attempt of Mr. Connolly to enforce the jurisdiction of Virginia, at Pittsburgh. Mr. Scott, a Pennsylvania Magistrate, arrested by Connolly, on the 12th of November, and brought before Lord Dunmore, at Fort Burd, - - 1013
4, Lord Dunmore arrived at Williamsburg, from his expedition against the Indians, having brought them to terms, and made a Treaty with them, 1014
Letter from Red Stone. Causes of the Indian War traced from the Treaty made by Colonel Bouquet, with the Shawanese, in 1764, to the attack of Captain Michael Cresap upon a party of Indians, in April, 1774, - - - 1015
Letter from the Camp, on Point Pleasant, at the mouth of the Great Kenhawa, dated October 17th. Account of the Battle at that place, on the 10th, - - - - - - - 1016
Letter from Staunton, in Virginia, of November 4th. A further account of the same Battle, 1017
List of killed and wounded Virginians in the Battle at Point Pleasant, on the 10th of October, (Note,) - - - - - - - - - 1018
Message from Logan, an Indian Warrior, to Lord Dunmore, - - - - - - 1020
Speech of Logan, a Shawanese Chief, to Lord Dunmore, (Note,) - - - - - - 1020
5, Address of the City of Williamsburg to Lord Dunmore, - - - - - - - 1019
Answer to the Address, - - - - - 1019
Address of the President and Professors of William and Mary College to Lord Dunmore, - 1019
Address of the Borough of Norfolk to Lord Dunmore, - - - - - - - - 1019
Answer to the Address, - - - - - 1020
5, Meeting of the Freeholders of Richmond County, Virginia. Committee of Inspection appointed, 1021
5, Committee of New-Castle County, Delaware. Approve the Continental Association. Recommend to the Inhabitants, from sixteen to fifty years of age, to form themselves into Military Companies, - - - - - - - 1022
5, Meeting of the Inhabitants of Reading, in Berks County, Pennsylvania. Committee of Observation appointed, - - - - - 1023

ASSEMBLY OF PENNSYLVANIA.

Dec. 5, The Assembly meets, - - - - - - 1023
8, Report from the Members deputed, in behalf of this Province, to attend the General Congress, 1023
9, Resolutions of the Congress considered, - - 1023
10, Further considered, and unanimously approved, 1023
15, Deputies to the Congress, to meet on the 10th of May next, appointed, - - - - - 1023
Committee to prepare Instructions to the Deputies appointed, - - - - - - 1024
20, Message from the Governour. Recommends repair of Barracks in the Northern Liberties, 1024
23, Answer to the Governour's Message. The House does not think expedient to repair the Barracks, - - - - - - - - 1024
24, Instructions to the Deputies considered, and the further consideration postponed to the next Session, - - - - - - - 1024
Adjourned to the 20th of February next, - - 1025

CORRESPONDENCE, PROCEEDINGS, ETC.

Dec. 6, Letter from London to a Gentleman in New-York. First information of the Resolves of the Congress of the States of America, - 1025

Digitized by Google

1774.
Dec. 6, Meeting of the Freeholders of Essex County, Virginia. Committee of Observation appointed, 1026
Committee of Isle of Wight County, Virginia, 1026
6, Meeting of Freeholders of Princess Anne County, Virginia. Committee of Observation appointed, - - - - - - - - 1026
6, Regulations, for the sale of Goods imported after the first day of December, adopted by the Philadelphia Committee, - - - - - 1026
6, Letter from Governour Penn to the Earl of Dartmouth. Philadelphia and several of the Counties have appointed Committees to enforce the Association, - - - - - - - 1027
6, Meeting of Freeholders and other Inhabitants of Jamaica, in Queen's County, New-York. Approve the Resolutions of the Congress. Committee of Correspondence and Observation appointed, - - - - - - - - 1027
7, Meeting of Freeholders of Newark, in Essex County, New-Jersey. Committee of Observation appointed, - - - - - - 1028
Address of the Committee to the Delegates for New-Jersey, in the Continental Congress, - 1029
Queries of the Committee relative to Rivington's Newspaper, - - - - - - - 1029
7, Letter from Lieutenant Governour Colden to the Earl of Dartmouth. Proceedings in New-York on the Resolutions of Congress. Dispute between the smugglers and fair traders will probably defeat the Association. Men opposed to the Congress on the Committee; they at present support the measures of the Congress, to prevent dangerous men from taking the lead, - - - - - - - 1030
8. Meeting of the Freeholders of Caroline County, Virginia. Committee of Observation appointed, - - - - - - - - - 1030
8, Meeting of the Deputies appointed by the several Counties of the Province of Maryland, at the City of Annapolis, by adjournment, on the 8th of December, and continued till the 12th, - 1031
Proceedings of the Continental Congress unanimously approved, - - - - - - 1031
Woollen, Linen, and Cotton Manufactures recommended, - - - - - - - 1031
Advances on the prime cost of Goods regulated, 1031
Suits not to be brought in any case for any Person who violates the Continental Association, 1032
None but Members of Committees to meddle with, or determine, any question under the Association, - - - - - - - - 1032
Will support, to the utmost of their power, any Colony where an attempt shall be made to carry into execution, by force, the assumed power of Parliament to Tax the Colonies, - 1032
Inhabitants of the Province, from sixteen to fifty years of age, to form themselves into Military Companies, - - - - - - - 1032
Ten thousand Pounds to be raised by the Counties for the purchase of Arms and Ammunition, - - - - - - - - 1032
Committee of Correspondence for the Province empowered to call a Meeting of the Convention on the 24th of April next, - - - 1033
Contributions for the Suffering Poor of Boston to be continued, - - - - - - - 1033
Committee of Correspondence appointed, - 1033
Delegates to the next Continental Congress appointed, - - - - - - - - 1033
Colonies and Provinces generally requested to enter into such Resolutions as have been adopted by this Province, for mutual defence and protection, - - - - - - 1033
9, Letter from Savannah, to a Gentleman of Philadelphia. Meeting at Savannah, on the 8th. Georgia will unite with the other Colonies. Large Donations made for Sufferers in Boston, 1033
9, Meeting of the Freeholders of Prince William County, Virginia. Committee of Observation elected. Resolutions adopted on the 21st to enforce the Continental Association, - - 1034
10, Circular from the Earl of Dartmouth to the Governours of the several Colonies. The Resolution of Parliament to sustain the King in carrying into execution the Laws of the last Session, will put an end to the expectations of the Colonies of receiving support in their unwarrantable pretensions, - - 1034

1774.
Dec. 10, Letter from the Earl of Dartmouth to Lieutenant Governour Colden. Does not think the assistance of the King's Troops to quell the disturbances at Bennington, under the New-Hampshire Grants, ought to be called for until every other effort has been found insufficient; and hopes these disputes may be settled without the risk of bloodshed, - - - - - 1035
10, Meeting of Freeholders of Newtown, in Queen's County, New-York. Committee of Observation appointed, - - - - - - 1035
10, Letter from London, to a Gentleman in New-York. Advantages to the Colonies from an union with England. Parliament cannot make the first advances towards reconciliation, - - - - - - - - - 1035
10, Letter from London to a Gentleman in New-York. The American writers, by their pretensions to Independence, and their claims to exemption from Taxation, have ruined the cause, - - - - - - - - - 1036
12, Meeting of the Freeholders of King and Queen County, Virginia. Committee of Observation appointed, - - - - - - - - 1037
12, Meeting of Henrico County, Virginia, Committee. The Resolutions of Congress to be considered by the Committee as the sole rule of their conduct, respecting their present engagements. Committee of Correspondence appointed, - - - - - - - - 1037
12, Meeting of the Inhabitants of the Town of Danbury, in Connecticut. Resolutions to support the Congress. Committee of Observation appointed. The Inhabitants requested to contribute liberally, Money or Provisions for Boston Sufferers, - - - - - - - 1038
12, Letter from Boston to a Gentleman in New-York. It was moved on the 10th instant, in the Provincial Congress, that Arms be immediately taken up against the King's Troops; a Member stated such a move was infamous, as the Members knew that neither Connecticut, nor any of the Southern Colonies, meant to oppose his Majesty's Arms. At Plymouth they are now beating up for Volunteers to attack the Troops, - - - - - - - 1039
12, Letter from Captain Wallace to Vice Admiral Graves, dated on board his Majesty's Ship Rose, at Newport, Rhode-Island. The King's Cannon upon Fort-Island carried off by the Inhabitants, - - - - - - - 1039
13, Letter from Sir James Wright to the Earl of Dartmouth. Attempt to raise a flame again in Georgia, since the return of the Carolina Delegates from the Congress, whose Resolutions and Proceedings have sanctioned Rebellion, 1040
13, Letter from Arthur Lee to Richard Henry Lee, 1040
14, Letter from Newport, in Rhode-Island, to a Gentleman in New-York. The People there have declared themselves openly against Government. The Publick Authorities have dismantled the King's Fort, and moved the Cannon and Stores to Providence, - - - 1041
14, Letter from Governour Wentworth to Governour Gage. This day about four hundred Men proceeded to his Majesty's Castle, William and Mary, and carried off by violence one hundred barrels of Powder, belonging to the King; tomorrow, it is expected, they will carry off the Cannon and Arms. The persons who took the lead in this enormity are well known, - 1041
14, Letter from Captain Cochran, Commander of Fort William and Mary, to Governour Wentworth. Informs him of the storming of the Fort, and the seizure and removal of the Powder, - - - - - - - - 1042
16, Letter from Governour Wentworth to Governour Gage. Last night many Cannon, and about sixty Muskets, were taken from the Fort. Portsmouth is full of armed Men, who appear determined to dismantle the Fort entirely, - 1042
16, Letters from Portsmouth, in New-Hampshire, to a Gentleman in New-York. Further accounts of the seizure of the Powder and Cannon at Fort William and Mary, - - 1043
Address of the Council of Virginia to Governour Dunmore, - - - - - - 1043
The Governour's Answer, - - - - - 1044

Digitized by Google

1774.
Dec. 13, Meeting of the Freeholders of Northampton County, Virginia. Committee of Observation appointed. The Association to be considered the sole rule of the Committee's conduct in every emergency, - - - - - - 1044
Letter from the People of Northampton County, Virginia, of the 30th August, to the Committee of Donations, at Boston, - - - - 1044
Reply from David Jeffries, of the Committee of Donations, Boston, of the 30th of September, to John Harmanson, and others, of Northampton, Virginia, - - - - - - - 1045
15, Letter from Governour Gage to the Earl of Dartmouth, - - - - - - - 1046
16, Committee for Caroline County, Virginia. Recommend to the People of the County, as they would avoid being considered enemies to American Liberty, not to have any dealings with certain Merchants, charged with violating the Association, - - - - - - - 1047
16, Meeting of Freeholders of York County, Pennsylvania. Committee of Observation appointed, - - - - - - - - 1048
17, Meeting of the Freeholders of Charles City County, Virginia. Committee of Observation appointed, - - - - - - - - 1049
17, Town Meeting at Providence, in Rhode-Island. Committee of Correspondence appointed, - 1049
17, Letter received in London from an Officer in Boston. It is believed, from certain circumstances, that General Gage means to strike some stroke of importance soon, which the Americans are little aware of, - - - - 1049
18, Letter from Arthur St. Clair to Governour Penn, 1050
19, Letter from Lieutenant Governour Bull to the Earl of Dartmouth, - - - - - 1050
19, Philadelphia Committee order the Association of the Butchers, in the City and Suburbs of Philadelphia, to be printed, - - - - - 1050
19, Meeting of Committee for Fairfax County, Virginia. Irish Linens imported in the Ship Hope, from Belfast, directed to be sold agreeably to the Tenth Article of Association, - 1051
19, Meeting of the Committee of Observation, for Gloucester County, Virginia. Committee of Correspondence appointed, - - - - 1051
19, Committee of Observation for Elizabethtown, in New-Jersey. Resolution relative to Rivington's Gazette, - - - - - - 1052
20, Letter from London to a Gentleman of New-York. Efforts of the Ministry to accomplish their designs on the Colonies, - - - - 1052
20, Meeting of the Inhabitants of Chester County, Pennsylvania. Committee of Observation appointed. Provincial Congress recommended, 1052
20, United Colonies extremely active and zealous in the common cause, - - - - - - 1053
20, Letter from a Gentleman in Boston to Mr. Rivington. Account of the proceedings at Portsmouth, in New-Hampshire, and the capture of Fort William and Mary, - - - - - 1053
21, Meeting of Committee for Halifax County, North Carolina. No dealings permitted with Andrew Miller, who has refused to sign the Association, - - - - - - - - 1055
21, Meeting of the Committee for Prince George's County, Maryland. Eight hundred and thirty-three Pounds to be raised by subscription, and ten Companies to be enrolled in the County, - - - - - - - - - 1056
22, Meeting of Freeholders of Orange County, Virginia. Committee of Observation elected, - 1056
22, Circular Letter from the Committee of Correspondence of Philadelphia, to the Committee of Inspection of the several Counties in Pennsylvania, - - - - - - - - - 1056
22, Letter from Timothy Ruggles to the Printers of the Boston Newspapers, - - - - - 1057
Association proposed by Mr. Ruggles, to be signed by the People of Massachusetts, to oppose the Congress, and support the King, - - 1057
22, Letter from Arthur Lee to Richard Henry Lee, 1058
23, Meeting of Inhabitants of Williamsburg, in Virginia. Committee of Observation appointed, 1059
23, Meeting of Freeholders of Accomack County, in Virginia. Committee of Observation appointed, - - - - - - - - 1059
23, Meeting of Gentlemen, Freeholders, and others, of St. Mary's County, Maryland. Committees of Observation and Correspondence, and Delegates to the Convention, appointed, - 1060
Dec. 23, Meeting of Committee for Anne Arundel County, Maryland, - - - - - - 1060
24, Committee for Anne Arundel County, Maryland. Resolution relating to Thomas Charles Williams, and Mr. Williams's acknowledgement, 1061
24, Letter from Governour Dunmore to the Earl of Dartmouth. Every County in Virginia has its Committee, and is, besides, raising an Independent Company, for the avowed purpose of being employed against Government, if occasion requires. There is not a Justice of the Peace in Virginia that acts, except as a Committee-man. The Association will defeat itself. The Non-Exportation Agreement will produce distress; and Manufactures cannot, advantageously, be carried on in Virginia, - 1062
24, Meeting of the Inhabitants of King's District, Albany County, New-York. Will, at the risk of their lives, suppress every Meeting, Association, or Combination, which may, in any wise, obstruct the due Administration of Justice, under the King, in the Province, - 1063
24, Address from "A Watchman," to the Inhabitants of British America, - - - - - 1063
24, Letter from London to a Gentleman in New-York, - - - - - - - - - 1065
24, Letter from Philadelphia to a Member of the British Parliament. A Manufactory of Gunpowder begun in Pennsylvania, where there are Gunsmiths enough to make one hundred thousand Stand of Arms in a year, - - 1066
26, Letter from Philadelphia to a Member of the British Parliament. The Ministry who believe the military preparations in the Colonies have been recommended and taught by General Lee, are entirely mistaken. The Americans were determined to seal their love of Liberty with their blood, long before they heard the name of that Officer, - - - - - 1066
26, Letter from London to a Gentleman in Virginia. The Petition of the Congress favourably received in England. Lord Chatham commends both the Petition and the other Proceedings in the highest terms, - - - 1067
26, Letter from London to a Gentleman in Virginia. The universal approbation the Proceedings of the Congress meets with in England, has disconcerted the Ministry, who appear unwilling to retract, and unable to proceed, - - 1067
26, Letter from Arthur Lee to Richard Henry Lee, 1068
26, Letter from an Officer in the Army, at Boston, to a Gentleman in Edinburgh. The Army is in high spirits, and the Town is quiet. The back settlements, in general, disapprove of the Non-Importation Resolves, - - - 1068
26, Letter from Governour Gage to the Earl of Dartmouth, - - - - - - - 1069
26, Proclamation of Governour Wentworth, for apprehending and bringing to condign punishment those who were guilty of the treasonable insults and outrages at his Majesty's Castle, William and Mary, on the 14th and 15th of this month, - - - - - - 1069
27, Account of the seizure of Powder and Arms, at New-York, - - - - - - - 1070
28, Humble Petition and Memorial of the Assembly of Jamaica, to the King's Most Excellent Majesty, in Council, - - - - - - 1072
28, Address to the Inhabitants of North America, in general, and those of the Province of New-York, in particular, in defence of the Congress, - - - - - - - - 1074
29, Meeting of the Inhabitants of the Town of Fairfield, in Connecticut. Approve the Association, and appoint Committee of Observation. Committee to attend a County Congress, and a Committee of Correspondence, appointed, - 1075
30, Letter from Governour Eden to the Earl of Dartmouth. The People of Maryland will undergo any hardship, rather than submit to the Tax on Tea; and will support the Association, even if it causes the total ruin of their Trade, - - - - - - - - 1076
30, Meeting at Oyster Bay, in Queen's County, New-York, called to choose a Committee.—

Digitized by Google

1774. The Meeting determined to be illegal, and adjourned without transacting any business, - 1076
Dec. 30, Letter from Joseph Trumbull to Governour Trumbull. A supply of Ammunition should be procured, at the Colony's expense, as early as possible, - - - - - - - 1077
30, Meeting of Freeholders and other Inhabitants of Boston. Report on the Letter from General Gage to Peyton Randolph, President of the Congress, adopted, and to be forwarded to Mr. Randolph. Thanks to the Colonies, for their liberal Donations. Delegates to the Provincial Congress appointed, - - - - - 1077
30, Letter from Thomas Cushing to Josiah Quincy, Junior, - - - - - - - - 1080
31, Letter from a Mercantile House at Yorkshire, in England, to a Gentleman in New-York. The Resolves of the Congress will have no effect in England. Parliament cannot take notice of them. Manufactures in England in a flourishing condition, and Trade scarcely ever so good before, - - - - - - - 1080
31, Letter from Governour Penn to the Earl of Dartmouth. A general disposition every where to adhere to the Resolutions of the Congress. In Philadelphia the Committees have undertaken to regulate the disposition of all British Goods imported since the first of December, - - 1081
31, Inhabitants of Maryland forming Military Companies, - - - - - - - - 1081
1775.
Jan. 2, Meeting of the Freeholders of Richmond County, Virginia. Delegates to the Colony Congress appointed. Instructions to the Delegates, 1021
2, Meeting of Inhabitants of Charles County, Maryland. Delegates to the Convention, and Committees for general Subscription in each County, appointed. Members added to the Committee of Observation, - - - - - - 1081
3, Meeting of the West India Merchants, in London. Letter from the Planters. General Meeting of Merchants and Planters called, - 1082
3, Letter from London to a Merchant in New-York. Proceedings of the Congress has alarmed Lord North, - - - - - 1083
3. Meeting of the Freeholders of Middlesex County, New-Jersey. Committees of Observation, for the several Districts of the County, appointed, - - - - - - - - 1083
16, Meeting of the General Committee of Observation for Middlesex County, New-Jersey. Proceedings of the Congress approved. Committee of Correspondence appointed. Ministerial writers endeavouring to effect a disunion of the Colonies, condemned, - - - - - 1083
4, Circular Letter from the Earl of Dartmouth to the Governours of the several Colonies, directing them to use their utmost endeavours to prevent the appointment of Deputies to the Congress, in May next, - - - - - - 1085
4, Letter from London to a Gentleman in New-York. The Manufacturing Counties begin to suffer, - - - - - - - - 1085
4, Letter from London to a Gentleman in Virginia. Meetings of Merchants and Planters. The West India Planters fear ruin, if the American Acts are not repealed, - - - - - 1085
4, Meeting of the Merchants and others concerned in the American Commerce, at the King's Arms Tavern, London, - - - - - 1086
Speech intended to have been spoken at the Meeting of the North American Merchants, at the King's Arms Tavern, - - - 1087
6, Letter from London. Account of the Meeting of the American Merchants, at the King's Arms Tavern, - - - - - - - - - 1087
9, Letter from Leeds to the Printer of the London Evening Post, contradicting the representations in a Letter from Leeds, referred to by Mr. Barclay, at the Meeting, on the 4th, - - 1088
16, Letter from David Barclay, enclosing the Letter from Leeds, referred to by him at the Meeting, on the 4th, - - - - - - - - 1089
21, Letter from Samuel Elam, at Leeds, avowing himself the writer of the Letter to Mr. Barclay, and sustaining the representations there made, of the effects of the American Association on British Manufactures, - - - 1089
1775. Letter from Manchester to a Merchant in London, enclosing a copy of a Letter from a Merchant in New-York, countermanding orders for Goods, - - - - - - - - - 1091
Jan. 4, Meeting of Committee for Charles City County, Virginia. Direct the sale of Goods recently imported, - - - - - - - 1091
4, Letter from Lieutenant Governour Colden to the Earl of Dartmouth. If he finds there is not a majority of the Assembly, which meets on the 11th, in favour of prudent measures, will prorogue them. There is still a majority of the respectable people in the City, who promote peace and discountenance violence, - - 1092
4, Town Meeting at Barnstable, in Massachusetts. Refuse to purchase Arms or Ammunition, encourage Minute Men, or send Delegates to the Provincial Congress, - - - - - 1092
5, An Epistle from the Meeting of Sufferings of the Quakers, held in Philadelphia, for Pennsylvania and New-Jersey, - - - - - 1093
5, Address from a Freeholder of Essex, in New-Jersey, to the Committee of Essex County, condemning the Resolutions of Congress, - 1094
5, Reply to the Address to the People of New-Jersey, dated November 19th, - - - 1096
Address of the Committee of Correspondence of Albany, in New-York, to the Publick, - 1097
5, Letter from the Albany to the New-York Delegates in the Continental Congress, - - 1098
5, Letter from the Committee of Correspondence, at Newport, in Rhode-Island, to the Philadelphia Committee. The Association strictly adhered to by the Merchants of the Colony, - - 1098
6, Letters at Charlestown, from West Florida, with information of the state of Indian affairs there, 1099
6, Meeting of Freeholders of several Towns in Ulster County, New-York. Approve the Association, and all the other measures, of the late Congress, - - - - - - - 1100
6, Letter from the Boston Committee of Donations, to the Philadelphia Committee, - - - 1100
7, Letter from the Earl of Dartmouth to Lieutenant Governour Colden. The affairs of the Colonies have come to a crisis, and will be taken up by Parliament immediately after the holidays, - - - - - - - - 1101
Memorial of Colonel Thomas Ord, for a location of five thousand acres of Land in New-York, for his services, enclosed in the foregoing Letter, - - - - - - - - 1101
7, Letter from London to a Gentleman in New-York. The Resolves of Congress have pushed matters to an extremity, and render a complete decision of the dispute inevitable. The question now is, Whether America shall be independent of, or subordinate to, the Parliament, 1101
7, Meeting of the Inhabitants of Woodbridge, in Middlesex County, New-Jersey. Committee of Observation appointed. Determination to carry into effect the Association, - - 1102
9, Letter from a Merchant in London to a friend in Virginia. There is no disposition in the Cabinet to give America any redress. The Colonies should preserve their union, and provide themselves with Manufactures, Arms, and Ammunition, for it is more than probable they will have occasion for them, - - - - 1104
9, Meeting of the Inhabitants of Epsom, in New-Hampshire. Pedlars to be tarred and feathered, and forfeit their Goods, - - - 1105
2, Meeting of the Inhabitants of Exeter, in New-Hampshire. Unanimously adopt the Association, appoint Committee of Observation, and Delegates to the Convention, to meet on the 25th, - - - - - - - - 1105
9, Meeting of the Freeholders of Morris County, New-Jersey. Unanimously agree to abide by the Association. Order the election of Committees of Observation by each Township of the County, and elect a new Committee of Correspondence. Rivington declared an enemy to the Country, and his Newspaper to be discountenanced for the future, - - - - 1106
9, Letter from Samuel Adams to the Committee appointed in New-York to receive and transmit Donations for the relief of the sufferers in Boston, - - - - - - - - 1105

Digitized by Google

1775.
Jan. 11, Meeting of Merchants, Traders, and others, concerned in the American Commerce, at the King's Arms Tavern, London. Petitions to Parliament adopted, and ordered to be presented, - - - - - - - - - 1107
A circumstantial account of the Proceedings of the North American Merchants, held at the King's Arms Tavern, Cornhill, London, - 1107

PROVINCIAL CONGRESS OF SOUTH CAROLINA.

Jan. 11, List of the Members of the Congress, - - 1109
Charles Pinckney chosen President, - - 1110
American Bill of Rights, as declared by the Continental Congress, approved, - - - 1110
Reasons assigned for not stating all the Grievances, (Note,) - - - - - - - 1111
The Association approved, - - - - - 1111
Debates on agreeing to the Association, (Note,) 1111
Thanks to the Continental Congress, for their wise and spirited exertions in behalf of American Liberty, - - - - - - - 1112
No action for any Debt to be commenced, except in certain cases, without the consent of the Committee of the District where the defendant resides, until it shall be otherwise ordered by the Provincial Congress, - - - - - 1113
Committees for the several Districts and Parishes, for carrying into execution the Association, and for determining upon applications relative to law processes, - - - - - - 1113
Regulations in relation to Rice, if the exportation shall be continued after the 10th of September next, - - - - - - - - 1114
Committees for exchanging Rice for other commodities, - - - - - - - 1116
The raising of Cotton, Hemp, Flour, Wool, Barley, and Hops, recommended, - - - 1116
Publick Storekeepers to be appointed to receive and sell Wool, and the Linen, Woollen, and Cotton Manufactures of the Colony, - - 1116
The present Provincial Congress to continue until the next General Meeting of the Inhabitants, - - - - - - - - - 1116
The Parochial and District Committees requested to use their utmost endeavours to obtain liberal Donations for the relief of the suffering People of Boston, - - - - - - - 1116
Deputies to the American Congress, to meet on the 10th of May next, appointed, - - 1116
Address to Lieutenant Governour Bull, complaining of the long and still continued disuse of General Assemblies, - - - - - 1117
Answer of the Lieutenant Governour, - - 1118
Inhabitants of the Colony recommended to be diligently attentive in learning the use of Arms, - - - - - - - - 1118
Friday, the 17th of February, set apart as a day of Fasting, Humiliation, and Prayer, and Ministers of the Gospel throughout the Colony requested to deliver suitable Discourses on the occasion, - - - - - - - 1118

GENERAL ASSEMBLY OF NEW-JERSEY.

Jan. 11, Meeting of the Council, - - - - - 1117
13, The Governour delivered a Speech to both Houses, - - - - - - - - 1117
18, Committee to prepare an Address in answer to the Governour's Speech, - - - - - 1117
24, Address reported, amended, and agreed to, - 1118
26, Address presented to the Governour, - - 1119
Governour's Answer, - - - - - - 1119
Feb. 10, Proceedings on the case of a Challenge from James Murdock to Lord Stirling, - - 1120
13, Adjourned to March 14th, - - - - - 1121

Jan. 11, The Assembly meets, - - - - - - 1121
List of the Representatives, - - - - - 1121
13, Speech of the Governour to the Council and Assembly, - - - - - - - - 1121
16, Governour's Speech read and committed to Committee of the Whole House, - - - 1123
17, House in Committee on the Governour's Speech, 1123
20, Speech further considered in Committee, - 1123
21, Further considered, - - - - - - 1123
23, Further considered, - - - - - - 1123
Committee to prepare an Address in answer to the Speech, - - - - - - - 1124
1775. Committee to bring in a Bill for the Support of Government, - - - - - - - 1124
Jan. 24, Proceedings of the Continental Congress, communicated to the House by the Delegates, - 1124
Proceedings of the Congress unanimously approved, - - - - - - - - 1124
Delegates to the Congress to meet in May next, appointed, - - - - - - - 1124
The Delegates instructed to Disagree to any Proposition in the Congress to give some Colonies more Votes in the determination of Questions to bind the whole, than to others, - - 1124
25, Governour's Speech further considered in Committee, - - - - - - - - 1124
Committee to prepare a Petition to the King, praying a redress of Grievances, - - 1125
27, Bill for Support of Government, read, and second reading ordered, - - - - - - 1125
30, Address to the Governour read, and second reading ordered, - - - - - - - 1125
31, Message from the Governour, with a Letter from Colonel Robertson, requesting to be allowed for Sheets furnished the King's Troops, - 1125
Address to the Governour read a second time, considered in Committee of the Whole, amended, and agreed to, - - - - - - - 1125
Feb. 3, Petition from a number of Inhabitants of Nottingham, in Burlington County, praying some measures may be taken to settle the Disputes between Great Britain and the Colonies, - 1126
Address of the House presented to the Governour, - - - - - - - - 1126
Answer of the Governour, - - - - - 1127
6, Proceedings on the Bill for the Support of Government, - - - - - - - 1127
7, Governour's Message, received on the 31st of January, considered. Refuse to allow Colonel Robertson's charge of three hundred and fifty-four Pounds, seven Shillings and six Pence, for Sheets furnished the King's Troops in this Colony, - - - - - - 1129
8, Petition from the Inhabitants of Nottingham referred to the Committee appointed to prepare an Address to the King, - - - - - 1130
10, Proceedings in regard to James Murdock, for Challenging a Member of the House, - 1131
11, Petition to the King reported and considered in Committee, - - - - - - - 1131
13, Further considered in Committee, agreed to, and ordered to be signed by the Speaker, - - 1132
Speaker permitted to enter his Dissent to the Petition, on the Journals of the House, - - 1134
Adjourned to March 14th, then to meet at Burlington, - - - - - - - - 1134

CORRESPONDENCE, PROCEEDINGS, ETC.

Jan. 11, Letter from Connecticut to a Gentleman at Newport, in Rhode-Island. The whole Militia of the Colony ordered to train, and a quantity of Powder and Lead to be provided. The time is near when we must gird on our Swords; the united Forces of America will be able to withstand all the Troops England can spare, 1134
12, Resolutions adopted by the Committee of Darien, in Georgia, - - - - - - - 1135
Association of the Freemen, Freeholders, and Inhabitants of the Province of Georgia, - 1136
13, Meeting of the Freeholders of Charlotte County, Virginia. Committee of Observation appointed. Proceedings of the Committee, - - - 1138
13, Letter from Hartford, in Connecticut, to a Gentleman at New-York. The Governour and Council met on the 4th, and have ordered Powder and Lead to be purchased at the publick expense; and the Militia is mustered every week. Nothing but a spirit of Independence would suffer matters to be carried to such extremities, - - - - - - - 1139
15, Letter from Bristol, in England, to a Gentleman in New-York, - - - - - - 1139
16, Meeting of the Inhabitants of Anne Arundel County, Maryland. Committee of Observation appointed. The Committee authorized to elect Delegates for the County to the Provincial Congress, and to nominate a Committee of Correspondence. Every person in the County who shall refuse to contribute for the

Digitized by Google

1775.
purchase of Arms and Ammunition, shall be considered an enemy to America, - - 1140
Objections to the Proceedings of this Meeting, (Note,) - - - - - - - - 1141
Jan. 16, Meeting of Freeholders and other Inhabitants of Prince George's County, Maryland. Members added to the Committee of Inspection, and to the Committee of Correspondence. Delegates to the Provincial Congress appointed, - 1142
16, Meeting of the Inhabitants of Baltimore County, Maryland. Proceedings of the late Provincial Convention, approved, - - - 1142
Delegates to the next Provincial Congress appointed, - - - - - - - - 1143
Members added to the Committee of Observation, 1143
Name of every person refusing to subscribe for the purchase of Arms and Ammunition to be returned to the Committee, - - - 1143
Forming the Inhabitants into Military Companies, and resisting with force, illegal attempts upon their Property, not repugnant to the Oaths of Allegiance, - - - - - - - 1143
Subscriptions to be opened throughout the County to supply the necessities of the Sufferers at Boston, - - - - - - - - 1143
Committee to purchase Powder and Lead, - 1143
16, Meeting of the Committee of Bucks County, Pennsylvania. Approve the Proceedings of the Congress. Agree to support the Association. Recommend raising Money for support of Poor Inhabitants of Boston; and appoint Committee of Correspondence, - - 1144
16, Committee of Berks County, in Pennsylvania. Recommend the Inhabitants of the County not to sell Sheep to Butchers, preserving the Wool, being of the greatest consequence, - - 1144
17, Meeting of the Supporters of the Bill of Rights, in London. Members of the Society who have seats in Parliament, requested to exert themselves in bringing to justice the advisers of the measures for establishing Arbitrary Government in the Colonies, - - - 1145
17, Meeting of the Committee for Fairfax County, Virginia. Ammunition should be immediately provided; and the Inhabitants of the County requested to form themselves into Military Companies, - - - - - - - 1145
Association proposed for the Inhabitants of Fairfax County, - - - - - - - 1145
17, Meeting of the Committee of Observation for Baltimore County, Maryland. Charges against the Rev. William Edmiston, - - - 1146
18, Meeting of the West India Merchants and Planters, in London, assembled to deliberate on the measures necessary to be pursued on this very important crisis, - - - - - - 1147

GENERAL ASSEMBLY OF GEORGIA.

Jan. 18, Meeting of the Assembly, - - - - - 1152
Speech of Governour Wright to both Houses, 1152
Message from the Upper House to the Commons, 1153
20, Address of the Upper House of Assembly to the Governour, - - - - - - - 1154
Answer of the Governour, - - - - - 1155
Address of the Commons House of Assembly to the Governour, - - - - - - 1155
Governour's Answer, - - - - - - 1156
Resolutions Declaratory of the Rights of the Colonies, - - - - - - - 1156
Association entered into by the Provincial Congress of Georgia, assembled in Savannah, on the 18th of January, and subscribed by forty-five Deputies, on the 23d, when they chose Noble Wimberly Jones, Archibald Bullock, and John Houston, Delegates to represent that Colony in the Continental Congress to be held in May next, - - - - - - - - 1158
Letter from Georgia, dated February 18th, to a Gentleman in New-York. Proceedings of the Assembly, and of the Continental Congress, 1160
Committee for St. John's Parish, Georgia, at Charlestown, on the 23d of February, to wait on the General Committee there, - - 1161
Letter from Lyman Hall, Chairman of a Meeting held in St. John's Parish, Georgia, dated February 9, to the Committee of Correspondence of Charlestown, in South Carolina, - 1161
1775.
Jan. 20. Message from the Committee of St. John's Parish, to the Committes of the several Parishes of Georgia, in Congress, on the 18th of January, - - - - - - - - 1162
Another Message to the Committees of the several Parishes in Congress met, on the 20th, - 1162
Answer of the Parishes met in Congress to the St. John's Committee, - - - - - 1162
Resolutions of the St. John's Committee, - 1162
Resolution of the General Committee at Charlestown, South Carolina, of February 8th. Will have no Trade, Commerce, Dealings, or Intercourse, with the Colony of Georgia, - 1163
Chairman of the General Committee at Charlestown directed, on the 24th of February, to write to the Committee of the Parish of St. John, in reply to their Letter of the 9th inst., that they cannot trade with them; and refer them to the Continental Congress, - - 1163

CORRESPONDENCE, PROCEEDINGS, ETC.

Jan. 18, Meeting of the several Township Committees of Hunterdon County, New-Jersey. Approve the Association of the Continental Congress, and appoint a Committee of Correspondence, 1163
18, Association signed by a number of the Inhabitants of Dutchess County, New-York. No legal authority in America, but what is derived from the King. They will defend themselves whenever attacked on any pretence not warranted by the Laws of the Land: They will on all occasions exercise all their rights under the Laws of the Land, notwithstanding the Association of the Continental Congress; and will enforce obedience to the authority of the King, whenever called upon to do so, - - - 1164
18, Letter from Montreal. Parties in Canada, - 1164
18, Letter from Shrewsbury, New-Jersey, to a Gentleman in New-York. At a meeting of Freeholders, on the 17th, it was determined that the appointment of a Committee was not only useless, but would disturb the peace and quiet of the Township, - - - - - - 1165
20, Meeting of the Freeholders of Fincastle County, Virginia. The Association of the Continental Congress approved and subscribed, and a Committee of Observation appointed, - 1165
20, Address of the People of Fincastle County, Virginia, to the Delegates from that Colony, who attended the Continental Congress, - - 1165
19, Address from the Committee of Correspondence of Jamaica, in Queen's County, to the Delegates who represented New-York in the late Continental Congress, - - - - 1166
Answer of the Delegates, - - - - 1167
21, Letter from Massachusetts Bay to a Gentleman in London. The Colonies will submit to no terms without a restoration of their rights; England cannot dragoon them out of their Liberties. The Congress have drawn a constitutional line: they have claimed exclusive jurisdiction over all internal concerns, and have left Great Britain the sovereignty of the Ocean, 1167
21, Meeting of the Committee of Charles County, Maryland. No further restraints to be laid upon the bringing of suits at law, than is done by the last Provincial Convention, - - 1168
23, Proclamation of Governour Dunmore. Peace with the Shawanese, who have agreed not to hunt on this side the Ohio, nor to molest passengers on that River, - - - - 1169
23, Proceedings of the Convention for the Province of Pennsylvania, held at Philadelphia, January 23d, and continued by adjournments, until the 28th, - - - - - - 1169
List of the Members, - - - - - 1169
The City Committee and each County Committee to have one vote in determining every question, - - - - - - - - 1170
Proceedings of the Continental Congress approved, - - - - - - - - 1170
Members of the Assembly to be instructed to procure a Law prohibiting the importation of Slaves into the Province, - - - - 1170
In case the Trade of Philadelphia shall be suspended, in the present struggle, assistance to be given to the Inhabitants of the City, - - 1170

Digitized by Google

1775.
Jan. 23, In case of opposition to any of the Committees, in carrying the Continental Association into effect, to be assisted by other Committees, - 1170
If the British Government shall determine to effect a submission to the late Acts of Parliament by force, it is the indispensable duty of the People to resist, and at every hazard, to defend the Rights and Liberties of America, - - 1171
After the first of March next, no Sheep under four years old, to be killed, - - - 1171
Setting up of Woollen Manufactures, in as many different branches as possible, recommended, 1171
Raising and manufacturing of Madder, Woad, and other Dye Stuffs, necessary in Woollen Manufactures, recommended, - - - 1171
Extended cultivation of Flax and Hemp, recommended, - - - - - - - - 1171
Making Salt, Saltpetre, and Gunpowder, recommended, - - - - - - - - 1171
Manufacturing of Copper, Tin, and Iron, and making Steel, Paper, Glass, and Wool Combs, recommended, - - - - - - 1171
Printing Types made at Germantown, recommended to be used by the Printers, in preference to imported Types, - - - - - 1172
Cultivation of Barley for Malt Liquors recommended, to render less necessary the consump- of Foreign Liquors, - - - - - 1172
American Manufactures to be used in preference to all others, - - - - - - 1172
Societies to be established, and Premiums awarded, for the encouragement of Manufactures, - 1172
Any Manufacturer or Vender of Goods, who shall sell at extravagant prices, to be advertised as an enemy to his Country, - - - - - 1172
Committee of Philadelphia appointed a Standing Committee of Correspondence, - - - 1172
20, Letter from Samuel Adams, Chairman of the Committee to receive Donations for the Sufferers in Boston, - - - - - - 1172
24, Letter from Connecticut to a Gentleman in New-York. People are preparing for the worst; a Park of forty pieces of Cannon may be formed in the Spring, and our Army will be pretty expert in most of the manœuvres, - - 1173
24, Meeting of the Inhabitants of Frederick County, Maryland. Association and Resolves of the Congress, and Proceedings of Convention approved. Committees of Observation and of Correspondence appointed. Committees throughout the County appointed to receive contributions for purchase of Arms and Ammunition, and the Committee of Correspondence authorized to contract for any quantity of Powder and Lead, - - - - - - - - 1173
24, The Testimony of the Quakers, given forth by a Meeting of the Representatives of said People, in Pennsylvania and New-Jersey, held at Philadelphia, - - - - - - - 1176
24, Letter from Connecticut to a Gentleman of New-York. Preparations of the Governour and Council to supply the Colony with Ammunition and Arms, - - - - - - 1177
24, Letter from Marshfield to a Gentleman in Boston. Troops sent by General Gage to Marshfield, to preserve the peace, at the request of the Loyalists of that place, - - - - - 1177
26, Letter from Boston to a Gentleman of New-York. A number of the principal Inhabitants of Marshfield having signed General Ruggles's Association against the Liberty Plan, the Faction at Plymouth threatened to make them recant, or drive them off their Farms: General Gage sent Troops to protect them, and there has yet been no appearance of the Plymouth Rebels, - - - - - - - - 1178
25, Meeting of the Committee of Northumberland County, Virginia. Persons published in the Gazette for Gambling, in violation of the American Continental Association, - - - 1179
Jan. 25, Meeting of the Council of Pennsylvania, - 1179
Affidavit of Samuel Whitesill, Keeper of the Jail of Westmoreland County. Jail attacked, and Prisoners released by Major Connolly, on the 24th of December, - - - - - - 1179
Proclamation of John Connolly, dated Fort Dunmore, December 30. Forbids the payment of Taxes to Collectors appointed by Pennsylvania, and authorizes the seizure of all persons who may attempt to enforce the collection, - 1179
Jan. 25, William Crawford, President of the Court, in Westmoreland County, superseded by the Governour and Council of Pennsylvania, for joining with the Government of Virginia, in opposing the jurisdiction of Pennsylvania, in that County, - - - - - - - 1180
25, Letter from Philadelphia to a Gentleman in New-York. The Addresses to Governour Colden has had a great effect in Pennsylvania: the New-York Assembly is revered there by all sensible men, for their undaunted resolution in first making a stand against lawless usurpers of Power, and violators of Liberty. The Assembly of Pennsylvania will, it is hoped, rescind their approbation of the Proceedings of Congress, - - - - - 1180
25, Convention of Deputies appointed by the several Towns in the Province of New-Hampshire, held at Exeter, - - - - - - 1180
Approve the Proceedings of Congress, - - 1180
Appoint Delegates to represent the Province in the Continental Congress, to be held in May next, - - - - - - - - - 1181
Committee to call a Provincial Convention of Deputies when they shall think it expedient, 1181
Committee of Correspondence appointed, - 1181
Address to the Inhabitants of the Province, - 1181
26, Meeting of the Freeholders of Pittsylvania County, Virginia. Committee for enforcing and putting in execution the Continental Association, appointed, - - - - - - 1182
26, Meeting of the Freeholders and Inhabitants of the Precinct of Shawangunk, in Ulster County, New-York. Approve of the Continental Association. The Pamphlet, "Free Thoughts on the Resolves of the Congress," burnt, - 1183
26, Address to the People of America. The leaders in the Colonies aim at Independence. The consequences of their obtaining an Independent Republick considered, - - - 1183
26, Letter from New-York to a Gentleman in Annapolis. A motion made in the Assembly of New-York, this day, for examining the Proceedings of the Congress, was thrown out, - 1188
Remarks on the vote in the Assembly of New-York, against taking into consideration the Proceedings of the Continental Congress, - 1188
27, Letter from Baltimore to a Gentleman in New-York. From the late conduct of the Council and Assembly of New-York, the happiest consequences to the country are anticipated.—Some persons in Baltimore have had the imbecility to approve of the frantick proceedings of certain Men, who lately styled themselves Delegates to a Provincial Congress, - - 1190
27, Letter from New-York to a Gentleman in Boston. Notwithstanding the late vote of the Assembly, there is no cause to fear New-York will depart from the Association. The Assembly has existed since 1769; and many of the Members, having long since forfeited the esteem of their constituents, are looking for favours from the Crown for themselves and families, - - - - - - - 1191
27, Meeting of the Freeholders of the Precinct of Hanover, in Ulster County, New-York. The Association unanimously approved. The Pamphlet, "Free Thoughts on the Resolves of the Congress," publickly burnt, - - 1191
27, Declaration of Freeholders and Inhabitants of the Township of Jamaica, in Queen's County, New-York. Never gave any consent to choose a Committee, or pass any Resolves. Utterly disapprove of all unlawful meetings and tyrannical proceedings. Will continue faithful Subjects to the King; and acknowledge no Representatives but the Assembly of the Province, - - - - - - - 1191
27, Letter from Governour Gage to the Earl of Dartmouth. The Towns in Massachusetts have become more divided, notwithstanding the endeavours to keep up their enthusiasm. A detachment sent for the protection of Marshfield and Scituate, upon their application. This is the first instance the assistance of Government has been requested, - - - - - - 1698

Digitized by Google

1775.
Jan. 27, Votes and Resolves passed at a Convention of Committees for the County of Worcester, in Massachusetts, - - - - - - 1192
28, Letter from a Merchant in Annapolis, to a Gentleman in Philadelphia. They have defeated an insolent plan of levying Money upon his Majesty's faithful Subjects in Anne Arundel County, to raise a fund for the express purpose of purchasing Arms and Ammunition, to join the treasonable purpose projected by Adams and the Eastern Republicans, to carry on a formal Rebellion in the Colonies, - - 1194
30, Answer of the Governour of his Majesty's Province of Pennsylvania, in America, to the several heads of Inquiry, relative to the present state and condition of the said Province, transmitted by the Right Honourable the Earl of Dartmouth, in his Letter of July 5, 1773, - 1194
30, Letter from Governour Penn to the Earl of Dartmouth, - - - - - - - 1698
30, Meeting of Freeholders in the Precinct of Wallkill, Ulster County, New-York. Approve of the Association of the General Congress.—"Free Thoughts on the Resolves of the Congress," burnt, - - - - - - - 1201
30, Letter from London to a Gentleman of New-York. Commission sent to General Gage, to try and execute certain persons in the Colonies, - - - - - - - - 1202
30, Town Meeting of the Inhabitants of Ridgefield, in Connecticut. Refuse to adopt or conform to the Association of the Continental Congress; and protest against the Congress and their measures, as unconstitutional, and as countenancing licentiousness. Acknowledge the King as the rightful Sovereign, and the King and Parliament as the rightful Government of the whole British Empire, - - - - 1202
30, New-York Committee appoint Sub-Committee, to observe the conduct of all Vessels that arrive after the first day of February, - - - 1203
30, Letter from New-York, to a Gentleman in Boston. There is now no chance of the Assembly's aiding or abetting the Congress. The friends of Government are open-mouthed against the Proceedings of the Congress; and no one dares, among gentlemen, to support them, - - - - - - - - - 1203
31, Meeting of the Freeholders of Westmoreland County, Virginia. Delegates to the Convention elected. Instructions to the Delegates.—Committee of Observation appointed, - - 1203
Letter to Lord North. Proposes settling the differences with the Colonies, without subjugating the Americans on the one hand, or impairing the supreme authority of the Parliament on the other, - - - - - - - - 1204
Feb. Letter from Thomas Cushing to Arthur Lee.—The People are not dismayed at the King's Speech; and if an attempt is made to carry the Acts of Parliament into execution, by a Military Force, the People of America will make the last appeal. They are determined Life and Liberty shall go together, - - - 1208
Feb. Letter from Annapolis, to a Gentleman in New-York. Thousands in Maryland would return to their duty and allegiance, but for the cunning of their leaders, which has rendered retreat so difficult. Every man in private must think the Congressmen, and their sattelites the Committee-Men, the truest, though absurdest, tyrants, that any country ever had cause to complain of, - - - - - - - 1208
Feb. 1, Letter from Colonel Adam Stephen to Richard Henry Lee, - - - - - - - - 1209
1, Letter from Boston, to a Gentleman in Philadelphia. The report that the Quakers in Boston opened their Shops, on the day of Publick Thanksgiving, is without foundation, and propagated for the most vile and malevolent purposes, - - - - - - - - - 1210
1, Letter from Governour Franklin to the Earl of Dartmouth. Had hopes that the Assembly would not approve the Proceedings of the General Congress; but, by the artful management of those who espoused the measure, it was carried through the morning it was proposed, - - - - - - - - 1697

1775.
Feb. 2, Declaration of sundry Inhabitants of Ridgebury, in the Town of Ridgefield, that, at the Meeting on the 30th of January, they did not vote with the majority against adopting the Association of the Continental Congress, - - - - 1210
4, Letter from London, to a Gentleman in Philadelphia. Does not know how soon communication with the Colonies may be cut off by hostilities. The Americans have many enemies in England, - - - - - - - - 1211
4, Letter from Philadelphia, to James Rivington, New-York. May assure his readers that Mr. Dickinson has declared that "he was really alarmed at the proceedings of the Committee." He formerly took the lead; at the late Provincial Congress he did not speak at all. In spite of the arts of the fiery Republicans, Associations are concerting to counteract the authority of unconstitutional Congresses and Committees of all sorts, - - - - - - - - 1211
4, Address to the Americans. It is the duty and the interest of the People to offer terms of reconciliation to the Parent State. The Congress have adopted such irritating measures, as disqualify them for offering terms of accommodation, - 1211
6, Meeting of the Freeholders of Lancaster County, Virginia. Committee to carry into effect the American Association, elected. Delegates to the Convention appointed and instructed, - 1213
6, Letter received in New-York, from London.—Nothing can be more false than the representations of hostile intentions against America, formed by the present Administration. The Americans should make the first advances towards a reconciliation. A Petition from the Assemblies will be attended with success, if their claims are accurately limited and defined, 1214
6, Letter from Philadelphia, to a Gentleman in New-York. A faithful adherence to the Association in New-York, will go far to remove the infamy which will fall upon that Province, whose defection may tend to defeat the virtuous struggles in which we are engaged, - 1215
6, Meeting of the Freemen and Inhabitants of Newtown, in Connecticut. Refuse to adopt or conform to the Association, and protest against the Continental Congress, and their measures, as unconstitutional, and tending to licentiousness, 1215
6, Town Meeting at Danbury, in Connecticut.—Refuse to appoint Delegates to meet the County Congress, to be held at Fairfield, on the 14th instant, and rescind the vote appointing a Committee of Inspection, - - - - 1216
6, Handbill distributed through Boston. Let us seize our seducers, make peace with the Mother Country, and save ourselves, - - 1216
6, Letter from Boston, to a Gentleman in Philadelphia. The Tories are perpetually holding up to view the terrifick consequences of Treason and Rebellion; but they bellow to the winds. So generally are the principles of Liberty disseminated among the People, that nothing but Arms can suppress it, - - - - 1216
7, Proceedings of the Committee of Observation for the Borough of Norfolk, in Virginia, on a complaint against Dr. Gordon, - - - 1217
7, Address presented to General Gage, from Six Towns in Plymouth County, Massachusetts, 1218
6, Meeting of the Merchants, Traders, and others, in London, concerned in the American Commerce. Report of the Committee appointed to present the second Petition to the House of Commons, - - - - - - - 1219
7, Meeting of the Merchants, Traders, and others, in London, concerned in American Commerce. Report of the Committee appointed to present the Petition to the House of Lords, - - 1220
8, Address of the Merchants, Traders, and Manufacturers, of Birmingham, concerned in the Trade to America, to Mr. Edmund Burke, - - 1221
8, Meeting of the Committee for Westmoreland County, Virginia. Pedlars required to produce proof to the Committee that their Goods were imported before the 1st of February, - 1222
8, Letter from Doctor John Connolly to Colonel George Washington. Wishes to have information how he is to proceed with the Mingoe Prisoners, - - - - - - - 1222

Digitized by Google

1775.
Feb. 9, Meeting of the Committee of Correspondence of Brentwood, in New-Hampshire. Will abide by the advice of the Continental Congress. Pedlars not permitted to sell, and persons who trade with them, or entertain them, to be treated as enemies to the Country, - - - - 1222
10, Committee of Portsmouth, New-Hampshire, for carrying the Association of the Continental Congress into execution, discountenance Gaming, - - - - - - - - - 1223
10, Letter from London to a Gentleman in Virginia. Parliament have declared Massachusetts in rebellion. Americans must now look firmly forward. Submission and Chains, or, Resistance and Liberty, is the alternative, - - 1223
10, Letter from London to a Gentleman in New-York. Determination of the King, and preparations in England, to make the Colonies submit, - - - - - - - - - 1224
10, Letter from London to a Gentleman in New-York. All hopes of conciliation between England and her Colonies, are entirely at an end. The King and Parliament have pronounced their destruction. Fleets and Armies are preparing with the utmost diligence for that purpose, - - - - - - - - 1225
10, Information received at Williamsburg, from the Indian Frontiers, and from Pittsburgh, - 1226
10, Premiums offered by the Committee of Bedford, in Pennsylvania, for the encouragement of Industry and Manufactures, - - - - - 1226
10, Address of the Grand Jury to his Majesty's Justices, assembled at the General Quarter Sessions of the Peace, for the City and County of New-York, - - - - - - - - 1227
10, Letter from Connecticut to Mr. Rivington. A Presbyterian Minister, near North-Haven, has declared he had practised the Military Exercise, with the intention of going to Boston against the King's Troops, - - - - - - - 1227
10, Letter from Massachusetts to a Gentleman in London, - - - - - - - - - 1227
11, Letter from the Committee of Correspondence for Bedford County, Pennsylvania, to Joseph Read. Approve of the Resolves of the Convention, and bound by them, - - - - - - 1229
11, The Royal Standard erected on a mast seventy-five feet high, at Shawangunk, in Ulster County, New-York, by a respectable number of his Majesty's loyal Subjects - - - - - 1230
11, Letter from Kent County, in Delaware, published in the Pennsylvania Ledger, - - - - 1230
Letter from the Committee for Kent County, Delaware, February 15, to the Committee of Correspondence for Philadelphia, in relation to the Letter published in the Ledger, of the 11th instant, - - - - - - - - - - 1231
Letter from Philadelphia to Mr. Rivington, February 16. Tyranny of the Committee—they are aiming at a general Revolution, and promote every measure to overthrow the Constitution, - - - - - - - - - 1231
Letter from Philadelphia to a Gentleman in New-York, February 20. Proceedings in regard to the Letter said to be from Kent County, in Delaware, - - - - - - - - 1233
13, Thanks of the Common Council of London to Lord Chatham, for offering his Plan for conciliating the differences between Great Britain and the Colonies, - - - - - - 1233
Answer of Lord Chatham to the Common Council of London, - - - - - - 1233
13, Letter from London. Nothing will move the King and his Ministers, but absolute submission or a successful resistance. The Ministry affect to believe there will be no resistance, and assure themselves of the defection of New-York, - - - - - - - - - 1234
13, Committee of Elizabethtown, in New-Jersey, direct the suspension of all Trade and Intercourse whatsoever, with Staten Island, in New-York, - - - - - - - - - 1234
14, Meeting of the Committee of York County, Pennsylvania. Recommend the collection and preservation of Gunpowder; encourage Military Associations; direct the transmission of Contributions to Boston; and appoint Delegates to the next Convention, - - - - - 1235

1775.
Feb. 14, Meeting of the Freeholders and other Inhabitants of the City and County of Burlington, in New-Jersey. Association of the General American Congress, read and approved, and Committee of Observation appointed, - - - - - 1235
14, Two Inhabitants of Ridgefield not permitted to remain for the night in Wethersfield, but sent back to Ridgefield, under an escort, - - 1236
14, Resolutions adopted at a Meeting of the Delegates from the several Towns in the County of Fairfield, in Connecticut, - - - - - 1236
Association of the Liberty Men of Ridgebury, in Fairfield County, Connecticut, - - - - 1239
14, Letter from Samuel Adams to Arthur Lee, - 1239
15, Meeting of the Committee of Observation for the Township of Hanover, Morris County, New-Jersey. Will enforce and comply with every Article of the Association of the General Continental Congress; will have no dealings with James Rivington, and will discountenance any Post-Rider, or Carrier, who shall bring his Pamphlets or Paper into the County, - 1240
16, The Governour of Pennsylvania presents to the Council the complaint of Mr. Waterhouse, Inspector of his Majesty's Customs, that the Magistrates and Sheriff of Chester County had refused their aid in preventing the rescue of a Vessel seized on the Delaware, with contraband Goods, - - - - - - - - 1241
Letter from Francis Welch, a Tide-Waiter, dated February 8th, communicating a statement of the facts in the case complained of by Mr. Waterhouse, - - - - - - - 1241
The Council are of opinion the Magistrates and Sheriff could not legally afford the assistance that was required of them, - - 1242
16, Letter from the Committee of Correspondence of Philadelphia, to the Committee of Correspondence of New-York. The frequent publications in New-York, of dissensions in Philadelphia, are false representations. The Committee have not met with the least impediment in carrying into execution the Association. The Inhabitants of Pennsylvania continue immoveably firm to the cause of Liberty, and will, with inviolable faith, observe the conduct prescribed by the Continental Congress, - - - - 1243
16, A Ship at New-York, from Glasgow, with a cargo of Dry Goods, which did not arrive within the time prescribed in the Association, not permitted to land her cargo, - - 1243
17, Letter from Adam Stephen to Richard Henry Lee, - - - - - - - - - 1244
17, Letter from Governour Gage to the Earl of Dartmouth. The King's Speech has cast a damp upon the Faction; but they still entertain hopes that the Resolves of Congress will work in their favour. The loyalty in the New-York Assembly has had a very good effect, and it is said they are changing their sentiments at Philadelphia, - - - - - - - 1244
17, Meeting of the Freeholders of the Town of Plymouth, in New-Hampshire. Instructions to John Fenton, Representative of the Town in the Assembly, - - - - - - 1245
17, Letter from Governour Gage to the Earl of Dartmouth, - - - - - - - - 1708
18, Meeting of the Committee of Cumberland County, Virginia. Premium for the manufacture of Gunpowder, - - - - - - - 1247
Address of the Committee of Cumberland County, to the Delegates who represented Virginia in the late Continental Congress, - - - 1247
19, Letter from Boston, to a Gentleman in New-York. The Provincial Congress, distracted and divided in opinion, separated without doing any thing more than is in their published Resolves; the principal object of their meeting was to cajole the men of property, but no impression could be made on them. Their dupes drop from them very fast, and it is expected the few Demagogues will soon be left alone, - 1248
20, Meeting of the Freeholders of Hanover County, Virginia. Delegates to the Convention chosen, and instructed to consent to the imposition of any Tax the Convention may judge proper for defraying the expense of any measure necessarily adopted for securing American Liberty, 1248

Digitized by Google

1775.
*Jan.*20, Meeting of the Committee of Observation for the Township of Woodbridge, in New-Jersey. Suspend all Trade and intercourse with the Inhabitants of Staten Island, except such of them as have openly approved the Association, 1249
20, Town Meeting at Marshfield, in Massachusetts. Refuse to adopt the Resolves and Recommendations of the Continental or Provincial Congresses, or any illegal assemblies whatsoever. Vote the Thanks of the Town to General Gage and Admiral Graves for their assistance and protection, - - - - - - 1249
Protest of sixty-four of the Inhabitants of Marshfield, against the Proceedings of the Town Meeting held there on the 20th of February, 1249
20, Address of the Inhabitants of Marshfield, assembled in Town Meeting, to General Gage, - 1250
Answer to the Address, - - - - - 1251
20, Address of the Inhabitants of Marshfield, assembled in Town Meeting, to Admiral Graves, 1251
Answer of Admiral Graves, - - - 1251
20, Letter from Governour Gage to the Earl of Dartmouth, - - - - - - - 1709
20, Letter from Joseph Warren to Arthur Lee, - 1252
21, Resolutions adopted at a Court of Common Council, held at Guildhall, in London. The Americans are justified in their opposition to the late Acts of Parliament affecting the Colonies, - - - - - - - - - 1252
21, Proclamation of the Governour of Georgia, offering a reward to any person who will give information against one or more of the persons who rescued certain Goods seized by the Custom House Officers at Savannah, and tarred and feathered a Tide-Waiter, - - - 1253
22. Meeting of the Freeholders of Augusta County, Virginia. Delegates to the Convention chosen. Instructions to the Delegates, - - 1253
22, Address of the Freeholders of Augusta County, to the Delegates from Virginia, in the late Continental Congress, - - - - - 1255
Answer to the Address, - - - - - 1255
Address of the Freeholders and Inhabitants of the County of Botetourt, to the Delegates from Virginia in the late Continental Congress, - 1255
22, Plan of an American Manufactory, - - 1256
23, Pilots at New-York ordered not to bring up the Ship Beulah, and Sub-Committee of Observation appointed to observe her conduct. Soon as she receives Supplies, is to be despatched without being permitted to enter the Harbour, - - - - - - - - 1257
23, Proceedings at a meeting of the Committees of Observation of several Towns in Suffolk County, New-York, - - - - - 1257
23, Association signed by one hundred and forty-one Freeholders and Inhabitants of the Town of Reading, in Fairfield County, Connecticut. Will defend, maintain, and preserve, at the risk of their lives and properties, the prerogative of the Crown, and the privileges of the Subject, from all attacks of any rebellious body of Men, and any Committees of Inspection, or Correspondence, - - - - - - 1258
Names of seventy-four of the signers of the Association, published by order of the Committee of Observation, for the Town of Reading, - 1259
List of all the Signers to the Reading Association, communicated to Mr. Rivington, by John Lyon, one of the subscribers, - - - 1260
23, Address to the Provincial Congress of Massachusetts. Enumeration of some of the instances of cruelties, insults, and indignities inflicted on the quiet and peaceable Subjects of the King, in Massachusetts, - - - 1260
22, Instructions of General Gage to Captain Brown and Ensign D'Bernicre, to go through the Counties of Suffolk and Worcester, and make sketches of the Roads, Rivers, Towns, and places for Encampment, and to ascertain, what Forage and Provisions the Counties could supply, - - - - - - - - 1263
Narrative of Ensign D'Bernicre of the Examination of the Country, under General Gage's Instructions, - - - - - - - 1263
26, Regiment of British Troops under the command of Colonel Leslie, land at Marblehead, and march to Salem, - - - - - - 1268

1775.
*Jan.*27, Goods, under the Tenth Article of the Association, thrown overboard at Charlestown, by order of the Committee of Observation, - - 1269
27, Philadelphia Committee. Recommend the total disuse of East India Tea, in compliance with the Third Article of the Association, - - 1269
27, Meeting of a number of the Freeholders and Inhabitants of the Town of New-Milford, in Litchfield County, Connecticut. Protest against the Town of New-Milford's adopting the Resolves of the Continental Congress. Acknowledge the King and Parliament as the Constitutional Government over every part of the British Empire, - - - - - - 1270
27, Letter from Philadelphia, to a Gentleman in New-York. A motion in the Assembly, to petition the King, strenuously opposed. Mr. Dickinson acquired fresh laurels in the Debate. The motion will be rejected by a great majority, - - - - - - - 1270
28, Letter from Philadelphia to Mr. Rivington. The opposition to the Congress has done some good in the Assembly. Should the Assembly agree to petition, it will be done in a very dutiful style, 1270

COUNCIL OF PENNSYLVANIA.

*Jan.*25, The Governour submits information of further violences committed by the People of Virginia, in Westmoreland, - - - - - - 1271
Letter from Robert Hanna to the Governour. Attack on the Jail of Westmoreland County by the Militia and People of Virginia, - 1271
8, Letter from John Carnaghan to Governour Penn, with four Depositions respecting the attack on the Jail of Westmoreland County, - - 1271
13, Letter from Robert Hanna, and others, to Governour Penn, on the same subject, - - 1273
14, Letter from Devereux Smith to Governour Penn. Complains of the proceedings of the Virginians, and encloses Depositions, - - - 1274
March Letter from Governour Penn to Lord Dunmore.
1, Remonstrates against his proceedings in relation to Westmoreland County. Will forbear to take any steps in the affair till he has an answer to this Letter, which he expects by the return of the Express, - - - - - 1276

PENNSYLVANIA ASSEMBLY.

*Feb.*20, The House met pursuant to their adjournment, 1275
Speaker communicated a Letter from the Speaker of House of Assembly of New-Jersey, with Resolves, approving the Proceedings of the Continental Congress, - - - - - 1275
21, Instructions to the Delegates to the Continental Congress considered, - - - - - 1277
Message from the Governour, recommending a Petition to the King for the redress of any Grievances which the People apprehend they have reason to complain of, - - - 1277
23, The Governour's Message considered, - - 1277
24, Further considered and postponed, - - 1277
25, Consideration will be resumed on the 8th of March next, - - - - - - - 1277
March Motion that the Doors be opened on the 8th, for
4, the Inhabitants to hear the Debates, - - 1278
7, Message from the Governour, requesting provision to be made for a number of Indians, recently arrived at Philadelphia, - - - 1278
Representation and Petition from the American Philosophical Society, - - - - 1278
8, Consideration of the Governour's Message resumed, and Committee appointed to prepare an Answer, - - - - - - - - 1280
9, Answer to Governour's Message considered, - 1280
Motion to Recommit rejected, - - - 1280
Ordered to be Transcribed and sent to the Governour, - - - - - - - - 1280
Answer of the House to the Governour's Message, - - - - - - - - 1280
13, The Speaker laid before the House a Letter, dated the 24th of December last, from William Bollan, Benjamin Franklin, and Arthur Lee, 1281
15, William Morton chosen Speaker in place of Edward Biddle, who is prevented, by sickness, from attending the House, - - - 1282
Adjourned to the first of May next, - - 1282

Digitized by Google

1775.

NEW-YORK ASSEMBLY.

Jan. 10, Meeting of the Assembly, - - - - - 1281
13, Speech of Lieutenant Governour Colden to the Council and Assembly. Advises them to petition the King for redress of Grievances, - 1283
Committee appointed to prepare an Address, in answer to the Speech, - - - - - 1283
Consideration of the Speech referred to a Committee of the Whole House, - - - 1283
Committee appointed to correspond with Edmund Burke, Agent of this Colony at the Court of Great Britain, laid before the House several Letters received from him, - - 1283
17, The Speaker, from the Committee of Correspondence, laid before the House several Letters and other Papers, - - - - - - 1284
18, Address of the Council, in answer to the Lieutenant Governour's Speech, - - - 1284
Answer to the Council, - - - - - 1285
20, Address of the Assembly, in answer to the Lieutenant Governour's Speech, - - 1285
Answer of the Lieutenant Governour, - - 1286
26, Message from the Lieutenant Governour. Boundary of New-York and Pennsylvania, - 1286
Motion by Colonel Ten Broeck, that the House take into consideration the Proceedings of the Continental Congress, - - - - - 1286
Colonel Philips's motion for the Previous Question, - - - - - - - - - 1287
27, Message from the Lieutenant Governour, - 1287
28, The Speaker laid before the House a Letter from the Speaker of the Assembly of New-Jersey, enclosing sundry Resolutions passed by that House, - - - - - - - - - 1287
31, On the motion of Colonel Livingston, the House agreed to take into consideration the state of the Colony; to enter such Resolutions as they may agree to on their Journals, and to prepare a Petition to the King, - - - - - 1288
On motion of Mr. De Lancey, the House agreed to send with the Petition to his Majesty, a Memorial to the House of Lords, and a Representation and Remonstrance to the Commons, 1288
Committee appointed to prepare a state of the Grievances of the Colony, - - - - 1288
Feb. 2, House in Committee on the Lieutenant Governour's Speech, - - - - - - - 1288
7, Message from the Lieutenant Governour, - 1288
Speech further considered in Committee, - 1289
16, Colonel Schuyler's motion that certain Letters be published; Rejected, - - - - - 1289
17, Colonel Woodhull's motion for a Vote of Thanks to the Delegates from New-York in the late Continental Congress; Rejected, - - 1289
21, Colonel P. Livingston's motion for a Vote of Thanks to the Merchants and Inhabitants for their firm adherence to the Association of the Grand Continental Congress; Rejected, - 1290
23, Report from the Committee to prepare a state of the Grievances, referred to a Committee of the Whole House, - - - - - - - 1290
Mr. Thomas's motion for taking into consideration the necessity of appointing Delegates to meet the General Congress on the 10th of May next; Rejected, - - - - - 1290
Speech of Mr. Brush, of Cumberland County, on this question, - - - - - - - 1290
Speech of Mr. Wilkins, of Westchester County, 1293
March 1, The House in Committee on the state of Grievances of the Colony, - - - - - 1297
2, State of Grievances further considered in Committee, - - - - - - - - 1297
3, Proceedings and Votes on the Report on the Grievances of the Colony, - - - - 1297
7, Committee appointed to prepare a set of Resolutions agreeable to Colonel P. Livingston's motion of January 31, - - - - - - 1302
8, Report of the Committee; Resolutions agreed to, 1302
9, Committees appointed to prepare a Petition to the King, a Memorial to the Lords, and a Representation and Remonstrance to the Commons, 1303
11, Letter from Edmund Burke, laid before the House by the Committee, - - - - - - 1304
13, Letter from William Bollan, Benjamin Franklin, and Arthur Lee, dated December 24, laid before the House by the Speaker, - - - 1304
Message from the Lieutenant Governour, - 1304

1775.
March 15, Resolutions of the Committee of the Whole, providing for the support of the Government in the Colony for the year, - - - - - 1304
16, Petition, Memorial, and Remonstrance, reported, 1307
23, Message from the Lieutenant Governour. Disturbances in Cumberland County, - - 1308
24, Proceedings and Votes on the Petition to the King, - - - - - - - - - 1309
Votes on the Memorial to the House of Lords, 1312
Proceedings on the Representation and Remonstrance to the House of Commons, - - 1312
25, The humble Petition of the General Assembly of the Colony of New-York, to the King, - 1313
The Memorial of his Majesty's faithful Subjects the Representatives of the Colony of New-York, in General Assembly convened, to the House of Lords, - - - - - - - 1316
The Representation and Remonstrance of the General Assembly of the Colony of New-York to the House of Commons, - - 1318
The Petition, Memorial, and Remonstrance, directed to be forwarded with all convenient speed to Edmund Burke, - - - - - - 1321
28, Message from the Lieutenant Governour, - 1321
Proceedings and Votes in regard to the Cumberland Riots, - - - - - - - - 1321
31, The Speaker directed to transmit to the Speakers of the several Houses of Assembly, on the Continent, copies of the List of Grievances, and the Resolutions thereof, in consequence; and the Petition, Memorial, and Remonstrance, 1322
31, Proceedings and Votes in relation to Riots in Albany and Charlotte Counties, - - - 1323
Reward for the apprehension of Ethan Allen, Seth Warner, and others, - - - - 1323
Apr. 1, Committee of Correspondence appointed, - 1324
3, Adjourned to May 3, - - - - - - 1324

PROVINCIAL CONGRESS OF MASSACHUSETTS.

Feb. 1, List of the Members, - - - - - - 1323
John Hancock chosen President, - - - 1328
Committee to take into consideration the state and circumstances of the Province, - - - 1328
2, The Reverend Dr. Appleton appointed Chaplain, 1328
Monitors appointed, - - - - - - 1328
3, Committee appointed to consider the Resolutions of several Committees respecting the working of the Inhabitants of Boston for the Troops, 1328
4, Debates and Resolutions of the Congress to be kept secret, - - - - - - - 1329
Committee to publish in a Pamphlet some of the doings of the late Congress, - - - 1329
Committee to prepare an Address to the Inhabitants of the Province, - - - - - 1329
6, Delegates to the Congress in May next, to continue to the 31st day of December, and no longer, - - - - - - - - 1329
Troop of Horse raised by John Sawyer and others, of Rowley, - - - - - - 1329
The Secretary empowered to adjourn the Congress in the absence of the President, - - 1329
7, Inhabitants recommended not to supply the Troops with any thing that may enable them to annoy the People; all who do so to be deemed inveterate enemies to America, - 1330
Address to the Inhabitants reported, considered, and recommitted, - - - - - - 1330
8, Again reported, considered, and recommitted, - 1330
Committee to prepare a Resolution recommending the saving of Linen Rags, - - - 1330
9, Committee of Safety appointed, with power to muster as many of the Militia of the Province as they shall deem proper, completely armed and accoutred, to oppose any attempt that may be made to carry into execution the late Acts of Parliament, - - - - - - 1332
General Officers appointed to act under the authority of the Committee of Safety, - - 1332
A number of Letters, said to be from England, read and referred to the Committee on the state of the Province, - - - - - - 1332
Address to the Inhabitants of the Province, again reported, amended, and agreed to, - - 1332
Address from the Committee of Correspondence of Scituate, in relation to a number of British Troops now stationed in Marshfield, read and referred, - - - - - - - 1334

Digitized by Google

1775.
Feb. 9, Committee to bring in a Resolve empowering the Committee of Safety to take possession of the Warlike Stores of the Province, - - 1334
Committee to bring in a Resolve directing how the Ordnance in the Province shall be used, 1334
Committee to make a return of the Officers and number of the Militia, and Minute Men, to report, as soon as possible, - - - 1334
Committee to prepare for publication the Names of the Mandamus Counsellors who have refused to resign, - - - - - - - 1334
Inhabitants of the Province requested to preserve all their Linen and Cotton Rags, to aid an Establishment for making Paper, - - - 1334
10, Committee to observe the motion of the Troops said to be on their road to Cambridge, - 1334
Committee to sit in the recess of the Congress, with power to regulate the Constitutional Army which may be raised in the Province, - 1335
Committee to revise the Commission of the Committee of Safety, - - - - - - 1335
The Secretary directed to publish the Names of the Mandamus Counsellors now in Boston, 1335
Petition from the Delegates of the several Towns in the Counties of Hampshire and Berkshire, 1336
11, Committee of Safety authorized to appoint a Commissary to deliver Warlike Stores to the Constitutional Army when they take the field, - - - - - - - - - 1337
Committee of Safety requested to possess themselves of all Bayonets and other implements of war, purchased at the expense of the Province, and not now in their possession, - - - 1337
Committee appointed to report a Resolve, expressing the determination of the People, coolly and resolutely, to support their Rights and Privileges, at all hazards, - - - - - 1337
13, Committee appointed to inquire into the state of the Militia, - - - - - - - - 1337
Committee to inquire what is necessary to encourage the making of Saltpetre, - - 1337
14, Report of the Committee on the state of the Militia, - - - - - - - - - 1338
15, Committee of Correspondence of Boston directed to open and establish an intimate correspondence and connection with the Inhabitants of Quebeck, - - - - - - - - - 1339
Resolutions for the encouragement of the manufacture of Saltpetre in the Province, - - 1339
Committee to bring in a Resolve holding up to the People the imminent danger they are in from the present disposition of the British Ministry, - - - - - - - - - 1339
Inhabitants of the Province requested not to trade with Pedlars, - - - - - - - - 1340
John Whitcomb elected a General Officer, - 1340
Militia and Minute Men earnestly requested to spare neither time, pains, nor expense, in perfecting themselves, forthwith, in Military Discipline, - - - - - - - - - 1340
Conduct of the Committees of Correspondence of Plymouth, and other Towns, approved, - 1341
Conference with a Committee from Connecticut, 1341
16, Committee appointed to correspond with the neighbouring Governments, - - - 1342
Day of Fasting and Prayer throughout the Province appointed, - - - - - - 1342
Injunction of Secrecy on the Members removed, 1343
Adjourned to March 22d, to meet at Concord, - 1343
March 22, Met conformable to adjournment, and the Rev. Mr. Emerson appointed Chaplain, - - 1343
Debates and Resolutions to be kept an entire secret, - - - - - - - - - 1344
Committee to receive the Returns of the Officers of the Militia, - - - - - - 1344
24, Any relaxation in putting the Colony in a complete state of Defence will be attended with the utmost danger to the Liberties of the Colony, and of all America, - - - - - - 1344
27, Rules and Regulations for a Constitutional Army reported, - - - - - - - 1345
28, Considered and recommitted, - - - 1345
29, Consideration resumed; recommitted for additions, - - - - - - - - - 1345
30, Report from Committee on the state of the Province relative to what movement of the Troops should make it fit to call the Militia together to act on the defensive, - - - - 1345

1775.
March 30, On notice for assembling the Forces of the Colony, the Members of this Congress to repair without delay to the place to which they shall be adjourned, - - - - - - - 1345
Committees to sit immediately, that the Congress may adjourn to-morrow, - - - - 1345
31, Mandamus Counsellors who have refused to publish a renunciation of their Commissions, - 1346
Report of Committee appointed to receive Returns from the several Colonies, recommitted, - 1346
Constables and Collectors required to pay Publick Moneys immediately to the Receiver General, - - - - - - - - - 1346
April 1, Committee appointed to prepare Rules for the Provincial Army, report. Report passed, and afterwards recommitted, - - - - - 1347
Address to the Stockbridge Indians who have enlisted as Minute Men, - - - - - 1347
The Towns and Districts requested to choose Delegates to a Provincial Congress, to meet on the last Wednesday of May, if Precepts are not issued by General Gage, calling a General Assembly to meet on that day, - - - 1348
3, Committee on the state of the Province to collect the late intelligence from Great Britain, relative to sending reinforcements to General Gage, and report to the Congress what is best to be done, - - - - - - - - 1348
Immediate attendance of all absent Members required, - - - - - - - - - 1348
4, Letter to the Reverend Mr. Kirkland, with an Address to the Mohawks, - - - - - 1349
5, Rules and Regulations for the Massachusetts Army, - - - - - - - - - 1350
Committee on the application of the Committee from Boston, and others, report that the Papers lie for further consideration at some future day, - - - - - - - - - 1356
6, Letter to the Committee of Inspection of the County of Bristol, advising them to keep the Militia, and especially the Minute Men, in the best posture of defence; but that they act on the defensive only, until the further direction of the Provincial Congress, - - - - - 1356
Application from Billerica, and from the Committee of Boston, again committed, - - 1357
7, Conference with Governour Hopkins, on the present state of Publick Affairs, - - - 1357
Letter to the Selectmen of Billerica. Approve their conduct in relation to the assault on Thomas Ditson, - - - - - - 1357
Letter to the Committee of Correspondence for Boston and other Towns. Request that the Militia and Minute Men act only on the defensive, until the further order of the Provincial Congress, - - - - - - - - 1357
8, Committee on the state of the Province report relative to raising and establishing an Army; and that Committees repair to Connecticut, Rhode-Island, and New-Hampshire, to desire their co-operation, - - - - - - 1358
Committee to draught a Letter to each of the Colonies, - - - - - - - - - 1358
Committee to consider what number of Men should be raised by the four New-England Governments, for their general defence, - 1358
10, Letter to the Colonies of Connecticut, Rhode-Island, and New-Hampshire, - - - 1359
11, Instructions to the Delegates appointed to repair to the neighbouring Governments, - - 1359
Committee to take into consideration the particular state of the Town of Boston, appointed, after a long debate on the propriety of advising the Inhabitants to be moved from thence, - - 1360
12, County Committees appointed to report a true state of their respective Towns and Districts, with respect to their having observed the Resolutions of the Continental and Provincial Congresses, - - - - - - - - - 1361
Report of the Committee on the state of the Province, relative to exercising the Minute Men in Battalions, and paying them for the time they spend in that service; after long debate, rejected, - - - - - - - - - 1361
13, Committee of Safety directed to form six Companies of Artillery, to be in readiness to enter the service of the Colony when the Army shall be raised, - - - - - - - - 1362

Digitized by Google

1775.
April 13, Report from the Committee to consider the propriety of removing the Inhabitants from Boston; after long debate, recommitted, - - 1362
14, Committee of Donations of Boston recommended to afford to any poor persons desirous of removing from Boston, such assistance as may enable them to do it, - - - - - - - - 1362
Committee of Safety directed to apply to a suitable number of persons to be in readiness to enter the service of the Colony as Field Officers, when an Army shall be raised, - - 1363
15, Day of Humiliation, Fasting, and Prayer, appointed, - - - - - - - - 1363
The Members, on their return to their respective Towns, ordered to use their influence to promote the Military Discipline, - - - 1364
Adjourn to Wednesday, the 10th of May next, to meet at Concord, - - - - - - 1364

COMMITTEE OF SAFETY OF MASSACHUSETTS.

1774.
Nov. 2, Committee of Supplies requested to procure and deposite Provisions at Worcester and Concord, - - - - - - - - - 1365
8, Committee of Supplies requested to procure all the Arms and Ammunition they can, in the neighbouring Provinces on the Continent, - 1365
15, Committee to get seven large pieces of Cannon out of Boston, to some place in the country, in such manner as they may think most prudent, 1365
Dec. 20, Committee of Supplies to procure certain Military Stores, - - - - - - - - - 1366
Committee to examine the Commissary's Store in Boston, and report what Surgeons' Stores, and Stores of other kinds, are there, - - 1366
1775.
Jan. 5, Deacon Cheever authorized to receive Cannon and Mortars, - - - - - - - - 1366
25, All the Cannon, Mortars, Cannon Ball, and Shells, to be deposited in Worcester and Concord, in the same proportion as the Provisions, - 1366
Feb. 3, Committee of Supplies directed to report to the Provincial Congress their transactions since their appointment, - - - - - - 1367
13, Committee of Supplies desired to purchase all the Powder they can, - - - - 1367
Committee to receive from Colonel Robinson four brass Field-Pieces, and four brass Mortars, which, in case of a rupture with the Troops, shall be for the use of the Artillery Companies of Boston and Dorchester, - - - 1367
21, Committee of Supplies directed to procure ten tons of Brimstone, and all kinds of Warlike Stores, sufficient for an Army of fifteen thousand Men to take the field, - - - 1367
The Powder now at Concord, to be removed to Leicester, - - - - - - - - 1368
22, Committee of Supplies directed to procure one hundred Bell Tents for Arms, one thousand Field Tents for Soldiers, ten tons of Lead Balls, and to have thirty rounds of Cartridges for fifteen thousand Men, made, - - - - 1368
On arrival of more Troops, the Province Arms, at Cambridge, to be removed to Worcester, 1368
On intelligence of the arrival of more Troops, the Provincial Congress to be assembled immediately, - - - - - - - - - 1368
23, Committee to direct the Commanding Officers of the Militia and the Minute Men, throughout the Province, to assemble one fourth part of the Militia forthwith, - - - - - - 1368
24, Hospital Stores to be procured and sent to Concord, - - - - - - - - - 1369
March 7, Receiver General to pay to Doctor Warren and Doctor Church, five hundred Pounds, for the purchase of such articles for the Provincial Chests of Medicine, as cannot be got on credit, 1370
14, Watch to be constantly kept at the places where the Provincial Magazines are stored, - - 1370
Watch to be kept at Charlestown, Cambridge, and Roxbury, and Couriers to be forwarded to the Towns where the Magazines are placed, when sallies are made from the Army by night, 1370
23, Ton of Musket Bullets now arrived at Concord, to be lodged with Colonel Barrett, - - 1370
April 1, The Stores at Concord and elsewhere, not to be removed without written orders from the Committee of Safety, - - - - - - 1370

1775.
Considerations on the Measures carrying on with respect to the British Colonies in North America, - - - - - - - - - 1369
Address of the People of Great Britain to the Inhabitants of America, - - - - - 1413
Taxation no Tyranny. An Answer to the Resolutions and Address of the American Congress, - - - - - - - - - 1431
An Answer to a Pamphlet, entitled "Taxation no Tyranny;" addressed to the Author, and to persons in power, - - - - - - 1449

PROCEEDINGS OF PARLIAMENT ON THE ADDRESS OF THANKS TO THE KING.

House of Lords.

1774.
Nov. 29, Meeting of the Fourteenth Parliament, - 1461
State of Parties in England in relation to America, (Note,) - - - - - - - - 1461
House of Commons required to attend immediately, - - - - - - - - - 1461
Lord Chancellor's Speech to both Houses. Commons directed to choose a Speaker, - - 1462
30, Sir Fletcher Norton presented to the King as Speaker, by the House of Commons, - - 1464
Informed by the Lord Chancellor, that the King approves the choice made by the Commons, - 1464
Address of the Speaker, claiming the Privileges of the Commons, - - - - - - 1464
Reply of the Lord Chancellor, in the name of the King. Allows them all their Privileges, - 1465
King's Speech to both Houses. Informs them that a most daring spirit of resistance and disobedience to the law, still prevails in the Province of the Massachusetts Bay, - - - 1465
Address of Thanks to the King, moved by the Earl of Hillsborough, - - - - - 1466
Amendment offered by the Duke of Richmond, 1466
Opposed by Lord Lyttelton, - - - 1466
Supported by Lord Camden, - - 1467
Amendment rejected, - - - - - 1467
Protest on rejection of the amendment, - 1467
Earl of Hillsborough's motion agreed to, - 1468
Committee to prepare the Address, - - 1468
Address reported and agreed to, - - - 1468
Dec. 1, Address presented to the King, at his Palace, at St. James's, - - - - - - - 1469
The King's Answer, - - - - - - 1469
6, Address and Answer ordered to be published, - 1469

House of Commons.

Nov. 29, House formed, - - - - - - - 1469
Sir Fletcher Norton chosen Speaker, - - 1470
Dec. 5, The King's Speech, reported to the House, by the Speaker, - - - - - - - - 1471
Address of Thanks to the King, moved by Lord Beauchamp, - - - - - - - 1471
Amendment offered by Lord John Cavendish, - 1472
Debate—Lord North, - - - - - - 1473
Mr. F. Montague, - - - - 1473
Governour Johnstone, - - - 1473
Mr. Charles J. Fox, - - - 1473
Mr. Hartley, - - - - 1473
Colonel Barré, - - - - 1473
Sir George Macartney, - - - 1473
Lord Carmarthen, - - - - 1473
Sir William Mayne, - - - 1473
General Smith, - - - - 1473
Mr. T. Townshend, - - - 1474
Mr. Edmund Burke, - - - 1474
Mr. Van, - - - - - 1474
Mr. Wedderburn, - - - - 1474
Amendment rejected, - - - - - 1474
Lord Beauchamp's motion agreed to, - - 1474
Committee to draw up the Address, - - 1474
6, Address reported and agreed to, - - - 1474
7, Presented to the King, - - - - 1476
King's Answer to the Address, - - - 1476

ON SUPPLIES FOR THE YEAR 1775.

House of Commons.

Dec. 7, The King's Speech considered, - - - 1475
8, House in Committee on the motion to grant a Supply to his Majesty, - - - - 1475
9, Committee of the Whole report that a Supply be granted, - - - - - - - 1476
12, House in Committee to consider of the Supply granted to his Majesty, - - - - 1476

Digitized by Google

1774.
Dec. 12, Mr. Buller's motion that 16,000 Men be employed for the Sea Service, for the year 1775, - 1476
Debate—Mr. T. Townshend, - - - 1476
Mr. Buller, - - - - - 1476
Mr. Luttrell, - - - - - 1477
Colonel Barré, - - - - 1477
Mr. Hartley, - - - - 1477
Mr. Buller, - - - - 1477
Mr. Luttrell, - - - - - 1477
Mr. Buller's motion agreed to, - - - 1477
13, Resolutions reported from the Committee of the Whole, for the employment and pay of 16,000 Seamen, and agreed to by the House, - 1477
Debate—Lord John Cavendish, - - - 1478
Lord Beauchamp, - - - - 1478
Mr. Cornwall, - - - - 1478
Mr. Burke, - - - - - 1478
Sir William Mayne, - - - 1479
Mr. Hartley, - - - - 1479
Lord Beauchamp, - - - - 1479
Lord John Cavendish, - - - 1479
Lord Beauchamp, - - - - 1479
Captain Luttrell, - - - - 1479
Mr. Rose Fuller, - - - - 1479
16, House in Committee to consider further of the Supply granted to his Majesty, - - - 1479
Lord Barrington's motion, that 17,547 Men, Commission and Non-Commission Officers included, be employed for the year 1775, - 1479
Debate—Mr. Rose Fuller, - - - - 1479
Lord Barrington, - - - - 1479
Mr. Fuller, - - - - - 1479
Lord North, - - - - - 1479
Mr. T. Townshend, - - - 1479
Lord North, - - - - - 1479
Governour Johnstone, - - - 1479
Mr. Fox, - - - - - 1482
Lord Clare, - - - - - 1482
Mr. Rigby, - - - - - 1482
Mr. Cruger, - - - - - 1482
Sir William Mayne, - - - 1484
Lord North, - - - - - 1484
Mr. Hartley, - - - - 1484
Lord Barrington's motion agreed to, - - 1484
17, Resolutions reported from the Committee of the Whole read and agreed to, - - - 1484
19, Resolution for providing Ways and Means for raising the Supply granted to his Majesty, reported to the House from the Committee of the Whole, - - - - - - - 1485
Debate—Lord North, - - - - - 1485
Mr. Hartley, - - - - 1485
Mr. Rose Fuller, - - - - 1486
Mr. T. Townshend, - - - 1486
Mr. Rigby, - - - - - 1486
Mr. Edmund Burke, - - - 1486
Sir William Meredith, - - - 1487
Mr. Burke, - - - - - 1488
Mr. Cornwall, - - - - 1488
Resolution providing Ways and Means, agreed to, 1488
Irresolution of the Cabinet, (Note,) - - 1488
22, Parliament adjourned to the 19th day of January next, - - - - - - - 1488

ON LORD CHATHAM'S MOTION TO RECALL THE TROOPS FROM BOSTON.

House of Lords.

1775.
Jan. 20, Papers relating to the Disturbances in North America, presented by the Earl of Dartmouth, by his Majesty's command, - - - 1489
Lord Chatham's motion to recall the Troops from Boston, - - - - - - 1498
Debate—Lord Chatham, - - - - 1493
Earl of Suffolk, - - - - 1498
Earl of Shelburne, - - - 1499
Lord Lyttelton, - - - - 1500
Lord Camden, - - - - 1501
Lord Chatham, - - - - 1501
Lord Townshend, - - - - 1502
Earl of Rochford, - - - - 1502
Earl Gower, - - - - 1502
Marquis of Rockingham, - - 1502
Duke of Richmond, - - - 1503
Earl of Rochford, - - - 1503
Lord Weymouth, - - - - 1504
Lord Chatham's motion rejected, - - - 1504
List of the Minority, - - - - 1504
Energy of the Cabinet, (Note,) - - - 1499

1775.

ON THE BILL FOR SETTLING THE TROUBLES IN AMERICA.

House of Commons.

Feb. 1, Provisional Act for settling the Troubles in America, and for asserting the Supreme Legislative authority and superintending power of Great Britain over the Colonies, presented by Lord Chatham, - - - - - - - 1503
Lord Chatham's Speech on presenting the Bill, 1503
Earl of Dartmouth's Reply, - - - - 1504
Bill read the first time, - - - - 1504
Objections to the Bill in America, (Note,) - 1505
Motion by the Earl of Sandwich "That the Bill be rejected," - - - - - - - 1507
Debate—Lord Lyttelton, - - - - 1507
Earl of Shelburne, - - - 1508
Duke of Grafton, - - - - 1508
Earl Gower, - - - - 1509
Lord Chatham, - - - - 1509
Earl Gower, - - - - 1510
Lord Camden, - - - - 1510
Earl of Chatham, - - - - 1510
Earl Gower, - - - - 1511
Earl of Hillsborough, - - - 1511
Duke of Richmond, - - - 1512
Duke of Manchester, - - - 1513
Earl Temple, - - - - 1513
Question on the motion of the Earl of Sandwich taken, and the Bill rejected, - - - 1514
List of the Minority, - - - - - 1514

ON THE PETITIONS RELATING TO AMERICA.

House of Commons.

Jan. 19, Papers relating to the Disturbances in North America, presented by Lord North, - - 1513
Lord North's Explanations relative to the Papers, 1513
Papers referred to a Committee of the Whole House, - - - - - - - - 1513
23, Petition from the Merchants, Traders, and others, of the City of London, concerned in the Commerce of North America, presented, - - 1513
Mr. Alderman Hayley's motion, that the Petition be referred to the Committee of the Whole House, to whom the Papers from North America had been referred, - - - - 1515
Sir William Meredith's motion to amend, so as to refer to a separate Committee, - - - 1515
Debate—Mr. Burke, - - - - - 1516
Sir Gilbert Elliot, - - - - 1516
Mr. T. Townshend, - - - 1517
Lord Clare, - - - - - 1517
Mr. Fox, - - - - - 1517
Lord John Cavendish, - - - 1517
Lord North, - - - - - 1517
Sir George Macartney, - - - 1517
Captain Luttrell, - - - - 1517
Lord Stanley, - - - - 1518
Motion to amend agreed to, - - - - 1518
The Petition referred to a Committee of the Whole House, - - - - - 1519
Petition of the Master, Wardens, and Commonalty of the Society of Merchants and Venturers of the City of Bristol, presented by Mr. Burke, 1519
Motion to refer it to the Committtee of the Whole House, to whom has been referred the Papers from America, - - - - - - 1520
Debate—Lord North, - - - - - 1520
Mr. Burke, - - - - - 1520
Lord North, - - - - - 1520
Governour Johnstone, - - - 1520
Motion amended, and the Petition referred to the Committee of the Whole House, to whom the Petition of the Merchants of London is referred, 1521
Petition of the Merchants, Traders, and Manufacturers of the City of Bristol, presented by Mr. Cruger, - - - - - - - 1521
24, Petition of the Merchants and Traders of the City of Glasgow, presented, - - - 1522
Statements of the Value of Exports from Great Britain to the Colonies, from 1772 to 1774, ordered to be laid before the House, - - 1522
25, Petition of the Merchants, Manufacturers, and Traders, and other Inhabitants of the City of Norwich, presented, - - - - - 1523
Petition of the Merchants and Manufacturers residing in the Town and Neighbourhood of Dudley, in the County of Worcester, presented, - - - - - - - - 1523

Digitized by Google

1775.
Jan. 25, Petition from the Inhabitants of the Town and Neighbourhood of Birmingham, - - 1524
Sir George Savile offers to present a Petition from Dr. Franklin, Mr. Lee, and Mr. Bollan, requesting to be heard before the House, on the Petition from the Congress to the King, - 1524
26, Statements of the Value of Exports and Imports to and from North America, and the West Indies, from the year 1762, ordered to be laid before the House, - - - - - 1525
Second Petition from the Merchants, Traders, and others, of the City of London, concerned in the Commerce of North America, presented by Alderman Hayley, - - - - 1525
Motion, by Mr. Hayley, for discharging the Order of Monday last, for referring the Petition of the Merchants, and others, of London, to a Committee of the Whole House, - - - 1526
Debate—Mr. Hayley, - - - - 1526
Mr. Hotham, - - - - 1526
Mr. Hans Stanley, - - - 1526
Mr. Hayley, - - - - 1527
Mr. T. Townshend, - - - 1527
Mr. Lewis, - - - - - 1527
Mr. Jenkinson, - - - - 1527
Mr. Edmund Burke, - - - 1527
Mr. Fox, - - - - - 1529
Colonel Barré, - - - - 1529
Mr. Wedderburn, - - - - 1529
Lord North, - - - - - 1529
Lord George Germain, - - - 1530
Mr. Fox, - - - - - 1530
Lord North, - - - - - 1530
Mr. Hayley's motion rejected, - - - 1530
Petition referred to same Committee with the others, - - - - - - - - 1530
Petition of the Merchants and Manufacturers of the Town of Manchester, presented, - - 1530
Petition from the Merchants, Traders, and Manufacturers of Wolverhampton, in the County of Stafford, presented, - - - - - 1531
Petition of the Merchants and Tradesmen of the Port of Liverpool, presented, - - - 1531
Petition of William Bollan, Benjamin Franklin, and Arthur Lee, requesting they may be heard at the Bar of the House, on the Petition from America, offered by Sir George Savile, - 1532
Motion for receiving the Petition rejected, - 1532
Notice of the Debate on this Question, (Note,) 1532
House in Committee, on the American Papers, 1533
27, Statements of Exports from England to the Colonies in North America, in 1773, presented, - 1533
Petition of sundry Merchants, Factors, and Manufacturers, of Birmingham, in the County of Warwick, presented, - - - - 1533
House in Committee, on the Petition from the Merchants, and others, of London, concerned in the Commerce of North America, - - 1533
Reasons of the Merchants, for declining to be heard at the Bar of the House, - - - 1534
House in Committee, on the American Papers, 1534
31, Papers presented by Lord North, - - - 1534
Statements of Imports and Exports of British Plantation Tobacco, ordered to be laid before the House, - - - - - - - 1535
Petition of the Manufacturers of Felt Hats, and Dealers therein; as also, of the Shoemakers, in the Town of New-Castle, in the County of Stafford, presented, - - - - - 1535
Petition of the Manufacturers and Traders in Earthen Ware, residing in Burslem, Tunstall, Colridge, Shelton, Hanly, Stoke-Lane, Delf-Lane-End, and places adjacent, in the County of Stafford, presented, - - - - 1535
Mr. Burke's motion for an Inquiry into the manner in which the Petition from Birmingham, presented on the 25th, was procured, - - 1536
Debate on the motion, - - - - - 1536
Mr. Burke's motion rejected, - - - 1537
House in Committee, on the American Papers, 1537
Feb. 1, Petition of the Mayor, Recorder, Aldermen, and Assistants, of the Borough of Leeds, in the County of York, presented, - - - 1537
Petition of the Merchants of Leeds, trading to the North American Colonies, or having property there, presented, - - - - - 1538
Papers presented by Lord North, - - - 1539
House in Committee, on the American Papers, 1539

1775.
Feb. 2, Petition of the Planters of his Majesty's Sugar Colonies, residing in Great Britain, and of the Merchants of London, trading to the said Colonies, presented, - - - - - 1540

ON A JOINT ADDRESS OF THE TWO HOUSES TO THE KING.

House of Commons.

Feb. 2, House in Committee, on the American Papers, 1541
Motion of Lord North, for an Address to the King, declaring the Province of Massachusetts Bay in actual rebellion, - - - - 1542
Debate—Mr. Dunning, - - - - 1542
Mr. Attorney General Thurlow, - 1543
Colonel Grant, - - - - 1543
Amendment proposed by Mr. Fox, - - 1543
Debate—Mr. Grenville, - - - - 1544
Mr. Cruger, - - - - - 1544
Captain Luttrell, - - - - 1544
Mr. Cosmo Gordon, - - - 1547
Mr. Burke, - - - - - 1547
Mr. Solicitor General Wedderburn, - 1547
Amendment offered by Mr. Fox, rejected, - 1547
Lord North's motion for an Address, adopted, - 1547
3, Statements of the Imports and Exports of the Sugar Colonies, ordered to be laid before the House, - - - - - - - - 1547
Accounts of Imports and Exports presented, - 1548
6, Report from Committee of the Whole, on the American Papers. Address to the King, - 1548
Motion, by Lord John Cavendish, that the Report be recommitted, - - - - - 1549
Debate—Lord John Cavendish, - - - 1549
Lord Lumley, - - - - 1549
Mr. Wilkes, (the Lord Mayor,) - 1549
Captain Harvey, - - - - 1552
Sir William Mayne, - - - 1554
Mr. T. Townshend, - - - 1556
Mr. Joliffe, - - - - - 1556
Mr. Hans Stanley, - - - - 1556
Lord Irnham, - - - - 1556
Mr. William Adam, - - - 1559
Mr. Scott, - - - - - 1559
Governour Johnstone, - - - 1559
Sir Robert Smythe, - - - 1564
Mr. Burke, - - - - - 1564
Mr. Solicitor General Wedderburn, - 1565
Colonel Barré, - - - - 1565
Lord North, - - - - - 1565
Mr. Mackworth, - - - - 1565
Mr. Sawbridge, - - - - 1565
Motion to recommit the Report rejected, - - 1565
Amendment proposed and rejected, - - 1565
Resolution reported by Committee of the Whole agreed to, - - - - - - - 1566
Committee to draw up an Address, - - 1566
Address reported and agreed to, - - - 1566
To be communicated to the Lords, at a Conference, - - - - - - - - 1566
Conference with the Lords requested, - - 1566
House in Committee, on the American Papers, 1566
7, The Address presented to the Lords in Conference, - - - - - - - - 1567
8, Managers of the two Houses in Conference on the Address. The Lords agree to make it a Joint Address, - - - - - - 1567
The King has appointed to-morrow to receive the Address, - - - - - - 1567
Petition of the Manufacturing Hosiers, of the Town and County of Nottingham, presented, 1567
Lord North's motion, to postpone the further consideration of the American Papers to the 10th, 1568
Debate—Mr. Fox, - - - - - 1568
Lord North, - - - - - 1568
Consideration of Petitions postponed to the 15th, and of American Papers to the 10th, - - 1568
10, The King's Answer to the Joint Address of the two Houses, presented yesterday, - - 1569

House of Lords.

Feb. 2, Papers relating to the Disturbances in America, considered, - - - - - - - 1569
3, Further considered, - - - - - 1569
7, Message from the Commons, desiring a Conference with this House, upon the state of his Majesty's Colonies in America, - - 1569
Managers of the Conference appointed, - - 1569
The two Houses in Conference, - - 1570

Digitized by Google

1775.
Feb. 7, Address delivered at the Conference, reported by the Lord President, - - - - - 1570
Motion, by the Earl of Dartmouth, to agree to the Address, - - - - - - 1571
Marquis of Rockingham's motion for the Previous Question, - - - - - - 1571
Debate—Marquis of Rockingham, - - 1571
Earl of Pomfret, - - - - 1572
Earl of Denbigh, - - - - 1572
Earl Gower, - - - - 1572
Lord Mansfield, - - - - 1572
Lord Camden, - - - - 1573
Duke of Grafton, - - - - 1574
Lord Mansfield, - - - - 1575
Lord Lyttelton, - - - - 1576
Duke of Richmond, - - - 1576
Lord Mansfield, - - - - 1577
Lord Lyttelton, - - - - 1578
Earl of Rochford, - - - - 1578
Earl of Shelburne, - - - 1578
Lord Mansfield, - - - - 1579
Earl of Shelburne, - - - 1579
Duke of Richmond, - - - 1579
Earl of Sandwich, - - - - 1580
Duke of Richmond, - - - 1581
Earl of Sandwich, - - - - 1581
Bishop of Peterborough, - - 1582
Duke of Richmond, - - - 1583
Duke of Manchester, - - - 1584
Lord Lyttelton, - - - - 1584
Lord Mansfield, - - - - 1584
Lord Camden, - - - - 1584
Earl of Dartmouth, - - - 1584
Notice of the Debate, (Note,) - - - 1584
Previous Question put, and resolved in the Affirmative, - - - - - - - 1585
List of the Minority, (Note,) - - - 1585
Protest, - - - - - - - - 1585
The Main Question, on agreeing to the Address put, and resolved in the Affirmative, - - 1586
Protest, - - - - - - - - 1586
Petition of the Merchants, Traders, and others, concerned in the American Commerce, read, and laid on the table, - - - - 1587
Petition of the Planters of his Majesty's Sugar Colonies, residing in Great Britain, and of the Merchants of London, trading to the said Colonies, read, and laid on the table, - - 1588
Statements of Imports and Exports, ordered to be laid before the House, - - - - 1589
8, The Lords informed the King will receive the Joint Address of the two Houses to-morrow, at his Palace of St. James, - - - 1590
10, The King's Answer to the Address presented yesterday, - - - - - - - 1590

ON ADDITIONAL SUPPLIES FOR THE YEAR 1775.

House of Commons.

Feb. 10, Message from the King, requesting additional Forces by Sea and Land, - - - - 1621
13, House in Committee, to consider further of the Supply granted to his Majesty, - - - 1589
Mr. Buller's motion, that an additional number, of 2,000 Men, be allowed for the Sea Service, for the year 1775, - - - - - - 1589
Debate—Lord North, - - - - - - 1589
Governour Johnstone, - - - 1590
Lord North, - - - - - - 1591
Lord John Cavendish, - - - 1591
Mr. Cornwall, - - - - 1591
Mr. Charles Fox, - - - - 1591
Captain Walsingham, - - - 1591
Mr. Temple Luttrell, - - - 1592
Mr. Sawbridge, - - - - 1595
Mr. Buller's motion agreed to, - - - 1595
14, House in Committee, - - - - - - 1595
Lord Barrington's motion, to augment the Land Forces with 4,383 Men, Officers and Non-Commission Officers included, - - - 1596
After Debate, agreed to, - - - - 1596

ON LORD NORTH'S RESOLUTION FOR RECONCILIATION.

House of Commons.

Feb. 20, House in Committee, on American Papers, - 1597
Lord North's Conciliatory Resolution, - - 1598
Remarks on the introduction of this Resolution, (Note,) - - - - - - - - 1598
Feb. 20, Debate—Lord North, - - - - - 1597
Governour Pownall, - - - 1600
Mr. Charles Fox, - - - - 1605
Mr. Jenkinson, - - - - 1606
Mr. Welbore Ellis, - - - 1606
Mr. Adam, - - - - - 1606
Mr. Cornwall, - - - - 1607
Mr. Ackland, - - - - 1607
Mr. Dundas, - - - - 1607
Sir Gilbert Elliot, - - - - 1607
Colonel Barré, - - - - 1607
Lord North, - - - - - 1608
Mr. Edmund Burke, - - - 1608
Mr. Dunning, - - - - 1610
Question taken, and resolved in the Affirmative, 1610
To be reported to the House on Friday morning next, - - - - - - - - 1610
Authentick Speech of Lord North, on introducing the Resolution, (Note,) - - - 1599
Circumstantial account of the Debates in the American Committee, on Lord North's motion, (Note,) - - - - - - - 1600
Lord North's explanation of his Resolution, (Note,) - - - - - - - - 1602
24, Report of Committee of the Whole deferred to Monday next, - - - - - - 1610
27, Resolution of the Committee of the Whole reported to the House, - - - - 1611
Lord North's motion to agree to the Resolution, 1611
Debate—Mr. Scott, - - - - - 1611
Mr. Ackland, - - - - 1611
Mr. Temple Luttrell, - - - 1613
Sir P. J. Clerke, - - - - 1617
Mr. Hartley, - - - - 1617
Mr. Thomas Powys, - - - 1618
Lord North, - - - - - 1619
Mr. T. Townshend, - - - 1619
Sir Richard Sutton, - - - 1619
Mr. Charles Turner, - - - 1619
Mr. Hans Stanley, - - - 1619
Mr. Alderman Sawbridge, - - 1619
General Burgoyne, - - - 1619
Governour Johnstone, - - - 1622
Question taken, and Resolution agreed to, - 1622

ON THE BILL FOR RESTRAINING THE TRADE OF THE NORTHERN COLONIES.

House of Commons.

Feb. 10, House in Committee, on American Papers, - 1622
Lord North's motion, for leave to bring in a Bill to Restrain the Trade of the Northern Colonies, - - - - - - - - 1622
Debate—Lord North, - - - - - 1622
Mr. Dunning, - - - - 1623
Mr. Attorney General Thurlow, - 1623
Mr. Solicitor General Wedderburn, - 1623
Mr. Speaker Norton, - - - 1623
Governour Johnstone, - - - 1623
Mr. T. Townshend, - - - 1624
Sir George Savile, - - - 1624
Sir W. Meredith, - - - - 1624
Lord John Cavendish, - - - 1625
Lord Beauchamp, - - - - 1625
Mr. Burke, - - - - - 1625
Lord North's motion agreed to, - - - 1626
Report of Committee of the Whole, - - 1626
Leave granted, and Committee appointed, to bring in a Bill to Restrain the Trade and Commerce of Massachusetts, New-Hampshire, Connecticut, and Rhode-Island, and to prohibit such Colonies from carrying on any Fishery on the Banks of Newfoundland, or other places, therein to be mentioned, - - - - 1626
Statements of Duties and Excise on Imports and Exports of West India Produce, and of the Tonnage of all Vessels employed in the Trade between Great Britain and the Colonies, ordered to be laid before the House, - - - 1626
13, Accounts of Exports presented, - - - 1626
15, Consideration of the Petition of Merchants, and others, of London, concerned in the Commerce of America, postponed to the 8th of March, 1627
Statements of Exports and Imports, ordered to be laid before the House, - - - - 1627
Petition of the principal Manufacturers of the Borough of Bridgeport, in the County of Dorset, on behalf of themselves, and thousands of

Digitized by Google

1775. others, Inhabitants of the said Borough, and places adjacent, presented, - - - 1627
Feb. 15, Letter from Lord Dunmore, dated December 24, 1774, presented by Lord North, - - 1628
Petition of the Merchants and Master Manufacturers of Woollen Goods, of the Towns of Wakefield, Halifax, Bradford, Huddersfield, and Country adjacent, interested in the Trade to America, presented, - - - - 1628
Accounts of Imports and Exports of Sugar presented, - - - - - - - - 1629
17, Address to the King, that he will direct to be laid before the House, an Act of Assembly of Virginia, passed in the year 1684, - - - 1629
Bill to Restrain the Trade, and prohibit the Fisheries of the Northern Colonies, presented by Lord North, - - - - - - - 1629
Second reading ordered for Thursday, - - 1629
American Papers to be considered in Committee of the Whole, on Monday, the 20th, - - 1629
20, Accounts of Imports and Exports presented, - 1630
22, Petition of the Merchants of Whitehaven, in the County of Cumberland, - - - - 1630
Petition of the Merchants, Linen Drapers, and principal Inhabitants of the Town and Neighbourhood of Belfast, in the Kingdom of Ireland, presented, - - - - - - 1631
Petition of the Aldermen, Sheriff, principal Manufacturers, and Inhabitants of the Town and County of Nottingham, presented, - 1631
"Act for the better preservation of the Peace of Virginia, and preventing Unlawful and Treasonable Associations," passed by the Assembly of Virginia, on the 16th of April, 1684, presented, (Note,) - - - - - - 1632
Petition of the Merchants, Traders, and others, of the City of London, interested in the American Commerce, presented, - - - 1633
Second reading of the Bill postponed until to-morrow, - - - - - - - - 1634
24, Letter from General Gage to the Earl of Dartmouth, dated January 18, presented by Lord North, - - - - - - - - - 1634
Other Papers from America presented, - - 1634
Petition of the Lord Mayor, Aldermen, and Commons, of the City of London, in Common Council convened, presented at the Bar of the House, by the Sheriffs of the City, - - 1635
Bill read second time, and committed to Committee of the Whole, - - - - - 1636
Petition of Merchants, of London, referred to same Committee, and may be heard by themselves, their Counsel, or Agents, against the Bill, - - - - - - - - - 1636
City Petition referred to the same Committee, - 1637
28, Petition of the People called Quakers presented, 1637
Petition of the Merchants, Traders, and principal Inhabitants of the Town and County of Poole, presented, - - - - - - - - 1637
House in Committee, on the Bill, - - - 1638
David Barclay, as Agent for the Committee of the North American Merchants, called in, to examine Witnesses in support of their Petition, - - - - - - - - - 1638
Examination of Brook Watson, - - - 1638
Examination of Stephen Higginson, - - 1645
Examination of John Lane, - - - - 1648
Examination of Seth Jenkins, - - - 1650
March 1, Account of the Imports of Tobacco into Scotland, from 1760 to 1775, presented, - - - 1651
Account of Imports and Exports presented, - 1651
House in Committee on the Bill, - - - 1651
6, Bill reported to the House from the Committee of the Whole, - - - - - - - 1651
Examination of Benjamin Lister, in support of the Petition from Poole, - - - - 1651
Motion made for the engrossment of the Bill, - 1653
Debate—Lord Howe, - - - - - 1653
Mr. Charles Fox, - - - - 1653
Mr. Jenkinson, - - - 1653
Mr. T. Townshend, - - - 1654
Mr. Henry Dundas, - - - 1654
Lord John Cavendish, - - - 1654
Mr. Rice, - - - - - 1654
Mr. Edmund Burke, - - - 1654
Lord Advocate of Scotland, - - 1656
Question taken, and resolved in the Affirmative, 1657
Third reading ordered for Wednesday next, - 1657

1775.
Mar. 8, Bill read the third time, - - - - - 1657
Amendment offered by Mr. Hartley, to permit the Colonies to import Fuel and Provisions brought coastwise from any part of America, 1657
Debate—Mr. Hartley, - - - - - 1657
Lord North, - - - - - - 1658
Mr. Burke, - - - - - - 1659
Lord Clare, - - - - - - 1659
Mr. T. Townshend, - - - 1659
Mr. Charles Fox, - - - - 1659
Governour Pownall, - - - 1660
Mr. Henry Dundas, - - - 1660
Question on the Amendment taken, and rejected, 1660
Bill Passed, - - - - - - - 1660

House of Lords.

March 9, Bill to Restrain the Trade of the Northern Colonies, received from the Commons, - - 1661
10, Second reading of the Bill ordered for Wednesday the 15th, and the Lords summoned, - - 1661
15, Petition of the Lord Mayor, Aldermen, and Commons, of the City of London, in Common Council assembled, - - - - - - - 1661
Petition of the Merchants, Traders, and others, of the City of London, interested in the American Commerce, - - - - - - - 1661
Bill read the second time, - - - - 1663
House refuse to permit Mr. Barclay to put Questions to the witnesses, - - - - - 1663
Seth Jenkins examined, - - - - 1663
Brook Watson examined, - - - - 1667
Benjamin Lyster examined, - - - - 1668
George Davis examined, - - - - 1669
Molyneux Shuldham examined, - - - 1669
Sir Hugh Palliser examined, - - - 1670
16, Motion by the Earl of Dartmouth, to commit the Bill, - - - - - - - - 1670
Debate—Marquis of Rockingham, - - 1670
Earl of Carlisle, - - - - 1673
Duke of Manchester, - - - 1673
Earl of Denbigh, - - - - 1674
Duke of Manchester, - - - 1674
Earl of Denbigh, - - - - 1674
Viscount Dudley, - - - - 1675
Lord Camden, - - - - 1675
Earl of Sandwich, (see Note,) - - 1681
Earl of Shelburne, - - - 1683
Earl of Suffolk, - - - - 1684
Earl of Radnor, - - - - 1684
Earl of Suffolk, - - - - 1684
Earl of Radnor, - - - - 1684
Duke of Grafton, - - - - 1685
Marquis of Rockingham, - - 1686
Lord Camden, - - - - 1686
Question taken; Bill committed to a Committee of the Whole House, - - - - 1687
20, Bill reported, amended, and ordered for a third reading to-morrow, - - - - - 1687
21, Bill read a third time, - - - - - 1688
Amendment offered by the Earl of Buckinghamshire, - - - - - - - - 1688
Debate—Duke of Manchester, - - - 1688
Lord Chancellor, - - - - 1688
Duke of Manchester, - - - 1688
Earl of Effingham, - - - 1689
Earl of Dartmouth, - - - 1689
Amendment rejected, - - - - - 1689
Bill passed, - - - - - - - 1689
List of the Minority, - - - - - 1689
Protest, - - - - - - - - 1689
"An Act to Restrain the Trade and Commerce of the Provinces of Massachusetts Bay and New-Hampshire, and Colonies of Connecticut and Rhode-Island, and Providence Plantation, in North America, to Great Britain, Ireland, and the British Islands in the West Indies; and to prohibit such Provinces and Colonies from carrying on any Fishery on the Banks of Newfoundland, or other places therein mentioned, under certain conditions and limitations," - 1691

ON THE BILL TO RESTRAIN THE TRADE OF THE SOUTHERN COLONIES.

House of Commons.

Mar. 3, American Papers presented by Lord North, - 1697
Letter from Governour Franklin to the Earl of Dartmouth, dated February 1, - - - 1697

Digitized by Google

1775.
Mar. 3, Letter from Governour Penn to the Earl of Dartmouth, dated January 30, - - - - 1698
Petition of the Merchants, Linen Drapers, and principal Inhabitants, of the City of Waterford, in the Kingdom of Ireland, presented, - 1698
8, Letter from Governour Gage to the Earl of Dartmouth, dated January 27, presented by Lord North, - - - - - - - - 1698
Mr. Hartley's motion for an Address to the King, requesting him to direct a copy of a Letter from the Earl of Dartmouth to Lieutenant Governour Colden, dated December 10th, may be laid before the House, - - - - 1699
Debate—Mr. Hartley, - - - - 1699
Mr. Rigby, - - - - - 1699
Mr. T. Townshend, - - - 1699
Lord North, - - - - - 1699
Mr. Fox, - - - - - - 1699
Mr. Hartley's motion rejected, - - - 1699
House in Committee on the American Papers, 1700
9, Accounts of Exports and Imports presented, - 1700
Petition of Gentlemen, Merchants, and Traders, in the Woollen Manufactory at or near Huddersfield, in the West Riding of the County of York, presented, - - - - - - 1700
Petition of the Manufacturing Hosiers of the Town and County of Nottingham, presented, 1700
Permission granted to the Petitioners to be heard before the Committee if they think fit, - 1701
House in Committee on the American Papers, - 1701
Motion by Lord North, for leave to bring in a Bill to Restrain the Trade of New-Jersey, Pennsylvania, Maryland, Virginia, and South Carolina, - - - - - - - 1701
Debate—Lord John Cavendish, - - - 1701
Sir William Mayne, - - - 1701
Mr. Hartley, - - - - 1702
Lord North, - - - - - 1702
Question taken; motion agreed to by the Committee, - - - - - - - - 1702
Reported to the House, - - - - 1702
Leave granted, and Committee appointed to bring in the Bill, - - - - - - - 1702
13, Bill presented by Mr. Cooper, and read first time, 1702
Second reading ordered for Thursday, - - 1702
15, Accounts of Duties, Drawbacks, and Imposts, presented, - - - - - - - 1702
Petition of the Clothiers and other principal Inhabitants of Trowbridge, in the County of Wilts, presented, - - - - - - 1703
16, Second reading of the Bill postponed until to-morrow, - - - - - - - 1703
17, Bill read second time, and committed to a Committee of the Whole House, - - - 1704
20, House in Committee go through with the Bill, 1704
Report of the Committee of the Whole to be received on the 23d, - - - - - 1704
23, Report postponed to the 27th, - - - 1704
27, Report further postponed to the 29th, - - 1704
29, Report to be received to-morrow, - - - 1704
30, Bill reported from the Committee of the Whole, 1704
Debate—Mr. John Luttrell, - - - - 1705
Mr. Temple Luttrell, - - - 1706
Lord North, - - - - - 1708
Amendment, relating to Delaware, proposed by Lord North, and agreed to, - - - 1708
Bill ordered to be read a third time on the 3d of April, - - - - - - - - 1708
Papers presented by Lord North, - - - 1708
Letter from Governour Gage to the Earl of Dartmouth, dated February 17, - - - 1708
Letter from Governour Gage to the Earl of Dartmouth, dated February 20, - - 1709
Apr. 3, Third reading of the Bill postponed, - - 1709
Estimate of the charge of maintaining and supporting the Civil Establishment of his Majesty's Colony of Nova-Scotia, for the year 1775, 1710
Estimate of the Civil Establishment of his Majesty's Colony of Georgia, and the Incidental Expenses attending the same, from the 24th of June, 1774, to the 24th of June, 1775, - 1710
Estimate of the Civil Establishment of East Florida, and other Incidental Expenses attending the same, from June 24, 1774, to June 24, 1775, - - - - - - - - 1711
Estimate of the Expenses attending General Surveys of his Majesty's Dominions in North America, for the year 1775, - - - 1712

1775.
Apr. 5, Bill read the third time, - - - - 1712
Motion made that the Bill do Pass, - - 1712
Debate—Mr. Hartley, - - - - 1712
Lord North, - - - - 1712
Sir William Mayne, - - - 1712
Mr. Rigby, - - - - - 1713
Marquis of Granby, - - - 1713
Lord North, - - - - - 1714
Mr. Alderman Sawbridge, - - 1714
Mr. Alderman Bull, - - - 1714
Sir John Duntze, - - - - 1715
General Conway, - - - - 1715
Mr. Rigby, - - - - - 1715
Mr. T. Townshend, - - - 1715
Question taken; the Bill passed, - - - 1716

House of Lords.

Apr. 6, Bill to Restrain the Trade of New-Jersey, Pennsylvania, Maryland, Virginia, and South Carolina, received from the Commons, - - 1716
Read the first time, - - - - - 1716
7, Bill read the second time, - - - - 1716
10, House in Committee, go through with the Bill, 1716
Third reading ordered for the 12th, - - 1716
12, Bill read the third time and passed, - - 1716
Lords dissenting, - - - - - 1716
"An Act to Restrain the Trade and Commerce of the Colonies of New-Jersey, Pennsylvania, Maryland, Virginia, and South Carolina, to Great Britain, Ireland, and the British Islands in the West Indies, under certain conditions and limitations," - - - - - 1716

ON THE PETITION OF THE WEST INDIA PLANTERS.

House of Commons.

Mar. 8, House to go into Committee on the Petitions, on the 15th, - - - - - - - 1721
15, Witnesses directed to attend the Committee of the Whole, - - - - - - - 1721
House in Committee on the Petitions, - - 1721
16, House in Committee, - - - - - 1721
Mr. Glover appeared as Agent of the West India Planters, and Manager of the Evidence in support of their Petition, which was presented on the 2d of February, - - - - 1721
Mr. Glover's Address to the Committee, - 1721
George Walker examined, - - - - 1722
John Ellis examined, - - - - - 1731
Evidence summed up by Mr. Glover, - - 1733
Petition and Memorial of the Assembly of Jamaica, to the King in Council, dated December 28, 1774, presented by Lord North, - 1743
20, House again in Committee on the Petitions, - 1743
Witnesses examined on the Petitions from Nottingham, - - - - - - - 1743
Debate on the objection made by Mr. Van, to a question put to one of the witnesses, by Mr. Burke, - - - - - - - - 1743
Remarks of Mr. Bailey on the conduct of Lord North, in relation to the Petitioners, - - 1744
Petitions to be further considered on the 27th, - 1744
27, Consideration postponed for one week, when the subject dropped, - - - - - 1746

ON MR. BURKE'S RESOLUTIONS FOR CONCILIATION.

House of Commons.

March 22, Mr. Burke's Resolutions for Conciliation with America, - - - - - - - 1745
Debate—Mr. Burke, - - - - - 1745
Mr. Jenkinson, - - - - 1776
Lord Frederick Campbell, - - 1777
Question taken, and the Resolutions rejected, 1778

ON MR. HARTLEY'S PROPOSITIONS FOR CONCILIATION.

House of Commons.

March 27, Mr. Hartley's Propositions for Conciliation with the Colonies, - - - - - - - 1781
Debate—Mr. Hartley, - - - - 1781
Sir Cecil Wray, - - - - 1791
Lord North, - - - - - 1791
Sir Cecil Wray, - - - - 1792
Mr. T. Townshend, - - - 1792
Lord William Campbell, - - 1792
Mr. Lyttelton, - - - - 1792
Sir George Savile, - - - 1792
Mr. Vyner, - - - - - 1792
Mr. Tuffnell, - - - - 1792
Mr. Hartley's Propositions rejected, - - 1793

Digitized by Google

1775

ON THE AMERICAN MUTINY BILL.

House of Commons.

March 24, Leave granted to bring in a Bill to render more effectual in his Majesty's Dominions in America, the Act for punishing Mutiny and Desertion, - - - - - - - - 1793
27, The Bill presented by Lord Barrington, - 1793
28, Bill read the second time, - - - - 1793
30, Considered in Committee of the Whole, - 1793
31, Ordered to be engrossed, - - - - 1794
Apr. 5, Read the third time and passed, - - - 1794

House of Lords.

Apr. 6, Bill to render more effectual in his Majesty's Dominions in America, the Act for the punishment of Mutiny and Desertion, received from the Commons, - - - - - - - 1794
7, Bill read the second time, - - - - 1794
10, House in Committee on the Bill, - - - 1794
11, Read the third time and passed, - - - 1795
"An Act to amend, and render more effectual in his Majesty's Dominions in America, an Act, passed in the present Session of Parliament, entitled, 'An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters,' and for extending the provisions of the said Act to his Majesty's Marine Forces in America," - - - 1795

ON THE BRITISH FISHERY BILL.

House of Commons.

April 11, Motion of Lord North to consider of the Encouragement proper to be given to the Fisheries of Great Britain and Ireland, - - - - 1805
Debate—Lord North, - - - - - 1805
Mr. Burke, - - - - - 1806
Mr. Thomas Townshend, - - 1806
Mr. Connolly, - - - - 1807
Mr. Burke, - - - - - 1807
Lord North, - - - - - 1807
Motion agreed to, - - - - - 1807
27, House in Committee on Lord North's motion, - 1807
Lord North's Explanations, - - - - 1807
28, Resolutions reported by Committee of the Whole, for the Encouragement of the Fisheries carried on from Great Britain and Ireland, agreed to, 1809
Committee to prepare the Bill, - - - 1811
May 4, Bill presented by Mr. Jenkinson, - - - 1811
9, Read the second time, - - - - 1811
11, Considered in Committee, - - - - 1811
17, Read the third time and passed, - - - 1812

House of Lords.

May 18, Bill for the Encouragement of British Fisheries received from the Commons, - - - 1812
19, Read the second time, - - - - - 1812
22, Considered in Committee, and read the third time and passed, - - - - - - - 1812

ON PROVIDING WAYS AND MEANS FOR 1775.

House of Commons.

May 3, House in Committee to consider further of the Ways and Means for raising the Supply granted to his Majesty, - - - - - 1811
Resolutions offered by Lord North, - - 1815
Debate—Lord North, - - - - - 1813
Mr. Hartley, - - - - 1815
Mr. Vyner, - - - - - 1815
Mr. T. Townshend, - - - 1815
Lord North, - - - - - 1815
Governour Johnstone, - - - 1816
4, Resolutions reported from the Committee of the Whole, - - - - - - - 1816
Agreed to by the House, - - - - 1818

ON THE REMONSTRANCE OF THE NEW-YORK ASSEMBLY.

House of Commons.

May 15, Representation and Remonstrance of the Assembly of New-York, offered by Mr. Burke, - 1819
Mr. Burke's motion, that the Representation and Remonstrance be brought up, - - - 1819
Motion by Lord North to amend by inserting, in Mr. Burke's motion, after the word Remonstrance, the words "in which the said Assembly claim to themselves rights derogatory to, and inconsistent with, the Legislative authority of Parliament," - - - - - 1819
Debate—Mr. Burke, - - - - - 1819
Lord North, - - - - - 1819
Mr. Cruger, - - - - - 1820
Mr. Cornwall, - - - - 1821
Mr. Jenkinson, - - - - 1821
Mr. Aubrey, - - - - - 1821
Mr. Fox, - - - - - 1822
Governour Johnstone, - - - 1822
Lord North's motion to amend agreed to, - 1822
Mr. Burke's motion, as amended, rejected, - 1822

ON THE PETITIONS FROM QUEBECK.

House of Lords.

May 17, Petition of his Majesty's loyal and dutiful Subjects, settled in the Province of Quebeck, presented by Lord Camden, - - - - 1823
Debate—Earl Gower, - - - - 1823
Lord Camden, - - - - 1823
Bill offered by Lord Camden, to Repeal the Quebeck Act, - - - - - - 1826
Motion by the Earl of Dartmouth, that the Bill be now rejected, - - - - - 1826
Debate—Earl of Dartmouth, - - - 1826
Duke of Richmond, - - - 1827
Lord Lyttelton, - - - - 1827
Duke of Manchester, - - - 1829
Earl of Rochford, - - - - 1829
Earl of Bristol, - - - - 1829
Lord Lyttelton, - - - - 1830
Earl of Sandwich, - - - 1831
Earl of Bristol, - - - - 1831
Earl of Sandwich, - - - 1831
Archbishop of Canterbury, - - 1831
Earl of Shelburne, - - - 1831
Lord Mansfield, - - - - 1834
Lord Camden, - - - - 1834
Question taken, and the Bill rejected, - - 1834
List of the Minority, - - - - - 1834

House of Commons.

May 18, Petition and Memorial of his Majesty's ancient Subjects, Seigneurs, Freeholders, Merchants, Traders, and others, settled in his Majesty's Province of Quebeck, presented, - - 1833
Sir George Savile's motion for leave to bring in a Bill to repeal the Quebeck Act, - - 1836
Debate—Sir George Savile, - - - 1835
Mr. T. Townshend, - - - 1836
Mr. De Grey, - - - - 1836
Mr. Howard, - - - - 1836
Lord North, - - - - - 1836
Mr. Fox, - - - - - 1837
Sir Robert Smythe, - - - - 1837
Colonel Barré, - - - - 1838
Sir W. Meredith, - - - - 1838
Colonel Barré, - - - - 1838
Question taken, and Sir George Savile's motion rejected, - - - - - - - - 1838

ON THE MEMORIAL OF THE NEW-YORK ASSEMBLY.

House of Lords.

May 18, Memorial of his Majesty's faithful Subjects and Representatives of the Colony of New-York, in General Assembly convened, presented, - 1837
Motion by the Duke of Manchester, that the Memorial might be read by the Clerk, - 1837
Debate—Earl of Dartmouth, - - - 1837
Duke of Manchester, - - - 1838
Earl of Buckinghamshire - - 1838
Earl of Denbigh, - - - - 1839
Earl Gower, - - - - - 1839
Duke of Manchester, - - - 1839
Earl of Hillsborough, - - - 1839
Duke of Richmond, - - - 1839
Earl of Sandwich, - - - 1839
Motion by the Earl of Sandwich, to amend the Duke of Manchester's motion, by inserting after the word Memorial, the words, "the contents thereof, not having been opened," - 1839
Debate—Duke of Richmond, - - - 1839
Earl Gower, - - - - 1839
Lord Camden, - - - - 1839
Earl of Effingham, - - - 1840

Digitized by Google

1775. Amendment proposed by the Earl of Sandwich, rejected, - - - - - - - 1842
Question taken on the Duke of Manchester's motion, and the House refused to permit the Memorial to be read, - - - - - 1842

May 26, Speaker's Speech to the King, - - - 1841
King's Speech to both Houses, - - - 1842
Parliament prorogued to the 27th day of July next, - - - - - - - - 1844

1774. PETITIONS TO THE KING.

Jan. 10, The most humble Petition of his Majesty's ancient and loyal Subjects, Freeholders, Merchants, and Planters, in the Province of Quebeck, in North America to the King, - - 1843
15, Memorial of the Freeholders, Merchants, Planters, and others, his Majesty's ancient and loyal Subjects, now in the Province of Quebeck, to the Right Honourable the Earl of Dartmouth, one of his Majesty's principal Secretaries of State, - - - - - - 1844
March 19, Letter from Francis Maseres to the Committee of the Petitioners for an Assembly in the Province of Quebeck. Has presented the Petition and Memorial. Ministers believe the Province is not yet ripe for an Assembly, and prefer for the present a Legislative Council, nominated by the King. Advises them to declare that the British Parliament has supreme authority over the Province, both of Legislation and Taxation, and that such authority shall continue after the Establishment of an Assembly, - - - - - - 1845
Feb. Petition of divers Roman Catholick Inhabitants of the Province of Quebeck, signed and transmitted to the Earl of Dartmouth, his Majesty's Secretary of State for America, - - 1846
Memorial in support of the requests made by his Majesty's most obedient and most faithful new Subjects in Canada, - - - - - - 1848
Nov. 12, Petition of his Majesty's most loyal and dutiful, his ancient Subjects, settled in the Province of Quebeck, - - - - - - - - 1849

1775.
March 23, Humble Address and Petition of the Merchants, Traders, and others, of the City of London, concerned in the Commerce of North America, 1850
Address and Petition of the People called Quakers, to George the Third, King of Great Britain, and the Dominions thereunto belonging, - - - - - - - - - 1852
April 10, Humble Address, Remonstrance, and Petition of the Lord Mayor, Aldermen, and Livery, of the City of London, in Common-Hall, assembled, 1853
The King's Answer, delivered to the Lord Mayor, by the Earl of Hertford, Lord Chamberlain, - - - - - - - - 1854
11, Letter from the Lord Chamberlain, to the Lord Mayor of London, - - - - - - 1854
May 2, Mr. Wilkes's, the Lord Mayor's Answer, to the Letter from Lord Hertford, the Lord Chamberlain, - - - - - - - - 1854

List of the Delegates appointed by the several Counties of the Province of MARYLAND, *to the Convention which met at* ANNAPOLIS, *by Adjournment, on the Eighth day of* DECEMBER, 1774, *and continued till the Twelfth day of the same month.* (*See page* 1031.)

For St. Mary's County.—John Allen Thomas, Jeremiah Jordan, Richard Barnes, John De Butts.

For Charles County.—John Dent, Daniel Jenifer, Thomas Stone.

For Calvert County.—John Weems, Alexander Somerville, Richard Parran, Edward Reynolds, Benjamin Mackall, 4th.

For Prince George's County.—William Bowie, Robert Tyler, Edward Sprigg, John Rodgers, David Crauford, Joshua Beall, Osborn Sprigg, Walter Bowie.

For Frederick County.—Charles Beatty, Jacob Funk, Henry Griffith, Thomas Price, Richard Brooke, Joseph Chapline, Upton Sheredine, Thomas Sprigg Wootten.

For Anne Arundel County, and City of Annapolis.—John Hall, Thomas Johnson, Samuel Chase, William Paca, Matthias Hammond, Charles Carroll, Barrister, Charles Carroll of Carrollton, Brice T. B. Worthington, Thomas Dorsey, John Weems.

For Baltimore County.—John Moale, Thomas Cockey Deye, Walter Tulley, Benjamin Nicholson, William Buchanan, John Boyd, Samuel Worthington, Charles Ridgely.

For Harford County.—Thomas Bond, John Love, Josias Carvile Hall, John Paca, Aquila Paca, Francis Holland, Aquila Hall, Amos Garret, Richard Dallam.

For Cecil County.—John Veazy, Joseph Gilpin.

For Kent County.—Thomas Ringgold, Joseph Earle.

For Queen Anne County.—James Hollyday, John Brown, Thomas Wright, Turburt Wright.

For Caroline County.—Henry Dickenson, Benedict Brice, William Mellefon, Joshua Clarke.

For Dorchester County.—John Dickenson, Thomas Ennalls, Matthew Brown, Josiah Richardson, Zachariah Campbell.

For Somerset County.—Peter Waters, George Dashiell, Samuel Wilson, Josiah Polk, Henry Waggaman, John Winder, Luther Martin.

For Worcester County.—Peter Chaille, William Purnell, Samuel Handy, Smith Bishop, Nehemiah Holland.

Digitized by Google

DOCUMENTARY HISTORY, &c.

PROCEEDINGS, PAPERS, AND DEBATES OF THE HOUSE OF LORDS AND HOUSE OF COMMONS, ON MEASURES RELATING TO THE AMERICAN COLONIES, DURING THE SEVENTH SESSION OF THE THIRTEENTH PARLIAMENT OF GREAT BRITAIN.

I. THE KING'S MESSAGE, OF SEVENTH MARCH, 1774.

HOUSE OF LORDS.

FRIDAY, *March 4th*, 1774.

THE Earl of *Dartmouth* acquainted the House "That "his Majesty had given directions, that the several Papers "received from *America*, relating to the Disturbances there, "with regard to the importation of Tea, should be laid "before the House; and that the same will be delivered "on *Monday* next."

MONDAY, *March 7th*, 1774.

The Earl of *Dartmouth* acquainted the House, "That "he had a Message from his Majesty, under his Royal sign "manual, which his Majesty had commanded him to deli-"ver to this House."

And the same was read by the Lord Chancellor, and is as follows; (videlicet,)

GEORGE R.

His Majesty upon information of the unwarrantable practices which have been lately concerted and carried on in *North America*, and, particularly, of the violent and outrageous proceedings at the Town and Port of *Boston*, in the Province of *Massachusetts Bay*, with a view to obstructing the Commerce of this Kingdom, and upon grounds and pretences immediately subversive of the Constitution thereof, hath thought fit to lay the whole matter before his two Houses of Parliament, fully confiding, as well in their zeal for the maintenance of his Majesty's authority, as in their attachment to the common interest and welfare of all his Dominions, that they will not only enable his Majesty effectually to take such measures as may be most likely to put an immediate stop to the present disorders, but will also take into their most serious consideration, what farther regulations and permanent provisions may be necessary to be established for better securing the execution of the Laws, and the just dependence of the Colonies upon the Crown and Parliament of *Great Britain*. *G. R.*

The said Message was then read again by the Clerk.

The Earl of *Dartmouth*, (by his Majesty's command,) laid before the House copies of all Letters, &c., received from *America*, relating to the Disturbances there with regard to the importation of Tea, together with a list thereof; which was read by the Clerk, as follows:

Massachusetts Bay.

No. 1. Extract of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 4th *November*, 1773, received 17th *December*, enclosing,

No. 2. Copy of a Letter to *Thomas* and *Elisha Hutchinson*, delivered at their house in *Boston*, 2d *November*, 1773.

No. 3. Copy of a printed Paper, posted up in the Town of *Boston*, on the 3d *November*, 1773.

No. 4. Copy of a Narrative.

No. 5. Copy of a Narrative.

No. 6. Copy of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Milton*, near *Boston*, 6th *November*, 1773; received 25th *December*, enclosing,

No. 7. Copy of a Letter from Mr. *Richard Clarke* and Company, and *Benjamin Faneuil* and Company, to *John Hancock*, Esquire, dated 4th *November*, 1773.

No. 8. Copy of a Vote of the Town Meeting at *Boston*, the 5th *November*, 1773.

No. 9. Copy of a Letter from *Thomas Hutchinson*, Junior, to *John Hancock*, Esquire; (no date.)

No. 10. Extract of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 15th *November*, 1773; received 3d *January*, 1774.

No. 11. Copy of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 2d of *December*, 1773; received 27th *January*, 1774, enclosing,

No. 12. Copy of a Petition of *Richard Clarke* and Sons, *Benjamin Faneuil*, and *Thomas* and *Elisha Hutchinson*; and of the Proceedings of the Council thereupon.

No. 13. Extract from the *Massachusetts Gazette*, of the 26th *November*, 1773.

No. 14. Copy of a Paper printed at *Boston*, dated 1st *December*, 1773.

No. 15. Copy of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 15th *December*, 1773; received 2d *February*, 1774.

No. 16. Copy of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 17th *December*, 1773; received 27th *January*, 1774.

No. 17. Copy of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 20th *December*, 1773; received 14th *February*, 1774.

No. 18. Extract of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 24th *December*, 1773; received 14th *February*, 1774, enclosing,

No. 19. Extract of the Minutes of the Council of the *Massachusetts Bay*, on the 21st *December*, 1773.

No. 20. Extract of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 4th *January*, 1774; received 13th *February*.

New-York.

No. 21. Extract of a Letter from Major General *Haldimand* to the Earl of *Dartmouth*, dated *New-York*, 3d of *November*, 1773; received 10th *December*.

No. 22. Extract of a Letter from Major General *Haldimand* to the Earl of *Dartmouth*, dated *New-York*, 28th *December*, 1773; received 4th *February*, 1774.

No. 23. Extract of a Letter from Major General *Haldimand* to the Earl of *Dartmouth*, dated *New-York*, 5th *January*, 1774; received 5th *February*.

No. 24. Copy of a Paper referred to in Major General *Haldimand's* Letter of the 5th *January*, 1774.

No. 25. Extract of a Letter from Major General *Haldimand* to the Earl of *Dartmouth*, dated 2d *February*, 1774; received 2d *March*.

No. 26. Copy of a Letter from Governour *Tryon* to the Earl of *Dartmouth*, dated *New-York*, 3d *November*, 1773; received 10th *December*, enclosing.

No. 27. Copy of a printed Paper, intituled, "*The Alarm, No. 1*," dated *New-York*, 6th *October*, 1773.

Digitized by Google

No. 28. Copy of a printed Paper, intituled, "*The Alarm, No. 2,*" dated *New-York*, 9th of *October*, 1773.

No. 29. Extract from a printed Paper, intituled, "*The Alarm,*" dated *New-York*, 19th *October*, 1773.

No. 30. Copy of a Letter from Governour *Tryon* to the Earl of *Dartmouth*, dated *New-York*, 1st *December*, 1773; received 10th *January*, 1774, enclosing,

No. 31. Memorial of the Agents of the *East India* Company, praying that the Tea shipped by the Company, may, on its arrival, be taken under the protection of Government.

No. 32. Minutes of Council relative to the Tea shipped by the *East India* Company.

No. 33. Copy of a Letter from Governour *Tryon* to the Earl of *Dartmouth*, dated *New-York*, 3d *January*, 1774; received 5th *February*, 1774.

No. 34. Copy of a Letter from Governour *Tryon* to the Earl of *Dartmouth*, dated *New-York*, 5th *January*, 1774; received 5th *February*, enclosing,

No. 35. Extract from the Minutes of the Council of *New-York*.

South Carolina.

No. 36. Extract of a Letter from Lieutenant Governour *Bull* to the Earl of *Dartmouth*, dated 24th *December*, 1773; received 28th *January*, 1774.

New-Hampshire.

No. 37. Extract of a Letter from Governour *Wentworth*, to the Earl of *Dartmouth*, dated *New-Hampshire*, 17th *December*, 1773; received 2d *March*, 1774, enclosing,

No. 38. Notification of the Selectmen of the Town of *Portsmouth*.

No. 39. Resolves of *Portsmouth*, in *New-Hampshire*, respecting the Teas.

Admiralty.

No. 40. Copy of a Letter from the Lords Commissioners of the Admiralty to the Earl of *Dartmouth*, dated the 20th *January*, 1774; received the 21st, enclosing,

No. 41. Copy of a Letter from Rear Admiral *Montagu* to *Philip Stephens*, Esqr., Secretary of the Admiralty, dated *Boston*, 8th *December*, 1773.

No. 42. Copy of a Letter from the Lords Commissioners of the Admiralty to the Earl of *Dartmouth*, dated 27th *January*, 1774; received the same day, enclosing,

No. 43. A copy of a Letter from Rear Admiral *Montagu* to *Philip Stephens*, Esqr., Secretary of the Admiralty, dated *Boston*, 17th *December*, 1773.

War Office.

No. 44. Copy of a Letter from Lord Viscount *Barrington* to the Earl of *Dartmouth*, dated War Office, 28th *January*, 1774; received 29th, enclosing,

No. 45. Copy of a Letter from the Honourable *Alexander Leslie*, Lieutenant Colonel of the Sixty-Fourth Regiment of Foot, to Lord Viscount *Barrington*, dated *Castle William*, *December* 6, 1773.

No. 46. Extract of a Letter from Ditto to Ditto, dated 17th *December*, 1773.

East India Company.

No. 47. Copy of a Note from the Chairman of the *East India* Company to the Earl of *Dartmouth*, dated 20th *December*, 1773; received 21st, enclosing,

No. 48. Account of Tea exported by the *East India* Company to his Majesty's Colonies in *North America*, with the quantities, and to whom consigned.

No. 49. Copy of a Note from the Chairman of the *East India* Company to the Earl of *Dartmouth*, dated 23d *December*, 1773; received 25th, enclosing,

No. 50. Extract of a Letter dated *Boston*, 18th *October*, 1773.

No. 51. Extract of a Letter from *New-York*, dated 5th *November*, 1773.

No. 52. Extract of a Letter from *New-York*, dated 5th *November*, 1773.

No. 53. Copy of a Letter relative to advices received from *Philadelphia* and *New-York*, dated 21st *December*, 1773.

No. 54. Copy of a Letter relative to advices received from *Philadelphia*, dated 21st *December*, 1773.

No. 55. Copy of a Letter relative to the exportation of Tea to *Boston*, dated 21st *December*, 1773.

No. 56. Copy of a Letter relative to the exportation of Tea to *South Carolina*.

No. 57. Copy of a Letter relative to the exportation of Tea to *New-York*.

No. 58. Copy of a Note from the Chairman of the *East India* Company to the Earl of *Dartmouth*, dated 24th *December*, 1773; received 25th, enclosing,

No. 59. Extract of a Letter from *Philadelphia*, dated 5th *October*, 1773.

No. 60. Extract of two Letters from *Philadelphia*, dated *October* 5th and 30th, 1773.

No. 61. Copy of a Note from the Chairman and Deputy Chairman of the *East India* Company to the Earl of *Dartmouth*, dated 10th *January*, 1774; received 15th, enclosing,

No. 62. Copy of a Letter from the *East India* Company's Agents at *New-York* to the Court of Directors.

No. 63. Copy of the Memorial of *Henry White* and others, Merchants, to the Governour of *New-York*.

No. 64. Copy of a Letter from an Agent of the *East India* Company to his Correspondents in *London*, dated *Boston*, 15th *November*, 1773.

No. 65. Copy of a Letter from an Agent of the *East India* Company to his Correspondent in *London*, dated *Boston*, *November*, 1773.

No. 66. Copy of a Letter from an Agent of the *East India* Company to the Chairman, dated *Boston*, 17th *November*, 1773.

No. 67. Copy of a Note from the Chairman of the *East India* Company to the Earl of *Dartmouth*, dated 21st *January*, 1774; received 25th, enclosing,

No. 68. Copy of a Letter signed "*Anglo Americanus*," to the *East India* Company, dated *Boston*, 17th *December*, 1773.

No. 69. Copy of a Note from the Chairman and Deputy Chairman of the *East India* Company to the Earl of *Dartmouth*, dated 26th *January*, 1774; received the same day.

No. 70. Copy of a Note from the Chairman and Deputy Chairman of the *East India* Company to the Earl of *Dartmouth*, dated 26th *January*, 1774; received 27th, enclosing,

No. 71. Copy of a Letter to the *Delaware* Pilots and to Captain *Ayres*, dated *Philadelphia*, 27th *November*, 1773.

No. 72. Declaration of Messrs. *James* and *Drinker*, Agents for the *East India* Company, at *Philadelphia*.

No. 73. Postscript to the *Pennsylvania Gazette*, of 24th *December*, 1773.

No. 74. Copy of a Letter from Messrs. *James* and *Drinker* to the Directors of the *East India* Company, dated *Philadelphia*, 28th *December*, 1773.

No. 75. Copy of a Letter from Messrs. *Thomas* and *Isaac Wharton*, *Jonathan Brown*, and *Gilbert Barkley*, to the *East India* Company, dated *Philadelphia*, 28th *December*, 1773.

No. 76. Copy of a Note from the Chairman of the *East India* Company to the Earl of *Dartmouth*; received 3d *February*, 1774.

No. 77. Copy of a Letter from *Thomas* and *Elisha Hutchinson*, *Richard Clarke* and Sons, and *Benjamin Faneuil*, to the Directors of the *East India* Company, dated 2d *December*, 1773.

No. 78. Copy of a Letter from Ditto to Ditto, dated 17th *December*, 1773.

No. 79. Copies of two Letters from Messrs. *Smith*, *Leger*, and *Greenwood*, to the Secretary of the *East India* Company, dated 4th and 18th *December*, 1773.

No. 80. Copy of a Note from the Chairman and Deputy Chairman of the *East India* Company to the Earl of *Dartmouth*, dated 9th *February*, 1774; received 10th, enclosing,

No. 81. Copy of a Letter from *Henry White*, *Abram Lott*, and Company, and *Pigou* and *Booth*, to the Directors of the *East India* Company, dated *New-York*, 27th *December*, 1773.

Digitized by Google

No. 82. Copy of a Letter from *Henry White*, and others, to Captain *Benjamin Lockyer*, of the Ship *Nancy*, dated *New-York*, 27th *December*, 1773.

No. 83. Copy of a Note from the Chairman and Deputy Chairman of the *East India* Company to the Earl of *Dartmouth*, dated 15th *February*, 1774; received 16th, enclosing,

No. 84. Questions proposed by *Francis Rotch*, an owner, and *James Hall*, master, of the Ship *Dartmouth*, with the Answers of the Consignees.

No. 85. Questions proposed by *James Bruce*, master of the Ship *Eleanor*, with the Answers of the Consignees.

No. 86. Copy of a Letter from Mr. *Rotch*, owner of the Ship *Dartmouth*, to *Richard Clarke* and Sons, &c., dated *Boston*, 6th *January*, 1774.

No. 87. Copy of a Letter from *Richard Clarke* and Sons, and *Benjamin Faneuil*, Jun., to the Directors of the *East India* Company, dated *Castle William*, *January* 7th, 1774.

No. 88. Copy of a Letter from *Richard Clarke* and Sons, and *Benjamin Faneuil*, Jun., to the *East India* Company, dated *January* 7th, 1774.

No. 89. Copy of a Letter from Mr. *Mitchell*, Secretary to the *East India* Company, to *John Pownall*, Esqr., dated 16th *February*, 1774; received 17th, enclosing,

No. 90. Copy of a Memorial of the *East India* Company to the Earl of *Dartmouth*, dated 16th *February*, 1774.

Treasury.

No. 91. Copy of a Letter from *Grey Cooper*, Esqr., Secretary of the Treasury, to *John Pownall*, Esqr., dated 7th *March*, 1774, enclosing,

No. 92. Copy of a Letter from Mr. *Mather*, acting as Secretary to the Commissioners of the Customs in *America*, dated 7th *October*, 1773, to *John Robinson*, Esqr., Secretary to the Lords of the Treasury; received 14th *February*, 1774.

No. 93. A copy of a Letter from the Commissioners of the Customs in *America*, to the Lords of the Treasury, dated *Boston*, 4th *January*, 1774; received 14th *February*, 1774, enclosing,

No. 94. Copy of a Letter from the Collectors and Comptroller of the Customs at *Boston*, to the Commissioners of the Customs there, dated 17th *December*, 1773.

No. 95. Copy of a Letter from Ditto to Ditto, dated 23d *December*, 1773.

No. 96. Copy of a Letter from Ditto to Ditto, dated 31st *December*, 1773.

No. 97. Copy of a Protest of *James Bruce*, *James Bruce*, Jun., and *John Finney*.

No. 98. Do. of *Hezekiah Coffin* and others.

No. 99. Do. of *Francis Rotch* and others.

No. 100. Depositions of *Samuel Hunt* and others.

No. 101. Do. of *Thomas Rick* and others.

No. 102. Do. of *William Elliot* and others.

No. 103. Do. of *Alexander Hodgson*.

No. 104. Do. of *James Bruce* and others.

No. 105. Report of *Arthur Savage*.

No. 106. Do. of *Robert Parker*.

No. 107. Memorial of *Francis Rotch*.

No. 108. Do. of *James Bruce*.

No. 109. Do. of *Hezekiah Coffin*.

Ordered, That the said Papers do lie on the table.

Ordered, That an humble Address be presented to his Majesty, "To return his Majesty the thanks of this House "for his Majesty's gracious Message, and for the communi- "cation his Majesty hath been graciously pleased to make "to this House, of several Papers relative to the present "state of some of his Majesty's Colonies in *North Ame-* "*rica*.

"To assure his Majesty that this House, truly sensible "that the peace and good government of the Colonies, "and the preventing any obstructions there to the Com- "merce of this Kingdom, are objects of their most serious "attention, will enter upon the consideration of these "Papers with an earnest desire to make such provisions "as, upon mature deliberation, shall appear necessary and "expedient for securing the just dependence of the said "Colonies upon the Crown and Parliament of *Great Bri-* "*tain*, and for enforcing a due obedience to the Laws of "this Kingdom throughout all his Majesty's Dominions."

Ordered, That the said Address be presented to his Majesty by the Lords with White Staves.

Ordered, That the Papers delivered this day by the Earl of *Dartmouth*, (by his Majesty's command,) together with his Majesty's most gracious Message, be taken into consideration on *Thursday*, sevennight; and that the Lords be summoned.

FRIDAY, *March* 11, 1774.

The Earl of *Dartmouth*, (by his Majesty's command,) laid before the House more Papers from *America*, relating to the Disturbances there with regard to the importation of Tea. together with a list thereof,

Which was read by the Clerk, as follows:

No. 1. Extract of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 28th *January*, 1774; received 8th *March*, enclosing,

No. 2. Extract from the *Boston Gazette*, of 27th *January*, 1774.

Ordered, That the said Papers do lie on the table, and that they be taken into consideration on *Thursday* next.

WEDNESDAY, *March* 16, 1774.

The House being moved, "That the consideration of "the several Papers laid before this House (by his Majesty's "command,) relating to Disturbances in *America*, and also "his Majesty's most gracious Answer in relation thereto, "be adjourned till to-morrow sevennight; and that the "Lords be summoned."

The same was objected to. After short debate, the question was put thereupon. It was resolved in the Affirmative.

WEDNESDAY, *March* 23, 1774.

Ordered, That the consideration of the several Papers laid before this House (by his Majesty's command,) relating to the Disturbances in *America*; and also his Majesty's most gracious Message in relation thereto, which stands appointed for to-morrow, be adjourned till *Monday* next; and that the Lords be summoned.

WEDNESDAY, *March* 30, 1774.

Ordered, That all the Lords who have been present this day, be appointed a Committee to inquire into the several Proceedings in the Colony of *Massachusetts Bay*, in opposition to the sovereignty of his Majesty, in his Parliament of *Great Britain*, over that Province; and also what has passed in this House relative thereto, from the 1st of *January*, 1764.

Ordered, That the several Papers laid before this House relating to Disturbances in the Colony of the *Massachusetts Bay*, be referred to the said Committee; and the said Committee is hereby empowered to send for Persons, Papers, and Records.

Their Lordships, or any five of them, to meet to-morrow, in the Prince's lodgings, near the House of Peers; and to adjourn as they please.

The Lords present, who formed the Committee, were:

The Duke of *Gloucester*; Lord *Apsley*, Lord High Chancellor; Earl of *Gower*, Lord President; Earl of *Hertford*, Lord Chamberlain.

Dukes: *Beaufort*, *Ancaster*, *Chandos*, *Montagu*.

Earls: *Suffolk*, *Denbigh*, *Westmoreland*, *Stanford*, *Sandwich*, *Doncaster*, *Rochford*, *Abercorn*, *Loudon*, *March*, *Marchmont*, *Stair*, *Roseberry*, *Dartmouth*, *Macclesfield*, *Waldegrave*, *Asburnham*, *Bucks*, *Hardwicke*, *Fauconberg*, *Ilchester*, *Northington*, *Spencer*, *Hillsborough*.

Viscounts: *Montague*, *Townshend*, *Falmouth*.

Hon: *Frederick Cornwallis*, Archbishop of *Canterbury*; *Richard Terrick*, Bishop of *London*; *Edmund Keene*, Bishop of *Ely*; Sir *William Asburnham*, Bart., Bishop of *Chichester*; *John Hume*, Bishop of *Salisbury*; *John Green*, Bishop of *Lincoln*; *Charles Moss*, Bishop of *St. Davids*; *Edmund Law*, Bishop of *Carlisle*; *John Hinchcliffe*, Bishop of *Peterborough*; *William Markham*, Bishop of *Chester*.

Digitized by Google

Lords: *Abergavenny, Willoughby, Br., Cathcart, Cadogan, King, Godolphin, Montfort, Edgcumbe, Sandys, Bruce, Walpole, Mansfield, Lyttelton, Wycombe, Scarsdale, Boston, Pelham, Camden, Sundridge.*

THURSDAY, *April* 14, 1774.

The Earl of *Buckinghamshire* reported from the Committee appointed to inquire into the several Proceedings in the Colony of *Massachusetts Bay*, in opposition to the sovereignty of his Majesty in his Parliament of *Great Britain*, over that Province, and also what has passed in this House relative thereto, from the 1st of *January*, 1764, "That it is the opinion of this Committee, that the House "be moved, That an humble Address be presented to his "Majesty, that he would be graciously pleased to give "directions that there be laid before this House, copies or "extracts of all Letters and Papers which have been receiv-"ed by his Majesty's Secretaries of State, or the Commis-"sioners of Trade and Plantations, from the Governour, "Lieutenant Governour, or other Officers in his Majesty's "service in the Province of *Massachusetts Bay*, in *New* "*England*, containing advices of any proceedings in the "said Province in opposition to his Majesty's sovereignty "in his Parliament of *Great Britain*, over the same, from "the 7th of *July*, 1766, which have not been already laid "before the House."

Which Report, being read by the Clerk, was agreed to by the House.

And the House being moved accordingly—

Ordered, That an humble Address be presented to his Majesty, "That he would be graciously pleased to give di-"rections that there be laid before this House, copies or "extracts of all Letters and Papers which have been receiv-"ed by his Majesty's Secretaries of State, or the Com-"missioners of Trade and Plantations, from the Governour, "Lieutenant Governour, or other Officers in his Majesty's "service in the Province of *Massachusetts Bay*, in *New* "*England*, containing advices of any proceedings in the "said Province in opposition to his Majesty's sovereignty "in his Parliament of *Great Britain*, over the same, from "the 7th of *July*, 1766, which have not been already laid "before the House."

FRIDAY, *April* 15, 1774.

The Lord Chamberlain reported, "That the Lords with "White Staves had (according to order) waited on his Ma-"jesty with their Lordships' Address of yesterday; and "that his Majesty was pleased to say 'he would give "directions accordingly.'"

The Earl of *Dartmouth*, (by his Majesty's command,) laid before the House, the several Papers in their Lordships' Address of yesterday, relating to the Disturbances in *America*, together with a list thereof; which was read by the Clerk, as follows:

No. 1. Extract of a Letter from Governour *Bernard* to the Lords of Trade, dated *Boston*, 7th *July*, 1766.

No. 2. Extract of a Letter from Governour *Bernard* to the Earl of *Shelburne*, dated *Boston*, 7th *February*, 1767, with enclosures.

No. 3. Extract of a Letter from Governour *Bernard* to the Earl of *Shelburne*, dated *Boston*, 21st *February*, 1767.

No. 4. Extract of a Letter from Governour *Bernard* to the Earl of *Shelburne*, dated *Boston*, 21st *March*, 1768.

No. 5. Extract of a Letter from Governour *Bernard* to the Earl of *Hillsborough*, dated *Boston*, 30th of *May*, 1768.

No. 6. Answer of the House of Representatives of *Massachusetts Bay*, to the Governour's Message, the 30th *June*, 1768.

No. 7. Printed account of the Associations at *Boston*, and the Proceedings in consequence thereof.

No. 8. Extract of a Letter from Sir *Francis Bernard*, Baronet, to the Earl of *Hillsborough*, dated *Boston*, the 1st of *June*, 1769.

No. 9. Extract of a Letter from Governour *Hutchinson* to the Earl of *Hillsborough*, dated *Boston*, 11th *July*, 1769, with an enclosure.

No. 10. Copy of a Letter from Governour *Hutchinson* to the Earl of *Hillsborough*, dated *Boston*, 27th *March*, 1770, with an enclosure.

No. 11. Extracts of Letters from Governour *Hutchinson* to the Earl of *Hillsborough*, dated *Boston*, 27th *April*, and 21st *May*, 1770.

No. 12. Extract of a Letter from Governour *Hutchinson*, to the Earl of *Hillsborough*, dated *Boston*, 6th *July*, 1771; with a copy of his Message to the House of Representatives, and of the Answer of the said House.

No. 13. Copy of a Letter from Governour *Hutchinson* to the Earl of *Hillsborough*, dated *Boston*, 28th *November*, 1771, with enclosures.

No. 14. Extract of a Letter from Governour *Hutchinson* to the Earl of *Hillsborough*, dated *Boston*, 29th *May*, 1772, with an enclosure.

No. 15. Extract of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 23d *October*, 1772.

No. 16. Copy of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 30th *October*, 1772, with enclosures.

No. 17. Copy of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 3d *November*, 1772.

No. 18. Printed copy of the Votes and Proceedings of the Freeholders and Inhabitants of the Town of *Boston*.

No. 19. Extract of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 22d *February*, 1773.

No. 20. Printed copy of the Speeches of Governour *Hutchinson* to the General Assembly of the *Massachusetts Bay*, with the Answers of the Council and House of Representatives.

No. 21. Copy of Petition and Remonstrance from the House of Representatives of the Province of *Massachusetts Bay*, 14th *July*, 1772.

No. 22. Copy of Petition to the King from the House of Representatives of *Massachusetts Bay*, dated 6th *March*, 1773.

No. 23. Copy of a Letter from Governour *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 14th *February*, 1774; received 5th *April*, enclosing,

No. 24. Copy of Governour *Hutchinson's* Speech to the Council and House of Representatives, and their Answer.

No. 25. Copy of Requisition from the House of Representatives of *Massachusetts Bay*, to the Judges of the Superiour Court.

No. 26. Copy of a Remonstrance of the House of Representatives of *Massachusetts Bay*, against the Chief Justice.

No. 27. Copy of Vote of the Council and House of Representatives of *Massachusetts Bay*, for adjourning the Superiour Court; not consented to by the Governour.

No. 28. Copy of Governour *Hutchinson's* Answer to the Remonstrance of the House of Representatives against the Chief Justice.

Ordered, That the said Papers be referred to the Committee appointed to inquire into the several proceedings in the Colony of *Massachusetts Bay*, in opposition to the sovereignty of his Majesty in his Parliament of *Great Britain* over that Province; and also what has passed in this House relative thereto, from the 1st of *January*, 1764.

WEDNESDAY, *April* 20, 1774.

Report from Committee appointed to consider of Disturbances in the Colony of *Massachusetts Bay*.

The Earl of *Buckinghamshire* reported from the Lords' Committee, appointed to inquire into the several Proceedings in the Colony of *Massachusetts Bay*, in opposition to the sovereignty of his Majesty in his Parliament of *Great Britain* over that Province; and also what has passed in this House relative thereto, from the 1st day of *January*, 1764, as follows:—

That in obedience to your Lordships' commands, the Committee have met, and taken into consideration the matters to them referred; and having attentively read and considered the several Papers which have been laid before the House, relative to the Proceedings in the Colony of *Massachusetts Bay*, in opposition to the sovereignty of his Majesty in his Parliament of *Great Britain* over that Province; and having also carefully inspected the Journals of the House, from the 1st day of *January*, 1764, to the present time, they find that, on the 2d day of *April*, 1764, a Bill was brought up from the Commons to your Lordships, intituled, "An Act for grant-"ing certain Duties in the *British* Colonies and Plantations

Journals, *April* 2, 1764.

Digitized by Google

"in *America*; for continuing and amending, and making "perpetual, an Act, passed in the sixth year of the reign "of his late Majesty, King *George* the Second, intituled "'An Act for the better securing and encouraging the "Trade of his Majesty's Sugar Colonies in *America*;' for "applying the produce of such Duties, and of the Duties to "arise by virtue of the said Act, towards defraying the ex-"penses of defending, protecting, and securing, the said "Colonies and Plantations; for explaining an Act, made "in the twenty-fifth year of the reign of King *Charles* the "Second, intituled 'An Act for the Encouragement of the "*Greenland* and *Eastland* Trades, and for the better se-"curing the Plantation Trade;' and for altering and dis-"allowing several Drawbacks on Exports from this King-"dom, and more effectually preventing the clandestine "conveyance of Goods to and from said Colonies and Plan-"tations, and improving and securing the Trade between "the same and *Great Britain*."

April 4th and 8th. That this Bill passed the House on the 4th of *April*, and received the Royal assent on the following day.

December 11th, 1764. No 3. Representation of the Board of Trade to his Majesty.

The Committee having perused the Report of the Board of Trade, of the 11th day of *December*, 1764, and the Papers laid before his Majesty therewith, find in the said Papers the strongest assertions by the Assembly of the *Massachusetts Bay*, of their sole right to pass laws, particularly of taxation; and of their resolution to invite the other Colonies to combine with them in measures to prevent the King, in his Parliament, from passing any such laws; for instance, in a letter to Mr. *Mauduit*, then Agent of the Province, which was drawn up by a Committee of the House of Representatives, and afterwards approved by the House, they used the following expressions: "The silence of the "Province should have been imputed to any "cause, even to despair, rather than be con-"strued into a tacit cession of their rights, or an acknow-"ledgement of a right in the Parliament of *Great Britain* "to impose Duties and Taxes upon a People who are not "represented in the House of Commons;" and in the same letter they avowed and authenticated the doctrines advanced in a certain pamphlet, intituled, "The Rights of the *British* Colonies asserted and proved;" written by *James Otis*, Esq.; which pamphlet, amongst other things, says, "That the imposi-"tion of taxes, whether on trade or on land, on houses or "ships, on real or personal, fixed or floating property, in "the Colonies, is absolutely irreconcilable with the rights "of the Colonists, as *British* subjects, and as men."

No. 2. Extracts from the print'd votes of the House of Representativ's of the Colony of *Massachusetts Bay*, 1st, 8th, 1 th, and 13th *June*, 1764.

No. 2. *Otis'* book from page 57 to the end of the book

Journals February 28, 1765. The Committee find that, on the 28th day of *February*, 1765, a Bill was brought from the Commons, intituled, "An Act for granting and applying "Stamp Duties and other Duties in the *British* Colonies "and Plantations in *America*; towards further defraying "the expenses of defending, protecting, and securing the "same; and for amending such parts of the several Acts "of Parliament relating to the Trade and Revenues of the "said Colonies and Plantations, as direct the manner of "determining and recovering the penalties and forfeitures "therein mentioned."

That the said Bill received the Royal assent on the 22d of the same month.

December 17th. That on the 17th day of *December*, his Majesty declared, in his most gracious Speech from the Throne, "That the matters of importance which "had lately occurred in some of his Colonies in *America*, "were the principal cause of his Majesty's assembling his "Parliament sooner than was usual in times of peace."

No. 17. Votes of the House of Representatives, *June* 6th, 1765.

It appears to the Committee, from the votes of the House of Representatives of the Colony of *Massachusetts Bay*, of the 6th of *June*, 1765, that they came to a Resolution, "That it was "highly expedient there should be a meeting, as soon as "might be, of Committees from the Houses of Represent-"atives or Burgesses, in the several Colonies on the "*American* Continent, to consult on their then present "circumstances, and the difficulties to which they were re-"duced by the operation of the late Acts of Parliament, "for levying Duties on the Colonies, and to consider of a "general Address to his Majesty and the Parliament, to "implore relief; and that letters should be forthwith pre-"pared and transmitted to the respective Speakers of the "several Assemblies, to invite them to accede to "this proposition:" and further, that on the 8th of *June*, they did actually elect three persons to be their Committees; and also voted £450 to bear their expenses.

Ibid, *June* 8th and 20th, 1765.

No. 21. Governor *Bernard's* Letter, *Aug.* 15th, 1765, to the Lords Commissioners for Trade and Plantations.

Your Committee find, in a letter from the Governor to the Lords Commissioners for Trade and Plantations, dated *August* 15th, 1765, an account of a violent riot at *Boston*, in resistance to a law passed by the Legislature of *Great Britain*, in which an attack was made upon Mr. *Oliver*, Distributer of Stamps, and carried to the length of pulling down and destroying his houses, manifesting a resolution, if they could have found him, of putting him to death; upon which occasion the backwardness and indisposition of the Council to support the peace and good order of Government, were very apparent. Also, in another letter from the Governor, dated *August* 31st, 1765, to the said Board of Trade, they find that the mob attacked the house of Mr. *Storey*, Register of the Admiralty, which they demolished; they also took all his books and papers, amongst which were the Records of the Court of Admiralty, and burnt them, and searched about for him, with an intent to murder him; they also pillaged the house of Mr. *Hallowell*, Comptroller of the Customs. But their most violent proceeding was against the Lieutenant Governor, whose house, plate, books, and manuscripts, to a very great value, they totally destroyed. And, in this great extremity, the Council being, as the Governor observes, dependent upon the people, refused even to concur with him in his proposition of giving notice to General *Gage* of the then situation of the town of *Boston*.

No. 22. Do. *August* 31st 1765, Governor *Bernard* to the Lords of Trade.

No. 34. Governor *Bernard's* letter to the Earl of *Halifax*, *Castle William*, *August* 13th and 16th, 1765.

It is remarkable that this commotion entirely arose out of the town of *Boston*; for though it was given out that many People out of the country were concerned in this affair, upon inquiry, it was found that such persons living out of *Boston* as were seen in the crowd, were there merely as spectators.

No. 63. Governor *Bernard's* letter to the Board of Trade, *October* 12th, 1765.

In Governor *Bernard's* letter to the Board of Trade, of *October* 12th, 1765, he says, "That "the real authority of the Government is at an "end; some of the principal ringleaders in the "late riots, walk the streets with impunity; no Officers dare "attack them; no Attorney General prosecute them; no "Witness appear against them; and no Judges sit upon "them."

No. 76. Governor *Bernard's* letter to Mr. Secretary *Conway*, *Boston November* 25th, 1765.

And during the general disorder, the Governor thought it necessary for some companies of the Militia to be mustered, with the unanimous advice of the Council, but that the Militia refused to obey his orders.

No. 71. Extract of a letter from Governor *Bernard* to *J. Pownall*, Esq. dated *Boston*, *Oct.* 26, 1765

No. 74. Resolutions of the Council and House of Representatives, *Oct.* 25, 1765.

And we find that so little attention was paid to an Act of the *British* Legislature, by the Council and House of Representatives, that they resolved in a joint Committee, on the 25th of *October*, 1765, that it should and might be lawful to do business without Stamps, notwithstanding the Act of Parliament to the contrary.

Journals, January 14th, 1766.

On the 14th day of *January*, 1766, upon the meeting of the Parliament, after the recess at Christmas, his Majesty was pleased to declare himself in a most gracious Speech from the throne, in the following terms:

"My Lords and Gentlemen: When I met you last, I "acquainted you that matters of importance had happen-"ed in *America*, which would demand the most serious "attention of Parliament.

"That no information which could serve to direct your "deliberations in so interesting a concern might be want-"ing, I have ordered all the Papers that give any light "into the origin, the progress, or the tendency, of the "Disturbances which have of late prevailed in some of "the Northern Colonies, to be immediately laid before "you.

"No time has been lost, on the first advice of these "Disturbances, to issue orders to the Governors of my "Provinces, and to the Commanders of my Forces, in "*America*, for the exertion of all the powers of the Go-

Digitized by Google

"vernment in the suppression of riots and tumults, and in "the effectual support of lawful authority.

"Whatever remains to be done on this occasion, I com-"mit to your wisdom, not doubting but your zeal for the "honor of my Crown, your attention to the just rights and "authority of the *British* Legislature, and your affection "and concern for the welfare and prosperity of all my "People, will guide you to such sound and prudent resolu-"tions as may tend at once to preserve those constitutional "rights over the Colonies, and to restore to them that "harmony and tranquillity which have lately been inter-"rupted by riots and disorders of the most dangerous na-"ture."

In the dutiful Address which was voted the same day, the House assure his Majesty, "of their hearty concur-"rence with his Majesty's most salutary intentions; that "they would exert their utmost endeavours to assert and "support his Majesty's dignity and honor, and the legisla-"tive authority of this Kingdom over its Colonies; and "that they would take into their consideration the most "proper methods to provide for the restoration of tranquil-"lity to those Colonies which had been disturbed by such "violent and dangerous commotions."

Journals, 1766. Upon the same day all the Papers relating to the information and advices received from *America*, of the riots and tumults there, were laid before the House.

January 22. More Papers relating to *America* were laid before the House, which, together with the other Papers, were referred to a Committee of the whole House for *Tuesday*, the 28th.

January 27. More Papers were laid before the House, and referred to the said Committee.

January 28. February 10. The Committee met, and after several adjournments, on the 10th of *February*, following, the Chairman reported several Resolutions, which were agreed to by the House, as follows:

"1. *Resolved*, That the King's Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons of *Great Britain*, in Parliament assembled, had, hath, and of right ought to have, full power and authority to make Laws and Statutes of sufficient force and validity to bind the Colonies and People of *America*, subjects of the Crown of *Great Britain*, in all cases whatsoever.

"2. *Resolved*, That it appears to this Committee, that Tumults and Insurrections of the most dangerous nature, have been raised and carried on in several of the *North American* Colonies, in open defiance of the Power and Dignity of his Majesty's Government, and in manifest violation of the Laws and Legislative authority of this Kingdom.

"3. *Resolved*, That it appears to this Committee that the said Tumults and Insurrections have been encouraged and inflamed by sundry Votes and Resolutions, passed in several of the Assemblies of the said Provinces, derogatory to the honor of his Majesty's Government, and destructive of the legal and constitutional dependency of the said Colonies on the Imperial Crown and Parliament of *Great Britain*.

"4. *Resolved*, That it is the opinion of this Committee, that an humble Address be presented to his Majesty, to desire that his Majesty would be graciously pleased to give instructions to the Governors of the several Provinces, where the above mentioned Tumults and Insurrections have happened, that they should, in his Majesty's name, require of the Assemblies of the said Provinces, to make proper recompense to those who have suffered in their persons or properties, in consequence of the aforesaid Tumults and Insurrections; and to assure his Majesty that this House will, upon this and all occasions, support the lawful authority of his Crown, and the rights of Parliament.

"5. *Resolved*, That it is the opinion of this Committee, that all his Majesty's subjects, residing in the said Colonies, who have manifested their desire to comply with, or to assist in, carrying into execution, the Act for laying a duty on Stamps, or any other Act of Parliament, in the *British* Colonies in *North America*, have acted as dutiful and loyal subjects, and are therefore entitled to, and will assuredly have, the favor and protection of this House."

"*Ordered*, That an humble Address be presented to his Majesty, pursuant to the fourth Resolution."

On the 5th of *March*, a Bill was brought from the Commons, intituled, "An Act for the "better securing the Dependency of his Majesty's Domin-"ions in *America* upon the Crown and Parliament of "*Great Britain*." March 5th.

Which Bill received the Royal assent on the 18th of the same month.

And also a Bill intituled, "An Act to repeal an Act made "in the last session of Parliament intituled, 'An Act for "granting and applying certain Stamp Duties, and other du-"ties in the *British* Colonies and Plantations in *America*; "towards further defraying the expenses of defending, pro-"tecting, and securing the same; and for amending such "parts of the several Acts of Parliament relating to the "Trade and Revenues of the said Colonies and Planta-"tions, as direct the manner of determining and recover-"ing the penalties and forfeitures therein mentioned.'"

Which Bill received the Royal assent on the 18th of *March*. March 18th.

Whilst the Bill for repealing the Stamp Act was under deliberation, petitions from the Merchants of the city of *Bristol*, from the Merchants of *Glasgow*, from *Edward Montague*, Agent for the Colony of *Virginia*, and from the Merchants of the city of *London*, in favor of the said repeal, were received and read.

On the 2d of *June*, a Bill was brought from the Commons, intituled, "An Act for indemni-"fying persons who have incurred certain penalties inflicted "by an Act of the last session of Parliament, 'for granting "certain Stamp Duties in the *British* Colonies and Plan-"tations in *America*;' and for making valid all instruments "executed or enrolled there on unstamped paper, vellum, "or parchment." June 2d.

Which Bill received the Royal assent on the 6th of the same month.

No. 115. Extract of a letter from Gov. *Bernard*, to the Earl of *Shelburne*, *Boston*, *Dec.* 24, 1766.

It appears by a letter from Governor *Bernard* to the Earl of *Shelburne*, dated *December* 24th, 1766, that the Governor, by advice of the Council, ordered the Mutiny Act and three other Acts to be printed by the Printer of the Laws, in the interval of the adjournment of the Assembly. Two companies of Artillery being driven on shore by distress of weather, and the said Act of Parliament having been consulted, the Council advised the Governor to order the Commissary to supply them with what they demanded under the Act, which was done. Upon the meeting of the Assembly a Message was sent to the Council, and carried by five members, to inquire "by what "authority Acts of Parliament were registered amongst "the laws of that Province; and whether they knew of "any Act (meaning of Assembly) requiring the registering "of Ordinances (their term for Acts of Parliament) which "their Legislature never consented to."

Journals, *March* 12th, 1767.

The Committee find that, on the 12th of *March*, 1767, the Lord *Wycombe* (by his Majesty's command) laid before the House copies of letters, &c., from his Majesty's Governors in *America*, which were ordered to lie on the table.

April 3d. That on the 3d of *April* more copies of letters from his Majesty's Governors in *America*, were laid before the House, and ordered to lie on the table.

May 14th. That on the 14th of *May*, it was ordered that an humble Address should be presented to his Majesty, "That he would be graciously pleased to "give directions that there might be laid before this House "copies of all Reports made to or by the Commissioners "of Trade and Plantations, together with all Orders and "Proceedings made or had by the Secretaries of State, or "his Majesty's Privy Council, relating to the Bill passed "by the Governor, Council, and Assembly of the *Massa-"chusetts Bay*, for granting compensation to the sufferers, "and of free and general pardon, indemnity, and oblivion "to the offenders in the late times, from the time of the "receipt of the said Bill."

May 18th. That on the 18th day of *May*, pursuant to the said Address, the Lord *Wycombe* laid before the House, a copy of the Report of the Committee of Council, &c., which papers were ordered to lie on the table.

That on the same day it was ordered, that an humble Address should be presented to his Majesty, "That he "would be graciously pleased to give directions, that there

Digitized by Google

"might be laid before this House, copies of such precedents as had been, or might be found, of Orders in Council, declaring Acts of Assembly in *America*, to be null, illegal, or void; together with Reports of the several Attorneys, and Solicitors General, or either of them, in similar cases, read at the Council Board on the 9th instant."

May 22d. That on the 22d of *May*, the Lord *Wycombe*, (by his Majesty's command,) laid before the House copies of such precedents as had been found, of Orders in Council, declaring Acts of Assemblies in *America* to be null, illegal, and void; together with Reports of the several Attorneys, and Solicitors General, or either of them, in similar cases.

Which Papers were ordered to lie on the table; and from a perusal of them we find that several Acts of different Colonies have been, from time to time, declared by his Majesty in Council, to be null, illegal, and void.

June 15th. That on the 15th of *June* a Bill was brought up from the Commons intituled, "An Act to enable his Majesty to put the Customs and other Duties in the British Dominions in *America*, and the execution of the laws relating to Trade there, under the management of Commissioners to be appointed for that purpose, and to be resident in the said Dominions.

Which Bill received the Royal assent on the 29th of the same month.

June 18th. That on the 18th of *June* a Bill was brought up from the Commons, intituled, "An Act for granting certain Duties in the British Colonies and Plantations in *America*; for allowing a drawback of the duties of Customs upon the exportation from this Kingdom of coffee and cocoa nuts, of the produce of the said Colonies or Plantations; for discontinuing the drawbacks payable on china earthen ware, exported to *America*; and for more effectually preventing the clandestine running of goods in the said Colonies and Plantations."

Which Bill received the Royal assent on the 29th of *June*.

No. 116. No. 117. The Committee find that, on the meeting of the Assembly of the Province of *Massachusetts Bay*, on the 28th of *January*, 1767, a Message was sent to the Governor from the House of Representatives desiring to be informed, "Whether any provision had been made at the expense of that Government for the King's Troops lately arrived in the harbour of *Boston*;" and that after having had the Minutes of Council (by which it expressly appeared that the provision for the Artillery companies at the Castle, was made in pursuance of the then late Act of Parliament) laid before them, they replied that, "In giving orders, with the advice of the Council, for making provision for the Artillery companies at the Castle the Governor had acted in an essential point against the plain intention of the Charter, by which alone, and that only, according to such Acts as are or may be in force within this Province, the Governor and Council were authorized to issue money out of the Treasury;" adding, "That it was still more grevious to them to find the Governor stating, as the foundation of the proceeding, a late Act of Parliament, which to them appeared as great a grievance as the Stamp Act, which took away the unalienable right of freedom from all Taxation, but such as they should voluntarily consent to and grant."

Message from the House of Representatives to Governor *Bernard*, enclosed in a private Letter to Earl *Shelburne*, dated *Boston*, *Feb.* 14th and 18th, 1767, also 1.9.

No. 116. Extract of a letter from Gov. *Bernard* to Earl *Shelburne*, *Boston*, 14th and 18th *Feb.* 1767. Governor *Bernard* was obliged in his Rejoinder, 14th and 18th *February*, 1767, carefully to avoid giving the Act of Parliament as the foundation of the provision made: he would otherwise not have had the concurrence of the Council; for though the greater part, he believed, had a due respect for Acts of Parliament, not one of them would have dared to avow it in that instance, and at that time.

Journals March 24, 1768. The Committee find that, on the 2d of *March*, 1768, a Bill was brought up from the Commons, intituled, "An Act for the more easy and effectual recovery of the Penalties and Forfeitures inflicted by the Acts of Parliament, relating to the Trade or Revenues of the *British* Colonies and Plantations in *America*."

Which Bill received the Royal assent on the 8th of the same month.

No. 131 and 132. Circular letter contained in Gov. *Bernard's* to E. *Shelburne*, dated *Boston*, *Feb.* 18th, 1768. It appears to the Committee, that by a circular letter from the House of Representatives of the Colony of *Massachusetts Bay*, addressed to all the Assemblies upon the Continent of *North America*, they desired the assent of those Assemblies to their sentiments and proceedings; acquainting them, that they had represented to his Majesty that the Acts of Parliament of *Great Britain*, imposing duties upon that Province, with the sole and express purpose of raising a Revenue, are infringements of their natural constitutional rights, and desired them to point out any thing further that might be necessary to carry their system into execution.

No. 317. Gov. *Bernard's* letter to Lords of Trade *July* 7th, 1766, and letters to Earl *Shelburne*. In this year the Assembly, at the election of the Council, left out all the Crown Officers, which measure had been before adopted, in the years 1766 and 1767.

No. 321. Gov. *Bernard's* of 30th *May*, 1768, and *May* 30th, 1767. In the beginning of *May*, 1768, subscriptions were made, and Associations entered into, for the non-importation of goods from *Great Britain*; but this last measure was at that time defeated by the merchants in the other Colonies refusing to concur in it.

No. 152. Sir Francis *Bernard's* letter of 21st *March*, to E. *Shelburne*; also No. 207. No. 173. Copy of a Memorial of the Commissioners of the Customs to the Lords of the Treasury, *June* 16th, 1768; also No. 162. On the 9th day of *May*, 1768, regular seizure was made by the Collector and Comptroller of the Customs, of the sloop *Liberty*, belonging to Mr. *Hancock*, of the town of *Boston*, which occasioned a most violent tumult; the Collector and Comptroller, with the son of the Collector, were attacked by a numerous and outrageous mob, who beat and abused them in a most cruel manner; and in the night attacked their houses, broke the windows, seized on a boat belonging to the Collector, which they carried away in triumph, and afterwards burnt. The Commissioners of the Customs expecting the same treatment, the riot still continuing, thought it prudent to retreat for safety till midnight with their families, to the houses of some persons in the neighbourhood; and afterwards, upon conviction that their lives were in danger, took refuge on board his Majesty's ship the *Romney*, then in the harbour of *Boston*; and for their further security, from thence into *Castle William*. During the time of this, their perilous situation, they applied several times by letter to the Governor and Council for protection, but could procure no assistance whatsoever; and were finally told, in a letter from Governor *Bernard*, dated *June* 13th, that "After several hours deliberation of the necessity of taking some measures to preserve the peace of the town, and what those measures should be, the Council had come to resolution that, as there appeared to be no immediate danger of further violences, they were of opinion that it would be best to refer this matter to the consideration of a Committee of both Houses, and that therefore the Governor at present could not let them know what kind of aid and protection they might expect to receive." The consequence of which was, that they received no protection whatsoever. The disorder and confusion remained in this state unnoticed till the 22d *July*, when the Governor moved the Council to take into consideration some measures for restoring vigor and firmness to Government; but on the 29th of *July*, the Council made a reply to what had been proposed to them by the Governor, in which they state, "That the disorders which happened were occasioned by the violent and unprecedented manner in which the sloop *Liberty* had been seized by the officers of the Customs."

No. 204. Journals of the Council, 27th and 29th *July*, 1768.

No. 283. Narrative of the late Transactions at *Boston*. In consequence of this disorderly state at *Boston*, two regiments having been set thither from *Halifax*, in order to support the execution of the civil power, and preserve the peace of the town, strict orders were given, and repeated to the troops, not to quarrel with the townsmen, by whom they complained they had been frequently ill treated and insulted.

On *Monday*, the 5th of *March*, 1768, at nine at night, the alarm bells were rung, as in cases of fire: the fire said to be in Kings street, and the People thereby led thither, where, finding the alarm false, they joined a multitude who had been braving two companies at the gates of their barrack, and threatened with death the centinel who was posted at

Digitized by Google

the custom house, where the King's treasure was lodged. The centinel being surrounded was forced to retreat, and call for aid, which brought Captain *Preston*, Captain of the day, with a party from the main guard, to extricate him. That officer used his utmost endeavours to prevent mischief, notwithstanding which, the rioters by blows and every act of aggravation, drew upon themselves the fire of several of the soldiers, by which some persons unfortunately were killed; and upon the Governor's offering to obtain the Commanding Officer's consent to remove one of the regiments to the Castle, and to station the other so as no opportunity of disputes with the townsmen should remain, the Council insisted that both regiments should go, giving for a reason that the People would most certainly drive out the troops, and that the inhabitants of other towns would join with *Boston* in it; and several of them declared, that they did not judge from the general temper of the People only, but they knew it to be the determination, not of a mob, but of the generality of the principal inhabitants; in consequence of which both regiments were accordingly removed.

No. 283. Captain *Preston's* case.

No. 273. Lieut. Gov. *Hutchinson*, to the Earl of *Hillsborough*, *Boston*, 12th *March*, 1774.

In the Petition presented to the Governor by several People of consideration, in pursuance of a resolution of a town meeting, held at that time, they disavow the Legislative authority of this country, and assert that it would be better for them to struggle against it, than tamely to relinquish their rights.

No. 169. Petition of the town of *Boston*, to Governor *Bernard*, *June* 14th, 1768, also No. 167.

And the Assembly absolutely refused, by a great majority, to rescind their former order of sending circular letters to the other Colonies, though they had received a positive requisition from the Crown to that purpose.

No. 189. Answer of the House of Representatives of *Massachusetts Bay* to the Governor, *June* 30, 1768.

An Association was entered into the beginning of *August*, when most of the merchants of *Boston* entered into and subscribed an agreement, that they would not send for, or import, any kind of goods or merchandise from *Great Britain*, some few articles of necessity excepted, from the 1st of *January*, 1769, to the 1st of *January*, 1770; and that they would not import any tea, paper, glass, or painters' colours, until the Act, imposing duties on those articles, should be repealed.

No. 207. Sir *Francis Bernard's* letter 9th *Aug.*, 1768, to Earl *Hillsborough*.

It was also voted in a town meeting of the freeholders and other inhabitants of *Boston*, *September* 12th, that the levying money within that Province, for the use and service of the Crown, in other manner than the same is granted by the great and general Court or Assembly of the Province, was in violation of the said Royal Charter, and the same was also in violation of the undoubted natural rights of subjects, declared in the aforesaid Act of Parliament, (meaning the Act of Succession,) freely to give and grant their own money for the service of the Crown, with their own consent in person, or by Representatives of their own free election.

No. 214. Proceedings at the town meeting at *Boston*, *September* 12th, 1768.

They also voted that, as the Governor did not think proper to call a general Court for the redress of their (supposed) grievances, the town should then make choice of a suitable number of persons to act for them as a Committee in Convention, with such as might be sent to join them from the several towns in that Province, in order that such measures might be consulted and advised as his Majesty's service, and the peace and safety of his subjects in the Province, might require.

No. 214.

They also voted that, as there was at that time a prevailing apprehension in the minds of many, of an approaching war with France, in order that the inhabitants of that town might be prepared, in case of sudden danger, that those of the said inhabitants who might at that time be unprovided, should be, and thereby were, requested duly to observe at that time the law of the Province, whereby it is required that every listed soldier and other householder, (except troopers, who by law, are otherwise to be provided,) shall always be provided with a well fixed firelock, musket, accoutrement, and ammunition, as in the said law is particularly mentioned, to the satisfaction of the commissioned officers of the company.

They also voted that a letter should be written to the several towns in the Province, as follows:

No. 215. Circular letter from the Select Men of *Boston*, *September* 14th, 1768.

"Gentlemen: You are already too well acquainted with the melancholy and very alarming circumstances to which this Province, as well as *America* in general, is now reduced; taxes, equally detrimental to the commercial interests of the Parent Country and her Colonies, are imposed on the People without their consent; taxes designed for the support of the civil Government in the Colonies, in a manner clearly unconstitutional, and contrary to that in which, till of late, Government has been supported by the free gift of the People in the *American* Assemblies or Parliaments; as also for the maintenance of a large standing army, not for the defence of the newly acquired Territories, but for the old Colonies, and in time of peace. The decent, humble, and truly loyal applications and petitions from the Representatives of this Province, for the redress of these heavy and very threatening grievances, have hitherto been ineffectual, being assured from authentic intelligence, that they have not yet reached the Royal ear. The only effect of transmitting applications hitherto perceivable, has been a mandate from one of his Majesty's Secretaries of State to the Governor of this Province, to dissolve the General Assembly, merely because the late House of Representatives refused to rescind a resolution of a former House, which implied nothing more than a right in the *American* subjects to unite in humble and dutiful petitions to their gracious Sovereign, when they found themselves aggrieved. This is a right naturally inherent in every man, and expressly recognised at the glorious revolution, as the birth-right of an *Englishman*.

"This dissolution you are sensible has taken place. The Governor has publicly and repeatedly declared that he cannot call another Assembly; and the Secretary of State for the *American* Department, in one of his letters, communicated to the House, has been pleased to say, "That "proper care will be taken for the support of the dignity of "Government;" the meaning of which is too plain to be misunderstood. The concern and perplexity into which these things have thrown the People, have been greatly aggravated by a late declaration of his Excellency Governor *Bernard*, that one or more regiments may be expected in this Province.

"The design of these troops is in every one's apprehension, nothing short of enforcing, by military power, the execution of Acts of Parliament, in the forming of which the Colonies have not, and cannot have, any constitutional influence. This is one of the greatest distresses to which a free People can be reduced.

"The town which we have the honor to serve, have taken these things, at their late meeting, into their most serious consideration; and as there is in the minds of many a prevailing apprehension of an approaching war with *France*, they have passed the several votes which we transmit to you, desiring that they may be immediately laid before the town, whose prudentials are in your care, at a legal meeting, for their candid and particular attention.

"Deprived of the counsels of a General Assembly in this dark and difficult season, the loyal People of this Province will, we are persuaded, immediately perceive the propriety and utility of the proposed Committee of Convention, and the sound and wholesome advice that may be expected from a number of gentlemen chosen by themselves, and in whom they may repose the greatest confidence, must tend to the real service of our most gracious Sovereign, and the welfare of his subjects in this Province, and may happily prevent any sudden and unconnected measures, which, in their present anxiety, and even agony of mind, they may be in danger of falling into.

"And it is of importance that the Convention should meet as soon as may be; so early a day as the 22d of this instant, *September*, has been proposed for that purpose; and it is hoped, the remotest towns will by that time, or as soon after as conveniently may be, return their respective Committees.

"Not doubting but you are equally concerned with us, and our fellow citizens, for the preservation of our invaluable rights, and for the general happiness of our country, and that you are disposed, with equal ardour, to exert yourselves in every constitutional way for so glorious a purpose."

The Committee observe, that it does not appear to them that any steps were taken to suppress these measures, or

Digitized by Google

that they were noticed* of by the Council, or any of the Civil Magistrates.

The Committee think it necessary here to insert the following extracts.

Journals, November 8, 1768. The first extract is from his Majesty's most gracious Speech from the Throne, on the 8th day of *November*, 1768:

"At the close of the last Parliament, I expressed my "satisfaction at the appearances which then induced me to "believe, that such of my subjects as had been misled in "some parts of my Dominions, were returning to a just "sense of their duty; but it is with equal concern that I "have since seen that spirit of faction which I had hoped "was well nigh extinguished, breaking out afresh in some of "my Colonies in *North America*, and in one of them, pro-"ceeding even to acts of violence, and of resistance to the "execution of the law; the capital town of which Colony "appears, by late advises, to be in a state of disobedience to "all law and Government, and has proceeded to measures "subversive of the Constitution, and attended with circum-"stances that manifest a disposition to throw off their de-"pendence on *Great Britain*. On my part I have pur-"sued every measure that appeared to be necessary for "supporting the Constitution, and inducing a due obedience "to the authority of the Legislature. You may rely upon "my steady perseverance in these purposes; and I doubt "not but that, with your concurrence and support, I shall be "able to defeat the mischevious designs of those turbulent "and seditious persons, who, under false pretences, have "but too successfully deluded numbers of my subjects in "*America*, and whose practices, if suffered to prevail, cannot "fail to produce the most fatal consequences to my Colonies "immediately, and in the end, to all the Dominions of my "Crown."

November 8th. The second extract is from your Lordships dutiful Address to his Majesty on his said most gracious Speech:

"We feel the most sincere concern, that any of our fel-"low subjects in *North America*, should be misled by fac-"tious and designing men, into acts of violence, and of "resistance to the execution of the law, attended with cir-"cumstances that manifest a disposition to throw off their "dependence upon *Great Britain*. At the same time that "we shall be always ready to contribute to the relief of any "real grievance of your Majesty's *American* subjects, we "most unfeignedly give your Majesty the strongest assuran-"ces, that we shall ever zealously concur in support of such "just and necessary measures, as may best enable your "Majesty to repress that daring spirit of disobedience, and "to enforce a due submission to the laws; always consider-"ing that it is one of our most essential duties to maintain "inviolate the supreme authority of the Legislature of "*Great Britain* over every part of the Dominions of your "Majesty's Crown."

The third extract is from his Majesty's most gracious Answer to your Lordships Address:

November 10th. "Your zealous concurrence in every measure "that can bring relief to my People is well known "to me, nor do i doubt of the attention that you will always "give to any real grievances of my *American* subjects. "The strong assurances I receive from you at the same "time of your determination to vindicate the just Legisla-"tive authority of Parliament over all the Dominions of "my Crown, deserve my warmest approbation.

November 15th. The Committee find that on the 15th of *November*, the Lord *Harwich* acquainted the House, "That he had received his Majesty's commands "to lay before the House, Papers relating to the late Dis-"turbances in *America*; and that the same would be laid "before the House in a few days."

November 28th. That accordingly, on the 28th of *November*, the Lord *Harwich* laid before the House, copies of all Letters, &c., relating to the late Proceedings of the Colony of the *Massachusetts Bay*, together with a list thereof, which was read by the Clerk.

December 15th. That on the 15th of *December*, the House came to the following resolutions:

"1. *Resolved, by the Lords Spiritual and Temporal in Parliament assembled*, That the votes and resolutions, and proceedings of the House of Representatives of *Massachusetts Bay*, in the months of *January* and *February* last, respecting several late Acts of Parliament, so far as the said votes, resolutions, and proceedings, do import a denial of, or to draw into question, the power and authority of his Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, to make laws and statutes of sufficient force and validity to bind the Colonies and People of *America*, subjects of the Crown of *Great Britain*, in all cases whatsoever, are illegal, unconstitutional, and derogatory of the rights of the Crown and Parliament of *Great Britain*.

"2. *Resolved, by the Lords Spiritual and Temporal in Parliament assembled*, That the resolution of the said House of Representatives of the Province of *Massachusetts Bay*, in *January* last, to write letters to the several Houses of Representatives of the *British* Colonies on the Continent, desiring them to join with the said House of Representatives of the Province of *Massachusetts Bay*, in Petitions which do deny, or draw into question the right of Parliament to impose duties and taxes upon his Majesty's subjects in *America*; and in pursuance of the said resolution, the writing such letters in which certain late Acts of Parliament, imposing duties and taxes, are stated to be infringements of the rights of his Majesty's subjects of the said Province, are proceedings of a most unwarrantable and dangerous nature, calculated to inflame the minds of his Majesty's subjects in the other Colonies; tending to create unlawful combinations, repugnant to the laws of *Great Britain*, and subversive of the Constitution.

"3. *Resolved, by the Lords Spiritual and Temporal in Parliament assembled*, That it appears that the town of *Boston*, in the Province of *Massachusetts Bay*, has for some time past been in a state of great disorder and confusion; and that the peace of the said town has at several times been disturbed by riots and tumults of a dangerous nature, in which the officers of his Majesty's Revenue there have been obstructed by acts of violence in the execution of the laws, and their lives endangered.

"4. *Resolved by the Lords Spiritual and Temporal in Parliament assembled*, That it appears that neither the Council of the said Province of *Massachusetts Bay*, nor the ordinary Civil Magistrates, did exert their authority for suppressing the said riots and tumults.

"5. *Resolved by the Lords Spiritual and Temporal in Parliament assembled*, That in these circumstances of the Province of *Massachusetts Bay*, and of the town of *Boston*, the preservation of the public peace, and the due execution of the laws became impracticable without the aid of a military force to support and protect the Civil Magistrates, and the Officers of his Majesty's Revenue.

"6. *Resolved by the Lords Spiritual and Temporal in Parliament assembled*, That the declarations, resolutions, and proceedings, in the town meeting at *Boston*, on the 14th of *June*, and 12th of *September*, were illegal and unconstitutional, and calculated to excite sedition and insurrection in his Majesty's Province of *Massachusetts Bay*.

"7. *Resolved by the Lords Spiritual and Temporal in Parliament assembled*, That the appointment at the town meeting, on the 12th of *September*, of a Convention to be held in the town of *Boston*, on the 22d of that month, to consist of Deputies from the several towns and districts in the Province of *Massachusetts Bay*, and the issuing a precept by the Selectmen of the town of *Boston*, to each of the said towns and districts for the election of such Deputies, were proceedings subversive of his Majesty's Government, and evidently manifesting a design in the inhabitants of the said town of *Boston*, to set up a new and unconstitutional authority, independent of the Crown of *Great Britain*.

"8. *Resolved by the Lords Spiritual and Temporal in Parliament assembled*, That the elections, by several towns and districts in the Province of *Massachusetts Bay*, of Deputies to sit in the said Convention, and the meeting of such Convention in consequence thereof, were daring insults offered to his Majesty's authority, and audacious usurpations of the powers of Government."

It was then ordered, "That an humble Address be pre-"sented to his Majesty, to return his Majesty thanks for "the communication which he has been pleased to make "to his Parliament, of several Papers relative to public

*Sic.

Digitized by Google

"transactions in his Majesty's Province of *Massachusetts* "*Bay*.

"To express our sincere satisfaction in the measures "which his Majesty has pursued for supporting the Consti- "tution, and inducing a due obedience to the authority of "the Legislature.

"To give his Majesty the strongest assurances that we "will effectually stand by and support his Majesty in "such further measures as may be found necessary to main- "tain the Civil Magistrates in a due execution of the laws "within his Majesty's Province of *Massachusetts Bay*.

"And as we conceive that nothing can be more imme- "diately necessary either for the maintenance of his Ma- "jesty's authority in the said Province, or for the guarding "his Majesty's subjects therein from being further deluded "by the arts of wicked and designing men, than to pro- "ceed in the most speedy and effectual manner for bring- "ing to condign punishment the chief authors and insti- "gators of the late disorders, to beseech his Majesty, that "he will be graciously pleased to direct his Majesty's "Governor of *Massachusetts Bay* to take the most effec- "tual methods for procuring the fullest information that can "be obtained, touching all treasons or misprison of treason "committed within his Government, since the 30th of "*December* last, and to transmit the same, together with "the names of the persons who were most active in the "commission of such offences, to one of his Majesty's "principal Secretaries of State, in order that his Majesty "may issue a special commission for inquiring of, hearing, "and determining the said offences within this Realm, "pursuant to the provisions of the statute of the thirty-fifth "year of the reign of King *Henry* the Eighth, if his "Majesty shall, upon receiving the said information, see "sufficient ground for such a proceeding."

And a Message was sent to the House of Commons, to carry down the said Resolutions and Address, and desire their concurrence thereto.

Jan. 20, 1769. On the 20th *January*, 1769, Lord *Harwich*, (by his Majesty's command,) laid before the House more copies of letters relating to *America*, which were ordered to lie on the table.

February 9th. On the 9th of *February*, the Resolutions and Address, sent to the Commons on the 15th of *December* last, for their concurrence, were returned agreed to, with some amendments, which were read and agreed to, and notice thereof sent to the Commons; and the said Address was ordered to be presented to his Majesty by both Houses.

February 14th. On the 14th of *February*, the Lord Chancellor reported his Majesty's Answer to the said Address, as follows:

"My Lords and Gentlemen: The sincere satisfaction "you express in the measures which I have already taken, "and the strong assurances you give of supporting me in "those which may be still necessary, to maintain the just "legislative authority, and the due execution of the laws, "in my Province of *Massachusetts Bay*, give me great "pleasure.

"I shall not fail to give those orders which you recom- "mend, as the most effectual method of bringing the authors "of the late unhappy disorders in that Province, to con- "dign punishment."

Which Address and Answer were ordered to be printed.

Vide Resolves and Addresses of both Houses of Parliament, in *Feb.* 1769. It doth not appear to the Committee that the censure of the proceedings in the Province of *Massachusetts Bay*, and of the conduct of the Council and other Civil Magistrates, expressed by both Houses of Parliament, in their Resolutions, and their approbation of the measure of sending troops thither to support and protect the Magistrates, and the Officers of the Revenue, produced the good effect that might reasonably have been hoped for. A disposition to deny the authority, and resist the laws of the supreme Legislature, continued still to prevail, not only in flagitious publications in the daily newspapers, but also in a variety of violent and unwarrantable resolutions and proceedings of those merchants and others, who had subscribed to the agreements for non-importation of goods from *Great Britain*.

No. 323. Vide Printed account of the Association, and the proceedings in consequence thereof. Page 8 to 24. Meetings of the Associators were represented to have been held, in as regular a manner as any other meeting authorized by the Constitution. Committees were appointed to examine the cargoes of all vessels arriving from *Great Britain;* and regular votes and resolutions of censure were passed in those meetings upon all such as refused to concur in those unlawful Associations; their names were published in the public newspapers as enemies to their country; and the mandates and decrees of those Committees* meet with a respect and obedience denied to the constitutional authority of Government.

In some cases goods imported from *Great Britain* were locked up in ware-houses, under the care of these Committees, in order to prevent their being sold; and, in one or two instances, they were re-shipped to *Great Britain*.

No. 324. Vide Sir *Francis Bernard's* letters 1st *June*, and 17th *June*, 1769. On the 31st of *May*, 1769, the General Court met at the court house at *Boston*, pursuant to his Majesty's writs, and the first step the Assembly took, before they proceeded on any other business, was to send a Message to the Governor, asserting that the having ships in the harbor, and troops in the town of *Boston*, was inconsistent with their dignity and freedom; and, therefore, that they had a right to expect that he would give orders for the removal of the forces, by sea and land, from that port, and from the gates of the city, during the session of the Assembly; and, at the same time, the House came to several resolutions to the same effect as the declarations contained in their Message to the Governor.

The Governor having in reply to their Message, acquainted them "That he had no authority over his Majesty's "ships in that port, or his troops in that town, nor could "give any orders for the removal of them," they then proceeded to the election of Counsellors, in which election not only the Lieutenant Governor, and other officers of Government were excluded, but also several other gentlemen who had been of the former Council, and who (the Governor represents) shewed a disposition to support the King's Government, to acknowledge the authority of Parliament, and to preserve the People from a Democratic despotism, and were otherwise distinguished by their integrity and ability.

On the 13th of *June*, the Assembly sent an Answer to the Governor's Message, of the 31st of *May*, in which he had told them that he had no authority over the King's ships or troops. In this Answer they assert that "By the "principles of the Constitution, the Governor of that Colo- "ny has the absolute military command; that the sending "a military force there to enforce the execution of the laws, "is inconsistent with the nature of Government, and the "spirit of a free Constitution; that the unwillingness of a "People in general, that a law should be executed, was a "strong presumption of its being an unjust law; that it "could not be their law, as the People must consent to "laws before they can be obliged, in conscience, to obey "them."

No. 325. Extract of *Gov. Bernard's* letter to Earl of *Hillsborough*, 1st, 7th and 11th *July*, 1769, enclosing the Resolutions of the House of Representatives, of the 8th *July*. It appears by a vote of the Assembly, on the 8th of *July*, that they have declared that all trials for treason, misprison of treason, or for any felony or crime whatever, committed or done in that Colony, ought of right to be had and conducted within the courts of the Colony; and that the seizing any person or persons, residing in that Colony, suspected of any crime whatsoever, committed therein, and sending such person or persons to places beyond the sea to be tried, is highly derogatory of the rights of *British* subjects, as thereby the inestimable privilege of being tried by a Jury from the vicinage, as well as the liberty of summoning and producing witnesses on such trials, will be taken away from the party accused.

Journals, *April* 6th, 1770. On the 6th of *April*, 1770, a Bill was brought up from the House of Commons, to your Lordships, intituled, "An Act to repeal so much of "an Act, made in the seventh year of his present Majesty's "reign, intituled, 'An Act for granting certain Duties in "the *British* Colonies and Plantations in *America;* for "allowing a drawback of the duties of customs upon the "exportation from this Kingdom, of coffee and cocoa-nuts, "of the produce of the said Colonies or Plantations; for "discontinuing the drawbacks payable on china earthen

*Sic.

Digitized by Google

"ware, exported to *America;* and for more effectually "preventing the clandestine running of goods in the said "Colonies and Plantations;' as relates to the Duties upon "glass, red lead, white lead, painters' colours, paper paste-"boards, millboards, and scaleboards, of the produce or "manufacture of *Great Britain*, imported into any of his "Majesty's Colonies in *America;* and also to the discon-"tinuing the drawbacks payable on china earthen ware, "exported to *America;* and for regulating the exportation "thereof."

Which Bill received the Royal assent on the 12th of *April*.

April 30th. On the 30th of *April*, it was ordered "That "an humble Address should be presented to his "Majesty, that he would be graciously pleased to give "directions that there be laid before this House, copies of "all narratives of any disputes or disturbances which have "happened between his Majesty's troops, stationed in "*North America*, and the inhabitants of any of his Ma-"jesty's Colonies there, since the 24th day of *June* last, "received by the Commissioners of his Majesty's Treasu-"ry, and of his Majesty's Secretaries of State, or any other "public officers, together with copies of all orders and in-"structions sent to the Governors, Lieutenant Governors, "Deputy Governors, Presidents of the Council of any of "his Majesty's Colonies in *North America*, or to the "Commander-in-chief of his Majesty's forces, or any offi-"cer, civil, or military, within the same, relative to such "disputes or disturbances."

May 4th. And that on the 4th of *May*, the Lord *Harwich*, (by his Majesty's command,) laid before the House, several Papers relating to the late Disturbances in *America*, pursuant to an Address to his Majesty, for that purpose, on the 30th of *April* last, together with a list thereof; which were ordered to lie on the table.

May 7th. The Committee find that, on the 7th of *May*, the Lord *Harwich*, laid before the House, (by his Majesty's command,) a Narrative of the late transactions at *Boston*, and the case of Captain Thomas *Preston*, of the twenty-ninth Regiment of Foot, which had been transmitted to his Lordship, from the War Office; and the same were ordered to lie on the table.

May 14th. On the 14th of *May* it was ordered, that an humble Address should be presented to his Majesty, that he would be graciously pleased to give directions, that there be laid before this House, copies of the Earl of *Hillsborough's* letter of the 13th of *May*, 1769, to the Governors of the several Colonies of *North America;* together with the Speeches of the Governors, referring to the said letter, and the Answers of the Assemblies to the same, so far as they have been received.

May 15th. And on the 15th, the Lord *Harwich* laid before the House, by his Majesty's command, copies of the Earl of *Hillsborough's* letter of the 13th of *May*, 1769, to the Governors of the several Colonies of *North America;* together with the Speeches of the Governors, referring to the said letter, and the Answers of the Assemblies to the same, so far as they have been received; together with a list thereof; which were ordered to lie on the table: and the same with the other *American* Papers presented in this Session, were also ordered to be taken into consideration on *Friday* next; and the Lords summoned.

No. 326. Lieutenant Governor *Hutchinson's* letter to Earl of *Hillsborough*, dated *March* 27, 1770.

The Committee find by Lieutenant Governor *Hutchinson's* letter of the 27th of *March*, 1770, that when the troops were in the town, the Commissioners of the Customs were sensible they could have no dependence upon them, for if any riot had happened, no Civil Magistrate that he knew would have employed them in suppressing it; those who, from a principle, would have been disposed to it, refusing, and giving this reason, that they must immediately after have left the country; and that just the same principles prevailed with respect to the troops, which were said to be unconstitutional, although established by an Act of Parliament, it being alleged that it was an Act which did not bind Colonists.

No. 327. Vide Lieutenant Governor *Hutchinson's* letter to Earl *Hillsborough*, of 27th *April*, and 21st *May*, 1770.

Lieutenant Governor *Hutchinson*, in his letter to the Earl of *Hillsborough*, of the 27th *April*, 1770, complains, that he has never been able to obtain the advice or consent of the Council to any proposal made for discountenancing the usurpation of the powers of Government by the town of *Boston*. That he had used the negative powers given him by Charter, in excluding Mr. *Hancock* from being Speaker pro tempore, and Mr. *Cushing* from the office of Commissary General, to which offices they had been elected; but adds, that this was doing but little, as he could not remove any of those who were actually in office, some of whom were more inflammatory than any out of office; he further says, that they were then attempting to compel all the importers, of what they call contraband goods, to send them back, and that he was not sure they would not succeed; that all goods which they have not enumerated are called contraband. That tea from *Holland* may lawfully be sold; that it is a high crime to sell any from *England*. That Mr. *Hancock* offered to send one or more of his ships back, and to lose the freight; that several of the importers pleaded that they should be utterly ruined; but the *Boston* zealots had no bowels, and gave for answer, "That if a ship was to bring in the plague, nobody "would doubt what was necessary to be done with her; but "the present case is much worse than that." In the same letter the Lieutenant Governor observes, "That the *Boston* "principles obtain more and more in the remote parts of the "Province, and the Representatives of seven-eighths of the "town appear, in the present session, to be favourers of "the non-importation measures. That their internal dis-"tresses may, in a course of years, force them to desist, but "that the distress at present, and it may be for some time to "come, lies principally upon the friends to Government, "who run the risk of importing goods, and then are com-"pelled, by the ruling power, to keep them unsold, or to "ship them back; that he made an attempt that day to "prevail upon a merchant of the first estate and character, "to induce him to promote an Association, but to no pur-"pose; and that he gave him for answer, 'that, until Par-"liament made provision for the punishment of the con-"federacies, all would be ineffectual, and the associates "would be exposed to popular rage." He observed further, "that the last year, when the King's speech, and the Ad-"dressses of the Lords and of the House of Commons first "came to them, the heads of the opposition were struck with "terror, and the seditious newspaper writers laid aside their "pens for five or six weeks, but as soon as the apprehension "of vigorous measures ceased, their fears were over, and "they became more assuming and tyrannical than before, "and although the terror was not so great the present year, "yet it was visible; but now, that they expect nothing will "be done, they are recovering their spirits, knowing there "is no power within the Government to restrain them.

No. 327. Letter from Lieutenant Governor *Hutchinson* to Earl of *Hillsborough*, *May* 21st, 1770.

The resistance to the custom-house officers still continued to manifest itself upon every occasion, in consequence of which, on the 18th of *May*, 1770, a tideman of the customs, who had seized a small coasting vessel belonging to *Connecticut*, and a few casks of sugar, for breach of the Acts of Trade, in the evening was seized, stripped, and carried about the town, three or four hours, besmeared with tar, and then covered with feathers, and followed by a great number of disorderly People.

The Committee do not find in your Lordship's Journals of the years 1771 and 1772, any material proceedings relative to the matter to them referred.

No. 328. Lieutenant Governor *Hutchinson* to Earl of *Hillsborough*, *July* 6th, 1771.

Though in the year 1771, things remained tolerably quiet in the Province of *Massachusetts Bay*, yet the disposition to disavow the authority of Parliament, occasionally broke out in the House of Assembly and town meetings; accordingly, in an Answer from the House of Representatives to a Message from the Governor, on the 5th of *July*, 1771, they say, that "They know of no Commissioners of his "Majesty's Customs, nor of any revenue his Majesty has a "right to establish in *North America;* that they know and "feel a tribute levied and extorted from those, who, if they "have property, have a right to the absolute disposal "of it."

No. 429. Lieutenant Governor *Hutchinson* to Earl of *Hillsborough*, *November* 28th, 1771.

At the same time, the disposition to import goods in defiance of the laws of Revenue and Trade, and to support such iniquitous practices, by insults and open violences upon the officers whose duty it is to carry the said laws into execution, broke out upon many occasions; and, as usual, the

Digitized by Google

Magistrates declined giving their assistance and support, though applied to for that purpose; which appears in the case of *Arthur Savage*, Comptroller of his Majesty's Customs at *Falmouth*, who was forcibly taken out of his house in the night, by several persons disguised and armed with pistols and other dangerous weapons, who put him in the utmost danger of his life, and not only obliged him to divulge the name of the person who had lodged an information, but also to swear to the truth of his information, declaring at the same time, that, if he discovered who they were, they would take his life; and that upon his application to the Justices, who were then sitting, they declined the examination of the evidence he brought to prove the fact.

No. 330. Gov. *Hutchinson* to Earl *Hillsborough*, *May* 29, 1772, and the *Boston Gazette* of *May* 28th.

Things remained much in the same state in the year 1772. The continued ill temper of the People at *Boston* was manifested by their instructions to their Representatives.

No. 331. Gov. *Hutchinson* to Earl of *Dartmouth*, *October* 23d, 1772.

No. 332. Address, *October* 28, 1772.

Upon the news of his Majesty's granting salaries to the Justices of the Supreme Court, the most inflammatory pieces were published in the newspapers, and the Selectmen of *Boston* ordered a meeting to consider of measures upon that occasion; which meeting voted an Address to the Governor, in which they say, "That, the freeholders and other inhabitants of the town of *Boston*, legally assembled in Faneuil Hall, beg leave to acquaint his Excellency, that a report has prevailed, which they have reason to apprehend is well grounded, that stipends are affixed to the offices of the Judges of the Superior Court of judicature, &c., of this Province, whereby they are become independent of the grants of the General Assembly for their support, contrary to the ancient and invariable usage.

"That this report has spread an alarm among all considerate persons who have heard of it, in town and country, being viewed as tending rapidly to complete the system of their slavery, which originated in the House of Commons of *Great Britain*, assuming a power and authority to give and grant the moneys of the Colonists without their consent, and against their repeated remonstrances. And as the Judges hold their places during pleasure, this establishment appears big with fatal evils so obvious, that it is needless to trespass on your Excellency's time in mentioning them."

No. 333. Governor *Hutchinson* to Earl of *Dartmouth*, *November* 3, 1772, with the printed account of the votes and proceedings of the town of *Boston*, 2d *November*, 1772.

The Town Meeting afterwards appointed a Committee of Correspondence, to write circular letters to all the towns in the Province, to induce them to unite in measures upon that occasion, which Committee met on the 2d of *November*. 1772, and made a report, containing several resolutions contradictory to the supremacy of the *British* Legislature; and after setting forth, that all men have a right to remain in a state of nature, as long as they please, they proceed to draw a report upon the natural rights of the Colonists, as men, christians, and subjects, and form a list of infringements and violations of their rights; one of the first of which contains an assertion, that the *British* Parliament have assumed the powers of legislation for the Colonies in all cases whatsoever, without obtaining the consent of the inhabitants, which is ever essentially necessary to the rightful establishment of such a legislation.

No. 334. Printed votes and proceedings of the freeholders and inhabitants of *Boston*, in a town meeting, *November* 20th, 1772.

They also consider it as an infringement of their rights, that a number of new officers, unknown to the Charter, have been appointed to superintend the revenues; whereas the great and general Court or Assembly of that Province had the sole right of appointing all civil officers, excepting only such officers, the election and constitution of whom is in the said Charter expressly excepted, among whom these officers are not included.

They likewise complain of it as a grievance, that his Majesty has been pleased to apply £1500 sterling, annually, out of the *American* revenue, for the support of the Government of this Province, independent of the Assembly; and that the Judges of the Superior Court, as also the King's Attorney and Solicitor General, are to receive their support from, what they call, this grevious tribute; which they say, will, if accomplished, complete their slavery.

Six hundred copies of this report were circulated in the towns of the Province, with a pathetic letter addressed to the inhabitants, who are called upon not to doze any longer, or sit supinely in indifference, whilst the iron hand of oppression is daily tearing the choicest fruits from the fair tree of liberty.

Journals, 6th *May*, 1773.

On the 6th of *May* a Message was brought from the House of Commons to your Lordships, with a Bill, intituled, "An act to allow a drawback of the duties of Customs on the exportation of Tea to any of his Majesty's Colonies or Plantations in *America*; to increase the deposit on Bohea tea to be sold at the *East India* Company's sales; and to empower the Commissioners of the Treasury to grant licences to the *East India* Company to export tea, duty free;" which Bill received the Royal assent on the 10th of *May*.

No. 336. Answer of the Council to Gov. Speech *January* 25th 1773, Journals of House of Representatives.

It appears to the Committee in the Answer of the Council to the Governor's Speech, at the opening of the session, that they declare "They are of opinion that the Parliament cannot, constitutionally, levy taxes, in any form, on his Majesty's subjects in that Province."

No. 335. House of Representatives answer to Governor's Speech, *Jan.* 20th, 1773.

And the House of Representative upon the same occasion, declare, that if there have been in any late instances a submission to Acts of Parliament, it has been, in their opinion, rather from inconsideration, or a reluctance at the idea of contending with the Parent State, then from a conviction or acknowledgment of the supreme legislative authority of Parliament.

No 295. Extract of a letter from Gov. *Hutchinson* to Earl of *Dartmouth*, 4th *Novr.* 1773, with four enclosures, 296, 297, 298, 299.

The Committee of Correspondence appear to have used their utmost endeavours to work up the minds of the People, not only for their own, but also the Southern Governments, to prevent the importation of Teas from the *East India* Company, and accordingly on the 3d of *November*, 1773, a mob of about five hundred persons, committed several outrageous acts of violence, against the persons to whom it was expected the Tea in question would be consigned, insisting that they should engage and promise not to receive or sell it; that if they did, they would be voted enemies to their country, and must expect to be treated as such hereafter. They then forced open the doors of the ware-houses of Mr. *Clark*, and tore them off the hinges, and entered with great violence, attempting to force their way up to the counting-house, but were driven back by the persons who were in it.

No. 302. Copy of a vote of the town meeting of *Boston*, *Nov.* 15th, 1773.

No. 303. Copy of a paper printed at *Boston*, dated *Dec.* 1st 1773, enclosed in Gov *Hutchinson's* letter of *Dec.* 2, 1773.

No. 304. Extract of a letter from Gov. *Hutchinson* to Earl of *Dartmouth*. *Boston*, *Nov.* 15th, 1773

A Committee then of the freeholders and other inhabitants, attended Messrs. *Thomas* and *Elisha Hutchinson*, supposed to be two of the consignees, and requested them to resign their appointment, and upon their refusing, voted their answer unsatisfactory. Governor *Hutchinson* did every thing in his power, without the Council, for the preservation of the peace and good order of the town, and thought that if he had the aid the Council might have given, his endeavors would have been more effectual.

No. 305, 306. Copy of a letter from Governor *Hutchinson* to Earl of *Dartmouth*, dated *Boston*, 2d *Dec.* 1773, enclosing a copy of the Petition of *Richard Clark* and Son, *Benjamin Faneuil*, and *Thomas* and *Elisha Hutchinson*, and of the proceedings of the Council thereupon.

On the 7th *November*, 1773, a large number of People beset the house of Mr. *Hutchinson*, but not finding him at home, proceeded to Mr. *Clark's*, another of the consignees, where they committed great disorders; broke the glasses and frames of the windows, and did considerable damage. After this riot the Governor immediately summoned a Council, and laid before them the necessity of some measures being taken; but the Council declined advising or directing any measures for landing the Tea; suggesting, that they then would of course advise* to a measure for procuring the payment of the duty, and therefore be advising to a measure inconsistent with the declared sentiment of both Houses in the last winter session of the General Court, which they apprehend to be altogether inexpedient and improper.

No. 308 Copy of a paper printed at *Boston*, dated *Dec.* 1st 1773, in Gov. *Hutchinson's* letter of 2d *Dec.* 1773.

After the arrival of a ship loaded with Tea, a meeting of the People of *Boston*, and the neighbouring towns, was held, on the 29th of *November*, and continued, by adjournment, till next day, when a motion was made and agreed

*Sic.

Digitized by Google

to, *nem. con.*, that the Tea should be not only sent back, but that no duty should be paid thereon.

It was also voted, *nem. con.*, that Mr. *Rotch*, owner of the vessel, and Captain *Hall*, the master of the ship, at their peril, should not suffer any of the Tea to be landed; it was also voted, that Gov. *Hutchinson's* conduct, in requesting the Justices of the Peace to meet to suppress all riots and unlawful assemblies, carried a designed reflection upon the People there met, and was solely calculated to serve the views of Administration. They afterwards voted that the Tea brought by Captain *Hall*, should be returned, by Mr. *Rotch*, to *England*, in the same bottom in which it came; it was also voted, *nem. con.*, that six persons should be appointed to give due notice to the towns in the country, when they should be required so to do upon any important occasion.

They also resolved, that if any person or persons should hereafter import any Tea from *Great Britain*, or if any master or masters of any vessel or vessels in *Great Britain*, should take the same on board to be imported to that place, until the said unrighteous Act should be repealed, he or they should be deemed by that body an enemy to his country, and that they would prevent the landing and sale of the same, and the payment of any duty thereon, and that they would effect the return thereof to the place from whence it came.

They also resolved that these their votes be printed, and sent to *England*, and all the sea ports in the Province. Before they separated they voted that their brethren in the country should be desired to give their assistance upon the first notice that should be given.

No. 309. Copy of a letter from Gov. *Hutchinson* to Earl of *Dartmouth*, *Boston*, *Dec.* 15th, 1773.

After the dissolution of this Assembly of the People, what is called the Committee of Correspondence, called in Committees of other towns, or other persons to join with them, kept up a military watch and guard every night, to prevent the landing any Teas, and appeared to be the Executioners of the resolves and orders passed at the aforesaid Assembly.

The consignees having retired to the Castle, the owner of the first ship that arrived was the principal person applied to, and he was sent for repeatedly by these Committees, and was frequently required to send back the ship with the Teas; he pleaded, "That he could not get a "clearance at the custom-house, nor a pass for the Castle; "and that if he should be able to get his ship out of the "harbour, both ship and cargo would be forfeited in every "part of the King's dominions." This was not thought satisfactory, and the next morning another Assembly of the People met and chose a Moderator. At this meeting it was determined, that Mr. *Rotch*, the owner of the ship, should demand at the custom-house, a clearance of the Teas for *England*, which was done the 15th, when the Collector and Comptroller refused to grant it.

No. 310. Copy of a letter from Gov. *Hutchinson* to Earl of *Dartmouth*, *Boston*, *Dec.* 17th 1773.

He then was obliged to demand a permit from the Naval Office to pass the Castle; afterwards he was sent to the Governor to apply to him for the permit, who soon satisfied him that no permit could be granted until the vessel was regularly cleared. He returned to town that evening and reported this answer to the meeting. Immediately whereupon numbers of the People cried out a mob! a mob! left the house, repaired to the wharfs where three of the vessels lay aground, having on board three hundred and forty chests of Tea, and in two hours time it was totally destroyed. A sufficient number of People for doing the work were disguised, and these were surrounded by numbers, as well of the inhabitants of *Boston*, as of other towns.

No. 293. Copy of a narrative in Gov. *Hutchinson's* letter of *Nov.* 4th, 1773.

The Committee observe, that many persons of consideration in the town of *Boston* took the lead in the proceedings of this meeting, for whose names they beg leave to refer your Lordships to the papers themselves.

Journals 4th *March*, 1774.

On the 4th of *March*, 1774, the Earl of *Dartmouth* acquainted the House, "That his "Majesty had given directions that the several Papers "received from *America*, relating to the Disturbances there, "with regard to the Importation of Tea, should be laid "before the House; and that the same would be delivered "on *Monday* next."

The Earl of *Dartmouth* acquainted the House "That "he had a Message from his Majesty, under "his Royal sign manual, which his Majesty "had commanded him to deliver to this House. *March*, 17th, 1774.

And the same was read by the Lord Chancellor, and is as follows; (videlicet:)

"*GEORGE* R.

His Majesty, upon information of the unwarrantable practices which have been lately concerted and carried on in *North America*, and particularly of the violent and outrageous proceedings at the town and port of *Boston*, in the Province of *Massachusetts Bay*, with a view to obstructing the commerce of this Kingdom, and upon grounds and pretences immediately subversive of the Constitution thereof, hath thought fit to lay the whole matter before his two Houses of Parliament, fully confiding as well in their zeal for the maintenance of his Majesty's authority, as in their attachment to the common interest and welfare of all his Dominions, that they will not only enable his Majesty effectually to take such measures as may be most likely to put an immediate stop to the present disorders, but will also take into their most serious consideration what farther regulations and permanent provisions may be necessary to be established for better securing the execution of the laws, and the just dependence of the Colonies upon the Crown and Parliament of *Great Britain*. *G. R.*"

The Earl of *Dartmouth*, also, (by his Majesty's command,) laid before the House, copies of all letters, &c., received from *North America*, relating to the Disturbances there with regard to the Importation of Tea, with a list thereof.

It was ordered, that an humble Address be presented to his Majesty, "To return his Majesty the thanks of this "House for his Majesty's gracious Message, and for the "communication his Majesty hath been graciously pleased "to make to this house of the several Papers relative to "the present state of some of his Majesty's Colonies in "*North America*.

"To assure his Majesty, that this House, truly sensible "that the peace and good Government of the Colonies, "and the preventing any obstructions there to the com-"merce of this Kingdom, are objects of their most serious "attention, will enter upon the consideration of these Pa-"pers with an earnest desire to make such provisions as, "upon mature deliberation, shall appear necessary and "expedient for securing the just dependence of the said "Colonies upon the Crown and Parliament of *Great* "*Britain*, and for enforcing a due obedience to the laws "of this Kingdom throughout all his Majesty's domin-"ions."

And the said Papers and his Majesty's most gracious Speech were likewise ordered to be taken into consideration on *Thursday* sevennight, and the Lords summoned.

On the 11th of *March*, the Earl of *Dartmouth* (by his Majesty's command) laid before the house more Papers from *America*, relating to the Disturbances there with regard to the Importation of Tea, together with a list thereof; and the same was read, and ordered to lie on the table; and to be taken into consideration on *Thursday* next. *March* 11th.

On the 26th *March*, a Message was brought from the House of Commons, with a Bill intituled, "An act to discontinue, in such manner, and for such "time, as are therein mentioned, the landing and discharg-"ing, lading or shipping, of goods, wares, and merchan-"dise, at the town and within the harbour of *Boston*, in the "Province of *Massachusetts Bay*, in *North America*. *March* 26th.

On the 28th of *March*, a Petition of Mr. *Sayer*, and others, natives of *America*, was presented and read, praying the said Bill may not pass into a law; which was ordered to lie on the table. Then the House took into consideration the several Papers in his Majesty's most gracious Message; and the said Bill was read a second time and committed. *March* 28th.

On the 30th of *March*, a Petition of *William Bollan*, Esq., Agent for the Council of the Province of *Massachusetts Bay*, was presented to the House and read; and he was called in, and heard at the bar; and being withdrawn, the said Bill was read a third time and passed *nem. diss.*; and received the Royal assent on the following day. *March* 30th.

Digitized by Google

No. 316. Letter from Governor *Hutchinson* to Earl of *Dartmouth*, *Boston*, 28th *January*, 1774.

It appears to the Committee, that on the 25th of *January* a great number of rioters in the town of *Boston*, committed a most inhuman act of violence upon the person of *John Malcolm*, a preventive officer for the port of *Falmouth*, in *Casco Bay*, who had lately seized a vessel in that port for want of a register; no complaint of irregularity was made against him, but it was thought proper by the above rioters to punish him by tarring and feathering him, (but without stripping him.) and carrying him about in derision. This unfortunate man having afterwards been frequently hooted at in the streets, was provoked on the 25th, by a tradesman, who, he alleged, had several times before affronted him, to strike him with his cane; in consequence of which a warrant was issued against him, but the constable not being able to find him, a mob gathered about his house in the evening, and having broke his windows, he pushed through the broken window with his sword, and gave a slight scratch to one of the assailants; soon after which the mob entered his house, lowered him by a rope from an upper chamber into a cart, tore his clothes off, tarred his head and body, feathered him, and dragged him through the main street into *King Street*, from thence to *Liberty Tree*, and from thence to *The Neck*, as far as the gallows, where they whipt him, beat him with sticks, and threatened to hang him. Having kept him under the gallows above an hour, they carried him back in the same manner, to the extremity of the north end of the town, and returned him to his own house, so benumbed by the cold, having been naked near four hours, and so bruised, that his life was despaired of. It appears that none but the lowest class of the people were suspected of having been concerned in it; and that Mr. *Malcolm* having for some time before been threatened by the populace with revenge for his free and open declarations against the late proceedings, had occasionally indiscreetly given them provocation.

No. 339. Governor *Hutchinson* to Earl of *Dartmouth*, *Boston*, *February* 14th, 1774, and enclosures.

The House of Representatives of *Massachusetts Bay*, on the 1st of *February*, required the Chief Justice *Oliver*, and the four Judges of the Superior Court to declare, whether they would receive the grants of Assembly for their salaries, or accept their support from the Crown, and were answered by the four Judges, (they being fearful of making themselves objects of popular resentment, one of their number having been previously brought over to that consent,) "that they would receive their salaries from the "Province;" but by the Chief Justice, "that he would "continue to accept his support from the "Crown." On the 11th of *February*, they remonstrated to the Governor, "That the said "Chief Justice *Peter Oliver*, having received "his salary and reward out of the revenue unjustly and unconstitutionally levied and extorted from the *American* Colonies, and being determined "to continue to receive it, contrary to the known sense "of the body of the People of the Province, had thereby "proved himself an enemy to its Constitution, placed "himself under an undue bias, and rendered himself disqualified to hold his office any longer." And not having procured his removal from the Governor in consequence of their remonstrance, they passed a vote to adjourn the Superior Court, which, by law, is to be held on the 15th of *February*, to the 22d of that month, to which the Governor refused his assent, and complains that he now considers himself as acting altogether on the defensive, avoiding his consent where he cannot justify it, destitute of any aid from any part of the Legislature or Executive Powers of Government in maintaining order, when the breach of it is caused, or pretended to be caused by such Acts of Parliament, or such exercise of his Majesty's authority, as the People are taught by their leaders to call grievances.

No. 342. Copy of a Remonstrance of the House of Representatives of *Massachusetts Bay* against the Chief Justice.

No. 343. Copy of a vote of the Council and House of Representatives *February* 14th, 1774.

Which Report being read by the Clerk,

Ordered, that the said Report be printed.*

*In the Spring of 1774, I sat out with Mr. and Mrs. *Izard*, to make a tour of *France* and *Italy*: but previous to my going, I drew up a piece, entitled "A True State of the Proceedings in the Province of *Massachusetts Bay*," which has been attributed to Dr. *Franklin*, because it was left with him, as agent, to have it printed. The purpose of it was to remove the unjust and injurious impressions made by a Report of a Committee of the House of Lords, on the same subject.—*Arthur Lee*, *Vol. I*, *p.* 262.

HOUSE OF COMMONS.

March 7th, 1774.

The Lord *North* acquainted the House, that he had a Message from his Majesty to this House, signed by his Majesty; and he presented the same to the House; and it was read by Mr. Speaker, (all the members of the House being uncovered,) and is as followeth, viz:

GEORGE R.

His Majesty, upon information of the unwarrantable practices which have been lately concerted and carried on in *North America*, and particularly of the violent and outrageous proceedings at the town of *Boston*, in the Province of *Massachusetts Bay*, with a view of obstructing the commerce of this Kingdom, and upon grounds and pretences immediately subversive of the constitution thereof, have thought fit to lay the whole matter before his two Houses of Parliament, fully confiding as well in their zeal for the maintenance of his Majesty's authority, as in their attachment to the common interest and welfare of all his Dominions, that they will not only enable his Majesty effectually to take such measures as may be most likely to put an immediate stop to the present disorders, but will also take into their most serious consideration what further regulations and permanent provisions may be necessary to be established, for better securing the execution of the laws, and the just dependence of the Colonies upon the Crown and Parliament of *Great Britain*. *G. R.*

The Lord *North* presented to the House, by his Majesty's command, copies of the same Papers that were this day communicated to the House of Lords. [*See folio* 5–10.]

Mr. *Rice* then rose, and after remarking on the very critical situation of the whole Continent of *North America*, and enlarging on the imminent necessity there was for vindicating the controlling right of the *British* Legislature over the Colonies,* moved, "That an humble Address be "presented to his Majesty, to return his Majesty the thanks "of this House, for his Majesty's most gracious Message, "and for the communication his Majesty hath been graciously pleased to make to this House, of the several "Papers relative to the present state of some of his Majesty's Colonies in *North America*.

"To assure his Majesty, that this House will, without "delay, proceed to take into their most serious consideration his Majesty's most gracious Message, together with "the Papers accompanying the same; and will not fail to "exert every means in their power, in effectually providing "for objects so important to the general welfare, as maintaining the due execution of the laws, and securing the "just dependence of his Majesty's Colonies upon the "Crown and Parliament of *Great Britain*."

*The presentment of the Papers was accompanied with a comment upon them, and particularly those that related to the transactions at *Boston*, in which the conduct of the Governor was described and applauded; and that of the prevailing faction represented in the most atrocious light. It was said that he had taken every measure which prudence could suggest, or good policy justify, for the security of the *East India* Company's property, the safety of the consignees, and the preserving of order and quiet in the town. Every civil precaution to prevent the mischief that followed had been used in vain. His Majesty's Council, the Militia, and the corps of Cadets, had been all separately applied to, for their assistance in the preservation of the public peace, and the support of the laws, but all without effect: they refused or declined doing their duty. The Sheriff read a Proclamation to the faction, at their town meeting, by which they were commanded to break up their Assembly; but the Proclamation was treated with the greatest contempt, and the Sheriff insulted in the grossest manner.

That he had it undoubtedly in his power, by calling in the assistance of the naval force which was in the harbor, to have prevented the destruction of the Tea; but that as the leading men in *Boston* had always made great complaints of the interposition of the army and navy, and charged all disturbances of every sort to their account, he with great prudence and temperance, determined from the beginning to decline a measure which would have been so irritating to the minds of the People; and might well have hoped, that by this confidence in their conduct, and trust reposed in the civil power, he should have calmed their turbulence, and preserved the public tranquillity.

Thus, said the Ministers, the People of *Boston* were fairly tried.—They were left to their own conduct, and to the exercise of their judgments, and the result has given the lie to all their former professions. They are now without an excuse, and all the powers of Government in that Province, are found insufficient to prevent the most violent outrages. The loyal and peaceable People of a mercantile town, (as they affect to be peculiarly considered,) have given a notable proof to the world of their justice, moderation, loyalty, and affection, for the Mother Country, by wantonly committing to the waves a valuable commodity, the property of another loyal mercantile body of subjects, without the pretence of necessity, even supposing that their opposition to the payment of the duties could justify such a plea; as

Digitized by Google

Lord *Clare* said, he agreed with the honorable gentleman, and hoped he should find this measure carried through with unanimity; he should therefore second the motion.

Mr. *Dowdeswell.* I would be very far from offering any thing on the present occasion, which might wear the most distant appearance of opposition, or a desire to impede measures of such high consideration. Nevertheless, I cannot consent to give my voice, by any means, for what I am convinced in my soul is wrong; and though I do not mean to divide the House on any particular opinion I may entertain on the subject, I wish to have it understood, that I do not approve of the present hasty, ill-digested mode of proceeding.

Governor *Pownall.* I think the motion for an Address extremely proper, as it can mean no more than to return thanks to his Majesty for the present communication.

Mr. *Edmund Burke* then moved, that the entries in the Journal of the House, of the 8th day of *November*, 1768, of so much of his Majesty's most gracious Speech to both Houses of Parliament, and the Address of this House thereupon, as relates to the state of his Majesty's Government in *North America*, might be read:

And the same was read accordingly.

Mr. *Burke* also moved, that the entry in the Journal of the House, of the 9th day of *May*, 1769, of so much of his Majesty's most gracious Speech to both Houses of Parliament, as relates to the state of his Majesty's Colonies in *North America*, might be read:

And the same was read accordingly.

Mr. *Burke* also moved, that the entries in the Journal of the House, of the 9th day of *January*, 1770, of so much of his Majesty's most gracious Speech to both Houses of Parliament, and the Address of this House thereupon, as relates to the state of his Majesty's Government in *North America*, might be read:

And the same was read accordingly.

Mr. *Burke* also moved, that the entries in the Journals of the House, of the 13th day of *November*, 1770, of so much of his Majesty's most gracious Speech to both Houses of Parliament, and the Address of this House thereupon, as relates to the state of his Majesty's Colonies in *America*, might be read:

And the same was read accordingly.

He next desired the Clerk to search for the supposed Resolutions that were entered into by the House, in obedience and conformity to this communication from the Throne; and none being to be found, he resumed his speech: Sir, (addressing himself to the Clerk,) I am thoroughly satisfied of your integrity and assiduity in the discharge of the station you now fill; but however high you may stand in my estimation, I would much sooner suppose you guilty of some fatal negligence, which now leaves us at a loss for those proceedings, than presume the House to have so far forgot its duty to its Sovereign, its country, and its constituents, as to omit what was so strongly recommended to its consideration from the Throne, as well as what was in its nature so essential to our most important interests. And even you, Sir, (to the Speaker,) I should not hesitate to charge as guilty of some improper conduct on this occasion, sooner than the House.

Mr. *Solicitor General.* The honorable gentleman over the way has endeavored to entertain us with an epigram, but it wants one of its most essential requisites, it seems rather too long. Foregoing therefore the wit, which here comes in somewhat unseasonably, I should imagine that the grand object we ought to labor to accomplish, on the present occasion, would be unanimity. The voice of this House should be that of one man. It is not what this Administration has done, what that has omitted, or the mixed errors of a third, that we are now to consider. It is not this man's private opinion, or that man's; the particular sentiments of this side of the House, or the other. We are arrived at a certain point, and the question now is, in what manner we shall think proper to act. The proposed Address by no means precludes us from giving our opinions freely, when the matter comes properly before us, accompanied by the necessary information. When this information is properly digested, let us proceed coolly and with deliberation. We cannot yet determine, whether the dependence insisted on in the Message, may be proper to be vindicated or asserted. We cannot even say but it may be entirely relinquished. We do not pretend to judge what sort or degree of connection may be necessary to be kept up for our mutual benefit. It perhaps may be prudent to grant them other charters, to enlarge those they already have, or to enter into commercial regulations different from those which at present bind them.

Mr. *Edmund Burke.* The learned gentleman, who has now held forth with so much ingenuity, and so great an appearance of candor, has left his epigram liable to the same objection which he made to mine; it is not short enough. Besides, he forgets to enumerate one of the qualities which distinguish an epigram, and which mine had: it, I think, carried a sting with it. The learned gentleman suggests (and I presume he speaks from authority) that the several Governments in *America* may be new-modelled; that connections different from those already existing may be formed, and commercial regulations, planned on another scale, take place. But I will venture to inform him, that an *English* Government must be administered in the spirit of one, or it will that moment cease to exist. As soon, I say, as the civil Government of those Colonies shall depend for support on a military power, the former will that moment be at an end. The spirit of *English* legislation is uniform, permanent, and universal; it must execute itself, or no power under heaven will be able to effect it.—[Here Mr. *Burke* entered into an historical detail of the weakness and violence, the ill-timed severity and lenity, the irresolution at one time, and the invincible obstinacy at another, the arrogance and meanness of the several Administrations, relative to their conduct towards the *Americans* for the last seven years. He observed, with some degree of severity, on the act of political indemnity, proposed by the learned gentleman, and his endeavors to confound all parties, as equally involved in the cause of the present confusions now prevailing in that country, contending that all dissentions, occasioned by the attempt to levy a tax there, gave way to perfect tranquillity on the repeal of the Stamp Act.]

Lord *George Germain.* The honorable gentleman who spoke last has taken great pains to expose the conduct of different Administrations, and to extol those who advised the repeal of the Stamp Act. For my part, however great the abilities and good intention of those gentlemen might have been, I was of opinion, that it should not be repealed, and voted accordingly. It is now contended, that that measure produced the desired effect, and that on its passing every thing was peace and tranquillity. I know the contrary was the case, and we had evidence at your bar which proved, that the *Americans* were totally displeased, because in the preamble to the repeal, we asserted our right to enact

they had nothing to do but to adhere to their own Resolutions, of non-consumption, effectually to evade the revenue laws.

It was concluded upon the whole, that by an impartial review of the Papers now before them, it would manifestly appear, that nothing could be done, by either civil, military, or naval officers, to effectuate the re-establishment of tranquillity and order in that Province, without additional Parliamentary powers to give efficacy to their proceedings. That no person employed by Government, could in any act, however common or legal, fulfil the duties of his office or station, without its being immediately exclaimed against by the licentious, as an infringement of their liberties. That it was the settled opinion of some of the wisest men, both in *England* and *America*, and the best acquainted with the affairs of the Colonies, that in their present state of Government, no measures whatsoever could be pursued that would, in any degree, remedy those glaring evils, which were every day growing to a more enormous and dangerous height. That Parliament, and Parliament only, were capable of re-establishing tranquillity among those turbulent People, and of bringing order out of confusion. And that it was therefore incumbent on every member to weigh and consider with an intention suitable to the great importance of the subject, the purport of the Papers before them, and totally laying all prejudices aside, to form his opinion upon the measures most eligible to be pursued, for supporting the supreme legislative authority, the dignity of Parliament, and the great interests of the *British* Empire.

This is the substance of what was urged by the Ministry upon the subject when they presented the Papers; but, as things were to be brought to a crisis with the Colonies, and very strong measures were resolved upon, it was apprehended that the merchants would be affected, and make some opposition. To prevent this, all the public papers were systematically filled with writings on this subject, painting the misconduct of the Colonies in the strongest colours, and in particular, urging the impossibility of the future existence of any trade to *America*, if this flagrant outrage on commerce should go unpunished.

These, with many other endeavours to the same end, were not without an effect. The spirit raised against the *Americans* became as high and as strong as could be desired, both within and without the House. In this temper a motion was made for an Address to the Throne.—*Ann. Regis.*

Digitized by Google

laws of sufficient force and authority to bind them. I am, on the whole, fully convinced, that the present situation of affairs in that country, would have never been, and that the People there must and would have returned to their obedience, if the Stamp Act had not been unfortunately repealed.

General *Conway*. I by no means agree with the noble Lord in any one argument he has made, or conclusion he has drawn from them. I attribute the very disagreeable situation we are now in to the weakness of our counsels, and to a series of misconduct. The noble Lord attributes the present distracted state of that country to the repeal. I believe he has neither fully attended to the immediate effects of that measure, nor to those which have followed from a contrary conduct, or he could never have given such a judgment. The operation of both are known, and I leave the House to judge, which was the healing and which the distracting measure.

Colonel *Barré*. I shall agree with the motion for an Address as a mere matter of course, not holding myself engaged to a syllable of its contents. A right honorable gentleman near me, (Mr. *Dowdeswell*,) has very fully proved on a former occasion, that our present peace establishment is a ruinous one; and that it eats up that fund which should be appropriated towards relieving our burdens or preparing for a war. I have the most authentic information, however improbable it may appear, that the expense of our military at this moment, exceeds that of France. These may be matters well worthy of our consideration in the course of our proceedings. It may induce us to make a very considerable saving in that service.

The motion for the Address was then agreed to.

Ordered, That the Address be presented to his Majesty by such members of this House as are of his Majesty's most honorable Privy Council.

II. THE BOSTON PORT BILL.

HOUSE OF COMMONS.

MONDAY, *March* 7, 1774.

Ordered, That his Majesty's most gracious Message [*folio* 32,] together with the Papers this day presented to the House, [*folio* 5—10] by the Lord *North*, be taken into consideration on *Friday* morning next.

FRIDAY, *March* 11, 1774.

The Lord *North* presented to the House, by his Majesty's command:

No. 1. Extract of a Letter from Governor *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 28th *January*, 1774; received 8th *March*, inclosing,

No. 2. Extract from the *Boston Gazette*, of the 27th *January*, 1774.

Together with a list of said Papers.

And the said list was read.

Ordered, That the said Papers be taken into consideration at the same time that the Papers presented to the House by the Lord *North*, upon *Monday* last, are ordered to be taken into consideration.

The order of the day being read, for taking into consideration his Majesty's most gracious Message of *Monday* last, together with the Papers which were presented to the House by the Lord *North*, upon *Monday* last, and this day, by his Majesty's command,

The House proceeded to take the same into consideration. And his Majesty's most gracious Message was again read by Mr. Speaker, all the members of the House being uncovered. And the said Papers were also read.

Ordered, That his Majesty's said most gracious Message, together with the said Papers, be taken into further consideration upon *Monday* morning next.

MONDAY, *March* 14, 1774.

A Petition of *William Bollan*, Esq., Agent for the Council of the Province of *Massachusetts Bay*, in *New England*, was presented to the House, and read, setting forth, that the *English American* Colonies were deduced and planted by the adventurers and settlers, at their expense, in foreign inhospitable lands, acquired by their vigorous efforts, made under the authority of their princes, granted with the encouragement proper for this spirited and noble enterprise; and that the several princes, by whose authority the Colonies were established, and the numerous nobles and other worthy persons, of whom several were men of the greatest accomplishments, endued with the wisdom proper for obtaining and preserving Empire, by whose advice, aid, and concurrence, they were undertaken and advanced, were so far from understanding that these adventurers and settlers, who by their travail, expenses, labors, and dangers, should enlarge the public dominion, should thereby, contrary to natural justice, lessen their public liberties; that, from the many letters patent Royal, made and passed for obtaining and regulating new dominion, and the whole history of their settlement, it manifestly appears, it was the intent of all parties, that the settlers, and their posterity, should enjoy the same; whereupon, they became adventurers; and, inspirited by their confidence therein, with their long and quiet enjoyment of their public rights, overcoming difficulties, perils, and hardships, inexpressible and innumerable, they raised the King's *American* Empire out of a dreary and dangerous wilderness, with so great and continual increase of commerce, that of late years it hath given employment unto two-thirds of the *British* shipping, with a comfortable support to no small part of the inhabitants of *Great Britain*, and great addition to the dignity and strength of its Naval Empire: and that, by the statute law of this Kingdom, it is clearly supposed, and in effect fully declared, that the Colonists were well entitled to the *English* right, and the lands they inhabit free; and that the *Acta Regia* of Queen *Elizabeth* and her successors, whereby the acquests of new dominion were made and established, and security given to the adventurers, planters, and their descendants, of the perpetual enjoyment of their public liberties, having, as the Petitioner presumes, never been laid before the House, nor the Colonies ever yet had any opportunity to ascertain and defend their invaluable rights, and the House, as the Petitioner is advised, now having under their consideration the state of the Northern Colonies, the Petitioner therefore prays, that he may be permitted to appear, and lay before the House, authentic copies of the proper *Acta Regia*, and to support the matters herein contained, in a manner suitable to their nature, and to the inclinations of the House.

Ordered, That the said Petition do lie upon the table.

The order of the day then being called for, the House was silent for a few minutes, when Mr. *Cornwall* rose, and moved that the gallery be cleared. This occasioned a vehement debate. Colonel *Barré* said, that if the motion was insisted on, the ladies would be obliged to withdraw. Mr. *C. Fox* was of the same opinion. Mr. *Jenkinson* contended, if it was proper to shut the gallery on *Friday*, against strangers, it was much more so then. Mr. *T. Townshend* desired that the standing order might be read, which being complied with, he observed, that it contained no exceptions, for the order recited that all strangers should be taken into custody. Mr. *Grenville* remarked, that it was easily seen from what quarter the present motion originated, as he could perceive that applications had been making ever since the House met, for the purpose now intended to be carried into execution, though the authors did not choose to appear publicly in it themselves.

The majority of the House did not seem to approve of the motion, when it was first made; but the interference of the Speaker at length turned the scale, and not only the

Digitized by Google

gallery but all the rooms and avenues leading to it, were cleared about four o'clock.

As soon as the House had resumed its former tranquillity, it was

Ordered, That the order of the day, for taking into consideration his Majesty's most gracious Message of *Monday* last, together with the Papers which were presented to the House by the Lord *North*, upon the 7th and 11th days of this instant, *March*, (by his Majesty's command,) be now read:

And the said order being read accordingly,

The House proceeded to take the same into further consideration.

And his Majesty's said most gracious Message was again read by Mr. Speaker, (all the members of the House being uncovered.) Upon which,

Lord *North* rose. He said it contained two propositions: the one to enable his Majesty to put an end to the present disturbances in *America*, the other to secure the just dependence of the Colonies on the Crown of *Great Britain*. His Lordship observed, that the present disorders originated in *Boston*, in the Province of *Massachusetts Bay;* and hoped that the method he should propose to the House would be adopted. He should confine himself particularly to those disturbances which had been created since the 1st of *December*. He said, that it was impossible for our commerce to be safe, whilst it continued in the harbour of *Boston*, and it was highly necessary that some port or other should be found for the landing of our merchandise where our laws would give full protection; he therefore hoped that the removal of the custom-house officers from the town of *Boston*, would be thought a necessary step; and that the consequence of that would produce one other proposition, which would be, the preventing any shipping from endeavouring to land their wares and merchandise there, by blocking up the use of that harbour; he said he should move for leave to bring in a Bill for those two purposes. He observed, that this was the third time the officers of the customs had been prevented from doing their duty in the harbour of *Boston*; he thought the inhabitants of the town of *Boston* deserved punishment; he said, perhaps it may be objected, that some few individuals may suffer on this account who ought not; but where the authority of a town had been, as it were, asleep and inactive, it was no new thing for the whole town to be fined for such neglect; he instanced the city of *London*, in King *Charles* the Second's time, when Dr. *Lamb* was killed by unknown persons, the city was fined for such; and the case of *Edinburgh*, in Captain *Porteous's* affair, when a fine was set upon the whole; and also at *Glasgow*, when the house of Mr. *Campbell* was pulled down, part of the revenue of that town was sequestered to make good the damage. He observed, that *Boston* did not stand in so fair a light as either of the three before mentioned places, for that *Boston* had been upwards of seven years in riot and confusion, and associations had been held against receiving *British* merchandise so long ago. He observed that proceedings were openly carried on in the beginning of last *November*, to the 17th of *December*, denying the force or efficacy of the laws of this country, to be exerted in the harbour of *Boston*; that during the above time, there was not the least interposition offered by the inhabitants of the town; that at their public meetings, they had regularly given orders for nightly watches to be appointed, consisting of a large body of persons, which were to prevent the landing of the tea. As the merchandise of *Great Britain*, this surely was highly criminal, and a direct opposition to the execution of an Act of Parliament; and as the tea belonging to the *India* Company had remained twenty days in the harbour, without a clearance, they were afraid lest it should be seized by the custom-house officers, and by that means landed; they therefore destroyed it on the 20th day. That this appeared to be a violent and outrageous proceeding done to our fellow subjects, by a set of People, who could not, in any shape, claim more than the natural privilege of trading with their fellow subjects. That *Boston* had been the ringleader in all riots, and had at all times shown a desire of seeing the laws of *Great Britain* attempted in vain, in the Colony of *Massachusetts Bay*. That the act of the mob in destroying the tea, and other proceedings, belonged to the act of the public meeting; and that though other Colonies were peaceable and well inclined towards the trade of this country, and the tea would have been landed at *New York* without any opposition; yet, when the news came from *Boston*, that the tea was destroyed, Governor *Tryon*, from the advice of the People, thought that the face of things being changed since that account was sent, it would be more prudent to send the tea back to *England*, than to risk the landing of it. His Lordship observed that *Boston* alone was to blame for having set this example, therefore *Boston* ought to be the principal object of our attention for punishment. He proposed one clause to the Bill, which, he said, would prevent the Crown from restoring the re-establishment, till full satisfaction was made to the *East India* Company for the loss of their tea. He said, he did not propose it by way of tax, but by way of restitution to the injured, who were our own subjects; and to let it go forth to the world, that the Parliament of *Great Britain* will protect their subjects and their property; that the Crown, by that clause, will not even then be obliged to restore the custom-house, unless his Majesty is thoroughly convinced that the laws of this country will be better observed in the harbour of *Boston* for the future; this restitution entirely depended upon *Boston* alone. He should be happy to have those, who had been the promoters of these disturbances in *Boston* found out, and that they might be obliged to make good the damage to the *East India* Company; but as those persons are unknown to us, *Boston* will, no doubt, endeavour to find out such persons, or pass acts of their own Assembly, to levy such money in the most equitable and just manner. We have only to request it for the *East India* Company. He said that this Bill was not all he meant to propose; that other parts, of more nice disquisition, will remain for the future consideration of Parliament. There, perhaps, might be other methods proposed that were better than this; but he had as yet found out none that deserved a preference. Some persons had proposed that the fishery might be taken away; but this, he observed, would affect the Colony at large. Others proposed the Straits trade; and this would be liable to the same objection. No method of punishment ever came from him, but with great regret: he therefore hoped for that unanimity in a vote of this sort, which would give strength to the measure. It had been said, that we owed this proceeding of the *Americans* to our own ill conduct in taxing and repealing; but if gentlemen would recollect, when the Stamp Act passed, there was hardly a dissenting voice; and when it was repealed, it had the consent of a great majority of that House; that the doctrine then laid down was, that external duties were our right, internal taxes theirs; that when the repeal of the Stamp Act took place here, the clamour raised against that Act in *America* had subsided; that the non-importation agreements, it was true, were not remedied, because they ceased of themselves. It was my fate, he said, to propose the repeal of the duties laid on in 1767, and to continue the Tea Duty only. The reason was, I thought, the non-importation agreements would break up of themselves; which was afterwards the case. It was proposed by some, that the Tea Duty should be taken off; it was urged by others, that it would then become a monopoly of the *East India* Company; nor did I think the giving up the duty to the *East India* Company of consequence enough to venture the struggle of the Legislative authority of this country. If they could sell tea cheaper than any other People, they would certainly have the market to themselves. His Lordship observed, that at *Boston* we were considered as two independent States; but we were no longer to dispute between legislation and taxation, we were now to consider only whether or not we have any authority there; that it is very clear we have none, if we suffer the property of our subjects to be destroyed. He hoped that all would agree with him, both peers, members, and merchants, to proceed unanimously to punish such parts of *America* as denied the authority of this country. We must, he said, punish, control, or yield to them. He did not wish to molest without an offence given; he therefore proposed this measure to day; and observed, if such conduct was followed, it would tend to cement two countries, as important to the one as the other; he therefore moved, "That leave be given to bring in a "Bill for the immediate removal of the officers concerned "in the collection and management of his Majesty's duties

Digitized by Google

"and customs from the town of *Boston*, in the Province of "*Massachusetts Bay*, in *North America*; and to discon-"tinue the landing and discharging, lading and shipping, of "goods, wares, and merchandise, at the said town of *Bos-"ton*, or within the harbour thereof."

When *Lord North* sat down, there was a perfect silence for some minutes.

Mr. *Grosvenor* got up to second the motion, and condemned very much the proceedings of *Boston*; he said, they were all entirely owing to the repeal of the Stamp Act.

Governor *Johnstone* desired to know, if it was to be left to the Crown, to what part of *America* the custom-house should be removed?

Lord *North* said, a clause was intended to be inserted in the Bill to leave that matter to the Crown.

Mr. *Dempster* observed, that should this indemnification to the *East India* Company take place by way of tax, it would be collected over *America*, and thereby injure the property of People who had been entirely innocent of this affair; that when he spoke formerly so much about taxation in general, he meant not as to the right which we had, but only as to the prudence and policy of the measure.

Mr. *Sawbridge* got up to speak, but the noise of the House being great for the question, he sat down, he said, till gentlemen had done coughing, and the House had done calling for the question; that though he could not be heard now, he should sit cooly till he could. The House being little silent, he said, he always gave his genuine opinion, and he was now, and always had been, of such opinion, that this country had no right to tax *America*; that it might be said by some People here, that *America* is not represented; that if this country had a right to take a single shilling out of an *American's* pocket, they have a right to take the whole. He then sat down a second time, the House being noisy, and said though he could not be allowed to speak long, he could sit long; and observed, that this destruction of the tea was entirely done by a mob unarmed; and that if a requisition was to be sent to *Boston* to make satisfaction to the *India* Company he made no doubt but what it would be complied with. He said, he was against the motion.

Mr. *Byng* said, he only meant to ask the noble Lord one question, whether this measure was not preventing the *English* ships from trading there, and a punishment on ourselves?

Mr. *R. Fuller* said, the Bill brought in would shew whether it was a punishment upon A or B; that he should therefore reserve his opinion until he saw the Bill.

Mr. *Dowdeswell* rose, upon which the House thought the debate would continue; he said, he was of opinion they were going to do very great mischief, and should think it his duty to give that opinion in this early stage of the Bill: he said, this Bill was to punish the town of *Boston*: why will you punish *Boston* alone? Did not other towns send your tea back to *England*, and refuse the landing? Have they committed no offence? He asked, if there was any evidence of a general concurrence of the inhabitants of *Boston*; he said, the examples of punishment the noble Lord had mentioned, were not similar to the present case; that the counties being obliged by law to make good the loss between sun and sun, was an old established law, not made for a particular purpose; that this Bill would be an *ex-post-facto* law; that the case of a corporation was different from the present; the corporation chose their own officers, the magistrates of the town of *Boston* were chosen by the Province at large. Would the House nor hear what *Boston* had to say in its defence? Would the House condemn without evidence, in the absence of the parties? He should trouble the House no more at present; he thought they were going to do a wrong act, nor could he think, that the cases of *London*, *Edinburgh*, or *Glasgow*, could at all be brought as examples of punishment in this case. He disapproved much of the Bill, and said, he should give a negative to it.

Mr. *Cavendish* approved of the proposition; but hoped, if the merchants of this country could any way be injured by it, that time would be given them to come and petition.

Captain *Phipps* said, he felt no reason to imagine that any opposition to the Bill at *Boston* could be effectual: that it was no new thing to direct and order a port for the reception of the trade of *America*; that harbours were in great plenty there; that all authority had been trampled upon in that country for many years; that if our subjects could not trade to *Boston*, they must go where they could trade with safety; that he did not attribute the disturbances to the Stamp Act, or the repeal of it. When he was in that country, he thought that that Act might have been put in execution; that the repeal might be proper. He imagined, one of the provisions that would be adopted by the House, would be to repeal the Declaratory Act, which, he said, was the most absurd and unconstitutional Act ever passed. Let *America* alone, and it would return of itself to obedience, and do not let us search for trifling taxes, by way of experiment, to try our power; the moment they see that taxation is not for effectually collecting of money, but for experiment only, they will always oppose you.

Lord *G. Cavendish* said, he was not sure but the object before the House would be prejudicial to our trade; that he looked to the mutual interest of the two countries; that they were united by proper measures, and, he hoped, they would be kept so; he wished that no idle ideas of superiority might prevail, for that country which is kept by power, is in danger of being lost every day.

Colonel *Barré* said, he was urged to rise to discharge his duty in not giving a silent vote upon the occasion. The proposition before the House, he could not help giving his hearty affirmative to; that he liked it, harsh as it was; he liked it for its moderation; and argued, that the noble Lord's (*North*) conduct would be of the same stamp throughout. He said, I think *Boston* ought to be punished, she is your eldest son. [Here the House laughed, and some members observed by him, that he would be a proper person to direct the admission of Irish members into the House, as he had hinted a day before that office for Mr. *Rigby*.] After the House had laughed heartily, he said, I mean your daughter, she is a noble prop; she gave herself that form of constitution she now has; cherish and support her. He wished to see an unanimous vote in the onset of this business; that when *Boston* saw this measure was carried by such a consent, they would the more readily pay the sum of money to the *East India* Company; that he hoped, if they did, that the Crown would mitigate the rest of their punishment; if the Crown went further, perhaps they could not do it without, as Governor *Tryon* observed, at the muzzle of your guns; that we had given *America* limited and prescribed means to acquire wealth; that he hoped they would leave the rest of the matter to themselves; that he had often thought, in the coolest hours, that *America* ought not to be taxed by this country. Endeavour, says he, to take the power of taxing out of their Assemblies, and it will be strongly opposed; he meant not to stick to experimental taxes; the tax of the Stamp Act was made to please this side [meaning Mr. *Grenville's* friends] of the House. Go, says he, to some great request at once, and if they wont comply with it, try then your power. You have been paying £4,000,000, for doing of nothing, only for teasing and scratching; I wish to see a fair decided line at once; I dont, says he, see any appearance of war at present; now is your time to try, in a civilized manner, your power over the *Americans*; other of your enemies are not in a condition to take part with them. I am not in office, that my advice can be taken; if I was, I should give it freely. If office comes to me, it comes as an atonement for repeated and unmerited affronts. I shall at all times speak the language of a free and disinterested member.

The motion of Lord *North*, for leave to bring in the Bill was then agreed to; and Lord *North*, Mr. *Onslow*, Mr. *Charles Townshend*, Mr. *Attorney General*, Mr. *Solicitor General*, Mr. *Rice*, Mr. *Cooper*, and Mr. *Robinson*, were ordered to prepare and bring in the same.

Ordered, That the further consideration of the Message and Papers be referred to a Committee of the whole House.

Resolved, That this House will, on *Friday* morning next, resolve itself into a Committee of the whole House, to consider of the said Message and Papers.

FRIDAY, *March* 18, 1774.

The Lord *North* presented to the House, according to order, a Bill for the immediate removal of the Officers concerned in the collection and management of his Majesty's

Digitized by Google

duties of Customs, from the town of *Boston*, in the Province of *Massachusetts Bay*, in *North America;* and to discontinue the landing and discharging, lading and shipping, of goods, wares, and merchandise, at the said town of *Boston*, or within the harbour thereof: and the same was received; and read the first time.

Resolved, That the Bill be read a second time.

Ordered, That the said Bill be read a second time upon *Monday* next.

A motion was made, and the question being put, that the said Bill be printed?

It passed in the Negative.

The order of the day being read, for the House to resolve itself into a Committee of the whole House, to take into further consideration his Majesty's most gracious Message of *Monday*, the 7th day of this instant, *March*, together with the Papers which were presented to the House, by the Lord *North*, upon the 7th and 11th days of this instant, *March*, by his Majesty's command;

Resolved, That this House will, upon *Wednesday* morning next, resolve itself into the said Committee.

MONDAY, *March* 21, 1774.

The Bill was read a second time, and committed to a Committee of the whole House.

Resolved, That this House will, upon *Wednesday* morning next, resolve itself into a Committee of the whole House, upon the said Bill.

WEDNESDAY, *March* 23, 1774.

The order of the day, for the House to resolve itself into a Committee of the whole, on the Message and Papers, was discharged, and the Message together with the Papers, was referred to the Committee of the whole House, to whom the Bill for the immediate removal of the officers concerned in the collection and management of his Majesty's duties of Customs, from the town of *Boston*, in the Province of *Massachusetts Bay*, in *North America;* and to discontinue the landing and discharging, lading and shipping, of goods, wares, and merchandise, at the said town of *Boston*, or within the harbour thereof, is committed.

The House then resolved itself into a Committee of the whole, on the said Bill.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. *Fuller* said, he intended to make an alteration in the Bill, by first substituting a fine before the blocking up the port; he should therefore propose, that the words "from and after," be left out, in order to insert one of his own. He said, that *Boston* was a port of the greatest consequence to this country of any existing; that the Bill before them was totally unprecedented; for that the case of *Edinburgh*, *Glasgow*, and others, that had been mentioned, was not in the least similar; that the penalty of blocking up their ports was too severe for the first offence; that when the nation came to know the contents of this Bill, he was sure they would be dissatisfied with it; that the *Bostonians*, upon the first resistence, will tell you they will not remit the money which they owe you; that nothing but confederacies would spring up among them; that he was strongly of opinion, that this Bill could not be carried into execution without a military force; that if we sent over a small number of men, the *Boston* militia would immediately cut them to pieces; that if we sent over a larger number, six or 7,000, the *Americans* would debauch them; and that by these means we should only hurt ourselves. I would begin, said he by an amercement; nor would I wish this Bill to take place, until they had refused the payment of it. He should apprehend, that about £15,000 would make amends to the *East India* Company, and would in some measure be a relief to poor *Malcolm* (the custom-house officer, who had been tarred and feathered.) It was always a rule in law, he said, where damages are done by unknown persons, that the community should be made to pay; he therefore wished that the House would adopt the proposition he had made.

Mr. *Herbert* opposed the measure which Mr. *Fuller* proposed. He said, the proposition would by no means relieve us, but throw us into greater difficulties; the *Bostonians* would certainly resist the payment of the fine; that we must then have recourse to this method. The measure proposed was still more likely to be resisted than the Bill, because the fine would be laid on all *America*, which would induce others to join in the opposition, who before were not concerned in it. He said, the *Americans* were a strange set of People, and that it was in vain to expect any degree of reasoning from them; that instead of making their claim by argument, they always chose to decide the matter by tarring and feathering; that the method now proposed in the Bill would become more a punishment by their refusal than by their compliance; that the *Americans* alone were the persons by whose behaviour the lenity or severity of the measure was to be proved: he therefore should agree to the Bill, in preference to the amendment proposed.

Lord *North* opposed the amendment. He said, however great his obligations were to the candour and public spirit of the honorable gentleman who made the motion, yet he differed much from him in the amendment proposed. His lordship observed, that though the honorable gentleman had said it was the first offence, yet upon recollection he was very sure he would not be of that opinion, as the People at *Boston* had begun many years ago to endeavour to throw of all obedience to this country; that, indeed, this was the first time that Parliament had proceeded to punish them. He said, I am by no means an enemy to lenient measures, but I find that resolutions of censure and warning will avail nothing; we must therefore proceed to some immediate remedy; now is our time to stand out, to defy them—to proceed with firmness, and without fear; they will never reform until we take a measure of this kind. Let this Bill produce a conviction to all *America*, that we are in earnest, and that we will proceed with firmness and vigour; that conviction will be lost, if they see us hesitating and doubting. It will be enough to shew that *Great Britain* is in earnest. The merchandise now will be landed at *Marblehead*, in the port of *Salem*, which is putting *Boston* about seventeen miles from the sea with respect to foreign trade. This restriction will be continued as long as they persist in their proceedings; it will operate severely or mildly against them, according to their behaviour; if they are obstinate, the measure will be severe; if not, mild. I believe that *Boston* will not immediately submit to a fine, nor to the intention of the present Bill, unless it comes attended with a mark of resolution and firmness that we mean to punish them, and assert our right; it is impossible to suppose but some of our own People may in some degree suffer a little, but we must compare those temporary inconveniences with the loss of that country, and its due obedience to us; they bear no comparison; and the preference must certainly be given to the latter. The honorable gentleman tells us, that the *Americans* will not pay their debts due to this country, unless we comply with their disposition. I believe things will remain much in the same state as they did upon a like occasion; they threatened us with the same thing if we did not repeal the Stamp Act; we repealed that Act, and they did not pay their debts. If this threat is yielded to, we may as well take no remedy at all; their threats will hold equally good to the fine proposed by the honorable gentleman, as to the operation of this Bill. I hope we every one feel, that it is the common cause of us all, and such an unanimity will go half way to their obedience to this Bill. The honorable gentleman tells us, that the Act will be a waste piece of paper, and that an army will be required to put it in execution. The good of this Act is, that four or five frigates will do the business without any military force; but if it is necessary, I should not hesitate a moment to enforce a due obedience to the laws of this country. The situation of the troops in that country has been such, that no magistrate or civil officer of the peace has been willing to call forth their strength on proper occasions; it will become us to find out some method whereby the military force may act with effect, and without bloodshed, in endeavouring to support and maintain the authority of *Great Britain;* but I hope that this Act will not, in any shape, require a military force to put it in execution: the rest of the Colonies will not take fire at the proper punishment inflicted on those who have disobeyed your authority; we shall then be nearly in a situation, that all lenient measures will be at an end if they do; but if we exert ourselves now with firmness and intrepidity, it is the more likely they will submit to our authority. If the

Digitized by Google

consequences of their not obeying this Act are likely to produce rebellion, those consequences belong to them, and not to us: it is not what we have brought on, but what they alone have occasioned; we are only answerable that our measures are just and equitable. Let us continue to proceed with firmness, justice, and resolution: which, if pursued, will certainly produce that due obedience and respect to the laws of this country, and the security of the trade of its People, which I so ardently wish for.

Mr. *Gascoigne* said he differed much from the proposition made by Mr. *Fuller*, as an amendment to the Bill. Will gentlemen consider what sort of Acts of Assembly the *Bostonians* have lately passed? They have sent over one law, to be approved of by his Majesty, for the raising and purchasing twelve pieces of brass cannon; these, he said, were to be produced against the present proposition of amendment. Do these proceedings look with a peaceable eye to the proposition of his honorable friend? It is not, says he, the acts of tarring and feathering only that shew their displeasure to persons who have offended them; they have other modes of punishment, which they make use of by way of argument and reason; the house of any person with whom they are displeased, they immediately daub over with excrement and tar, by which means the whole family is obliged to quit it. These People, he was afraid, would hardly ever be brought to reason; for the moment a person offered to argue, the reply was, either tarring, feathering, or daubing the house. The Bill before them now, he apprehended, would bring these tarring and feathering casuists to a little better reason; nor did he imagine that a military force would be in the least necessary: as their meetings were chiefly made up of merchants, the prescribing limitations to their trade would be the only way to bring such merchants to their senses.

Mr. *Montague* (second son of Lord *Sandwich*) rose for the first time in the House. He said, that it was usual to begin by making some sort of apology to the House as a virgin orator; that he should, for the present, wave that custom, but should venture what little he had to say with as much propriety and decency as he was able. He said, he was the youngest member in the House, and therefore, might more properly lay his thoughts before the House, in order that they might hereafter be corrected by men more able, and of greater experience; and that he might at last be induced to give his vote at least rectified with some sanction of authority. He expatiated much on the load of debt which this country had incurred on obtaining *America* in *Germany;* that we had spilt the dearest and best blood we had in the attainment of it; that it had been the result and deliberation of our Councils to obtain the possession of it by any means, and at any risk whatsoever; that it had been the darling object of this country, ever since we possessed it, to cherish and nourish it as the main prop and support of the constitutional body of *Great Britain;* that after all these struggles for the possession of such a jewel in the crown of this country, it would be madness, it would be folly indeed to the last extremity, were we not to pursue the most determined conduct to preserve it; the giving up that gem which we have so carefully and so diligently polished, or neglecting to enforce that due obedience, and cultivate the friendship, would be as it were an actual surrender of all our right and claim. He spoke much upon the indulgence that had been shewn to the Colonies by the mother country, and observed, that we had received nothing in return but contempt of Government. Was this filial friendship? Was this that debt of gratitude which was owing to this country? Or was this that bond of mutual connection which ought to have subsisted between the mother country and its Colonies? He said, he looked upon the unity of legislation to be as essential to the body politic, as the Deity was to religion; that the disorders abroad had entirely been owing to our weak Councils at home, and condemned much the tame, unmanly proceedings of Government towards the *Americans*. Those acts of the *Americans* call now loudly for that power and that interposition which has been so long, and with so much danger to this country withheld. Let us now proceed, and consider what it is most prudent to do in the present situation of things, *rebus sic stantibus*. Let us consider whether the Bill before us will not be the most proper method that can be adopted. The Bill, he said, would operate as a restorative and palliative; but if the amendment was adopted, which was proposed by the honorable member, it would indeed produce a punishment, the sting of which *Great Britain* would in some measure feel. He expatiated also upon gentlemen in that House, who had been clamorous against the measures of Government, with a view to make themselves popular: he termed them a faction, whose very existence had arose merely as it were from the vilest excrement of the earth. He begged pardon for having detained the House so long; as they had been so kind and indulgent to him in the attention which they shewed, he would conclude with giving his hearty approbation to the Bill, as it bore on its face those distinguishing lines which ought to be the true characteristic of every *British* Minister, moderation and courage.

Mr. *Byng*. I rise, Sir, to speak my mind upon this Bill. Whatever principles I have hitherto adopted, be they right, or be they wrong, I have always adhered to; and as I live with such opinions, I hope I shall die in them. Men's characters are known after their death, and to have steadily adopted one uniform set of principles, from which I have not deviated, I hope will not be deemed factious. This Bill will prevent all importation of goods to *Boston*, and thereby create that association in the *Americans* which you have so much wished to annihilate. You are not punishing the *Bostonians;* you are punishing the *English* merchants. They, Sir, would petition this House; but they might petition it in vain. I am against both the amendment and the Bill itself; I therefore propose, that after the words, "not to import goods," the words "except of *British* merchants," be inserted.

Mr. *Stanley* said, that the place where trade and merchandise could not be landed in safety was not a port; it was therefore proper that some other port should be found out where the subjects of this country might land their merchandise in safety. I think, said he, the Bill which is now before you, as far as it can convey punishment will be unavoidable; something must be done; an immediate remedy must be had, and I think, none can be adopted so free from objection as the Bill before you.

Mr. *Dempster* said, that he knew of no Act to which he gave his hearty consent in a more willing manner than to that which was for the repeal of the Stamp Act; he said, our disorders had arisen from our attempts to tax the *Americans* by that odious Act; he was very sure the destruction of *America* would be certain if we should offer to tax it. Have we not, said he, given an extent of power to his Majesty, to prevent the port of *Boston* from ever being reinstated if the King should think proper? What limit or line is drawn to define when it will be proper, right, and just, that the port of *Boston* should be reinstated? He said, the dignity of Parliament was by no means concerned in the disputes with our Colonies; and that we should treat them as our children, nourish and protect them.

Lord *North* rose to explain. When he mentioned the threats of *Boston* were not to be depended upon at the repeal of the Stamp Act, he said, he did not mean to rip up wantonly the mention of the repealing the Stamp Act; that he begged to be understood in that light, only to shew, that the threats of *Boston*, at that time, in not paying their debts, unless the Stamp Act was repealed, were not always to be depended upon.

Mr. *Ward* said, he was surprised to hear that we were not now to tax *America;* that he was equally surprised not to find that unanimity which he expected upon the present Bill; that he himself was much against the repeal of the Stamp Act; that he had presented four petitions from his Constituents in favour of the repeal, but, that he, at the same time, told them he must be against them. He approved, he said, of this Bill, because there was no other resource left; that we were drove to the wall. He disapproved, he said, of the amendment.

Mr. *Jenkinson*. I think *Great Britain* right; I commend much the measure of the Stamp Act, and, as the honorable gentleman, (Mr. *Grenville*,) who was the author of that Act, has been much praised and commended for another Bill, (the Election Bill,) I beg leave to throw in my hearty approbation of my honorable friend for the Stamp Act. What, said he, is to become of all your trade, if the proceedings of the *Bostonians* are to become a precedent to the rest of the Colonies; we have gone into a very

Digitized by Google

expensive war for the attainment of *America:* the struggle we shall now have to keep it, will be but of little expense.

General *Conway* observed, that the right honorable gentleman who spoke last, had spoken with some degree of warmth, which the present debate, he apprehended, did not at all call for. I will just say one very short word, he said, in favour of the Bill. I am particularly happy in the mode of punishment that is adopted in it, but I disclaim any thing in the debate that tends to call up old sores, or create anger. I was much for the repeal of the Stamp Act, and am not ashamed to own it; nor do I think that that measure was the reason of these disorders.

Mr. *R. Fuller* said, we all agree, that the *Bostonians* ought to be punished, but we differ in the mode of it. He did not insist any farther.

The debate ended, and the blanks were filled up in the Bill. It was then read.

On the question upon the clause, which vests the power in the Crown to restore the port,

Mr. *Charles Fox* said, he should give it his negative, as it was trusting the Crown with that power which Parliament were afraid to trust themselves with; and if he did not succeed in his negative to this clause, he should object to the clause following, which seemed to militate against the measure adopted in this, as a restraint was then laid upon the Crown until the *East India* Company were made satisfaction. This Bill, he said, was calculated for three purposes; the first for securing the trade, the second for punishing the *Bostonians*, and the third for satisfaction to the *East India* Company. He said, the first clause did not give a true and exact distinction by what means, and at what period, the Crown was to exercise that power vested in it; he thought that application for relief should come to Parliament only, and that the power of such relief should not be lodged in the Crown. The quarrel, he said, was with Parliament, and Parliament was the proper power to end it; not that, said he, (in a kind of sneer) there is any reason to distrust his Majesty's Ministers, that they will not restore the port when it shall be proper; but I want to hear the reason why this clause should be so left in the judgment of the Crown, and the next clause should be so particularly granted, with such a guard upon his Majesty, to prevent him from restoring the port until the *East India* Company shall be fully satisfied.

Captain *Phipps* said, that nothing surely was so proper as to allow the Crown that power which always had been attributed to it, that of mercy; his Majesty cannot deprive the People of a port without the leave of Parliament, but he may certainly give one; as to the power being lodged in the Crown, of restoring the port upon proper contrition, it is highly proper, and not in Parliament, for Parliament may not be sitting at the time when the trade of *Boston* ought to be restored; that power which has a right to give a port, has also a power of appointing quays and wharfs; if the power was not lodged in the Crown, quays and wharfs might be made at places totally inconvenient to the custom-house officers, and thereby prevent the collection of his Majesty's revenue.

Lord *North*. The test of the *Bostonians* will not be the indemnification of the *East India* Company alone, it will remain in the breast of the King, not to restore the port until peace and obedience shall be observed in the port of *Boston*. I am ready to admit a clause to secure those wharfs and quays which are now in use, to be the same when the port shall be restored. He observed, he had been charged with changing his opinion; that the declaration which he had made tended chiefly to the punishment of the *Bostonians*, and that the Bill particularly adhered to the views of making the *India* Company satisfaction. He believed the House would do him the justice to say, that he had declared both those measures to be his intention at the first setting out of the business, as well as to restore the trade to a proper footing; that he hoped he had never deviated from them, notwithstanding what the honorable gentleman, (Mr. *Fox*) had charged him with; that he should never be ashamed, at any time, to give up his opinion upon good grounds; it would be the height of obstinacy not to do it, when he saw any good reasons to guide his opinion to better judgment.

Mr. *Van* said, he agreed to the flagitiousness of the offence in the *Americans*, and therefore was of opinion, that the town of *Boston* ought to be knocked about their ears, and destroyed. *Delenda est Carthago:* said he, I am of opinion you will never meet with that proper obedience to the laws of this country, until you have destroyed that nest of locusts.

Colonel *Barré* said, he had very little thoughts of troubling the Committee upon this clause, but for an expression which fell from an honorable gentleman under the gallery, *delenda est Carthago*. I should not have risen, said he, had it not been for those words. The Bill before you is the first vengeful step that you have taken. We ought to go coolly to this business, and not trouble our heads with who passed, or who repealed the Stamp Act, or other taxes. We are to proceed *rebus sic stantibus*. The proposition made ye I thought a moderate one, though I must confess I hate the word fine; it is a tax, and as long as I sit here among you, I will oppose the taxing of *America*. This Bill, I am afraid, draws in the fatal doctrine of submitting to taxation; it is also a doubt by this Bill, whether the port is to be restored to its full extent. Keep your hands out of the pockets of the *Americans*, and they will be obedient subjects. I have not a doubt, but a very small part of our strength will, at any time, overpower them. I think this Bill a moderate one; but I augur that the next proposition will be a black one. You have not a loom nor an anvil but what is stamped with *America*; it is the main prop of your trade. Parliament may fancy that they have rights in theory, which I will answer for, they can never reduce to practice. *America* employs all your workmen here: nourish and protect it, that they may be supported.

The clause objected to by Mr. *Charles Fox*, passed in the Affirmative without any division, but one or two negatives being given against it.

The Committee then rose.

Sir *Charles Whitworth* reported from the Committee, that they had gone through the Bill, and made several amendments thereunto.

The amendments were agreed to by the House; and several amendments were made by the House to the Bill.

Ordered, That the Bill with the amendments be engrossed.

Ordered, That the said Bill be read the third time, tomorrow morning, if the said Bill shall be then engrossed.

THURSDAY, *March* 24, 1774.

Ordered, That the said Bill be read the third time, tomorrow at twelve of the clock.

FRIDAY, *March* 25, 1774.

Mr. *Crosbie* offered to present a Petition of *William Bollan*, Esq., (styling himself agent) for and in behalf of the Council of the Province of *Massachusetts Bay*, and likewise of himself and the other inhabitants of the town of *Boston*.

And a motion being made, that the said Petition be brought up; it produced a short, but warm debate.*

And the question being put, the House divided; yeas 40, nays 170.

So it passed in the Negative.

A Petition of several Natives of *North America*, was presented to the House, and read; setting forth,

* In the progress of the Bill, opposition seemed to collect itself, and to take a more active part. Mr. *Bollan*, the agent of the Council of *Massachusetts Bay*, presented a Petition, desiring to be heard for the said Council, and in behalf of himself and other inhabitants in the town of *Boston*. The House refused to receive the Petition. It was said that the agent of the Council was not agent for the Corporation, and no agent would be received from a body corporate, except he were appointed by all the necessary constituent parts of that body—besides, the Council was fluctuating, and the body by which he was appointed could not be then actually existing.

This vote of rejection was heavily censured. The opposition cried out at the inconsistency of the House, who but a few days ago received a Petition from this very man in this very character; and now, only because they choose to exert their power in acts of injustice and contradiction, totally refuse to receive any thing from him, as not duly qualified. Were not the reasons equally strong against receiving the first as the second Petition? But what, they asserted, made this conduct the more unnecessary and outrageous, was, that at that time the House of Lords were actually hearing Mr. *Bollan* on his Petition, as a person duly qualified, at their bar. Thus said they, this House is at once in contradiction to the other and to itself. As to the reasons given against his qualification, they are equally applicable to all *American* agents; none of whom are appointed as the Minister now required they should be—and thus the House cuts off all communication between them and the Colonies, whom they are affecting by their acts.—*Ann. Regis.*

Digitized by Google

That the Petitioners, being natives of his Majesty's Dominions in *America*, and deeply interested in every proceeding of the House, which touches the life, liberty, or property, of any person or persons in the said Dominions; and that the Petitioners conceive themselves and their fellow subjects entitled to the rights of natural justice, and to the common law of *England*, as their unalienable birthright; that they apprehend it to be an inviolable rule of natural justice, that no man shall be condemned unheard; and that according to law, no person or persons can be judged without being called upon to answer, and being permitted to hear the evidence against them, and to make their defence; and that it is therefore with the deepest sorrow they understand that the House is now about to pass a Bill, to punish with unexampled rigour, the town of *Boston*, for a trespass committed by some persons unknown, upon the property of the *East India* Company, without the said town being apprized of any accusation brought against them, or having been permitted to hear the evidence, or to make their defence; and that the Petitioners conceive such proceedings to be directly repugnant to every principal of law and justice; and that, under such a precedent, no men, or body of men in *America*, could enjoy a moment's security; for if judgment be immediately to follow an accusation against the People of *America*, supported even by persons notoriously at enmity with them, the accused, unacquainted with the charge, and, from the nature of their situation, utterly incapable of answering and defending themselves, every fence against false accusation will be pulled down; justice will no longer be their shield, nor innocence an exemption from punishment; and representing to the House, that the law in *America* ministers redress for any injuries sustained there; and they can most truly affirm, that it is administered in that country with as much impartiality as in any other part of his Majesty's Dominions; in proof of this, they appeal to an instance of great notoriety, in which, under every circumstance that could exasperate the People, and disturb the course of justice, Captain *Preston* and his soldiers had a fair trial, and favourable verdict. While the due course of law holds out redress for any injury sustained in *America*, they apprehend the interposition of Parliamentary power to be full of danger, and without any precedent. If the persons who committed this trespass are known, then the *East India* Company have their remedy against them at law; if they are unknown, the Petitioners conceive that there is not an instance, even in the most arbitrary times, in which a city was punished by Parliamentary authority, without being heard, for a civil offence not committed in their jurisdiction, and without redress having been sought at common law. The cases which they have heard adduced, are directly against it. That of the King against the city of *London*, was for a murder committed within its walls, by its citizens, in open day; but even then, arbitrary as the times were, the trial was public, in a court of common law; the party heard, and the law laid down by the Judges was, that it was an offence at the common law to suffer such a crime to be committed in a walled town, *tempore diurno*, and none of the offenders to be known or indicted. The case of *Edinburgh*, in which Parliament did interpose, was the commission of an atrocious murder within her gates, and aggravated by an overt act of high treason, in executing, against the express will of the Crown, the King's laws. It is observable, that these cities had, by charter, the whole executive power within themselves; so that a failure of justice necessarily ensued from the connivance in both cases; however, full time was allowed them to discharge their duty, and they were heard in their defence. But neither has time been allowed in this case; nor is the accused heard; nor is *Boston* a walled town, nor was the act committed within it; nor the Executive power in their hands, as it is in those of *London* and *Edinburgh*; on the contrary, the Governor himself holds that power, and has been advised by his Majesty's Council to carry it into execution; if it has been neglected, he alone is answerable; if it has been executed, perhaps at this instant, while punishment is inflicting here on those who have not been legally tried, the due course of law is operating there, to the discovery and prosecution of the real offenders; and the Petitioners think themselves bound to declare to the House, that they apprehend a proceeding of executive rigour and injustice will sink deep in the minds of their countrymen, and tend to alienate their affections from this country; and that the attachment of *America* cannot survive the justice of *Great Britain*; and that, if they see a different mode of trial established for them, and for the People of this country, a mode which violates the sacred principles of natural justice, it must be productive of national distrust, and extinguish those filial feelings of respect and affection which have hitherto attached them to the Parent State. Urged therefore by every motive of affection to both countries, by the most earnest desire, not only to preserve their own rights and those of their countrymen, but to prevent the dissolution of that love, harmony, and confidence between the two countries, which were their mutual blessing and support, beseech the House not to pass the Bill.

Ordered, That the said Petition do lie upon the table.

The order of the day being read, the Bill was accordingly read the third time.

Mr. *Charles Fox*, then proposed as an amendment to the Bill, to leave out the following clause:—

"*And be it further enacted, by the authority aforesaid*, "That whenever it shall be made to appear to his Majesty "in his Privy Council, that peace and obedience to the laws "shall be so far restored in the said town of *Boston*, that "the trade of *Great Britain* may safely be carried on "there, and his Majesty's customs duly collected, and his "Majesty in his Privy Council shall adjudge the same to "be true, it shall and may be lawful for his Majesty, by "proclamation or order of Council, to assign and appoint "the extent, bounds and limits, of the port or harbour of "*Boston*, and of every creek or haven within the same, or "in the islands within the precincts thereof; and also to "assign and appoint such and so many open places, quays, "and wharfs, within the said harbour, creeks, havens, and "islands, for the landing, discharging, lading and shipping, "of goods, as his Majesty, his heirs, or successors, shall "judge necessary and expedient; and also to appoint such "and so many officers of the customs therein, as his "Majesty shall think fit; after which it shall be lawful for "any person or persons to lade or put off from, or discharge "and land upon, such wharfs, quays and places, so appoin-"ed within the said harbour, and none other, any goods, "wares, and merchandise, whatever. *Provided always*, "That if any goods, wares, or merchandise, shall be laden "or put off from, or discharged or landed upon, any other "place than the quays, wharfs, or places, so to be appoint-"ed, the same, together with the ships, boats and other ves-"sels, employed therein, and the horses or other cattle, "and carriages, used to convey the same, and the person or "persons concerned or assisting therein, or to whose hands "the same shall knowingly come, shall suffer all the forfei-"tures and penalties imposed by this or any other Act, on "the illegal shipping or landing of goods."

And the question being put, that the said clause stand part of the Bill?

It was resolved in the Affirmative.

Mr. *Fox* objected to another clause: he had objected to these two clauses in the Committee. He said, he now made his objections, in order that it might appear on the Journals that somebody did object to them. He then moved as a further amendment to the Bill, to leave out the following clause:—

"*Provided, also*, And it is hereby declared, and enacted, "that nothing herein contained shall extend, or be con-"strued, to enable his Majesty to appoint such port, "harbour, creeks, quays, wharfs, places, or officers, in the "said town of *Boston*, or in the said bay, or islands, until it "shall sufficiently appear to his Majesty, that full satisfac-"tion hath been made by or on behalf of the said town of "*Boston*, to the United Company of the *East Indies*, for "the damage sustained by the said Company, by the "destruction of their goods sent to the said town of *Bos-"ton*, on board certain ships or vessels as aforesaid, and "until it shall be certified to his Majesty in Council, by "the Governor or Lieutenant Governor of the said Pro-"vince, that reasonable satisfaction hath been made to the "officers of his Majesty's revenue, and others, who suffered "by the riots and insurrections above mentioned, in the "month of *November*."

And the question being put, that those words stand part of the Bill?

It was resolved in the Affirmative.

Digitized by Google

On the question, that this Bill do Pass:

Mr. *Dowdeswell* said, he rose to give his dissent to passing the same into a law; that he had not the least degree of timidity in rising to oppose it; that he always thought the proposition totally unjust and unfair. By the Bill, a person is to understand, that the commerce of all his Majesty's subjects is interrupted; and, said he, I cannot give my assent to it, until I hear the complaints from the different manufactures of iron, leather, wool, &c., and the merchants of this country, which complaints, I imagine, the hurry of passing this Bill totally prevents. It is not, says he, that any other goods are interrupted in the port of *Boston*, but those which are charged with a duty from hence. Look to the consequences of this Bill; you are contending for a matter which the *Bostonians* will not give up quietly. I remember, said he, when it was held a doctrine in this House, by persons of great and extensive knowledge, that we had no right to tax *America*. There is now no such opinion; the question was then, "Whether "with the profits which we receive from all our manufac- "tures exported hence, it would be a wise measure to tax "*America*?" What is the reason, said he, that you single out *Boston* for your particular resentment? Have there been no other towns in *America* which have disobeyed your orders? Has not *Philadelphia*, *New York*, and several other Provinces, sent back their tea? Has not the *East India* Company suffered nearly as much damage from the tea being sent back, as indeed where they have landed it? *Charlestown* is the only place where they have suffered the tea to be landed; and what have they done? They have put it into a damp cellar, and the whole has become rotten and useless. You find yourselves much at a loss about this Bill, and are hurt, because the innocent are likely to be involved in the same punishment with the guilty. You are now going to censure them, in the same manner as was done in the case of *Edinburgh* and *Glasgow*, where the People at large were to suffer for the neglect of their Magistrates. There is a great difference between the Magistrates of *Edinburgh*, and those of *Boston*; those at *Edinburgh* are chosen by the People; those at *Boston* are not; they are appointed by the Council, and the Council are elected by the Province at large. You are going to appoint a new port, where there are neither sufficient wharfs, quays, or ware-houses for carrying on business. You hereby punish the *British* merchants much more severely than the People of *Boston*. The folly and childishness of carrying on such a project is certainly very evident. All that you have effected, is to carry your merchandise seventeen miles further from the town of *Boston*, so that the *Bostonians* shall be obliged to be at an additional expense in conveying their merchandise from the port of *Salem* by land. You ask why the *Americans* do not pay their debts? If you stop the exports, you will of course stop the payment of those debts. Now, Sir, let us consider how this Bill is founded upon principles of justice; if Parliament continually passes Bills, sometimes to punish the person, at other times the places, you will, by and by, have your hands fully employed; you will soon inflame all *America*, and stir up a contention you will not be able to pacify. The passing this Bill in a week or so, does not give time to the injured persons in *America* to petition this House for redress. I rejoice, that you have at least had one petition from the natives of *America* residing in this country: the language of that petition bears the face of a well written, unanswerable argument; it is no common petition: it is the strong and pathetic language that tells their own feelings, and those of their fellow subjects in *America*. I wish to hear some arguments offered against what is contained in it, for it will be said, both here and in *America*, that such reasons and arguments deserve an answer.

Mr. *Welbore Ellis* said, he did not rise to answer the honorable gentleman to the first part of what he advanced, being arguments which had, in a former debate, been urged and sufficiently replied to. He said this behaviour of the *Americans* was the most direct opposition to the laws of this country that could possibly be conceived. If this country, said he, has not a right to pass a tax on *America*, they have no right to pass any law whatsoever relative to it. The present Bill confirms no tax; it enacts none; it imposes none; the tax upon tea was introduced to prevent tea being smuggled into that country. The honorable gentleman (Mr. *Dowdeswell*) has said, this Bill was unjust and unwise. I differ much from him, and think it both just and wise. This Bill makes it expedient for them to do their duty, and puts the *Bostonians* upon the inquiry to find out who were the parties that committed this riot; the persons or magistrates in the town, not inquiring into the proceedings, are much to blame, and I cannot think this Bill in the least unwise. Can it, Sir, be unwise, unless it is unwise to maintain the authority of this country, and to punish those who have been the aggressors against its laws? The honorable gentleman, he said, had mentioned that others were guilty, and why were they not punished? There is, said he, a different degree of crime in each of them, and some are more to blame than others. It is treason in the *Bostonians*, and can only be deemed a high crime and misdemeanor in the others; but, in my mind, it appears to be wise, first to single out *Boston* as the principal ringleader of the whole disturbance, and begin this punishment there, in order to see what effect the proceedings will have; I therefore think this Bill wise, prudent, and just.

Mr. *Edmund Burke*. I trouble you, Sir, in the last stage of this Bill, because I would not appear petulant when my objections run to the whole of it. I never knew any thing that has given me a more heart-felt sorrow than the present measure. This Bill is attempted to be hastened through the House in such a manner, that I can by no means assent to it; it is to be carried by force and threats into execution; and you have even refused to hear Mr. *Bollan*, the agent, declaring him to be no agent for *Massachusetts Bay*, or not properly authorized by them to present such petition; you have not now one left in *England* to be heard in behalf of any of the Colonies; the only obstruction that this Bill has had, has been owing to its own *vis inertiæ*; but persons who oppose this Bill, are immediately put to the same kind of punishment in the public Papers which offenders in *America* are. Look, Sir, into the public Papers, you will see *Cinna*, and a thousand other *Roman* names, throwing out their invectives, and tarring and feathering all those who dare oppose the Bill. I suppose I shall reap my share for this opposition: but, Sir, at all events, I will enter my protest against this Bill, and will mount my little palfrey, and speak of the injustice which the Bill contains with the greatest confidence. The grievance which is stated in the Papers before you on the table appears to be an universal resistance from all *America* against any goods or merchandise that shall be loaded with taxes.—He desired that that part of General *Haldiman's* letter, declaring the resolution of the *Americans* not to submit to receive goods with duty upon them, might be read; he read the extract he had made in his place; he said, the whole meeting in the town of *Boston* consisted of six or seven hundred men of the first rank and opulent fortune in the place; that the proceedings were conducted with the utmost decency. He said, this was not a meeting of mean persons, but that the acts of resistance were all countenanced by universal consent. Observe, said he, that the disturbances are general; shew me one port in all *America* where the goods have been landed and vended; the distemper is general, but the punishment is local, by way of exchange. Whether it will be effectual or not, I do not know; but, Sir, let me paint to this House the impropriety of a measure like this; it is a remedy of the most uncertain operation; view but the consequence, and you will repent the measure; give orders at once to your Admirals to burn and destroy the town; that will be both effectual, proper, and moderate, and of a piece with the rest of your proceedings, *eventus tristis*. One town in proscription, the rest in rebellion, can never be a remedial measure for general disturbances. Have you considered whether you have troops and ships sufficient to enforce an universal proscription to the trade of the whole Continent of *America*? If you have not, the attempt is childish, and the operation fruitless. Only, Sir, see the consequence of blocking up one port; for instance, that of *Virginia Bay*; which, if you do, you will destroy the tobacco trade, and thereby bring, as it were, a certain ruin on your own merchants at *Glasgow* and *Edinburgh*. This Bill has been thought a vigorous, but not a rigorous punishment. It is my opinion that you might even punish the individuals who committed the violence, without involving the innocent: I should ap-

Digitized by Google

prove much of that; but, Sir, to take away the trade from the town of *Boston*, is surely a severe punishment. Would it not be a rigorous measure to take away the trade of the *Thames*, for instance, and direct the merchandise to be landed at *Gravesend*? I call this Bill most unjust, for is it not fundamentally unjust to prevent the parties who have offended from being heard in their defence? Justice, Sir, is not to be measured by geographical lines nor distances. Every man, Sir, is authorized to be a magistrate, to put a stop to disturbances which he perceives to be committed against his Majesty's peace; but did you expect that the People who were not present at such disturbances, would be equally punished for not aiding and assisting in putting an end to those riots which they never saw or heard of? This, Sir, is surely the doctrine of devils, to require men to be present in every part of *America* wherever a riot happens: but this Bill involves those who have never in the least been guilty; and then you again say, that the disturbances which did happen ought to have been immediately put a stop to by the People of *Boston*, and that they were bound to preserve the good order of the town; but, Sir, I have too much reverence for the image of God to conceive that the honorable gentleman (Mr. *Welbore Ellis*) does really and truly imbibe such a doctrine. He then read part of Colonel *Leslie's* letter, No. 45, wherein the Colonel said, that neither the Governor, nor the Council, nor any of the custom-house officers, have ever yet applied to me for any assistance; if they had, I could most certainly have put a stop to all their riot and violences, but not without some bloodshed, and firing upon their town, and killing many innocent People. Why, Sir, did not the Governor at once send for this assistance? Was it contrary to, or do you think he would have broke through his instructions, if he had endeavoured, by such ways and means, to preserve the public peace, and prevent violences from being committed? The fault of this Governor ought not to be the means of punishment for the innocent. You have found that there was no Government there. Why did not the Governor exercise his authority? Why did not the ships execute their duty? What was the reason they did not act? Why is not Mr. *Hancock*, and the chief People, who are known, punished, and not the innocent involved with the guilty in one universal calamity? You, surely, Sir, cannot have power to take away the trade of a port, and call it privilege! Why was not your force that was present applied to quell the disturbances? How came they to be so feeble and inactive? How are you sure that the orders and frigates which you now send will act better? I cannot think this, by any means, a prudent measure, in blocking up one port after another; the consequence will be dreadful, and I am afraid destructive; you will draw a foreign force upon you, perhaps, at a time when you little expect it; I will not say where that will end; I will be silent upon that head, and go no further; but think, I conjure you, of the consequence. Again, Sir, in one of the clauses of the Bill you proscribe the property of the People to be governed and measured by the will of the Crown. This is a ruinous and dangerous principle to adopt. There is an universal discontent throughout all *America*, from an internal bad Government. There are but two ways to govern *America*; either to make it subservient to all your laws, or to let it govern itself by its own internal policy. I abhor the measure of taxation where it is only for a quarrel, and not for a revenue; a measure that is teazing and irritating without any good effect; but a revision of this question will one day or other come, wherein I hope to give my opinion. But this is the day, then, that you wish to go to war with all *America*, in order to conciliate that country to this; and to say that *America* shall be obedient to all the laws of this country. I wish to see a new regulation and plan of a new legislation in that country, not founded upon your laws and statutes here, but grounded upon the vital principles of *English* liberty.

Mr. *Grey Cooper* said, he could not agree in the doctrines laid down by the honorable gentleman who spoke last, that the Bill was unjust or unwise; it was, in his opinion, a temperate and prudent law, to preserve the trade of this country, and protect the peace of *America*; he was sorry to find that honorable gentleman in particular should be upbraiding Government for not making use of military force; nor should he have expected that such a proposition would have come from him. It has been said that the *Americans* cannot be heard in their own defence before this measure takes effect. Look at the papers on the table, where you see the resolutions of their public meetings ordered to be sent over here, that we might be acquainted with them. After such a defiance, can it be expected, that they would come over here to be heard, and say any thing at your bar but what they had already told you, and sent to you expressly in the papers on your table, where they refuse a direct obedience to all your laws? It is asked again, Sir, whether the individuals are not to be punished when they are found out? I apprehend, Sir, that this measure by no means excuses the guilty persons from being brought to condign punishment. The Black Act of this country is a similar case with regard to this Bill, where the hundred are fined in the penalty of £200 for not suppressing the offences mentioned in that Act, such as cutting down trees, breaking banks, and other misdemeanors. The whole hundred, in this case, are not present at the commission of the crime, yet they are punished for it; nor does that fine excuse the criminal from being particularly punished, where the aggressor can be found out. The Bill before you is a law for the protection of trade; it is a mild measure, if they obey it; if they oppose it, the result of it will only make the punishment. The resolves at *Boston* I consider as direct issue against the Declaratory Act; they clearly proved a determined resolution in the *Americans* to oppose every law of this country; but the *Bostonians* alone have carried into execution what others have only resolved. This Bill, Sir, I look upon to be the act of a father chastising his son on one line, and restoring the trade and peace of *America* on the other, and therefore I highly approve of the measure.

Mr. *Anthony Bacon* said there was not a port in *New-England* but what had sufficient ware-houses for the reception of all the merchandise of *Great Britain*.

Governor *Pownall* said, that he had always been of opinion, that internal taxes could not legally be laid, but that he agreed in external ones; that there wanted a revision of the general laws relating to *America*; he said he wished that the Tea Duty was repealed, but he did not think this the proper time or season to adopt the measure. There ought also to be a review of the Governments; the *Americans* have a real love for Government; they love order and peace, [here the House laughed;] he said, I do aver that they love peace, for I look upon this to be the act of the mob, and not of the People, and wait but a little it will regulate itself.

The *Lord Advocate* said, the question had been very fully argued, and he should give his hearty affirmative to the Bill.

Lord *John Cavendish* spoke a few words against the Bill, and said, he should give his negative to its passing in its present form.

Mr. *T. Townshend* spoke also against the Bill, and said, he should be against its passing into a law.

Mr. *Sawbridge* said, the offence of destroying the tea was done in the night time, and not *tempore diurno*; that this was an *ex-post-facto* law, and that the law of the Black Act, which had been mentioned, was not in force before the offence was committed; that as far as that, or any other precedent participated of this law, so far they were most iniquitous; that it was an act of cowardice in the Minister to come to Parliament to ask for that which had been allowed, and was in the power of the Crown to order and direct: he meant, he said, the removal of the custom-house officers, and other things mentioned in that Act, the preservation of the peace, and the executive authority in that country. All these might have been done by the Crown, without applying to Parliament, but the Minister was timorous of proceeding himself, and wanted to skulk behind the protection of the Legislature.

Lord *North* said, he rose to explain himself, and was sorry to commit an offence to the House at that hour of the night, and especially as it would be to the disturbance of the neighbourhood, who are totally innocent, [alluding to the charge that had been made by Mr. *Sawbridge*, that the innocent People in the town of *Boston* would suffer equally with the offenders;] nor am I, Sir, ashamed, at any time to take shelter under the Legislature. The honorable gentleman says, the Minister might do certain things,

Digitized by Google

which are to be enacted in that Bill, without application to Parliament, such as changing the custom-house officers, ordering the peace to be preserved, and a better regulation of internal Government to take place; but that they could not block up a port, or make it illegal for the landing, lading, and shipping of goods in any place heretofore granted, without the aid of Parliament. I will not undertake to say what will be the consequence or event of this measure; I am strongly of opinion it will be salutary and effective; but I will say, that it was not in the power of the Minister to sit still and take no measure. I believe, Sir, that no prosecution in that country, according to its present form of Government, will be effectual; I was therefore much for adopting the measure proposed. It certainly may be right to direct a prosecution against those individuals who may be found offenders; but can the honorable gentleman be of opinion, from what he has seen and read from the papers on the table, that any obedience will be paid to such a prosecution, or that it will be in the least degree effective? This measure will certainly not excuse the individual offenders, any more than the fine upon a county, between sun and sun, will excuse the person who committed the robbery. This is no *ex-post-facto* law; they committed the offence of destroying the tea, knowing and declaring at the same time, the law which they offended against. The Committee of *Boston*, Sir, gave the directions for the destruction of the tea, and have declared their resolution of resistance to the obedience of our laws; yet we are desired to hear them; to hear those very persons who have declared to you, and to all the world, that they intended this violence against the law; therefore, it is said, Sir, by some honorable gentlemen in this House, that we ought not to proceed in this measure till we have heard these very People, who are the great offenders, say at your bar, in their defence, that *Great Britain* has no authority to tax them: they can make no other plea; they can make no other declaration than what they have already done; but, Sir, we must adopt the measure, let what will be the consequence. I hope and conclude it will be a happy one. Is this then the best measure in the present case? It certainly is: I hear of none other preferable, or I would adopt it. It is to tell *America*, that you are in earnest. If we do not mean totally to give up the matter in question, we must assert our right at this time, while we can, whilst it is in our power. Instead of our treating *America* like a foreign enemy, *America* has treated us like one; disavowing our authority, and declaring against all obedience to the laws of *Great Britain*. We are threatened again, by one honorable gentleman, lest a foreign enemy should, in this emergency, start up—he stopped short, and said he would say no more upon that head. I suppose he meant that this foreign enemy would lay hold of *America* during our contest. Time of peace, Sir, is the only season for adopting regulations. This is the crisis, then, in which that contest ought to be determined. Another honorable friend of mine is for repealing the Tea Duty. I am of opinion, Sir, that repealing any measure whatever, at this moment, would stamp us with a degree of timidity, and would produce a totally different effect from what I expect this measure will do.

Governor *Johnstone*, I find so much difficulty in pronouncing my sentiments at any time, that unless the House is kindly disposed to hear me at this late hour, I shall patiently sit down, because I am conscious it will require their greatest indulgence, to enable me to express myself in a manner worthy of their attention. A modesty becoming my situation prevented me from offering my opinion before, when I saw men of so much superior ability rising from the beginning of the debate.

It may appear arrogant in a member so inferior, as I confess myself to be, to offer objections to a Bill so extensive in its consequences, under every consideration, especially after it must have been so maturely considered, in every article, by men so distinguished by their talents, and high stations in office, besides the general applause which has followed the Bill in its rapid progress through this House: nevertheless, though naturally diffident of my opinion, when I had the good or bad fortune (I dont know which to term it) of prognosticating to the Chairman of the *East India* Company the consequences of sending this tea, on their own account, to *America*, and that the event has literally fulfilled my words, as it is well known to some members now in my eye, it makes me more confident in warning the House of what I apprehend will be the consequences of this Bill.

I told the Chairman of the *East India* Company, first in conversation, on asking my opinion, and afterwards by letter, that the evidence might appear in the progress of things; that I conceived the *East India* Company exporting tea, on their own account, was, under every consideration of their situation, and institution, WRONG, but, under the present discontents and disputed matters of Government in *America*, CRIMINALLY ABSURD, because they were presenting themselves as the butt in the controversy, where they would probably come off with the loss of the whole. The event has justified my prediction; for whatever repayment the Company may obtain from the town of *Boston*, under these cruel coercive measures now proposed, (the effect of which I still doubt,) yet the Company must remain great losers, even if the other Provinces, equally culpable, are made to refund the loss arising from their conduct, because it was not supplies of cash, at a distant period, the Company wanted, but an IMMEDIATE SUPPLY, to answer a temporary exigency, which a combination of the enemies of the country had produced.

I now venture to predict to this House, that the effect of the present Bill must be productive of a General Confederacy, to resist the power of this country. It is irritating, tempting nay, inviting men to those deeds by ineffectual expedients, the abortions of an undecisive mind, incapable of comprehending the chain of consequences which must result from such a law. I am not one of those who believe that distant Provinces can be retained in their duty by preaching or enchantments; I believe that FORCE or POWER, conducted with WISDOM, are the means of securing regular obedience under every establishment; but that such force should never be applied to any degree of rigour, unless it should carry the general approbation of mankind in the execution. However much such approbation may prevail at the particular moment in this House, it is impossible to believe the sense of *Great Britain*, or the sense of *America*, can go to the punishing a particular town, for resisting the payment of the Tea Tax, which is universally odious throughout *America*, and is held in ridicule and contempt by every thinking man in this country. The question of taxing *America* is sufficiently nice to palliate resistance, if the subject had never been litigated in this country; but after the highest characters in this State had declared against the right of this country to impose taxes on *America*, for the purpose of revenue; after the general voice of the Senate had concurred in repealing the Stamp Act, upon that principle; after those men, who had maintained these doctrines, had been promoted by his Majesty to the first stations in the administration of civil and judicial affairs, there is so much mitigation to be pleaded in favor of the *Americans* from those circumstances (allowing them in an error at present) that every man must feel the height of cruelty, by enforcing contrary maxims, with any degree of severity, at first, before due warning is given.

It is in vain to say *Boston* is more culpable than the other Colonies. Sending the ships from thence, and obliging them to return to *England*, is a more solemn and deliberated act of resistance than the outrage committed by persons in disguise in the night, when the ship refused to depart. That of blocking up the harbour of *Boston*, to prevent the importation of British manufactures, or the exportation of goods, which are to pay for them, is a measure equally as absurd as if the Parliament here, upon the resistance which was made to their resolution, by the riots at *Brentford*, and other disturbances in the county of *Middlesex*, had decreed by way of punishment, that the freeholders should have been prohibited from sowing of wheat. For whose benefit do the inhabitants of *Boston* toil and labour? The springs in the circle of commerce bear so nicely on each other, that few men can tell by interrupting one, the degree and extent to which the rest may be exposed. By excluding the importation of molasses, and the exportation of that spirit which is distilled at *Boston*, the whole *Guinea* trade will be affected, and in consequence, the sugar trade, that depends upon it. In extending this kind of punishment to the other Colonies, every one must see the danger; and yet, if it can be approved for one, the same arguments will hold good to approve or reject it

Digitized by Google

respecting the other; but let any man figure to himself the consequences to this country, if a similar punishment was applied to the Colony of *Virginia*; £300,000 a year diminution in revenue, besides the loss of all the foreign contracts, and perhaps of that beneficial trade forever. Notwithstanding the general approbation which has been given to this Bill, and the loud applauses which have been re-echoed to every word of the noble Lord in explaining it, yet no man will be bold enough to say, that this partial punishment is a remedy for the general disease. And yet without knowing what is to follow, no man can be vindicated (even supposing the Bill right in part) for giving his assent to it. Those gentlemen who are in the secrets of the Cabinet, and know how assuredly every proposition from them is adopted by this House, may be excused for their sanguine acclamations in favour of the measure, but the general mass, who must be equally ignorant with myself, of what is to follow, can have no excuse for giving their assent so readily for punishing their fellow subjects in so unprecedented a manner, and their eager zeal serves only to shew how ready they are to obey the will of another, without exercising their own judgment in the case. If the Government of this country is resisted in *America*, my opinion is, instead of removing the seat of Government in the Colony, and forcing the elements to bend to our will, (which is impossible) that an effectual force should be carried to the heart of the Colony resisting, to crush rebellion in the bud, before a General Confederacy can be formed. In the present case we abandon the Government, and drive the inhabitants to despair, leaving the multitude a prey to any ambitious spirit that may arise. For my own part, I am convinced, from experience in the Colonies, that good Government may be conducted there upon rational grounds, as well as in this country; but the power and means of governing, rewards and punishments, are taken from your supreme executive Magistrate in every sense, and then you are surprised that all order and obedience should cease. The Colonies can only be governed by their Assemblies, as *England* by the House of Commons; the Patent Offices, as well as those in the Customs, which were formerly given at the recommendation of the Governors, to men supporting Government, and residing in the Provinces, are now in reversion three or four lives deep, to men living in this country. The command of the military, which was another great source of respect and obedience, is likewise taken from the Governor: so that in truth he remains an insignificant pageant of state, fit only to transmit tedious accounts of his own ridiculous situation: or, like a Doctor of the Sorbonne, to debate with his Assembly about abstract doctrines in Government.

I am far from wishing to throw any blame on Governor *Hutchinson*, or to condemn him, like the town of *Boston*, unheard. The absence of the man and the general clamour against him, will restrain me from saying many things respecting his conduct, which appear reprehensible; but I cannot admit a passage in the speech of a noble Lord to pass unnoticed. His Lordship alleges, "That the Governor "could not apply to the Admiral in the harbour, or to the "Commanding Officer of the troops in the castle, for the "protection of the custom-house officers, as well as teas in "question, without the advice of his Council." But I beg leave to inform the noble Lord, as I served in that station myself, that there is a volume of instructions to every Governor on this subject, whereby he is commanded under the severest penalties, "To give all kind of protection to trade "and commerce, as well as to the officers of his Majesty's "Customs, by his own authority, without the necessity "of acting through his Council." Nor can I conceive a possible excuse for the destruction of those teas, while two men-of-war lay in the harbour, without the least application having been made to the Admiral for protection, during so long a transaction.

The first essential point in those disputes which are now likely to become so serious by the weakness of Administration, in this country, in following no connected plan, either of force or of favour, but constantly vibrating between the two, is to put ourselves in the right, and for this purpose I would recommend the immediate repeal of the Tea Duty, which can be vindicated upon no principles, either of commerce or policy. Men may allege this would be giving up the point; but if we have no better points to dispute upon, I am ready to yield the argument. Raising taxes in *America* for the purpose of revenue, I maintain to be unnecessary and dangerous. A Stamp Act, as a measure of police, varied for the different Governments, and leaving the revenue raised thereby to be appropriated by the respective Legislatures, I hold to be a measure of the highest efficacy, for maintaining a due obedience to the authority of this country, and prolonging that dependence for ages to come. How far it can be executed, after what has already passed, I am rather diffident; but of this I am certain, that in case *Great Britain* is deprived of executing a measure of that nature, which by pervading every transaction, secures the execution in itself, she has lost one of the greatest engines for supporting her influence throughout the Empire without oppression. Some men who are for simplifying Government to their own comprehensions, will not allow they conceive that the supreme legislative authority shall not be paramount in all things, and taxation being fully comprehended in legislation, they argue, that the power of the one must necessarily follow that of the other; and yet we find mankind possessed of privileges which are not to be violated in the most arbitrary countries. The Province of *Languedoc* is a striking example in refutation of the doctrines respecting taxation, which are held by such narrow observers. The Kingdom of *Ireland* in another instance in our dominions. There is not one argument which can apply for exempting *Ireland* from taxation by the Parliament of *Great Britain*, that does not equally protect the Colonies from the power of such partial judges. Every man should now call to his remembrance by what obstinate infatuation *Philip* II, came to lose the United Provinces. Can it be supposed that in a nation so wise as *Spain* was at that time, that no man perceived the injustice and futility of the measure in dispute? But I can easily suppose, from the pride of authority, where our vanity is so much flattered, that no man durst venture a proposition for receding from that cruel measure, after it had been resisted by violence.

These are the general heads.

The particular objections to the Bill are, first for continuing the punishment, "until satisfaction shall be made "to the *India* Company," without stating the amount, or what that satisfaction shall be. Next, "until peace and "good order shall be certified to be restored," when it is impossible, as to the subject in dispute, that such certificate can ever be granted, because the custom-house officers are removed, and all trade and commerce prohibited. The numerous disputes and litigations which must necessarily arise in carrying this law into execution, on contract made by parties before they could be apprized of it, and the despatch of ships in harbour, under the limited time, without any exception for the desertion of seamen, or wind and weather, is altogether melancholy to consider! The power given to the Admiral or Chief Commander, to order the ships returning from foreign voyages, to such stations as he shall direct, is wild, vexatious, and indefinite. That of permitting his Majesty to alter the value of all the property in the town of *Boston*, upon restoring the port, by affixing such quays and wharfs as he only shall appoint, for landing and shipping of goods, is liable to such misrepresentation and abuse, that I expect to see every evil follow the exercise of it, and it must create infinite jealousies and distraction among the People.

I am therefore of opinion, that this Bill, both from the principle and manner in which it has been passed, and from forerunning the general regulations that are intended, and which ought at least to accompany it, instead of quieting the disturbances in *Boston*, it will promote them still further, and induce the inhabitants to cut off all communication with your ships of war, which may be productive of mutual hostilities, and most probably will end in a GENERAL REVOLT.*

* *To the Printer of the* NORFOLK INTELLIGENCER.

Remarks on Governor Johnstone's *Speech in the House of Commons.*

SIR:—Political debates, from the misguided rage of the Speakers, often rise to an enormous height; indeed, it requires a long course of experience to determine the real interest of the State in every important point that occurs. The loudest cavillers against the measures of Government after running their splendid career, become lordly effigies of State, and exhibit a striking portrait of the complexion of the times. In the *British* annals, the transformation of violent zealots for public liberty into its most inveterate enemies, clearly proves that the gilded top for which ambition pants, has an irresistible attraction;

Digitized by Google

Mr. *Sawbridge* said, he rose again, just to blame the Minister for being timid in doing his duty without the authority of Parliament. He was very certain, he said, that there were three things in the Bill; that there was this, and this, and this thing, which the Minister might have done without skulking behind the Legislative authority for shelter; that indeed the fourth, of stopping up their port, he believed it was proper to apply to Parliament for; but he was very certain that this, and this, and this, might have been done without the aid of Parliament.

Lord *North*. Sir, I have been formerly blamed for being the only ostensible Minister of this country. I am now charged with not coming forth and doing the duty of an acting Minister without applying to Parliament. I never, Sir, am ashamed to have the sanction and direction of Parliament as the rule and guide of my conduct; but, Sir, if I had done, as the honorable gentleman who spoke last, wishes me to have done, this, and this, and this, I had done nothing, unless I had come to Parliament for that, and that, then the main object, what the honorable gentleman thinks I ought to have come to Parliament for, and without that, he allows I should do nothing; but however he may wish me to have done this, and this, and this, of my own head as a Minister, the honorable gentleman, (fond as he is, and always has been, of prerogative,) would have disagreed to my proceeding, and objected against it.

The Bill was then Passed without a division.

HOUSE OF LORDS.

Saturday, *March* 26, 1774.

A Message was brought up from the House of Commons, by Mr. *Cooper*, and others,

With a Bill intituled, "An Act to discontinue, in such "manner, and for such time as are therein mentioned, the "landing and discharging, lading or shipping, of goods, "wares, or merchandise, at the town, and within the har-"bour of *Boston*, in the Province of *Massachusetts Bay*, "in *North America*;" to which they desire the concurrence of this House.

The said Bill was read the first time:

Ordered, That the said Bill be read a second time, on *Monday* next, and the Lords be summoned.

Monday, *March* 28, 1774.

The Lord *Wycombe* presented to the House, the following Petition of *Stephen Sayer*, and others, Natives of *America*;

The same was read by the Clerk, as follows:

To the Right Honorable the Lords Spiritual and Temporal, in Parliament assembled, the humble Petition of several Natives of America, *showeth:*

That your Petitioners, being Natives of his Majesty's Dominions in *America*, are deeply interested in every proceeding of this right honorable House, which touches the life, liberty, or property, of any person or persons in the said Dominions.

That your Petitioners conceive themselves and their fellow subjects to be entitled to the rights of natural justice, and to the common law of *England*, as their unalienable birthright; that they apprehend it to be an invariable rule of natural justice, that no man shall be condemned unheard; and that, according to law, no person or persons can be judged without being called upon to answer, and being permitted to hear the evidence against them, and to make their defence.

That it is therefore with the deepest concern, they understand that there is now before this right honorable House, a Bill of Pains and Penalties, to be inflicted on the

---

but the douceurs of the Court have been dealt with so cautious a hand of late, and so accurate an inspection into the merits of the candidates, that many officious pretenders have retired into the vale of discontent, dispirited, unbefriended, and defeated; common observers do not readily trace the various transactions and refinements which the patriotic character undergoes before it can be ripened into modern maturity; a retrospect into certain promotions will confirm the truth of this assertion, and it is as demonstrable to the full, that the twinges of the political gout are as severe and incurable as the corporal.

I shall now, Sir, with steady attention garble those passages in the honorable gentleman's speech, which never would have attracted my notice, but for the influence it seems to have had over the minds of some very narrow connoisseurs here. It is with the strictest deference to the sage politicians in this part of the world, that I offer a few remarks. I will then first warn those who entertain so high an opinion of it, to weigh maturely the arguments it contains; they will then find other doctrines blended with those they so warmly adopt, rather unfavourable to the sticklers for a commonwealth. The elegant modesty of his exordium would have merited applause, had we not discerned its excessive decline through the whole course of the debate. He is not unacquainted with the elaborate logic of the ancients, nor insensible that eloquence on all subjects, has strong pretensions to literary esteem, for he aims at profound sagacity in developing the principles of moral philosophy.

"I now venture to predict to this House, that the effect of the pre-"sent Bill must be productive of a General Confederacy to resist the "power of this county. It is irritating, tempting, nay! inviting men "to those deeds by ineffectual expedients, the abortions of an unde-"cisive mind, incapable of comprehending the chain of consequences "which must result from such a law. I am not one of those, who "believe that distant Provinces can be retained in their duty, by "preaching or enchantments; I believe that force or power, con-"ducted with wisdom, are the means of securing regular obedience "under every establishment; but that such force should never be ap-"plied to any degree of rigour, unless it shall carry the general ap-"probation of mankind in the execution."

If the melancholy prospect of affairs, heightened by alarms from the Indians on the frontiers, presents to our view, evident symptoms of commercial decline here, which is the greatest mart for trade in the Colony; I cannot imagine, that thinking men would be so mad, as to form a general revolt. If courts of justice agree to annihilate themselves, it must be wholly, cannot be conditionally. Can this consist with the loyalty and good manners we profess for the Prince, or that virtuous fortitude which combines society in an indissoluble union? Can acts of injustice obtain the sanction of unanimous consent? How abstracted and refined is the gentleman's reasoning, to anticipate the general approbation of mankind, as if in an ingenious combination of speculative sentiments, could destroy that dispensing power which is the master-wheel, or that discerning policy which is interwoven in the frame of all Governments. He goes on—

"But after the highest characters in the State had declared against "the right of this country, to impose taxes on *America* for the purpose "of raising a revenue; after the general voice of the Senate had con-"curred in repealing the Stamp Act, upon that principle, after those "men who had maintained these doctrines had been promoted by his "Majesty, to the first stations in the administration of civil and judi-"cial affairs; there is much mitigation to be pleaded in favour of the "*Americans* from those circumstances, (allowing them in an error at "present,) that every man must feel the height of cruelty by enforc-"ing maxims with any degree of severity at first, before due warning "is given."

When men grow adepts in the theory of rebellion, and form schemes to emancipate themselves from the control of the laws; when they consider all requisitions from *Britain*, as unjust, all acts of Parliament as tyrannical, the mode of punishment must be extraordinary; the levy of one pound irritates as much as one thousand; and as to the conduct of certain members in the House of Commons, I cannot think their principles impeachable, who advise the promotion of the patriotic zealots, if their preferment could restore the peace and harmony of the State. I do not mean to impeach the member's knowledge of agriculture; yet, I think the comparison relative to sewing wheat bears a very far-fetched analogy to the *Bostonians* punishment. Most of the remarks relative to the event of the Act, are too vague to afford any insight to the most prying observer. How are the People to cloth and support themselves during the execution of his Quixotte schemes? He is confounded in his own ingenious doubts, and leaves the arduous task of unravelling all to the good natured world. But what gleams of consolation do they derive from the following assertions: "If the Government of this country is resisted in *America*, my "opinion is, instead of removing the seat of Government in the Colo-"ny, and forcing the elements to bend to our will, (which is impossi-"ble,) that an effectual force should be carried to the heart of the "Colony resisting, to crush rebellion in the bud, before a General Con-"federacy can be formed." So that you see this great man is not an invincible proselyte to moderate measures, but would chastise in cases of urgent necessity.

Can tumultuous meetings remedy the defects of law? Is there not a discretionary power in the civil police to summon the *posse comitatus?* Has it not been deemed strictly legal in *Britain*, to strengthen that body by military aid, on great emergencies? But when men, in high offices of civil trust, connived at the base resolves of an immaculate body of select citizens; the Governor could not consistently with his duty interfere, without infringing those rights they pretended they met to secure; had he taken any steps at all, he must have suppressed the whole meeting; and their heart-felt groans for expiring liberty would have re-echoed to the inmost recess of his palace. His interposition would not have been official, and they never would have allowed the greatness of the emergency to supersede the force of their chartered rights. His reasons for repealing the Tea Duty, are exceedingly futile; he thinks it cannot be vindicated; a dogmatical assertion, of a similar stamp and spirit with the rest. His remarks upon inherent privileges are ridiculous. Can any charter grant destroy the fabric of that Government which gave it birth; at any rate, the precedent would be far more ignominious for *Great Britain* to yield to *America*, than *America* to testify her allegiance to *Britain*. The disputes and litigations which the *Bostonians* have brought upon themselves, they must abide by the consequences of. They have baffled the expediency of the wisest laws; such crimes are heinous, and richly deserve capital punishment. If the People of *Boston* act with discretion, they may receive continual improvements in trade; let them comply in time, and earnestly seize this grand criterion, to distinguish their *real*, from their *pretended* friends, and the happy consequences resulting from such a timely avowal of their allegiance, and cemented by the constant practice of virtue and good manners, will discover a firm zeal for their Prince, a virtuous fortitude in themselves, and be an eternal memorial of that discerning policy which is the essential characteristic of a free and loyal People. OBSERVATOR.

Norfolk Borough, June 30th, 1774.

Digitized by Google

town of *Boston*, for a trespass, committed by some persons unknown, upon the property of the *East India* Company, without the said town having been apprized of any accusation being brought against them, or permitted to hear the evidence, if there be any, and to make their defence.

That the Bill takes away immediately from the inhabitants of the town, the use of property, to the amount of several hundred thousand pounds, vested in quays, wharfs, stores, &c. That it will restrain many thousands of his Majesty's subjects from subsisting themselves and their families, by their usual employments; that it will punish the innocent for the guilty; and even should all the reparation required by the Bill be made, the restoration of that property, or any part of it, is suffered to depend solely upon the will of the Crown.

Your Petitioners conceive such proceeding to be directly repugnant to every principle of law and justice; and that under such a precedent, no man, or body of men, could enjoy a moment's security; for if judgment be immediately to follow an accusation, the accused, unacquainted with the charge, and debarred from defending themselves, every fence against false accusation will be pulled down, justice will no longer be a shield, nor innocence an exemption from punishment.

Your Petitioners beg leave to represent, that the law in *America*, ministers redress for any injury sustained there; and they can most truly affirm, that it is administered in that country with as much impartiality, as in any other part of his Majesty's Dominions. In proof of this, they appeal to an instance of great notoriety, in which, under every circumstance that could exasperate the People, and disturb the course of justice, Captain *Preston* and his soldiers had a fair trial, and a favourable verdict. The due course of law thus manifestly holding out redress, they cannot but consider the interposition of Parliamentary power to be as unnecessary, as it is arbitrary and unjust.

Your Petitioners conceive, that this right honorable House, being the supreme judicature of this Nation, are too well acquainted with the inviolable rules of justice, to require any further objections to the Bill against the town of *Boston*, now under consideration.

They therefore trust and pray, that this right honorable House will not pass a Bill, which is to condemn and punish persons unheard, and therefore deprived of that privilege, which every principle of justice, and every practice of law, allows to the meanest individual: the privilege of hearing and controverting the evidence against him, and maintaining his innocence.

And your Petitioners, as in duty bound, shall ever pray.

Signed,

Stephen Sayer,	*John Peronneau,*
William Lee,	*Peeke Fuller,*
Benjamin Franklin,	*Edward Fenwicke,*
William Middleton,	*William Middleton, Jun.*
Henry Laurence,	*Thomas Pinckney,*
Ralph Izard,	*William Hasel Gibbs,*
Isaac Motte,	*Thomas Bromfield,*
John Ellis,	*Joshua Johnston,*
Hugh Williamson,	*John Hobson,*
Thomas Barker,	*Daniel Bowley,*
John Boylston,	*John Alleyne,*
Arthur Lee,	*William Blake,*
Thomas Ruston,	*John Ballendine,*
Philip Neyle,	*J. Williams.*
Edward Bancroft,	

Ordered, That the said Petition do lie on the table.

The order of the day being read, for taking into consideration the several Papers laid before this House, (by his Majesty's command,) relating to Disturbances in *America*; and also his Majesty's most gracious Message in relation thereto; and for the Lords to be summoned:

And the said Papers were accordingly read by the Clerk.

Then the order of the day being read, for the second reading of the Bill, and for the Lords to be summoned:

The said Bill was accordingly read the second time.

It was moved "to commit the Bill," which being objected to;

After long debate, the question was put thereon? It was resolved in the Affirmative.

Ordered, That the said Bill be committed to a Committee of the whole House.

Ordered, That the House be put into a Committee upon the said Bill to-morrow, and the Lords be summoned.

TUESDAY, *March* 29, 1774.

The order of the day being read, the House was put into a Committee of the whole, upon the Bill.

The Bill was supported by the Lords *Mansfield*, *Gower*, *Littleton*, *Weymouth*, and *Suffolk*; it was opposed by the Dukes of *Richmond*, and *Manchester*, the Marquis of *Rockingham*, and the Lords *Temple*, *Shelburne*, *Camden*, and *Stair*; but the principal arguments were between the Lords *Mansfield* and *Camden*.

After some time, the House was resumed:

And the Lord *Boston* reported from the Committee, "That they had gone through the Bill, and directed him to "report the same to the House, without any amendment."

Ordered, That the said Bill be read a third time to-morrow, and that the Lords be summoned.

WEDNESDAY, *March* 30, 1774.

The Earl of *Stair* presented to the House a Petition of *William Bollan*, Esq., Agent for the Council of the Province of *Massachusetts Bay*.

The same was read by the Clerk as follows:

To the Right Honorable the Lords Spiritual and Temporal, in Parliament assembled, the Petition of William Bollan, *Esq., Agent for the Council of the Province of* Massachusetts Bay, *most humbly showeth:*

That the "Bill for the immediate removal of the officers "concerned in the collection and management of his Ma-"jesty's duties of Customs, from the town of *Boston*, in the "Province of *Massachusetts Bay*, in *North America*; and to "discontinue the landing, discharging, lading, and shipping, "of goods, wares, and merchandise, at the said town of "*Boston*, or within the harbour thereof," at present depending under consideration of this right honorable House, contains various provisions proposed to be enacted, inconsistent with the ancient and just rights, lawful possessions, usual comforts of life, and common social benefits, with other important interests of the Petitioner's constituents, long held in amicable conjunction with other inhabitants of *Boston*, and the Province, and the other Colonies, and the most desirable connection with innumerable persons employed in manufactures, trade, and navigation, in *Great Britain*, whereby they have been well maintained, and prospered; and moreover, with the general circulation of *American* commerce, from which so great benefits are daily received by this Kingdom, in various ways.

That the merchants of *Boston* were not partakers of the offence committed in the late destruction of the tea there, nor of any other act of violence; nevertheless, if the present Bill be enacted, they will become the chief sufferers, together with numerous *British* merchants and manufacturers.

Wherefore your Lordships Petitioner humbly prays that he may be heard before this right honorable House, in order to prevent these provisions from passing to be enacted.

W. Bollan.

Which done,

The said Mr. *Bollan* was called in, and heard at the bar, against the said Bill.

He is directed to withdraw. Then the said Bill was read the third time.

The question was put, "whether this Bill shall Pass?" It was resolved in the Affirmative, *Nemine Dissentiente*.

THURSDAY, *March* 31, 1774.

His Majesty being seated on the Throne, adorned with his Crown and regal ornaments, and attended by his officers of State, (the Lords being in their robes,) the Commons with their Speaker, attending; the Royal assent was pronounced severally, by the Clerk's Assistant, to thirty-nine Bills, beginning with the *Boston* Port Bill.

The following Petition of the Natives of *America*, then in *London*, was presented to the King, on the morning of the 31st of *March*, before he went to the House of Lords:

Digitized by Google

To the King's most excellent Majesty, the humble Petition of several Natives of America, *showeth:*

That your Majesty's Petitioners are natives of your Dominions in *America*, and bear most true and cordial allegiance to your Majesty's Royal person and family.

That allegiance and protection being reciprocal, your Petitioners look up to your Majesty for protection under the common law of the land, which is their birth-right.

That, according to law, no man can be condemned to punishment without being called upon to answer, nor without an opportunity of hearing the evidence against him, and defending his innocence. That in violation of this law, and of every principle of natural justice, a Bill is now offered for the Royal assent, calculated to inflict pains and penalties, with unexampled severity, upon your Majesty's loyal town of *Boston*, in the Province of *Massachusetts Bay;* the said town being unapprized of the proceedings, and not heard in its defence; that such Bill, if it receive your Majesty's assent, will immediately take away from the inhabitants of the town of *Boston* the use of property to the amount of several hundred thousand pounds, vested in quays, wharfs, store-houses, &c.; will restrain many thousands of your Majesty's subjects from procuring subsistence for themselves and their families, by their ordinary occupations; may endanger the community, by violent commotions from so many men rendered desperate, by being deprived of their daily bread; and, what cannot but do the last violence to the Royal justice, will punish the innocent for the guilty.

Your Majesty's Petitioners most humbly represent, that this Bill is the more unjust, as the trespass it is meant to punish, has not been prosecuted in the Courts of common law in *America, where only according to law and the constitution*, it is cognizable. That the interposition of this Bill is as totally unnecessary as the mode of it is unjust; because, your Majesty's Courts in *America*, are open to the redress of any injury sustained there; and justice is so little liable to perversion, that under every impression of popular prejudice, Captain *Preston* and others had, in this your Majesty's Province of the *Massachusettt Bay*, a fair trial, and a favourable verdict.

Your Majesty's Petitioners do therefore humbly pray, that your Majesty will be most graciously pleased to suspend your Royal assent to a Bill, calculated to condemn and punish their countrymen *unheard*, and form a precedent, which will take away every security and protection, under the law, from all your Majesty's subjects in *America*.

And your Petitioners, as in duty bound, will ever pray.

William Lee,	*Walter Izard,*
B. Franklin,	*Edward Fenwicke,*
John Ellis,	*Thomas Pinckney,*
H. Laurence,	*William Middleton, Jun.*
William Blake,	*John Boylston,*
Robert Izard,	*John Ballendine,*
Charles Fuller,	*John Ward,*
Isaac Motte,	*Jos. Johnston,*
Thomas Barker,	*John Hobson,*
William Middleton,	*Daniel Bowley,*
Thomas Ruston,	*John Perronneau,*
Peeke Fuller,	*Arthur Lee,*
Joh. Williams,	*Joel Poinsett,*
Robert Izard, Jun.,	*William H. Gibbs,*
Philip Neyle,	*James Marshall.*
J. F. Grimke,	

—

Anno Decimo Quarto Georgii III. Regis.

An Act to discontinue in such Manner, and for such Time as are therein mentioned, the landing and discharging, lading or shipping, of Goods, Wares, and Merchandise, at the Town and within the Harbour of Boston, *in the Province of* Massachusetts Bay, *in* North America.

Whereas dangerous commotions and insurrections have been fomented and raised in the town of *Boston*, in the Province of *Massachusetts Bay*, in *New England*, by divers ill-affected persons, to the subversion of his Majesty's Government, and to the utter destruction of the public peace, and good order of the said town; in which commotions and insurrections certain valuable cargoes of teas, being the property of the *East India* Company, and on board certain vessels lying within the bay or harbour of *Boston*, were seized and destroyed: and whereas in the present condition of the said town and harbour, the commerce of his Majesty's subjects cannot be safely carried on there, nor the Customs payable to his Majesty duly collected; and it is therefore expedient that the officers of his Majesty's Customs should be forthwith removed from the said town; may it please you Majesty that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the advise and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, that from and after the first day of *June*, 1774, it shall not be lawful for any person or persons whatsoever, to lade or put, or cause or procure to be laden or put, off or from any quay, wharf, or other place, within the said town of *Boston*, or in or upon any part of the shore of the bay, commonly called the *Harbour of Boston*, between a certain headland or point, called *Nahant Point*, on the eastern side of the entrance into the said bay, and a certain headland or point called *Alderton Point*, on the western side of the entrance into the said bay, or in or upon any island, creek, landing place, bank, or other place, within the said bay, or headlands, into any ship, vessel, lighter, boat, or bottom, any goods, wares, or merchandise, whatsoever, to be transported or carried into any other country, province, or place, whatsoever, or into any other part of the said Province of the *Massachusetts Bay*, in *New England;* or to take up, discharge, or lay on land, or cause or procure to be taken up, discharged, or laid on land, within the said town, or in or upon any of the places aforesaid, out of any boat, lighter, ship, vessel, or bottom, any goods, wares, or merchandise, whatsoever, to be brought from any other country, province, or place, or any other part of the said Province of the *Massachusetts Bay*, in *New England*, upon the pain of forfeiture of the said goods, wares, and merchandise, and of the said boat, lighter, ship, vessel, or other bottom, into which the same shall be put, or out of which the same shall be taken, and of the guns, ammunition, tackle, furniture, and stores, in or belonging to the same; and if any such goods, wares, or merchandise, shall within the said town, or in any the places aforesaid, be laden or taken in from the shore into any barge, hoy, lighter, wherry, or boat, to be carried on board any ship or vessel outward bound to any other country or province, or other part of said Province of the *Massachusetts Bay*, in *New England*, or be laden or taken into such barge, hoy, lighter, wherry, or out of any ship or vessel coming and arriving from any other country or province, or other part of the said Province of the *Massachusetts Bay*, in *New England*, such barge, hoy, lighter, wherry, or boat, shall be forfeited and lost.

And be it further enacted by the authority aforesaid, That if any wharfinger, or keeper of any wharf, crane, or quay, or their servants, or any of them, shall take up or land, or knowingly suffer to be taken up or landed, or shall ship off, or suffer to be waterborne, at or from any of the aforesaid wharfs, cranes, or quays, any such goods, wares, or merchandise; in every such case, all and every such wharfinger, and keeper of such wharf, crane, or quay, and every person whatsoever who shall be assisting, or otherwise concerned in the shipping or in the loading or putting on board any boat or other vessel, for that purpose, or in the unshipping such goods, wares, and merchandise, or to whose hands the same shall knowingly come after the loading, shipping or unshipping thereof, shall forfeit and lose treble the value thereof, to be computed at the highest price which such sort of goods, wares, and merchandise, shall bear at the place where such offence shall be committed, at the time when the same shall be so committed, together with the vessel and boats, and all the horses, cattle and carriages, whatsoever made use of in the shipping, unshipping, landing, removing, carriage, or conveyance of any of the aforesaid goods, wares, and merchandise.

And be it further enacted by the authority aforesaid, That if any ship or vessel shall be moored or lie at anchor, or be seen hovering within the said bay, described and bounded as aforesaid, or within one league from the said bay so described, or the said headlands, or any of the islands lying between or within the same, it shall and may be lawful for any Admiral, Chief Commander, or commissioned

Digitized by Google

officer, of his Majesty's fleet or ships of war, or for any officer of his Majesty's customs, to compel such ship or vessel to depart to some other port or harbour, or to such station as the said officer shall appoint, and to use such force for that purpose as shall be found necessary; and if such ship or vessel shall not depart accordingly, within six hours after notice for that purpose given by such person as aforesaid, such ship or vessel, together with all the goods laden on board thereon, and all the guns, ammunition, tackle and furniture, shall be forfeited and lost, whether bulk shall have been broken or not.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to any military or other stores for his Majesty's use, or to the ships or vessels whereon the same shall be laden, which shall be commissioned by, and in the immediate pay of, his Majesty, his heirs and successors; nor to any fuel or victual brought coastways from any part of the Continent of *America*, for the necessary use and sustenance of the inhabitants of the said town of *Boston;* provided the vessel wherein the same are to be carried, shall be duly furnished with a cocket and let-pass, after having been duly searched by the proper officers of his Majesty's customs at *Marblehead*, in the port of *Salem*, in the said Province of *Massachusetts Bay;* and the same officer of his Majesty's Customs be also put on board the said vessel, who is hereby authorized to go on board, and proceed with the said vessel, together with a sufficient number of persons, properly armed, for his defence, to the said town or harbour of *Boston;* nor to any ships or vessels which may happen to be within the said harbour of *Boston*, on or before the the first day of *June*, 1774, and may have either laden or taken on board, or be there with intent to load or take on board, or to land or discharge any goods, wares, and merchandise, provided the said ships and vessels do depart the said harbour within fourteen days after the first day of *June*, 1774.

And be it further enacted by the authority aforesaid, That all seizures, penalties, and forfeitures, inflicted by this Act, shall be made and prosecuted by any Admiral, Chief Commander, or commissioned officer, of his Majesty's fleet, or ships of war, or by the officers of his Majesty's Customs, or some of them, or by some other person deputed or authorized, by warrant from the Lord High Treasurer, or the Commissioners of his Majesty's Treasury, for the time being, and by no other person whatsoever; and if any such officer, or other person authorized as aforesaid, shall directly or indirectly, take or receive any bribe or reward, or connive at such lading or unlading, or shall make or commence any collusive seizure, information, or agreement, for that purpose, or shall do any other act whatsoever, whereby the goods, wares, or merchandise, prohibited as aforesaid, shall be suffered to pass either inwards or outwards, or whereby the forfeitures and penalties inflicted by this Act may be evaded, every such offender shall forfeit the sum of five hundred pounds for every such offence, and shall become incapable of any office or employment, civil or military; and every person who shall give, offer, or promise, any such bribe or reward, or shall contract, agree, or treat with, any person, so authorized as aforesaid, to commit any such offence, shall forfeit the sum of fifty pounds.

And be it further enacted by the authority aforesaid, That the forfeitures and penalties inflicted by this Act shall and may be prosecuted, sued for, and recovered, and be divided, paid, and applied, in like manner, as other penalties and forfeitures inflicted by any Act or Acts of Parliament, relating to the trade or revenues of the *British* Colonies, or Plantations in *America*, are directed to be prosecuted, sued for, or recovered, divided, paid and applied, by two several Acts of Parliament, the one passed in the fourth year of his present Majesty, intituled "An "Act for granting certain Duties in the *British* Colonies "and Plantations in *America;* for continuing, amending, "and making perpetual, an Act, passed in the sixth year of "the Reign of his late Majesty King *George* the Second, "intituled, An Act for the better securing and encouraging "the trade of his Majesty's Sugar Colonies in *America;* "for applying the produce of such duties, and of the duties "to arise by virtue of the said Act, towards defraying the "expense of defending, protecting, and securing, the said "Colonies and Plantations; for explaining an Act made "in the twenty-fifth year of the Reign of King *Charles* "the Second, intituled, An Act for the encouragement of "the *Greenland* and *Eastland* Trades, and for the better "securing the Plantation Trade; and for altering and "disallowing several drawbacks on exports from this King-"dom, and more effectually preventing the clandestine "conveyance of goods to, and from, the said Colonies and "Plantations, and improving and securing the trade between "the same and *Great Britain;*" the other passed in the eighth year of his present Majesty's Reign, intituled, "An "Act for the more easy and effectual recovery of the "penalties and forfeitures inflicted by the Acts of Parlia-"ment, relating to the trade or revenues of the *British* "Colonies and Plantations in *America*."

And be it further enacted by the authority aforesaid, That every charter party bill of loading, and other contract, for consigning, shipping, or carrying any goods, wares, and merchandise, whatsoever, to or from the said town of *Boston*, or any part of the bay or harbour thereof, described as aforesaid, which have been made or entered into, or which shall be made or entered into, so long as this Act shall remain in full force, relating to any ship which shall arrive at the said town or harbour, after the first day of *June*, 1774, shall be, and the same an hereby declared to be, utterly void, to all intents and purposes whatsoever.

And be it further enacted by the authority aforesaid, That whenever it shall be made to appear to his Majesty, in his Privy Council, that peace and obedience to the laws shall be so far restored in the said town of *Boston*, that the trade of *Great Britain* may be safely carried on there, and his Majesty's customs duly collected, and his Majesty, in his Privy Council, shall adjudge the same to be true, it shall and may be lawful for his Majesty, by Proclamation, or Order of Council, to assign and appoint the extent, bounds and limits, of the port or harbour of *Boston*, and of every creek or haven within the same, or in the islands within the precinct thereof; and also to assign and appoint such and so many open places, quays, and wharfs, within the said harbour, creeks, havens, and islands, for the landing, discharging, lading, and shipping of goods, as his Majesty, his heirs, or successors, shall judge necessary and expedient; and also to appoint such and so many officers of the Customs therein, as his Majesty shall think fit; after which it shall be lawful for any person or persons to lade or put off from, or to discharge and land upon, such wharfs, quays, and places, so appointed, within the said harbour, and none other, any goods, wares, and merchandise, whatsoever.

Provided always, That if any goods, wares or merchandise, shall be laden or put off from, or discharged or landed upon, any other place than the quays, wharfs, or places, so to be appointed, the same, together with the ships, boats, and other vessels employed therein, and the horses, or other cattle and carriages used to convey the same, and the person or persons concerned or assisting therein, or to whose hands the same shall knowingly come, shall suffer all the forfeitures and penalties imposed by this or any other Act on the illegal shipping or landing of goods.

Provided also, And it is hereby declared and enacted, that nothing herein contained shall extend or be construed, to enable his Majesty to appoint such port, harbour, creeks, quays, wharfs, places, or officers, in the said town of *Boston*, or in the said bay or islands, until it shall sufficiently appear to his Majesty, that full satisfaction hath been made by or on behalf of the inhabitants of the said town of *Boston*, to the United Company of merchants of *England*, trading to the *East Indies*, for the damages sustained by the said Company, by the destruction of their goods sent to the said town of *Boston*, on board certain ships or vessels, as aforesaid; and until it shall be certified to his Majesty, in Council, by the Governor, or Lieutenant Governor, of the said Province, that reasonable satisfaction hath been made to the officers of his Majesty's Revenue and others, who suffered by the riots and insurrections above mentioned, in the months of *November* and *December*, in the year 1773, and in the month of *January*, in the year 1774.

And be it further enacted, by the authority aforesaid, That if any action or suit shall be commenced, either in *Great Britain* or *America*, against any person or persons, for any thing done in pursuance of this Act of Parliament,

Digitized by Google

the defendant or defendants, in such action or suits, may plead the general issue, and give the said Act, and the special matter in evidence, at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this Act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action, after the defendant or defendants shall have appeared; or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall recover treble costs, and have the like remedy for the same as defendents have in other cases by law.

III. BILL FOR THE BETTER REGULATING THE GOVERNMENT OF THE PROVINCE OF MASSACHUSETTS BAY.

HOUSE OF COMMONS.

FRIDAY, *March* 25, 1774.

Resolved, That this House will this day, after the House shall have proceeded upon the other orders of the day, resolve itself into a Committee of the whole House, to take into further consideration his Majesty's most gracious Message of *Monday*, the 7th day of this instant, *March*, together with the Papers which were presented to the House by Lord *North*, upon the 7th and 11th days of this instant, *March*, by his Majesty's command.

Ordered, That the several Papers which were presented to the House by the Lord *North*, upon the 28th day of *November* and 7th day of *December*, 1768, and the 20th day of *January*, 1769; and also the several Papers presented to the House by Mr. Vice Chamberlain, upon the 7th day of *May*, 1770, from No. 1, to No. 9, inclusive, relating to his Majesty's Colonies, in *North America*, be referred to the said Committee.

Ordered, That the Paper, intituled "*Massachusetts* "*Bay* Charter, granted by King *William* and Queen *Mary*, "in the third year of their reign," which was presented to the House upon the 22d day of *January*, 1740, be referred to the said Committee.

MONDAY, *March* 28, 1774.

Resolved, That this House will immediately resolve itself into a Committee of the whole House, to take into further consideration his Majesty's most gracious Message of *Monday*, the 7th day of this instant, *March*, together with the Papers which were presented to the House by the Lord *North*, upon the 7th and 11th days of this instant, *March*, by his Majesty's command.

The House accordingly resolved itself into the said Committee.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Lord *North* rose and said, he meant now to open the plan of the Bill which he proposed to bring in; and as it might very well be understood by gentlemen in that House, from the Papers relating to *America*, that then laid before them, that an executive power was wanting in that country, and that it was highly necessary to strengthen the magistracy of it; that the force of the civil power consisted in the *posse comitatus;* and when it is considered, said his Lordship, that the *posse* are the very People who have committed all these riots, little obedience to the preservation of the peace is to be expected from them. There appears to be a total defect in the constitutional power throughout. If the democratic part shows that contempt of obedience to the laws, how is the Governor to execute any authority vested in him? If he wants any magistrate to act, whom he knows will be willing to execute the laws, he has not the power of appointing one, nor of removing one that will not act; the Council have alone that power, whose dependence is on the democratic part of the constitution. It appears that the Civil Magistrate has been, for a series of years, uniformly inactive; there is something radically wrong in that constitution, in which no magistrate for such a number of years, has ever done his duty in such a manner as to force obedience to the laws. If the Governor issued a proclamation, there was hardly found a magistrate to obey it; the Governor, of his own authority, can do nothing; he cannot act, or give out any order, without seven of the Council consenting; the authority of that Government is in so forlorn a situation that no Governor can act; and, where there is such a want of civil authority, can it be supposed that the military, be they ever so numerous, can be of the least service? For I shall always consider that a military power, acting under the authority and controul of a Civil Magistrate, is part of the constitution; but the military alone ought not, and cannot act without the controul of the Civil Magistrate. How was it possible for the military to maintain good Government when they were not called upon by the civil authority? I propose, in this Bill, to take the executive power from the hands of the democratic part of Government; I would propose, that the Governor should act as a Justice of Peace, and that he should have the power to appoint the officers throughout the whole civil authority, such as the sheriffs, provost, marshal, &c.—The Chief Justice and Judges of the Supreme Court excepted. I would have them only removable by his Majesty, under his sign manual, and upon good representations made here. Every gentleman will naturally see the impropriety of such irregular assemblies, or town-meetings, which are now held in *Boston;* I would have them brought under some regulation, and would not suffer them to be held without the consent of the Governor, unless upon the annual election of certain officers, which it is their province to choose. Their juries are improperly chosen; I think a degree of regulation highly necessary; I am always ready and open to hear those matters discussed, and inclined to alter my opinion, when I hear better reasons for adopting any other mode of putting the civil magistracy of that country upon a good footing; but until the executive power is free, it cannot act; our regulations here are of no import, if you have nobody in that country to give them force. Some immediate, as well as permanent remedy, must be adopted. I therefore propose the present Bill, which I apprehend will effectually purge that constitution of all its crudities, and give a degree of strength and spirit to the civil magistracy, and to the executive power. I therefore move you, Sir, "That leave be given to bring in "a Bill for the better regulating the Government of the "Province of *Massachusetts Bay*." I propose that this Bill shall be brought in, and lie upon the table, for the inspection of the House and gentlemen who wish to make the propriety of such a Bill the measure of their conduct.

Mr. *Byng* said, that he could not be at all surprised at hearing that the Governor of *Boston* had no power, when he had not a single place in his gift. It was now become a fashion, he said, to give away those places of emolument to men of this country, with reversions to one, two, or three sons; to men who had never been of the least public service to this country, in his apprehensions, [meaning Mr. *Bradshaw*.] Whilst places continue to be given away to men of this country, the emoluments of which arise from the labour and sweat of an *American* brow, it will undoubtedly, and very properly, totally annihilate the power of any

Digitized by Google

supreme officer in that country. Men look up to their superiors, and obey their directions according to the emoluments received from them; and when once their is no dependence in it, there will be no obedience.

Sir *F. Norton* (Speaker) said, he only got up to know, whether there was to be an Assembly left to the *Americans* or not? For he was not able to say, from what he had heard from the noble Lord, whether the Assembly was to be annihilated or not.

Lord *North* assured the right honorable member, that there would be nothing in this Bill that affected either the Assembly or the Council in their legislative power.

Mr. *Stephen Fox*. Can there be any thing so necessary to alter as that Government which can neither govern nor manage itself? The People of *Boston* have behaved in a most outrageous manner, militating against every principle of law and justice, combating against its own constitutional power, and totally subverting every idea of order and regularity. Would you let these men go on in the chaos of disturbance? Would you wish them to proceed so precipitately to their destruction without once lending the aid of your deliberations to rescue them from the self-conceived and false opinions which they have imbibed. I hope, Sir, this House will lend its advice, and endeavour to save these hot-headed *Americans*, not by violent measures but by firm and manly proceedings.

Lord *George Germain*. It may not be improper, Sir, I hope, to throw out a little upon this occasion, and to ask for further information, to know whether this is to be the extent of the proposition with regard to the salutary measures that are to be made and taken in this Committee, during this whole Session; if so, Sir, I should be glad to give my poor opinion, and add my mite of preservation to that country. I could have wished that the noble Lord, when he was forming this scheme of salvation to this country, would have, at least, considered that there were other parts of the internal Government necessary to be put under some regulation. I mean particularly the internal Government of the Province of *Massachusetts Bay*. I wish to see the Council of that country on the same footing as other Colonies. There is a degree of absurdity, at present, in the election of the Council. I cannot, Sir, disagree with the noble Lord, nor can I think he will do a better thing, than to put an end to their town meetings. I would not have men of a mercantile cast every day collecting themselves together, and debating about political matters; I would have them follow their occupations as Merchants, and not consider themselves as Ministers of that country. I would also wish, that all corporate powers might be given to certain People in every town, in the same manner that Corporations are formed here; I should then expect to see some subordination, some authority and order. I do not know by what power those are to be formed, but I wish that they may be formed by some. Again, Sir, I think that the method of Grand Juries ought to be much attended to; they are now chosen for life, and have a yearly salary, and these are the men to whom your life and property is entrusted. Your People know to whom to make application, when law and justice are wished to be subverted by favour and affection. Your Petty Juries are elected annually, so many persons in each town; to these men offenders know how to apply; and when any riot happens between the military power and the People of the town, the Jury, being taken principally out of that town, the power of life and death of the offender is lodged in those who are offended. These juries, I think, require great regulation; they are totally different from ours, and in my idea, carry with them not only the highest degree of absurdity, but are subject to be led aside to commit the highest and most palpable enormities against justice and the laws of the land. I would not wish to protract the noble Lord's Bill, by lengthening it out to a degree which he does not wish it to go, nor to oppose the measures which he has already adopted. I would wish to bring the constitution of *America* as similar to our own as possible. I would wish to see the Council of that country similar to a House of Lords in this. I would wish to see chancery suits determined by a Court of Chancery, and not by the Assembly of that Province. At present their Assembly is a downright clog upon all the proceedings of the Governor, and the Council are continually thwarting and opposing any proposition he may make for the security and welfare of that Government. You have, Sir, no Government, no Governor; the whole are the proceedings of a tumultuous and riotous rabble, who ought, if they had the least prudence, to follow their mercantile employment, and not trouble themselves with politics and Government, which they do not understand. We are told by some gentlemen, oh! do not break the charter; do not take away their rights that are granted to them by the predecessors of the Crown; whoever, Sir, wishes to preserve such charters, without a due correction and regulation; whoever, Sir, wishes for such subjects, I wish them no worse than to govern them. Put this People, Sir, upon a free footing of Government; do not let us be every day asserting our rights by words, and they denying our authority, and preventing the execution of our laws. Let us, Sir, persevere in refining that Government which cannot support itself, and proceed on in the manner we have begun, and I make no doubt but, by a manly and steady perseverance, things may be restored from a state of anarchy and confusion, to peace, quietude, and a due obedience to the laws of this country.

Lord *North*. I thank the noble Lord for every proposition he has held out; they are worthy of a great mind, and such as ought to be adopted; and indeed I cannot say that at present there is any objection to what is proposed being regulated at some future period; if any thing can tend to the relief of the present distresses in *America*, it is the unanimity of this House, and of men of such abilities as the noble Lord, in the projection of measures necessary to be taken. Every proposition the noble Lord has mentioned coincides with my mind; I see the propriety of them, and I would wish to adopt them. It is not my proposition to close this Committee before other measures may be offered, which, for any thing I know, may have a degree of preference to those I have this day proposed. I, for my part, Sir, shall think of the propositions made, and receive them to be canvassed by greater wisdom and abilities than mine. I am clear, with the noble Lord, that the constitution of this charter ought not to prevent Parliament from interfering to regulate those matters in *America*, which the indigested measures of their charter have, perhaps, precipitately been, in some degree, a means of preventing the peace and quietness of that country from being restored.

Mr. *Phipps* got up, but the House being noisy, he was not much attended to.

Mr. *Pownall* used much the same kind of arguments he had done in the former debates, and gave a judicious account of the Government of *America*. He concluded with giving to the *Americans* the character of a conscientious, good, religious, peaceable set of People, and said that there was not in all his Majesty's Dominions a more respectable set of persons existing.

Lord *North's* motion was then agreed to, and

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that he was directed by the Committee to move the House that leave be given to bring in a Bill for the better regulating the Government of the Province of the *Massachusetts Bay* in *North America*.

Ordered, That leave be granted to bring in the Bill; and that Sir *Charles Whitworth*, the Lord *North*, Mr. *Attorney General*, and Mr. *Solicitor General*, do prepare and bring in the same.

Friday, *April* 15, 1774.

The Lord *North* presented to the House, according to order, a Bill for the better regulating the Government of the Province of *Massachusetts Bay*, in *North America*: and the same was received.

Lord *North*, on presenting the Bill, (after the breviat was read, containing the propositions which in moving for the Bill, he had mentioned as the ground of it, with this addition and alteration, "that the nomination of the Council should be by the Crown,") said, in this Bill there would be no negative voice in the Council; nor was the Lieutenant Governor and Secretary to be of the Council, unless nominated by his Majesty; that the Council would have much the same power as before, except the nomination of judicial officers; that he had altered the mode of choosing of juries, from the hints that were thrown out the other day

Digitized by Google

in the debate by a noble Lord, (*George Germain;*) that the principle on which our juries were formed seemed to be highly approved of, and that of the juries of *America* disapproved of; that he had now adopted the mode of choice as near the method of choosing the juries in *England* as possible; that this was a regulation of a very nice kind; and if gentlemen did not like to have it made part of the present Bill, it might be separated and made a Bill of itself.

Mr. *R. Fuller* gave notice, that he intended to move for a Committee to inquire into the Tea Duty on *Thursday* next, to see whether or not it was possible to repeal that Act before the present one took place.

Mr. *Dempster* desired to ask the noble Lord, by whom the Governors and Judges were appointed formerly, and by whom paid?

Lord *North* said, the Judges were paid by the Crown; and that their salaries were to accrue out of the duties chargeable on the tea.

Mr. *Dowdeswell* said, he was unwilling to let the day pass without some observations on the Bill, as it was brought in upon a different plan to what it was moved. He observed, that Government had now received sufficient advice for regulating their conduct, and coming to some decision about what was proper to be done; but the further they went, the worse they were; that the House had now a Bill before them, which was calculated to destroy the charter of the Province of *Massachusetts Bay;* that if, indeed, we were now to make a new charter for governing and regulating the number of emigrants that are daily going to *America,* we should, perhaps, make it in a different manner, and suit it more to the disposition of the times: but I wish, said he, to see no new charter granted. The *Americans* have laboured with unwearied industry, and flourished for near fourscore years under that democratic charter; they have increased their possessions, and improved their lands to a pitch we could not have expected, and we have reaped the benefit of their labour, yet you are now going to destroy that very charter which has subsisted to the mutual benefit of both countries; the charter which they have, breathes a spirit of liberty superiour to any thing either of the former or present times. It was granted in King *William's* time, and is more adapted to the spirit of a free people, than any charter that can possibly be framed by any Minister now; but, I hope, before this Bill passes, that you will, at least, recollect yourselves in a cool, dispassionate manner, and look upon *Americans* as your children, and call them by whatever name you will, rebellious or disobedient, that you will consider, at the same time, that they are froward children, that there are also peevish parents, and that the ill-humour and disposition of a child is oftentimes brought about by the petulant obstinacy of a foolish parent. The ridiculous doctrine that parents are apt to instil into their children, of "you shall do it—you shall do it," is oftentimes the means of enforcing the same disposition in the child, of "I wont." I hate that absurd obstinacy, of "you shall," and, "I wont," between parent and child. You are not now contending for a point of honour; you are struggling to obtain a most ridiculous superiority, to which I hardly know a name bad enough to stamp it with. The regulations which you are going to enact, will be so inadequate and so improper a remedy, that, in my opinion, it would be better to give up the whole, than to correct in such a violent and imprudent manner; let me at least advise temper in your proceedings, and that whatever is done, may not be effected with rigour and severity.

Governor *Pownall* rose to give the House an account of the mode in which juries were chosen in *America;* the House at first did not much attend, but his extensive knowledge in *American* affairs, soon drew that attention to what he said, which his abilities so justly deserved. He gave an account in what manner the Council were chosen heretofore; that they were elected by the whole Legislature, and not (as had been mistakenly represented) by the People at large; that the Selectmen were a kind of Aldermen, much the same as those in Corporations in *England;* that about forty were chosen in each town, after which the remaining ones were generally appointed as persons proper to serve upon juries, from which five or six people were taken, as occasion required; that the Grand Juries were struck off from capital men, who were appointed for that purpose. He said great inconvenience would arise from the town meetings not being held without the consent of the Governor; that all business of a municipal nature was done at a town meeting; that these towns were, in many places, three hundred miles from the Capital, and that business must stand still in many instances, in these towns, till the Governor's consent could be obtained. He concluded with expressing a wish that the laws of the Province of *Massachusetts Bay,* as far as related to the present Bill, might be laid before the House.

The Bill was then read the first time.

Ordered, That the said Bill be read a second time upon this day sevennight.

Ordered, (on the motion of Mr. *Dowdeswell,*) That such a number of copies of the said Bill be printed, as shall be sufficient for the use of the members of the House.

TUESDAY, *April* 19, 1774.

Resolved, That an humble Address be presented to his Majesty, that he will be graciously pleased to give directions, that there be laid before this House, a copy of an Act of the General Court of the Province of *Massachusetts Bay,* made in the fourth year of the reign of King *William* and Queen *Mary,* entituled, "An Act for regulating of "Townships, choice of Town Officers, and setting forth "their powers;" and also copies of all other Acts of the General Court of the said Province, for the regulation of Townships and Town Meetings.

Resolved, That an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House, a copy of an Act of the General Court of the Province of *Massachusetts Bay,* made in the seventh year of the reign of King *William* the Third, for summoning, returning, and regulating the choice of Grand and Petty Juries; together with copies of all other permanent or temporary Acts of the said General Court, relative thereto.

Ordered, That the said Addresses be presented to his Majesty by such members of this House as are of his Majesty's most honorable Privy Council.

Resolved, That an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House:—

Extract of a Letter from Governor *Bernard* to the Lords Commissioners of Trade and Plantations, dated *Boston,* 7th *July,* 1766.

Extract of a Letter from Governor *Bernard* to the Earl of *Hillsborough,* dated *Boston,* 30th *May,* 1768.

Extract of a Letter from Governor *Hutchinson* to the Earl of *Hillsborough,* dated *Boston,* 6th *July,* 1771; with a copy of his Message to the House of Representatives, and of the Answer of the said House.

Extract of a Letter from Governor *Hutchinson* to the Earl of *Hillsborough,* dated *Boston,* 29th *May,* 1772.

Extract of a Letter from Governor *Hutchinson* to the Earl of *Dartmouth,* dated *Boston,* 22d *February,* 1773.

Copies of the Speeches of Governor *Hutchinson* to the General Assembly of the *Massachusetts Bay,* with the Answers of the Council and House of Representatives.

Copy of a Petition and Remonstrance from the House of Representatives of the Province of *Massachusetts Bay,* of the 14th *July,* 1772.

Copy of a Petition to his Majesty from the House of Representatives of *Massachusetts Bay,* dated 6th *March,* 1773.

Ordered, That the said Address be presented to his Majesty by such members of this House as are of his Majesty's most honorable Privy Council.

THURSDAY, *April* 21, 1774.

The Lord *North* presented to the House, pursuant to their Address to his Majesty:—

No. 1. Extract of a Letter from Governor *Bernard* to the Lords of Trade, dated *Boston,* 7th *July,* 1766.

No. 2. Extract of a Letter from Governor *Bernard* to the Earl of *Hillsborough,* dated *Boston,* 30th *May,* 1768.

No. 3. Extract of a Letter from Governor *Hutchinson* to the Earl of *Hillsborough,* dated *Boston,* 6th *July,* 1771; with a copy of his Message to the House of Representatives, and the Answer of the said House.

No. 4. Extract of a Letter from Governor *Hutchinson*

Digitized by Google

to the Earl of *Hillsborough*, dated *Boston*, 29th *May*, 1772; with an Enclosure.

No. 5. Extract of a Letter from Governor *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 22d *February*, 1773.

No. 6. Printed Copy of the Speeches of Governor *Hutchinson* to the General Assembly of the *Massachusetts Bay*, with the Answer of the Council and House of Representatives.

No. 7. Copy of a Petition and Remonstrance to the King, from the House of Representatives of the Province of *Massachusetts Bay*, dated 14th *July*, 1772.

No. 8. Copy of a Petition to the King, from the House of Representatives of the Province of *Massachusetts Bay*, dated 6th *March*, 1773.

Together with a List of said Papers; and the said List was read.

Ordered, that the said Papers do lie upon the table, to be perused by the members of the House.

FRIDAY, *April* 22, 1774.

The Order of the Day, for the second reading of the Bill, was read.

Mr. *Fuller* said, he did not rise to make any debate, for he was not enabled as yet to form any opinion whether the Bill before the House was a proper one or not; as copies of the charters which had been ordered, were not yet laid before the House, he would venture to say that no man knew the constitution of that Government; it was, therefore, impossible for him to say, in what manner he would correct and amend it.

Sir *George Savile* said, he had not troubled the House before on the occasion, but he could not help observing, that the measure now before the House was a very doubtful and dangerous one; doubtful as to the matter and propriety of regulation, and dangerous as to its consequence; that charters by Government were sacred things, and are only to be taken away by a due course of law, either as a punishment for an offence, or for a breach of the contract, and that can only be by evidence of the facts; nor could he conceive that in either of those cases there could be any such thing as proceeding without a fair hearing of both parties. This measure before us seems to be a most extraordinary exertion of Legislative power. Let us suppose a lease granted to a man, wherein was a covenant, the breach of which would subject him to a forfeiture of his lease—would not a court of justice require evidence of the fact? Why, then, will you proceed different from the line which is always observed in courts of justice. You are now going to alter the charter, because it is convenient. In what manner does the House mean to take away this charter, when in fact they refuse to hear the parties, or to go through a legal course of evidence of the facts? Chartered rights have, at all times, when attempted to be altered or taken away, occasioned much bloodshed and strife; and whatever persons in this House may have advanced, that they do not proceed upon this business but with trembling hands, I do also assure them that I have shewn my fears upon this occasion, for I have run away from every question, except one, to which I gave my negative. I do not like to be present at a business which I think inconsistent with the dignity and justice of this House; I tremble when I am, for fear of the consequences; and I think it a little extraordinary that Mr. *Bollan* should be admitted to be heard as an *American* Agent in the House of Lords, when in the House of Commons he was refused. I believe it is true, that the facts set forth in his petition to this House, were different from those which he presented to the House of Lords; in one declaring himself an inhabitant of *Boston*, and in the other omitting it. I cannot conceive it possible to proceed on this Bill upon the small ground of evidence which you have had.

Mr. *Welbore Ellis*. I must rise, Sir, with great diffidence, when I differ from the honorable gentleman who spoke last, whose abilities are so eminently great; but I think, that chartered rights are by no means those sacred things which never can or ought to be altered; they are vested in the Crown, as a prerogative, for the good of the People at large; if the Supreme Legislature find that those charters so granted, are both unfit and inconvenient for the public utility, they have a right to make them fit and convenient: wherever private property is concerned, the Legislature will not take it away without making a full recompense; but wherever the regulation of public matter is the object, they have a right to correct, control, or take it away as may best suit the public welfare. The Crown may sometimes grant improper powers with regard to Governments that are to be established—will it not be highly proper and necessary that the Legislature, seeing in what manner the Crown has been ill-advised, should take it into their consideration, and alter it, as far as necessary? It is the Legislature's duty to correct the errors that have been established in the infancy of that constitution, and regulate them for the public welfare. Is a charter, not consistent with the public good, to be continued? The honorable gentleman says much bloodshed has been occasioned by taking away or altering of chartered rights; I grant it; but it has always been where encroachments have been made by improper parties, and the attack has been carried on by improper powers. He also says, this form of Government in *America* ought not to be altered without hearing the parties; the papers on your table, surely, are sufficient evidence what they have to say in their defence. Look only into the letter dated the 19th of *November*, 1773, wherein the Governor applied to the Council for advice, and they neglected giving it to him; and also wherein a Petition was presented to the Council by certain persons who applied for protection to their property during these disturbances; the Council, without giving any answer, adjourned for ten days, and the Governor was not able to do any thing himself without their opinion. Look again, Sir, into the resolution which the Council came to when they met again, stating the total insufficiency of their power. This, surely, Sir, is an evidence competent to ground this bill upon. We have now got no farther than just to alter these two parts, as stated by themselves. Surely, Sir, that form of Government which will not protect your property, ought to be altered in such a manner as it may be able to do it.

General *Conway*. What I intend to say, will not delay the House long. [The House being rather noisy, the General said, I beg leave once more to say a short word.] I am very sure what I intend to say will little deserve the attention of the House, but the subject is of that importance, that it requires it. The consequence of this Bill will be very important and dangerous. Parliament cannot break into a right without hearing the parties. The question, then, is simply this: have they been heard? What! because the Papers say a murder has been committed, does it follow they have proved it? '*Audi alteram partem*' is a maxim I have long adhered to; but it is something so inconsistent with Parliamentary proceedings not to do it, that I am astonished at it. The Council are blamed, because they did not give that advice to the Governor which he wanted. I think, Sir, the Governor might have acted alone, without their assistance. Gentlemen will consider, that this is not only the charter of *Boston*, or of any particular part, but the charter of all *America*. Are the *Americans* not to be heard? Do they not choose to consent and agree about appointing an agent? I think there is no harm, upon this occasion, in stretching a point; and I would rather hear Mr. *Bollan* as an agent of *America* (though he is a little irregular in his appointment) sooner than leave it to be said, that this Bill passed without it. The House being vociferous, he said, I am afraid I tire the House with my weak voice; if that is the case, I will not proceed, but I do think, and it is my sincere opinion, that we are the aggressors and innovators, and not the Colonies. We have irritated and forced laws upon them for these six or seven years last past. We have enacted such a variety of laws, with these new taxes, together with a refusal to repeal the trifling duty on tea; all these things have served no other purpose but to distress and perplex. I think the *Americans* have done no more than every subject would do in an arbitrary state, where laws are imposed against their will. In my conscience, I think, taxation and legislation are in this case inconsistent. Have you not a Legislative right over *Ireland*? And yet no one will dare to say we have a right to tax. These Acts, respecting *America*, will involve this country and its Ministers in misfortunes, and I wish I may not add, in ruin.

Lord *North*. I do not consider this matter of regulation to be taking away their charters in such manner as is represented; it is a regulation of Government to assist the Crown; it appears to me, not to be a matter of political expediency,

Digitized by Google

but of necessity. If it does not stand upon that ground, it stands on nothing. The account which has just now been read to you is an authentic paper, transmitted to Government here, shewing that the Council refused, in every case, their assistance and advice; and will this country sit still, when they see the Colony proceeding against your own subjects, tarring and feathering your servants; denying your laws and authority; refusing every direction and advice which you send? Are we, Sir, seeing all this, to be silent, and give the Governor no support? Gentlemen say, let the Colony come to your bar, and be heard in their defence; though it is not likely that they will come, when they deny your authority in every instance. Can we remain in this situation long? We must, effectually, take some measure to correct and amend the defects of that Government. I have heard so many different opinions in regard to our conduct in *America*, I hardly know how to answer them. The honourable gentleman, who spoke last, formerly blamed the tame and insipid conduct of Government; now he condemns this measure as harsh and severe. The *Americans* have tarred and feathered your subjects, plundered your merchants, burnt your ships, denied all obedience to your laws and authority; yet so clement, and so long forbearing has our conduct been, that it is incumbent on us now to take a different course. Whatever may be the consequence, we must risk something; if we do not, all is over. The measure now proposed, is nothing more than taking the election of Counsellors out of the hands of those people, who are continually acting in defiance and resistance of your laws. It has also been said by gentlemen—send for the *Americans* to your bar—give them redress a twelvemonth hence. Surely, Sir, this cannot be the language that is to give effectual relief to *America;* it is not I say, again, political convenience, it is political necessity that urges this measure: if this is not the proper method, shew me any other which is preferable, and I will postpone it.

Sir *George Yonge*. It appears to me, Sir, that it is unanswered and unanswerable, what has been advanced by the honorable gentleman who spoke second, that the parties should be heard, though even at a twelvemonth hence. Nothing, Sir, but fatal necessity can countenance this measure. No body of men ought to be proceeded against without being heard, much less ought the regulation of a whole Government to take place, without the parties attending in their defence against such alterations.

Governor *Johnstone*. I see, Sir, a great disposition in this House to proceed in this business without knowing any thing of the constitution of *America;* several inconveniences will arise if the Sheriff is to be appointed by the Governor; the jury will of course be biased by some influence or other; special juries will be most liable to this. [Here the Governor gave an account of the different riots which had happened in *England*, and compared them with what he called the false account of those from *America*.] I impute, says he, all the misfortunes which have happened in *America*, to the taking away the power of the Governor. No man of common sense, can apprehend that the Governor would ever have gone for two or three days in the country during these disturbances, if he had had the command of the military power. The natural spirit of man would be fired, in such a manner, as to actuate him to show resistance; but in this Governor no power was lodged. I disapprove much of the measure which is before us, and I cannot think but its consequences will be prejudicial.

Mr. *C. Jenkinson*. I rise, Sir, only to observe, that if the Colony has not that power within itself to maintain its own peace and order, the Legislature should, and ought to have. Let me ask, Sir, whether the Colony took any step, in any shape, to quell the riots and disturbances? No, they took none. Let me ask again, whether all the checks and control that are necessary, are not put into the commission of the Governments? Much has been said about hearing the parties, and taking away this chartered right; I am of opinion, that where the right is a high political regulation, you are not in that instance bound to hear them; but the hearing of parties is necessary where private property is concerned. It is not only in the late proceedings, but in all former, that they have denied your authority over them; they have refused protection to his Majesty's subjects, and in every instance disobeyed the laws of this country; either let this country forsake its trade with *America*, or let us give that due protection to it which safety requires.

Mr. *Harris*. I cannot see, Sir, any reason for so wide a separation between *America* and *England* as other gentlemen are apt to think there ought to be; that country, Sir, was hatched from this; and I hope we shall always keep it under the shadow of our wings. It has been said, no representation, no taxation. This was the system formerly adopted, but I do not find it authorized in any book of jurisprudence, nor do I deem it to be a doctrine either reasonable or constitutional. I insist upon it, they are bound to obey both the Crown and Parliament. The last twelve years of our proceedings have been a scene of lenity and inactivity. Let us proceed and mend our method, or else I shall believe, as an honorable gentleman has observed, that we are the aggressors.

Sir *Edward Astley*. If we have had a twelve years' lenity and inactivity, I hope we shall not now proceed to have a twelve years' cruelty and oppression. By the resolution and firmness which I perceive in the House, it seems to indicate a perseverance in the measure now proposed, which I deem to be a harsh one, and unworthy of a *British* Legislature.

Mr. *Ward* found fault with the charter being left too much, as to the execution of its powers, in the People, and he could not think that the Legislature was doing any thing which it had not a right to do, as he had looked upon all charters to be granted with a particular clause in it, expressing that it should not be taken away but by the Parliament.

Governor *Pownall*. Sir, the few words that I shall trouble the House with on this occasion, will be directed simply to facts, and to the rectifying some matters of fact respecting the constitution of the Province of *Massachusetts Bay*, which some gentlemen, on both sides the House, seem to me to have mistaken, and to have mis-stated.

As to opinions, I shall never more trouble the House with mine on this subject. While the affairs of *America* remained on that ground, that opinions might operate on measures of policy, I never withheld mine, poor as they may have been—I always avowed them openly and publicly. In this House I delivered my sentiments explicitly and directly. It was my duty so to do—I consider it as of perfect obligation; and I hope I have fulfilled that duty. I could not but think it a matter of imperfect obligation, even to obtrude my sentiments, and the best information that I could give, in other places, out of this House. I hope I have not there exceeded my duty; I have expressed the same sentiments at all times, and have given the same opinion in what I have written to *America*. All tended to one point—the pointing out the grounds of reconciliation and peace.

The case at present ceases to be matter of opinion—it is come to action. The measure which you are pursuing will be resisted, not by force, or the effect of arms, as was said by an honorable gentleman on the late occasion, but by a regular united system of resistance.

I told this House, (it is now four years past,) that the People of *America* would resist the tax which lay then upon them—that they would not oppose power to your power, but that they would become impracticable. Have they not been so from that time to this very hour? I tell you now, that they will resist the measures now pursued, in a more vigorous way. You will find them prepared for such resistance, not by arms, but by a system of measures. The Committees of Correspondence in the different Provinces, are in constant communication—they do not trust the conveyance of the Post-Office—they have set up a constitutional courier, which will soon grow up to the superseding of your Post Office. As soon as intelligence of these affairs reach them, they will judge it necessary to communicate with each other. It will be found inconvenient and ineffectual so to do by letters—they must confer. They will hold a conference—and to what these Committees, thus met in Congress, will grow up, I will not say.

On the other point, should matters ever come to arms, you will hear of other officers than those appointed by your Governors. When matters once come to that it will be, as it was in the late civil wars of this country, of little consequence to dispute who were the aggressors—that will be merely matter of opinion. It is of more consequence at

Digitized by Google

this moment so to act—to take such measures—that no such misfortune may come into event.

I hope the House will excuse my trespassing on their patience—it is the last time that I shall speak on this subject. If, however, the knowledge which my situation must necessarily have supplied me with, can enable me to be of any use in matter of information, on any points which come before you, I shall constantly attend in my place, and in my place be ready to answer to any questions on such matter, as any gentleman may wish to receive information upon, as far as I may be able to inform him; and in this light I beg leave to state, that although by the charter of the Province of *Massachusetts Bay* the Governor is obliged to take with him, not simply the advice, but the consent of the Council, in the nomination of judges and other civil officers—yet it is from the power of the Governor's commission held under the broad seal, that all the commissions in the Province are derived; and cease with the determination of that commission. All those officers, except the Attorney General, even the Sheriffs, which an honorable gentleman had conceived not to be so, and which the present proposed Bill directs to be appointed and removed by the Governor, are according to the powers and privileges of the present charter, appointed by the Governor in Council. The difference is, that in those Governments which are established by the King's patent commissions, the whole act of appointment is in the Governor—which act, indeed, he is by his instructions directed to do in the Act. He is the sole efficient: he may advise with the Council, but he is not bound to take their consent—he is not incompetent to the act, without their consent. His commission gives him full power to act—if he acts without the advice of his Council, he does, indeed, break through his instructions, and may incur his Majesty's displeasure; but yet the appointment is good to all intents and purposes. The first is the act of legal power, derived from the commission; the second, is a matter prudential, with which the mode of the act is properly and wisely accompanied.

In the charter under consideration, the matter of instruction was made a component part of the act—by which the Council were made a component part of the Governor, and so far forth of the supreme executive magistrate. This I have always thought to be an original and radical blunder. If the Bill, as it was first proposed, had gone no farther than to the remedy of this error, I think there could not have been a reasonable objection to it—but of that I shall say no more now—I have already given my opinion on that point.

Another gentleman (misled by a construction which some Governors have made of their powers) thinks that the Council are so much, in all cases of Government, a part of the supreme executive magistrate, that if they refuse to act with the Governor, he cannot do any act of Government either civil or military. I know of no Act in which they are constituted such part, but in the case of the nomination of civil officers. In every other, the Governor, both by the charter and by his commission is, perfect and complete, supreme executive magistrate. I am sure I can speak from fact;—I have, as Governor, without communion of power with the Council, done every civil act of Government, which the King, actuating the powers of the Crown, does here within the Realm. And as to the military, if it had been my misfortune to have been Governor in these times, and if the interposition of the military had been necessary, I would not have applied to them for their aid—I would have sent them an order. I am sure there is no officer within the Province would have dared to have disobeyed it. They must have obeyed. The power to give such order is, both by the charter and the commission (which are both under the broad seal,) in the Governor, as Commander-in-chief; and I know of no revocation of it, but by the mere letter of a Secretary of State, which could have no effect; but which was at the same time one of the most dangerous measures ever taken.

Upon this ground, supposed to be the fact, that the Council are part of the executive magistrate, it is alleged as matter of crime against them, that they refused to act with the Governor at the time of the late riots; by which the powers of Government were suspended, the power of the charter misused, so that the Governor could not act; but as I have shewn that this is not the fact, the allegation of crime vanishes: yet I must own, and I must say, that as it is always for the benefit of the public, that the Governor should advise with, and have the advice of his Council—that as it is always of benefit to Government, that he should take with him and be supported by the authority of his Council, and, especially, in this Province, where the authority of the country is of more solid effect than in any other—the Council, and every member of it, are highly blameable, are, indeed, inexcusable, whenever they refuse to advise, whenever they withhold their authority from the aid and support of Government. I do not know whether they be not liable to censure in refusing their assistance, as they are by the charter expressly called Assistants; but surely their conduct was inexcusable, when, instead of assisting, they sought and took occasion in the midst of these disturbances, to bring forward as an act of Council, a report fraught with all the matters of contest and dispute, which were the very grounds taken as principles by the People engaged in the disturbances. Thus far as to matter of fact; as to matter of opinion, I shall not trouble the House with it. [The few words afterwards spoken by way of explanation, were so far from signifying that the People were going to rebel, that they were expressly spoken to obviate that misapprehension of what had been said.]

Mr. *Rigby*. Upon my word, Sir, what was just now said is very worthy the consideration of this House; and if, from what the honourable gentleman says, it is true, and I believe he is well informed, it appears that *America* is preparing to arm; and that the deliberations of their town-meetings tend chiefly to oppose the measures of this country by force. He has told you, Sir, that the *Americans* will appoint other officers than those sent by Government to command their troops. He has told you that a Post-Office is established on their account from town to town, in order to carry their treacherous correspondence from one to another. He has told you, the Post-Office revenue will soon be annihilated. If these things are true, Sir, I find we have been the aggressors, by continually doing acts of lenity for these twelve years last past. I think, Sir, and speak out boldly when I say it, that this country has a right to tax *America*; but, Sir, it is matter of astonishment to me, how an honourable gentleman, (General *Conway*) can be the author or bringer in of a Declaratory Law over all *America*, and yet saying at one and the same time, that we have no right to tax *America!* If I were to begin to say that *America* should not be taxed, and that these measures were not proper, I would first desire my own Declaratory Law to be repealed; but being of opinion that the *Americans* are the subjects of this country, I will declare freely, that I think this country has a right to tax *America*; but I do not say I would put any new tax on at this particular crisis; but when things are returned to a peaceable state, I would then begin to exercise it. And I am free to declare my opinion, that I think we have a right to tax *Ireland*, if there was a necessity so to do, in order to help the mother country. If *Ireland* was to rebel and resist our laws, I would tax it. The mother country has an undoubted right and control over the whole of its Colonies. Again, Sir, a great deal has been said concerning requisition. Pray, in what manner is it to be obtained? Is the King to demand it? Or are we, the Legislative power of this country, to send a very civil, polite gentleman over to treat with their Assembly? How and in what manner is he to address that Assembly? Is he to tell the Speaker of it, that we have been extremely ill-used by our neighbours, the *French*; that they have attacked us in several quarters; that the finances of this country are in a bad state; and, therefore, we desire you will be kind enough to assist us, and give us some money? Is this to be the language of this country to that; and are we thus to go cap in hand? I am of opinion, that if the Administration of this country had not been changed soon after the passing of the Stamp Act, that tax would have been collected with as much ease as the land tax is in *Great Britain*. I have acted, with regard to *America*, one consistent part, and shall continue in it till I hear better reason to convince me to the contrary.

Governor *Pownall* to explain. I apprehend I have been totally misunderstood. I did not assert the *Americans* were now in rebellion, but that they are going to rebel; when that comes to pass, the question will be, who was the

Digitized by Google

occasion of it. Something has been said relative to requisition: I think I gave several instances wherein the same had been complied with in time of war.

Mr. *Charles Fox*. I am glad to hear from the honorable gentleman who spoke last, that now is not the time to tax *America:* that the only time for that is, when all these disturbances are quelled, and they are returned to their duty; so, I find, taxes are to be the reward of obedience; and the *Americans*, who are considered to have been in open rebellion, are to be rewarded by acquiescing to their measures. When will be the time when *America* ought to have heavy taxes laid upon it? The honorable gentleman (Mr. *Rigby)* tells you, that that time is when the *Americans* are returned to peace and quietness. The honorable gentleman tells us also, that we have a right to tax *Ireland;* however, I may agree with him in regard to the principle, it would not be policy to exercise it; I believe we have no more right to tax the one than the other. I believe *America* is wrong in resisting against this country with regard to its Legislative authority. It was an old opinion, and I believe a very true one, that there was a dispensing power in the Crown, but whenever that dispensing power was pretended to be exercised, it was always rejected and opposed to the utmost, because it operated to me, as a subject, as a detriment to my property and liberty; but, Sir, there has been a constant conduct practised in this country, consisting of violence and weakness, I wish those measures may not continue; nor can I think that the Stamp Act would have been submitted to without resistance, if the Administration had not been changed: the present Bill before you is not what you want; it irritates the minds of the People, but does not correct the deficiencies of that Government.

Sir *Gilbert Elliot* said, there was not the least degree of absurdity in taxing your own subjects, over whom you declared you had an absolute right; though that tax should through necessity, be enacted at a time when peace and quietness were the reigning system of the times: you declare you have that right, where is the absurdity in the exercise of it?

Sir *Richard Sutton* read a copy of a letter relative to the Government of *America*, from a Governor in *America* to the Board of Trade, showing, that at the most quiet times, the disposition to oppose the laws of this country were strongly engrafted in them, and that all their actions conveyed a spirit and wish for independence. If you ask an *American* who is his master, he will tell you he has none, nor any Governor, but *Jesus Christ*. I do believe it, and it is my firm opinion, that the opposition to the measures of the Legislature of this country, is a determined prepossession of the idea of total independence.

The Bill was then read a second time.

Resolved, That this House will, upon *Wednesday* morning next, resolve itself into a Committee of the whole House, upon the Bill.

MONDAY, *April* 25, 1774.

Mr. *Gascoigne* presented to the House, pursuant to their Address to his Majesty:—

No. 1. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the fourth year of the reign of King *William* and Queen *Mary*, intituled "An Act for regula- "ting of townships, choice of town officers, and setting "forth their power."

No. 2. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the sixth year of the reign of King *William* and Queen *Mary*, intituled, "An Act to enable "towns, villages, and proprietors in common and undivi- "ded lands, &c., to sue and be sued."

No. 3. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the fifth year of the reign of Queen *Anne*, intituled "An Act for a new choice of town officers, "on special occasions."

No. 4. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the ninth year of the reign of Queen *Anne*, intituled "An Act directing the levying and "collecting of county and town assessments."

No. 5. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the second year of the reign of King *George* the Fourth, intituled, "An Act for the better regu- "lating of town and proprietary meetings."

No. 6. Extract of an Act passed in the Province of the *Massachusetts Bay*, in the first year of the reign of King *George* the Second, intituled, "An Act in addition to an Act for highways."

No. 7. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the seventh and eighth years of the reign of King *George* the Second, intituled, "An Act in "explanation of, and farther addition to, an Act, intituled, "an Act for regulating of townships, choice of town offi- "cers, and setting forth their power.'"

No. 8. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the sixteenth year of the reign of King *George* the Second, intituled, "An Act in further "addition to an explanation of an Act, intituled, 'an Act "for regulating townships, choice of town officers, and "setting forth their power.'"

No. 9. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the twenty-ninth year of the reign of King *George* the Second, intituled, "An Act for revi- "ving and continuing sundry laws, that are expired, or "near expiring."

No. 10. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the thirtieth year of the reign of King *George* the Second, intituled, "An Act in further "addition to an Act, intituled, 'an Act for regulating of "townships, and choice of town officers, and setting forth "their power.'"

No. 11. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the first year of his present Majesty's reign, intituled "An Act for the better regulating districts "within this Province."

No. 12. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the second year of his present Majesty's reign, intituled, "An Act for reviving and continu- "ing sundry laws, that are expired, or near expiring.

No. 13. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the seventh year of his present Majesty's reign, intituled, "An Act for reviving and continu- "ing sundry laws, that are expired, or near expiring."

No. 14. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the tenth year of his present Majesty's reign, intituled, "An Act for reviving and continu- "ing sundry laws, that are expired, or near expiring."

No. 15. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the twelfth year of his present Majesty's reign, intituled, "An Act for regulating town-meet- "ings in the town of *Danvers*."

No. 16. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the seventh year of the reign of King *William* the Third, intituled, "An Act for Grand "Jurors serving at the Quarter Session of the Peace, and "punishing defaulters of Jurors attendance."

No. 17. Extract of an Act passed in the Province of the *Massachusetts Bay*, in the seventh year of the reign of King *William* the Third, intituled, "An Act for holding "of Courts of General Session of the Peace, and ascertain- "ing the times and places for the same."

No. 18. Extract of an Act passed in the Province of the *Massachusetts Bay*, in the eleventh year of the reign of King *William* the Third, intituled, "An Act for the es- "tablishing of Inferior Courts of Common Pleas, in the "several counties of this Province,"

No. 19. Extract of an Act passed in the Province of the *Massachusetts Bay*, in the eleventh year of the reign of King *William* the Third, intituled "An Act for esta- "blishing a Superior Court of Judicature, Court of Assize, "and General Gaol Delivery, within this Province."

No. 20. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the twelfth year of the reign of King *William* the Third, intituled, "An Act relating to "the office and duty of a Coroner."

No. 21. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the third year of the reign of King *George* the First, intituled, "An Act for the more effec- "tual preventing default in the appearance of Jurors."

No. 22. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the twenty-third year of the reign of King *George* the Second, intituled, "An Act for the "better regulating the choice of Petit Jurors."

No. 23. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the thirtieth year of the reign of

Digitized by Google

King *George* the Second, intituled, "An Act for the "better regulating the choice of Petit Jurors."

No. 24. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the thirtieth year of the reign of King *George* the Second, intituled, "An Act in addition "to an Act, intituled, 'An Act for the better regulating the "choice of Petit Jurors.'"

No. 25. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the thirty-third year of the reign of King *George* the Second, intituled, "An Act for the better "regulating the choice of Petit Jurors."

No. 26. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the thirty-third year of the reign of King *George* the Second, intituled, "An Act in addition "to an Act, intituled, 'An Act for the better regulating the "choice of Petit Jurors.'"

No. 27. Copy of an Act passed in the Province of the *Massachusetts Bay*, in the seventh year of his present Majesty's reign, intituled, "An Act for reviving and continu-"ing sundry laws, that are expired, or near expiring."

Together with a list of the said Papers.

And the said list was read.

Ordered, That the said Papers do lie on the table to be perused by the members of the House.

WEDNESDAY, *April* 27, 1774.

Ordered, That the order of the day, for the House to resolve itself into a Committee of the whole House, upon the Bill, be now read.

And the said order being read accordingly,

Ordered, That the Paper, intituled "*Massachusetts* "*Bay* Charter, granted by King *William* and Queen *Mary*, "in the third year of their reign," which was presented to the House upon the twenty-second day of *January*, 1740, be referred to the said Committee.

Ordered, That the several Papers which were presented to the House upon *Monday* last, by Mr. *Gascoigne*, be referred to the said Committee.

Ordered, That the several Papers which were presented to the House by the Lord *North*, upon the 7th and 11th days of *March* last, and the 15th and 21st days of this instant, *April*, be referred to the said Committee.

Then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had gone through the Bill, and made several amendments thereunto; which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received to-morrow morning.

THURSDAY, *April* 28, 1774.

The order of the day, for receiving the Report was read; and

A Petition of *William Bollan*, Esq., styling himself Agent for the Council of his Majesty's Province of *Massachusetts Bay*, in *New-England*, being offered to be presented to the House, by Mr. *Dowdeswell*, which Petitioner, he said, desired that the Bill for regulating the Civil Government, and the Bill for the more Impartial Administration of Justice, might not pass into a law, until he should have time to receive an answer from the above Province to letters he had sent.

Mr. *Dowdeswell* said, after the part I have taken in the progress of these affairs, and the direct manner in which I have expressed myself on former occasions, I shall have the less to trouble the House with on this occasion. The petition I have now brought up is, in the matter of its request so reasonable, that I cannot persuade myself the House will reject it. I should wish the affair might be seriously considered. What is the present stage of your progress? You are carrying through an Act that is to work a total change in the chartered constitution of a free country, in order to prevent riots and an improper conduct in the mob of that country;—and lest in carrying that Act into execution, you meet with a resistance that you expect, (and in that very expectation prove that they may resist without the imputation of an unexpected crime,) you bring in another to regulate the trial of offenders, by which you destroy the trial by jury, and drag the People across the *Atlantic* to give evidence in *Westminster Hall*: regulations, the flagrancy of which has been sufficiently exposed, and branded in the manner they deserve. The Agent of the Province, alarmed at so weighty a resentment, and so cruel a punishment on the constitution and liberty of his country, for the evil actions of the scum of the People, presents a petition to you. What is the purport of it? Only to pray you to suspend your judgment until he can receive instructions from his constituents;—that is, he begs a whole country may not be condemned without a single person authorized by it to appear in its defence. Now, Sir, I think the prayer of this petition so perfectly reasonable, that it appears impossible to be rejected out of the Court of Inquisition. It is no inquiry whether your measure is just or not;—we may admit it to be, in our opinions, just, proper, and political; and yet assert the necessity of hearing the Province before you condemn it to a severe punishment. I will not say it is wrong to act thus—I say it is impossible—common justice—the feelings of mankind, condemn it.

Sir *George Savile* spoke ably on the same side of the question, as did Mr. *Burke*, Mr. *T. Townshend*, &c., who all urged how highly cruel it was to pass a law against any body of People, without hearing either them, or their Agent, in their defence.

To the aguments of the above gentlemen, Lord *North*, made the following reply:

I do not rise with a design to attempt answering every objection that ingenuity can frame against the measure. The most ingenious man will never be able to sketch a plan, however simple, to which objections may not be started. The only point at present before us is, should we delay passing these Acts, in order to hear what the town of *Boston* can say, in defence of themselves. Is there or is there not propriety in such a delay? I reply, that it would be absurd; the fact of their crimes is authenticated; we want no fresh proofs; no gentleman has expressed any doubts; we should therefore wait to hear how they might exculpate themselves (that is, the Council and Assembly) and lay the blame on the mob possibly; we should suspend our measures, to know what recompense they would make; we should stop to hear their concessions. Are the friends of these acts every moment to recal to the minds of their opposers, the sentiments they were full of at the opening of the business? "Go to the bottom of the evil, or let it "alone; no more palliatives." So, Sir, if the town of *Boston* makes concessions and recompenses, our business is done, and our purpose answered. Very far from it—these Bills are not brought in for one or the other: they are to prevent such horrid evils in future; to regulate the constitution on the plan of other Colonies, that flourish under their constitution as much as *Boston* with its anarchy, and to indemnify the legal executors of your decrees. View the affair in this light, and all you objections fall. Let the whole Colony appear at your bar, and every argument they can use, every concession they can make, will all be relative to the past, not to the future. These Bills Sir, have much more useful and more necessary destination, the prevention of future evils. Should we now delay the progress of this important business, in order to go back into our old system of palliatives, under the pretence of hearing what arguments may be used in defence of the most atrocious actions?

The motion was also very strongly opposed by Mr. *Wedderburne*, Mr. *Dyson*, &c.

The House was moved, that the Proceedings of the House, of the 14th day of *March* last, on receiving the Petition of *William Bollan*, Esquire, Agent for the Council of the Province of *Massachusetts Bay*, in *New England*, might be read:

And the same were read accordingly.

And the question being but, that the Petition be brought up?

The House divided; Yeas, 32; Nays, 95.

So it passed in the Negative.

The House was moved, that the entry in the Journals of the House, of the 9th of *November*, 1696, of the proceedings of the House, in relation to the Bill for attainting Sir John *Fenwick*, Baronet, of High Treason, might be read:

And the same was read accordingly.

Digitized by Google

The House was moved, that the entries in the Journals of the House, of the 19th day of *March*, 1722, of the proceedings of the House, in relation to the Bills for inflicting certain pains and penalties upon John *Plunkett* and *George Kelly*, alias *Johnson*, might be read:

And the same were read accordingly.

The House was also moved, that the entry in the Journals of the House, of the 22d day of *March*, 1722, of the proceedings of the House, in relation to the Bill for inflicting certain pains and penalties upon *Francis* Lord *Bishop* of *Rochester*, might be read:

And the same was read accordingly.

Then a motion being made, and the question being put, that the Report of the Committee of the whole House, be received this day four months,

It passed in the Negative.

Ordered, That the said Report be now received.

Sir Charles *Whitworth* accordingly reported the amendments of the Committee, which were all agreed to by the House except one.

A clause was then added to the Bill authorizing the Court, where an action is depending, to grant a view, upon application of either of the parties.

Another clause was offered, to be added to the Bill, that no Sheriff shall continue in office longer then one year; and no Sheriff, or Under Sheriff, shall continue more than two years successively.

And the said clause was once read, and, with leave of the House, withdrawn.

Then an amendment was made, by the House, to the Bill.

Ordered, That the Bill, with the amendments, be engrossed.

FRIDAY, *April* 29, 1774.

Ordered, That the Bill for the better Regulating the Government of the Province of *Massachusetts Bay*, in *North America*, be read the third time upon *Monday* morning next, if the said Bill shall be then engrossed.

MONDAY, *May* 2, 1774.

Sir George *Savile* presented a Petition of several Natives of *America*, to the House, which was read; setting forth,—

That the Petitioners are again constrained to complain to the House of two Bills, which if carried into execution, will be fatal to the Rights, Liberties, and Peace of all *America*, and that the Petitioners have already seen, with equal astonishment and grief, proceedings adopted against them, which, in violation of the first principles of justice, and of the laws of the land, inflict the severest punishments, without hearing the accused: Upon the same principle of injustice, a Bill is now brought in, which, under the profession of better regulating the Government of the *Massachusetts Bay*, is calculated to deprive a whole Province, without any form of trial, of its chartered rights, solemnly secured to it by mutual compact between the Crown and the People. The Petitioners are well informed, that a charter so granted, was never before altered, or resumed, but upon a full and fair hearing; that therefore the present proceeding is totally unconstitutional, and sets an example which renders every charter in *Great Britain* and *America* utterly insecure; the appointment and removal of the Judges, at the pleasure of the Governor, with salaries payable by the Crown, puts the property, liberty, and life, of the subject, depending upon judicial integrity, in his power. The Petitioners perceive a system of judicial tyranny deliberately at this day imposed upon them, which from the bitter experience of its intolerable injuries, has been abolished in this country. Of the same unexampled and alarming nature is the Bill, which, under the title of a more impartial administration of justice in the Province of *Massachusetts Bay*, empowers the Governor to withdraw offenders from justice in the said Province; holding out to the soldiery an exemption from legal prosecution for murder; and, in effect, subjecting that Colony to military execution. The Petitioners entreat the House to consider what must be the consequence of sending troops, not really under the control of the civil power, and unamenable to the law, among a People whom they have been industriously taught, by the incendiary arts of wicked men, to regard as deserving of every species of insults and abuse; the insults and injuries of a lawless soldiery are such as no free People can long endure; and the Petitioners apprehend, in the consequences of this Bill, the horrid outrages of military oppression, followed by the desolation of civil commotions. The dispensing power which this Bill intends to give to the Governor, advanced as he is already, above the law, and not liable to any impeachment from the People he may oppress, must constitute him an absolute tyrant; that the Petitioners would be utterly unworthy of their *English* ancestry, which is their claim and pride, if they did not feel a virtuous indignation at the reproach of disaffection and rebellion, with which they have been cruelly aspersed; they can with confidence say, no imputation was ever less deserved; they appeal to the experience of a century, in which the glory, the honour and the prosperity, of *England*, has been, in their estimation, their own; in which they have not only borne the burden of Provincial wars, but have shared with this country in the dangers and expenses of every national war; their zeal for the service of the Crown, and the defence of the General Empire, has prompted them whenever it was required, to vote supplies of men and money, to the utmost exertion of their abilities; the journals of the House will bear witness to their extraordinary zeal and services during the last war, and that but a very short time before it was resolved here to take from them the right of giving and granting their own money. If disturbances have happened in the Colonies, they entreat the House to consider the causes which have produced them, among a People hitherto remarkable for their loyalty to the Crown, and affection for this Kingdom. No history can show, nor will human nature admit of, an instance of general discontent, but from a general sense of oppression. The Petitioners conceived, that when they had acquired property under all the restraints this Country thought necessary to impose upon their commerce, trade, and manufactures, that to property was sacred and secure; they felt a very material difference between being restrained in the acquisition of property, and holding it, when required under those restraints at the disposal of others; they understand subordination in the one, and slavery in the other; the Petitioners wish they could possibly perceive any difference between the most abject slavery, and such entire subjection to a Legislature, in the constitution of which they have not a single voice, nor the least influence, and in which no one is present on their behalf; they regard the giving their property by their own consent alone, as the unalienable right of the subject, and the last sacred bulwark of constitutional liberty. If they are wrong in this they have been misled by the love of liberty, which is there dearest brithright, by the most solemn statutes, and the resolves of this House itself, declaratory of the inherent right of the subject, by the authority of all great constitutional writers, and by the uninterrupted practice of *Ireland* and *America*, who have ever voted their own supplies to the Crown, all which combine to prove that the property of an *English* subject, being a freeman or a freeholder, cannot be taken from him but by his own consent. To deprive the Colonies therefore of this right is to reduce them to a state of vassalage, leaving them nothing they can call their own, nor capable of any acquisition but for the benefit of others. It is with infinite and inexpressible concern, that the Petitioners see in these Bills, and in the principles of them, a direct tendency to reduce their countrymen to the dreadful alternative of being totally enslaved, or compelled into a contest the most shocking and unnatural, with a Parent State, which has ever been the object of their veneration and their love. They entreat the House to consider, that the restraints which examples of such severity and injustice impose are ever attended with the most dangerous hatred, in a distress of mind, which cannot be described. The Petitioners conjure the House not to convert that zeal and affection, which have hitherto united every *American* hand and heart in the interest of *England*, into passions the most painful and pernicious; most earnestly they beseech the House, not to attempt reducing them to a state of slavery, which the *English* principles of liberty, they inherit from their mother country, will render worse than death; and therefore praying the House will not, by passing these Bills, overwhelm them with affliction, and reduce their countrymen to the most

Digitized by Google

abject state of misery and humiliation, or drive to the last resources of despair.

Ordered, That the said Petition do lie upon the table.

The order of the day, for the third reading of the Bill, was read;

A motion was made, and the question being put, that the said Bill be now read a third time?

Mr. *Dunning*. There seems to me to be a system of tyranny adopted throughout the whole of the three Bills which have been brought into this House, one of which is passed, and the other two are now under consideration. While the first proposition stood single, I mean the *Boston* Port Bill, I did not think it of sufficient magnitude to oppose it, till it was followed by these two others. It now appears to me, that the inhabitants of *Boston* are much in the same condition as prisoners surrendering at discretion, as it is in the power of the Minister to allow or disallow the restoration of its port and trade. [He then gave a long history to the House of the manner in which the Bills had been moved for and brought in; he animadverted on the contents of the three Bills, and commented on the preamble of the Bill now before the House.] I have not, said he, heard of, nor do I see any overt act of treason stated in the preamble of this Bill, so as to authorize the severe punishments which it enacts: we are now, I find, in possession of the whole of that fatal secret, which was intended as a corrective for all the disturbances in *America;* but it does not appear to be either peace or the olive-branch—it is war, severe revenge, and hatred, against our own subjects. We are now come to that fatal dilemma, "resist, and we will cut your throats; submit, and we will tax you"—such is the reward of obedience. There appears to me nothing of a system or plan throughout the whole that has been adopted or intended, because the Bills have been so altered, in the Committee, that there is scarce a word remaining of the original plan, if there was any; the preamble of the Bill now before us seems to have a presumption of open resistance, of which no proof has as yet been had, or appeared at your bar, so as to countenance such an assertion; if indeed, that military guard, which was appointed by the town, had been employed in the manner as the preamble mentions, it might then have been deemed an open resistance, but nothing of that kind happened; the whole resistance that was made was by a few of the mob, urged on by the impetuosity of riot and disturbance. Had any thing appeared that bore the least similarity to treason or rebellion, my honorable and learned friends would have told us that it was treason, and I will give them credit for their willingness upon such an occasion; but if there was treason, there were traitors, and they would have been known and punished; and if not known, they would at least have been inquired after; but as no inquiry has yet been set on foot, I will be bold to say, there was neither treason nor traitors. We seem to be in a strange condition, not knowing whom we have to deal with, nor in what manner to act. If gentlemen will look into the charter, it will be seen that the Governor complained without cause of the want of power; it was the ignorance of the Governor; he had power, but did not know it; and I think that the gentlemen who had the planning of these *Boston* Bills, have made alterations in the Government of *Massachusetts Bay*, without the previous ceremony of knowing the old one. There must be, and certainly is, a complete legislative power vested in the Assembly of the Province, to have given this power to the Governor, had the charter been deficient, I mean for the preservation of peace and good order. [He spoke a long time to prove that the constitution of *Massachusetts Bay*, was in no manner defective, but that the defect was owing to some unknown cause; and, said he, to what I profess I do not know.] When I talk of the Minister, I mean to speak with all due respect to the noble Lord, though I do not consider him as the immediate actor of all this. I know not the age, the person, or the sex, but that I may not be wrong, I will use the language of Acts of Parliament, which I imagine will comprehend, and will say, he, she, or they; to that person or persons alone do I mean to address myself. Let me ask, said he, whether these mischiefs arising from the charter, are peculiar to *Massachusetts Bay*? Are there no deficiencies in others? Yet it is said an alteration is necessary to make the charter conformable to the Royal Government. Now, do you know that when you have altered it, it will not be dissimilar to many of the others, when the ignorance of the Government of one Province appears to me to be as great in those who are to alter it, as in the others. I find great fault, Sir, that the whole of this arrangement is to be under the direction of the Crown; and that the whole civil and military power of that country is to be totally at the disposal of the Ministers of this. I really think the motto of this Bill should have been *Tua Cæsar ætas*. He then went through the different clauses of the Bill, objecting principally against the prisoners being brought over here, as contained in the last Bill; and that difficulties would arise which would convince gentlemen who had a concern in the management of these affairs, that what they had done had tended to disunite the affections of the *American* subjects from this country; and, instead of promoting peace, order, and obedience, would produce nothing but clamour, discontent, and rebellion.

Sir *William Meredith* said, that if necessity gave a right to tax *America*, the state of our finances at the close of the last war fully justified the Stamp Act. That he acknowledged the supremacy of *Great Britain* over *America*; but that the Legislature of a free country must not, in taxation, or any other act of power, deprive the subject of his right to freedom in person and property. The security an *Englishman* has in property consists in this, that no tax can be imposed upon him but by the very members of Parliament who pay the tax themselves, equally with all those on whom they impose it; that no man had any thing he could call his own, if another could take his property, and use it, either for his advantage, or in order to prevent the diminution of his own fortune; but that such taxes only might be raised as were consequential to regulations of trade—such were port duties. That a tax similar to that upon tea was imposed by the 25th of *Charles* II., since that time upon molasses, and other articles, which the *Americans* had acquiesced in. That he (Sir *William*) never approved the tax upon tea; had opposed it, as he would always oppose the taxation of *America*. But now, that the *Americans* had not only resisted the Act of Parliament, but laid violent hands on the merchants' property, it was high time to regulate the course of justice, so that our merchants might trade thither with security. That the present Regulation Bills went no further. That they established the trial by Jury in *America* the same as in *England;* whereas the juries were now appointed according to the mere will and pleasure of the Selectmen, some of whom had been forward in committing those excesses that occasioned the present uneasinesses. That the Council was now appointed by the Assembly, and could controul every act of the Governor; the execution therefore of every law enacted by the *British* Parliament, was at their option; but that all executive power must be subservient to the legislative, otherwise the Legislature itself would be a mere cypher. We must therefore either relinquish at once the right of enacting laws, or take the execution of them out of the hands of those that have denied our authority to make them. That we had better break at once all connections with *America*, than encourage our merchants to trade thither without the full protection of the laws of their country, both in securing their effects, and in obtaining redress for such injuries as they may sustain.

Mr. *Stanley*. These Bills certainly affect the interior policy of *America*, and are intended for the better regulation of its internal Government. Whatever may be the opinion of that propriety of regulation with the *American*, I know not; but their submission to the laws of some country is necessary, as I cannot conceive the independence of an *American* Colony to exist, whilst the balance of power remains in *Europe*, supported and protected by armies and navies. These People must resort to some State, and it must be to a Protestant one; and were they to unite themselves with any other State than this, they would meet with a yoke and burden which they would not wish to bear. It is said by some, that this is driving them to a state of slavery; by others, that this proceeding will be ineffectual. As to the latter, if we do not go far enough, we are certainly on the right side; but I cannot sit still, and see with indifference the authority of this

Digitized by Google

country submitting to every indignity they shall offer us. There are but two ways of governing mankind, by force, or by consent. Mankind are to be governed by legal power, acting by prescribed rules of law and justice; and a measure established on this doctrine, deserves the concurrence of the House. [Here he gave a long account of the rise of the *American* Government, and shewed, that an inattention to it, in its infancy, had induced the *Americans* so to think of themselves, as to throw the Government into a wild democracy; that it was not till after the Restoration that any degree of attention was paid them: He then read an extract from some old papers, shewing that the *Americans* had, so long ago as King *William's* time, refused obedience to the prerogative in many instances.] *America*, says he, is not now to be governed as it might be a hundred years ago; and how is it possible that the Council should, in any shape, have power, when it appears, that if any person, of moderate passions towards the degree of respect or authority to this country, is chosen of the Council, and is inclined to assist the Governor, he has always soon after been displaced? Let me ask gentlemen, if the property of the subjects of this country had been injured in *France*, would they have thought it a prudent conduct to have sat still and done nothing? I had much rather that this dispute had passed nine years ago, but I would rather meet the attack now than nine years hence; and I should blame myself much if, by any vote of mine, I should separate so valuable a Province from this country.

Mr. *T. Townshend.* The importance of this subject, and the melancholy consequences which are likely to ensue, deserve the serious attention of this House. I am not in a hurry to adopt the opinion of Administration, but I should be the lowest wretch upon earth if I suffered private opinion to be smothered. I was determined to give support to the most plausible method that was proposed, and I will say, as to this method, *Si quid novisti rectius istis, candidus imperti, si non, his utere mecum.* I am much averse to the meddling with charters, but when I see the inconveniencies that arise from the town-meetings, I don't think myself unreasonable in wishing to adopt an amendment. I think the Juries are properly altered, according to the constitution of this country, nor have I any objection to men being brought over to *England* to be tried, if it is impossible to find men of cool disposition and proper temper to try them in that country; and if I see this Bill left to the execution of the abilities of General *Gage*, I fear not the success of it. I remember, Sir, that men who were the most violent in opposition to the Stamp Act, at the time it was agitating, afterwards, when they found it was likely to pass, were applying for Stampmaster's places. I wished much Sir, to have coupled this measure with another; I mean the repeal of the Tea Tax, which we might have done without showing the least timidity, but shall content myself with giving my affirmative to the present Bill before you.

Colonel *Barré.* The question now before us is, whether we will chuse to bring over the affections of all our Colonies by lenient measures, or to wage war with them? I shall content myself with stating—[Here he gave a long history in what manner Mr. *Grenville*, as an able financier, wished to search for means to liberate this country from its load of debts] that when the Stamp Act was repealed, it produced quiet and ease: was it then in the contemplation of any sober, honest mind, that any other tax would be laid on for at least a century? He blamed the late Mr. C. *Townshend*, with all his eloquence, for loading *America* with a tax; nor was he, said he, sufficiently cautious in choosing proper Commissioners for executing his trust; it was this which disgusted the inhabitants of *Boston*, and there has been nothing but riots ever since. It is the duty of the governing State to correct errors and wrong opinions. [Here he read several extracts of Mr. *Dickinson's* (of *Philadelphia*) book, entitled, "Farmer's Letters," and from Mr. *Otis's* book, entitled "The "Rights of the *British* Colonies."] You sent over troops, said he, in 1768, and in 1770 you were obliged to recall them. The People were fired at by a lawless soldiery, and seven or eight innocent persons were killed. They were carried about the town as victims of your revenge, to incite the compassion of the friends and relations of the deceased, and next morning you were forced to order the troops out of town. He condemned much the behaviour of Governor *Hutchinson*, as an accomplice in the present disturbances, and commended the behaviour of Governor *Tryon*, who, knowing that he could only land the tea at the muzzle of his guns, prudently sent it back to *England*. All other Colonies, he said, had behaved with nearly the same degree of resistance, and yet you point all your revenge at *Boston* alone; but I think you will very soon have the rest of Colonies on your back. You have blocked up the port of *Boston*; I supported you in that, and I think I have no great guilt on that head, as I thought it was a measure adopted to produce a compromise for the damage the *East India* Company had sustained. You propose, by this Bill, to make the Council of *Boston* nearly similar to those of the other Royal Governments; have not the others behaved in as bad a manner as *Boston*? And it is my opinion, that the office of Council, being chosen by the Crown, will become so odious, that you will not get a respectable man that dares to accept of it, unless you have the military officers for the Council, whom I think, in my conscience, will behave well. Let me ask again, what security the rest of the Colonies will have, that upon the least pretence of disobedience, you will not take away the Assembly from the next of them that is refractory. [Here he blamed the House very much for not receiving the petition of Mr. *Bollan*, who, he said, had corresponded with the new Council, and had been allowed and received at the public offices as Agent for the Colonies.] Why, said he, will you pretend to alter the charter of that constitution, of which you know not its present form of Government; for, he said, he had observed that the late Governor of *Boston* (Governor *Pownall*) had been, during the different stages in which the Bill had been debated, going from side to side of the House, to give information about the Government and its laws, many of which he remembered; some few the Governor had forgot. In *France*, Sir, it is a custom, said he, to judge upon one-sixth, seventh, or eighth, of a proof—the unfortunate *Calas*, of *Thoulouse*, was condemned upon eight hearsays, which in *France* amounted to a proof; but, surely, a *British* House of Commons will not condemn on such evidence; and I hope never to see *Thoulouse* arguments [here a member observed he meant *too loose* arguments] admitted as proof here. I do not know of any precedent for this Bill—it is impossible to put it in execution—and I will tell the House a story that happened to us when we marched at *Ticonderoga*; "The inhabitants of that town looked upon "the officers of the corps as men of superior beings to "themselves, and the youngest amongst them, I will "answer for it, was highly treated, and indulged by the "fair sex to the utmost of our wishes, even their wives "and daughters were at our service;" and if the same degree of civility prevails, think you that it is possible the execution of this Bill can ever be observed by your army? I was of the profession myself, and I beg leave to tell the House that I am no deserter from it. I was forced out of it by means which a man of spirit could not submit to. I take this opportunity to say again, that I am no deserter from my profession. [Here it was strongly imagined, that the Colonel meant to give a broad hint to Administration, that the line of his profession was not disagreeable to him.] I think this Bill is, in every shape, to be condemned; for that law which shocks Equity is Reason's murderer; and all the protection that you mean to give to the military, whilst in the execution of their duty, will serve but to make them odious; and what is so to others, will soon become so to themselves. I would rather see General *Gage* invested with a power of pardon, than to have men brought over here to be tried; and the state of the case upon the trial, I mean in *America*, would, I am sure, justify such pardon. You are, by this Bill, at war with your Colonies; you may march your troops from North to South, and meet no enemy; but the People there will soon turn out, like the sullen *Hollanders*, a set of sturdy rebels; a perpetual exertion of your authority will soon ruin you; therefore, let me advise you to desist. Let us but look a little into our behaviour. When we are insulted by *France* and *Spain*, we negotiate—when we dispute with our

Digitized by Google

Colonies, we prepare our ships and our troops to attack them. It has been the language of a noble Lord, that when *America* is at our feet, we will forgive them, and tax them; but let me recommend lenient measures, and to go cap in hand to your subjects; if you do not, you will ruin them. The great Minister of this country (Lord *Chatham*) always went cap in hand to all: his measures were lenient and palliative; but we have now adopted another system. In one House of Parliament "we have passed the *Rubicon*," in the other "*delenda est Carthago*." [He gave a history here of the different state of finance in which *France* was; that it was superior in every degree to this country; that their establishments were lower in point of expense; and that *France* was more ready and fit to go to war than we were; and that during these troubles with our Colonies, *France* would not lie quiet;]—But I see nothing, said he, in the present measures but inhumanity, injustice, and wickedness; and I fear that the hand of Heaven will fall down on this country with the same degree of vengeance.

Mr. *S. Fox.* I rise, Sir, with an utter detestation and abhorrence of the present measures. It is asserted by many gentlemen, that these measures are adopted to keep up the regard of the People, but I can by no means acquiesce in that; all these Bills have no qualities relative to those lenient measures. As to the second Bill, it has a most wanton and wicked purpose; we are either to treat the *Americans* as subjects or as rebels. If we treat them as subjects, the Bill goes too far; if as rebels, it does not go far enough. They have never yet submitted, and I trust they never will. We have refused to hear the parties in their defence, and we are going to destroy their charter without knowing the constitution of their Government. I am utterly against such measures as these, which can tend to nothing but to raise disturbance and rebellion.

The Marquis of *Carmarthen.* I do not mean to trespass long at this hour of the night; but there is not a person in the world a stranger to the practices carried on in *America*, with a direct intention to throw off their dependance on this country. The opposition which they fomented, was not made on account of the tax, but a systematic measure of opposition to every part of the law of this country. It might have been thought by sober-minded People, that the repeal of the Stamp Act would have brought them back to a sense of their duty: but, alas! Sir, it had a contrary effect. [He read an extract of a letter from Governor *Bernard*, setting forth, that "upon coercive "measures being adopted in this country, the *Americans* "seemed to give an acquiescence; but whenever lenient "ones were the system of Administration, they have "always been turbulent and riotous."] It has been observed, Sir, by an honorable gentleman (Colonel *Barré*) that a great Minister (Lord *Chatham*) proceeded upon cap-in-hand measures. I do not agree with him on that point, as I never heard that Minister celebrated for that part of his character. I always understood that his measures were deemed spirited and vigorous, and that he was the farthest man in the world from making use of cap-in-hand measures; his character was of a far different nature. But I refer the House to all the panegyrics that have been passed on that noble Lord, for confirming what I say. But, Sir, the time may soon come, when that noble Lord will have an opportunity, in the other House of Parliament, to adopt and make use of those cap-in-hand measures which the honorable gentleman has just now attributed to him, as a part of his character; but I strongly believe his system will be of a different kind.

Mr. *St. John.* I rise, Sir, to take up a few minutes of the House's time, and to make a few observations upon what has been said. It has been stated that this Bill is taking away all the rights of the *Americans* in one day, and that it is a total destruction of their charter. What is this, Sir, but a gross misrepresentation of Parliamentary proceedings? I hold it, Sir, imprudent to meddle with chartered rights, but in cases where the rights of that charter are exercised to the detriment and injury of the People. Sir, Parliament has saved *America* from the jaws of tyranny, by amending their constitution; and to say that we have no right to alter their Government for such purpose, appears to me the highest absurdity; we are perpetually altering and ameliorating our own constitution, upon emergencies; is there then no emergency at this present instant, when your officers are obliged to take shelter in your castle; when the magistrates refuse to execute their authority to keep the peace; when your ships are plundered, and your trade obstructed; and whenever a person endeavours to reform the constitution of that country, he incurs nought but pains and penalties? Is it no defect, that the inhabitants, when they meet to choose their officers of the town, that they determine upon points that go to the very vitals of the constitution? Not to correct these deficiencies in their constitution, but to give up the points which they contend for, would be a base surrender of the rights of posterity. It has been said, this law is partial, but that that partiality is applicable only to the People of *Boston*, who have been the ringleaders of the whole disturbances; that it is slow, I agree, because measures of this sort, when adopted on the line of security, proceed with an attentive step. But I cannot agree that the measure is hostile; if it is, it is hostility adopted for the prevention of bloodshed. Have we not been provoked to this from the manifold injuries which this country has received? It is not, Sir, the strength of *America* that we dread; they have neither men, army, nor navy. What then have we to fear—do we dread the loss of our trade? No, Sir, the avarice of the *Americans* will prevent that. They threaten us with not paying their debts; but I am afraid, if we give way to them, they will not allow that they owe us any: however, Sir, let us not proceed weakly nor violently, but with resolution and firmness. I approve of the system that is adopted; and with regard to a fair and impartial trial in that country, I think it not only improbable but impossible; I therefore wish well to the present Bill.

Mr. *Byng.* I am sorry, Sir, to find that we are not now proceeding in our judicial capacity, but in our legislative one; I could wish that we instilled into the measure more judgment, and less of our power. It is said this measure is adopted to prevent bloodshed: is it then that you send armies there for that purpose? It has been said, that Parliament has bowed its head to every Minister as often as measures have been adopted. It bowed when the Stamp Act was made! It bowed when it was repealed! I wish, however, in this present instance, it would for once not be quite so civil. It has been said, that these Bills are for amending the constitution. Will gentlemen call that amendment a good one, which directs, that the Judges' places shall be at the disposed of the Crown? Surely not. It has been said, Sir, that there has been treason and traitors, but that the traitors are not known. There can be no treason without traitors, therefore endeavour to find out the traitors first, that they may be punished, to save the destruction of an innocent People. It has been urged, that this Bill is only for a short time; but the same argument that operates for its continuance for an hour, will operate equally for its perpetuity.

Mr. *Rigby.* I rise, Sir, only just to contradict an opinion which has been imbibed, that, in the debate the other day, I wished to tax *Ireland*. I only used it as an argument in my speech to tax *America*, but never expressed a hint that it was proper to tax it. It has also been observed, that I treated requisition in a ridiculous light: I did so; and I think any requisition to the *Americans* for their quota of their taxes, would be both ridiculous and ineffectual. But the honorable gentleman's (Mr. *Barré*) ideas of requisition, go no further than furnishing provision for a regiment. The honorable gentleman has taken three or four days to consider of my speech, in order to give it an answer. I say stand and deliver, to the *Americans*, just as much as I say to my constituents, when I give my vote to passing the Land Tax Bill; but the honorable gentleman was very desirous to have a fling at me. I desire, Sir, to support the present Ministry, because I regard them; because I have respect for their abilities and resolution. That great Minister, Sir, who has been so much famed for cap-in-hand measures, did make his country too big for any one, even himself, to govern. There is not a symptom that any of the People out of doors are displeased with our measures; but I am told quite the contrary. *America*, at this instant, is in a state of downright anarchy; let us give it a Government. I always, Sir,

Digitized by Google

speak, when I like, and hold my tongue when I think proper; and whatever weight and force I may have been represented to have, connected with my friends, I would give it in support of the noble Lord; I would vote, Sir, for these measures, were I upon my oath, which seems now to be the fashionable Parliamentary test [alluding to those objections he always made to the oath of the Committee appointed to try controverted elections;] and whether I am upon my honour, or my oath, I will give a hearty concurrence to these measures.

General *Conway*. I would not take up the time of the House at this late hour of the night, but for a very short time. I never did maintain that *Great Britain* had no right to tax *America*; I said taxation and legislation had no connection; I allowed that we had an abstract right to tax *Ireland*, and also *America*, in the Declaratory Act; but I do not know the time when it will be proper and right so to tax. This measure will throw us into great difficulties, which I do not know when we shall get out of. The tax upon tea does nothing for our revenue, it is no object; as long as you continue the doctrine of taxing *America*, you will never be at rest. Where is this olive branch I have heard so much talk about? It is not to be found in these measures. I do not wish to see the military protected from the laws of their country; if they commit an offence, why not leave them open in the same manner as others are? I have said, "that we are the aggressors," and I say so still; after so many innovations of the Stamp Act, and other taxes, I am for cap-in-hand measures—for lenity and tenderness to the *Americans*. There is an universal right in persons to be heard at this Bar in judicial cases, when they apply for it; but I rise, Sir, only to lament what I cannot prevent; and that this spirit may be rightly directed, I do hope that the *Americans* will wait till better times; for I think it is better to have peace with *America*, and war with all the world, than be at war with *America*; because, if they are at peace with us, they will contribute to support us in time of war.

Lord *G. Germaine*. I hope I shall be excused, Sir, for trespassing a few minutes on the House. I should be sorry to be a supporter of those measures, which are termed wicked and tyrannical; but as I cannot think that this Bill has any such designs, I shall readily adopt it. The trial of the military has been much objected to. What is it, Sir, but a protection of innocence? Will you not wish for that, Sir? *America*, at this instant, is nothing but anarchy and confusion. Have they any one measure but what depends upon the will of a lawless multitude? Where are the Courts of Justice? Shut up. Where are your Judges? One of them taking refuge in your Court. Where are your Council? Where is your Governor? All of them intimidated by a lawless rabble. Can these men expect a fair trial? No, Sir, at present they have no existence as any part of the executive power. It is objected, that the Judges receive their salaries from the Crown, and not from the People. It is to me a matter of surprise, that any gentleman could think seriously a moment, that this Government wanted no amendment. It has been said, give up the Tea Tax: Can you give up the Tea Tax, without the constitution? Support your supremacy, whatever you do; legislation cannot but be part of it. It has been observed, that we negotiated about *Falkland's Island*; I wish, Sir, we could negotiate with the *Americans* upon the same terms. If they would do as the *Spaniards* did, that is, disown the fact, and give up the point in question, we might then negotiate. The *Americans*, it is true, have made this claim several years, of exemption from taxation, but they have never yet carried it. *Great Britain*, is desired to be at peace with her Colonies, by an acquiescence in their claim; but do you call such a submission to be a peace? I really think the first Bill, for blocking up the port, is the only Bill of pains and penalties, when you deprive that port of its trade; and this was the Bill to which the honorable gentleman (Colonel *Barré*) gave his hearty concurrence. The Bill before you is not such a Bill: there are no pains nor penalties; their Government will be restored, and private property protected. It has been said, go to the King's Bench with this complaint, as in former times; but let me ask gentlemen, whether they can ameliorate or alter their charter? No, Sir, they can do nothing but say guilty or not guilty, by forfeiting their charter. It is incumbent on every man to give his opinion from his own breast upon this great occasion; but Sir, I cannot help once more condemning that mob of People, which, under the profession of liberty, carries dark designs in its execution; but my utmost wish is, that these measures, in their consequences, may turn out well, and contrary to what has been apprehended.

Mr. *C. Fox*. I take this to be the question—whether *America* is to be governed by force, or management? I never could conceive that the *Americans* could be taxed without their consent. Just as the House of Commons stands to the House of Lords, with regard to taxation and legislation, so stands *America* with *Great Britain*. There is not an *American*, but who must reject and resist the principle and right of our taxing them. The question then is shortly this: Whether we ought to govern *America* on these principles? Can this country gain strength by keeping up such a dispute as this? Tell me when *America* is to be taxed, so as to relieve the burthens of this country. I look upon this measure to be in effect taking away their charter; if their charter is to be taken away, for God's sake let it be taken away by law, and not by a legislative coercion: but I cannot conceive that any law whatever, while their charter continues, will make them think that you have a right to tax them. If a system of force is to be established, there is no provision for that in this Bill; it does not go far enough; if it is to induce them by fair means, it goes too far. The only method by which the *Americans* will ever think they are attached to this country, will be by laying aside the right of taxing. I consider this Bill as a bill of pains and penalties, for it begins with a crime, and ends with a punishment; but I wish gentlemen would consider, whether it is more proper to govern by military force, or by management.

Mr. Attorney General *Thurlow*. The form of the present law was adopted to give magistracy that degree of authority which it ought to be vested with for the execution of the laws; but this Bill carries with it no degree of severity, unless the pleasure of disobeying is greater than that of the punishment. To say that we have a right to tax *America*, and never to exercise that right, is rediculous, and a man must abuse his own understanding very much not to allow of that right. To procure the tax by requisition is a most ridiculous absurdity, while the sovereignty remains in this country; and the right of taxing was never in the least given up to the *Americans*. Their charter is mere matter of legislative power; and whoever looks into that charter, will see that no power whatever was meant to be given them so as to controul the right of taxation from *Great Britain*.

Mr. *E. Burke*. I have little to say, Sir, with hopes to convince the House, but what I have to offer, I shall do with freedom. It has been asserted, that the nation is not alarmed, that no petitions of discontent are received. How can persons complain, when sufficient time is not given them to know what you are about? We have now seen the whole of this great work; I wish all was good that it contained. I am afraid a long series of labours and troubles will succeed. The question that is before you is a great one; it is no less than the proscription of provinces, and cities, and nations, upon their trial; except that when the saints of God are to judge the world I do not know one of greater importance. I will endeavour to comply with the temper of the House, and be short in what I have to offer. [The House being noisy, several members going out, soon after which he got up and said,] I find, Sir, I have got my voice, and I shall beat down the noise of the House. Why did I compromise? [Here he produced the letters from Lord *Hillsborough* to the *Americans*, which declared, that his Majesty, or his Ministers, had not any intention of laying any further taxes on *America*.] He dwelt some considerable time on the words which the letter contained, as a sort of declaration to the *Americans* that they should not be taxed. If you govern *America* at all, Sir, it must be by an army; but the Bill before us, carries with it the force of that army; and I am of opinion, they never will consent without force being used. I have to protest against this Bill, because you refuse to hear the parties aggrieved. Consider what

Digitized by Google

you are doing, when you are taking the trial over the *Atlantic* seas, three thousand miles to *Great Britain;* witnesses may be subpœned, and called upon by the prisoner, as many as he pleases. Let me, for God's sake, wish that gentlemen would think a little more that a fair trial may be had in *America;* and that while the King appoints the Judge, there is a degree of fairness that People should the Jury. Repeal, Sir, the Act which gave rise to this disturbance; this will be the remedy to bring peace and quietness, and restore authority; but a great black book, and a great many red coats, will never be able to govern it. It is true, the *Americans* cannot resist the force of this country, but it will cause wranglings, scuffling, and discontent. Such remedies as the foregoing, will make such disturbances as are not to be quieted.

Lord *North* arose to answer Mr. *Burke*. He desired leave to look at Lord *Hillsborough's* letter, as he had not a copy of it; and explained the passages in that letter very different from what Mr. *Burke* had: he read the words, "That neither the King, or any of his Ministers, wished to tax *America*." His Lordship observed, That this was not an expression that carried with it a denial of the right, but only a wish that no further taxes "should be laid on." A man, says he, is not factious, that says *America* may be taxed; the letter contains an opinion, that no further taxes, at that time, ought to be laid. I am sorry to hear a charge thrown out, that these proceedings are to deprive persons of their natural right. Let me ask of what natural right, whether that of smuggling, or of throwing tea overboard? Or of another natural right, which is not paying their debts? But surely this Bill does not destroy any of their civil rights? You have given them a Civil Magistrate and a Council, which they had not before; you have given the innocent man a fair trial in some Colony or other; and if he cannot get a fair trial in that country, the whole being in a distempered state of disturbance and opposition to the laws of the mother country, then, in that case, and in that only, he must be sent to *Great Britain*. All that these Acts profess to do, is to restore some order to the Province. None that admit the least degree of sovereignty, can possibly deny the provision of this Bill; it is not a military Government that is established, but the alteration of a civil one. I am sure that this is adopted as the best method at present; I do not say it will succeed, but I hope for the good consequences of it; and if the *Massachusetts Bay* is to be governed by management, this is the only remedy. By what means is authority to be maintained, but by establishing that authority from Parliament? I do not know, Sir, what is the proper time to lay a fresh tax on *America;* but this I know, that this is not the proper time to repeal one. We are now to establish our authority, or give it up entirely; when they are quiet, and return to their duty, we shall be kind, whether by repealing this tax, or what not, I cannot tell; but this I will answer, that when they are quiet, and have a respect for their mother country, their mother country will be good-natured to them.

Sir *George Savile*. I shall say not a word of preface at this late hour; I do not hold it improper to take this into consideration in a legislative capacity, in preference to a judicial one; but I hold this to be a principle of justice, that a charter which conveys a sacred right, ought not to be taken away without hearing the parties, either in a judicial or legislative way, which has not been done, but from their own declaration in the papers on the table, and which I, in my mind, do not think sufficient evidence.

Then the House divided:

Yeas, 239; Yays, 64.

So it was resolved in the Affirmative:

And the Bill was accordingly read the third time.

And after several amendments were made, the Bill was Passed.

Ordered, That Mr. *Cooper* do carry the Bill to the Lords, and desire their concurrence.

THURSDAY, *May* 12, 1774.

The Bill was returned from the House of Lords, with several amendments.

FRIDAY, *May* 13, 1774.

The House proceeded to take into consideration the amendments made by the House of Lords, which were severally agreed to.

HOUSE OF LORDS.

TUESDAY, *May* 3, 1774.

A message was brought up from the House of Commons, by Mr. *Cooper* and others:

With a Bill, intituled, "An Act for the better Regulating the Government of the Province of the *Massachusetts Bay*, in *New England*," to which they desire the concurrence of this House.

The said Bill was read the first time.

Ordered, That the said Bill be read a second time on *Friday* next; and that the Lords be summoned.

Ordered, That the said Bill be printed.

FRIDAY, *May* 6, 1774.

The order of the day being read, the Bill was accordingly read a second time, and committed to a Committee of the whole House.

Ordered, That the House be put into a Committee upon the said Bill, on *Monday* next, and that the Lords be summoned.

MONDAY, *May* 9, 1774.

The order of the day being read, the House was accordingly adjourned during pleasure, and put into a Committee upon the Bill.

After some time, the House was resumed,

And the Lord *Boston* reported from the Committee, that they had gone through the Bill, and made several amendments thereto.

Ordered, That the said Report be received to-morrow.

TUESDAY, *May* 10, 1774.

The Lord *Boston* reported the amendments made by the Committee of the whole to the Bill;

And the amendments were severally agreed to by the House.

Ordered, That the said Bill, with the amendments, be read a third time to-morrow, and that the Lords be summoned.

WEDNESDAY, *May* 11, 1774.

Upon reading the Petition of several persons, Natives of *America*, whose names are thereunto subscribed, taking notice of two Bills depending in this House, the first, intituled, "An Act for the better Regulating the Government of the Province of the *Massachusetts Bay*, in *New England;*" and the other, intituled, "An Act for the Impartial Administration of Justice in cases of persons questioned for any acts done by them in the execution of the law; or for the suppression of riots and tumults in the Province of the *Massachusetts Bay*, in *New England;*" and praying, "that the said Bills may not pass into a law,"

It is *Ordered*, that the said Petition do lie on the table.

Upon reading the Petition of *William Bollan*, Esquire, Agent for the Council of his Majesty's Province of *Massachusetts Bay*, in *New England*, taking notice of a Bill depending in this House, intituled, "An Act for the better Regulating the Government of the Province of the *Massachusetts Bay*, in *New England;*" and praying, "this right honorable House will be pleased to suspend all other proceedings therein, until he can give the Council notice thereof, and they can prepare their defence, and give proper corporate authority for the regular defence of their corporate rights and privileges; and that he may be heard by their Lordships in support of this Petition;"

It is *Ordered*, that the said Petition do lie on the table.

Moved, "That Mr. *Bollan* be called in, and heard at the Bar?"

Which being objected to;

Digitized by Google

After debate,

The question was put thereupon?

It was resolved in the Negative.

The order of the day being read, for the third reading of the Bill, intituled, "An Act for the better Regulating the "Government of the Province of the *Massachusetts Bay*, "in *New England*," and for the Lords to be summoned,

The said Bill was accordingly read the third time.

Moved, "That the Bill, with the amendments, do Pass?"

Which being objected to;

After long debate,*

The question was put, "whether this Bill, with the amendments, shall Pass?"

It was resolved in the Affirmative.

Dissentient.

Because this Bill, forming a principal part in a system of punishment and regulation, has been carried through the House without a due regard to those indispensable rules of public proceeding, without the observance of which, no regulation can be prudently made, and no punishment justly inflicted. Before it can be pretended, that those rights of the Colony of *Massachusetts Bay*, in the election of Counsellors Magistrates, and Judges, and in the return of Jurors, which they derive from their charter, could, with propriety, be taken away, the definite legal offence, by which a forfeiture of that charter is incurred, ought to have been clearly stated, and fully proved; notice of this adverse proceeding ought to have been given to the parties affected; and they ought to have been heard in their own defence. Such a principle of proceeding would have been inviolably observed in the courts below. It is not technical formality, but substantial justice. When therefore, the magnitude of such a cause transfers it from the cognizance of the inferior courts, to the high judicature of Parliament, the Lords are so far from authorized to reject this equitable principle, that we are bound to an extraordinary and religious strictness in the observance of it. The subject ought to be indemnified by a more liberal and beneficial justice in Parliament, for what he must inevitably suffer, by being deprived of many of the forms which are wisely established in the courts of ordinary resort, for his protection against the dangerous promptitude of arbitrary discretion.

2dly. Because the necessity alleged for this precipitate mode of judicial proceeding cannot exist. If the numerous land and marine forces, which are ordered to assemble in *Massachusetts Bay*, are not sufficient to keep that single Colony in any tolerable state of order, until the cause of its charter can be fairly and equally tried, no regulation in this Bill, or in any of those hitherto brought into the House, are sufficient for that purpose; and we conceive that the mere celerity of a decision against the charter of that Province, will not reconcile the minds of the People to that mode of Government, which is to be established upon its ruins.

3dly. Because Lords are not in a situation to determine how far the regulations, of which this Bill is composed, agree or disagree with those parts of the constitution of the Colony that are not altered, with the circumstances of the People, and with the whole detail of their municipal institutions. Neither the charter of the Colony, nor any account whatsoever of its courts and judicial proceedings, their mode or exercise of their present powers, have been produced to the House. The slightest evidence concerning any one of the many inconveniences stated in the preamble of the Bill to have arisen frow the present constitution of the Colony judicatures, has not been produced, or even attempted. On the same general allegations of a declamatory preamble, any other right, or all the rights, of this, or any other public body, may be taken away, and any visionary scheme of Government substituted in their place.

4thly. Because we think that the appointment of all the members of the Council, which by this Bill, is vested in the Crown, is not a proper provision for preserving the equilibrium of the Colony constitution. The power given to the Crown of occasionally increasing or lessening the number of the Council, on the report of Governors, and at the pleasure of Ministers, must make these Governors and Ministers masters of every question in that Assembly; and by destroying its freedom of deliberation, will wholly annihilate its use. The intention avowed in this Bill, of bringing the Council to the platform of other Colonies, is not likely to answer its own end; as the Colonies, where the Council is named by the Crown, are not at all better disposed to a submission to the practice of taxing for supply, without their consent, than this of *Massachusetts Bay*. And no pretence of bringing it to the model of the *English* constitution can be supported, as none of those *American* Councils have the least resemblance to the House of Peers, so that this new scheme of a Council stands upon no sort of foundation, which the proposers of it think proper to acknowledge.

5thly. Because the new constitution of judicature provided by this Bill, is improper and incongruous with the plan of the administration of justice in *Great Britain*. All the Judges are to be henceforth nominated, (not by the Crown,) but by the Governor; and all, except the Judges of the Superior Court, are to be removable at his pleasure, and expressly without the consent of that very Council which has been nominated by the Crown. The appointment of the Sheriff is by the will of the Governor only; and without requiring in the person appointed, any local or other qualification; that a Sheriff, a magistrate of great importance to the whole administration and execution of all justice, civil and criminal, and who, in *England*, is not removable even by the royal authority during the continuance of the term of his office, is by this Bill made changable by the Governor and Council, as often, and for such purposes as they shall think expedient. The Governor and Council thus entrusted with powers with which the *British* constitution has not trusted his Majesty and his Privy Council, have the means of returning such a Jury, in each particular cause, as may best suit with the gratification of their passions and interests. The lives, liberties, and properties of the subject are put into their hands without controul; and the invaluable right of trial by Jury, is turned into a snare for the People, who have hitherto looked upon it as their main security against the licentiousness of power.

6thly. Because we see in this Bill the same scheme of strengthening the authority of the Officers and Ministers of State, at the expense of the rights and liberties of the subject, which was indicated by the inauspicious Act for shutting up the harbour of *Boston*. By that Act, which is immediately connected with this Bill, the example was set of a large important city, containing vast multitudes of People,

* The Bill passed (the Commons) by a prodigious majority, after a debate which lasted with uncommon spirit for many hours. Equally warm debates attended the Bill in the House of Lords. The objections were nearly the same with those made in the House of Commons, with particular reflections upon the greater rapidity with which it was hurried through the House of Lords: and the peculiar impropriety in a court of justice, of condemning the Colony, and taking away its charter, without any form of process. The Lords in opposition, cried out against a Bill altering the constitution of a Colony without having so much as the charter containing the constitution so altered, laid before them. That the Bill had also altered the courts and the mode of judicial proceedings in the Colony, without an offer of the slightest evidence to prove any one of the inconveniences, which were stated in general terms in the preamble, as arising from the present mode of trial in the Province.

The absolute necessity of a powerful and speedy remedy for the cure of a Government, which was nothing but disorder, was, in substance, the principal reason alleged for the omission of inquiry and evidence, and the superseding the ordinary rules of judicial proceeding. Besides, the Ministerial Lords denied, that the process was of a penal nature; they insisted that it was beneficial and remedial, and a great improvement of their constitution, as it brought it nearer to the *English* model. This again was denied by the Lords of the minority, who said that the taking away of franchises granted by charters, had ever been considered as penal, and all proceedings for that purpose conducted criminally. Otherwise, it was said, nothing could be safe in any man's hands, the taking away of which another man might consider as beneficial. That a Council holding their places at the pleasure of the Crown, did not resemble the House of Lords; nor approach in any thing to the perfection of the *British* constitution.

The debate on the third reading was long, but the division only twenty to ninety-two.—*Ann. Regis.*

This Bill occasioned several long and warm debates. But the Lords still keeping their House shut, and not even admitting the members of the House of Commons, unless to deliver Bills, and then to depart immediately, it is not known that any account of these debates has been preserved any where.

At the beginning of the next Session, (which was the first Session of the fourteenth Parliament,) the Duke of *Manchester* recommended to the House a relaxation of the standing order, excluding all strangers from admission below the bar of the House; and also recommended the admission of the members of the House of Commons, as formerly. Both recommendations were agreed to; and from that time the debates of the Lords have been preserved.—*Parl. Deb.*

Digitized by Google

many of whom must be innocent, and all of whom are unheard, by an arbitrary sentence, deprived of the advantage of that port, upon which all means of acquiring their livelihood did immediately depend. This proscription is not made determinable on the payment of a fine for an offence, or a compensation for an injury; but is to continue until the Ministers of the Crown shall think fit to advise the King in Council to revoke it. The legal condition of the subject (standing unattainted by conviction for treason or felony) ought never to depend upon the arbitrary will of any person whatsoever. This Act, unexampled on the records of Parliament, has been entered on the journals of this House, as voted *nemine dissentiente*, and has been stated, in the debate of this day, to have been sent to the Colonies, as passed without a division in either House, and therefore as conveying the uncontroverted universal sense of the nation. The despair of making effectual opposition to an unjust measure, has been construed into an approbation of it; an unfair advantage has been taken on the final question for passing that penal Bill, of the absence of those Lords who had debated it for several hours, and strongly dissented from it on the second reading, that period on which it is most usual to debate the principle of a Bill. If this proceeding were to pass, without animadversion, Lords might think themselves obliged to reiterate their debates at every stage of every Bill which they oppose, and to make a formal division whenever they debate.

7thly. Because this Bill, and the other proceedings that accompany it, are intended for the support of that unadvised scheme of taxing the Colonies in a manner new and unsuitable to their situation and constitutional circumstances. Parliament has asserted the authority of the Legislature of this Kingdom, supreme and unlimited over all the members of the *British* Empire. But the legal extent of this authority furnishes no argument in favour of an unwarrantable use of it. The sense of the nation on the repeal of the Stamp Act was, that, in equity and sound policy, the taxation of the Colonies for the ordinary purposes of supply, ought to be forborn; and that this Kingdom ought to satisfy itself with the advantages to be derived from a flourishing and increasing trade, and with the free grants of the *American* Assemblies, as being far more beneficial, far more easily obtained, less oppressive, and more likely to be lasting, than any revenue to be acquired by Parliamentary taxes, accompanied by a total alienation of the affections of those who were to pay them. This principle of repeal was nothing more than a return to the ancient standing policy of this Empire. The unhappy departure from it has led to that course of shifting and contradictory measures, which has since given rise to such continued distractions; by which unadvised plan, new duties have been imposed in the very year after the former had been repealed. These new duties afterwards in part repealed, and in part continued, in contradiction to the principles upon which those repealed were given up; all which, with many weak, injudicious, and precipitate steps, taken to enforce a compliance, have kept up that jealousy, which on the repeal of the Stamp Act was subsiding; revived dangerous questions, and gradually estranged the affections of the Colonies from the mother country, without any object of advantage to either. If the force proposed should have its full effect, that effect we greatly apprehend may not continue longer than whilst the sword is held up. To render the Colonies permanently advantageous, they must be satisfied with their condition. That satisfaction we see no chance of restoring whatever measures may be pursued, except by recurring, in the whole, to the wise and salutary principles on which the Stamp Act was repealed.

Richmond, *Abingdon,*
Effingham, *Rockingham,*
Leinster, *Fitzwilliam,*
Portland, *King,*
Ponsonby, *Abergavenny.*
Craven,

A Message was sent to the House of Commons, by the former Messengers:

To return the said Bill, and acquaint them, that the Lords have agreed to the same, with some amendments, to which their Lordships desire their concurrence.

MONDAY, *May* 16, 1774.

A Message was brought from the House of Commons, by Mr. *Cooper* and others:

To return the Bill, and to acquaint this House, that they have agreed to their Lordships amendments made thereto.

THURSDAY, *May* 19, 1774.

The following Petition from Natives of America, *then in* London, *against the passage of the Bill, was presented to the King:*

To the King's Most Excellent Majesty,

The Petition of several Natives of *America*, most humbly showeth:

That your Petitioners, being your Majesty's most faithful subjects, are obliged to implore your gracious interposition, to protect them in the enjoyment of those privileges, which are the right of all your People.

Your Majesty's Petitioners have already seen with unspeakable grief, their earnest prayers rejected, and heavy penalties inflicted, even on the innocent among their countrymen, to the subversion of every principle of justice, without their being heard. By this alarming procedure, all property was rendered insecure; and they now see in two Bills, (for altering the Government of *Massachusetts Bay*, and the impartial administration of justice there,) the intended subversion of the two grand objects of civil society, and constitutional protection, to wit, *Liberties* and *Life*.

Your Petitioners most humbly represent to your Majesty, that to destroy or assume their chartered rights, without a full and fair hearing, with legal proof of forfeiture; and the abrogating of their most valuable laws, which had duly received the solemn confirmation of your Majesty's Royal predecessors, and were thence deemed unchangeable without the consent of the People; is such a proceeding, as renders the enjoyment of every privilege they possess, uncertain and precarious. That an exemption of the soldiery from being tried in the *Massachusetts Bay* for murder, or other felony, committed upon your Majesty's subjects there, is such an encouragement for licentiousness, and incentive to outrage, as must subject your Majesty's liege People to continued danger.

Your Petitioners and their countrymen, have been ever most zealously attached to your Majesty's person and family. It is therefore, with inexpressible affliction that they see an attempt, in these proceedings against them, to change the principle of obedience to the Government, from the love of the subject towards their Sovereign, founded on the opinion of his wisdom, justice, and benevolence, into the dread of absolute power and laws of extreme rigour, insupportable to a free People.

Should the Bills above mentioned, receive your royal sanction, your Majesty's faithful subjects will be overwhelmed with grief and despair.

It is therefore our earnest prayer, that your Majesty will be graciously pleased to suspend your royal assent, to the said Bills.

Stephen Sayre, *William H. Gibbs,*
William Lee, *William Blake,*
Arthur Lee, *Isaac Motte,*
Edmund Jennings, *Henry Laurence,*
Joshua Johnson, *Thomas Pinckney,*
Daniel Bowley, *Jacob Read,*
Benjamin Franklin, *John F. Grimke,*
Thomas Bresten, *Philip Neyle,*
Edward Bancroft, *Edward Fenwicke,*
Thomas Bromfield, *Edward Fenwicke, Jun.*
John Boylston, *John Peronneau,*
John Ellis, *William Middleton,*
John Williams, *William Middleton, Jun.*
John Alleyne, *Ralph Izard, Jun.*
Ralph Izard, *William Heyward.*

FRIDAY, *May* 20, 1774.

His Majesty being seated in the Throne, and the Commons attending with their Speaker, the royal assent to the Bill was pronounced by the Clerk's Assistant.

Digitized by Google

A Speech intended to have been spoken on the Bill for Altering the Charters of the Colony of* Massachusetts Bay.

It is of such great importance to compose or even to moderate the dissentions, which subsist at present between our unhappy country and her Colonies, that I cannot help endeavouring, from the faint prospect I have of contributing something to so good an end, to overcome the inexpressible reluctance I feel at uttering my thoughts before the most respectable of all audiences.

The true object of all our deliberations on this occasion, which I hope we shall never lose sight of, is a full and cordial reconciliation with *North America*. Now, I own, my Lords, I have many doubts whether the terrors and punishments, we hang out to them at present, are the surest means of producing this reconciliation. Let us at least do this justice to the People of *North America*, to own, that we can all remember a time when they were much better friends than at present to their mother country. They are neither our natural nor our determined enemies. Before the Stamp Act we considered them in the light of as good subjects as the natives of any county in *England*.

It is worth while to inquire by what steps we first gained their affection, and preserved it so long; and, by what conduct we have lately lost it. Such an inquiry may point out the means of restoring peace, and make the use of force unnecessary against a People, whom I cannot yet forbear to consider as our brethren.

It has always been a most arduous task to govern distant Provinces, with even a tolerable appearance of justice. The Viceroys and Governors of other nations are usually temporary tyrants, who think themselves obliged to make the most of their time; who not only plunder the People, but carry away their spoils, and dry up all the sources of commerce and industry. Taxation, in their hands, is an unlimited power of oppression: but in whatever hands the power of taxation is lodged, it implies and includes all other powers. Arbitrary taxation is plunder authorized by law: it is the support and thee ssence of tyranny; and has done more mischief to mankind, than those other three scourges from heaven, famine, pestilence, and the sword. I need not carry your Lordships out of your own knowledge, or out of your own Dominions, to make you conceive what misery this right of taxation is capable of producing in a Provincial Government. We need only recollect that our countrymen in *India*, have in the space of five or six years, in virtue of this right, destroyed, starved, and driven away, more inhabitants from *Bengal*, than are to be found at present in all our *American* Colonies; more than all those formidable numbers, which we have been nursing up for the space of two hundred years, with so much care and success, to the astonishment of all *Europe*. This is no exaggeration, my Lords, but plain matter of fact, collected from the accounts sent over by Mr. *Hastings*, whose name I mention with honour and veneration. And I must own, such accounts have very much lessened the pleasure I used to feel in thinking myself an *Englishman*. We ought surely not to hold our Colonies totally inexcusable for wishing to exempt themselves from a grievance which has caused such unexampled devastation; and, my Lords, it would be too disgraceful to ourselves, to try so cruel an experiment more than once. Let us reflect, that before these innovations were thought of, by following the line of good conduct which had been marked out by our ancestors, we governed *North America* with mutual benefit to them and ourselves. It was a happy idea that made us first consider them rather as instruments of commerce than as objects of Government. It was wise and generous to give them the form and spirit of our own constitution; an Assembly in which a greater equality of representation has been preserved than at home; and Councils and Governors, such as were adapted to their situation, though they must be acknowledged to be very inferior copies of the dignity of this House, and the majesty of the Crown.

But what is far more valuable than all the rest, we gave them liberty. We allowed them to use their own judgment in the management of their own interest. The idea of taxing them never entered our heads. On the contrary, they have experienced our liberality on many public occasions: we have given them bounties to encourage their industry, and have demanded no return but what every State exacts from its Colonies, the advantages of an exclusive commerce, and the regulations that are necessary to secure it. We made requisitions to them on great occasions, in the same manner as our Princes formerly asked benevolences of their subjects; and as nothing was asked but what was visibly for the public good, it was always granted; and they themselves did more than we expected. The matter of right was neither disputed, nor even considered. And let us not forget that the People of *New England* were themselves, during the last war, the most forward of all in the national cause; that every year we voted them a considerable sum, in acknowledgment of their zeal and their services; that in the preceding war, they alone enabled us to make the treaty of *Aix la Chapelle*, by furnishing us with the only equivalent for the towns that were taken from our allies in *Flanders;* and that in times of peace, they alone have taken from us six times as much of our woollen manufactures, as the whole Kingdom of *Ireland*. Such a Colony, my Lords, not only from the justice, but from the gratitude we owe them, have a right to be heard in their defence; and if their crimes are not of the most inexpiable kind, I could almost say, they have a right to be forgiven.

But in the times we speak of, our public intercourse was carried on with ease and satisfaction. We regarded them as our friends and fellow-citizens, and relied as much upon their fidelity as on the inhabitants of our own country. They saw our power with pleasure; for they considered it only as their protection. They inherited our laws, our language, and our customs; they preferred our manufactures, and followed our fashions with a partiality that secured our exclusive trade with them, more effectually than all the regulations and vigilance of the custom-house. Had we suffered them to enrich us a little longer, and to grow a little richer themselves, their men of fortune, like the *West Indians*, would undoubtedly have made this country their place of education and resort. For they looked up to *England* with reverence and affection, as to the country of their friends and ancestors. They esteemed and they called it their home, and thought of it as the *Jews* once thought of the Land of *Canaan*.

Now, my Lords, consider with yourselves what were the chains and ties that united this People to their mother country, with so much warmth and affection, at so amazing a distance. The Colonies of other nations have been discontented with their treatment, and not without sufficient cause; always murmuring at their grievances, and sometimes breaking out into acts of rebellion. Our subjects at home, with all their reasons for satisfaction, have never been entirely satisfied. Since the beginning of this centu-

* This Speech by the Bishop of *St. Asaph*, who voted against the Bill in the House of Lords, though not delivered in the House on that occasion, was written and published by him at the time. It is considered especially proper to insert it here, because none of the speeches, in the "long debate" on the question, have been preserved. His reasons for the publication, given in the Advertisment, are as follows:—

"The Author of the following speech might justify his manner of publishing it by very great authorities. Some of the noblest pieces of eloquence, the world is in possession of, were not spoken on the great occasions they were intended to serve, and seem to have been preserved merely from the high sense that was entertained of their merit.

"The present performance appears in public from humbler but juster motives: from the great national importance of the subject; from a very warm desire and some faint hope of serving our country, by suggesting a few of the useful truths which great men are apt to overlook.

"The Author has abstained most religiously from personal reflections. He has censured no man, and therefore hopes he has offended no man. He feels most sensibly the misfortune of differing from many of those whom he wishes to live and act with; and from some of as much virtue and ability as this kingdom affords. But there are also great authorities on the other side; and the greatest authority can never persuade him, that it is better to extort by force, what he thinks may be gained more surely by gentle means.

"He looks upon power as a coarse and mechanical instrument of Government, and holds the use of it to be particularly dangerous to the relation that subsists between a mother country and her Colonies. In such a case he doubts whether any point ought to be pursued, which cannot be carried by persuasion, by the sense of a common interest, and the exercise of a moderate authority. He thinks it unnecessary to lay down the limits of sovereignty and obedience, and more unnecessary to fight for them. If we can but restore that mutual regard and confidence, which formerly governed our whole intercourse with our Colonies, particular cases will easily provide for themselves. He acts the part of the truest patriot in this dangerous crisis, whether he lives at *London* or at *Boston*, who pursues sincerely the most lenient and conciliating measures; and wishes to restore the public peace by some better method than the slaughter of our fellow-citizens."

Digitized by Google

ry we have had two rebellions, several plots and conspiracies; and we ourselves have been witnesses to the most dangerous excesses of sedition. But the Provinces in *North America* have engaged in no party, have excited no opposition; they have been utter strangers even to the name of Whig and Tory. In all changes, in all revolutions, they have quietly followed the fortunes and submitted to the Government of *England*.

Now let me appeal to your Lordships as to men of enlarged and liberal minds, who have been led by your office and rank to the study of history. Can you find in the long succession of ages, in the whole extent of human affairs, a single instance, where distant Provinces have been preserved in so flourishing a state, and kept at the same time in such due subjection to their mother country? My Lords, there is no instance; the case never existed before. It is perhaps the most singular phenomenon in all civil history; and the cause of it well deserves your serious consideration. The true cause is, that a mother country never existed before, who placed her natives and her Colonies on the same equal footing; and joined with them in fairly carrying on one common interest.

You ought to consider this, my Lords, not as a mere historical fact, but as a most important and invaluable discovery. It enlarges our ideas of the power and energy of good Government, beyond all former examples; and shews that it can act like gravitation at the greatest distances. It proves to a demonstration that you may have good subjects in the remotest corners of the earth, if you will but treat them with kindness and equity. If you have any doubts of the truth of this kind of reasoning, the experience we have had of a different kind will entirely remove them.

The good genius of our country had led us to the simple and happy method of governing freemen, which I have endeavoured to describe. Our Ministers received it from their predecessors, and for some time continued to observe it; but without knowing its value. At length, presuming on their own wisdom, and the quiet disposition of the *Americans*, they flattered themselves that we might reap great advantages from their prosperity by destroying the cause of it. They chose in an unlucky hour to treat them as other nations have thought fit to treat their Colonies; they threatened and they taxed them.

I do not now inquire whether taxation is matter of right; I only consider it as matter of experiment; for surely the art of government itself is founded on experience. I need not suggest what were the consequences of this change of measures. The evils produced by it were such as we still remember and still feel. We suffered more by our loss of trade with them, than the wealth flowing in from *India* was able to recompense. The bankruptcy of the *East India* Company, may be sufficiently accounted for by the rapine abroad and the knavery at home; but it certainly would have been delayed some years, had we continued our commerce with them in the single article of tea. But that and many other branches of trade have been diverted into other channels, any may probably never return entire to their old course. But what is worst of all, we have lost their confidence and friendship; we have ignorantly undermined the most solid foundation of our own power.

In order to observe the strictest impartiality, it is but just for us to inquire what we have gained by these taxes as well as what we have lost. I am assured that out of all the sums raised in *America* the last year but one, if the expenses are deducted, which the natives would else have discharged themselves, the net revenue paid into the Treasury to go in aid of the sinking fund, or to be employed in whatever public services Parliament shall think fit, is eighty-five pounds. Eighty-five pounds, my Lords, is the whole equivalent, we have received for all the hatred and mischief, and all the infinite losses this Kingdom has suffered during that year in her disputes with *North America*. Money that is earned so dearly as this, ought to be expended with great wisdom and economy. My Lords, were you to take up but one thousand pounds more from *North America* upon the same terms, the nation itself would be a bankrupt. But the most amazing and the most alarming circumstance is still behind. It is that our case is so incurable, that all this experience has made no impression upon us. And yet, my Lords, if you could but keep these facts, which I have ventured to lay before you, for a few moments in your minds (supposing your right of taxation to be never so clear) yet I think you must necessarily perceive that it cannot be exercised in any manner that can be advantageous to ourselves or them. We have not always the wisdom to tax ourselves with propriety; and I am confident we could never tax a People at that distance, without infinite blunders, and infinite oppression. And to own the truth, my Lords, we are not honest enough to trust ourselves with the power of shifting our own burthens upon them. Allow me, therefore, to conclude, I think, unanswerably, that the inconvenience and distress we have felt in this change of our conduct, no less than the ease and tranquillity we formerly found in the pursuit of it, will force us, if we have any sense left, to return to the good old path we trod in so long, and found it the way of pleasantness.

I desire to have it understood, that I am opposing no rights that our legislature may think proper to claim: I am only comparing two different methods of government. By your old rational and generous administration, by treating the *Americans* as your friends and fellow-citizens, you made them the happiest of human kind; and at the same time drew from them, by commerce, more clear profit than *Spain* has drawn from all its mines; and their growing numbers were a daily-increasing addition to your strength. There was no room for improvement or alteration in so noble a system of policy as this. It was sanctified by time, by experience, by public utility. I will venture to use a bold language, my Lords; I will assert, that if we had uniformly adopted this equitable administration in all our distant Provinces as far as circumstances would admit, it would have placed this country, for ages, at the head of human affairs in every quarter of the world. My Lords, this is no visionary or chimerical doctrine. The idea of governing Provinces and Colonies by force is visionary and chimerical. The experiment has often been tried and it has never succeeded. It ends infallibly in the ruin of the one country or the other, or in the last degree of wretchedness.

If there is any truth, my Lords, in what I have said, and I most firmly believe it all to be true, let me recommend it to you to resume that generous and benevolent spirit in the discussion of our differences, which used to be the source of our union. We certainly did wrong in taxing them: when the Stamp Act was repealed, we did wrong in laying on other taxes, which tended only to keep alive a claim, that was mischevious, impracticable, and useless. We acted contrary to our own principles of liberty, and to the generous sentiments of our Sovereign, when we desired to have their judges dependent on the Crown for their stipends, as well as their continuance. It was equally unwise to wish to make the Governors independent of the People for their salaries. We ought to consider the Governors, not as spies entrusted with the management of our interest, but as the servants of the People, recommended to them by us. Our ears ought to be open to every complaint against the Governors; but we ought not to suffer the Governors to complain of the People. We have taken a different method, to which no small part of our difficulties are owing. Our ears have been open to the Governors and shut to the People. This must necessarily lead us to countenance the jobs of interested men, under the pretence of defending the rights of the Crown. But the People are certainly the best judges whether they are well governed; and the Crown can have no rights inconsistent with the happiness of the People.

Now, my Lords, we ought to do what I have suggested, and many things more, out of prudence and justice, to win their affection, and to do them public service. If we have a right to govern them, let us exert it for the true ends of Government. But, my Lords, what we ought to do, from motives of reason and justice, is much more than is sufficient to bring them to a reasonable accommodation. For thus, as I apprehend, stands the case. They petition for the repeal of an Act of Parliament, which they complain of as unjust and oppressive. And there is not a man amongst us, not the warmest friend of Administration, who does not sincerely wish that act had never been made. In fact, they only ask for what we wish to

Digitized by Google

be rid of. Under such a disposition of mind, one would imagine there could be no occasion for fleets and armies to bring men to a good understanding. But, my Lords, our difficulty lies in the point of honour. We must not let down the dignity of the mother country; but preserve her sovereignty over all the parts of the *British* Empire. This language has something in it that sounds pleasant to the ears of *Englishmen*, but is otherwise of little weight. For sure, my Lords, there are methods of making reasonable concessions, and yet without injuring our dignity. Ministers are generally fruitful in expedients to reconcile difficulties of this kind, to escape the embarrassments of forms, the competitions of dignity and precedency; and to let clashing rights sleep, while they transact their business. Now, my Lords, on this occasion can they find no excuse, no pretence, no invention, no happy turn of language, not one colourable argument for doing the greatest service, they can ever render to their country? It must be something more than incapacity that makes men barren of expedients at such a season as this. Do, but for once, remove this impracticable stateliness and dignity, and treat the matter with a little common sense and a little good humour, and our reconciliation would not be the work of an hour. But after all, my Lords, if there is any thing mortifying in undoing the errors of our Ministers, it is a mortification we ought to submit to. If it was unjust to tax them, we ought to repeal it for their sakes; if it was unwise to tax them, we ought to repeal it for our own. A matter so trivial in itself as the three-penny duty upon tea, but which has given cause to so much national hatred and reproach, ought not to be suffered to subsist an unnecessary day. Must the interest, the commerce, and the union of this country and her Colonies, be all of them sacrificed to save the credit of one imprudent measure of Administration? I own I cannot comprehend that there is any dignity either in being in the wrong, or persisting in it. I have known friendship preserved and affection gained, but I never knew dignity lost, by the candid acknowledgment of an error. And, my Lords, let me appeal to your own experience of a few years backward, (I will not mention particulars, because I would pass no censures and revive no unpleasant reflections,) but I think every candid Minister must own, that Administration has suffered in more instances than one, both in interest and credit, by not chusing to give up points, that could not be defended.

With regard to the People of *Boston*, I am free to own that I neither approve of their riots nor their punishment. And yet if we inflict it as we ought, with a consciousness that we were ourselves the aggressors, that we gave the provocation, and that their disobedience is the fruit of our own imprudent and imperious conduct, I think the punishment cannot rise to any great degree of severity.

I own my Lords, I have read the report of the Lords Committees of this House, with very different sentiments from those with which it was drawn up. It seems to be designed, that we should consider their violent measures and speeches, as so many determined acts of opposition to the sovereignty of *England*, arising from the malignity of their own hearts. One would think the mother country had been totally silent and passive in the progress of the whole affair. I, on the contrary, consider these violences as the natural effects of such measures as ours on the minds of freemen. And this is the most useful point of view in which Government can consider them. In their situation, a wise man would expect to meet with the strongest marks of passion and imprudence, and be prepared to forgive them. The first and easiest thing to be done is to correct our own errors; and I am confident we should find it the most effectual method to correct theirs. At any rate let us put ourselves in the right; and then if we must contend with *North America*, we shall be unanimous at home, and the wise and the moderate there will be our friends. At present we force every *North American* to be our enemy; and the wise and moderate at home, and those immense multitudes, which must soon begin to suffer by the madness of our rulers, will unite to oppose them. It is a strange idea we have taken up, to cure their resentments by increasing their provocations: to remove the effects of our own ill conduct, by multiplying the instances of it. But the spirit of blindness and infatuation is gone forth. We are hurrying wildly on without any fixed design, without any important object. We pursue a vain phantom of unlimited sovereignty, which was not made for man, and reject the solid advantages of a moderate, useful and intelligible authority. That just God, whom we have all so deeply offended, can hardly inflict a severer national punishment, than by committing us to the natural consequences of our own conduct. Indeed, in my opinion, a blacker cloud never hung over this island.

To reason consistently with the principles of justice and national friendship, which I have endeavoured to establish, or rather to revive what was established by our ancestors, as our wisest rule of conduct for the government of *America*, I must necessarily disapprove of the Bill before us; for it contradicts every one of them. In our present situation every act of the legislature, even our acts of severity, ought to be so many steps towards the reconciliation we wish for. But to change the Government of a People, without their consent, is the highest and most arbitrary act of sovereignty, that one nation can exercise over another. The *Romans* hardly ever proceeded to this extremity even over a conquered nation, till its frequent revolts and insurrections had made them deem it incorrigible. The very idea of it implies a most total abject and slavish dependency in the inferior State. Recollect that the *Americans* are men of like passions with ourselves, and think how deeply this treatment must affect them. They have the same veneration for their charters that we have for our Magna Charta, and they ought in reason to have greater. They are the title deeds to all their rights both public and private. What? my Lords, must these rights never acquire any legal assurance and stability? Can they derive no force from the peaceable possession of near two hundred years? And must the fundamental constitution of a powerful State be for ever subject to as capricious alterations as you may think fit to make in the charters of a little mercantile company, or the corporation of a borough? This will undoubtedly furnish matter for a more pernicious debate than has yet been moved. Every other Colony will make the case its own. They will complain that their rights can never be ascertained; that every thing belonging to them depends upon our arbitrary will; and may think it better to run any hazard, than to submit to the violence of their mother country, in a matter in which they can see neither moderation nor end.

But let us coolly inquire, what is the reason of this unheard of innovation. Is it to make them peaceable? My Lords, it will make them mad. Will they be better governed if we introduce this change? Will they be more our friends? The least that such a measure can do is to make them hate us. And would to God, my Lords, we had governed ourselves with as much economy, integrity, and prudence, as they have done. Let them continue to enjoy the liberty our fathers gave them. Gave them, did I say? They are coheirs of liberty with ourselves; and their portion of the inheritance has been much better looked after than ours. Suffer them to enjoy a little longer that short period of public integrity and domestic happiness, which seems to be the portion allotted by Providence to young rising States. Instead of hoping that their constitution may receive improvement from our skill in Government, the most useful wish I can form in their favour is, that heaven may long preserve them from our vices and our politics.

Let me add farther, that to make any changes in their Government, without their consent, would be to transgress the wisest rules of policy, and to wound our most important interests. As they increase in numbers and in riches, our comparative strength must lessen. In another age, when our power has begun to lose something of its superiority, we should be happy if we could support our authority by mutual good will and the habit of commanding; but chiefly by those original establishments, which time and public honour might have rendered inviolable. Our posterity will then have reason to lament that they cannot avail themselves of those treasures of public friendship and confidence which our fathers had wisely hoarded up, and we are throwing away. 'Tis hard, 'tis cruel, besides all our debts and taxes, and those enormous expenses which are multiplying upon us every year, to load our unhappy

Digitized by Google

sons with the hatred and curses of *North America*. Indeed, my Lords, we are treating posterity very scurvily. We have mortgaged all the lands; we have cut down all the oaks; we are now trampling down the fences, rooting up the seedlings and saplings, and ruining all the resources of another age. We shall send the next generation into the world, like the wretched heir of a worthless father, without money, credit, or friends; with a stripped, encumbered, and perhaps untenanted estate.

Having spoke so largely against the principles of the Bill, it is hardly necessary to enter into the merits of it. I shall only observe, that even if we had the consent of the People to alter their Government, it would be unwise to make such alterations as these. To give the appointment of the Governor and Council to the Crown, and the disposal of all places, even of the Judges, and with a power of removing them, to the Governor, is evidently calculated with a view to form a strong party in our favour. This I know has been done in other Colonies; but still this is opening a source of perpetual discord, where it is our interest always to agree. If we mean any thing by this establishment, it is to support the Governor and the Council against the People, *i. e.* to quarrel with our friends, that we may please their servants. This scheme of governing them by a party is not wisely imagined, it is much too premature, and at all events, must turn to our disadvantage. If it fails, it will only make us contemptible; if it succeeds, it will make us odious. It is our interest to take very little part in their domestic administration of Government, but purely to watch over them for their good. We never gained so much by *North America* as when we let them govern themselves, and were content to trade with them and to protect them. One would think, my Lords, there was some statute law, prohibiting us, under the severest penalties, to profit by experience.

My Lords, I have ventured to lay my thoughts before you, on the greatest national concern that ever came under your deliberation, with as much honesty as you will meet with from abler men, and with a melancholy assurance, that not a word of it will be regarded. And yet, my Lords, with your permission, I will waste one short argument more on the same cause, one that I own I am fond of, and which contains in it, what, I think, must affect every generous mind. My Lords, I look upon *North America* as the only great nursery of freemen now left upon the face of the earth. We have seen the liberties of *Poland* and *Sweden* swept away, in the course of one year, by treachery and usurpation. The free towns in *Germany* are like so many dying sparks, that go out one after another, and which must all be soon extinguished under the destructive greatness of their neighbours. *Holland* is little more than a great trading company, with luxurious manners, and an exhausted revenue; with little strength and with less spirit. *Switzerland* alone is free and happy within the narrow enclosure of its rocks and vallies. As for the state of this country, my Lords, I can only refer myself to your own secret thoughts. I am disposed to think and hope the best of Public Liberty. Were I to describe her, according to my own ideas at present, I should say that she has a sickly countenance, but I trust she has a strong constitution.

But whatever may be our future fate, the greatest glory that attends this country, a greater than any other nation ever acquired, is to have formed and nursed up to such a state of happiness, those Colonies whom we are now so eager to butcher. We ought to cherish them as the immortal monuments of our public justice and wisdom; as the heirs of our better days, of our old arts and manners, and of our expiring national virtues. What work of art, or power, or public utility, has ever equalled the glory of having peopled a continent without guilt or bloodshed, with a multitude of free and happy commonwealths; to have given them the best arts of life and Government, and to have suffered them under the shelter of our authority, to acquire in peace the skill to use them. In comparison of this, the policy of governing by influence, and even the pride of war and victory, are dishonest tricks and poor contemptible pageantry.

We seem not to be sensible of the high and important trust which Providence has committed to our charge. The most precious remains of civil liberty, that the world can now boast of, are lodged in our hands; and God forbid that we should violate so sacred a deposit. By enslaving your Colonies, you not only ruin the peace, the commerce, and the fortunes of both countries, but you extinguish the fairest hopes, shut up the last asylum of mankind. I think, my Lords, without being weakly superstitious, that a good man may hope that heaven will take part against the execution of a plan which seems big, not only with mischief, but impiety.

Let us be content with the spoils and the destruction of the East. If your Lordships can see no impropriety in it, let the plunderer and the oppressor still go free. But let not the love of liberty be the only crime you think worthy of punishment. I fear we shall soon make it a part of our national character, to ruin every thing that has the misfortune to depend upon us.

No nation has ever before contrived, in so short a space of time, without any war or public calamity (unless unwise measures may be so called) to destroy such ample resources of commerce, wealth, and power, as of late were ours, and which, if they had been rightly improved, might have raised us to a state of more honorable and more permanent greatness than the world has yet seen.

Let me remind the noble Lords in Administration, that before the Stamp Act, they had power sufficient to answer all the just ends of Government, and they were all completely answered. If that is the power they want, though we have lost much of it at present, a few kind words would recover it all.

But if the tendency of this Bill is, as I own it appears to me, to acquire a power of governing them by influence and corruption; in the first place, my Lords, this is not true Government, but a sophisticated kind which counterfeits the appearance, but without the spirit or virtue of the true: and then, as it tends to debase their spirits and corrupt their manners, to destroy all that is great and respectable in so considerable a part of the human species, and by degrees to gather them together with the rest of the world, under the yoke of universal slavery; I think, for these reasons, it is the duty of every wise man, of every honest man, and of every *Englishman*, by all lawful means, to oppose it.

—

Anno Decimo Quarto Georgii III. Regis.

An Act for the Better Regulating the Government of the Province of the Massachusetts Bay, *in* New England.

Whereas by Letters Patent under the great seal of *England*, made in the third year of the reign of their late Majesties King *William* and Queen *Mary*, for uniting, erecting, and incorporating, the several Colonies, Territories, and tracts of land therein mentioned, into one real Province, by the name of *Their Majesties Province of the Massachusetts Bay, in New England;* whereby it was, amongst other things, ordained and established, that the Governor of the said Province should, from thenceforth, be appointed and commissionated by their Majesties, their heirs and successors; it was, however, granted and ordained, that, from the expiration of the term for and during which the eight and twenty persons named in the said letters patent were appointed to be the first Counsellors or Assistants to the Governor of the said Province for the time being, the aforesaid number of eight and twenty Counsellors or Assistants should yearly, once in every year, for ever thereafter, be, by the General Court or Assembly, newly chosen: and whereas the said method of electing such Counsellors or Assistants, to be vested with the several powers, authorities, and privileges, therein mentioned, although conformable to the practice theretofore used in such of the Colonies thereby united, in which the appointment of the respective Governors had been vested in the General Courts or Assemblies of the said Colonies, hath, by repeated experience, been found to be extremely ill adapted to the plan of Government established in the Province of *Massachusetts Bay*, by the said letters patent herein-before mentioned, and hath been so far from contributing to the attainment of the good ends and purposes thereby intended and to the promoting of the internal welfare, peace, and good government, of the said Province, or to the maintenance of the just subordination to, and conformity with, the

Digitized by Google

laws of *Great Britain*, that the manner of exercising the powers, authorities, and privileges aforesaid, by the persons so annually elected, hath, for some time past, been such as had the most manifest tendency to obstruct, and, in great measure defeat, the execution of the laws; to weaken the attachment of his Majesty's well disposed subjects in the said Province to his Majesty's Government, and to encourage the ill disposed among them to proceed even to acts of direct resistance to, and defiance of, his Majesty's authority: and it hath accordingly happened, that an open resistance to the execution of the laws hath actually taken place in the town of *Boston*, and the neighbourhood thereof, within the said Province: and whereas it is, under these circumstances, become absolutely necessary, in order to the preservation of the peace and good order of the said Province, the protection of his Majesty's well disposed subjects therein resident, the continuance of the mutual benefits arising from the commerce and correspondence between this Kingdom and the said Province, and the maintaining of the just dependence of the said Province upon the Crown and Parliament of *Great Britain*, that the said method of annually electing the Counsellors or Assistants of the said Province should no longer be suffered to continue, but that the appointment of the said Counsellors or Assistants should henceforth be put upon the like footing as is established in such other of his Majesty's Colonies or Plantations in *America*, the Governors whereof, are appointed by his Majesty's commission, under the great seal of *Great Britain:* Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that from and after the first day of *August*, one thousand seven hundred and seventy-four, so much of the charter granted by their Majesties King *William* and Queen *Mary*, to the inhabitants of the said Province of the *Massachusetts Bay*, in *New England*, and all and every clause, matter, and thing, therein contained, which relates to the time and manner of electing the Assistants or Counsellors for the said Province, be revoked, and is hereby revoked and made void and of none effect; and that the offices of all Counsellors and Assistants, elected and appointed in pursuance thereof, shall from thenceforth cease and determine; and that, from and after the said first day of *August*, one thousand seven hundred and seventy-four, the Council, or Court of Assistants of the said Province for the time being, shall be composed of such of the inhabitants or proprietors of lands within the same as shall be thereunto nominated and appointed by his Majesty, his heirs and successors, from time to time, by warrant under his or their signet or sign manual, and with the advice of the Privy Council, agreeable to the practice now used in respect to the appointment of Counsellors in such of his Majesty's other Colonies in *America*, the Governors whereof are appointed by commission under the great seal of *Great Britain:* provided, that the number of the said Assistants or Counsellors shall not, at any one time, exceed thirty-six, nor be less than twelve.

And it is hereby further enacted, That the said Assistants or Counsellors, so to be appointed as aforesaid, shall hold their offices respectively, for and during the pleasure of his Majesty, his heirs or successors; and shall have and enjoy all the powers, privileges, and immunities, at present held, exercised, and enjoyed, by the Assistants or Counsellors of the said Province, constituted and elected, from time to time, under the said charter, (except as hereinafter excepted;) and shall also, upon their admission into the said Council, and before they enter upon the execution of their offices respectively, take the oaths, and make, repeat, and subscribe, the declarations required, as well by the said charter as by any law or laws of the said Province now in force, to be taken by the Assistants or Counsellors who have been so elected and constituted as aforesaid.

And be it further enacted by the authority aforesaid, That from and after the first day of *July*, one thousand seven hundred and seventy-four, it shall and may be lawful for his Majesty's Governor for the time being of the said Province, or, in his absence, for the Lieutenant Governor, to nominate and appoint, under the seal of the Province, from time to time, and also to remove, without the consent of the Council, all Judges of the Inferior Courts of Common Pleas, Commissioners of Oyer and Terminer, the Attorney General, Provosts, Marshals, Justices of the Peace, and other officers to the Council or Courts of Justice belonging; and that all Judges of the Inferior Courts of Common Pleas, Commissioners of Oyer and Terminer, the Attorney General, Provosts, Marshals, Justices, and other officers so appointed by the Governor, or, in his absence, by the Lieutenant Governor alone, shall and may have, hold, and exercise their said offices, powers, and authorities, as fully and completely, to all intents and purposes, as any Judges of the Inferior Courts of Common Pleas, Commissioners of Oyer and Terminer, Attorney General, Provosts, Marshals, or other officers, have or might have done heretofore under the said letters patent, in the third year of the reign of their late Majesties King *William* and Queen *Mary;* any law, statute, or usage, to the contrary notwithstanding.

Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to annul or make void the commission granted before the said first day of *July*, one thousand seven hundred and seventy-four, to any Judges of the Inferior Courts of Common Pleas, Commissioners of Oyer and Terminer, the Attorney General, Provosts, Marshals, Justices of the Peace, or other officers; but that they may hold and exercise the same, as if this act had never been made, until the same shall be determined by death, removal by the Governor, or other avoidance, as the case may happen.

And be it further enacted by the authority aforesaid, That, from and after the said first day of *July*, one thousand seven hundred and seventy-four, it shall and may be lawful for his Majesty's Governor, or, in his absence, for the Lieutenant Governor for the time being of the said Province, from time to time, to nominate and appoint the Sheriffs without the consent of the Council, and to remove such Sheriffs with such consent, and not otherwise.

And be it further enacted by the authority aforesaid, That, upon every vacancy of the offices of Chief Justice and Judges of the Superior Court of the said Province, from and after the said first day of *July*, one thousand seven hundred and seventy-four, the Governor for the time being, or, in his absence, the Lieutenant Governor, without the consent of the Council, shall have full power and authority to nominate and appoint the persons to succeed to the said offices, who shall hold their commissions during the pleasure of his Majesty, his heirs and successors; and that neither the Chief Justice and Judges appointed before the said first day of *July*, one thousand seven hundred and seventy-four, nor those who shall hereafter be appointed pursuant to this Act, shall be removed, unless by the order of his Majesty, his heirs or successors, under his or their sign manual.

And whereas, by several Acts of the General Court, which have been from time to time enacted and passed within the said Province, the freeholders and inhabitants of the several townships, districts, and precincts, qualified, as is therein expressed, are authorized to assemble together, annually, or occasionally, upon notice given, in such manner as the said Acts direct, for the choice of Selectmen, Constables, and other officers, and for the making and agreeing upon such necessary rules, orders, and bye-laws, for the directing, managing, and ordering, the prudential affairs of such townships, districts, and precincts, and for other purposes; and whereas a great abuse has been made of the power of calling such meetings, and the inhabitants have, contrary to the design of their institution, been misled to treat upon matters of the most general concern, and to pass many dangerous and unwarrantable resolves: for remedy whereof, *Be it enacted*, that from and after the said first day of *August*, one thousand seven hundred and seventy-four, no meeting shall be called by the Selectmen, or at the request of any number of freeholders of any township, district, or precinct, without the leave of the Governor, or, in his absence, of the Lieutenant Governor, in writing, expressing the special business of the said meeting, first had and obtained, except the annual meeting in the months of *March* or *May*, for the choice of Selectmen, Constables, and other officers, or except for the choice of persons to fill up the offices aforesaid, on the death or removal of any of the persons first elected to such offices, and also, except any meeting for the election of a Representative or Repre-

Digitized by Google

sentatives in the General Court; and that no other matter shall be treated of at such meetings, except the election of their aforesaid officers or Representatives, nor at any other meeting, except the business expressed in the leave given by the Governor, or, in his absence, by the Lieutenant Governor.

And whereas the method at present used in the Province of *Massachusetts Bay*, in *America*, of electing persons to serve on Grand Juries, and other juries, by the freeholders and inhabitants of the several towns, affords occasion for many evil practices, and tends to pervert the free and impartial administration of justice: for remedy whereof, *Be it further enacted by the authority aforesaid*, That from and after the respective times appointed for the holding of the General Sessions of the Peace, in the several counties within the said Province, next after the month of *September*, one thousand seven hundred and seventy-four, the Jurors to serve at the Superior Courts of Judicature, Courts of Assize, General Gaol Delivery, General Sessions of the Peace, and Inferior Court of Common Pleas, in the several counties within the said Province, shall not be elected, nominated, or appointed, by the freeholders and inhabitants of the several towns within the said respective counties, nor summoned or returned by the Constables of the said towns; but that, from thenceforth, the Jurors to serve at the Superior Courts of Judicature, Courts of Assize, General Gaol Delivery, General Sessions of the Peace, and Inferior Court of Common Pleas, within the said Province, shall be summoned and returned by the Sheriffs of the respective counties within the said Province; and all writs of *Venire Facias*, or other process or warrants to be issued for the return of Jurors to serve at the said Courts, shall be directed to the Sheriffs of the said counties respectively, any law, custom, or usage, to the contrary notwithstanding.

Provided always, and be it further enacted by the authority aforesaid, That wherever the Sheriff of any county shall happen to be a party, or interested or related to any party or person interested in any prosecution or suit depending in any of the said Courts, that then, in such case, the writ of *Venire Facias*, or other process or warrant for the summoning and return of a Jury, for the trial of such prosecution or suit, shall be directed to, and executed by, the Coroner of such county; and in case such Coroner shall be also a party, or interested in, or related to, any party or person interested in such prosecution or suit, then the *Venire Facias*, or other process or warrant, for the summoning and return of a Jury for the trial of such prosecution or suit, shall be directed to, and executed by, a proper and indifferent person, to be appointed for that purpose by the Court wherein such prosecution or suit shall be depending.

And that all Sheriffs may be better informed of persons qualified to serve on Juries at the Superior Courts of Judicature, Courts of Assize, General Gaol Delivery, General Sessions of the Peace, and Inferior Court of Common Pleas, within the said Province, *Be it further enacted by the authority aforesaid*, That the Constables of the respective towns, within the several counties of the said Province, shall, at the General Sessions of the Peace, to be holden for each county, next after the month of *September*, in every year, upon the first day of the said Sessions, return and deliver to the Justices of the Peace, in open Court, a true list, in writing, of the names and places of abode of all persons within the respective towns for which they serve, or the districts thereof, qualified to serve upon Juries, with their titles and additions, between the age of one and twenty years, and the age of seventy years; which said Justices, or any two of them, at the said Sessions in the respective counties, shall cause to be delivered a duplicate of the aforesaid lists, by the Clerk of the Peace of every county, to the Sheriffs, or their Deputies, within ten days after such Sessions; and cause each of the said lists to be fairly entered into a book, by the Clerk of the Peace, to be by him provided, and kept for that purpose amongst the records of the said Court; and no Sheriff shall empannel or return any person or persons to serve upon any Grand Jury, or Petit Jury, whatsoever, in any of the said Courts that shall not be named or mentioned in such list: and, to prevent the failure of justice, through the neglect of Constables to make such returns of persons qualified to serve on such Juries, as in and by this Act is directed, the Clerks of the Peace of the said several counties are hereby required and commanded, twenty days at least next before the month of *September*, yearly, and every year, to issue forth precepts or warrants, under their respective hands and seals, to the respective Constables of the several towns within the said respective counties, requiring them, and every of them, to make such return of persons qualified to serve upon Juries as hereby respectively directed; and every Constable failing at any time to make and deliver such return to the Justices in open Court, as aforesaid, shall forfeit and incur the penalty of five pounds sterling to his Majesty, and his successors, to be recovered by bill, plaint, or information, to be prosecuted in any of the Courts aforesaid; and, in order that the Constables may be the better enabled to make complete lists of all persons qualified to serve on Juries, the Constables of the several towns shall have free liberty, at all seasonable times, upon request by them made to any officer or officers, who shall have in his or their custody any book or account of rates or taxes on the freeholders or inhabitants within such respective towns, to inspect the same, and take from thence the names of such persons qualified to serve on Juries, dwelling within the respective towns for which such lists are to be given in and returned, pursuant to this Act; and shall, in the month of *September*, yearly, and every year, upon two or more *Sundays*, fix upon the door of the church, chapel, and every other public place of religious worship, within their respective precincts, a true and exact list of all such persons intended to be returned to the said General Sessions of the Peace, as qualified to serve on Juries, pursuant to the directions of this Act; and leave at the same time a duplicate of such list with the Town Clerk of the said place, to be perused by the freeholders and inhabitants thereof, to the end that notice may be given of persons duly qualified who are omitted, or of persons inserted by mistake who ought to be omitted out of such lists; and it shall and may be lawful to and for the Justices, at the General Sessions of the Peace to which the said list shall be so returned, upon due proof made before them of any person or persons duly qualified to serve on Juries being omitted in such lists, or of any person or persons being inserted therein who ought to have been omitted, to order his or their name or names to be inserted or struck out, as the case may require: and in case any Constable shall wilfully omit, out of such list, any person or persons, whose name or names ought to be inserted, or shall wilfully insert any person or persons who ought to be omitted, every Constable so offending, shall, for every person so omitted or inserted in such list, contrary to the true intent and meaning of this Act, be fined by the said Justices, in the said General Sessions of the Peace, in the sum of forty shillings sterling.

Provided always, and be it enacted by the authority aforesaid, That in case default shall at any time hereafter be made, by any Constable or Constables, to return lists of persons qualified to serve on Juries within any of the said towns to the said Court of General Sessions of the Peace, then, and in such case, it shall and may be lawful for the Sheriff of the county, in which such default shall be made, to summon and return to the several Courts aforesaid, or any of them, such and so many persons dwelling in such towns, or the districts thereof, qualified to serve on Juries, as he shall think fit to serve on Juries at such respective Courts; any thing herein contained to the contrary thereof in any wise notwithstanding.

And be it further enacted by the authority aforesaid, That every summons of any person, to serve upon any of the Juries at the said Courts, or any of them, shall be made by the Sheriff, or other person, ten days at the least before the holding of every such Court; and in case any Jurors, so to be summoned, be absent from the usual place of his habitation at the time of such summons, notice of such summons shall be given, by leaving a note, in writing, under the hand of such Sheriff, or person, containing the contents thereof, at the dwelling house of such Juror, with some person inhabiting in the same.

Provided always, and be it further enacted by the authority aforesaid, That in case a sufficient number of persons qualified to serve on Juries shall not appear at the said Courts, or any of them, to perform the service of Grand or Petit Jurors, that then, and in such case, it shall be lawful for the said Court to issue a writ or precept to

Digitized by Google

the Sheriff, requiring him to summon a sufficient number of other persons qualified to serve on Juries, immediately to appear at such Court, to fill up and complete the number of Jurors to serve at such Court; and such persons are hereby required to appear and serve as Jurors at the said Courts accordingly.

And be it further enacted by the authority aforesaid, That no person who shall serve as a Juror, at any of the said Courts, shall be liable to serve again as a Juror at the same Court, or any other of the Courts aforesaid, for the space of three years then next following, except upon special Juries.

And, in order that the Sheriffs may be informed of the persons who have served as Jurors, *It is hereby further enacted by the authority aforesaid*, That every Sheriff shall prepare and keep a book, or register, wherein the names of all such persons who have served as Jurors, with their additions and places of abode, and the times when, and the Courts in which they served, shall be alphabetically entered and registered; which books or registers shall, from time to time, be delivered over to the succeeding Sheriff of the said county, within ten days after he shall enter upon his office; and every Juror, who shall attend and serve at any of the Courts aforesaid, may, at the expiration of the time of holding every such Court, upon application to the Sheriff, or his Deputy, have a certificate immediately, *gratis*, from the Sheriff, or his Deputy, testifying such his attendance and service; which said certificate the said Sheriff, or his Deputy, is required to give to every such Juror.

And be it further enacted by the authority aforesaid, That if, by reason of challenges, or otherwise, their shall not be a sufficient number of Jurors for the trial of any prosecution for any misdemeanor, or any action depending in any of the said Courts, then, and in such case, the Jury shall be filled up *de talibus circumstantibus*, to be returned by the Sheriff, unless he be a party, or interested or related to any party or person interested in such prosecution or action; and, in any of which cases, to be returned by the Coroner, unless he be a party, or interested or related to any party or person interested in such prosecution or action; and, in any of these cases, to be returned by a proper and indifferent person, to be appointed by the Court for that purpose.

And be it further enacted by the authority aforesaid, That in case any person summoned to serve upon the Grand or Petit Jury, at any of the Courts aforesaid, or upon the Jury, in any prosecution, action, or suit, depending in any of the said Courts, shall not appear and serve at the said Courts, according to the said summons, (not having any reasonable excuse to be allowed by the Judges or Justices at such Court,) he shall be fined by the Judges or Justices of such Court in any sum not exceeding the sum of ten pounds, nor less than twenty shillings sterling.

And be it further enacted by the authority aforesaid, That every Sheriff, or other officer, to whom the *Venire Facias*, or other process or warrant, for the trial of causes, or summoning of Juries, shall be directed, shall, upon his return of every such writ, or other process or warrant, (unless in cases where a special Jury shall be stuck by order or rule of Court, pursuant to this Act,) annex a pannel to the said writ, or process, or warrant, containing the christian and surnames, additions, and places of abode, of a competent number of Jurors, named in such lists, which number of Jurors shall not be less than twenty-four, nor more than forty-eight, without direction of the Judges or Justices of such Court of Session, or one of them, who are hereby respectively empowered and required, if he or they see cause, by order, under his or their respective hand or hands, to direct a greater number; and then such number as shall be so directed shall be the number to be returned to serve on such Jury.

And be it further enacted by the authority aforesaid, That for the trials of all actions or suits depending in any of the said Courts, the name of each and every person who shall be summoned and returned as aforesaid, with his addition, and the place of his abode, shall be written in several and distinct pieces of parchment, or paper, being all as near as may be of equal size and bigness, and shall be delivered unto the officer to be appointed by the Court for that purpose, by the Sheriff, Under Sheriff, or some Agent of his; and shall, by direction and care of such officer, be rolled up all as near as may be, in the same manner, and put together in a box or glass, to be provided for that purpose; und when any cause shall be brought on to be tried, some indifferent person, by direction of the Court, may and shall, in open Court, draw out twelve of the said parchments or papers, one after another; and if any of the persons, whose names shall be so drawn, shall not appear, or shall be challenged, and such challenge allowed, then such person shall proceed to draw other parchments or papers from the said box, till twelve indifferent persons shall be drawn; which twelve indifferent persons being sworn shall be the Jury to try the said cause: and the names of the persons so drawn and sworn shall be kept apart by themselves in some other box or glass, to be kept for that purpose, till such Jury shall have given in their verdict, and the same is recorded, or until such Jury shall, by consent of the parties, or leave of the Court, be discharged; and then the same names shall be rolled up again, and returned to the former box or glass, there to be kept, with the other names remaining at that time undrawn, and so *toties quoties*, as long as any cause remains then to be tried.

And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the Superior Court of Assize, and Court of Common Pleas, upon motion made on behalf of his Majesty, his heirs or successors, or on the motion of any prosecutor or defendant, in any indictment or information for any misdemeanor depending, or to be brought or prosecuted in the said Court, or on the motion of any plaintiff or plaintiffs, defendant, or defendants, in any action, cause, or suit whatsoever, depending, or to be brought and carried on in the said Court, and the said Court is hereby authorized and required, upon motion as aforesaid, in any of the cases before mentioned, to order and appoint a Jury to be struck for the trial of any issue joined in any of the said cases, and triable by a Jury of twelve men, by such officer of the said Court as the Court shall appoint; and for that purpose the Sheriff, or his Deputy, shall attend such officer with the duplicate of the lists of persons qualified to serve on Juries; and such officer shall thereupon take down, in writing, from the said duplicate, the names of forty-eight persons qualified to serve on Juries, with their additions, and places of abode, a copy whereof shall forthwith be delivered to the prosecutors or plaintiffs, their attorneys or agents, and another copy thereof to the defendants, their attorneys or agents, in such prosecutions and causes; and the said officer of the Court aforesaid shall, at a time to be fixed by him for that purpose, strike out the names of twelve of the said persons at the nomination of the prosecutors or plaintiffs, their attorneys or agents, and also the names of twelve others of the said persons, at the nomination of the said defendants in such prosecutions and suits, and the twenty-four remaining persons shall be struck and summoned, and returned to the said Court as Jurors, for the trial of such issues.

Provided always, That in case the prosecutors or plaintiffs, or defendants, their attorneys or agents, shall neglect or refuse to attend the officer at the time fixed for striking the names of twenty-four persons as aforesaid, or nominate the persons to be struck out, then, and in such case, the said officer shall, and he is hereby required to strike out the names of such number of the said persons as such prosecutors or plaintiffs, or defendants, might have nominated to be struck out.

And be it further enacted, That the person or party who shall apply for such special Jury as aforesaid, shall not only bear and pay the fees for striking such Jury, but shall also pay and discharge all the expenses occasioned by the trial of the cause by such Special Jury, and shall not have any further or other allowance for the same, upon taxation of costs, than such person or party would be entitled unto in case the cause had been tried by a Common Jury, unless the Judge, before whom the cause is tried, shall, immediately after the trial, certify, in open Court, under his hand, upon the back of the record, that the same was a cause proper to be tried by a Special Jury.

And be it further enacted by the authority aforesaid, That, in all actions brought in any of the said Courts, where it shall appear to the Court in which such actions are depending, that it will be proper and necessary that

Digitized by Google

the Jurors who are to try the issues in any such actions, should have the view of the messuages, lands, or place in question, in order to their better understanding the evidence that will be given upon the trial of such issues; in every such case the respective Courts in which such actions shall be depending, may order the Jury to the place in question, who then and there shall have the matters in question shewn them by two persons to be appointed by the Court; and the special costs of all such views as allowed by the Court, shall, before the trial, be paid by the party who moved for the view, (the adverse party not consenting thereto;) and shall at the taxation of the bill of costs, have the same allowed him, upon his recovering judgement in such trial; and upon all views with the consent of parties, ordered by the Court, the costs thereof, as allowed by the Court, shall, before trial, be equally paid by the said parties; and in the taxation of the bill of costs, the party recovering judgment shall have the sum by him paid, allowed to him; any law, usage, or custom, to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, That if any action shall be brought against any Sheriff, for what he shall do in execution, or by virtue of this Act, he may plead the general issue, and give the special matter in evidence; and if a verdict shall be found for him, he shall recover treble costs.

IV. BILL FOR THE IMPARTIAL ADMINISTRATION OF JUSTICE IN THE PROVINCE OF MASSACHUSETTS BAY.

HOUSE OF COMMONS.

MONDAY, *March* 28, 1774.

The House having had under consideration, in Committee of the Whole, on *Friday*, the 25th instant, the King's Message of the 7th, and sundry other Papers, received the Report this day, and granted leave to bring in the Bill for the better regulating the Government of the Province of *Massachusetts Bay*.

Sir *Charles Whitworth*, then acquainted the House that he was directed by the Committee to move, that they may have leave to sit again.

Resolved, That this House will, upon *Wednesday* fortnight, the 13th day of *April* next, resolve itself into a Committee of the whole House, to consider further of the said Message and Papers.

WEDNESDAY, *April* 13, 1774.

The order of the day, for considering the Message and Papers, in a Committee of the whole House, was read:

Resolved, That this House will, upon *Friday* morning next, resolve itself into the said Committee.

FRIDAY, *April* 15, 1774.

The Lord *North* presented to the House, by his Majesty's command,

No. 1. Copy of a Letter from Governor *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 14th *February*, 1774; received 5th of *April*, enclosing,

No. 2. Copy of Governor *Hutchinson's* Speech to the Council and House of Representatives; and their Answer.

No. 3. Copy of a Requisition from the House of Representatives of *Massachusetts Bay*, to the Judges of the Superior Court.

No. 4. Copy of a Remonstrance of the House of Representatives of *Massachusetts Bay*, against the Chief Justice.

No. 5. Copy of the Vote of the Council and House of Representatives of *Massachusetts Bay*, for adjourning the Superior Court, not consented to by the Governor.

No. 6. Copy of Governor *Hutchinson's* Answer to the Remonstrance of the House of Representatives, against the Chief Justice.

Together with a list of the said Papers.

And the said list was read:

Ordered, That the said Papers be referred to the consideration of the Committee of the whole House, to whom it is referred to take into further consideration his Majesty's most gracious Message of *Monday*, the 7th day of *March* last, together with the Papers which were presented to the House by the Lord *North*, upon the 7th and 11th days of *March* last, by his Majesty's command.

The order of the day, for the House to resolve itself into a Committee of the whole on the said Message and Papers, was read, and

The House resolved itself into the said Committee, Sir *Charles Whitworth* in the Chair.

The Papers presented this day were then read: when the reading was finished,

Lord *North* rose, and said, he meant now to propose a third Bill, which he hoped would effectually secure the Province of *Massachusetts Bay* from future disturbances. The Bill that he meant to propose was, to give every man a fair and impartial trial; that the Juries of that country it was true, were not established after the manner in which our Juries here were, and therefore were not so likely to give to each offender that impartial trial, which, by the laws of this country, he was entitled to; for if it shall be found in that country, that a man is not likely to meet with a fair and impartial trial, the Governor will be empowered to send him to any of the other Colonies, where the same kind of spirit has not prevailed; but if it shall be thought that he cannot have such fair and impartial trial in any of the Colonies, in that case he is to be sent to *Great Britain*, to be tried before the Court of King's Bench, the expenses of which trial were to be drawn for on the Customs in *England*. Unless such a Bill as this now proposed should pass into a law, the Executive power will be unwilling to act, thinking they will not have a fair trial without it. I would not, said his Lordship, wish to see the least doubt or imperfection remain in the plan which we have adopted: if there does, the consequence may be that it may produce bloodshed; that the whole plan may be clear and decisive; that every part of it may be properly supported; and I trust that such a measure as this, which we have now taken, will shew to that country, that this nation is roused to defend their rights, and protect the security of peace in its Colonies; and when roused, that the measures which they take are not cruel nor vindictive, but necessary and efficacious. Temporary distress requires temporary relief; I shall therefore only propose this Bill for the limited time of three or four years. We must consider, that every thing that we have that is valuable to us is now at stake; and the question is very shortly this: Whether they shall continue the subjects of *Great Britain* or not? This I propose as the last measure that Parliament will take; after which, it requires, that his Majesty's servants shall be vigilant in the execution of their duty, and keep a watchful eye over every encroachment against the power we shall now pass, and not suffer the least degree of disobedience to our measures to take place in that country. Such a watchful and careful eye to prevent the first rise of disobedience, may be a sure peventive against future mischiefs. The customary relief

Digitized by Google

of troops that is ordered for that country, is ordered, in the first place, to *Boston*, four regiments being the usual relief. Governor *Hutchinson* comes home, and his Majesty has appointed General *Gage* as Commander and Governor in Chief, a man whose great abilities, and extensive knowledge of that country, will give him a superior advantage, and his occasional residence there will prevent him from shewing any impolitic partiality to the *Americans*, and thereby enforce a due observance of those measures which we have taken, and shall send out. There is one thing I much wish, which is, the punishment of those individuals who have been the ringleaders and forerunners of these mischiefs. Our attention will be continually active in that point. A prosecution has been already ordered against them by his Majesty's servants, but I cannot promise myself any very good effect until this law shall have reached the Province. We must particularly guard against any illegal or ineffectual proceedings, or else, after all our trouble, we shall find ourselves at last in the same dilemma we were in at first. We must observe a perfect innocence, and a conscientious avoidance of the breach of any laws. His Majesty's servants, I make no doubt, will be thoroughly watchful against such breach, nor will they at any time proceed upon slight grounds. They have the happiness to be assisted by the ablest lawyers, who have both great resolution and abilities; and guarded by such outlines, I make no doubt, that the spirit of disobedience, which has hitherto unfortunately prevailed, will be tempered and brought to reason by a due observance of those measures which we have now taken, and, I trust, will secure to us the blessings of peace, radicated out of the boiling disturbances and violent spirit of opposition in that country. When those measures are pursued with that resolution, and those abilities which I have mentioned, I doubt not the event will be advantageous to this country. I have no more, Sir, to add but with permission will make the motion, "That the Chair-"man be directed to move the House, that leave be given "to bring in a Bill for the impartial administration of justice, "in the cases of persons questioned for any acts done by "them in the execution of the laws, or for the suppression "of the riots and tumults in the Province of *Massachusetts* "*Bay*, in *New England*."

[It was observed that Lord *North* trembled and faultered at every word of his motion.]

Colonel *Barré*. I rise, Sir, with great unwillingness to oppose this measure in its very infancy, before its features are well formed, or to claim that attention which this House seems to bestow with so much reluctance on any arguments in behalf of *America*. But I must call you to witness that I have been hitherto silent, or acquiescing, to an unexpected degree of moderation. While your proceedings, severe as they were, had the least colour of foundation in justice, I desisted from opposing them; nay more—though your Bill for stopping up the port of *Boston* contained in it many things most cruel, unwarrantable, and unjust, yet, as they were couched under those general principles of justice, retribution for injury, and compensation for loss sustained, I not only desisted from opposing, but assented to its passing. The Bill was a bad way of doing what was right; but still it was doing what was right. I would not therefore, by opposing it, seem to countenance those violences which had been committed abroad; and of which no man disapproves more than I do.

Upon the present question I am totally unprepared. The motion itself bears no sort of resemblance to what was formerly announced. The noble Lord and his friends have had every advantage of preparation. They have reconnoitred the field, and chosen their ground. To attack them in these circumstances may, perhaps, favour more of the gallantry of a soldier than of the wisdom of a senator.

But, Sir, the proposition is so glaring; so unprecedented in any former proceedings of Parliament; so unwarranted by any delay, denial, or perversion of justice in *America*; so big with misery and oppression to that country, and with danger to this—that the first blush of it is sufficient to alarm and rouse me to opposition.

It is proposed to stigmatize a whole People as persecutors of innocence, and men incapable of doing justice; yet you have not a single fact on which to ground that imputation. I expected the noble Lord would have supported this motion by producing instances of the officers of Government in *America* having been prosecuted with unremitting vengeance, and brought to cruel and dishonourable deaths, by the violence and injustice of *American* Juries. But he has not produced one such instance; and I will tell you more, Sir,—he cannot produce one. The instances which have happened are directly in the teeth of his proposition. Captain *Preston* and the soldiers, who shed the blood of the People, were fairly tried, and fully acquitted. It was an *American* Jury, a *New England* Jury, a *Boston* Jury, which tried and acquitted them. Captain *Preston* has, under his hand, publicly declared, that the inhabitants of the very town in which their fellow-citizens had been sacrificed, were his advocates and defenders. Is this the return you make them? Is this the encouragement you give them to persevere in so laudable a spirit of justice and moderation? When a Commissioner of the Customs, aided by a number of ruffians, assaulted the celebrated Mr. *Otis* in the midst of the town of *Boston*, and with the most barbarous violence almost murdered him, did the mob, which is said to rule that town, take vengeance on the perpetrators of this inhuman outrage against a person who is supposed to be their demagogue? No, Sir, the law tried them; the law gave heavy damages against them; which the irreparably injured Mr. *Otis* most generously forgave upon an acknowledgment of the offence. Can you expect any more such instances of magnanimity under the principle of the Bill now proposed?

But the noble Lord says, "We must now shew the "*Americans* that we will no longer sit quiet under their "insults." Sir, I am sorry to say that this is declamation, unbecoming the character and place of him who utters it. In what moment have you been quiet? Has not your Government for many years past been a series of irritating and offensive measures, without policy, principle, or moderation? Have not your troops and your ships made a vain and insulting parade in their streets and in their harbours? It has seemed to be your study to irritate and inflame them. You have stimulated discontent into disaffection, and you are now goading that disaffection into rebellion. Can you expect to be well informed when you listen only to partizans? Can you expect to do justice when you will not hear the accused?

Let us consider, Sir, the precedents which are offered to warrant this proceeding—the suspension of the *Habeas Corpus* Act in 1745—the making smugglers triable in *Middlesex*, and the *Scotch* rebels in *England*. Sir, the first was done upon the most pressing necessity, *flagrante bello*, with a dangerous rebellion in the very heart of the Kingdom; the second, you well know, was warranted by the most evident facts: armed bodies of smugglers marched publicly without presentment or molestation from the People of the county of *Sussex*; who, even to their Magistrates, were notoriously connected with them. They murdered the officers of the revenue, engaged your troops, and openly violated the laws. Experience convinced you, that the Juries of that, and of the counties similarly circumstanced, would never find such criminals guilty; and upon the conviction of this necessity you passed the Act. The same necessity justified the trying Scotch rebels in *England*. Rebellion had reared its dangerous standard in *Scotland*, and the principles of it had so universally tainted that People, that it was manifestly in vain to expect justice from them against their countrymen. But in *America*, not a single act of rebellion has been committed. Let the Crown law officers, who sit by the noble Lord, declare, if they can, that there is upon your table a single evidence of treason or rebellion in *America*. They know, Sir, there is not one, and yet are proceeding as if there were a thousand.

Having thus proved, Sir, that the proposed Bill is without precedent to support, and without facts to warrant it, let us now view the consequences it is like to produce. A soldier feels himself so much above the rest of mankind, that the strict hand of the civil power is necessary to controul the haughtiness of disposition which such superiority inspires. You know, Sir, what constant care is taken in this country to remind the military that they are under the restraint of the civil power. In *America* their superiority is felt still greater. Remove the check of the law, as this Bill intends, and what insolence, what outrage may you not expect? Every passion that is pernicious to society will

Digitized by Google

be let loose upon a People unaccustomed to licentiousness and intemperance. On the one hand will be a People who have been long complaining of oppression, and see in the soldiery those who are to enforce it upon them; on the other, an army studiously prepossessed with the idea of that People being rebellious, unawed by the apprehension of civil controul, and actuated by that arbitrary spirit which prevails even among the best of troops. In this situation the prudent officer will find it impossible to restrain his soldiers or prevent that provocation which will rouse the tamest People to resistance. The inevitable consequence will be that you will produce the rebellion you pretend to obviate.

I have been bred a soldier; have served long. I respect the profession, and live in the strictest habits of friendship with a great many officers; but there is not a country gentleman of you all, who looks upon the army with a more jealous eye, or would more strenuously resist the setting them above the controul of the civil power. No man is to be trusted in such a situation; it is not a fault of the soldier, but the vice of human nature, which, unbridled by law, becomes insolent and licentious, wantonly violates the peace of society, and tramples upon the rights of human kind.

With respect to those gentlemen who are destined to this service, they are much to be pitied. It is a service, which an officer of feeling and of worth must enter upon with infinite reluctance; a service, in which his only merit must be, to bear much, and do little. With the melancholy prospect before him of commencing a civil war, and embruing his hands in the blood of his fellow subjects, his feelings, his life, his honour, are hazarded, without a possibility of any equivalent or compensation. You may perhaps think a law, founded upon this motion will be his protection. I am mistaken if it will. Who is to execute it? He must be a bold man indeed who makes the attempt. If the People are so exasperated, that it is unsafe to bring the man who has injured them to trial, let the Governor who withdraws him from justice look to himself. The People will not endure it; they would no longer deserve the reputation of being descended from the loins of *Englishmen*, if they did endure it.

When I stand up as an advocate for *America*, I feel myself the firmest friend of this country. We stand upon the commerce of *America*. Alienate your Colonies, and you will subvert the foundation of your riches and your strength. Let the banners of rebellion be once spread in *America*, and you are an undone People. You are urging it with such violence, and by measures tending so manifestly to that fatal point, that, but that a state of madness only could inspire such an intention, it would appear to be your deliberate purpose. In assenting to your late Bill I resisted the violence of *America*, at the hazard of my popularity there. I now resist your phrenzy at the same risk here. You have changed your ground. You are becoming the aggressors, and offering the last of human outrages to the People of *America*, by subjecting them, in effect, to military execution. I know the vast superiority of your disciplined troops over the provincials; but beware how you supply the want of discipline by desperation. Instead of sending them the olive branch, you have sent the naked sword. By the olive branch, I mean a repeal of all the late laws, fruitless to you, and oppressive to them.

Ask their aid in a constitutional manner, and they will give it to the utmost of their ability. They never yet refused it, when properly required. Your Journals bear the recorded acknowledgments of the zeal with which they have contributed to the general necessities of the State. What madness is it that prompts you to attempt obtaining that by force which you may more certainly procure by requisition? They may be flattered into any thing, but they are too much like yourselves to be driven. Have some indulgence for your own likeness; respect their sturdy *English* virtue; retract your odious exertions of authority, and remember that the first step towards making them contribute to your wants, is it to reconcile them to your Government.

Mr. Solicitor General *Wedderburn*. I take this Bill to be nothing more than conveying a general security to all persons whatsoever, as well as the military. It is necessary there should be a reform of the laws, and a proper security under such magisterial authority. The *Americans* do not attack the law, otherwise than attacking the Legislature that made it. It is not this nor that law that is particularly disagreeable to them; they say, no laws shall be put in force there: you say, all laws shall. A singular case may happen of not meeting with that fair trial which is expected; this Bill will be a remedy for it; it is a temporary relief for the limited space of three years. They have, in that country, an unwillingness to obey all Magistrates, who have authority from this country, acting under its laws; nay, they even dispute the commission, and may not allow the appointment; a trial, in such a case, would certainly be doubtful. The revenue law gives the power of trial in another country; this case is a direct precedent of that impartial trial at which you want to come; for if you cannot have it in one county, you must remove and try to find it in another. No man will deny me the doctrine, that such fair trial ought and must be had. It is now no longer a question of expediency, it is a question of necessity; and it will be found necessary, at all events to break into their charters, if you mean to produce that subordination which you are seeking; but I hope, and firmly wish, that even the idea of your authority being known to them, will at once prevent the exertion of it. I agree with the honorable gentleman, that the olive branch ought to go in one hand, but the sword should be carried in the other. Peace will be established upon proper principles, when there is a power to enforce it; and your authority once established, I would then drop the point of the sword, and make use of the olive branch, as far and as much as possible. I could very easily tell the colour of all which has already happened in *America*, and the ground from which it arose; but I stop short, hoping that when they see and know that you have both courage and firmness to proceed in your plan, it will prevent even the exertion of this necessary measure. I would not have them be too confident in our weakness and irresolution, but adopt the measure of reformation, as arising and occasioned by our firmness and courage in the exertion of those powers which are entrusted to us for the preservation of the peace of our Colonies.

Captain *Phipps*. I commend much, and am glad to hear of, the appointment of General *Gage*. I think his abilities and knowledge of the People of that country will sufficiently ensure to him their affections, and be a means of inducing them to obey those measures which are to be executed under his direction; and as much approve of the removal of one of the worst, one of the most exceptionable servants the Crown ever had, I mean Governor *Hutchinson*. I wish to see the Bill before us without the trial by Jury, for I always apprehended that the advantage of such trial was from the vicinage, and by men who knew the circumstances, as well as the characters of the offenders; nor do I wish to see men sent to *England* to be tried. These men in *America* are all brought up to mercantile business, and I do not know any recompense or satisfaction whatever that can be made to a man for the loss of his time in coming here and going back. I wish much for unanimity, because I think it would add a chief support to our measures; but I think it impossible to send a man from *America* to be tried here, when we are three thousand miles asunder. It would be better that *America* and *England* were separated entirely, than to offer to bring men here to be tried. I wish this Bill to go on without that trial by Jury. I wish much also the removal of Governor *Bernard*, because he was the first man who opposed a revenue law. He did it upon the same principle as a smuggler does, because he would lose by it. If this Bill goes on in its present form, it will extort from me that opinion in my vote of affirmative, which I am unwilling to give.

Mr. *T. Townshend*. I cannot, Sir, agree with my honorable friend, in approving of the removal of Governor *Hutchinson*. The Bill is one of those measures to which I can easily give my consent as, I think, it contains a security that the lives of innocent men may be safe. I approve much of the appointment of General *Gage*; and as I do not find that the troops are with him, I must express a wish that they may be able to arrive time enough to prevent a riot, sooner than to quell one, and to let *America* see we do not want to quarrel with them upon mere punctilio; do not let us, for God's sake, when we have asserted our authority to all that we wish to do, and enforced that obedience, continue that little paltry duty upon tea; let us, then, nobly lay aside those little, teazing, irritating measures,

Digitized by Google

having once gained the grand point of peace and submission to our laws.

Mr. *Dowdeswell.* I am the last man to entertain prejudices against Juries. I revere and honour the institution. I rejoice also that Governor *Hutchinson* is removed, because he has not acted as he ought to do, either towards this country or *America.*

Lord *Carmarthen.* I do not mean, Sir, to trouble the House long, but I hope I am justified, by the importance of the question, in delivering my sentiments. *Great Britain* neither can nor ought to sit silent, and behold the riots and disturbances that have been committed in *America;* committed, I say, by a People sent out from this country, as it were from our own bowels; to see these men disobey the laws and precepts of *Great Britain*, and to sit tamely, and take no notice, would be insipid conduct, highly unworthy the *British* Legislature. For what purpose were they suffered to go to that country, unless the profit of their labour should return to their masters here? I think the policy of colonization is highly culpable, if the advantages of it should not redound to the interests of *Great Britain.* I cannot see this Act in any other light, than as giving that same degree of relief to every subject in *America*, in the same manner as it gives protection and security to the military; I shall therefore give it my affirmative, and hope, upon some future day, to express my further sentiments upon that part relating to the trial by Juries.

Lord *North.* I rise once more to wipe off the aspersion that has been thrown upon Governor *Hutchinson*, and I am much surprised to find that it was the sentiment of even one gentleman in this House, that the removal of Governor *Hutchinson* was considered as part of the merit of this measure. I do not know a man who has a greater share of merit; nor did I ever hear any charge brought against him. He was shamefully abandoned in the execution of his duty, by those who ought to have supported him. Governor *Hutchinson* had before this affair desired and obtained leave to come home. A ship is now arrived at *Bristol*, in which he had taken a passage, but as the government of the Province, in those disturbed times, would have fallen into the hands of the Council in his absence, in case of the death of the Lieutenant Governor, who was then very ill, he chose rather to adhere to his duty, and stay in that country, to endeavour to quiet those alarming disturbances. This surely, Sir, was acting the part of a faithful servant of the Crown; I would only tell the House that Governor *Hutchinson* is not recalled home upon account of any misconduct; and that he is not here at present is certainly a mark of his duty, and deserves the thanks of this Assembly.

Captain *Phipps* rose to explain, and said, that he did not blame Governor *Hutchinson* for his conduct without reason, which he would give to the House; he thought him culpable upon two occasions, the one for suffering his son to be appointed a consignee of the tea, and the other for setting at defiance the Assembly. I think him also highly blameable (says he) for not acting without his Council. Here seems to be in him a pretended mildness, and a determined prepossession of irritation.

General *Conway.* We ought not, Sir, I think to dive into People's characters; the more important business requires our serious consideration; the measure that is now before you is full of difficulties; it has given a serious turn to his Majesty's Ministers; and this Bill is the produce of many laboured hours, which we may felicitate ourselves upon. I shall not give my opinion now. I am for this plan, and for giving it its due consideration, though I am apt to think that this measure will have no other tendency than a distrust of the *Americans.* I am a friend to *America.* There must be a kind of connection with *Great Britain*, which is necessary for the carrying on the measures of Government. Let us preserve temper in our proceedings. The *Americans* have obeyed the laws, except that of taxation; and I should be glad to hear how this olive branch, that is so much talked of, is to go out. Nothing less than non-taxation, in my opinion, can be the olive branch; if the system of taxation is to be maintained, I am sure it will give trouble enough; but if his Majesty's Ministers have the least thoughts of putting an end to the taxation, let them adopt it now at once, and it will put an end to every thing.

Mr. *Van.* I do not rise to give the House much trouble, but just to make one observation upon what an honorable gentleman has said; that if we will not tax that country, they will return to their duty. I do most heartily agree with him; I believe they will; but if they oppose the measures of Government that are now sent out, I would do as was done of old, in the time of ancient *Britons*, I would burn and set fire to all their woods, and leave their country open, to prevent that protection they now have; and if we are likely to lose that country, I think it better lost by our own soldiers, than wrested from us by our rebellious children.

Lord *North's* motion was then agreed to, and the Committee rose.

Sir *Charles Whitworth* reported from the Committee, that he was directed by the Committee, to move the House, that leave be given to bring in a Bill, for the Impartial Administration of Justice, in the cases of persons questioned for any acts done by them in the execution of the law, or for the suppression of riots and tumults, in the Province of *Massachusetts Bay*, in the Province of *New England:*

Ordered, That leave be granted to bring in the Bill; and that Sir *Charles Whitworth*, the Lord *North*, Mr. *Attorney General*, and Mr. *Solicitor General*, do prepare, and bring in the same.

THURSDAY, *April* 21, 1774.

Immediately after presenting the Papers this day, [*See folio* 70.]

The Lord *North* presented to the House, according to order, the Bill:

And the same was read the first time, upon which,

Mr. *Sawbridge* arose, saying, Sir, I am astonished at the noble Lord's proceeding, in bringing in a Bill of the utmost consequence, at a time when there is so thin a House. [There were only forty-one members.] It is an improper time; it is taking us by surprise; it is cowardly. But, Sir, I should think myself highly unworthy a seat in this Assembly, were I to suffer so pernicious a Bill to pass in any stage, without giving my hearty negative to it. I will oppose it every time I have an opportunity, although I do not imagine I shall be much attended to. This is a Bill, Sir, of such a ridiculous and cruel nature, that I really am astonished how any person could think of making it. Does the noble Lord think that a man who chances to see a person murdered in *America*, will come over here as an evidence against the aggressor? Does the noble Lord think that any *American* would hazard a trial here, or that he would expect to have justice done him, if he was to come over? Then a person would be brought over here to be tried, and you would have evidences only on one side; but I imagine if those evidences should not be sufficient, evidence here, who never saw the transaction, would be procured, and the criminal acquitted. I plainly foresee the dangerous conseqences of this Bill; it is meant to enslave *America;* and the same Minister who means to enslave them, would, if he had an opportunity, enslave *England;* it is his aim, and what he wishes to do; but I sincerely hope the *Americans* will not admit of the execution of these destructive Bills, but nobly refuse them; if they do not, they are the most abject slaves that ever the earth produced, and nothing that the Minister can do is base enough for them.

Lord *North.* Sir, I think myself called upon to vindicate my conduct for bringing in the Bill in so thin a House. Sir, was I to know there would be few members attend? I did as I promised I would do, which was, to bring in the Bill as soon as it was ready; it was but just finished when I brought it, and I little expected to have any debate upon it in this stage: I thought, Sir, the debate would be upon the second reading; it usually is so; and I sincerely hope when this Bill is read a second time, that we shall have a very full House, and let every gentleman give his opinion upon it. I wish to have it thoroughly discussed, and if it should be found to be a bad Bill, in God's name throw it out; if found otherwise, you cannot be too unanimous in assenting to it; the more unanimity there is, the stronger effect it will have. As to its being meant to enslave *America*, I deny it, I have no such intention; it is an unpleasant, but necessary step to bring

Digitized by Google

them to a sense of their duty; that assertion has much the same truth in it as what has been before said, that the *Americans* had seen their error, and were willing to satisfy the *India* Company. Sir, there is a ship arrived, I think her name is the *Fortune*, Captain *Goreham;* she arrived in *Boston* harbour the latter end of *February*, or beginning of *March*, 1774, I cannot say which; she was loaded with tea; the inhabitants came immediately and unloaded her, and emptied the contents of her cargo into the sea. Is this, Sir, seeing their error? Is this Sir, reforming? Is this making restitution to the *India* Company? Surely no gentleman will, after this, urge any thing in their defence. The honorable gentleman has said this Bill is a pernicious one; I trust, when gentlemen come to consider it, they will see it is quite otherwise.

Sir *Thomas Frankland* rose only to acquaint the House, that he, yesterday afternoon, after the House broke up, was shewn a letter which a friend of his received from *Boston*, dated *March*, 1774, which mentioned the tea being destroyed, which was the cargo of Captain *Goreham*, as the noble Lord had mentioned.

Mr. *Byng*. Sir, I cannot help rising to oppose this Bill. I agree with my worthy friend, that it is a most pernicious Bill, and, I fear, made with no good intention. I really am surprised at the noble Lord, who said, his wish was to make their laws in *America* as near as possible to our own. Is this Bill any thing like it? No, it is quite the reverse; dragging People from one country to another to give evidence, is such a proposition as I never heard before, nor could have thought of; but, Sir, every person must know, and will allow, that the noble Lord finds his other two Bills are so defective and dangerous, that no person will venture to put them into execution; he is therefore obliged to have recourse to a third, to indemnify such persons as shall be concerned in executing his destructive project. I shall oppose this Bill every time I have an opportunity, and I trust every lover of his country will do the same. He further said, that whatever professions of candour were thrown out, he should trust to them with great caution; that for his part these attacks made abroad, seemed to be intended to prepare men's minds for measures of a similar nature to be enforced at home; and that the conduct and complexion of public measures in general wore the appearance of a systematic design of enslaving the People, as well in *Great Britain* as the Colonies.

Lord *Beauchamp*. I really am surprised, Sir, to hear an honorable gentleman say, that every person must know that the two former Bills are defective. Sir, I will venture to say the fact is otherwise; every person must allow they are necessary for the preservation of peace, and restoring the *Americans* to a sense of their duty. Does the honorable gentleman think the soldiery at *Boston* will act without they are indemnified? No; they could not. No person would execute the laws half so well, was this Bill not to pass. I think it a necessary Bill; it will make their trials by Juries like ours, which are so much approved of; and I shall give my hearty affirmative to it.

Mr. *Sawbridge*. Sir, I rise to explain to the noble Lord why I think it a pernicious Bill. I am certain, that however willing I might be to bring an offender to justice, was I to see a murder committed in *London*, my love of justice might induce me to go to any part of the country to appear as an evidence; but I assure the noble Lord I would not go over to *America* on any account, nor for any mandate that he could issue; and I believe that the noble Lord will allow, that not any sum would induce him to go over now; therefore we have the same right to imagine, that People in *America* will not come over here. I make no doubt but Government will take care to bring over evidence in support of their side, but they will not trouble themselves with evidence on the contrary; therefore all your trials will be *ex parte*, and nothing but a mockery of justice. I do not mention this as an advocate for *America*, but mention it as an *Englishman*.

The question on the second reading was then put:

Resolved, That the Bill be read a second time.

Ordered, That the said Bill be printed.

Ordered, That the said Bill be read a second time on *Monday* morning next.

MONDAY, *April* 25, 1774.

The order of the day, for the second reading of the Bill, being read,

Mr. *Dowdeswell* said, he did not mean to oppose the Bill now, but he meant to present a petition from the Agent of *America*, before the third reading; and he would then confine his debate to the injustice of preventing the parties to be heard at the Bar, on the validity of their charter. To this point only he should direct his opposition, and he meant to do it, and collect all his force against the two Bills; the one for the regulating the civil Government, and the other for the impartial administration of justice, in regard to trials, on the third reading, which was appointed for *Monday*.

Mr. *Dyson* desired leave to observe, that neither in one case or the other of the two Bills, did the House proceed as a court of justice, but in their capacity as a legislative body, regulating and controlling the deficiency of charters which had been granted by the Crown.

Lord *North* said he intended to move for commitment of the present Bill for the 29th, and for the third reading of them both on the 2d of *May*.

Mr. *Cavendish* wished to be informed from the House, whether it was the usual custom of Parliament to debate the principle of a Bill, after it had been committed?

Colonel *Barré* said, he thought the Bill deserved to be opposed in every stage on the principle on which it was framed; but on the third reading, was as proper a stage as any. He had considered with himself, and weighed in his own mind the grounds upon which this Bill was formed; and the result of his deliberation was, that it will be odious to the persons for whose benefit it is intended, by being odious to the People; and that it will be oppressive to *America* at large.

The Bill was then read the second time, and committed to a Committee of the whole House.

Resolved, That this House will, upon *Friday* morning next, resolve itself into a Committee of the whole House, upon the said Bill.

FRIDAY, *April* 29, 1774.

The order of the day being read,

The House resolved itself into a Committee of the whole on the Bill, Sir *Charles Whitworth* in the Chair;

After some time spent therein,

The Speaker resumed the Chair.

And Sir *Charles Whitworth* reported from the Committee that they had gone through the Bill, and made several amendments thereunto.

Ordered, That the Report be received on *Monday* morning next.

MONDAY, *May* 2, 1774.

A Petition from several Natives of *America*, against this Bill, and the Bill for the better Regulating the Government of the Province of *Massachusetts Bay*, in *North America*, was presented by Sir *George Savile*. [*See folio* 81.]

The order of the day, for receiving the Report of the Committee of the whole House, to whom the Bill was committed, being read,

And it being half an hour after two of the clock, on *Tuesday* morning,

Ordered, That the Report be received to-morrow morning.

WEDNESDAY, *May* 4, 1774.

Sir *Charles Whitworth*, according to order, reported from the Committee of the whole House, the Bill with the amendments, which the Committee had made; several of which were disagreed to, and the rest were, with amendments to several of them, agreed to by the House.

A clause was offered by Mr. *Wallace*, to be added to the Bill, for taking away appeals in the *Massachusetts Bay*, in cases of murder, during the continuance of the Act.

And a motion being made, that the said clause be brought up;

Mr. *Moreton* desired to know if the appeal for murder did actually exist now in the Colonies?

Digitized by Google

Governor *Johnstone* desired to know if it was to extend to the trial of those sent to *England?*

Mr. *Wallace* answered them both, by saying, he meant it should extend, in both cases, as far as the Bill purported.

[This brought on a debate concerning the appeal for murder being to be taken away in general.]

Mr. *Dunning*. Sir, I rise to support that great pillar of the constitution, the appeal for murder; and I am not satisfied that a precedent should be instituted in order to operate as an example for the taking it away in *Great Britain*, as well as the Colonies. This clause considers it now as an existing law in *America;* I cannot say that I look upon it in that light; but this is not the first time this question has been agitated in this House, and has been called and treated as a remnant of barbarism and gothicism The whole of our constitution, for aught I know, is Gothic. Is it then, the present idea to destroy every part of that Gothic constitution, and adopt a Macaroni one in its stead? If so, it is a system of ministerial despotism that is adopted here; when a political purpose is in view, things may be adopted that may tend to operate as a precedent, that may become at last prejudicial to the public welfare. I wish, Sir, that, in every step of this matter, gentlemen would be a little more cautious, as I much fear the system would soon be adopted in *England;* it is a proposition produced on a sudden; and as in its extent it may turn out dangerous, I shall dissent from it.

Mr. Solicitor General *Wedderburn*. I confess, Sir, that this part of our constitution has never appeared to me as essential; it is very much of a footing with a trial by ordeal. Till laws and society took place, there was no other method of deciding between right and wrong. There is now no law in being to prevent trial by battle; and not in very ancient times was it that the Court of Common Pleas attended in Tothill-fields to judge of the trials. None but the wife of the deceased, as a female, can appeal; and this may be compromised by a sum of money; it may be reduced into a civil suit; but by being adopted in the manner proposed in this clause, it can operate to no bad purpose; nor do I conceive that the liberty of this country will be at all in danger, as it is only for a temporary expedient.

Mr. *Edmund Burke*. I don't controvert, in an adverse line, what is advanced by the learned gentleman. There is nothing more true than that man has given up his share of the natural right of defence into that of the State, in order to be protected by it. But this is part of the whole law, which you ought not separate, or else you will soon lay the axe to the root of it in *England*. If there is an appeal for rape and robbery, you ought to have one for murder. I allow, that combat was part of this appeal; but it was superstition and barbarism to the last degree. I cannot, in any degree, consent that the common law should, in any case, be taken away from one part of his Majesty's subjects, and not from the other. But as this is a question of great magnitude, whenever it comes on with respect to *Great Britain*, I hope then humbly to offer my opinion on it.

Mr. *W. Burke*. No man has the least doubt but the learned gentleman (Mr. *Wallace*) is fully acquainted with every part of the law, ancient as well as modern; but I think, Sir, he should have brought you in a Bill to have repealed the law in *England* first; but when this great question comes on, I shall readily give my opinion on it.

Mr. *Stanley* entered deeply into the polity of our constitution, and dwelt a long time on the repeal of the law respecting appeals in general. I think it is hard, says he, that a man should be tried twice for the same offence, and when you have an advantage by knowing his secrets and defence. I apprehend that criminal laws were made to save the lives of persons, and not to destroy them; that the power of grace or pardon is constitutional, and is a very valuable and glorious prerogative in the Crown; and a trial is not complete without it. There never was an instance wherein the trial by appeal was instituted, that it was not for the sake of obtaining a sum of money; and it is part of the law that it may be reduced into such compensation, the whole being allowed to be a civil suit; but taking it in its utmost sense, it is nothing but barbarism and cruelty; and I wish to abolish it as an improper part of that code of law for which we are so much famed.

Mr. *T. Townshend*. This is a question, Sir, which has frequently been before the House, and has as often been rejected. I cannot agree to the repeal in part, unless I hear reasons given for the abolition of the whole, or at least better arguments than those I have heard, to induce me to give my opinion to abolish that part which relates to *America*.

Mr. *Cornwall*. The appeal for murder, Sir, is incorporated in the law of *England*, either as a natural or political right. Is then, Sir, the redress of a particular injury to be remedied only by a sacrifice of the lives of others? Every body knows that manslaughter is a bar to appeal. But, Sir, can it be intended as a wise, political institution, that after a trial by jury, a single individual, to satisfy his revenge, may overturn the solemn judgment and verdict of a jury? It appears to me, upon examination, to be neither a political nor a natural right, and I should be sorry to give my negative to the clause.

Mr. *Moreton*. I think the provisions of the Bill right: but I did not apprehend that the question would have been debated in this manner; nor did I think that such an extent would have been in view; so that an example in future might have been brought of this, to attack one of the greatest pillars in this constitution, the appeal for murder. If the prisoner is to be sent here, were is the use of taking the appeal away in *America?* I only wanted that you should not give a constitution of appeal for murder to the Colonies, when in my own mind I am convinced they have it not, nor is a part of their law; and as I think that they have no such power of appeal, I cannot vote for this clause.

Mr. *Phipps*. I would wish to give, Sir, to every man in *America*, the same kind of right that we enjoy ourselves; did they not carry with them all the privileges, laws, and liberties of this country? If they have a right to part of those laws, they have a right to the whole. I think the appeal for murder ought to be sacred in this country; and whatever doctrines gentlemen may imbibe from Mr. *Blackstone*, I cannot conceive them to be of that authority which ought to guide and direct us. There is not a more insidious way of gaining proselytes to his opinion than that dangerous pomp of quotations which he has practised; it conveys some of the most lurking doctrines to lead astray the minds of young men. To talk of the finger of nature pointing out law, is to me an absurdity; but I would not advise gentlemen to seek for law in the channels of these times. The rust of antiquity dims the sight of his readers; but if a man will open his eyes, he will find that the finger of nature will never point out the principle of law. The great argument which I dwell upon is, that the appeal for murder is the law of the land; I am also for preserving mercy in the Crown; I think it the brightest jewel in it; but I think that it is a blight that will destroy all our harvest if it is without controul. I cannot, Sir, give my consent to this part of the law being annihilated.

Mr. *Skynner*. We are got now upon the most important question that can come on. I think the cause does not want advocates; and therefore it might be improper for me to give my opinion; but, Sir, it is no unnatural thing, that the death of a relation should be attempted to be redressed, and that the friends of the deceased should seek for justice. The appeal for murder, Sir, is considered as a civil action, and to go on hand in hand with the criminal prosecution; and surely, Sir, there is nothing then so exceedingly savage or barbarous in it, if it may be compensated by civil action. But let us consider how this will operate in the Colonies; let us consider in what manner this action can be brought; the *Americans* cannot make use of it unless their constitution allows it: a writ must first issue out of the Court of Chancery; but as they have no such Court in that country, it cannot take its rise there. A writ of this kind can only issue when the person is in the actual custody of the Marshal. In the process which you have laid down in the Bill before us, bail is allowed to be taken for the offence; so that he never can be actually in the custody of the Marshal. Therefore, at present, as their constitution stands, I look upon the writ of an execution of appeal to be impossible there. The *Americans* will think that we are breaking into their civil rights; and I think it highly improper to introduce the appeal for murder in this in-

Digitized by Google

stance, as it is not necessary. But, Sir, I cannot sit down without saying a few words in defence of that able person alluded to, now a great Magistrate, who has thought there is something in our constitution worth preserving. And sorry I am to hear that great and able writer has received any reproach or admonition in this Senate; and I believe the honorable gentlemen (Captain *Phipps*) is singular in his opinion upon this head; and I am glad to find there are no strangers in the gallery,* for his own sake, to hear what he said. But, Sir, I am of a different opinion from that honorable gentlemen; and I dare say the House will agree with me when I think that book one of the best that ever was written upon the laws of this constitution, and will do more honor to himself and this country than any that ever yet appeared; and I am sorry to hear him reproached even by an individual, when I am sure the greatest honor will redound to this country from that able performance.

Sir *Richard Sutton*. Sir, I do not think that the appeal for murder ought to be partially taken away; if you take it away from any part of the Dominions, you should take it from the whole. I am much against the measure, because I think it vindictive and cruel.

Mr. *Charles Fox*. I am for taking away the appeal for murder entirely, but I am not for taking it away in part. If the appeal is allowed, you take away the power of pardoning in the Crown. I look upon the power of pardon as much a right in the subject to claim, as part of the trial. Suppose a criminal should be tried and convicted, and he should appear to be out of his senses, in this case he is certainly not to be hanged, the pardon being the only mode of saving his life. Appeal for murder is the only instance in our laws in which satisfaction is allowed to the injured by the blood of another, as it may be compensated by a sum of money. I shall vote against this clause, because I think the *Americans* have a right to the same laws as we have.

Captain *Phipps* rose to explain himself with regard to Mr. *Blackstone*, and said, however he might have represented his performance, he was glad to find it was so well defended by the warmth of friendship; that he had heard, and was sorry to hear, that book had undergone some regulations with regard to its eligibility, which he hoped was not true. He sat down rather chagrined to find his opinion with regard to that work was singular.

Sir *George Savile*. Sir, the appetite of revenge is, like that of hunger, never to be satisfied. There are certain rights which we bring into society which we give up for the good of the whole; the passion of revenge seems to be under that description; and in this instance only the blood of another may be compensated by civil action. But I will not contend that to be a civil suit which ends in hanging, which the appeal for murder does when not compensated for; but it is necessary that men should give up certain rights which they enjoy for the good of society at large. I would wish a fair and impartial trial to be secured, which I think is already done in the Colonies without meddling with the appeal for murder.

Mr. *Skynner*. Sir, I only rise to explain, that the appeal for murder may be reduced to a civil action; that there also lies an appeal in robbery and rape; and if the woman who had been injured, when the man was under the gallows to be hanged, should marry him, he would, by the ancient law, be saved, because all her civil right would be vested in her husband by that act, and therefore compensated for as such: by that act she vests those civil rights, which he had deprived her of, in him as her husband.

Mr. *Wallace* then, with leave of the House, withdrew the motion.

Mr. *R. Fuller*. Sir, I am the more convinced by what I have heard to day, that the whole law relative to the appeal for murder, ought to be repealed. I will therefore give notice, on some future day, when I shall make the motion.

Mr. *Dunning* desired to know whether his learned friend (Mr. *Wallace*) had made any provision against a faulty indictment.

Mr. *Wallace* said, he had not, as he did not think it necessary; that if the prisoner returned, he might there be indicted again.

Mr. *Dunning* said, so, then, it is intended that the prisoner may go over again if he chooses.

Mr. *Wallace* then offered a clause to limit the continuance of the Act to three years, from the first day of *June*, next; which was agreed to.

Ordered, That the Bill, with the amendments, be engrossed.

A motion was made, and the question put, that such a number of copies of the Bill, with the amendments, be printed, as shall be sufficient for the use of the members of the House?

It passed in the Negative.

Ordered, That the Bill be read the third time, upon *Friday* morning next, if the said Bill shall be then engrossed.

FRIDAY, *May* 6, 1774.

The order of the day, for the third reading of the Bill, being read:

Mr. *Dempster*. I do not apprehend, Sir, that the Bill before you is at all adequate to the purpose intended; nor do I think that experience warrants the assertion, that a fair trial cannot be had in the Colonies. Surely, Sir, the bringing men over to *England* to be tried, is not only a direct breach of their constitution, but is a deprivation of the right of every *British* subject in *America*. I should have thought that a power of reprieve, lodged in the Governor, after conviction, would have been fully sufficient, without bringing men to *England*. Whenever murder is committed, it must inevitably go off with impunity; for whenever any person present shall find he is to go over the *Atlantic* as an evidence, to the detriment of his family and his fortune, there is no doubt but that he will evade the necessity of his appearance as an evidence. This, Sir, will be a means of subjecting the People of that country to assassination, in the room of legal trial; and the invariable consequence has always been, that when a fair trial cannot be procured, the revenge of the relations of the deceased will exercise itself in this kind of cruel assassination. I, perhaps, Sir, may be wrong in my ideas; but I have looked into the history of that country with care and circumspection, and it has inspired me with the highest veneration for those who were the first settlers; they emigrated when that Star Chamber doctrine was practised in this country. Oppressed as they thought themselves by the mother country, by the cruelty of those arbitrary laws, sooner than suffer themselves to be oppressed by tyranny, they choose rather to combat with tygers and Indians in *America*, than live in a place where oppression and tyranny ruled. It it no new thing, Sir, that they have refused to comply with the payment of taxes demanded from this country; this exemption is a very old demand of theirs, and supported by their charter. Imprisonment of two persons, who held this kind of doctrine, was made in the time of Sir *Edmund Andrews*, who was then Governor; and the *Americans* passed a law, declaring that this country had no right to tax; it is true, when that law came over here, it was rejected. Let gentlemen consider, that if we tax *America* at this present period, her trade and every thing else will decline. I think that *Boston* has the most merit with this country of any place I know; she is a most valuable ally, or a subordinate Colony; take it in either sense, her possession is inestimable; but I really fear very much, that the *Americans* are to be thus treated without the parties being heard. I do not like to see public liberty and the rights of persons infringed. There are two articles in this Bill, which I cannot blame the *Americans* for resisting; I mean that of the Council and the Judges being chosen by the Crown: the ancient way which their charter directed of chosing their Council, was far more eligible; they were men at a certain age, to which experience generally adds wisdom, that were elected Council; but this is a new system, that carries with it neither experience nor wisdom; and I think the change unnecessary, though not oppressive. I think the office of Sheriff is more oppressive, because he is an engine of power in the hands of the Governor; nor do I approve of taking away the town meetings; there is but one precedent of this kind to be found in history; but I could wish, on the present occasion, that a second had not been made. [He concluded

* The standing order, for the exclusion of strangers, was strictly enforced during the progress of the three bills relating to the Disturbances in *America*.

Digitized by Google

in praise of the character of Dr. *Franklin*, whom he called the ornament of human nature; and said he thought him highly praise-worthy, for those very acts for which he had been so much blamed.]

Mr. *Grey*. I think this House and the nation at large, owe their best thanks to the noble Lord who has brought forward this business; and I must allow, that nothing but necessity, in urgent cases like these, warrants a deviation from the constitution; the law should not be invaded on every frivolous pretence, but this requires the serious attention of the whole Legislature. It would be cruel to the last degree, when your subjects are employed in preserving the peace, not to give them the utmost security in the execution of their duty. But let me ask, Sir, in what situation will that Navy and Army be, that has no protection for the execution of the laws which you have vested in their hands? Will you leave them a sacrifice to the rapacity of the revengeful dispositions of the relations of those unhappy men who may fall by their hands, in the execution of their duty? I cannot think this Act will operate in any shape to the detriment of the People, if they return to their duty; if that is the case; if they do return, and be obedient, the Act will be a waste piece of paper; but the trial of persons in *England* will seldom take place, I apprehend, as nothing but the most absolute necessity will drive the Governor to have recourse to the Act.

Mr. *Paulet* observed, that nothing was ever more just than the measure proposed in the Bill before the House; that it was the most cruel thing to let a man lie even one hour in prison, in expectation of being tried by a Jury whose minds were biased; but for the sake of justice, a voyage across the *Atlantic* would surely be thought, on such an account, an undertaking not pregnant with much danger.

Mr. *Sawbridge*. I hope, Sir, the House will hear me a few words, as it is the last opportunity I shall have. The opposition I have given to these measures, does not proceed from a settled disposition against Administration, nor do I do it for the sake of popularity; it is for the love of that liberty which I have always been strengthened in, and bred up by education. I had rather bear the badge of the parish, than that of apostacy. It has been urged in debate, that this country has a right to pursue those measures adopted in the Bill, and that necessity is the ground and argument which urges it on; but pray, Sir, let me ask, who is to be the judge of that necessity? A nation, surely, cannot be called a free nation, where another has a right to draw money out of their pockets; but I cannot understand how any one can agree with these measures, and deny the right of taxation. If you exercise an authority which does not belong to you, or if you force an illegal authority, they have a right to resist. I do not see any necessity for bringing over the People to be tried by a Jury in *England;* I think the Crown should have lodged a power in the Governor to pardon, and I should have thought it the brightest jewel in it on this occasion. You say, that the Governor is to use his discretion with regard to their having a fair trial; but by this Bill the Governor, I say, is not the judge of that, for it must be upon the oath of a witness; he must believe that witness, and no discretion is left in the Governor. No man will become a voluntary evidence on such an occasion; he will sooner fly from that situation, than be transported to *England*. By that means justice will be evaded, as evidence cannot be had, and the People will soon take upon themselves to revenge their own injuries.

Colonel *Barré*. Sir, I think it criminal to sit still upon the final decision of this question, as I cannot, in any shape, approve of this measure. I think the persons whom you employ to execute your laws, might have been protected in the execution of their duty in a less exceptionable manner than that Bill proposes. Your Army, Sir, in that country, has the casting voice; and it is dangerous to put any more power into their hands. Consider, Sir, how long they will be content with 4*d*. per day; I am afraid not long. You have had one meeting already, you may soon have another; the People of *America* will receive these regulations as edicts from an arbitrary Government. The heaviest offence they have been guilty of is, that they have resisted that law which bears such an arbitrary cast. I want to know if we in this country had not resisted such arbitrary laws in certain ancient times, whether we should have existed as a House of Commons here this day? I object much against the doctrine which I have heard laid down, that the particular exigency of the case countenanced the measure. I do not apprehend the *Americans* will abandon their principles; for if they submit, they are slaves: I therefore execrate the present measure, in the manner proposed.

The Bill was then read the third time.

Mr. *Pulteney*. Sir, I will comprise in a few words what I have to say: I do not apprehend that the Legislature can tax a particular county, without shewing some degree of partiality to others, nor can they justly do it. I think the principles of this Bill may be tolerably equitable, and I do believe it will produce a fair trial; but as there are some defects in the form in which it now stands, with regard to the errors and flaws that may be in an indictment I will offer a clause, by way of rider, to give power to a Jury in *England* to find a Bill of indictment, in order to correct such a deficiency.

Mr. *Pulteney*, then offered the following clause, which was thrice read, and agreed to by the House, to be made part of the Bill, by way of rider:

"That in case, on account of any error or defect in any "indictment, which, in virtue or under the authority of this "Act, shall be transmitted to any other Colony, or to "*Great Britain*, the same shall be quashed, or judgment "thereon arrested, or such indictment judged bad upon "demurrer, it shall and may be lawful to prefer a new in-"dictment or indictments against the person or persons "accused in the said Colony, to which such indictment, so "quashed or adjudged bad, shall have been transmitted, or "before the Grand Jury of any county in *Great Britain*, "in case such former indictment shall have been transmit-"ted to *Great Britain*, in the same manner as could be "done in case the party accused should return to the "place where the offence was committed; and the Grand "Jury and Petty Jury of such other Colony or county in "*Great Britain* shall have power to find and proceed "upon such indictment or indictments, in the same manner "as if the offence, by such indictment or indictments "charged, had been committed within the limits of the "Colony or county for which such Juries shall respective-"ly be empannelled to serve."

Various other amendments were agreed to by the House, and the Bill was amended at the table accordingly.

Mr. *Fuller*. Sir, I will now take my leave of the whole plan, and will give you my free opinion of it: you will commence your ruin from this day, if you do not repeal the tax which has created all this disturbance; you will have no degree of confidence with the *Americans;* People will not trust you when your credit is gone; you may, I say, date your ruin from this day; and, I am sorry to say, that not only this House has fallen into that error, but that the People of this country approve of the measure. I find the People wish for the measure proposed in this Bill, as much as the majority here: it is not all owing to the junto of a ministry that these measures are taken; it is the People at large who, I am sorry to say, are misled: they are in an error, but a short time will prove the evil tendency of this Bill. I think the present Bill bears the least injury of any of the three; but if ever there was a nation running headlong to its ruin, it is this.

Mr. *H. Cavendish*. Sir, I am very glad to hear that there is a majority in this House for these measures; but am much better pleased that the country in general approve of them in as high a degree.

The question then being put, that the Bill do Pass? the House divided;

Yeas 127; Nays 24.

So it was resolved in the Affirmative.

Ordered, That Mr. *Cooper* do carry the Bill to the Lords, and desire their concurrence.

HOUSE OF LORDS.

MONDAY, *May* 9, 1774.

A Message was brought from the House of Commons by Mr. *Cooper* and others:

With a Bill intituled "An Act for the Impartial Ad-"ministration of Justice in the cases of persons questioned "for any acts done by them in the execution of the law,

Digitized by Google

"or for the suppression of riots and tumults in the Province "of *Massachusetts Bay*, in *New England*;" to which they desire the concurrence of the House;

And the said Bill was read the first time.

Ordered, That the Bill be read a second time on *Wednesday* next; and that the Lords be summoned.

Ordered, That the Bill be printed.

FRIDAY, *May* 13, 1774.

The order of the day being read, the Bill was accordingly read the second time, and committed to a Committee of the whole House.

Ordered, That the House be put into a Committee upon the said Bill on *Monday* next.

MONDAY, *May* 16, 1774.

The House, according to order, was adjourned during pleasure, and put into a Committee upon the Bill.

After some time the House was resumed:

And Lord *Boston* reported from the Committee, that they had gone through the Bill, and directed him to report the same to the House, without any amendment.

Ordered, That the said Bill be read a third time, on *Wednesday* next; and that the Lords be summoned.

TUESDAY, *May* 17, 1774.

The Earl of *Dartmouth* (by his Majesty's command,) laid before the House more Papers relating to the disturbances at *Boston*, together with a list thereof; which was read by the Clerk, as follows:

No. 1. Copy of a Letter from Governor *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 9th *March*, 1774; received 13th of *May*, enclosing,

No. 2. Extracts from the *Boston Gazette*.

No. 3. Copy of a Letter from Governor *Hutchinson* to the Earl of *Dartmouth*, dated *Boston*, 21st *March*, 1774, received 13th of *May*, enclosing,

No. 4. Copy of the Resolution of the House of Representatives, concurred in by the Council.

No. 5. Copy of a Message from the House of Representatives to Governor *Hutchinson*.

No. 6. Copy of Governor *Hutchinson's* Message to the House of Representatives.

And the titles thereof being read by the Clerk,

Ordered, That the said Papers do lie on the table.

WEDNESDAY, *May* 18, 1774.

The order of the day being read, the Bill was accordingly read the third time.

Upon reading the Petition of *William Bollan*, Esq., Agent for the Council of his Majesty's Province of *Massachusetts Bay*, in *New England*, taking notice of a Bill depending in this House, intituled, "An Act for the Impar-"tial Administration of Justice, in the cases of persons ques-"tioned for any acts done by them in the execution of the "law, or for the suppression of riots and tumults in the Pro-"vince of *Massachusetts Bay*, in *New England*;" and praying this right honorable House, "That the same may not "pass into a law; and that he may be heard by their Lord-"ships in support of his Petition,"

It is *Ordered*, That the said Petition do lie on the table.

Moved, That Mr. *Bollan* be called in, and heard at the Bar.

Which being objected to;

After debate,

The question was put thereupon? It was resolved in the Negative.

Then it was *moved* "That the Bill do Pass?"

Which being objected to;—

A debate ensued.

It was opened by the Earl of *Buckinghampshire*, who confessed this to be the most exceptionable of the *American* measures, but thought it was excused by necessity.

He was answered by Lord *Shelburne*, who spoke with great ability, spirit, and knowledge, of the subject.

The Lords *Denbigh*, *Sandwich*, and the Lord *Chancellor*, were the chief supporters of the Bill.

The Duke of *Manchester* spoke with that grace of manner and elegance of language which so peculiarly distinguish him.

The Marquis of *Rockingham* spoke late in the debate. His speech lasted near three quarters of an hour; and never was more attention given to a speaker on any occasion. He spoke with all the weight and authority of an able statesman, and all the feeling of a patriot, deeply concerned for the interest of his country. He entered fully into the civil policy which had originally given rise to the disturbances in *America*, and had in consequence produced bills and regulations so ill calculated to allay them. He took post upon the measure of his own administration, the repeal of the Stamp Act, on which he argued with great force. He insisted that that repeal was no more than a return to the ancient policy of *Great Britain*, from which the tax had been a deviation. He then stated the new taxes laid on after his removal from office, as originating from no plan or policy whatsoever, but merely as the result of pique and passion; that they were in effect confessed to be so, because they were afterwards repealed for the greater part, as being laid by the avowal of Administration itself, in contradiction to all the principles of commerce.—That the Tea Duty, equally uncommercial and unproductive, was left as a pepper-corn, merely for the sake of contest with *America*, as the Ministry had likewise avowed. He censured very severely the doctrine of taxing for the sole purpose of exercising an invidious right, and insisted that taxes ought to be for the real purpose of supporting Government, and not purely to irritate and stir up dangerous questions. That the Stamp Act was a great object, and might have produced in time considerable revenues; but to risk the whole trade of *England*, and the affections of the *Americans*, in a quarrel with the Colonies for pepper-corns, he thought a very unwise proceeding. After this, he entered into the particulars of the Bill, and, among other things, in answer to the difficulties asserted to be laid on officers without such protection as was given by this Bill, he said that he thought the condition of men of honor and sensibility to be far worse under this Bill; for that no acquittal could be honorable, where the prosecutor had not the usual means of securing a fair trial. He concluded with a very emphatical recommendation of temper, as necessary in all things, but particularly in measures of this nature, and in subjects of so much delicacy: his own remarkable calmness and steadiness of mind, gave additional force to this part of his speech.

The Duke of *Richmond* spoke last in the debate, and with his usual spirit, pointed his answer chiefly to what fell from the Chancellor and Lord *Sandwich*: he concluded with recommending to the perusal of the House, a pamphlet, called "Considerations on the Measures carrying on "against *America*," and the Bishop of St. *Asaph's* Sermon, preached 1773, before the Society for propagating the Gospel, as containing the soundest doctrines and the best policy.

After long debate,*

The question was put, "Whether this Bill shall Pass?"

It was resolved in the Affirmative: Contents, 43. Non-Contents, 12.

Dissentient.

1st. Because no evidence whatsoever has been laid before the House tending to prove that persons acting in support of public authority, and indicted for murder, cannot receive a fair trial within the Province; which is the object of this Bill. On the contrary, it has happened that an officer of the Army, charged with murder, has there received a fair and equitable trial, and been acquitted. This fact has happened even since the commencement of the present unhappy dissentions.

2dly. Because, after the proscription of the port of *Boston*, the disfranchisement of the Colony of *Massachusetts Bay*, and the variety of provisions which have been made in this session for new modelling the whole polity and judicature of that Province, this Bill is an humiliating confession of the weakness and inefficacy of all the proceedings of Parliament. By supposing that it may be impracticable by any means, that the public wisdom could de-

* The Bill passed the House on the 6th of *May*, and being carried up to the House of Peers, occasioned warm debates upon the same principles upon which it was discussed in the House of Commons. The Lords of the minority entered on this, as on the former Bill, a very strong Protest. Neither House was full during the debates on this Bill, as the arguments on the two latter Bills, had been all along very much blended; and the parties had tried their strength by division on the Bill for altering the *Massachusetts* Charter. On both questions, however, the numbers of the minority had all along continued very low and disproportioned.—*Ann. Regis.*

Digitized by Google

vise, to obtain a fair trial there, for any who act under Government, the House is made virtually to acknowledge the *British* Government to be universally odious to the whole Province. By supposing the case that such trial may be equally impracticable in every other Province of *America*, Parliament does in effect admit, that its authority is, or probably may, become hateful to all the Colonies. This we apprehend is to publish to all the world, in terms the most emphatical, the little confidence the Supreme Legislature reposes in the affection of so large and so important a part of the *British* empire. If Parliament believed that any considerable number of the People in the Colonies were willing to act in support of *British* Government, it is evident that we might safely trust the persons so acting to their fellow Colonists, for a fair trial for acts done in consequence of such support. The Bill therefore amounts to a declaration that the House knows no means of retaining the Colonies in due obedience, but by an Army rendered independent of the ordinary course of law, in the place where they are employed.

3dly. Because we think, that a military force, sufficient for governing upon this plan, cannot be maintained without the inevitable ruin of the nation.

Lastly. Because this Bill seems to be one of the many experiments towards an introduction of essential innovations into the Government of this empire. The virtual indemnity provided by this Bill, for those who shall be indicted for murders committed under colour of office, can answer no other purpose. We consider that to be an indemnity which renders trial, and consequently punishment, impracticable; and trial is impracticable, when the very Governor, under whose authority acts of violence may be committed, is empowered to send the instruments of that violence to three thousand miles distance from the scene of their offence, the reach of their prosecutor, and the local evidence which may tend to their conviction. The authority given by this Bill, to compel the transportation from *America* to *Great Britain* of any number of witnesses, at the pleasure of the parties prosecuting and prosecuted, without any regard to their age, sex, health, circumstances, business, or duties, seems to us so extravagant in its principles, and so impracticable in its execution, as to confirm us further in our opinion of the spirit which animates the whole system of the present *American* regulations.

Richmond, *Portland*,
Rockingham, *Manchester*,
Leinster, *Ponsonby*,
Fitzwilliam, *Craven*.

A Message was sent to the House of Commons by the former Messengers:

To acquaint them, that the Lords have agreed to the said Bill, without any amendment.

FRIDAY, *May* 20, 1774.

His Majesty being seated on the Throne, and the Commons attending with their Speaker, the Royal assent to the Bill was pronounced by the Clerk's Assistant.

—

Anno Decimo Quarto Georgii III. Regis.

An Act for the Impartial Administration of Justice in the cases of Persons questioned for any Acts done by them in Execution of the Law, or for the Suppression of Riots and Tumults, in the Province of the Massachusetts Bay, *in* New England.

Whereas in his Majesty's Province of *Massachusetts Bay*, in *New England*, an attempt hath lately been made to throw off the authority of the Parliament of *Great Britain* over the said Province, and an actual and avowed resistance, by open force, to the execution of certain Acts of Parliament, hath been suffered to take place, uncontrouled and unpunished, in defiance of his Majesty's authority, and to the utter subversion of all lawful Government: and whereas, in the present disordered state of the said Province, it is of the utmost importance to the general welfare thereof, and to the re-establishment of lawful authority throughout the same, that neither the Magistrates acting in support of the laws, nor any of his Majesty's subjects aiding and assisting them therein, or in the suppression of riots and tumults, raised in opposition to the execution of the laws and statutes of this realm, should be discouraged from the proper discharge of their duty, by an apprehension, that in case of their being questioned for any acts done therein, they may be liable to be brought to trial for the same before persons who do not acknowledge the validity of the laws, in the execution whereof, or the authority of the Magistrate in the support of whom, such acts had been done: in order therefore to remove every such discouragement from the minds of his Majesty's subjects, and to induce them, upon all proper occasions, to exert themselves in support of the public peace of the Province, and of the authority of the King and Parliament of *Great Britain* over the same; Be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that if any inquisition or indictment shall be found, or if any appeal shall be sued or preferred against any person, for murder, or other capital offence, in the Province of the *Massachusetts Bay*, and it shall appear, by information given upon oath to the Governor, or, in his absence, to the Lieutenant Governor of the said Province, that the fact was committed by the person against whom such inquisition or indictment shall be found, or against whom such appeal shall be sued or preferred, as aforesaid, either in the execution of his duty as a Magistrate, for the suppression of riots, or in the support of the Laws of Revenue, or in acting in his duty as an Officer of Revenue, or in acting under the direction and order of any Magistrate, for the suppression of riots, or for the carrying into effect the Laws of the Revenue, or in aiding and assisting in any of the cases aforesaid; and if it shall also appear, to the satisfaction of the said Governor, or Lieutenant Governor respectively, that an indifferent trial cannot be had within the said Province, in that case, it shall and may be lawful for the Governor, or Lieutenant Governor, to direct, with the advice and consent of the Council, that the inquisition, indictment, or appeal, shall be tried in some other of his Majesty's Colonies, or in *Great Britain*; and for that purpose to order the person against whom such inquisition or indictment shall be found, or against whom such appeal shall be sued or preferred, as aforesaid, to be sent, under sufficient custody, to the place appointed for his trial, or to admit such person to bail, taking a recognizance, (which the said Governor, or in his absence, the Lieutenant Governor, is hereby authorized to take,) from such person, with sufficient sureties, to be approved of by the said Governor, or, in his absence, the Lieutenant Governor, in such sums of money as the said Governor, or, in his absence, the Lieutenant Governor, shall deem reasonable, for the personal appearance of such person, if the trial shall be appointed to be had in any other Colony, before the Governor, or Lieutenant Governor, or Commander-in-Chief of such Colony; and if the trial shall be appointed to be had in *Great Britain*, then before his Majesty's Court of King's Bench, at a time to be mentioned in such recognizances; and the Governor, or Lieutenant Governor, or Commander-in-Chief of the Colony, where such trial shall be appointed to be had, or Court of King's Bench, where the trial is appointed to be had in *Great Britain*, upon the appearance of such person, according to such recognizance, or in custody, shall either commit such person, or admit him to bail, until such trial; and which the said Governor, or Lieutenant Governor, or Commander-in-Chief, and Court of King's Bench, are hereby authorized and empowered to do.

And, to prevent a failure of justice, from the want of evidence on the trial of any such inquisition, indictment, or appeal, Be it further enacted, that the Governor, or, in his absence, the Lieutenant Governor, shall, and he is hereby authorized and required, to bind in recognizances to his Majesty all such witnesses as the prosecutor or person against whom such inquisition or indictment shall be found, or appeal sued or preferred, shall desire to attend the trial of the said inquisition, indictment, or appeal, for their personal appearance, at the time and place of such trial, to give evidence: and the said Governor, or in his absence, the Lieutenant Governor, shall thereupon appoint a reasonable sum to be allowed for the expenses of every such witness,

Digitized by Google

and shall thereupon give to each witness a certificate, in writing, under his hand and seal, that such witness has entered into a recognizance to give evidence, and specifying the sum allowed for his expenses; and the Collector and Collectors of the Customs, or one of them, within the said Province, upon the delivery of such certificate, are, and is hereby authorized and required, forthwith to pay to such witness the sum specified therein for his expenses.

And be it further enacted by the authority aforesaid, That all prosecutors and witnesses, who shall be under recognizances to appear in any of his Majesty's Colonies in *America*, or in *Great Britain*, in pursuance of this Act, shall be free from all arrests and restraints, in any action or suit to be commenced against them during their going to such Colony, or coming to *Great Britain*, and their necessary stay and abiding there, on occasion of such prosecution, and returning again to the said Province of the *Massachusetts Bay*.

And be it further enacted by the authority aforesaid, That all and every his Majesty's Justices of the Peace, and other Justices and Coroners, before whom any person shall be brought, charged with murder, or other capital crime, where it shall appear by proof, on oath, to such Justices or Coroners, that the fact was committed by such person, either in the execution of his duty as a Magistrate, for the suppression of riots, or in the support of the Laws of Revenue, or in acting in his duty as an Officer of Revenue, or in acting under the direction and order of any Magistrate, for the suppression of riots, or for the carrying into effect the Laws of Revenue, or in aiding and assisting in any of the cases aforesaid, are hereby authorized and required to admit every such person so brought before him or them, as aforesaid, to bail; any law, custom, or usage, to the contrary thereof in any wise notwithstanding.

And be it further enacted by the authority aforesaid, That where it shall be made appear to the Judges or Justices of any Court, within the said Province of *Massachusetts Bay*, by any person, against whom any inquisition or indictment shall be found, or appeal sued or preferred for murder, or other capital crime, that the fact was committed by such person, either in the execution of his duty as a Magistrate, for the suppression of riots, or in the support of the Laws of Revenue, or in acting in his duty as an Officer of Revenue, or in acting under the direction and order of any Magistrate, for the suppression of riots, or for the carrying into effect the laws of revenue, or in aiding and assisting in any of the cases aforesaid, and that he intends to make application to the Governor, or Lieutenant Governor of the said Province, that such inquisition, indictment, or appeal, may be tried in some other of his Majesty's Colonies, or in *Great Britain*, the said Judges or Justices are hereby authorized and required to adjourn or postpone the the trial of such inquisition, indictment, or appeal, for a reasonable time, and admit the person to bail, in order that he may make application to the Governor, or Lieutenant Governor, for the purpose aforesaid.

And be it further enacted, That the Governor, or in his absence, the Lieutenant Governor, if he shall direct the trial to be had in any other of his Majesty's Colonies, shall transmit the inquisition, indictment, or appeal, together with the recognizances of the witnesses, and other recognizances, under the seal of the Province, to the Governor, or Lieutenant Governor, or Commander-in-Chief, of such other Colony, who shall immediately issue a commission of Oyer and Terminer, and deliver, or cause to be delivered, the said inquisition, indictment, or appeal, with the said recognizances, to the Chief Justice, and such other persons as have usually been Commissioners of Oyer and Terminer, Justices of Assize, or General Gaol Delivery there; who shall have power to proceed upon the said inquisition, indictment, or appeal, as if the same had been returned, found, or preferred before them; and the trial shall thereupon proceed in like manner, to all intents and purposes, as if the offence had been committed in such place: and in case the Governor, or, in his absence the Lieutenant Governor, shall direct the trial to be had in *Great Britain*, he shall then transmit the inquisition, indictment, or appeal, together with the recognizances, of the witnesses, and other recognizances, under the seal of the Province, to one of his Majesty's principal Secretaries of State, who shall deliver, or cause to be delivered, the same, to the Master of the Crown Office, to be filed of record in the Court of King's Bench, and the inquisition, indictment, or appeal, shall be tried and proceeded upon, in the next term, or at such other time as the Court shall appoint, at the Bar of the Court of King's Bench, in like manner, to all intents and purposes, as if the offence had been committed in the county of *Middlesex*, or in any other county of that part of *Great Britain* called *England*, where the Court of King's Bench shall sit, or else before such Commissioners, and in such county, in that part of *Great Britain* called *England* as shall be assigned by the King's Majesty's commission, in like manner and form, to all intents and purposes, as if such offence had been committed in the same county where such inquisition, indictment, or appeal, shall be so tried.

And be it enacted by the authority aforesaid, That in case, on account of any error or defect in any indictment, which, in virtue, or under the authority of this Act, shall be transmitted to any other Colony, or to *Great Britain*, the same shall be quashed, or judgment thereon arrested, or such indictment adjudged bad on demurrer, it shall and may be lawful to prefer a new indictment or indictments against the person or persons accused in the said Colony, to which such indictment, so quashed or adjudged bad, shall have been transmitted, or before the Grand Jury of any county in *Great Britain*, in case such former indictment shall have been transmitted to *Great Britain*, in the same manner as could be done in case the party accused should return to the place where the offence was committed; and the Grand Jury and Petty Jury of such other Colony or county in *Great Britain* shall have power to find and proceed upon such indictment or indictments, in the same manner as if the offence, by such indictment or indictments charged, had been committed within the limits of the Colony or county for which such Juries shall respectively be empannelled to serve.

And be it further enacted, by the authority aforesaid, That this Act, and every clause, provision, regulation, matter, and thing, herein contained, shall commence and take effect upon the first day of *June*, one thousand seven hundred and seventy-four; and be, and continue in force, for and during the term of three years.

V. MOTION FOR REPEAL OF DUTY ON TEA.

HOUSE OF COMMONS.

FRIDAY, *April* 15, 1774.

Mr. *Rose Fuller*, gave notice that he intended to move on *Tuesday* next, for a Committee on the Tea Duty, to see whether or not it was possible to repeal the Act, laying that duty, before the Bill for the better regulating the Government of *Massachusetts Bay*, took effect.

TUESDAY, *April* 19, 1774.

Mr. *Fuller* moved, that an Act, made in the seventh year of the reign of his present Majesty, intituled, "An "Act for granting certain Duties in the *British* Colonies "and Plantations in *America*; for allowing a Drawback of "the Duties of Customs upon the exportation from this "Kingdom of coffee and cocoa nuts, of the produce of the

Digitized by Google

"said Colonies or Plantations, for discontinuing the drawbacks payable on china earthen ware exported to *America*; and for more effectually preventing the clandestine running of goods in the said Colonies and Plantations," might be read:

And the same was read accordingly.

Mr. *Fuller* then made the motion of which he had given notice:

"That this House will, upon this day sevennight, resolve itself into a Committee of the whole House, to take into consideration the Duty of three pence per pound weight, upon Tea, payable in all his Majesty's Dominions in *America*, imposed by the said Act; and also the appropriation of the said duty."

On offering it, he declared that the *Boston* Port Bill, and the other regulations, would be totally ineffectual without repealing the Tea Duty Bill. He said he was very sure that the motion would be productive of a great deal of good; and that it could not possibly do harm. He spoke much to the temper and feelings of the House; and the arguments which he used served rather to point out the former considerations which the House had had upon this question, and that the subject of taxation of *America* was no new matter. After a short opening, he concluded by making the preceding motion.

Mr. *Pennant* seconded the motion, and said, he wished much it might go to a Committee, because he thought the principle upon which the Bill was established, as set forth in the preamble, was unjust and impolitic; that it changed the nature of their constitution, and it took away the power which had always been held sacred to an *Englishman*, that of levying their own money; that it was similar to raising the ship money in King *Charles'* time; that those who condemned that measure must of course condemn this, the one being as arbitrary and unconstitutional as the other. He said, he subscribed to the supremacy of Parliament, but he thought there was a plain method for raising by requisition the money which we wanted; that the People of that country would be better able to ascertain how, and in what manner the same ought to be raised, on account of the local circumstances which might attend it. The People of *Boston* would be the first victims to our resentment; repeal this Bill, said he, and you will meet with support from the rest of the Colonies.

Mr. *Rice*. This, Sir, is a motion upon the plan of reconciliation, and there is no man would go further than myself to correct any thing that I thought would be the means of bringing about such reconciliation; but I cannot concur in any thing that endangers the supremacy of Parliament. Let us but consider the consequence of such a repeal at this present time. Whenever we have made the least concession, they have always required more; they will think that we acknowledge that we have no right, if we should repeal this law. The objection has hitherto been made on the ground of taxation. I will consider truly what that ground is; but I very much fear that they object to that controul which may be improper to take off; they submitted to external taxation; to internal, they always objected. I will take that period, then, as the fixed era for their allowing taxation, by the repeal of the Stamp Act, as an internal tax. If you repeal this Act, you will allow that you have no right. I desire to keep my stand here, and not to give up that authority which I am clear in. I wish no new taxes to take place, but I wish to keep the right and controul, which if you give up, you part with all. The interest of *America* is the interest of *Great Britain*, and I would wish to make their happiness the object, and to do that which would be satisfactory to their minds; but, in this present case, I am greatly afraid if you give up this, you will be required to give up much more.

Captain *Phipps*. I should be the last person in the House to give trouble, if the importance of this question did not urge me to it; but I cannot take the acts of the Province of *Massachusetts Bay* to be the opinion of all *America*, nor those of a few designing interested men in *Boston*, to be the disposition of the whole Province at large. I perfectly agree that the *Americans* cannot resist, and that the doctrine of supremacy is good; but I think the *Americans* have a real security in Parliament, which is, that you can do nothing that does not affect *Great Britain* equally with *America*. I will consider the present measure as an act with which they cannot comply, or, more properly they will not. In the light, then, of a mercantile tax, it is trifling and ridiculous; as a matter of revenue, it is absurd. If they cannot resist, they will find some means of avoiding it. God and nature has given them an extensive coast, and of course an opportunity of smuggling. You will injure the manufactures of this country in a very high degree; I do not mean by their non-importation agreements, but by making them prefer the manufacture which is worse than yours, from your enemies, to those of this country, which is better. May the right long remain in the expediency of not exercising it! I would only have it called for at particular times, when the emergency of affairs requires it, and when the whole of *Great Britain* and *America* are to receive equal benefit; but if you exercise that right when you have no occasion or urgent reason for raising a revenue, you will throw the quiet man of that country into the factious man. But how can you expect an obedience of that country, when the emoluments of it are taken from them to supply the luxuries of men who live in this? The Province of *Virginia*, before Lord *Botetourt* was made Governor, was annually plundered of £5,000 per annum, by the non-residence of former Governors. I knew a person in that country who held eleven offices, the emoluments of which were appropriated to the support of men of bad description in this. I approved much of the Stamp Act, as a necessary measure to destroy that nest of small petty-fogging attorneys, whose business it was to create disturbances and law suits, and live by the plunder. There is a wide difference between giving up a right and exercising it, but I cannot see that Parliament in fact gives up that right, when they say it is not expedient to exercise it. I therefore wish much for the repeal of this Act, which I think you will one day or other be forced to do.

Mr. *Stephen Fox*. I rise, Sir, much in favour of the motion on your table; and I think the only reason that has been urged against it, is, that *America* cannot resist. Do not, Sir, let us exercise such a conduct merely to show our power. I am far from saying we ought not to exert this power upon proper occasions, but to make use of it by way of irritation, is to me the highest ill policy, as well as absurdity; I shall therefore give my hearty affirmative to the motion.

Mr. *Cornwall*. I wish gentlemen would take into consideration the justice of their former proceedings, and the policy and expediency which the present times require and occasion. I do not love entering into the long debates which have formerly happened upon this business; I think it wrong, and wish only to pursue the present expediency of the measure. The proposition which we are now called upon to decide, is simply this: Whether the whole of our authority over the *Americans* shall be taken away? It has been said we have irritated the *Americans* by taxes that are neither for the purpose of revenue, nor for commercial regulations. That tax will be found to produce much more than gentlemen think; and however little it may produce, the taking it off at this time would be both impolitic and imprudent. Much has also been said about gaining the affections of the *Americans*. If this were a new question, I should think the gaining of their affections is worth a thousand times the produce of the Tea Duty. It is true, Sir, that *England* is loaded with a debt of a very considerable amount, on account of the last *American* war; and it is but just and right that they should bear their proportion of expense. Gentlemen say, that the proposition should have been made to them by way of requisition. If I saw or apprehended the least inclination from them to assist us in any other mode as to taxation, I would readily give up this particular tax; but has any one offered any thing on this head? Has any person been authorized to treat; or any ambassador sent on that occasion? I would meet them half way in this proposition. It has been said, that all their labours are centered in this country, and that we should injure ourselves by laying this tax. I look upon the interest of this country to be so nearly connected with that, that our own actions will be the guide of their security. *America* does not meet you on the mode of taxation, but upon the question of right; and, for my part, I cannot comprehend the distinction between internal and external taxation. You repealed the Stamp

Digitized by Google

Act: did *America* then receive this boon of repeal cheerfully? Disturbances have been fomenting and growing ever since. Some few years past you repealed three or four of these taxes; I wish much the debate on this question had then been agitated. The question now is, whether it is prudent to repeal this tax at this critical juncture? The *Americans* say, restore us to the same situation we were in before the Stamp Act passed. Suppose we do, we put them in a worse situation than they are now in. The consumer of a pound of tea before that Act took place paid twelve-pence, by this Act he pays only three-pence, the consumer therefore certainly gains nine-pence by every pound he uses. This tax upon tea is certainly not uncommercial, because tea is much cheaper now than before; and therefore I think it cannot have any aspect of grievance as a commercial tax. What, then, are we to expect, if we shew such a pusillanimous timidity in repealing this tax, merely because they object to it? On the question of right, they will certainly consider us in a more contemptuous light than they ever yet did. Let me ask what answer will they give, when, after this, the *Americans* shall voluntarily apply to repeal the duty on wine, &c.? The same principle that operates for the repeal of this, will go to that. I do not see what answer you can give, nor where the complaint is likely to stop, until you have given up the whole, and, by that means, *America* itself. If you persist in the measures you have begun with, I think there is not a doubt of your succeeding, and of becoming, if I may use the word, victorious; but I would have this victory obtained by a firm, consistent, just, and manly conduct. I do not see what line of discrimination you can draw; for many parts of *America* have, in a measure, disobeyed the precepts of this country, and behaved much in the same manner as *Boston*. It has been said, and it is a doctrine I readily agree to, that you ought to twine the olive branch round the sword; but if, Sir, they will return to their duty as they ought to do, the sword will have no edge. Let us not give way to false conceits, or factious proceedings; be calm, and persist in a just conduct. Deep as our debt is on account of *America*, you will be deprived of a fourth part of the revenue, in the day when the system of taxation will be found necessary for carrying on the supplies of war, and the exigencies of Government; and when business must be stopt, without some resource of supply, there will not then be found two voices about taxing *America*.

Mr. *Edmund Burke*. Sir, I agree with the honorable gentleman who spoke last, that this subject is not new in this House. Very disagreeably to this House, very unfortunately to this nation, and to the peace and prosperity of this whole empire, no topic has been more familiar to us. For nine long years, session after session, we have been lashed round and round this miserable circle of occasional arguments and temporary expedients. I am sure our heads must turn, and our stomachs nauseate with them. We have had them in every shape; we have looked at them in every point of view. Invention is exhausted; reason is fatigued; experience has given judgment; but obstinacy is not yet conquered.

The honorable gentleman has made one endeavour more to diversify the form of this disgusting argument. He has thrown out a speech composed almost entirely of challenges. Challenges are serious things; and as he is a man of prudence as well as resolution, I dare say he has very well weighed those challenges before he delivered them. I had long the happiness to sit at the same side of the House, and to agree with the honorable gentleman on all the *American* questions. My sentiments, I am sure, are well known to him; and I thought I had been perfectly acquainted with his. Though I find myself mistaken, he will still permit me to use the privilege of an old friendship; he will permit me to apply myself to the House under the sanction of his authority; and, on the various grounds he has measured out, to submit to you the poor opinions which I have formed, upon a matter of importance enough to demand the fullest consideration I could bestow upon it.

He has stated to the House two grounds of deliberation; one narrow and simple, and merely confined to the question on your paper; the other more large and more complicated; comprehending the whole series of the Parliamentary proceedings with regard to *America*, their causes, and their consequences. With regard to the latter ground, he states it as useless, and thinks it may be even dangerous, to enter into so extensive a field of inquiry. Yet, to my surprise, he had hardly laid down this restrictive proposition, to which his authority would have given so much weight, when directly, and with the same authority, he condemns it, and declares it absolutely necessary to enter into the most ample historical detail. His zeal has thrown him a little out of his usual accuracy. In this perplexity what shall we do, Sir, who are willing to submit to the law he gives us? He has reprobated in one part of his speech the rule he had laid down for debate in the other; and, after narrowing the ground for all those who are to speak after him, he takes an excursion himself, as unbounded as the subject and the extent of his great abilities.

Sir, when I cannot obey all his laws, I will do the best I can. I will endeavour to obey such of them as have the sanction of his example, and to stick to that rule which, though not consistent with the other, is the most rational. He was certainly in the right when he took the matter largely. I cannot prevail on myself to agree with him in his censure of his own conduct. It is not, he will give me leave to say, either useless or dangerous. He asserts, that retrospect is not wise; and the proper, the only proper, subject of inquiry is, "not how we got into this difficulty, but how we are to get out of it." In other words, we are, according to him, to consult our invention, and to reject our experience. The mode of deliberation he recommends is diametrically opposite to every rule of reason, and every principle of good sense established amongst mankind. For that sense and that reason, I have always understood, absolutely to prescribe, whenever we are involved in difficulties from the measures we have pursued, that we should take a strict review of those measures, in order to correct our errors if they should be corrigible; or at least to avoid a dull uniformity in mischief, and the unpitied calamity of being repeatedly caught in the same snare.

Sir, I will freely follow the honorable gentleman in his historical discussion, without the least management for men or measures, further than as they shall seem to me to deserve it. But before I go into that large consideration, because I would omit nothing that can give the House satisfaction, I wish to tread the narrow ground to which alone the honorable gentleman, in one part of his speech, has so strictly confined us.

He desires to know, whether, if we were to repeal this tax, agreeably to the proposition of the honorable gentleman who made the motion, the *Americans* would not take post on this concession, in order to make a new attack on the next body of taxes; and whether they would not call for a repeal of the duty on wine as loudly as they do now for the repeal of the duty on tea? Sir, I can give no security on this subject. But I will do all that I can, and all that can be fairly demanded. To the *experience* which the honorable gentleman reprobates in one instant, and reverts to in the next, to that experience, without the least wavering or hesitation on my part, I steadily appeal; and would to God there was no other arbiter to decide on the vote with which the House is to conclude this day!

When Parliament repealed the Stamp Act in the year 1766, I affirm, first, that the *Americans* did *not* in consequence of this measure call upon you to give up the former Parliamentary revenue which subsisted in that country, or even any one of the articles which compose it. I affirm also, that when, departing from the maxims of that repeal, you revived the scheme of taxation, and thereby filled the minds of the Colonists with new jealousy, and all sorts of apprehensions, then it was that they quarreled with the old taxes, as well as the new; then it was, and not till then, that they questioned all the parts of your legislative power; and, by the battery of such questions, have shaken the solid structure of this empire to its deepest foundations.

Of those two propositions I shall, before I have done, give such convincing, such damning proof, that however the contrary may be whispered in circles, or bawled in newspapers, they never more will dare to raise their voices in this House. I speak with great confidence. I have reason for it. The Ministers are with me. *They*

Digitized by Google

at least are convinced that the repeal of the Stamp Act had not, and that no repeal can have, the consequences which the honorable gentleman who defends their measures is so much alarmed at. To their conduct, I refer him for a conclusive answer to his objection. I carry my proof irresistibly into the very body of both Ministry and Parliament; not on any general reasoning growing out of collateral matter, but on the conduct of the honorable gentleman's ministerial friends on the new revenue itself.

The Act of 1767, which grants this Tea Duty, sets forth in its preamble, that it was expedient to raise a revenue in *America*, for the support of the civil Government there, as well as for purposes still more extensive. To this support the Act assigns six branches of duties. About two years after this Act passed, the Ministry, I mean the present Ministry, thought it expedient to repeal five of the duties, and to leave (for reasons best known to themselves) only the sixth standing. Suppose any person, at the time of that repeal, had thus addressed the Minister:* "Condemning, as you do, the repeal of the Stamp Act, why "do you venture to repeal the duties upon glass, paper, "and painters' colours? Let your pretence for the repeal "be what it will, are you not thoroughly convinced, that "your concessions will produce, not satisfaction, but insolence in the *Americans*; and that the giving up these "taxes will necessitate the giving up of all the rest?" This objection was as palpable then as it is now; and it was as good for preserving the five duties as for retaining the sixth. Besides, the Minister will recollect, that the repeal of the Stamp Act had but just preceded his repeal; and the ill policy of that measure (had it been so impolitic as it has been represented,) and the mischiefs it produced, were quite recent. Upon the principles therefore of the honorable gentleman, upon the principles of the Minister himself, the Minister has nothing at all to answer. He stands condemned by himself, and by all his associates, old and new, as a destroyer, in the first trust of finance, of the revenues; and in the first rank of honor, as a betrayer of the dignity of his country.

Most men, especially great men, do not always know their well-wishers. I come to rescue that noble Lord out of the hands of those he calls his friends; and even out of his own. I will do him the justice he is denied at home. He has not been this wicked or imprudent man. He knew that a repeal had no tendency to produce the mischiefs which give so much alarm to his honorable friend. His work was not bad in its principle, but imperfect in its execution; and the motion on your paper presses him only to complete a proper plan, which, by some unfortunate and unaccountable error, he had left unfinished.

I hope, Sir, the honorable gentleman who spoke last, is thoroughly satisfied, and satisfied out of the proceedings of Ministry on their own favourite Act, that his fears from a repeal are groundless. If he is not, I leave him, and the noble Lord who sits by him, to settle the matter, as well as they can, together; for if the repeal of *American* taxes destroys all our Government in *America*—He is the man!—and he is the worst of all the repealers, because he is the last.

But I hear it rung continually in my ears, now and formerly,—"The preamble! what will become of the preamble, if you repeal this tax?" I am sorry to be compelled so often to expose the calamities and disgraces of Parliament. The preamble of this law, standing as it now stands, has the lie direct given to it by the provisionary part of the Act, if that can be called provisionary which makes no provision. I should be afraid to express myself in this manner, especially in the face of such a formidable array of ability as is now drawn up before me, composed of the ancient household troops of that side of the House, and the new recruits from this, if the matter were not clear and indisputable. Nothing but truth could give me this firmness; but plain truth and clear evidence can be beat down by no ability. The Clerk will be so good as to turn to the Act, and to read this favourite preamble:

"Whereas it is *expedient* that a revenue should be raised in your Majesty's Dominions in *America*, for making "a more *certain* and *adequate* provision for defraying the "charge of the *Administration of justice and support of* "*civil Government*, in such Provinces where it shall be "found necessary; and towards *further defraying* the expenses of *defending, protecting, and securing the said* "*Dominions*."

You have heard this pompous performance. Now where is the revenue which is to do all these mighty things? Five-sixths repealed—abandoned—sunk—gone—lost for ever. Does the poor solitary Tea Duty support the purposes of this preamble? Is not the supply there stated as effectually abandoned as if the Tea Duty had perished in the general wreck? Here, Mr. Speaker, is a precious mockery—a preamble without an Act—taxes granted in order to be repealed—and the reasons of the grant still carefully kept up! This is raising a revenue in *America!* This is preserving dignity in *England!* If you repeal this tax in compliance with the motion, I readily admit that you lose this fair preamble. Estimate your loss in it. The object of the Act is gone already; and all you suffer is the purging the statute-book of the opprobrium of an empty, absurd, and false recital.

It has been said again and again, that the five taxes were repealed on commercial principles. It is so said in the paper in my hand;* a paper which I constantly carry about; which I have often used, and shall often use again. What is got by this paltry pretence of commercial principles I know not; for, if your Government in *America* is destroyed by the *repeal of taxes*, it is of no consequence upon what ideas the repeal is grounded. Repeal this tax too upon commercial principles if you please. These principles will serve as well now as they did formerly. But you know that, either your objection to a repeal from these supposed consequences has no validity, or that this pretence never could remove it. This commercial motive never was believed by any man, either in *America*, which this letter is meant to soothe, or in *England*, which it is meant to deceive. It was impossible it should. Because every man, in the least acquainted with the detail of commerce, must know, that several of the articles on which the tax was repealed were fitter objects of duties than almost any other articles that could possibly be chosen; without comparison more so, than the tea that was taxed; as infinitely less liable to be eluded by contraband. The tax upon red and white lead was of this nature. You have, in this Kingdom, an advantage in lead, that amounts to a monopoly. When you find yourself in this situation of advantage, you sometimes venture to tax even your own export. You did so soon after the last war, when, upon this principle, you ventured to impose a duty on coals. In all the articles of *American* contraband trade, who ever heard of the smuggling of red lead, and white lead? You might, therefore, well enough without danger of contraband, and without injury to commerce (if this were the whole consideration) have taxed these commodities. The same may be said of glass. Besides, some of the things taxed were so trivial, that the loss of the objects themselves and their utter annihilation out of *American* commerce, would have been comparatively as nothing. But is the article of tea such an object in the trade of *England*, as not to be felt, or felt but strictly like white lead, and red lead, and painters colours? tea is an object of far other importance. Tea is perhaps the most important object, taking it with its necessary connections, of any in the mighty circle of our commerce. If commercial principles had been the true motives to the repeal, or had they been at all attended to, tea would have been the last article we should have left taxed for a subject of controversy.

Sir, it is not a pleasant consideration, but nothing in the world can read so awful and so instructive a lesson, as the conduct of Ministry in this business, upon the mischief of not having large and liberal ideas in the management of great affairs. Never have the servants of the State looked at the whole of your complicated interests in one connected view. They have taken things by bits and scraps, some at one time and one pretence, and some at another, just as they pressed, without any sort of regard to their relations or dependencies. They never had any kind of system, right or wrong, but only invented occasionally some miserable tale of the day, in order meanly to sneak out of difficulties, into which they had proudly

* Lord *North*, then Chancellor of the Exchequer.

* Lord *Hillsborough's* Circular Letter to the Governors of the Colonies concerning the Repeal of some of the Duties laid in the Act of 1767.

Digitized by Google

strutted. And they were put to all these shifts and devices, full of meanness and full of mischief, in order to pilfer piecemeal a repeal of an act, which they had not the generous courage, when they found and felt their error, honorably and fairly to disclaim. By such management, by the irresistible operation of feeble councils, so paltry a sum as three-pence, in the eyes of a financier, so insignificant an article as tea in the eyes of a philosopher, have shaken the pillars of a commercial empire that circled the whole globe.

Do you forget that, in the very last year, you stood on the precipice of general bankruptcy? Your danger was indeed great. You were distressed in the affairs of the *East India* Company; and you well know what sort of things are involved in the comprehensive energy of that significant appellation. I am not called upon to enlarge to you on that danger, which you thought proper yourselves to aggravate, and to display to the world with all the parade of indiscreet declamation. The monopoly of the most lucrative trades, and possession of imperial revenues, had brought you to the verge of beggary and ruin. Such was your representation—such, in some measure was your case. The vent of ten millions of pounds of this commodity, now locked up by the operation of an injudicious tax, and rotting in the warehouses of the Company, would have prevented all this distress, and all that series of desperate measures which you thought yourselves obliged to take in consequence of it. *America* would have furnished that vent, which no other part of the world can furnish but *America*, where tea is next to a necessary of life, and where the demand grows upon the supply. I hope our dear-bought *East India* Committees have done us at least so much good, as to let us know, that without a more extensive sale of that article our *East India* revenues and acquisitions can have no certain connection with this country. It is through the *American* trade of tea that your *East India* conquests are to be prevented from crushing you with their burthen. They are ponderous indeed; and they must have that great country to lean upon or they tumble upon your head. It is the same folly that has lost you at once the benefit of the West and of the East. This folly has thrown open folding-doors to contraband; and will be the means of giving the profits of the trade of your Colonies, to every nation but yourselves. Never did a People suffer so much for the empty words of a preamble. It must be given up. For on what principle does it stand? This famous revenue stands, at this hour, on all the debate, as a description of revenue not as yet known in all the comprehensive (but too comprehensive!) vocabulary of finance—*a preambulary tax*. It is indeed a tax of sophistry, a tax of pedantry, a tax of disputation, a tax of war and rebellion, a tax for any thing but benefit to the imposers, or satisfaction to the subject.

Well! but whatever it is, gentlemen will force the Colonists to take the teas. You will force them? has seven years struggle been yet able to force them? O! but it seems "we are in the right.—The tax is trifling—in "effect it is rather an exoneration than an imposition; three-"fourths of the duty formerly payable on teas exported "to *America* is taken off; the place of collection is only "shifted; instead of the retention of a shilling from the "drawback here, it is three-pence custom paid in *Ame-"rica*." All this, Sir, is very true. But this is the very folly and mischief of the Act. Incredible as it may seem, you know, that you have deliberately thrown away a large duty which you held secure and quiet in your hands, for the vain hope of getting one three-fourths less, through every hazard, through certain litigation, and possibly through war.

The manner of proceeding in the duties on paper and glass, imposed by the same Act, was exactly in the same spirit. There are heavy excises on those articles when used in *England*. On export these excises are drawn back. But instead of withholding the drawback, which might have been done, with ease, without charge, without possibility of smuggling; and instead of applying the money (money already in your hands) according to your pleasure, you began your operations in finance by flinging away your revenue; you allowed the whole drawback on export, and then you charged the duty, (which you had before discharged,) payable in the Colonies, where it was certain the collection would devour it to the bone, if any revenue were ever suffered to be collected at all. One spirit pervades and animates the whole mass.

Could any thing be a subject of more just alarm to *America*, than to see you go out of the plain high road of finance, and give up your most certain revenues and your clearest interests, merely for the sake of insulting your Colonies? No man ever doubted that the commodity of tea could bear an imposition of three-pence. But no commodity will bear three-pence, or will bear a penny, when the general feelings of men are irritated, and two millions of People are resolved not to pay. The feelings of the Colonies were formerly the feelings of *Great Britain*. Theirs were formerly the feelings of Mr. *Hampden*, when called upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. *Hampden's* fortune? No! but the payment of half twenty shillings, on the principle it was demanded, would have made him a slave. It is the weight of that preamble, of which you are so fond, and not the weight of the duty, that the *Americans* are unable and unwilling to bear.

It is then, Sir, upon the *principle* of this measure, and nothing else, that we are at issue. It is a principle of political expediency. Your Act of 1767 asserts, that it is expedient to raise a revenue in *America*; your Act of 1769, which takes away that revenue, contradicts the Act of 1767; and, by something much stronger than words, asserts, that it is not expedient. It is a reflection upon your wisdom to persist in a solemn Parliamentary declaration of expediency of any object, for which, at the same time, you make no sort of provision. And pray, Sir, let not this circumstance escape you; it is very material; that the preamble of this act, which we wish to repeal, is not *declaratory of a right*, as some gentlemen seem to argue it; it is only a recital of the *expediency* of a certain exercise of a right supposed already to have been asserted; an exercise you are now contending for by ways and means, which you confess, though they were obeyed, to be utterly insufficient for their purpose. You are therefore at this moment in the awkward situation of fighting for a phantom; a quiddity; a thing that wants, not only a substance, but even a name; for a thing, which is neither abstract right, nor profitable enjoyment.

They tell you, Sir, that your dignity is tied to it. I know not how it happens, but this dignity of yours is a terrible incumbrance to you; for it has of late been ever at war with your interest, your equity, and every idea of your policy. Shew the thing you contend for to be reason; shew it to be common sense; shew it to be the means of attaining some useful end; and then I am content to allow it what dignity you please. But what dignity is derived from the perseverance in absurdity is more than ever I could discern. The honorable gentleman has said well—indeed, in most of his *general* observations I agree with him—he says, that this subject does not stand as it did formerly. Oh, certainly not! every hour you continue on this ill-chosen ground, your difficulties thicken on you; and therefore my conclusion is, remove from a bad position as quickly as you can. The disgrace, and the necessity of yielding, both of them, grow upon you every hour of your delay.

But will you repeal the Act, says the honorable gentleman, at this instant, when *America* is in open resistance to your authority, and that you have just revived your system of taxation? He thinks he has driven us into a corner. But thus pent up, I am content to meet him, because I enter the lists supported by my old authority, his new friends, the Ministers themselves. The honorable gentleman remembers, that about five years ago as great disturbances as the present prevailed in *America* on account of the new taxes. The Ministers represented these disturbances as treasonable; and this House thought proper, on that representation, to make a famous address for a revival, and for a new application of a statute of H. VIII. We besought the King in that well-considered address, to inquire into treasons, and to bring the supposed traitors from *America* to *Great Britain* for trial. His Majesty was pleased graciously to promise a compliance with our request. All the attempts from this side of the House to resist these violences, and to bring about a repeal, were treated with the utmost scorn. An apprehension of the very consequences now stated by the honorable gentleman, was then given as

Digitized by Google

a reason for shutting the door against all hope of such an alteration. And so strong was the spirit for supporting the new taxes, that the session concluded with the following remarkable declaration. After stating the vigorous measures which had been pursued, the speech from the Throne proceeds:

"You have assured me of your *firm* support in the *prosecution* of them. Nothing, in my opinion, could be more likely to enable the well-disposed among my subjects in that part of the world, effectually to discourage and defeat the designs of the factious and seditious, than the hearty concurrence of every branch of the Legislature, in *maintaining the execution of the laws in every* part of my Dominions."

After this no man dreamt that a repeal under this Ministry could possibly take place. The honorable gentleman knows as well as I, that the idea was utterly exploded by those who sway the House. This speech was made on the ninth day of *May*, 1769. Five days after this speech, that is, on the 13th of the same month, the public circular letter, a part of which I am going to read to you, was written by Lord *Hillsborough*, Secretary of State for the Colonies. After reciting the substance of the King's speech, he goes on thus:

"I can take upon me to assure you, notwithstanding insinuations to the contrary, from men with *factious and seditious views*, that his Majesty's *present Administration have at no time entertained a design to propose to Parliament to lay any further taxes upon* AMERICA, *for the purpose of* RAISING A REVENUE; and that it is at present their intention to propose, the next session of Parliament, to take off the duties upon glass, paper, and colours, upon consideration of such duties *having been laid contrary to the true principles of commerce.*

"These have *always* been, and *still are*, the sentiments of his *Majesty's present servants;* and by which their conduct in *respect to America has been governed.* And *his Majesty* relies upon your prudence and fidelity for such an explanation of *his* measures, as may tend to remove the prejudices which have been excited by the misrepresentations of those who are enemies to the peace and prosperity of *Great Britain* and her Colonies, and to re-establish that mutual *confidence and affection*, upon which the glory and safety of the *British* empire depend."

Here, Sir, is a canonical book of ministerial scripture; the general epistle to the *Americans*. What does the gentleman say to it? Here a repeal is promised; promised without condition; and while your authority was actually resisted. I pass by the public promise of a Peer relative to the repeal of taxes by this House. I pass by the use of the King's name in a matter of supply, that sacred and reserved right of the Commons. I conceal the ridiculous figure of Parliament, hurling its thunders at the gigantic rebellion of *America*, and then five days after, prostrate at the feet of those Assemblies we affected to despise, begging them, by the intervention of our ministerial sureties, to receive our submission, and heartily promising amendment. These might have been serious matters formerly, but we are grown wiser than our fathers. Passing, therefore, from the constitutional consideration to the mere policy, does not this letter imply, that the idea of taxing *America*, for the purpose of revenue, is an abominable project, when the Ministry suppose none but *factious* men, and with seditious views, could charge them with it? Does not this letter adopt and sanctify the *American* distinction of *taxing for a revenue?* does it not formally reject all future taxation on that principle? does it not state the ministerial rejection of such principle of taxation, not as the occasional, but the constant opinion of the King's servants? does it not say (I care not how consistently,) but does it not say, that their conduct with regard to *America* has been *always* governed by this policy? It goes a great deal further. These excellent and trusty servants of the King, justly fearful lest they themselves should have lost all credit with the world, bring out the image of their gracious Sovereign from the inmost and most sacred shrine, and they pawn him, as a security for their promises—"*His Majesty* relies on your prudence and fidelity for such an explanation of *his* measures." These sentiments of the Minister, and these measures of his Majesty, can only relate to the principle and practice of taxing for a revenue; and accordingly Lord *Botetourt*, stating it as such, did with great propriety, and in the exact spirit of his instructions, endeavour to remove the fears of the *Virginian* Assembly, lest the sentiments, which it seems (unknown to the world) had *always* been those of the Ministers, and by which *their* conduct in *respect to America had been governed*, should by some possible revolution, favourable to wicked *American* taxers, be hereafter counteracted. He addresses them in this manner:

"It may possibly be objected, that as his Majesty's present Administration are *not immortal*, their successors may be inclined to attempt to undo what the present Ministers shall have attempted to perform; and to that objection I can give but this answer; that it is my firm opinion, that the plan I have stated to you will certainly take place, and that it will never be departed from; and so determined am I for ever to abide by it, that I will be content to be declared infamous, if I do not, to the last hour of my life, at all times, in all places, and upon all occasions, exert every power with which I either am, or ever shall be legally invested, in order to obtain and *maintain* for the Continent of *America* that *satisfaction* which I have been authorized to promise this day, by the *confidential* servants of our gracious Sovereign, who to my certain knowledge rates his honor so high, *that he would rather part with his Crown, than preserve it by deceit.*"*

A glorious and true character! which (since we suffer his Ministers with impunity to answer for his ideas of taxation) we ought to make it our business to enable his Majesty to preserve in all its lustre. Let him have character, since ours is no more! Let some part of Government be kept in respect!

This epistle was not the letter of Lord *Hillsborough* solely, though he held the official pen. It was the letter of the noble Lord upon the floor, (Lord *North*) and of all the King's then Ministers, who (with I think the exception of two only) are his Ministers at this hour. The very first news that a *British* Parliament heard of what it was to do with the duties which it had given and granted to the King, was by the publication of the votes of *American* Assemblies. It was in *America* that your resolutions were pre-declared. It was from thence that we knew to a certainty, how much exactly, and not a scruple more nor less, we were to repeal. We were unworthy to be let into the secret of our own conduct. The Assemblies had *confidential* communications from his Majesty's *confidential* servants. We were nothing but instruments. Do you, after this, wonder that you have no weight and no respect in the Colonies? After this, are you surprised, that Parliament is every day and every where losing (I feel it with sorrow, I utter it with reluctance) that reverential affection, which so endearing a name of authority ought ever to carry with it; that you are obeyed solely from respect to the bayonet; and that this House, the ground and pillar of freedom, is itself held up only by the treacherous underpinning and clumsy buttresses of abitrary power?

If this dignity, which is to stand in the place of just policy and common sense, had been consulted, there was a time for preserving it, and for reconciling it with any concession. If in the session of 1768, that session of idle terror and empty menaces, you had, as you were often pressed to do, repealed these taxes, then your strong operations would have come justified and enforced, in case your concessions had been returned by outrages. But, preposterously, you began with violence, and, before terrors

* A material point is omitted by Mr. *Burke* in this speech, viz. *the manner in which the Continent received this Royal assurance.* The Assembly of *Virginia*, in their Address in answer to Lord *Botetourt's* Speech, express themselves thus: "We will not suffer our present hopes, arising from the pleasing prospect your Lordship hath so kindly opened and displayed to us, to be dashed by the bitter reflection that any *future* Administration will entertain a wish to depart from that *plan*, which affords the surest and most permanent foundation of public tranquillity and happiness: No, my Lord, we are sure *our most gracious Sovereign*, under whatever changes may happen in his confidential servants, will remain immutable in the ways of truth and justice, and that he is *incapable of deceiving his faithful subjects;* and we esteem your Lordship's information not only as warranted, but even sanctified *by the Royal word.*"

Digitized by Google

could have any effect, either good or bad, your Ministers immediately begged pardon, and promised that repeal to the obstinate *Americans* which they had refused in an easy, good natured, complying *British* Parliament. The Assemblies which had been publicly and avowedly dissolved for *their* contumacy, are called together to receive *your* submission. Your Ministerial directors blustered like tragic tyrants here; and then went mumping with a sore leg in *America*, canting, and whining, and complaining, of faction, which represented them as friends to a revenue from the Colonies. I hope nobody in this House will hereafter have the impudence to defend *American* taxes in the name of Ministry. The moment they do, with this letter of attorney in my hand, I will tell them in the authorized terms, they are wretches, "with factious and "seditious views; enemies to the peace and prosperity of "the mother country and the Colonies," and subverters "of the mutual affection and confidence on which the "glory and safety of the *British* empire depend."

After this letter, the question is no more on propriety or dignity. They are gone already. The faith of your Sovereign is pledged for the political principle. The general declaration in the letter goes to the whole of it. You must therefore either abandon the scheme of taxing, or you must send the Ministers tarred and feathered to *America*, who dared to hold out the royal faith for a renunciation of all taxes for revenue. Them you must punish, or this faith you must preserve. The preservation of this faith is of more consequence than the duties on *red lead*, or *white lead*, or on broken *glass*, or *atlas ordinary*, or *demi-fine*, or *blue-royal*, or *bastard*, or *fool's-cap*, which you have given up; or the three-pence on tea, which you retained. The letter went stampt with the public authority of this Kingdom. The instructions for the Colony Government go under no other sanction; and *America* cannot believe, and will not obey you, if you do not preserve this channel of communication sacred. You are now punishing the Colonies for acting on distinctions, held out by that very Ministry which is here shining in riches, in favour, and in power, and urging the punishment of the very offence, to which they had themselves been the tempters.

Sir, If reasons respecting simply your own commerce, which is your own convenience, were the sole grounds of the repeal of the five duties, why does Lord *Hillsborough*, in disclaiming in the name of the King and Ministry their ever having had an intent to tax for revenue, mention it as the means "of re-establishing the confidence and affection of the Colonies?" Is it a way of soothing *others*, to assure them that you will take good care of *yourself*? The medium, the only medium, for regaining their affection and confidence is, that you will take off something oppressive to their minds. Sir, the letter strongly enforces that idea; for though the repeal of the taxes is promised on commercial principles, yet the means of counteracting "the insinuations of men with factious and seditious "views," is by a disclaimer of the intention of taxing for revenue, as a constant invariable sentiment and rule of conduct in the government of *America*.

I remember that the noble Lord on the floor, not in a former debate to be sure (it would be disorderly to refer to it, I suppose I read it somewhere,) but the noble Lord was pleased to say, that he did not conceive how it could enter into the head of man to impose such taxes as those of 1767: I mean those taxes which he voted for imposing, and voted for repealing; as being taxes, contrary to all the principles of commerce, laid on *British manufactures*.

I dare say the noble Lord is perfectly well read, because the duty of his particular office requires he should be so, in all our revenue laws, and in the policy which is to be collected out of them. Now, Sir, when he had read this Act of *American* revenue, and a little recovered from his astonishment, I suppose he made one step retrograde (it is but one) and looked at the Act which stands just before it in the statute book. The *American* Revenue Act is the forty-fifth chapter; the other to which I refer is the forty-fourth of the same session. These two Acts are both to the same purpose; both Revenue Acts; both taxing out of the Kingdom; and both taxing *British* manufactures exported. As the 45th is an Act for raising a revenue in *America*, the 44th is an Act for raising a revenue in the *Isle of Man*. The two Acts perfectly agree in all respects, except one. In the Act for taxing the *Isle of Man*, the noble Lord will find (not, as in the *American* Act, four or five articles) but almost the *whole body* of *British* manufactures, taxed from two and an half to fifteen *per cent.*, and some articles, such as that of spirits, a great deal higher. You did not think it uncommercial to tax the whole mass of your manufactures, and, let me add, your agriculture too; for, I now recollect, *British* corn is there also taxed up to ten *per cent.*, and this too in the very head-quarters, the very citadel of smuggling, the *Isle of Man*. Now will the noble Lord condescend to tell me why he repealed the taxes on your manufactures sent out to *America*, and not the taxes on the manufactures exported to the *Isle of Man*? The principle was exactly the same, the objects charged infinitely more extensive, the duties without comparison higher. Why? why, notwithstanding all his childish pretexts, because the taxes were quietly submitted to in the *Isle of Man*; and because they raised a flame in *America*. Your reasons were political, not commercial. The repeal was made, as Lord *Hillsborough's* letter well expresses it, to regain "the "confidence and affection of the Colonies, on which the "glory and safety of the *British* empire depend." A wise and just motive surely, if ever there was such. But the mischief and dishonour is, that you have not done what you had given the Colonies just cause to expect, when your Ministers disclaimed the idea of taxes for a revenue. There is nothing simple, nothing manly, nothing ingenuous, open, decisive, or steady, in the proceeding, with regard either to the continuance or the repeal of the taxes. The whole has an air of littleness and fraud. The article of tea is slurred over in the circular letter, as it were by accident—nothing is said of a resolution either to keep that tax, or to give it up. There is no fair dealing in any part of the transaction.

If you mean to follow your true motive and your public faith, give up your tax on tea for raising a revenue, the principle of which has, in effect, been disclaimed in your name, and which produces you no advantage, no, not a penny. Or, if you choose to go on with a poor pretence instead of a solid reason, and will still adhere to your cant of commerce, you have ten thousand times more strong commercial reasons for giving up this duty on tea, than for abandoning the five others that you have already renounced.

The *American* consumption of teas is annually, I believe, worth £300,000 at the least farthing. If you urge the *American* violence as a justification of your perseverance in enforcing this tax, you know that you can never answer this plain question—Why did you repeal the others given in the same Act, whilst the very same violence subsisted? But you did not find the violence cease upon that concession. No! because the concession was far short of satisfying the principle which Lord *Hillsborough* had abjured; or even the pretence on which the repeal of the other taxes was announced: and because, by enabling the *East India* Company to open a shop for defeating the *American* resolution not to pay that specific tax, you manifestly showed a hankering after the principle of the Act which you formerly had renounced. Whatever road you take leads to a compliance with this motion. It opens to you at the end of every vista. Your commerce, your policy, your promises, your reasons, your pretences, your consistency, your inconsistency—all jointly oblige you to this repeal.

But still it sticks in our throats, if we go so far, the *Americans* will go farther. We do not know that. We ought, from experience, rather to presume the contrary. Do we not know for certain, that the *Americans* are going on as fast as possible, whilst we refuse to gratify them? Can they do more, or can they do worse, if we yield this point? I think this concession will rather fix a turnpike to prevent their further progress. It is impossible to answer for bodies of men. But I am sure the natural effect of fidelity, clemency, kindness in Governors, is peace, good will, order, and esteem, on the part of the governed. I would certainly, at least, give these fair principles a fair trial, which, since the making of this Act to this hour they never have had.

Sir, the honorable gentleman having spoken what he thought necessary upon the narrow part of the subject, I have given him, I hope, a satisfactory answer. He next

Digitized by Google

presses me by a variety of direct challenges and oblique reflections to say something on the historical part. I shall therefore, Sir, open myself fully on that important and delicate subject; not for the sake of telling you a long story (which, I know, Mr. Speaker, you are not particularly fond of,) but for the sake of the weighty instruction that, I flatter myself, will necessarily result from it. It shall not be longer, if I can help it, than so serious a matter requires.

Permit me, then, Sir, to lead your attention very far back; back to the Act of Navigation, the corner stone of the policy of this country with regard to its Colonies. Sir, that policy was, from the beginning, purely commercial, and the commercial system was wholly restrictive. It was the system of a monopoly. No trade was let loose from that constraint, but merely to enable the Colonists to dispose of what, in the course of your trade, you could not take; or to enable them to dispose of such articles as we forced upon them, and for which, without some degree of liberty, they could not pay. Hence all your specific and detailed enumerations; hence the innumerable checks and counter-checks; hence that infinite variety of paper chains by which you bind together this complicated system of the Colonies. This principle of commercial monopoly runs through no less than twenty-nine Acts of Parliament, from the year 1660 to the unfortunate period of 1764.

In all those Acts the system of commerce is established, as that, from whence alone you proposed to make the Colonies contribute (I mean directly, and by the operation of your superintending Legislative power) to the strength of the empire. I venture to say, that during that whole period, a Parliamentary revenue from thence was never once in contemplation. Accordingly, in all the number of laws passed with regard to the Plantations, the words which distinguished revenue laws, specifically as such, were I think, premeditately avoided. I do not say, Sir, that a form of words alters the nature of the law, or abridges the power of the law giver. It certainly does not. However, titles and formal preambles are not always idle words; and the lawyers frequently argue from them. I state these facts to shew, not what was your right, but what has been your settled policy. Our revenue laws have usually a *title*, purporting their being *grants*, and the words *give and grant* usually precede the enacting parts. Although Duties were imposed on *America* in Acts of King *Charles* the Second, and in Acts of King *William*, no one title of giving "an aid to his Majesty," or any other of the usual titles to Revenue Acts, was to be found in any of them till 1764; nor were the words "give and grant" in any preamble until the sixth of *George* the Second. However, the title of this Act of *George* the Second, notwithstanding the words of donation, considers it merely as a regulation of trade, "An Act for the better securing of the trade of his "Majesty's Sugar Colonies in *America*." This Act was made on a compromise of all, and at the express desire of a part of the Colonies themselves. It was therefore in some measure with their consent; and having a title directly purporting only a *commercial regulation*, and being in truth nothing more, the words were passed by, at a time when no jealousy was entertained, and things were little scrutinized. Even Governor *Bernard*, in his second printed letter, dated in 1763, gives it as his opinion, that "it was an Act of *Prohibition*, not of Revenue." This is certainly true, that no Act avowedly for the purpose of revenue, and with the ordinary title and recital taken together, is found in the statute book until the year I have mentioned, that is, the year 1764. All before this period stood on commercial regulation and restraint. The scheme of a Colony revenue by *British* authority, appeared therefore to the *Americans* in the light of a great innovation; the words of Governor *Bernard's* ninth letter, written in *November*, 1765, state this idea very strongly; "it must," says he, "have been "supposed *such an innovation as a Parliamentary taxation*, "would cause a great alarm, and meet with much *opposition* "in most parts of *America*; it was *quite new* to the People, "and had no *visible bounds* set to it." After stating the weakness of Government there, he says, "was this a time "to introduce *so great a novelty* as a Parliamentary inland "taxation in *America*?" Whatever the right might have been, this mode of using it was absolutely new in policy and practice.

Sir, they who are friends to the schemes of *American* revenue say, that the commercial restraint is full as hard a law for *America* to live under. I think so too. I think it, if uncompensated, to be a condition of as rigorous servitude as men can be subject to. But *America* bore it from the fundamental Act of Navigation, until 1764. Why? Because men do bear the inevitable constitution of their original nature with all its infirmities. The Act of Navigation attended the Colonies from their infancy, grew with their growth, and strengthened with their strength. They were confirmed in obedience to it, even more by usage than by law. They scarcely had remembered a time when they were not subject to such a restraint. Besides, they were indemnified for it by a pecuniary compensation. Their monopolist happened to be one of the richest men in the world. By his immense capital (primarily employed, not for their benefit, but his own,) they were enabled to proceed with their fisheries, their agriculture, their ship building, (and their trade too within the limits,) in such a manner as got far the start of the slow languid operations of unassisted nature. This capital was a hot bed to them. Nothing in the history of mankind is like their progress. For my part, I never cast an eye on their flourishing commerce, and their cultivated and commodious life, but they seem to me rather ancient nations, grown to perfection through a long series of fortunate events, and a train of successful industry, accumulating wealth in many centuries, than the Colonies of yesterday; than a set of miserable out-casts, a few years ago, not so much sent as thrown out, on the bleak and barren shore of a desolate wilderness three thousand miles from all civilized intercourse.

All this was done by *England*, whilst *England* pursued trade and forgot revenue. You not only acquired commerce, but you actually created the very objects of trade in *America*; and by that creation you raised the trade of this Kingdom at least four-fold. *America* had the compensation of your capital, which made her bear her servitude. She had another compensation, which you are now going to take away from her. She had, except the commercial restraint, every characteristic mark of a free People in all her internal concerns. She had the image of the *British* constitution. She had the substance. She was taxed by her own Representatives. She chose most of her own Magistrates. She paid them all. She had in effect the sole disposal of her own internal Government. This whole state of commercial servitude and civil liberty taken together, is certainly not perfect freedom; but comparing it with the ordinary circumstances of human nature, it was an happy and liberal condition.

I know, Sir, that great and not unsuccessful pains have been taken to inflame our minds by an outcry, in this House and out of it, that in *America* the Act of Navigation neither is, or ever was obeyed. But if you take the Colonies through, I affirm, that its authority never was disputed; that it was no where disputed for any length of time; and, on the whole, that it was well observed. Wherever the Act pressed hard, many individuals indeed evaded it. This is nothing These scattered individuals never denied the law, and never obeyed it. Just as it happens whenever the laws of trade, whenever the laws of revenue, press hard upon the People in *England*, in that case all your shores are full of contraband. Your right to give a monopoly to the *East India* Company, your right to lay immense duties on *French* brandy, are not disputed in *England*. You do not make this charge on any man. But you know that there is not a creek from *Pentland Frith* to the *Isle of Wight*, in which they do not smuggle immense quantities of teas, *East India* goods, and brandies. I take it for granted, that the authority of Governor *Bernard* in this point is indisputable. Speaking of these laws, as they regarded that part of *America* now in so unhappy a condition, he says, "I believe they are no where better sup-"ported than in this Province; I do not pretend that it is "entirely free from a breach of these laws; but that such "a breach, if discovered, is justly punished." What more can you say of the obedience to any laws in any country? An obedience to these laws formed the acknowledgment, instituted by yourselves, for your superiority; and was the payment you originally imposed for your protection.

Whether you were right or wrong in establishing the Colonies on the principles of commercial monopoly, rather than on that of revenue, is at this day a problem of mere

Digitized by Google

speculation. You cannot have both by the same authority. To join together the restraints of an universal internal and external monopoly, with an universal internal and external taxation, is an unnatural union; perfect uncompensated slavery. You have long since decided for yourself and them; and you and they have prospered exceedingly under that decision.

This nation, Sir, never thought of departing from that choice until the period immediately on the close of the last war. Then a scheme of Government, new in many things seemed to have been adopted. I saw, or thought I saw, several symptoms of a great change whilst I sat in your gallery, a good while before I had the honor of a seat in this House. At that period the necessity was established of keeping up no less than twenty new regiments, with twenty Colonels, capable of seats in this House. This scheme was adopted with very general applause from all sides, at the very time that by your conquests in *America*, your danger from foreign attempts in that part of the world was much lessened, or indeed rather quite over. When this huge increase of military establishment was resolved on, a revenue was to be found to support so great a burthen. Country gentlemen, the great patrons of economy, and the great resisters of a standing armed force, would not have entered with much alacrity into the vote for so large and so expensive an army, if they had been very sure that they were to continue to pay for it. But hopes of another kind were held out to them; and, in particular, I well remember that Mr. *Townshend*, in a brilliant harangue on this subject did dazzle them, by playing before their eyes the image of a revenue to be raised in *America*.

Here began to dawn the first glimmerings of this new Colony system. It appeared more distinctly afterwards, when it was devolved upon a person to whom, on other accounts, this country owes very great obligations. I do believe, that he had a very serious desire to benefit the public. But with no small study of the detail, he did not seem to have his view, at least equally, carried to the total circuit of our affairs. He generally considered his objects in lights that were rather too detached. Whether the business of an *American* revenue was imposed upon him altogether; whether it was entirely the result of his own speculation; or, what is more probable, that his own ideas rather coincided with the instructions he had received, certain it is, that, with the best intentions in the world, he first brought this fatal scheme into form, and established it by Act of Parliament.

No man can believe, that at this time of day I mean to lean on the venerable memory of a great man, whose loss we deplore in common. Our little party differences have been long ago composed, and I have acted more with him, and certainly with more pleasure with him, than ever I acted against him. Undoubtedly Mr. *Grenville* was a first rate figure in this country. With a masculine understanding, and a stout and resolute heart, he had an application undissipated and unwearied. He took public business, not as a duty which he was to fulfil, but as a pleasure he was to enjoy; and he seemed to have no delight out of this House, except in such things as some way related to the business that was to be done within it. If he was ambitious, I will say this for him, his ambition was of a noble and generous strain. It was to raise himself, not by the low pimping politics of a court, but to win his way to power, through the laborious gradations of public service; and to secure to himself a well-earned rank in Parliament, by a thorough knowledge of its constitution, and a perfect practice in all its business.

Sir, if such a man fell into errors, it must be from defects not intrinsical; they must be rather sought in the particular habits of his life; which, though they do not alter the groundwork of character, yet tinge it with their own hue. He was bred in a profession. He was bred to the law, which is, in my opinion, one of the first and noblest of human sciences; a science which does more to quicken and invigorate the understanding than all the other kinds of learning put together; but it is not apt, except in persons, very happily born, to open and to liberalize the mind exactly in the same proportion. Passing from that study he did not go very largely into the world; but plunged into business; I mean into the business of office; and the limited and fixed methods and forms established there. Much knowledge is to be had undoubtedly in that line; and there is no knowledge which is not valuable. But it may be truly said, that men too much conversant in office, are rarely minds of remarkable enlargement. Their habits of office are apt to give them a turn to think the substance of business not to be much more important than the forms in which it is conducted. These forms are adapted to ordinary occasions; and therefore persons who are nurtured in office do admirably well, as long as things go on in their common order; but when the high roads are broken up, and the waters out, when a new and troubled scene is opened, and the file affords no precedent, then it is that a greater knowledge of mankind, and a far more extensive comprehension of things, is requisite than ever office gave, or than office can ever give. Mr. *Grenville* thought better of the wisdom and power of human legislation than in truth it deserves. He conceived, and many conceived along with him, that the flourishing trade of this country was greatly owing to law and institution, and not quite so much to liberty; for but too many are apt to believe regulation to be commerce, and taxes to be revenue. Among regulations, that which stood first in reputation was his idol.—I mean the Act of Navigation. He has often professed it to be so. The policy of that Act is, I readily admit, in many respects well understood. But I do say that if the Act be suffered to run the full length of its principle, and is not changed and modified according to the change of times and the fluctuations of circumstances, it must do great mischief, and frequently even defeat its own purpose.

After the war, and in the last years of it, the trade of *America* had increased far beyond the speculations of the most sanguine imagination. It swelled out on every side. It filled all its proper channels to the brim. It overflowed with a rich redundance, and breaking its banks on the right and on the left, it spread out upon some places where it was indeed improper, upon others where it was only irregular. It is the nature of all greatness not to be exact; and great trade will always be attended with considerable abuses. The contraband will always keep pace in some measure with the fair trade. It should stand as a fundamental maxim, that no vulgar precaution ought to be employed in the cure of evils, which are closely connected with the cause of our prosperity. Perhaps this great person turned his eye, somewhat less than was just, towards the incredible increase of the fair trade; and looked with something of too exquisite a jealousy towards the contraband. He certainly felt a singular degree of anxiety on the subject; and even began to act from that passion earlier than is commonly imagined. For whilst he was first Lord of the Admiralty, though not strictly called upon in his official line, he presented a very strong memorial to the Lords of the Treasury, (my Lord *Bute* was then at the head of the Board,) heavily complaining of the growth of the illicit commerce in *America*. Some mischief happened, even at that time, from this over-earnest zeal. Much greater happened afterwards when it operated with greater power in the highest department of the finances. The bonds of the Act of Navigation were straitened so much, that *America* was on the point of having no trade, either contraband or legitimate. They found, under the construction and execution then used, the Act no longer tying but actually strangling them. All this coming with new enumerations of commodities; with regulations which in a manner put a stop to the mutual coasting intercourse of the Colonies; with the appointment of Courts of Admiralty under various improper circumstances; with a sudden extinction of the paper currencies; with a compulsory provision for the quartering of soldiers; the People of *America* thought themselves proceeded against as delinquents, or at best as People under suspicion of delinquency; and in such a manner, as they imagined, their recent services in the war did not at all merit. Any of these innumerable regulations perhaps, would not have alarmed alone; some might be thought reasonable; the multitude struck them with terror.

But the grand manœuvre in that business of new regulating the Colonies, was the fifteenth Act of the fourth of *George* III., which, besides containing several of the matters to which I have just alluded, opened a new principle: and here properly began the second period of the policy of this country with regard to the Colonies; by which the scheme of a regular Plantation Parliamentary revenue was

Digitized by Google

adopted in theory, and settled in practice. A revenue not substituted in the place of, but superadded to, a monopoly; which monopoly was enforced at the same time with additional strictness, and the execution put into military hands.

This Act, Sir, had for the first time the title of "granting duties in the Colonies and Plantations of *America*;" and for the first time it was asserted in the preamble, "that it was *just* and *necessary* that a revenue should be raised there." Then came the technical words of "giving and granting;" and thus a complete *American* Revenue Act was made in all the forms, and with a full avowal of the right, equity, policy, and even necessity of taxing the Colonies, without any formal consent of theirs. There are contained also in the preamble to that Act these very remarkable words—the Commons, &c.—"being desirous to make "*some* provision in the *present* session of Parliament *towards* raising the said revenue." By these words it appeared to the Colonies that this Act was but a beginning of sorrows; that every session was to produce something of the same kind; that we were to go on from day to day, in charging them with such taxes as we pleased, for such a military force as we should think proper. Had this plan been pursued, it was evident that the Provincial Assemblies, in which the *Americans* felt all their portion of importance, and beheld their sole image of freedom, were *ipso facto* annihilated. This ill prospect before them seemed to be boundless in extent, and endless in duration. Sir, they were not mistaken. The Ministry valued themselves when this Act passed, and when they gave notice of the Stamp Act, that both of the duties came very short of their ideas of *American* taxation. Great was the applause of this measure here. In *England* we cried out for new taxes on *America*, whilst they cried out that they were nearly crushed with those which the war and their own grants had brought upon them.

Sir, it has been said in the debate, that when the first *American* Revenue Act (the Act in 1764, imposing the Port Duties) passed, the *Americans* did not object to the principle. It is true they touched it, but very tenderly. It was not a direct attack. They were, it is true, as yet novices; as yet unaccustomed to direct attacks upon any of the rights of Parliament. The duties were Port Duties, like those they had been accustomed to bear; with this difference, that the title was not the same, the preamble not the same, and the spirit altogether unlike. But of what service is this observation to the cause of those that make it? It is a full refutation of the pretence for their present cruelty to *America*; for it shews, out of their own mouths, that our Colonies were backward to enter into the present vexatious and ruinous controversy.

There is also another circulation abroad (spread with a malignant intention, which I cannot attribute to those who say the same thing in this House,) that Mr. *Grenville* gave the Colony Agents an option for their Assemblies to tax themselves, which they had refused. I find that much stress is laid on this, as a fact. However, it happens neither to be true nor possible. I will observe first, that Mr. *Grenville* never thought fit to make this apology for himself in the innumerable debates that were had upon the subject. He might have proposed to the Colony Agents, that they should agree in some *mode* of taxation as the ground of an Act of Parliament. But he never could have proposed that they should tax themselves on requisition, which is the assertion of the day. Indeed, Mr. *Grenville* well knew, that the Colony Agents could have no general powers to consent to it; and they had no time to consult their Assemblies for particular powers, before he passed his first Revenue Act. If you compare dates, you will find it impossible. Burthened as the Agents knew the Colonies were at that time, they could not give the least hope of such grants. His own favourite Governor was of opinion that the *Americans* were not then taxable objects.

"Nor was the time less favourable to the equity of such "a taxation. I don't mean to dispute the reasonableness "of *America* contributing to the charges of *Great Britain* "*when she is able;* nor, I believe, would the *Americans* "themselves have disputed it, at *a proper time and season.* "But it should be considered, that the *American* Governments themselves have, in the prosecution of the late war, "contracted very large debts, which it will take some years "to pay off, and in the mean time occasion very *burdensome* "*taxes for that purpose* only. For instance, this Government, which is as much before hand as any, raises every "year £37,500 sterling for sinking their debt, and must "continue it for four years longer at least before it will be "clear."

These are the words of Governor *Bernard's* letter to a member of the old Ministry, and which he has since printed. Mr. *Grenville* could not have made this proposition to the Agents, for another reason. He was of opinion, which he has declared in this House an hundred times, that the Colonies could not legally grant any revenue to the Crown, and that infinite mischiefs would be the consequence of such a power. When Mr. *Grenville* had passed the first Revenue Act, and in the same session had made this House come to a resolution for laying a Stamp Duty on *America*, between that time and the passing the Stamp Act into a law, he told a considerable and most respectable merchant, a member of this House, whom I am truly sorry I do not now see in his place, when he represented against this proceeding, that if the Stamp Duty was disliked, he was willing to exchange it for any other equally productive; but that if he objected to the *Americans* being taxed by Parliament, he might save himself the trouble of the discussion, as he was determined on the measure. This is the fact, and, if you please, I will mention a very unquestionable authority for it.

Thus, Sir, I have disposed of this falsehood. But falsehood has a perennial spring. It is said, that no conjecture could be made of the dislike of the Colonies to the principle. This is as untrue as the other. After the resolution of the House, and before the passing of the Stamp Act, the Colonies of *Massachusetts Bay* and *New York* did send remonstrances, objecting to this mode of Parliamentary taxation. What was the consequence? They were suppressed; they were put under the table; notwithstanding an Order of Council to the contrary, by the Ministry which composed the very Council that had made the order; and thus the House proceeded to its business of taxing, without the least regular knowledge of the objections which were made to it. But to give that House its due, it was not over desirous to receive information, or to hear remonstrance. On the 15th of *February*, 1765, whilst the Stamp Act was under deliberation, they refused with scorn even so much as to receive four petitions presented from so respectable Colonies as *Connecticut*, *Rhode Island*, *Virginia*, and *Carolina*, besides one from the traders of *Jamaica*. As to the Colonies, they had no alternative left to them, but to disobey, or to pay the taxes imposed by that Parliament which was not suffered, or did not suffer itself, even to hear them remonstrate upon the subject.

This was the state of the Colonies before his Majesty thought fit to change his Ministers. It stands upon no authority of mine. It is proved by uncontrovertible records. The honorable gentleman has desired some of us to lay our hands upon our hearts, and answer to his queries upon the historical part of this consideration; and by his manner (as well as my eyes could discern it) he seemed to address himself to me.

Sir, I will answer him as clearly as I am able, and with great openness: I have nothing to conceal. In the year sixty-five, being in a very private station, far enough from any line of business, and not having the honor of a seat in this House, it was my fortune, unknowing and unknown to the then Ministry, by the intervention of a common friend, to become connected with a very noble person, and at the head of the Treasury Department. It was indeed in a situation of little rank and no consequence, suitable to the mediocrity of my talents and pretensions; but a situation near enough to enable me to see, as well as others, what was going on; and I did see in that noble person such sound principles, such an enlargement of mind, such clear and sagacious sense, and such unshaken fortitude, as have bound me, as well as others much better than me, by an inviolable attachment to him from that time forward. Sir, Lord *Rockingham*, very early in that summer, received a strong representation from many weighty *English* merchants and manufacturers, from Governors of Provinces, and Commanders of men-of-war, against almost the whole of the *American* commercial regulations: and particularly with regard to the total ruin which was threatened to the *Spanish*

Digitized by Google

trade. I believe, Sir, the noble Lord soon saw his way in this business. But he did not rashly determine against Acts which it might be supposed were the result of much deliberation. However, Sir, he scarcely began to open the ground, when the whole veteran body of office took the alarm. A violent outcry of all (except those who knew and felt the mischief) was raised against any alteration. On one hand, his attempt was a direct violation of treaties and public law; on the other, the Act of Navigation, and all the corps of trade laws, were drawn up in array against it.

The first step the noble Lord took, was to have the opinion of his excellent, learned, and ever lamented friend the late Mr. *Yorke*, then Attorney General, on the point of law. When he knew that formally and officially, which in substance he had known before, he immediately dispatched orders to redress the grievance. But I will say it for the then Minister, he is of that constitution of mind, that I know he would have issued, on the same critical occasion, the very same orders, if the Acts of Trade had been, as they were not, directly against him; and would have cheerfully submitted to the equity of Parliament for his indemnity.

On the conclusion of this business of the *Spanish* trade, the news of the troubles, on account of the Stamp Act, arrived in *England*. It was not until the end of *October* that these accounts were received. No sooner had the sound of that mighty tempest reached us in *England*, than the whole of the then opposition, instead of feeling humbled by the unhappy issue of their measures, seemed to be infinitely elated, and cried out, that the Ministry, from envy to the glory of their predecessors, were prepared to repeal the Stamp Act. Near nine years after, the honorable gentleman takes quite opposite ground, and now challenges me to put my hand to my heart, and say, whether the Ministry had resolved on the repeal till a considerable time after the meeting of Parliament. Though I do not very well know what the honorable gentleman wishes to infer from the admission, or from the denial, of this fact, on which he so earnestly adjures me, I do put my hand on my heart, and assure him, that they did *not* come to a resolution directly to repeal. They weighed this matter as its difficulty and importance required. They considered maturely among themselves. They consulted with all who could give advice or information. It was not determined until a little before the meeting of Parliament; but it was determined, and the main lines of their own plan marked out before that meeting. Two questions arose (I hope I am not going into a narrative troublesome to the House)

[A cry of, go on, go on.]

The first of the two considerations was, whether the repeal should be total, or whether only partial; taking out every thing burthensome and productive, and reserving only an empty acknowledgment, such as a stamp on cards or dice. The other question was, on what principle the Act should be repealed? On this head also two principles were started. One, that the Legislative rights of this country, with regard to *America*, were not entire, but had certain restrictions and limitations. The other principle was, that taxes of this kind were contrary to the fundamental principles of commerce, on which the Colonies were founded; and contrary to every idea of political equity; by which equity we are bound, as much as possible to extend the spirit and benefit of the *British* constitution to every part of the *British* Dominions. The option, both of the measure, and of the principle of repeal, was made before the session; and I wonder how any one can read the King's speech at the opening of that session, without seeing, in that speech, both the repeal and Declaratory Act very sufficiently crayoned out. Those who cannot see this can see nothing.

Surely the honorable gentlemen will not think that a great deal less time than was then employed ought to have been spent in deliberation, when he considers that the news of the troubles did not arrive till towards the end of *October*. The Parliament sat to fill the vacancies on the 14th day of *December*, and on business the 14th of the following *January*.

Sir, a partial repeal, or, as the *bon ton* of the court then was, a *modification*, would have satisfied a timid, unsystematic, procrastinating Ministry, as such a measure has since done such a Ministry. A modification is the constant resource of weak undeciding minds. To repeal by a denial of our right to tax in the preamble (and this too did not want advisers,) would have cut in the heroic style, the Gordian knot with a sword. Either measure would have cost no more than a day's debate. But when the total repeal was adopted, and adopted on principles of policy, of equity, and of commerce, this plan made it necessary to enter into many and difficult measures. It became necessary to open a very large field of evidence, commensurate to these extensive views. But then this labour did knights service. It opened the eyes of several to the true state of the *American* affairs; it enlarged their ideas; it removed prejudices; and it conciliated the opinions and affections of men. The noble Lord who then took the lead in Administration, my honorable friend, (Mr. *Dowdeswell*) under me and a right honorable gentleman (General *Conway*,) (if he will not reject his share, and it was a large one of this business) exerted the most laudable industry in bringing before you the fullest, most impartial, and least garbled body of evidence, that ever was produced to this House. I think the inquiry lasted in the Committee for six weeks, and at its conclusion this House, by an independent, noble, spirited, and unexpected majority, by a majority that will redeem all the acts ever done by majorities in Parliament, in the teeth of all the old mercenary *Swiss* of State, in despite of all the speculators and augurs of political events, in defiance of the whole embattled legion of veteran pensioners and practised instruments of a court, gave a total repeal to the Stamp Act, and (if it had been so permitted) a lasting peace to this whole empire.

I state, Sir, these particulars, because this act of spirit and fortitude has lately been, in the circulation of the season, and in some hazarded declamations in this House, attributed to timidity. If, Sir, the conduct of Ministry, in proposing the repeal, had arisen from timidity with regard to themselves, it would have been greatly to be condemned. Interested timidity disgraces as much in the cabinet, as personal timidity does in the field. But timidity, with regard to the well being of our country, is heroic virtue. The noble Lord who then conducted affairs, and his worthy colleagues, whilst they trembled at the prospect of such distresses as you have since brought upon yourselves, were not afraid steadily to look in the face that glaring and dazzling influence at which the eyes of eagles have blenched. He looked in the face one of the ablest, and, let me say, not the most scrupulous oppositions, that perhaps ever was in this House, and withstood it, unaided by even one of the usual supports of Administration. He did this when he repealed the Stamp Act. He looked in the face a person he had long respected and regarded, and whose aid was then particularly wanting, I mean Lord *Chatham*. He did this when he passed the Declaratory Act.

It is now given out for the usual purposes, by the usual emissaries, that Lord *Rockingham* did not consent to the repeal of this Act until he was bullied into it by Lord *Chatham*; and the reporters have gone so far as publicly to assert, in an hundred companies, that the honorable gentleman under the gallery (General *Conway*,) who proposed the repeal in the *American* Committee, had another set of resolutions in his pocket directly the reverse of those he moved. These artifices of a desperate cause are, at this time, spread abroad, with incredible care, in every part of the town, from the highest to the lowest companies, as if the industry of the circulation were to make amends for the absurdity of the report.

Sir, whether the noble Lord is of a complexion to be bullied by Lord *Chatham* or by any man, I must submit to those who know him. I confess, when I look back to that time, I consider him as placed in one of the most trying situations in which, perhaps, any man ever stood. In the House of Peers there were very few of the Ministry, out of the noble Lord's own particular connexion (except Lord *Egmont*,) who acted as far as I could discern, an honorable and manly part,) that did not look to some other future arrangement, which warped his politics. There were in both Houses new and menacing appearances that might very naturally drive any other, than a most resolute Minister, from his measure, or from his station. The household troops openly revolted. The allies of Ministry (those I mean, who supported some of their measures, but refused responsibility for any) endeavoured to undermine their

Digitized by Google

credit, and to take ground that must be fatal to the success of the very cause which they would be thought to countenance. The question of the repeal was brought on by Ministry in the Committee of this House, in the very instant when it was known that more than one court negotiation was carrying on with the heads of the opposition. Every thing, upon every side, was full of traps and mines. Earth below shook; Heaven above menaced; all the elements of ministerial safety were dissolved. It was in the midst of this chaos of plots and counter-plots, it was in the midst of this complicated warfare against public opposition and private treachery, that the firmness of that noble person was put to the proof. He never stirred from his ground, no, not an inch. He remained fixed and determined, in principle, in measure, and in conduct. He practised no managements. He secured no retreat. He sought no apology.

I will likewise do justice, I ought to do it, to the honorable gentleman who led us in this House, (General *Conway*.) Far from the duplicity wickedly charged on him, he acted his part with alacrity and resolution. We all felt inspired by the example he gave us, down even to myself, the weakest in that phalanx. I declare for one, I knew well enough (it could not be concealed from any body) the true state of things; but, in my life, I never came with so much spirits into this House. It was a time for a *man* to act in. We had powerful enemies, but we had faithful and determined friends, and a glorious cause. We had a great battle to fight, but we had the means of fighting; not as now, when our arms are tied behind us. We did fight that day, and conquer.

I remember, Sir, with a melancholy pleasure, the situation of the honorable gentleman (General *Conway*) who made the motion for the repeal; in that crisis, when the whole trading interest of this empire, crammed into your lobbies, with a trembling and anxious expectation, waited, almost to a winter's return of light, their fate from your resolutions. When, at length, you had determined in their favour, and your doors, thrown open, shewed them the figure of their deliverer in the well-earned triumph of his important victory, from the whole of that grave multitude there arose an involuntary burst of gratitude and transport. They jumped upon him like children upon a long absent father. They clung about him as captives about their redeemer. All *England*, all *America*, joined to his applause. Nor did he seem insensible to the best of all earthly rewards, the love and admiration of his fellow-citizens. *Hope elevated and joy brightened his crest.* I stood near him; and his face, to use the expression of the Scripture of the first martyr, "his face was as if it had been the face of an angel." I do not know how others feel; but if I had stood in that situation, I never would have exchanged it for all that Kings in their profusion could bestow. I did hope, that that day's danger and honor would have been a bond to hold us all together for ever. But, alas! that, with other pleasing visions, is long since vanished.

Sir, this act of supreme magnanimity has been represented, as if it had been a measure of an Administration that, having no scheme of their own, took a middle line, pilfered a bit from one side and a bit from the other. Sir, they took *no* middle lines. They differed fundamentally from the schemes of both parties; but they preserved the objects of both. They preserved the authority of *Great Britain.* They preserved the equity of *Great Britain.* They made the Declaratory Act; they repealed the Stamp Act. They did both *fully;* because the Declaratory Act was *without qualification*, and the repeal of the Stamp Act *total.* This they did in the situation I have described.

Now, Sir, what will the adversary say to both these Acts? If the principle of the Declaratory Act was not good, the principle we are contending for this day is monstrous. If the principle of the repeal was not good, why are we not at war for a real substantial effective revenue? If both were bad, why has this Ministry incurred all the inconveniences of both and of all schemes? Why have they enacted, repealed, enforced, yielded, and now attempt to enforce again?

Sir, I think I may as well now, as at any other time, speak to a certain matter of fact, not wholly unrelated to the question under your consideration. We, who would persuade you to revert to the ancient policy of this Kingdom, labour under the effect of this short current phrase, which the court leaders have given out to all their corps, in order to take away the credit of those who would prevent you from that frantic war you are going to wage upon your Colonies. Their cant is this: "all the disturbances "in *America* have been created by the repeal of the Stamp "Act." I suppress for a moment my indignation at the falsehood, baseness, and absurdity of this most audacious assertion. Instead of remarking on the motives and character of those who have issued it for circulation, I will clearly lay before you the state of *America*, antecedently to that repeal; after the repeal; and since the renewal of the schemes of *American* taxation.

It is said, that the disturbances, if there were any, before the repeal, were slight, and, without difficulty or inconvenience, might have been suppressed. For an answer to this assertion, I will send you to the great author and patron of the Stamp Act, who certainly, meaning well to the authority of this country, and fully apprized of the state of that, made, before a repeal was so much as agitated in this House, the motion which is on your Journals; and which, to save the Clerk the trouble of turning to it, I will now read to you. It was for an amendment to the Address of the 17th of *December*, 1765:

"To express our just resentment and indignation at the "*outrageous tumults and insurrections* which have been "excited and carried on in *North America*, and at the re-"sistance given by *open* and *rebellious* force to the execu-"tion of the laws in that part of his Majesty's Dominions. "And to assure his Majesty, that his faithful Commons, "animated with the warmest duty and attachment to his "Royal Person and Government, will firmly and effectu-"ally support his Majesty in all such measures as shall be "necessary for preserving and supporting the legal de-"pendance of the Colonies on the mother country, &c., "&c."

Here was certainly a disturbance preceding the repeal; such a disturbance as Mr. *Grenville* thought necessary to qualify by the name of an *insurrection*, and the epithet of a *rebellious* force: terms much stronger than any by which those, who then supported his motion, have ever since thought proper to distinguish the subsequent disturbances in *America*. They were disturbances which seemed to him and his friends to justify as strong a promise of support, as hath been usual to give in the beginning of a war with the most powerful and declared enemies. When the accounts of the *American* Governors came before the House, they appeared stronger even than the warmth of public imagination had painted them; so much stronger, than the papers on your table bear me out in saying that all the late disturbances, which have been at one time the Minister's motives for the repeal of five out of six of the new court taxes, and are now his pretences for refusing to repeal that sixth, did not amount—why do I compare them?—no, not to a tenth part of the tumults and violence which prevailed long before the repeal of that Act.

Ministry cannot refuse the authority of the Commander-in-Chief, General *Gage*, who, in his letter of the 4th of *November*, from *New York*, thus represents the state of things:

"It is difficult to say, from the *highest to the lowest*, "who has not been accessory to this *insurrection*, either by "writing, or *mutual agreements*, to oppose the Act by, what "they are pleased to term, all legal opposition to it. "Nothing effectual has been proposed, either to prevent or "quell the tumult. *The rest of the Provinces are in the* "*same situation* as to a positive refusal to take the Stamps; "and threatening those who shall take them, *to plunder* "*and murder them;* and this affair stands *in all the Pro-*"*vinces*, that unless the Act, from its own nature, enforce "itself, nothing but a *very* considerable military force can "do it."

It is remarkable, Sir, that the persons who formerly trumpeted forth the most loudly, the violent resolutions of Assemblies; the universal insurrections; the seizing and the burning of the stamped papers; the forcing Stamp Officers to resign their commission under the gallows; the rifling and pulling down of the houses of Magistrates; and the expulsion from their country of all who dared to write or speak a single word in defence of the powers of Parliament; these very trumpeters are now the men that repre-

Digitized by Google

sent the whole as a mere trifle; and choose to date all the disturbances from the repeal of the Stamp Act, which put an end to them. Hear your officers abroad, and let them refute this shameless falsehood, who, in all their correspondence, state the disturbances as owing to their true causes, the discontent of the People from the taxes. You have this evidence in your own archives—and it will give you complete satisfaction; if you are not so far lost to all Parliamentary ideas of information, as rather to credit the lie of the day, than the records of your own House.

Sir, this vermin of court reporters, when they are forced into day upon one point, are sure to burrow in another; but they shall have no refuge; I will make them bolt out of all their holes. Conscious that they must be baffled, when they attribute a precedent disturbance to a subsequent measure, they take other ground, almost as absurd, but very common in modern practice, and very wicked, which is, to attribute the ill effect of ill-judged conduct to the arguments which had been used to dissuade us from it. They say, that the opposition made in Parliament to the Stamp Act at the time of its passing, encouraged the *Americans* to their resistance. This has even formally appeared in print in a regular volume, from an advocate of that faction, a Dr. *Tucker*. This Dr. *Tucker* is already a Dean, and his earnest labours in the vineyard will, I suppose, raise him to a Bishoprick. But this assertion too, just like the rest, is false. In all the papers which have loaded your table; in all the vast crowd of verbal witnesses that appeared at your bar, witnesses which were indiscriminately produced from both sides of the House, not the least hint of such a cause of disturbance has ever appeared. As to the fact of a strenuous opposition to the Stamp Act, I sat as a stranger in your gallery when the Act was under consideration. Far from any thing inflammatory, I never heard a more languid debate in this House. No more than two or three gentlemen, as I remember, spoke against the Act, and that with great reserve and remarkable temper. There was but one division in the whole progress of the Bill; and the minority did not reach to more than thirty-nine or forty. In the House of Lords I do not recollect that there was any debate or division at all. I am sure there was no protest. In fact, the affair passed with so very, very little noise, that in town they scarcely knew the nature of what you were doing. The opposition to the Bill in *England* never could have done this mischief, because there scarcely ever was less of opposition to a Bill of consequence.

Sir, the agents and distributors of falsehoods have, with their usual industry, circulated another lie of the same nature with the former. It is this, that the disturbances arose from the account which had been received in *America* of the change in the Ministry. No longer awed, it seems, with the spirit of the former rulers, they thought themselves a match for what our calumniators choose to qualify by the name of so feeble a Ministry as succeeded. Feeble in one sense these men certainly may be called; for with all their efforts, and they have made many, they have not been able to resist the distempered vigour, and insane alacrity with which you are rushing to your ruin. But it does so happen, that the falsity of this circulation is (like the rest) demonstrated by indisputable dates and records.

So little was the change known in *America*, that the letters of your Governors, giving an account of these disturbances long after they had arrived at their highest pitch, were all directed to the *old Ministry*, and particularly to the Earl of *Halifax*, the Secretary of State, corresponding with the Colonies, without once, in the smallest degree, intimating the slightest suspicion of any ministerial revolution whatsoever. The Ministry was not changed in *England* until the 10th day of *July*, 1765. On the 14th of the preceding *June*, Governor *Fauquier*, from *Virginia*, writes thus; and writes thus to the Earl of *Halifax*: "Government is set at *defiance*, not having strength "enough in her hands to enforce obedience to the laws of "the community. The private distress, which every man "feels, increases the *general dissatisfaction* at the duties "laid by the *Stamp Act*, which breaks out, and shews "itself upon every trifling occasion." The general dissatisfaction had produced some time before, that is on the 29th of *May*, several strong public resolves against the Stamp Act; and those resolves are assigned by Governor *Bernard*, as the cause of the *insurrections* in *Massachusetts Bay*, in his letter of the 15th of *August*, still addressed to the Earl of *Halifax*; and he continued to address such accounts to that Minister quite to the 7th of *September* of the same year. Similar accounts, and of as late a date, were sent from other Governors, and all directed to Lord *Halifax*. Not one of these letters indicates the slightest idea of a change, either known, or even apprehended.

Thus are blown away the insect race of courtly falsehoods! Thus perish the miserable inventions of the wretched runners for a wretched cause, which they have fly-blown into every weak and rotten part of the country, in vain hopes that when their maggots had taken wing, their importunate buzzing might sound something like the public voice!

Sir, I have troubled you sufficiently with the state of *America* before the repeal. Now I turn to the honorable gentleman who so stoutly challenges us to tell, whether, after the repeal, the Provinces were quiet? This is coming home to the point. Here I meet him directly; and answer most readily—they were quiet. And, I in my turn challenge him to prove when, and where, and by whom, and in what numbers, and with what violence, the other laws of trade, as gentlemen assert, were violated in consequence of your concession; or that even your other revenue laws were attacked? But I quit the vantage ground on which I stand, and where I might leave the burthen of the proof upon him: I walk down upon the open plain, and undertake to shew that they were not only quiet, but showed many unequivocal marks of acknowledgment and gratitude. And to give him every advantage, I select the obnoxious Colony of *Massachusetts Bay*, which at this time (but without hearing her) is so heavily a culprit before Parliament; I will select their proceedings even under circumstances of no small irritation. For a little imprudently I must say, Governor *Bernard* mixed in the administration of the lenitive of the repeal no small acrimony, arising from matters of a separate nature. Yet see, Sir, the effect of that lenitive, though mixed with these bitter ingredients; and how this rugged People can express themselves on a measure of concession.

"If it is not in our power," say they, in their Address to Governor *Bernard*, "in so full a manner as will be ex-"pected, to shew our respectful gratitude to the mother "country, or to make a dutiful and affectionate return to "the indulgence of the King and Parliament, it shall be "no fault of ours; for this we intend and hope we shall be "able fully to effect."

Would to God that this temper had been cultivated, managed, and set in action! Other effects than those which we have since felt would have resulted from it. On the requisition for compensation to those who had suffered from the violence of the populace, in the same Address they say, "The recommendation enjoined by Secretary "*Conway's* letter, and in consequence thereof made to us, "we will embrace the first convenient opportunity to con-"sider and act upon." They did consider; they did act upon it. They obeyed the requisition. I know the mode has been chicaned upon; but it was substantially obeyed; and much better obeyed than I fear the Parliamentary requisition of this session will be, though enforced by all your rigour, and backed with all your power. In a word, the damages of popular fury were compensated by Legislative gravity. Almost every other part of *America*, in various ways demonstrated their gratitude. I am bold to say, that so sudden a calm, recovered after so violent a storm, is without parallel in history. To say that no other disturbance should happen from any other cause, is folly. But as far as appearances went, by the judicious sacrifice of one law, you procured an acquiescence in all that remained. After this experience, nobody shall persuade me, when an whole People are concerned, that acts of lenity are not means of conciliation.

I hope the honorable gentleman has received a fair and full answer to his question.

I have done with the third period of your policy; that of your repeal; and the return of your ancient system, and your ancient tranquillity and concord. Sir, this period was not as long as it was happy. Another scene was opened, and other actors appeared on the stage. The

Digitized by Google

State, in the condition I have described it, was delivered into the hands of Lord *Chatham*—a great and celebrated name; a name that keeps the name of this country respectable in every other on the globe. It may be truly called,

Clarum et venerabile nomen
Gentibus, et multum nostræ quod proderat urbi.

Sir, the venerable age of this great man, his merited rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he fills in the eye of mankind, and, more than all the rest, his fall from power, which, like death, canonizes and sanctifies a great character, will not suffer me to censure any part of his conduct. I am afraid to flatter him; I am sure I am not disposed to blame him. Let those who have betrayed him by their adulation, insult him with their malevolence. But what I do not presume to censure, I may have leave to lament. For a wise man, he seemed to me, at that time, to be governed too much by general maxims. I speak with the freedom of history, and I hope without offence. One or two of these maxims, flowing from an opinion not the most indulgent to our unhappy species, and surely a little too general, led him into measures that were greatly mischievous to himself, and for that reason, among others, perhaps fatal to his country; measures, the effects of which, I am afraid, are for ever incurable. He made an Administration so checkered and speckled; he put together a piece of joinery, so crossly indented and whimsically dovetailed; a cabinet so variously inlaid; such a piece of diversified Mosaic; such a tesselated pavement without cement; here a bit of black stone, and there a bit of white; patriots and courtiers; King's friends and republicans; whigs and tories; treacherous friends and open enemies: that it was indeed a very curious show; but utterly unsafe to touch, and unsure to stand on. The colleagues whom he had assorted at the same boards, stared at each other, and were obliged to ask, "Sir, your name?—Sir, you have the advantage of me—Mr. such a one—I beg a thousand pardons." I venture to say, it did so happen, that persons had a single office divided between them, who had never spoke to each other in their lives, until they found themselves, they knew not how, pigging together, heads and points, in the same truckle-bed.*

Sir, in consequence of this arrangement, having put so much the larger part of his enemies and opposers into power, the confusion was such, that his own principles could not possibly have any effect or influence in the conduct of affairs. If ever he fell into a fit of the gout, or if any other cause withdrew him from public cares, principles directly the contrary were sure to predominate. When he had executed his plan, he had not an inch of ground to stand upon. When he had accomplished his scheme of Administration, he was no longer a Minister.

When his face was hid but for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his particular friends, who, with the names of various departments of Ministry, were admitted, to seem, as if they acted a part under him, with a modesty that becomes all men, and with a confidence in him, which was justified even in its extravagance by his superior abilities, had never, in any instance, presumed upon any opinion of their own. Deprived of his guiding influence, they were whirled about, the sport of every gust, and easily driven into any port; and as those who joined with them in manning the vessel were the most directly opposite to his opinions, measures, and character, and far the most artful and powerful of the set, they easily prevailed, so as to seize upon the vacant, unoccupied, and derelict minds of his friends; and instantly they turned the vessel wholly out of the course of his policy. As if it were to insult as well as to betray him, even long before the close of the first session of his Administration, when every thing was publicly transacted, and with great parade, in his name, they made an Act, declaring it highly just and expedient to raise a revenue in *America*. For even then, Sir, even before this splendid orb was entirely set, and while the Western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary, and, for his hour, became lord of the ascendant.

This light too is passed and set for ever. You understand, to be sure, that I speak of *Charles Townshend*, officially the re-producer of this fatal scheme; whom I cannot even now remember without some degree of sensibility. In truth, Sir, he was the delight and ornament of this House, and the charm of every private society which he honored with his presence. Perhaps there never arose in this country, nor in any country, a man of a more pointed and finished wit; and, (where his passions were not concerned) of a more refined, exquisite, and penetrating judgment. If he had not so great a stock, as some have had who flourished formerly, of knowledge long treasured up, he knew better by far, than any man I ever was acquainted with, how to bring together, within a short time, all that was necessary to establish, to illustrate, and to decorate that side of the question he supported. He stated his matter skilfully and powerfully. He particularly excelled in a most luminous explanation and display of his subject. His style of argument was neither trite and vulgar, nor subtle and abstruse. He hit the House just between wind and water. And not being troubled with too anxious a zeal for any matter in question, he was never more tedious, or more earnest, than the pre-conceived opinions and present temper of his hearers required, to whom he was always in perfect unison. He conformed exactly to the temper of the House; and he seemed to guide, because he was always sure to follow it.

I beg pardon, Sir, if when I speak of this and of other great men, I appear to digress in saying something of their characters. In this eventful history of the revolutions of *America*, the characters of such men are of much importance. Great men are the guide-posts and land-marks in the State. The credit of such men at court, or in the nation, is the sole cause of all the public measures. It would be an invidious thing (most foreign, I trust, to what you think my disposition) to remark the errors into which the authority of great names has brought the nation, without doing justice at the same time to the great qualities whence that authority arose. The subject is instructive to those who wish to form themselves on whatever of excellence has gone before them. There are many young members in the House (such of late has been the rapid succession of public men) who never saw that prodigy, *Charles Townshend*, nor of course know what a ferment he was able to excite in every thing by the violent ebullition of his mixed virtues and failings; for failings he had undoubtedly—many of us remember them; we are this day considering the effect of them. But he had no failings which were not owing to a noble cause; to an ardent, generous, perhaps an immoderate passion for Fame; a passion which is the instinct of all great souls. He worshipped that goddess wheresoever she appeared, but he paid his particular devotions to her in her favourite habitation, in her chosen temple, the House of Commons. Besides the characters of the individuals that compose our body, it is impossible, Mr. Speaker, not to observe that this House has a collective character of its own. That character too, however imperfect, is not unamiable. Like all great public collections of men, you possess a marked love of virtue, and an abhorrence of vice. But among vices, there is none which the House abhors in the same degree with *obstinacy*. Obstinacy, Sir, is certainly a great vice; and in the changeful state of political affairs it is frequently the cause of great mischief. It happens, however, very unfortunately, that almost the whole line of the great and masculine virtues, constancy, gravity, magnanimity, fortitude, fidelity, and firmness, are closely allied to this disagreeable quality, of which you have so just an abhorrence; and, in their excess, all these virtues very easily fall into it. He, who paid such a punctilious attention to all your feelings, certainly took care not to shock them by that vice which is the most disgustful to you.

That fear of displeasing those who ought most to be pleased, betrayed him sometimes into the other extreme. He had voted, and, in the year 1765, had been an advocate for the Stamp Act. Things and the disposition of men's minds were changed. In short, the Stamp Act began to be no favourite in this House. He therefore at-

* Supposed to allude to the right honorable Lord *North* and *George Cooke*, Esquire, who were made joint Paymasters in the summer of 1766, on the removal of the *Rockingham* Administration.

Digitized by Google

tended at a private meeting in which the resolutions moved by a right honorable gentleman were settled; resolutions leading to the repeal. The next day he voted for that repeal; and he would have spoken for it too, if an illness (not as was then given out, a political, but, to my knowledge, a very real illness) had not prevented it.

The very next session, as the fashion of this world passeth away, the repeal began to be in as bad an odour in this House as the Stamp Act had been in the session before. To conform to the temper which began to prevail, and to prevail mostly among those most in power, he declared, very early in the winter, that a revenue must be had out of *America*. Instantly he was tied down to his engagements by some who had no objection to such experiments, when made at the cost of persons for whom they had no particular regard. The whole body of courtiers drove him onward. They always talked as if the King stood in a sort of humiliated state, until something of the kind should be done.

Here this extraordinary man, then Chancellor of the Exchequer, found himself in great straits. To please universally was the object of his life; but to tax and to please, no more than to love and to be wise, is not given to men. However he attempted it. To render the tax palatable to the partizans of *American* revenue, he made a preamble stating the necessity of such a revenue. To close with the *American* distinction, this revenue was *external* or port duty; but again, to soften it to the other party, it was a duty of *supply*. To gratify the *Colonists*, it was laid on *British* manufactures; to satisfy the *merchants of Britain*, the duty was trivial, and (except that on tea, which touched only the devoted *East India* Company) on none of the grand objects of commerce. To counterwork the *American* contraband, the duty on tea was reduced from a shilling to three-pence. But to secure the favour of those who would tax *America*, the scene of collection was changed, and, with the rest, it was levied in the Colonies. What need I say more? This fine spun scheme had the usual fate of all exquisite policy. But the original plan of the duties, and the mode of executing that plan, both arose singly and solely from a love of our applause. He was truly the child of the House. He never thought, did, or said any thing but with a view to you. He every day adapted himself to your disposition; and adjusted himself before it, as at a looking glass.

He had observed (indeed it could not escape him) that several persons, infinitely his inferiors in all respects, had formerly rendered themselves considerable in this House by one method alone. They were a race of men (I hope in God the species is extinct) who, when they rose in their place, no man living could divine, from any known adherence to parties, to opinions, or to principles; from any order or system in their politics; or from any sequel or connection in their ideas, what part they were going to take in any debate. It is astonishing how much this uncertainty, especially at critical times, called the attention of all parties on such men. All eyes were fixed on them, all ears open to hear them: each party gaped and looked alternately for their vote, almost to the end of their speeches. While the House hung in this uncertainty, now the *hear-hims* rose from this side—now they re-bellowed from the other; and that party to whom they fell at length from their tremulous and dancing balance, always received them in a tempest of applause. The fortune of such men was a temptation too great to be resisted by one, to whom a single whiff of incense withheld gave much greater pain, than he received delight in the clouds of it which daily rose about him from the prodigal superstition of innumerable admirers. He was a candidate for contradictory honours; and his great aim was to make those agree in admiration of him who never agreed in any thing else.

Hence arose this unfortunate Act, the subject of this day's debate; from a disposition which, after making an *American* revenue to please one, repealed it to please others, and again revived it in hopes of pleasing a third, and of catching something in the ideas of all.

This Revenue Act of 1767, formed the fourth period of *American* policy. How we have fared since then—what woeful variety of schemes have been adopted; what enforcing, and what repealing; what bullying, and what submitting; what doing, and undoing; what straining and what relaxing; what Assemblies dissolved for not obeying, and called again without obedience; what troops sent out to quell resistance, and on meeting that resistance, recalled; what shiftings, and changes, and jumblings of all kinds of men at home, which left no possibility of order, consistency, vigour, or even so much as a decent unity of colour in any one public measure—it is a tedious, irksome talk—my duty may call me to open it out some other time; on a former occasion* I tried your temper on a part of it; for the present I shall forbear.

After all these changes and agitations, your immediate situation upon the question on your paper is at length brought to this. You have an Act of Parliament, stating, that "it is *expedient* to raise a revenue in *America*." By a partial repeal you annihilated the greatest part of that revenue, which this preamble declares to be so expedient. You have substituted no other in the place of it. A Secretary of State has disclaimed, in the King's name, all thoughts of such a substitution in future. The principle of this disclaimer goes to what has been left, as well as what has been repealed. The tax which lingers after its companions (under a preamble, declaring an *American* revenue expedient, and for the sole purpose of supporting the theory of that preamble) militates with the assurance authentically conveyed to the Colonies; and is an exhaustless source of jealousy and animosity. On this state, which I take to be fair one, not being able to discern any grounds of honor, advantage, peace, or power, for adhering either to the Act or to the preamble, I shall vote for the question which leads to the repeal of both.

If you do not fall in with this motion, then secure something to fight for, consistent in theory, and valuable in practice. If you must employ your strength, employ it to uphold you in some honorable right, or some profitable wrong. If you are apprehensive that the concession recommended to you, though proper, should be a means of drawing on you further but unreasonable claims—why, then employ your force in supporting that reasonable concession against those unreasonable demands. You will employ it with more grace, with better effect, and with great probable concurrence of all the quiet and rational People in the Provinces, who are now united with, and hurried away by the violent; having indeed different dispositions, but a common interest. If you apprehend that on a concession you shall be pushed by metaphysical process to the extreme lines, and argued out of your whole authority, my advice is this, when you have recovered your old, your strong, your tenable position, then face about—stop short—do nothing more—reason not at all—oppose the ancient policy and practice of the empire, as a rampart against the speculation of innovators on both sides of the question, and you will stand on great, manly, and sure ground. On this solid basis fix your machines, and they will draw worlds towards you.

Your Ministers, in their own and his Majesty's name, have already adopted the *American* distinction of internal and external duties. It is a distinction, whatever merit it may have, that was originally moved by the *Americans* themselves; and I think they will acquiesce in it, if they are not pushed with too much logic and too little sense, in all the consequences. That is, if external taxation be understood, as they and you understand it when you please, to be not a distinction of geography, but of policy; that it is a power for regulating trade, and not for supporting establishments. The distinction, which is as nothing with regard to right, is of most weighty consideration in practice. Recover your old ground, and your old tranquillity—try it—I am persuaded the *Americans* will compromise with you. When confidence is once restored, the odious and suspicious *summum jus* will perish of course. The spirit of practicability, of moderation, and mutual convenience, will never call in geometrical exactness as the arbitrator of an amicable settlement. Consult and follow your experience. Let not the long story with which I have exercised your patience, prove fruitless to your interests.

For my part, I should choose (if I could have my wish) that the proposition of the honorable gentleman (Mr. *Fuller*) for the repeal, could go to *America* without the attendance of the Penal Bills. Alone I could almost answer for its success. I cannot be certain of its reception in the

* Resolutions moved in *May*, 1770.

Digitized by Google

bad company it may keep. In such heterogeneous assortments, the most innocent person will lose the effect of his innocency. Though you should send out this angel of peace, yet you are sending out a destroying angel too; and what would be the effect of the conflict of these two adverse spirits, or which would predominate in the end, is what I dare not say: whether the lenient measures would cause *American* passion to subside, or the severe would increase its fury—all this is in the hand of Providence; yet now, even now, I should confide in the prevailing virtue, and efficacious operation of lenity, though working in darkness, and in chaos, in the midst of all this unnatural and turbid combination. I should hope it might produce order and beauty in the end.

Let us, Sir, embrace some system or other before we end this session. Do you mean to tax *America*, and to draw a productive revenue from thence? If you do, speak out: name, fix, ascertain this revenue; settle its quantity; define its objects; provide for its collection; and then fight when you have something to fight for. If you murder—rob! If you kill, take possession; and do not appear in the character of madmen, as well as assassins, violent, vindictive, bloody, and tyrannical, without an object. But may better counsels guide you!

Again, and again, revert to your old principles—seek peace and ensue it—leave *America*, if she has taxable matter in her, to tax herself. I am not here going into the distinctions of rights, nor attempting to mark their boundaries. I do not enter into these metaphysical distinctions; I hate the very sound of them. Leave the *Americans* as they anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They, and we, and their and our ancestors, have been happy under that system. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished for ever. Be content to bind *America* by laws of trade; you have always done it. Let this be your reason for binding their trade. Do not burthen them by taxes; you were not used to do so from the beginning. Let this be your reason for not taxing. These are the arguments of States and Kingdoms. Leave the rest to the schools; for there only they may be discussed with safety. But if, intemperately, unwisely, fatally, you sophisticate and poison the very source of Government, by urging subtle deductions, and consequences odious to those you govern, from the unlimited and illimitable nature of supreme sovereignty, you will teach them by these means to call that sovereignty itself in question. When you drive him hard the boar will surely turn upon the hunters. If that sovereignty and their freedom cannot be reconciled, which will they take? They will cast your sovereignty in your face. No body will be argued into slavery. Sir, let the gentlemen on the other side call forth all their ability; let the best of them get up and tell me, what one character of liberty the *Americans* have, and what one brand of slavery they are free from, if they are bound in their property and industry, by all the restraints you can imagine on commerce, and at the same time are made pack horses of every tax you choose to impose, without the least share in granting them? When they bear the burthens of unlimited monopoly, will you bring them to bear the burthens of unlimited revenue too? The *Englishman* in *America* will feel that this slavery—this *legal* slavery, will be no compensation, either to his feelings or his understanding.

A noble Lord (Lord *Carmarthen,*) who spoke some time ago, is full of the fire of ingenuous youth; and when he has modelled the ideas of a lively imagination by further experience, he will be an ornament to his country in either House. He has said, that the *Americans* are our children; and how can they revolt against their parent? He says, that if they are not free in their present state, *England* is not free; because *Manchester*, and other considerable places, are not represented. So then, because some towns in *England* are not represented, *America* is to have no Representative at all. They are "our children;" but when children ask for bread, we are not to give a stone. Is it because the natural resistance of things, and the various mutations of time hinders our Government, or any scheme of Government from being any more than a sort of approximation to the right, is it therefore that the Colonies are to recede from it infinitely? When this child of ours wishes to assimilate to its parent, and to reflect with a true filial resemblance the beauteous countenance of *British* liberty; are we to turn to them the shameful parts of our constitution? Are we to give them our weakness for their strength; our opprobrium for their glory; and the slough of slavery, which we are not able to work off, to serve them for their freedom?

If this be the case, ask yourselves this question—will they be content in such a state of slavery? If not, look to the consequences. Reflect how you are to govern a People, who think they ought to be free, and think they are not. Your scheme yields no revenue; it yields nothing but discontent, disorder, disobedience; and such is the state of *America*, that after wading up to your eyes in blood, you could only end just where you begun; that is, to tax where no revenue is to be found, to—my voice fails me; my inclination indeed carries me no further—all is confusion beyond it.

Well, Sir, I have recovered a little, and before I sit down I must say something to another point with which gentlemen urge us. What is to become of the Declaratory Act asserting the entireness of *British* Legislative authority, if we abandon the practice of taxation?

For my part, I look upon the rights stated in that Act, exactly in the manner in which I viewed them on its very first proposition, and which I have often taken the liberty, with great humility, to lay before you. I look, I say, on the imperial rights of *Great Britain*, and the privileges which the Colonists ought to enjoy under these rights, to be just the most reconcileable things in the world. The Parliament of *Great Britain* sits at the head of her extensive empire in two capacities: one as the local Legislature of this Island, providing for all things at home, immediately, and by no other instrument than the Executive power. The other, and I think her nobler capacity, is what I call her *imperial character;* in which, as from the throne of heaven, she superintends at the several inferior Legislatures, and guides and controls them all without annihilating any. As all these Provincial Legislatures are only co-ordinate to each other, they ought all to be subordinate to her; else they can neither preserve mutual peace, nor hope for mutual justice, nor effectually afford mutual assistance. It is necessary to coerce the negligent, to restrain the violent, and to aid the weak and deficient, by the overruling plenitude of her power. She is never to intrude into the place of the others, whilst they are equal to the common ends of their institution. But in order to enable Parliament to answer all these ends of provident and beneficent superintendence, her powers must be boundless. The gentlemen who think the powers of Parliament limited, may please themselves to talk of requisitions. But suppose the requisitions are not obeyed? What! Shall there be no reserved power in the empire to supply a deficiency which may weaken, divide, and dissipate the whole? We are engaged in war—the Secretary of State calls upon the Colonies to contribute—some would do it, I think most would cheerfully furnish whatever is demanded—one or two, suppose hang back, and easing themselves, let the stress of the draft lie on the others—surely it is proper that some authority might legally say—"Tax yourselves for "the common supply, or Parliament will do it for you." This backwardness was, as I am told, actually the case of *Pennsylvania*, for some short time towards the beginning of the last war, owing to some internal dissentions in the Colony. But, whether the fact were so, or otherwise, the case is equally to be provided for by a competent sovereign power. But then this ought to be no ordinary power, nor ever used in the first instance. This is what I meant, when I have said at various times, that I consider the power of taxing in Parliament as an instrument of empire, and not as a means of supply.

Such, Sir, is my idea of the constitution of the *British* empire, as distinguished from the constitution of *Britain;* and on these grounds I think subordination and liberty may be sufficiently reconciled through the whole; whether to serve a refining speculatist, or a factious demagogue, I know not; but enough, surely, for the ease and happiness of man.

Sir, whilst we held this happy course, we drew more from the Colonies than all the impotent violence of despotism ever could extort from them. We did this abundant-

Digitized by Google

ly in the last war. It has never been once denied—and what reason have we to imagine that the Colonies would not have proceeded in supplying Government as liberally, if you had not stepped in and hindered them from contributing, by interrupting the channel in which their liberality flowed with so strong a course; by attempting to take, instead of being satisfied to receive. Sir *William Temple*, says, that *Holland* has loaded itself with ten times the impositions which it revolted from *Spain*, rather than submit to. He says true. Tyranny is a poor provider. It knows neither how to accumulate, nor how to extract.

I charge, therefore, to this new and unfortunate system the loss not only of peace, of union, and of commerce, but even of revenue, which its friends are contending for. It is morally certain, that we have lost at least a million of free grants since the peace. I think we have lost a great deal more; and that those who look for a revenue from the Provinces, never could have pursued even in that light, a course more directly repugnant to their purposes.

Now, Sir, I trust I have shewn, first on that narrow ground which the honorable gentleman measured, that you are like to lose nothing by complying with the motion, except what you have lost already. I have shewn, afterwards, that in time of peace you flourished in commerce, and when war required it, had sufficient aid from the Colonies, while you pursued your ancient policy; that you threw every thing into confusion when you made the Stamp Act; and that you restored every thing to peace and order when you repealed it. I have shewn that the revival of the system of taxation has produced the very worst effects; and that the partial repeal has produced, not partial good, but universal evil. Let these considerations, founded on facts, not one of which can be denied, bring us back to your reason by the road of your experience.

I cannot, as I have said, answer for mixed measures; but surely this mixture of lenity would give the whole a better chance of success. When you once regain confidence, the way will be clear before you. Then you may enforce the Act of Navigation when it ought to be enforced. You will yourselves open it where it ought still further to be opened. Proceed in what you do, whatever you do, from policy, and not from rancour. Let us act like men, let us act like statesmen. Let us hold some sort of consistent conduct. It is agreed that a revenue is not to be had in *America*. If we lose the profit, let us get rid of the odium.

On this business of *America*, I confess, I am serious, even to sadness. I have had but one opinion concerning it since I sat, and before I sat in Parliament. The noble Lord, (Lord *North*) will, as usual, probably, attribute the part taken by me and my friends in this business, to a desire of getting his places. Let him enjoy this happy and original idea. If I deprived him of it, I should take away most of his wit and all his argument. But I had rather bear the brunt of all his wit, and indeed blows much heavier, than stand answerable to God for embracing a system that tends to the destruction of some of the very best and fairest of his works. But I know the map of *England*, as well as the noble Lord (Lord *North*,) or as any other person; and I know that the way I take is not the road to preferment. My excellent and honorable friend under me on the floor, (Mr. *Dowdeswell*,) has trod that road with great toil for upwards of twenty years together. He is not yet arrived at the noble Lord's destination. However, the tracks of my worthy friend are those I have ever wished to follow; because I know they lead to honor. Long may we tread the same road together; whoever may accompany us, or whoever may laugh at us on our journey! I honestly and solemnly declare, I have in all seasons adhered to the system of 1766, for no other reason, than that I think it laid deep in your truest interests—and that, by limiting the exercise, it fixes on the firmest foundations, a real, consistent, well-grounded authority in Parliament. Until you come back to that system, there will be no peace for *England*.

Mr. Solicitor General *Wedderburn*. I am not willing to trouble the House long upon this occasion, as it is impossible to say any thing that has not been touched upon before; but I cannot accede to the characters the honorable gentleman has given; I differ much from him in the character of that great man, the late Mr. *Grenville*, of whom I shall always speak with veneration; but I cannot, Sir, help thinking, that if you repeal this Act, the *Americans* will consider you weak in the highest degree, and receive it in the same manner as if you had done it through fear. The disposition to deny your authority in *America*, was long before the passing or repealing the Stamp Act. The Assembly address the Council, how an Act of the Legislature came to be enrolled in their statute book, not assented to by them. Was this not a flagrant instance of their rebellious disposition? They consider all the Acts that restrain trade as illegal, and they want to treat with you upon an independent footing; but if you give up this tax, it is not here that you must stop, you will be required to give up much more, nay, to give up all. Much has been said about requisition; but I wish gentlemen would consider how, and in what manner, the Ministers of this country, treating with the Assemblies of *America*, are to raise the money without the aid of their Legislature.

Mr. *Burke* rose to explain, that he did not mean to cast the least slur upon the character of the late Mr. *Grenville;* and concluded with saying, he would not raise the bodies of the dead, to make them vampires to suck out the virtues of the living.

Mr. *Charles Fox*. Let us consider, Sir, what is the state *America* appears in to this country; the *Americans* will appear as useful subjects, if you will use them with that temper and lenity which you ought to do. When the Stamp Act was repealed murmurs ceased, and quiet succeeded. Taxes have produced a contrary behaviour; they have been succeeded by riots and disturbances. Here is an absolute dereliction of the authority of this country. It has been said that *America* is not represented here, but virtually the *Americans* are full as virtually taxed as virtually represented. A tax can only be laid for three purposes: the first for a commercial regulation, the second for a revenue, and the third for asserting your right. As to the two first, it has clearly been denied it is for either; as to the latter, it is only done with a view to irritate and declare war there, which, if you persist in, I am clearly of opinion you will effect, or force into open rebellion.

Lord *Beauchamp*. Sir, I should not intrude at this late hour of the night, did I not wish to express my thoughts, that the *Americans* are not contending for the mode of taxation, but the right. Some years ago, when this Act was passed, combinations took place, in order to oppose that authority which you wish to exert. Measures are now adopted to induce them to consent to this Act, not by force, but by means which I hope will bring them to a sense of their duty. Had this repeal been proposed some sessions ago, I should most probably have adopted it; but the present disturbances in *America* totally prevent my giving my consent to it. I think it impracticable to repeal it, because we give up our right; and I am not prepared to say, that at no future moment I would tax *America*. There may be times when the necessity of supplying the exigencies of this country may demand that aid; and therefore I would exert our authority now by a practicable claim of right, which I hope will not hereafter be disputed.

General *Burgoyne*. Sir, I look upon *America* to be our child, which I think we have already spoiled by too much indulgence. We are desired to conciliate measures with the *Americans;* I look upon this measure to have a totally different effect; I think it a mis-use of time to go into a Committee, and that even the inquiry, the news of which will soon reach *America*, will tend to nothing but to raise heats, and not appease, but irritate and disturb the more. It is said, if you remove this duty, you will remove all grievances in *America;* but I am apprehensive that it is the right of taxation they contend about, and not the tax; it is the independent state of that country upon the Legislature of this, which is contended for; but, Sir, I am ready to resist that proposition, and to contend, at any future time, against such independence. I will not enter into the characters of People, nor will I call the great person who planned these measures a cherubim, seraphim, or arch-angel; but, as a man, I believe he has a good head and an honest heart. [The House here seemed very noisy, and did not attend.] He therefore sat down, concluding, that he wished to see *America* convinced by persuasion, rather than the sword.

Mr. *T. Townshend*. Sir, I wish much to go into a

Digitized by Google

Committee upon this occasion, because the Tea Duty, as an object of revenue, is unworthy your consideration; but it is an object which, when once removed from the *Americans*, will give ease and satisfaction to their minds; and it is preserved by you merely to keep up a continual contest. I will not go back to the ground of arguments which has been so often trod, and which I wish had not been brought forth as the ground of former proceedings, mixing them with the present. I shall look upon this Committee, if granted, as the prelude to that peace which you want to restore to *America*, and shall therefore give my hearty affirmative.

Lord *Clare*. Every man who has spoken on this occasion, has prudently avoided going into any thing that gave rise to the original taxation. I am sorry to find that there is even a negative voice against continuing this tax; but as I find there is dissention upon the occasion, it will give room to the *Americans* to say that the question was much debated, and far from being unanimous; they will upon that account, hold resistance to the measure to be a good ground for some time or other producing a repeal. I could have wished to have seen the House nearly unanimous against the motion, as I am afraid our differences here will countenance resistance there. What, Sir, would they have us surrender the right of *Great Britain?* It is impossible, in the nature of things, that he can carry this question; and instead of my honorable friend (Mr. *Fuller*) wishing to restore peace and quietude, he will find he is whetting his sword that it may cut with a keener edge.

Mr. *Buller*. Sir, I would treat the *Americans* as subjects of *Great Britain*, and think them liable to be taxed as well as any others. I am afraid that all these disturbances have been owing to a change of measures in this country. I think a repeal of this Act will have a bad effect, and you will not know where it will end.

Mr. *Frederick Montagu*. Sir, I feel a strong inclination to trouble the House on this occasion. There must be one supreme right of taxing, I allow, but I think it inexpedient at present to exercise it, and that the only proper way of taxing of *America*, is through the medium of commerce, and not by hard money. If this motion is rejected, I do not think it will carry the appearance as if we meant to be pacific.

Colonel *Barré*. I have spoken, Sir, fully on this affair, in what I have said at different times before, and it is impossible to tread the same ground, and to make it pleasant to the same hearers. It has been said that millions have been collected from this country for the use of *America*; but it ought to be considered, that the stroke of war has been given in many of his Majesty's Dominions, sometimes necessary in one, sometimes in another, and wherever an injury has been struck, there *Great Britain* resents it. This tax has been said to be not a fruitful one; I think it a very fruitful one, for it has produced riots and disturbances; it has been resisted, it has done its duty, let us dismiss it. I have been much quoted for requisitions; if you will make them with some address, they will comply. I have been also quoted for the olive branch; I say, you have let slip several millions in the East, and now look for a revenue from a pepper-corn in the West. This you will have to lay to your charge, that you will whet your swords in the bowels of your own subjects, and massacre many of your fellow-creatures, who do not know under what constitution of Government they live, by enforcing this tax. You will at last resort to that romantic idea of requisition. [The House was very noisy, and did not give much attention to him, which prevented him from speaking, as he had usually done.]

Lord *North* said, he was ashamed to take up the time of the House at that late hour of the night, and more so, as what he had to say, chiefly related to himself. He gave an account of the letter which Mr. *Burke* had read, from Lord *Hillsborough* to the *Americans*, and stated the matter of its contents in the best light he could. His Lordship said, this letter of concession was far from quieting the minds of the *Americans*; that they were guilty of all riots and disturbances; that the non-importation agreement was as impudent and futile a measure as ever existed; and said, he was glad he did not, at that time, propose the repeal of this tax, when all the resolutions of the town meetings denied the authority of this country. Nothing but wisdom on our side, and prudence on theirs, can bring them to a better temper. The tea tax is not an inconsiderable revenue. Convince your Colonies that you are able and not afraid to controul them, and, depend upon it, obedience in them will be the result of your deliberation; and let us conduct ourselves with firmness and resolution throughout the whole of these measures, and there is no doubt but peace and quietude will soon be restored.

Mr. *Dowdeswell*. I wish the noble Lord would consider what will be the result of these measures. I apprehend the consequences will be dangerous. We are now in great difficulties; let us resolve to do justice before it is too late.

The question on the motion then being put,

The House divided; Yeas, 49; Nays, 182.

So it passed in the Negative.

VI. BILL FOR QUARTERING TROOPS IN AMERICA.

HOUSE OF COMMONS.

FRIDAY, *April* 29, 1774.

Ordered, That leave be granted to bring in a Bill for the better providing suitable Quarters for Officers and Soldiers in his Majesty's service in *North America*; and that the Lord *Barrington* and Mr. *Pownall* do prepare, and bring in the same.

MONDAY, *May* 2, 1774.

The Lord *Barrington* presented the Bill according to order: And it was read the first time.

Ordered, That the said Bill be read a second time to-morrow morning.

WEDNESDAY, *May* 4, 1774.

The Bill was read a second time and committed to a Committee of the whole House.

Resolved, That this House will, to-morrow morning, resolve itself into a Committee of the whole House, upon the said Bill.

THURSDAY, *May* 5, 1774.

The order of the day being read, the House resolved itself in a Committee, on the Bill.

When Mr. Speaker resumed the Chair,

Mr. *Whitworth* reported from the Committee, that they had gone through the Bill, and made several amendments thereunto.

Ordered, That the Report be received to-morrow morning.

FRIDAY, *May* 6, 1774.

Mr. *Whitworth*, according to order, reported from the Committee of the Whole, the Bill with the amendments

Digitized by Google

made by the Committee; and the amendments were severally agreed to by the House.

Ordered, That the Bill, with the amendments, be engrossed.

MONDAY, *May* 9, 1774.

An engrossed Bill for the better providing suitable Quarters for Officers and Soldiers in his Majesty's service in *North America*, was read the third time.

Resolved, That the Bill do Pass.

Ordered, That Sir *Charles Whitworth* do carry the Bill to the Lords, and desire their concurrence.

HOUSE OF LORDS.

MONDAY, *May* 9, 1774.

A Message was brought from the House of Commons, by Sir *Charles Whitworth*, and others:

With a Bill, intituled, "An Act for the better providing "suitable Quarters for Officers and Soldiers in his Majesty's "service in *North America*;" to which they desire the concurrence of this House.

The said Bill was read the first time,

Ordered, That the said Bill be printed.

THURSDAY, *May* 12, 1774.

The order of the day being read, the Bill was accordingly read a second time, and committed to a Committee of the whole House.

Ordered, That the House be put into a Committee upon the said Bill, to-morrow; and that the Lords be summoned.

MONDAY, *May* 16, 1774.

The House, according to order, was put into a Committee upon the Bill.

After some time the House was resumed:

And the Lord *Boston* reported from the Committee, that they had gone through the Bill, and directed him to report the same to the House, without any amendment.

Ordered, That the said Bill be read a third time on *Wednesday* next; and that the Lords be summoned.

WEDNESDAY, *May* 18, 1774.

The order of the day being read, for the third reading of the Bill:

Ordered, That the said Bill be read the third time, on *Thursday*, the 26th day of this instant, *May*; and that the Lords be summoned.

THURSDAY, *May* 26, 1774.

The order of the day being read, for the third reading of the Bill:

The said Bill was accordingly read the third time.

Moved, That the Bill do Pass?

Lord *Chatham* rose and said:

My Lords, the unfavourable state of health under which I have long laboured could not prevent me from laying before your Lordships my thoughts on the Bill now upon the table, and on the state of *American* affairs in general.

If we take a transient view of those motives which induced the ancestors of our fellow-subjects in *America* to leave their native country, to encounter the innumerable difficulties of the unexplored regions of the Western world, our astonishment at the present conduct of their descendants will naturally subside. There was no corner of the world into which men of their free and enterprising spirit would not fly with alacrity, rather than submit to the slavish and tyrannical principles which prevailed at that period in their native country. And shall we wonder, my Lords, if the descendants of such illustrious characters spurn, with contempt, the hand of unconstitutional power, that would snatch from them such dear-bought privileges as they now contend for? Had the *British* Colonies been planted by any other Kingdom than our own, the inhabitants would have carried with them the chains of slavery, and spirit of despotism; but as they are, they ought to be remembered as great instances to instruct the world, what great exertions mankind will naturally make, when they are left to the free exercise of their own powers. And, my Lords, notwithstanding my intention to give my hearty negative to the question now before you, I cannot help condemning, in the severest manner, the late turbulent and unwarrantable conduct of the *Americans* in some instances, particularly in the late riots of *Boston*. But, my Lords, the mode which has been pursued to bring them back to a sense of their duty to their Parent State has been so diametrically opposite to the fundamental principles of sound policy, that individuals, possessed of common understanding, must be astonished at such proceedings. By blocking up the harbour of *Boston*, you have involved the innocent trader in the same punishment with the guilty profligates who destroyed your merchandise; and instead of making a well-concerted effort to secure the real offenders, you clap a naval and military extinguisher over their harbour, and punish the crime of a few lawless depredators and their abettors, upon the whole body of the inhabitants.

My Lords, this country is little obliged to the framers and promoters of this tea tax. The *Americans* had almost forgot, in their excess of gratitude for the repeal of the Stamp Act, any interest but that of the mother country: there seemed an emulation among the different Provinces, who should be most dutiful and forward in their expressions of loyalty to their real benefactors; as you will readily perceive by the following letter, from Governor *Bernard*, to a noble Lord then in office: "The House of "Representatives," says he, "from the time of opening "the session to this day, has shewn a disposition to "avoid all dispute with me: every thing having passed "with as much good humour as I could desire. They "have acted, in all things, with temper and moderation; "they have avoided some subjects of dispute, and have "laid a foundation for removing some causes of former "altercation."

This my Lords, was the temper of the *Americans*; and would have continued so, had it not been interrupted by your fruitless endeavours to tax them without their consent; but the moment they perceived your intention was renewed to tax them, under a pretence of serving the *East India* Company, their resentment got the ascendant of their moderation, and hurried them into actions contrary to law, which, in their cooler hours, they would have thought on with horrour: for I sincerely believe the destroying of the tea was the effect of despair.

But, my Lords, from the complexion of the whole of the proceedings, I think that Administration has purposely irritated them into those late violent acts, for which they now so severely smart, purposely to be revenged on them for the victory they gained by the repeal of the Stamp Act; a measure to which they seemingly acquiesced, but at the bottom they were its real enemies. For what other motive could induce them to dress taxation, that father of *American* sedition, in the robes of an *East India* Director, but to break in upon that mutual peace and harmony, which then so happily subsisted between them and the mother country?

My Lords, I am an old man, and would advise the noble Lords in office to adopt a more gentle mode of governing *America*; for the day is not far distant, when *America* may vie with these Kingdoms, not only in arms, but in arts also. It is an established fact, that the principal towns in *America* are learned and polite, and understand the constitution of the empire as well as the noble Lords who are now in office; and consequently, they will have a watchful eye over their liberties, to prevent the least encroachment on their hereditary rights.

This observation is so recently exemplified in an excellent pamphlet, which comes from the pen of an *American* gentleman, that I shall take the liberty of reading to your Lordships his thoughts on the competency of the *British* Parliament to tax *America*, which in my opinion, puts this interesting matter in the clearest view: "The High "Court of Parliament," says he, "is the supreme Legisla- "tive power over the whole empire; in all free States the "constitution is fixed; and as the supreme Legislature "derives its power and authority from the constitution, it "cannot over-leap the bounds of it, without destroying its

Digitized by Google

"own foundation. The constitution ascertains and limits "both sovereignty and allegiance: and therefore his Ma- "jesty's *American* subjects, who acknowledge themselves "bound by the ties of allegiance, have an equitable claim "to the full enjoyment of the fundamental rules of the "*English* constitution; and that it is an essential unalter- "able right in nature, engrafted into the *British* constitu- "tion as a fundamental law, and ever held sacred and "irrevocable by the subjects within this realm—that what a "man has honestly acquired, is absolutely his own; which "he may freely give, but which cannot be taken from him "without his consent."

This, my Lords, though no new doctrine, has always been my received and unalterable opinion, and I will carry it to my grave, that this country had no right under heaven to tax *America*. It is contrary to all the principles of justice and civil policy, which neither the exigencies of the State, nor even an acquiescence in the taxes, could justify upon any occasion whatever. Such proceedings will never meet their wished-for success; and, instead of adding to their miseries, as the Bill now before you most undoubtedly does, adopt some lenient measures, which may lure them to their duty; proceed like a kind and affectionate parent over a child whom he tenderly loves; and, instead of those harsh and severe proceedings, pass an amnesty on all their youthful errours; clasp them once more in your fond and affectionate arms; and, I will venture to affirm, you will find them children worthy of their sire. But should their turbulence exist after your proffered terms of forgiveness, which I hope and expect this House will immediately adopt, I will be among the foremost of your Lordships to move for such measures as will effectually prevent a future relapse, and make them feel what it is to provoke a fond and forgiving parent! a parent, my Lords, whose welfare has ever been my greatest and most pleasing consolation. This declaration may seem unnecessary; but I will venture to declare, the period is not far distant, when she will want the assistance of her most distant friends: but should the all-disposing hand of Providence prevent me from affording her my poor assistance, my prayers shall be ever for her welfare— "length of days be in her right hand, and in her left hand "riches and honor; may her ways be ways of pleasantness, "and all her paths be peace."

When Lord *Chatham* had concluded, Lord *Suffolk* spoke a short time, and was answered by Lord *Temple*, who closed the debate.

The question was then put, whether this Bill shall Pass?

And the House divided: Contents, 57; Non-Contents, 16.

So it was resolved in the Affirmative.

THURSDAY, *June* 2, 1774.

The *Lord Chancellor* acquainted the House "That his "Majesty had been pleased to issue a commission to the "several Lords therein named, for declaring his royal "assent to several Acts agreed upon by both Houses of "Parliament."

Then three of the Lords Commissioners, being in their robes, and seated on a form placed between the Throne and the Woolsack, the Lord Chancellor in the middle, with the Lord Archbishop of *Canterbury* on his right hand, and the Earl of *Sandwich* on his left; and the Commons with their Speaker being in attendance,

The royal assent was pronounced to the Bill, by the Clerk's Assistant.

—

Anno Decimo Quarto Georgii III. Regis.

An Act for the better providing suitable Quarters for Officers and Soldiers in his Majesty's Service in North America.

Whereas doubts have been entertained, whether Troops can be Quartered otherwise than in Barracks, in case barracks have been provided sufficient for the quartering of all the Officers and Soldiers within any town, township, city, district, or place, within his Majesty's Dominions in *North America:* and whereas it may frequently happen, from the situation of such Barracks, that, if troops should be quartered therein, they would not be stationed where their presence may be necessary and required; Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that in such cases, it shall and may be lawful for the persons who now are, or may be hereafter, authorized by law, in any of the Provinces within his Majesty's Dominions in *North America*, and they are hereby respectively authorized, empowered and directed, on the requisition of the Officer who, for the time being, has the command of his Majesty's forces, in *North America*, to cause any Officers or Soldiers in his Majesty's service to be quartered and billetted in such manner as is now directed by law where no Barracks are provided by the Colonies.

And be it further enacted by the authority aforesaid, That if it shall happen at any time that any Officers or Soldiers in his Majesty's service shall remain within any of the said Colonies without Quarters, for the space of twenty-four hours after such Quarters shall have been demanded, it shall and may be lawful for the Governor of the Province to order and direct such and so many uninhabited houses, out-houses, barns, or other buildings, as he shall think necessary to be taken (making a reasonable allowance for the same) and make fit for the reception of such Officers and Soldiers, and to put and quarter such Officers and Soldiers therein, for such time as he shall think proper.

And be it further enacted by the authority aforesaid, That this Act, and every thing herein contained, shall continue and be in force, in all his Majesty's Dominions in *North America*, until the twenty-fourth day of *March*, one thousand seven hundred and seventy-six.

VII. BILL FOR GOVERNMENT OF THE PROVINCE OF QUEBEC.

HOUSE OF LORDS.

MONDAY, *May* 2, 1774.

The Earl of *Dartmouth* presented to the House a Bill, intituled, "An Act making more effectual provision for "the Government of the Province of *Quebec*, in *North* "*America*."

The said Bill was read the first time.

Ordered, That the said Bill be printed.

TUESDAY, *May* 3, 1774.

Ordered, That an humble Address be presented to his Majesty, to desire "That he will be graciously pleased to "give directions that there be laid before this House copies "of such parts of the Instructions given by his Majesty "to the Governors in the royal Governments in *America*, "relative to the taking up of Lands by Settlers, and the "granting Lands therein, particularly in the Colony of "*Quebec*."

WEDNESDAY, *May* 4, 1774.

Ordered, That the Bill be read a second time on *Monday* next; and that the Lords be summoned.

Digitized by Google

FRIDAY, *May* 6, 1774.

Ordered, That the second reading of the Bill, which stands appointed for *Monday* next, be put off to *Thursday* next; and that the Lords be summoned.

The Earl of *Dartmouth* laid before the House, pursuant to an Address to his Majesty for that purpose, of the 3d instant,

No. 1. Copy of Instructions from his Majesty to *Guy Carleton*, Esquire, Governor of *Quebec*, respecting the granting of Lands in that Province, dated 12th *August*, 1768, and the 2d of *July*, 1771.

No. 2. Copy of his Majesty's Instructions to the Governors of *Nova Scotia, New Hampshire, New York, Virginia, North Carolina, South Carolina, Georgia, East Florida*, and *West Florida*, respecting the granting of Lands in those Provinces, dated 3d *February*, 1774.

THURSDAY, *May* 12, 1774.

The order of the day being read, the Bill was accordingly read a second time.

Ordered, That the said Bill be committed to a Committee of the whole House.

Ordered, That the House be put into a Committee upon the said Bill to-morrow; and that the Lords be summoned.

FRIDAY, *May* 13, 1774.

The order of the day being read, the House was put into Committee on the Bill.

After some time the House was resumed:

And the Lord *Boston* reported from the Committee, "That they had gone through the Bill, and made several "amendments thereto, which he was ready to report when "the House will please to receive the same."

Ordered, That the said report be received on *Monday* next.

MONDAY, *May* 16, 1774.

The Lord *Boston*, according to order, reported the amendments made by the Committee of the Whole to the Bill: which were severally read and agreed to by the House.

Ordered, That the said Bill be read a third time tomorrow; and that the Lords be summoned.

TUESDAY, *May* 17, 1774.

The order of the day being read, the Bill was accordingly read a third time.

Proposed to insert the following Proviso at the end of the Bill:

["*Provided*, That this Act shall be in force for the "space of seven years, and to the end of the then next "session of Parliament, and no longer."]

Which being objected to;

After debate, the question was put thereupon, and it was resolved in the Negative.

Moved, "That the Bill do Pass?"

Which being objected to;

After debate, the question was put, whether this Bill shall Pass?

It was resolved in the Affirmative.

A Message was sent to the House of Commons to carry down the Bill, and desire their concurrence thereto.

HOUSE OF COMMONS.

WEDNESDAY, *May* 18, 1774.

A Message from the Lords, by Mr. *Browning* and Mr. *Anguish*:

Mr. Speaker, the Lords have passed a Bill, intituled, "An Act making more effectual provision for the Go-"vernment of the Province of *Quebec*, in *North America*;" to which the Lords desire the concurrence of the House.

The Bill was read the first time.

Ordered, That the said Bill be printed.

Resolved, That the said Bill be read a second time, tomorrow sevennight, the 26th day of this instant, *May*.

FRIDAY, *May* 20, 1774.

Resolved, That an humble Address be presented to his Majesty, that he will be graciously pleased to give directions, that there be laid before this House, a copy of his Majesty's Proclamation, respecting the settling the Acquisitions at the Peace, in *November*, 1763; and also a copy of General *Murray's* commission, as Captain General of the Province of *Quebec*.

THURSDAY, *May* 26, 1774.

The Lord *North* presented to the House, pursuant to their Address to his Majesty:

No. 1. Printed Proclamation, dated 7th *October*, 1763; viz:

BY THE KING.—A PROCLAMATION.

GEORGE R.

Whereas we have taken into our royal consideration the extensive and valuable acquisitions in *America*, secured to our Crown by the late definitive treaty of peace concluded at *Paris*, the tenth day of *February* last; and being desirous that all our loving subjects, as well of our Kingdoms as of our Colonies in *America*, may avail themselves, with all convenient speed, of the great benefits and advantages which must accrue therefrom to their commerce, manufactures, and navigation; we have thought fit, with the advice of our Privy Council, to issue this, our royal proclamation, hereby to publish and declare to all our loving subjects, that we have, with the advice of our Privy Council, granted our letters patent under our great seal of *Great Britain*, to erect within the countries and islands, ceded and confirmed to us by the said treaty, four distinct and separate Governments, styled and called by the names of *Quebec, East Florida, West Florida*, and *Grenada*, and limited and bounded as follows, viz:

First, The Government of *Quebec*, bounded on the *Labrador* coast by the river *St. John*, and from thence by a line drawn from the head of that river, through the *Lake St. John*, to the South end of the *Lake Nipissim*; from whence the said line, crossing the river *St. Lawrence* and the *Lake Champlain* in forty-five degrees of North latitude, passes along the highlands, which divide the rivers that empty themselves into the said river *St. Lawrence*, from those which fall into the sea; and also along the North coast of the *Baye des Chaleurs*, and the coast of the *Gulf of St. Lawrence* to *Cape Rosieres*, and from thence crossing the mouth of the river *St. Lawrence* by the West end of the island of *Anticosti*, terminates at the aforesaid river *St. John*.

Secondly, The Government of *East Florida*, bounded to the Westward by the *Gulf of Mexico* and the *Apalachicola* river; to the Northward, by a line drawn from that part of the said river where the *Chatahouchee* and *Flint* rivers meet, to the source of *St. Mary's* river, and by the course of the said river to the *Atlantic Ocean*; and to the East and South by the *Atlantic Ocean*, and the *Gulf of Florida*, including all islands within six leagues of the sea coast.

Thirdly, The Government of *West Florida*, bounded to the Southward by the *Gulf of Mexico*, including all islands within six leagues of the coast from the river *Apalachicola* to *Lake Pontchartrain*; to the Westward by the said lake, the *Lake Mauripas*, and the river *Mississippi*; to the Northward, by a line drawn due East from that part of the river *Mississippi* which lies in thirty-one degrees North latitude, to the river *Apalachicola*, or *Chatahouchee*; and to the Eastward by the said river.

Fourthly, The Government of *Grenada*, comprehending the island of that name, together with the *Grenadines*, and the islands of *Dominico, St. Vincent*, and *Tobago*.

And to the end that the open and free fishery of our subjects may be extended to, and carried on upon the coast of *Labrador* and the adjacent islands, we have thought fit, with the advice of our said Privy Council, to put all that coast, from the river *St. John's* to *Hudson's Streights*, together with the islands of *Anticosti* and *Madelaine*, and all other smaller islands lying upon the said coast, under the care and inspection of our Governor of *Newfoundland*.

We have also, with the advice of our Privy Council,

Digitized by Google

thought fit to annex the islands of *St. John* and *Cape Breton*, or *Isle Royale*, with the lesser islands adjacent thereto, to our Government of *Nova Scotia*.

We have also, with the advice of our Privy Council aforesaid, annexed to our Province of *Georgia*, all the lands lying between the rivers *Altamaha* and *St. Mary's*.

And whereas it will greatly contribute to the speedy settling our said new Governments, that our loving subjects should be informed of our paternal care for the security of the liberty and properties of those who are, and shall become inhabitants thereof; we have thought fit to publish and declare, by this our proclamation, that we have, in the letters patent under our great seal of *Great Britain*, by which the said Governments are constituted, given express power and direction to our Governors of our said Colonies respectively, that so soon as the state and circumstances of the said Colonies will admit thereof, they shall, with the advice and consent of the members of our Council, summon and call General Assemblies within the said Governments respectively, in such manner and form as is used and directed in those Colonies and Provinces in *America*, which are under our immediate Government; and we have also given power to the said Governors, with the consent of our said Councils, and the Representatives of the people, so to be summoned as aforesaid, to make, constitute, and ordain laws, statutes, and ordinances for the public peace, welfare, and good Government of our said Colonies, and of the people and inhabitants thereof, as near as may be, agreeable to the laws of *England*, and under such regulations and restrictions as are used in other Colonies; and in the mean time, and until such Assemblies can be called as aforesaid, all persons inhabiting in, or resorting to, our said Colonies, may confide in our royal protection for the enjoyment of the benefit of the laws of our realm of *England*: for which purpose we have given power under our great seal to the Governors of our said Colonies respectively, to erect and constitute, with the advice of our said Councils respectively, courts of judicature and public justice within our said Colonies, for the hearing and determining all causes, as well criminal as civil, according to law and equity, and, as near as may be, agreeable to the laws of *England*, with liberty to all persons who may think themselves aggrieved by the sentences of such courts, in all civil cases, to appeal, under the usual limitations and restrictions, to us, in our Privy Council.

We have also thought fit, with the advice of our Privy Council as aforesaid, to give unto the Governors and Councils of our said three new Colonies upon the continent, full power and authority to settle and agree with the inhabitants of our said new Colonies, or with any other persons who shall resort thereto, for such lands, tenements, and hereditaments, as are now, or hereafter shall be, in our power to dispose of, and them to grant to any such person or persons, upon such terms, and under such moderate quit-rents, services, and acknowledgments, as have been appointed and settled in other Colonies, and under such other conditions as shall appear to us to be necessary and expedient for the advantage of the grantees, and the improvement and settlement of our said Colonies.

And whereas we are desirous, upon all occasions, to testify our royal sense and approbation of the conduct and bravery of the officers and soldiers of our armies, and to reward the same, we do hereby command and empower our Governors of our said three new Colonies, and all other our Governors of our several Provinces on the Continent of *North America*, to grant, without fee or reward, to such reduced officers as have served in *North America* during the late war, and to such private soldiers as have been or shall be disbanded in *America*, and are actually residing there, and shall personally apply for the same, the following quantities of land, subject, at the expiration of ten years, to the same quit-rents as other lands are subject to in the Province within which they are granted, as also subject to the same conditions of cultivation and improvement, viz:

To every person having the rank of a field officer, 5,000 acres.

To every captain, 3,000 acres.

To every subaltern or staff officer, 2,000 acres.

To every non-commission officer, 200 acres.

To every private man, 50 acres.

We do likewise authorize and require the Governors and Commanders-in-chief of all our said Colonies upon the Continent of *North America* to grant the like quantities of land, and upon the same conditions, to such reduced officers of our navy of like rank, as served on board our ships of war in *North America* at the times of the reduction of *Louisbourg* and *Quebec* in the late war, and who shall personally apply to our respective Governors for such grants.

And whereas it is just and reasonable, and essential to our interest, and the security of our Colonies, that the several nations or tribes of *Indians*, with whom we are connected, and who live under our protection, should not be molested or disturbed in the possession of such parts of our dominions and territories, as, not having been ceded to, or purchased by us, are reserved to them, or any of them, as their hunting grounds; we do therefore, with the advice of our Privy Council, declare it to be our royal will and pleasure, that no Governor, or Commander-in-chief, in any of our Colonies of *Quebec*, *East Florida*, or *West Florida*, do presume, upon any pretence whatever, to grant warrants of survey, or pass any patents for lands beyond the bounds of their respective Governments, as described in their commissions; as also that no Governor or Commander-in-chief in any of our other Colonies or Plantations in *America*, do presume for the present, and until our further pleasure be known, to grant warrants of survey, or pass patents for any lands beyond the heads or sources of any of the rivers which fall into the *Atlantic Ocean*, from the West or Northwest; or upon any lands whatever, which not having been ceded to, or purchased by us, as aforesaid, are reserved to the said *Indians*, or any of them.

And we do further declare it to be our royal will and pleasure, for the present, as aforesaid, to reserve under our sovereignty, protection, and dominion, for the use of the said *Indians*, all the lands and territories not included within the limits of our said three new Governments, or within the limits of the territory granted to the *Hudson's Bay* Company; as also, all the lands and territories lying to the westward of the sources of the rivers which fall into the sea from the West and Northwest as aforesaid; and we do hereby strictly forbid, on pain of our displeasure, all our loving subjects from making any purchases or settlements whatever, or taking possession of any of the lands above reserved, without our especial leave and license for that purpose first obtained.

And we do further strictly enjoin and require all persons whatever, who have either wilfully or inadvertently seated themselves upon any lands within the countries above described, or upon any other lands, which not having been ceded to, or purchased by us, are still reserved to the said *Indians* as aforesaid, forthwith to remove themselves from such settlements.

And whereas great frauds and abuses have been committed in the purchasing lands of the *Indians*, to the great prejudice of our interests, and to the great dissatisfaction of the said *Indians*; in order therefore to prevent such irregularities for the future, and to the end that the *Indians* may be convinced of our justice and determined resolution to remove all reasonable cause of discontent, we do, with the advice of our Privy Council, strictly enjoin and require that no private person do presume to make any purchase from the said *Indians* of any lands reserved to the said *Indians* within those parts of our Colonies where we have thought proper to allow settlement; but that if at any time any of the said *Indians* should be inclined to dispose of the said lands, the same shall be purchased only for us, in our name, at some public meeting or assembly of the said *Indians*, to be held for that purpose by the Governor or Commander-in-chief of our Colonies respectively within which they shall lie: and in case they shall lie within the limits of any proprietary Government, they shall be purchased only for the use and in the name of such proprietaries, conformable to such directions and instructions as we or they shall think proper to give for that purpose: and we do, by the advice of our Privy Council, declare and enjoin, that the trade with the said *Indians* shall be free and open to all our subjects whatever, provided that every person who may incline to trade with the said *Indians*, do take out a license for carrying on such trade, from the Governor or Commander-in-chief of any of our

Digitized by Google

Colonies respectively, where such person shall reside, and also give security to observe such regulations as we shall at any time think fit, by ourselves or by our Commissaries, to be appointed for this purpose, to direct and appoint for the benefit of the said trade: and we do hereby authorize, enjoin, and require the Governors and Commanders-in-chief, of all our Colonies respectively, as well those under our immediate Government, as those under the Government and direction of proprietaries, to grant such licenses without fee or reward, taking especial care to insert therein a condition that such license shall be void, and the security forfeited, in case the person to whom the same is granted, shall refuse or neglect to observe such regulations as we shall think proper to prescribe as aforesaid.

And we do further expressly enjoin and require all officers whatever, as well military as those employed in the management and direction of *Indian* affairs within the territories reserved, as aforesaid, for the use of the said *Indians*, to seize and apprehend all persons whatever, who standing charged with treasons, misprisons of treasons, murders, or other felonies or misdemeanours, shall fly from justice and take refuge in the said territory, and to send them under a proper guard to the Colony where the crime was committed of which they stand accused, in order to take their trial for the same.

Given at our Court at *St. James's*, the seventh day of *October*, one thousand seven hundred and sixty-three, in the third year of our reign.

God save the King.

No. 2. Copy of a Commission for *James Murray*, Esq,. to be Captain General and Governor-in-chief of the Province of *Quebec*; viz:

G. R.

George *the Third, by the Grace of God, of* Great Britain, France, *and* Ireland, *King, Defender of the Faith, and so forth, to our trusty and well-beloved* James Murray, *Esquire, greeting:*

We, reposing especial trust and confidence in the prudence, courage, and loyalty of you, the said *James Murray*, of our especial grace, certain knowledge and mere motion, have thought fit to constitute and appoint, and by these presents do constitute and appoint you, the said *James Murray*, to be our Captain General and Governor-in-chief in and over our Province of *Quebec*, in *America*; bounded on the *Labrador* coast by the river *St. John*; and from thence by a line drawn from the head of that river through the *Lake St. John* to the South end of the *Lake Nipissim*, from whence the said line crossing the river *St. Lawrence* and the *Lake Champlain*, in forty-five degrees of northern latitude, passes along the highlands which divide the rivers that empty themselves into the said river *St. Lawrence* from those which fall into the sea; and also along the North coast of the *Baye des Chaleurs* and the coast of the *Gulf of St. Lawrence* to *Cape Rosieres*; and from thence crossing the mouth of the river *St. Lawrence* by the West end of the Island of *Anticosti*, terminates at the aforesaid river *St. John*: together with all the rights, members, and appurtenances whatsoever thereunto belonging.

And we do hereby require and command you to do and execute all things in due manner that shall belong to your said command and the trust we have reposed in you, according to the several powers and directions granted or appointed you by this present commission, and the instructions and authorities herewith given unto you, or by such other powers, instructions, and authorities as shall at any time hereafter be granted or appointed under our signet and sign manual, or by our order in our Privy Council, and according to such reasonable laws and statutes as shall hereafter be made and agreed upon by you with the advice and consent of the Council and Assembly of our said Province under your Government, in such manner and form as is hereinafter expressed.

And our will and pleasure is, that you, the said *James Murray*, do, after the publication of these our letters patent and after the appointment of our Council for our said Province, in such manner and form as is prescribed in the instructions which you will herewith receive, in the first place, take the oaths appointed to be taken by an Act passed in the first year of the reign of King *George* the First, intituled, "An Act for the further security of his Majesty's person and Government, and the succession of the Crown in the heirs of the late Princess *Sophia*, being Protestants, and for extinguishing the hopes of the pretended Prince of *Wales*, and his open and secret abettors;" as also that you make and subscribe the declaration mentioned in an Act of Parliament made in the twenty-fifth year of the reign of King *Charles* the Second, intituled, "An Act for preventing dangers which may happen from Popish recusants;" and likewise, that you take the oath of office usually taken by our Governors in the other Colonies for the due execution of the office and trust of our Captain General and Governor-in-chief in and over our said Province, and for the due and impartial administration of justice; and further, that you take the oath required to be taken by the Governors of the Plantations, to do their utmost that the several laws relating to trade and plantations be duly observed: which said oaths and declarations our Council of our said Province, or any three of the members thereof, have hereby full power and authority and are hereby required, to tender and administer to you.

All which being duly performed, you shall yourself administer to each of the members of our said Council, and to the Lieutenant Governors of *Montreal* and *Trois Rivieres*, the said oaths mentioned in the said Act, intituled, "An Act for the further security of his Majesty's person and Government, and the succession of the Crown in the heirs of the late Princess *Sophia*, being Protestants, and for extinguishing the hopes of the pretended Prince of *Wales*, and his open and secret abettors;" and also to cause them to make and subscribe the afore-mentioned declaration, and also shall administer unto them the usual oaths for the due execution of their places and trust.

And we do further give and grant unto you, the said *James Murray*, full power and authority from time to time and at any time hereafter, by yourself, or by any other to be authorized by you in this behalf, to administer and give the oaths mentioned in the said Act, "for the further security of his Majesty's person and Government, and the succession of the Crown in the heirs of the late Princess *Sophia*, being Protestants, and for extinguishing the hopes of the pretended Prince of *Wales*, and his open and secret abettors;" to all and every such person or persons as you shall think fit, who shall at any time or times pass into our said Province, or shall be resident or abiding there.

And we do hereby authorize and empower you to keep and use the public seal which will herewith be delivered to you, or shall be hereafter sent to you, for sealing all things whatsoever that shall pass the great seal of our Province.

And we do hereby give and grant unto you, the said *James Murray*, full power and authority, with the advice and consent of our said Council to be appointed as aforesaid, so soon as the situation and circumstances of our said Province under your Government will admit thereof, and when and as often as need shall require, to summon and call General Assemblies of the freeholders and planters within your Government, in such manner as you in your discretion shall judge most proper; or according to such further powers, instructions, and authorities, as shall be at any time hereafter granted or appointed you under our signet or sign manual, or by our order in our Privy Council.

And our will and pleasure is, that the persons thereupon duly elected by the major part of the freeholders of the respective parishes or precincts, and so returned, shall, before their sitting, take the oaths mentioned in the said Act, intituled, "An Act for the further security of his Majesty's person and Government, and the succession of the Crown in the heirs of the late Princess *Sophia*, being Protestants, and for extinguishing the hopes of the pretended Prince of *Wales*, and his open and secret abettors;" and also make and subscribe the fore-mentioned declaration; which oaths and declaration you shall commissionate fit persons under the public seal of that our Province to tender and administer unto them; and, until the same shall be so taken and subscribed, no person shall be capable of sitting, though elected.

And we do hereby declare, that the persons so elected and qualified shall be called the Assembly of that our Province of *Quebec*; and that you, the said *James Murray*,

Digitized by Google

by and with the advice and consent of our said Council and Assembly, or the major part of them, shall have full power and authority to make, constitute, and ordain, laws, statutes, and ordinances, for the public peace, welfare, and good Government of our said Province, and of the people and inhabitants thereof, and such others as shall resort thereunto, and for the benefit of us, our heirs and successors; which said laws, statutes, and ordinances, are not to be repugnant, but, as near as may be, agreeable to the laws and statutes of this our Kingdom of *Great Britain*.

Provided that all such laws, statutes, and ordinances, of what nature or duration soever they be, shall be, within three months, or sooner, after the making thereof, transmitted to us, under our seal of our said Province, for our approbation or disallowance of the same, as also duplicates thereof, by the next conveyance.

And in case any, or all, of the said laws, statutes, and ordinances, not before confirmed by us, shall at any time be disallowed and not approved, and so signified by us, our heirs, and successors, under our, or their, signet and sign manual, or by order of our, or their, Privy Council, unto you, the said *James Murray*, or to the Commander-in-chief of our said Province for the time being, then such and so many of the said laws, statutes, and ordinances, as shall be so disallowed and not approved, shall from thenceforth cease, determine, and become utterly void and of no effect; any thing to the contrary thereof notwithstanding.

And to the end that nothing may be passed or done by our said Council or Assembly to the prejudice of us, our heirs, and successors, we will and ordain that you, the said *James Murray*, shall have and enjoy a negative voice in the making and passing all laws, statutes, and ordinances, as aforesaid; and that you shall and may likewise from time to time, as you shall judge necessary, adjourn, prorogue, or dissolve all General Assemblies as aforesaid.

And we do by these presents give and grant unto you, the said *James Murray*, full power and authority, with the advice and consent of our said Council, to erect, constitute, and establish such and so many courts of judicature and public justice within our said Province under your Government as you and they shall think fit and necessary, for the hearing and determining of all causes, as well criminal as civil, according to law and equity, and for awarding execution thereupon, with all reasonable and necessary powers, authorities, fees, and privileges belonging thereto; as also to appoint and commissionate fit persons in the several parts of your Government to administer the oaths mentioned in the aforesaid Act, intituled, "An Act for "the further security of his Majesty's person and Go-"vernment, and the succession of the Crown in the heirs "of the late Princess *Sophia*, being Protestants, and for "extinguishing the hopes of the pretended Prince of "*Wales*, and his open and secret abettors;" as also to tender and administer the aforesaid declaration to such persons belonging to the said courts as shall be obliged to take the same.

And we do hereby grant unto you full power and authority to constitute and appoint Judges, and, in cases requisite, Commissioners of Oyer and Terminer, Justices of the Peace, and other necessary officers and ministers, in our said Province, for the better administration of justice, and putting the laws in execution; and to administer, or cause to be administered, unto them, such oath or oaths as are usually given for the due execution and performance of offices and places, and for clearing the truth in judicial causes.

And we do hereby give and grant unto you full power and authority, when you shall see cause, or shall judge any offender or offenders in criminal matters, or for any fines or forfeitures due unto us, fit objects of our mercy, to pardon all such offenders, and remit all such offences, fines, and forfeitures, treason and wilful murder only excepted; in which cases you shall likewise have power, upon extraordinary occasions, to grant reprieves to the offender until, and to the intent that, our royal pleasure may be known therein.

And we do by these presents give and grant unto you full power and authority to collate any person or persons to any churches, chapels, or other ecclesiastical benefices within our said Province, as often as any of them shall happen to be void.

And we do hereby give and grant unto you, the said *James Murray*, by yourself, or by your Captains and Commanders by you to be authorized, full power and authority to levy, arm, muster, command, and employ all persons whatsoever residing within our said Province; and, as occasion shall serve, them to march, embark, or transport, from one place to another, for the resisting and withstanding of all enemies, pirates, and rebels, both at land and sea; and to transport such forces to any of our Plantations in *America*, if necessity shall require, for the defence of the same against the invasion or attempts of any of our enemies; and such enemies, pirates, and rebels, if there should be occasion, to pursue and prosecute in or out of the limits of our said Province: and, if it shall so please God, them to vanquish, apprehend, and take; and, being taken, according to law to put to death, or keep and preserve alive, at your discretion; and to execute martial law in time of invasion, war, or other times, when by law it may be executed; and to do and execute all and every other thing and things which to our Captain General and Governor-in-chief doth, or of right ought to belong.

And we do hereby give and grant unto you full power and authority, by and with the advice and consent of our said Council, to erect, raise, and build in our said Province, such and so many forts, platforms, castles, cities, boroughs, towns, and fortifications, as you, by the advice aforesaid, shall judge necessary, and the same, or any of them, to fortify and furnish with ordinance, ammunition, and all sorts of arms fit and necessary for the security and defence of our said Province; and by the advice aforesaid, the same again, or any of them, to demolish or dismantle as may be most convenient.

And forasmuch as divers mutinies and disorders may happen by persons shipped and employed at sea during the time of war, and to the end that such as shall be shipped and employed at sea during the time of war may be better governed and ordered, we hereby give and grant unto you, the said *James Murray*, full power and authority to constitute and appoint Captains, Lieutenants, Masters of Ships, and other Commanders and Officers; and to grant to such Captains, Lieutenants, Masters of Ships, and other Commanders and Officers, commissions to execute the law martial, during the time of war, according to the directions of an Act passed in the twenty-second year of the reign of our late royal grandfather, intituled, "An Act for amending, "explaining, and reducing into one act of Parliament, the "laws relating to the Government of his Majesty's ships, "vessels, and forces, by sea;" and to use such proceedings, authorities, punishments, corrections, and executions upon every offender or offenders, who shall be mutinous, seditious, disorderly, or any way unruly, either at sea, or during the time of their abode or residence in any of the ports, harbours, or bays in our said Province, as the case shall be found to require, according to martial law; and the said directions, during the time of war, as aforesaid.

Provided, that nothing herein contained shall be construed to the enabling you, or any by your authority, to hold plea, or have any jurisdiction of any offence, cause, matter, or thing committed or done upon the high sea, or within any of the havens, rivers, or creeks of our said Province under your Government, by any Captain, Commander, Lieutenant, Master, Officer, Seaman, Soldier, or person whatsoever, who shall be in actual service and pay, in or on board any of our ships of war, or other vessels acting by immediate commission or warrant from our Commissioners for executing the office of High Admiral of *Great Britain*, or from our High Admiral of *Great Britain*, for the time being, under the seal of our Admiralty; but that such Captain, Commander, Lieutenant, Master, Officer, Seaman, Soldier, or other person, so offending, shall be left to be proceeded against, and tried, as their offences shall require, either by commission under our great seal of this Kingdom, as the statute of the twenty-eighth of *Henry* VIII. directs; or by commission from our said Commissioners for executing the office of High Admiral of *Great Britain*, or from our High Admiral of *Great Britain*, for the time being, according to the aforementioned Act, intituled, "An Act for amending, explaining, and reducing into one "act of Parliament, the laws relating to the Government "of his Majesty's ships, vessels, and forces, by sea;" and not otherwise.

Digitized by Google

Provided nevertheless, that all disorders and misdemeanors committed on shore by any Captain, Commander, Lieutenant, Master, Officer, Seaman, Soldier, or other person whatsoever, belonging to any of our ships of war, or other vessels acting by immediate commission or warrant from our Commissioners for executing the office of High Admiral of *Great Britain*, or from our High Admiral of *Great Britain*, for the time being, under the seal of our Admiralty, may be tried and punished according to the laws of the place, where any such disorders, offences, and misdemeanors shall be committed on shore; notwithstanding such offender be in our actual service, and borne in our pay on board any of our ships of war, or other vessels acting by our immediate commission, or warrant from our Commissioners for executing the office of High Admiral of *Great Britain*, or from our High Admiral of *Great Britain*, for the time being, as aforesaid, so as he shall not receive any protection for the avoiding of justice for such offences committed on shore from any pretence of his being employed in our service at sea.

And our further will and pleasure is, that all public moneys raised, or which shall be raised, by any act hereafter to be made within our said Province, be issued out by warrant from you, by and with the advice and consent of our Council, as aforesaid, for the support of the Government, and not otherwise.

And we likewise give and grant unto you full power and authority, by and with the advice and consent of our said Council, to settle and agree with the inhabitants of our said Province, for such lands, tenements, and hereditaments, as now are, or hereafter shall be in our power to dispose of, and them to grant to any person or persons upon such terms and under such moderate quit-rents, services, and acknowledgments to be thereupon reserved unto us, as you, with the advice aforesaid, shall think fit; which said grants are to pass, and be sealed by our public seal of our said Province, and being entered upon record by such officer or officers as shall be appointed thereunto, shall be good and effectual in law against us, our heirs, and successors.

Provided the same be conformable to the instructions herewith delivered to you, or to such other instructions as may hereafter be sent to you under our signet and sign manual, or by our order in our Privy Council; which instructions, or any articles contained therein, or any such order made in our Privy Council, so far as the same shall relate to the granting of lands as aforesaid, shall from time to time be published in the Province, and entered on record in like manner as the said grants are hereby directed to be entered.

And we do hereby give you, the said *James Murray*, full power and authority to order fairs, marts, and markets; and also such and so many ports, harbours, bays, havens, and other places for the conveniency or security of shipping, and for the better loading and unloading of goods and merchandises, in such and so many places, as by you, with the advice and consent of our said Council, shall be thought fit and necessary.

And we do hereby require and command all officers and ministers, civil and military, and all other inhabitants of our said Province to be obedient, aiding, and assisting unto you, the said *James Murray*, in the execution of this our commission, and of the powers and authorities therein contained; and in case of your death or absence from our said Province and Government, to be obedient, aiding, and assisting, as aforesaid, to the Commander-in-chief for the time being, to whom we do therefore by these presents give and grant all and singular the powers and authorities herein granted to be by him executed and enjoyed, during our pleasure, or until your arrival within our said Province.

And in case of your death or absence from our said Province, our will and pleasure is, that our Lieutenant Governor of *Montreal* or *Trois Rivieres*, according to the priority of their commissions of Lieutenant Governor, do execute our said commission with all the powers and authorities therein mentioned, as aforesaid. And in case of the death or absence of our Lieutenant Governors of *Montreal* and *Trois Rivieres* from our said Province, and that there shall be no person within our said Province appointed by us to be Lieutenant Governor or Commander-in-chief of our said Province, our will and pleasure is, that the eldest Counsellor, who shall be, at the time of your death or absence, residing within our said Province, shall take upon him the administration of the Government, and execute our said commission and instructions, and the several powers and anthorities therein contained, in the same manner and to all intents and purposes, as other our Governor or Commander-in-chief should or ought to do, in case of your absence, or until your return, or in all cases until our further pleasure be known.

And we do hereby declare, ordain, and appoint, that you, the said *James Murray*, shall and may hold, execute, and enjoy the office and place of our Captain General and Governor-in-chief, in and over our said Province of *Quebec*, and all the territories dependant thereon, with all and singular the powers and authorities hereby granted unto you, for and during our will and pleasure.

In witness whereof we have caused these our letters to be made patent.

Witness ourself at *Westminster*, the twenty-first day of *November*, in the fourth year of our reign.

By writ of Privy Seal.

(Signed) YORKE & YORKE.

The Order of the Day, for the second reading of the Bill, being read,

Mr. *T. Townshend* said, the very deplorable situation of the *Canadians* ever since the late peace, has been a matter, I confess, which has repeatedly engaged my attention. Without law, without regulation, or any protection whatever, I must own, I often pressed that they should be put under some form of Government, or left to themselves, to choose a mode of regulation suited to their immediate wants; but little did I think that my solicitude was pressing on to a measure of so extraordinary a nature as the present; little did I think, that a country as large as half *Europe*, and within the Dominions of the Crown of *Great Britain*, was going to have the Romish religion established in it, as the religion of the State.

Little did I think, that so many thousand men, entitled and born to the rights of *Englishmen*, settling on the faith of the King's proclamation, should, contrary to that assistance, contrary to every idea of the constitution, be subjected to *French* Papists, and *French* laws. Little did I think, that when the noble Lord opposite me was frequently applied to, session after session, in this House, to restore order and regulation, in a country where nothing for full twelve years had prevailed but anarchy and confusion; and that his Lordship assured us, that the Crown Officers in that country, the Crown Officers over the way (Solicitor and Attorney General,) the sages learned in the law, the first great law officer under the Crown in the other House, nay, even the Lord President of the Council, had been consulted, and had turned their closest attention to this subject; little did I think, I say, that any measure like the present could have been the united result of so many great, wise, grave, and learned men. Standing as I do, and astonished as I am, I call upon the noble Lord to answer and tell to which of those sages does the nation, do the *Canadians*, stand indebted for this extraordinary act of legislation. Is it to the Lord President, to the first law officer in the other House? Is it to the very able and learned gentleman over the way? or to his Majesty's law servants in *Canada*? But let it have originated where it might, I rise not only to condemn the several clauses, but the very principle of the Bill, and shall be therefore against its being read a second time.

The Bill establishes a despotic Government in that country, to which the Royal Proclamation of 1763 promised the protection of the laws of *England*. I call it despotic; for so in fact it is, as the Council of Seventeen or Twenty-three is, with the Governor, the legislative authority of the Province. This Council the Governor can appoint, suspend, and turn out, at his pleasure: there is no quorum appointed; for what purpose omitted, no one can tell. Now, Sir, this is rendering the Governor securely absolute; you had much better have made him literally so, and then he would not have had a Council to screen him: he is responsible in *England*, if he acts tyrannically; but by means of this convenient Legislative Council, he can do any thing with impunity.

Well, Sir, not content with constituting this Legislative Council, the mere creature of a Governor, who must ne-

Digitized by Google

cessarily be the creature of a Minister, you go farther, and throw under this absolute power a country never considered as *Canada*, and peopled by *British* subjects alone; for you extend the Government to the *Mississippi* on the West, to the *Ohio* on the South, to *Hudson's Bay* on the North, and on the East, to God knows where; for no mortal can tell from the Bill where the Eastern boundaries are, so exceedingly indefinite and unintelligible is the Bill. I should be glad to know for what purpose the Colony is thus amazingly extended.

In the next place, Sir, the internal arrangement of the Colony consists in leaving the inhabitants the civil law of *France*. You take away the trial by Jury, in civil matters, and you cut off the *habeas corpus* from them. Thus, in giving a Government to the *Canadians*, you deprive many *British* born subjects, residing in countries where they never dreamed of such innovations, of the dearest birth-rights of *Britains*. And as by this Act all commissions to the legal Magistrates are revoked, I suppose the Province is to change her present excellent Chief Justice for a new one to be appointed. It is for these reasons, Sir, and for others, which I am clear will suggest themselves to all the members of the House, that I shall give my hearty negative to the Bill.

Lord *North*. The honorable gentleman has put a string of questions to me, which I am in no way able, nor, if I were, should I look upon myself bound to answer. I know not who drew the Bill up. I know not whether it was this great Lawyer, or that noble Lord. All I know about the matter is, that it is a Bill from the other House offered to us for consideration, and on which the House is at liberty to form that opinion best suited to its wisdom and judgment. I know further, that very great and uncommon pains have been taken to form a Bill least liable to inconvenience or objection from any quarter. The honorable gentleman has often pressed the King's servants on this subject, and now owns that the affairs of that country call loudly for regulation and redress; yet the very first attempt that is made to put them on a proper footing, he at once condemns in the gross, and is willing to continue the evils he complains of, rather than attempt their correction in the first instance. For my part, all circumstances considered, I think the Bill is the best that can at present be devised; other gentlemen, may think otherwise; but at all events it seems to me proper that it should be permitted to go to a Committee; and if it shall then appear to be the sense of the House, that the Bill should pass in its present form, that it should receive amendments, or that particular clauses should be struck out, and others substituted in their stead; or, in fine, that it should be totally rejected; in any or either of these events, I shall be perfectly satisfied.

I wish to give the right honorable member all the satisfaction in my power upon this measure. Respecting the Government given to the Province, the right honorable gentleman objects, I suppose, to an Assembly not being appointed. The reason why a Council alone, appointed by the Governor, was preferred, was the small number of *English* settlers who must choose that Assembly, in order for their acts to govern and bind all the *French* and Roman Catholic subjects. This, Sir, was thought to be very unequal, and even cruel, to have an Assembly, chosen by so small a body, govern so large a one; and if the business is considered maturely, it will, I believe, be found the most conducive to the happiness of the People. Next, Sir, as to the extent given to this Colony; it takes in no countries regularly planted by *British* settlers, but merely distant military posts, at present without any Government but that of the respective commanding officers. Now, the question here is merely this, will you annex them under the present Government? Will you leave them without any Government? Or will you form separate Governments and Colonies of them?

It was thought by the Lords, that the plan in which there were the fewest inconveniences, was to throw the scattered posts to the Government of *Quebec*. As to the civil law of *France* being left to the *Canadians*, it was thought more humane to them than to change it for a new law, of which they must be entirely ignorant, as the trial by Jury, in criminal matters is given them. The present officers in the Province were not meant to be changed, most certainly.

Mr. *Dunning*. I cannot omit this opportunity of giving my hearty protest against a Bill, which, in my conscience, I think destructive of every principle of freedom, and abounding with mischief of a most serious tendency. Sir, I shall beg leave to follow the noble Lord in the reply he has given to the honorable member who stated his objections to the Bill; a reply which by no means answers those objections; on the contrary, they appear to me to remain in full force. And in endeavouring to do this, I shall divide what I have to observe into two considerations: first, the consequences which will attend this Bill if it passes, in case *Canada* should ever be restored to *France*, an idea which by no means hurts me; for if it should pass, I must own I would as soon see the one Sovereign reigning there as the other; I mean, it will be of little consequence to the People, and they will be as free in one case as in the other. My second consideration will be, if the Province should remain to *England*.

Consider what it was for which you engaged in the last war, encroachments of the *French* upon our Colonies; they passed down their rivers, they seized upon large tracts, and built forts about this very country to the southward of *Canada*, claiming it as a part of *Canada*. You repelled force by force; they offered to you to withdraw from the South of the *Ohio*, and retire to the North, making that river the boundary of the two Colonies. No, you replied; the river of *St. Lawrence* is the boundary of *Canada*; we will admit of no other; the tracts which you claim are parts of our Colonies of *Virginia*, *Pennsylvania*, &c., and we cannot grant away the certain and undoubted rights of our subjects in such a manner. This refusal brought on the war; and in case a future war should happen, in which your arms do not succeed in the manner they did in the last war, you may then find yourself treating upon the re-cession of *Canada* to *France*; will not the *French* demand the cession of *Canada* as you limit it by Act of Parliament? Will they not say, you have, by a solemn act of your whole Legislature, proved to all the world, that in the dispute of limits at the opening of the war we were right, and you wrong; you have chalked out the very limits to it, which we insisted on; and you have confirmed them by an act of Parliament; how therefore can you, with any propriety, talk of restoring any thing less than what we always claimed as *Canada*, and what you have since solemnly adjudged to be *Canada*? And this, I think, in a negotiation, may be attended with most serious consequences.

Next Sir, supposing you preserve the possession of it, let us consider the consequences that flow from this Act; you throw at once the whole People of that Colony into an arbitrary power, for such is that of your Governor, as it has been well stated; and you not only do this to the *Canadian* subjects, but, by giving to the new Province this monstrous southern extent, you run it down upon the back of the planted part of many of our Colonies, and take away, by one stroke, the charter properties confirmed by act of Parliament of those Colonies, you violently seize their rights, and the People who pass the mountains to settle on the eastern side of them, will immediately find, that by going to live in what they ever esteemed their direct property, they find themselves gone from the freedom of the *British* constitution, and meet with all the power of despotism. This is not only a cruel, violent, and odious measure, but it tears up justice, and all its principles, by the root. To think that the inhabitants of those countries, settling in them under the protection of this free Government, and assured by law and Parliament that they settle under the liberty of their old charter constitutions, finding themselves, by crossing an imaginary line, deprived of the dearest rights and privileges of *English* subjects, is a most tyrannical and inhuman conduct. It is sporting with property in a manner that cannot be defended, and for attaining no end whatever that deserves attention.

But there are much greater and more solid objections to the present Bill, than can possibly arise from the limits within which it is intended to operate. I am well warranted in affirming, and do without reserve affirm, that it is a Bill the most pernicious in its frame, and destructive of the principles of the constitution in its tendency, that was ever introduced into this House. What does it do? It appoints a Legislative Council, under the absolute controul

Digitized by Google

and dominion of the Governor; that Governor equally dependant on those in power here; that Council to be composed of Papists and *Frenchmen*; and this is the Government and the mode of legislation which *British* subjects and *Englishmen* are bound implicitly to obey. But what are they to have in return? Oh! The criminal law of *England* is to be retained; that is, when they grossly offend against the laws of society, they are entitled to the superior lenity of those criminal laws; but when they do not offend, but demean themselves peaceably, or are in the fair and honest prosecution of their rights and properties, both one and the other are to be determined on, not by the fair and equitable laws of *England*, but by constitutions they cannot be supposed, nor ever will be able to understand. Suppose those laws were as intelligible as they are otherwise, would it not add to the misery of an *Englishman*, that he perfectly understood the full meaning and extent of a *lettre de cachet*? Is not this part of the constitutions of *Paris*, on which the laws of *Canada* are framed? It may be objected, that being within the criminal jurisdiction, no such thing can possibly happen; but I contend for the contrary, as letters of this kind are issued upon a thousand occasions, in which no crimes are imputed to the person arrested and confined; motives of prudence, motives of convenience, of family regulation, &c., frequently give birth to steps of this nature. On the whole, if any thing were wanting to give me the worst opinion of this Bill, the trial by Jury in civil cases, and the *habeas corpus* law being omitted, would be motive strong enough with me to give it my strongest negative.

Mr. Attorney General *Thurlow*. Respecting the ill consequences that may flow from enlarging the Province of *Quebec*, in case of being forced by a future war to restore it, I cannot see that in the same light as my learned friend; because I think that the limits and importance of cessions are never dependant upon such arrangements as these, but upon the length of the sword; it is success in war that gives success in peace, and by no means the imaginary lines drawn by a State in its Colonies; nor have the limits now drawn any thing to do with old *Canada*; they take in countries never claimed by *France*; it is a new scheme, and by no means the restoration of those old limits the *French* once contended for.

With regard to the supposed cruelty of not giving the *Canadians* the same laws in every instance as we enjoy in *England*, I am so far from being of the same opinion, that I think you could not act more cruelly to that People, than to change at once their law of property, and give them our trial by Jury, which is necessarily giving our law of actions. I am clear it would so completely confound them, as to be more tyrannical than can be easily imagined. They would not understand the rule of their own actions; they would not know on what principles they stood possessed of their own property. In a word, you would give them the greatest curse, under the notions of a blessing. There is not a circumstance dearer to a man, nor one which he ought to be more jealous of, than to be tried in all points by laws to which he has been used, and whose principles are known to him.

He condemned in very harsh terms the advisers of the proclamation, and the imperfect, improper manner in which it was drawn up. He denied however, that it contained any such assurance as that contended for by the gentlemen on the other side. He said, that no such encouragement should have been given; that it was impolitic to hold out any benefits to the natural born subjects of this country to emigrate thither from hence, or to go from the other Colonies; that to form settlements in *North America*, far distant from the sea, or from the neighbourhood of the great navigable rivers, was extremely improper; that as to the establishment of the *French* laws, relative to property, being not so proper as those of *England*, he was astonished to hear any gentleman object to them, as it would be in the last degree cruel and unjust to force the laws of the conquerors on the conquered; that the uniform custom of all great and conquering nations had been against it; and, that therefore taking the present Bill as applying to *French* or *English*, it was perfectly right the former should receive every possible encouragement to become good subjects, and the latter meet with every possible obstruction from settling in that Province.

Colonel *Barré* said, that the Bill was every way complete; that its clauses perfectly corresponded with its principle; and that taking them unitedly, they were the most flagrant attack on the constitution that had hitherto been attempted. He next stated the probable number of *English* settlers and inhabitants; the situation of the Province at the time of the conquest; explained the terms of the Definitive Treaty of Peace; the King's Proclamation in *October*, 1763; and demonstrated how repugnant they were to the design and provisions of the present Bill. He entered pretty fully into several points before spoke to, particularly relative to the *French* laws; and finished with observing—I cannot agree that there is any thing in the laws of *England*, in the trial by Jury, and the *habeas corpus*, that the *Canadians* would not very easily understand; and it is preposterous to suppose, that the superiority of good and just law, and freedom, should not be felt by People, because they had been used to arbitrary power. But why is the religion of *France*, as well as the law of *France*, to become the religion of all those People not *Canadians*, that pass out of one Colony into another? By this Act you establish the Roman Catholic religion where it never was established before, and you only permit the practice of your own; you do not so much as let them go hand in hand. For what purpose is the *Illinois* and the *Ohio* to be Roman Catholics? Why is that to be made the established religion of that vast country, in which are very many *English* settlers?

Lord *John Cavendish* objected to many of the principles laid down by Mr. Attorney. He said he did not contend for the total introduction of the *English* laws, particularly on a sudden, but that by blending them with their own, they might gradually conciliate the *Canadians* to them, and in the end be able to conquer all their present prejudices, so as to lead to the final establishment of the laws of this country. He added, that whatever compromise of this kind might be entered into on the present occasion, he could perceive no possible good reason for withholding from them the extension of the *Habeas Corpus* Act, and the trial by Jury.

Mr. Sergeant *Glynn* controverted most of the positions laid down by the Attorney General, particularly relative to the true construction of the Definitive Treaty, his Majesty's Proclamation, and the propriety of allowing the conquered to retain their own laws. He observed, that whatever contrary opinion might be maintained, it was his, that all conquests, as soon as made, vested in the King, Lords, and Commons; but that, until the two latter interfered, the King, as actual representative of the whole, was justified in making such regulations as he might think proper, so that they were not actually repugnant to the laws or constitution. The latter not being the case of the Proclamation, he thought the nation in every respect bound to fulfil every thing promised by that solemn engagement. He instanced likewise the cases of *Wales* and *Ireland*, as conquered countries, where our laws had been established; and enlarged, in a very able manner on the many important and salutary effects that had arisen from our extending them to those countries.

Mr. *Solicitor General* denied the fact as stated by the learned Sergeant; insisted, that it was not till the reign of *Henry* the Eighth, that they were introduced into *Wales*, nor until that of *James* the First, that they obtained in *Ireland*. He said, that among all the great or powerful nations we had an account of, the *Romans* and *English* were the only two who forced their laws on the conquered; that it was a most cruel and barbarous policy, and that the *English* laws, how much soever we might prize them, would be the greatest curse imaginable to the *Canadians*.

Mr. *Charles Fox* objected to the Bill, as being contrary to the established usage of Parliament. He said a provision was made in it for securing the tythes to the Romish clergy; that this was raising money on the subject, and that consequently its originating in the other House, was not only irregular and informal, but directly repugnant to the custom and law of Parliament.

Mr. *Dempster* said, the impropriety of the Bill struck him, for it certainly was a Bill either to take away or impose a tax, and therefore should have originated in the Commons, but he should be glad of the Speaker's opinion.

Digitized by Google

Mr. *Sawbridge* rose, saying, he found the Speaker was unwilling to rise, but that he should not ask his opinion as a favour, but as a part of his duty, and, if the honorable gentleman (Mr. *Dempster)* was willing, he would make it a question, whether the Speaker should give his opinion or not?

The *Speaker* rose, seemingly very angry, and said, he was not used to be called on in that manner, and that he did not think it his business to give any opinion on the affair.

A strong debate ensued, in which Mr. *Charles Fox*, Mr. *Dempster*, Mr. *T. Townshend*, Mr. *Dunning*, Sergeant *Glynn*, and Sir *George Savile*, strongly contended that the Bill was, to all intents and purposes, either a Bill to impose a tax, or to repeal a part of a tax, and therefore it was against a standing order, concerning the privileges of all money bills, originating in that House. Lord *North*, and the *Attorney* and *Solicitor Generals*, defended the Bill.

The question was then put, That the Bill be now read a second time;

The House divided: Yeas, 105; Nays, 29.

So it was resolved in the Affirmative: and the Bill was accordingly read a second time.

Resolved, That the Bill be committed to a Committee of the whole House.

Resolved, That the House will, upon *Tuesday* morning next, resolve itself into a Committee of the whole House, upon the said Bill.

TUESDAY, *May* 31, 1774.

Mr. *Baker* presented a Petition of *Thomas Penn*, Esquire, on behalf of himself, and of *John Penn*, Esquire, true and absolute Proprietaries of the Province of *Pennsylvania*, and the three lower Counties of *New Castle*, *Kent*, and *Sussex*, on *Delaware*, in *America*, setting forth, that his late Majesty King *Charles* the Second, by letters patent under the great seal, bearing date the fourth day of *March*, in the three and thirtieth year of his reign, was graciously pleased to grant unto *William Penn*, Esq., (late father of the Petitioner, *Thomas Penn*, and grandfather of the Petitioner, *John Penn*,) in fee, the said Province of *Pennsylvania;* the extent and bounds whereof were expressed in the said letters patent; and taking notice of the Bill for making more effectual provision for the Government of the Province of *Quebec*, in *North America;* and alleging that, from the best observations which have been made, and the most correct maps which have been laid down of those parts, and from other evidence, it appears, that the river *Ohio*, intersects a very large tract of the Northwestern, Western, and Southwestern parts of the said Province, as granted by the said letters patent, the limits or boundaries whereof, in that part, have not, as yet, been allowed and confirmed by the Crown; and that, in order to have the limits and boundaries of the said Province ascertained, the Petitioners did, on the 27th day of *March*, 1773, present a petition to his Majesty, in Council, praying that his Majesty would be graciously pleased to appoint such disinterested persons in those parts, as his Majesty should think proper, to join with such persons as should be named by the Petitioners, to mark out and ascertain the Northern, Western, and Southwestern boundaries of the said Province; which petition has been referred, by his Majesty, to the consideration of the Lords Commissioners for Trade and Plantations, and is now under consideration of that Board; and that the Petitioners conceive that the said Bill will be injurious to them, if it should pass into a law, without containing some provision, that the same may not affect the Petitioners rights under the said letters patent: and therefore praying, that the description of the Territories, Islands, and Countries, to be annexed to the said Province of *Quebec*, may be so confined, as not to affect the Petitioners said Province; or that a provision may be made in the said Bill, that the same shall not affect the Petitioners Province, granted to them by the said letters patent: and that the Petitioners may be at liberty to be heard, by their Counsel, upon the matter of their Petition.

Upon the Petition being read, Lord *North* rose and said, that he should not think of opposing it, as it was never the intention of the Bill to affect the just rights of any proprietors, or of any of the Colonies.

Ordered, That the said Petition do lie upon the table, until the Report be received from the Committee of the whole House, to whom the said Bill is committed; and that the Petitioners be then heard, by their Counsel, upon their petition, if they think fit.

Mr. *Mackworth*. The Petition which I have in my hand, is from the merchants of *London*, trading to *Quebec*, who finding that a Bill is about to pass this House, which they apprehend will essentially injure them in their commercial transactions with that Colony, rely on the justice and the candour of this House to take their case into consideration. As to the merit, Sir, of the Bill, which is now coming before us, I must make this general observation, that a Bill which has confessedly taken nine years for Administration to consider of effectual means to remedy the evils complained of; such a Bill, Sir, surely will demand more time than a few days for the members of this House, to judge in what manner to give their vote. Information is what we want. I know not what opinion I am to form upon the necessity which can call for such a Bill, and for want of that information which ought now to be before the House. I cannot but condemn most sincerely several arrangements in the Bill, which seem destructive of that liberty which ought to be the ground-work of every constitution formed by this House; but I cannot judge what are the causes which call for such measures, while I remain so uninformed as at present. There were reports from the Board of Trade, to the King in Conucil, upon the state of the Province; there were representations from men in the highest offices in the Provinces, upon the proposed constitution to be given to it; there were opinions in writing from the Attorney and Solicitor General, upon the plans proposed; these papers would, if laid before us, give that information which we want, and without which it will be impossible for us to give any other than blind votes, which will, from every thing that we can at present see in the Bill, establish a most fatal system of Government in that country.

Mr. *Mackworth* then presented a Petition of the several merchants of the City of *London*, trading to the Province of *Quebec*, in *North America*, whose respective names are thereunto written, setting forth, that there is a clause in the said Bill, by which his Majesty's Royal Proclamation, and the grants and commissions issued in consequence thereof, will be revoked and made void; and that by another clause in the said Bill, all matters of controversy, relative to the property and civil rights of any of his Majesty's subjects of the said Province, are to be decided by the laws of *Canada*, and by the Judges presiding in the courts of judicature of that Province, without the interposition of a Jury; and representing to the House, that the system of government and administration of justice in the said Province of *Quebec*, which have taken place in consequence of his Majesty's said Royal Proclamation, have been hitherto, as nearly as might be, according to the laws of *England*, and such government and administration of justice have been perfectly satisfactory to his Majesty's subjects residing in the said Province of *Canada;* and the Petitioners conceive it will be highly injurious to his Majesty's said subjects trading to the said Province, to have the laws of *Canada* substituted in the place of the laws of *England*, and to have the trial by Jury abolished: and therefore praying (in behalf of themselves and others interested in the prosperity of the said Province) that the said Bill may not pass into a law, with the above-mentioned clauses remaining in it; and that they may be heard, by their Counsel, against the same.

Ordered, That the said Petition be referred to the consideration of the Committee of the whole House, to whom the said Bill is committed; and that the Petitioners be heard, by themselves or Counsel, before the said Committee, upon their petition, if they think fit.

A motion was made, by Mr. *Mackworth*, that an humble Address be presented to his Majesty, that he will be graciously pleased to give directions, that there be laid before this House:

Copy of a Report made by Major General *Carleton*, Governor of the Province of *Quebec*, to his Majesty, relative to the state of the Province.

Copy of a Report made by *William Hey*, Esquire, Chief Justice of the said Province.

Digitized by Google

Copy of a Report made by *Francis Maseres*, Esquire, late Attorney General of the said Province; and

Copies of the Reports of his Majesty's Advocate General, Attorney General, and Solicitor General, relating to the said Province.

Lord *North*. I shall oppose the calling for those papers; they will take some time in copying; there have been several reports from the Board of Trade, which are long, and if we wait for addressing the Crown to lay them before us, the season will be delayed too late, and for no purpose, as we may have the same information at our bar. The Governor of the Province I see at the bottom of the House, who may be ordered to attend when you go into the Committee; Mr. *Hey*, who is Chief Justice, is near *Canterbury*, and may be ordered up; and Mr. *Maseres*, who was Attorney General of that Province, is also in *London*; as to the Attorney and Solicitor General, we have them amongst us; therefore I do not see but we may have just as good information in this manner, and much more expeditiously, than by addressing for the papers.

Mr. *T. Townshend*. As this is not the proper time for going into the principle of the Bill, I shall confine myself to the absurdity, to say no more of it, of bringing in a Bill of such magnitude and importance so late in the session, without previously laying upon the table the necessary information; at present we have none; and if the noble Lord means that we should know the subject upon which we are to debate, he certainly will not object to giving us that information, without which we cannot proceed with propriety. Let us, in the name of common sense, see what are the complaints of the *Canadians* against their present Government, what are their distresses; what their desires; and let us see the opinions of the great law officers which have been given upon this point.

Colonel *Barré*. I think there will be very little difficulty in shewing, that the proposition now made by the noble Lord will be very far from answering the purpose of those who wish for full information on this subject. The papers we now call for would give us that information; those papers are drawn up coolly, attentively, and upon long and mature consideration; and they have been drawn up at leisure by men of great character and abilities. Now, Sir, the noble Lord will not, he cannot assert, with any appearance of justice, that calling those men to your bar, to be questioned in the desultory manner common upon those occasions, and in the midst of the contention between those who patronise the Bill, and others who condemn it—will he tell us that this is such information as we should receive from the papers referred to? It is impossible. As to the two great law officers who are present, I admit that their standing in their places, and reciting the opinions they gave would be satisfactory; but then they ought simply to inform us what those opinions were, and not to enter into the debate on the merit of the Bill at the same time, or, by a side wind, to warp information concerning a past fact into an opinion of a debate in question. That satisfaction should be made the House on these points nobody can doubt; for to tell us that we cannot have information for want of time to copy papers, is to tell us plainly that we are to proceed in the dark; it is and will be a deed of despotism, and therefore may well be linked with darkness. I wish it to be the deed of a single hand; it is a proper exertion of arbitrary power, in which the less concern Parliament has, the better. Intelligence must be kept from us because it will not bear the light; if it was openly and fairly laid before you, it would condemn in the strongest and clearest manner the principles and the provisions of this Bill, all of which it would be found are equally unnecessary and pernicious.

Mr. *Attorney General*. My opinion, and that of my learned colleague, were in writing, and lodged among our State papers; nor have we any right to read them in our places as servants of the Crown. No person, without his Majesty's consent, has a right to them.

Mr. *Edmund Burke*. I am very sorry to find from the turn which the debate takes on the other side of the House that we are to have no satisfaction relative to the information which every man of common sense must think necessary on this occasion: this is a fresh reason for condemning the Bill, since if Administration thought their conduct in this Bill would bear the light, they would give you light to view it in, and rejoice in the opportunity of giving such a proof of their abilities and moderation. For what purpose is it that you would precipitate this affair? You have been nine years considering, weighing maturely, and reflecting perpetually upon what Government should be given to this Province: what harm can arise from a delay of a single year? What prodigious mischief is to result from the Government of the Province continuing one year more in the present situation?

And the question being put, the House divided: Yeas, 45; Nays, 85.

So it passed in the Negative.

Resolved, That an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House:

The last Report from the Lords Commissioners of Trade and Plantations, to his Majesty, in Council, relative to the Constitution of the Province of *Quebec*; and

The Reports from the Lords Commissioners of Trade and Plantations, to his Majesty, in Council, dated the 11th of *January*, and 3d of *September*, 1765, relating to the said Province.

Ordered, That *Francis Maseres*, Esquire, late Attorney General of the Province of *Quebec*, do this day attend the Committee of the whole House, to whom the engrossed Bill from the Lords, intituled, "An Act for making more "effectual provision for the Government of the Province "of *Quebec*, in *North America*," is committed.

Ordered, That Major General *Carleton*, Governor of the said Province, do attend the said Committee, at the same time.

Ordered, That *William Hey*, Esquire, Chief Justice of the said Province, do attend this House upon *Thursday* morning next.

Ordered, That Doctor *James Marriott*, his Majesty's Advocate General, do attend this House upon *Thursday* morning next.

The Order of the Day being read;

The House resolved itself into a Committee of the whole House, upon the Bill.

Mr. *Mansfield*, counsel for the Merchants of *London*, petitioners against the Bill, was called in, who, after a long speech, setting forth the dangerous tendency of the Bill, desired leave to call in *Edward Watts*.

He being accordingly called in, was asked a number of questions by Lord *Barrington*, Lord *North*, Lord *Clare*, Lord *Carmarthen*, Colonel *Barré*, Capt. *Phipps*, Mr. *W. Burke*, Mr. *Mackworth*, Gov. *Johnstone*, Mr. *Hopkins*, &c.. as to the *French* and *English* laws in *Canada*, and to which the inhabitants gave the preference.

After he withdrew, Mr. *Samuel Morin* was called in.

They both spoke in favour of the *English* laws being exercised in *Canada*, and mentioned that the *English* residents there highly approved of the trial by Jury, and seemed to think that an annihilation of that right would greatly hurt the Colony. The former of the witnesses had been nine years resident in *Canada*, the latter eleven.

The Committee then rose, reported progress, and asked leave to sit again.

Resolved, That this House will, upon *Thursday* morning next, resolve itself into a Committee of the whole House, to consider further of the said Bill.

Ordered, That the several persons, who were ordered to attend the said Committee this day, do attend the said Committee upon *Thursday* morning next.

WEDNESDAY, *June* 1, 1774.

The Lord *North* presented to the House, pursuant to their Addresses to his Majesty:

Copy of a Representation of the Lords Commissioners for Trade and Plantations, to the Lords of the Committee of Council for Plantation Affairs, dated *Whitehall*, 2d *September*, 1765.

Copy of a Representation of the Lords Commissioners for Trade and Plantations, to the Lords of the Committee of Council for Plantation Affairs, dated *Whitehall*, *July* 10th, 1769.

Digitized by Google

Copy of a Representation of the Board of Trade, to the King, dated *January* 9th, 1765, on affairs of the Province of *Quebec*.

The Lord *North* also presented to the House, by his Majesty's command:

Copy of a Memorial of the new subjects of *Quebec*, to his Majesty.

Copy of a Memorial of *Canadian* subjects, to the King.

Copy of a Memorial of the citizens and Burgesses of *Montreal*, to the King.

Copy of a Memorial of the principal citizens of *Quebec*.

Memorial of the principal *French* inhabitants of *Canada*, in support of their Petition to the King.

And the titles of the said Papers were read:

Ordered, that the said Papers be referred to the consideration of the Committee of the whole House, on the Bill.

THURSDAY, *June* 2, 1774.

The Lord *North* presented to the House, by his Majesty's command:

A paper intituled, "Petition from the new Inhabitants "of *Quebec*, to his Majesty."

Ordered, That the said Paper be referred to the consideration of the Committee of the whole House, on the Bill.

The Order of the Day being read, the House resolved itself into a Committee of Whole, upon the Bill.

General *Carleton* was called in and examined.

Mr. *Mackworth*. What was the proceedings and course of justice in *Canada*, when you first went there?

General *Carleton*. There is a Court of King's Bench and Court of Common Pleas, in which the proceedings are in the *English* form.

Mr. *Mackworth*. Did the *Canadians* express a dislike to the distribution of justice in that form?

General *Carleton*. In some things they did, in others they did not. I never heard them express a disapprobation of the criminal law of *England*; but in relation to the law in civil trials, they have disapproved it greatly.

Mr. *Mackworth*. Did they disapprove the trial by Jury?

General *Carleton*. Very much; they have often said to me, that they thought it very extraordinary that *English* gentlemen should think their property safer in the determination of tailors, shoe-makers, mixed with people in trade, than in that of the judges.

Mr. *T. Townshend*. But if they had juries such as they approved of, would they then object to the *English* civil law?

General *Carleton*. Their objections to that law are very numerous; they do not know what it is; and they expressed great apprehensions at being governed by a law of which they were ignorant: they also complained of the proceedings of the Courts being in a language they did not understand.

Lord *North*. Did the General hear them complain of the want of the trial by Jury in civil causes?

General *Carleton*. Never. Though I have heard the same men praise the *English* law in points wherein it favoured their own causes, who at other times were much against it.

Lord *North*. Did they express wishes of having an Assembly?

General *Carleton*. Very much the contrary. In the conversation I have had with them, they have all said that when they found what disputes the other Colonies had with the Crown, upon account of Assemblies, they would much rather be without them; and when they supposed that an Assembly, if they had one, would be chosen from the old *British* subjects only, expressed an horror at the idea of one.

Lord *North*. Does the General know the proportion of old subjects to those of new ones in *Canada*?

General *Carleton*. The Protestants in *Canada* are under four hundred; about three hundred and sixty; but the *French* inhabitants, who are all Catholics, amount to one hundred and fifty thousand.

Lord *North*. Are those three hundred and sixty, men of substance?

General *Carleton*. Much the greatest part of them are not. There are some that have purchased seignories, some in trade, and some reduced soldiers: but the majority are men of small substance.

Mr. *Jenkinson*. Is there much intercourse or communication between those three hundred and sixty and the rest of the Province?

General *Carleton*. Very little.

Lord *North*. Are those People, upon the whole, proper and eligible for an Assembly to be chosen from them?

General *Carleton*. I should apprehend by no means.

Mr. *Phipps*. What is the extent of the cultivated and populous part of *Canada*?

General *Carleton*. About three hundred miles.

Mr. *Phipps*. Are there any populous settlements detached from that line, at a distance?

General *Carleton*. None of consequence.

Mr. *Phipps*. Is the cultivation of the lands and the trade of the Province much increased since the conquest?

General *Carleton*. Very much.

Lord *North*. Does General *Carleton* attribute that increase to the introducing of the trial by Jury, and the *English* law?

General *Carleton*. By no means.

Mr. *T. Townshend*. To what then does the General attribute it?

General *Carleton*. To the change from a state of war to one of peace; the Government was before extremely military; and military expeditions ever going on to a distance, great numbers of men lost, population hurt, and the People taken from the culture of the earth for those purposes. This change (for they have now enjoyed above ten years peace, with none of the inhabitants taken for the military) has wrought the increase of People.

Mr. *Turner*. Has not the increase of trade and wealth been much owing to the free export of corn?

General *Carleton*. I take it to be owing to the increase of People.

Mr. *Turner*. Was not the increase of cultivation owing to the export?

General *Carleton*. The cultivation I attribute to the increase of People. There must be the People before there could be the cultivation.

Lord *North*. Does the General know any thing of a Monsieur *Le Brun*?

General *Carleton*. I know him very well. He was a blackguard at *Paris*, and sent as a lawyer to *Canada*: there he gained an extreme bad character in many respects; he was taken up and imprisoned for a very filthy crime with children of eight or nine years old; for this he was fined, I think, twenty pounds, but being unable to pay it——

Mr. *T. Townshend*. I desire the General may withdraw. [He withdrew.] Sir, I know not what use is to be made of this part of the evidence; but sure I am, it is a most unprecedented thing, and such an one, as an independent member of Parliament, I cannot see and hear without interrupting it;—you are criminating a man unheard—not before you—and with whom you seem to have nothing to do.

Lord *North*. This Monsieur *Le Brun* has come over from *Canada* to make representations that it is the general opinion, desire, and wish of the *Canadians*, to have an Assembly: I thought it right to know how likely he was to know the opinion of that country; and what degree of dependance could be placed in his testimony—but I shall ask no more questions concerning him.

[The General called in again.]

Mr. *Phipps*. Were there any other objections to the *English* law than what the General has mentioned?

General *Carleton*. I recollect an instance against the criminal law. Some *Canadian* and *English* gentlemen were apprehended for a crime, and laid in goal;—the whole Province supposed them innocent, and the Jury found them so; the nobility complained, that by our law they were punished by a severe imprisonment, which, in the *French* law, they would have escaped. This made a great impression upon them, and prejudiced them very much against even our criminal law.

Digitized by Google

Mr. *Maseres* called in and examined.

Mr. *Solicitor General.* What form of Government have the *Canadians* expressed themselves most desirous of?

Mr. *Maseres,* They have no clear notions of Government, having never been used to any such speculations. They will be content with any you give them, provided it be well administered.

Mr. *Mackworth.* Have they expressed any dissatisfaction at the trial by Jury in criminal matters?

Mr. *Maseres.* They like it very well.

Mr. *T. Townshend.* Do you know that they have any objection to the same trial in civil cases?

Mr. *Maseres.* Certainly they have; but they principally consist in the expense and trouble of that attendance. Were they allowed a compensation, I should apprehend they would be well satisfied in all cases; and I think so small a sum as five shillings a man would do for that purpose.

Mr. *Solicitor General.* Does Mr. *Maseres* think that they would be pleased with the abolition of their old customs by the introduction of our civil law?

Mr. *Maseres.* A total abolition of their customs relative to descents, dower, and the transfer of land, would be highly offensive to them. In other matters I believe they would be very well satisfied with the *English* laws.

Mr. *Mackworth.* Would they have any objection to the law of *habeas corpus?*

Mr. *Maseres.* It is impossible that any People should object to that law.

Mr. *T. Townshend.* Did not the *Canadians* think themselves promised, by the Proclamation, the benefit of an Assembly, and do they not now desire to have it?

Mr. *Maseres.* As to an Assembly, they have a very confused idea of what it is; the generality of the People have no desire to have it, for they know not what it is; but there are a few among them who have considered the matter, and they would prefer an Assembly.

Mr. *Mackworth.* Does Mr. *Maseres* think that the provisions of this Bill for the Government of *Canada* are the freest that could with propriety be granted?

Mr. *Maseres.* Certainly not; I have sufficiently explained to the world how I think there might have been a judicious mixture of a law for the free Government of that Province.

Mr. *Dunning.* Is Mr. *Maseres* acquainted with the laws of *Canada?*

Mr. *Maseres.* I have some slight knowledge of them.

Mr. *Dunning.* As by this Bill resort is to be had to the laws of *Canada*, and not the laws of *England*, in all matters of property and civil rights, I would ask Mr. *Maseres*, whether the Governor of the Province will not have a right by the laws of *Canada*, if this Bill should pass, to issue a *lettre de cachet* to imprison any of the King's subjects in the Province?

Mr. *Maseres.* I believe he would not have a right to imprison persons by *lettres de cachet* signed by himself; because I have always heard that no *lettres de cachet* are ever used for that purpose in *France*, or the *French* Dominions, but such as are signed by the *French* King himself. But I have also been told, that blank *lettres de cachet*, ready signed by the King, are sometimes given to Governors and Intendants of Provinces, to be used by them as occasion shall require.

Mr. *Dunning.* I desire then to know, whether if *lettres de cachet*, signed by the King, were to be delivered to the Governor of *Canada*, after this Bill shall be passed into a law, these *lettres de cachet* might not, in Mr. *Maseres'* opinion, be lawfully made use of by the Governor, to imprison the King's subjects in that Province?

Mr. *Maseres.* [After some pause.] I think they might.

Mr. *Solicitor General.* I desire to know of Mr. *Maseres*, upon what principle of the *French* law he supposes the authority of issuing *lettres de cachet* to be founded?

Mr. *Maseres.* I do not know. It seems probable, that it was at first an usurped authority. But it is now constantly practised, and acquiesced in throughout the *French* Dominions, and is therefore now understood to be the legal prerogative of the Crown of *France*, whatever might be its origin.

Mr. *Solicitor General.* Mr. *Maseres* does not rightly apprehend my question. I will explain myself. I want to know in what capacity the *French* King is supposed, by writers upon the *French* laws and Government, to act, when he issues a *lettre de cachet?*

Mr. *Maseres.* I do not yet thoroughly comprehend the question.

Mr. *Solicitor General.* I mean to ask whether Mr. *Maseres* does not understand the King of *France* to act in his legislative capacity, when he issues one of those letters?

Mr. *Maseres.* I have never yet considered the relation between a *lettre de cachet* and the legislative authority. It may perhaps be on that authority that the right of issuing those letter is grounded, or said to be grounded. I cannot say to the contrary. Yet there seems, at first sight, to be a considerable difference between a law and a *lettre de cachet;* since a law is generally understood to be a previous declaration of the will of the lawgiver, or lawgivers, whether one or many, upon a particular subject, with penalties annexed to the breach of it, when so previously declared; whereas a *lettre de cachet* is a sudden exercise of power without such a previous declaration of the will of the legislator.

Mr. *Solicitor General.* Though Mr. *Maseres* has not considered it in that light, yet it is certain, that the *French* King's power of issuing *lettres de cachet* is generally understood by the writers on the *French* laws and Government to be a part of his legislative authority, by which he provides for the sudden emergencies that occur in Government, as he does by the more formal kind of laws for the usual business of the State. And, consequently, as the King of *Great Britain* has not in himself alone the legislative authority over this Kingdom, and the other dominions of the Crown, but this authority belongs to the King and the two Houses of Parliament conjointly, this power of issuing *lettres de cachet*, in the Province of *Quebec*, which had formerly belonged to the *French* King, by reason of his being the sole legislator of that country, cannot, by this revival of the laws of *Canada*, accrue to the King of *Great Britain*, who is not the sole legislator of it, but only to the King and the two Houses of Parliament, who are so. I dare say Mr. *Maseres* must now see this matter in the same light that I do, and be convinced, that no *lettres de cachet* can legally be used in *Canada*, by virtue of this Act.

Mr. *Maseres.* This reasoning may perhaps be just. It is so new to me that I cannot undertake just at present to form a judgment of it. But though it should be just, and, in consequence of it, the use of *lettres de cachet* should not be legal, yet I cannot help thinking that, if they were used, the subjects against whom they were employed would be without any legal remedy against them; for if a motion was made on the behalf of a person imprisoned by one of them in the Court of King's Bench in the Province, for a writ of *habeas corpus*, or any other relief against such imprisonment, the Judges would probably think themselves bound to declare that, as this was a question concerning personal liberty, which is a civil right, and in all matters of property and civil rights they are directed, by this Act of Parliament, to have resort to the laws of *Canada*, and not to the laws of *England*, they could not award the writ of *habeas corpus*, or any other remedy prescribed by the *English* law, but could only use such methods for the relief of the prisoner as were used by the *French* Courts of Justice in the Province during the time of the *French* Government, for the relief of a person imprisoned by the Intendant or Governor, by a *lettre de cachet*, signed by the King of *France*. And such relief would, I imagine, be found to be none at all. Therefore, if it is intended that the King's subjects in *Canada* should have the benefit of the *Habeas Corpus* Act, I apprehend it would be most advisable, in order to remove all doubts and difficulties upon the subject, to insert a short clause for that purpose in this Act.

Lord *North.* I desire to know of Mr. *Maseres*, whether he does not think it would be criminal in a Governor to make use of any such *lettres de cachet*, and in a Minister of State to advise the King to sign them; and whether they would not be punishable here in *England* for doing so?

Digitized by Google

Mr. *Maseres*. If the *lettres de cachet* should not be in themselves illegal, I do not see how the Governor could be punished in the courts of law for making use of them, nor the Ministers of State for advising the King to sign them. The use of legal powers is in general no crime. Indeed if legal powers are employed to bad purposes, there is one method of proceeding against the persons concerned in such abuse of them, and but one, and that is by impeachment by this House, before the House of Lords. But this is an operose way of proceeding, and out of the common course of things. So that if the issuing *lettres de cachet* should not be absolutely illegal when this Bill shall be passed into an Act (and I am still inclined to think they will not be so,) the poor objects of them may linger a long time in prison, indeed one may say indefinitely, without any legal method of redress; therefore a short clause to establish the *Habeas Corpus* Act in the Province seems to be highly expedient.

Lord *North*. I would ask the witness one question more before I sit down. Does he think it probable that, if this Bill should pass into a law, such *lettres de cachet* would be made use of?

Mr. *Maseres*. I do not think it probable that they would be used.

Mr. *Hey*, Chief Justice, called in.

Mr. *Mackworth*. Does Mr. *Hey* think that the *Canadians* are well satisfied with the trial by Jury, in criminal matters?

Mr. *Hey*. They are well satisfied with it.

Mr. *Mackworth*. Would they not be also satisfied with the same trial in civil matters?

Mr. *Hey*. Under certain regulations they might: for instance, if the unanimity required in *England* was dispensed with, and a majority of two-thirds of a Jury of thirteen or fifteen was sufficient; and if they were allowed some compensation for the expense and trouble of attendance; also if the trial by that mode was optional in the parties; under these regulations, I apprehend, they would be very well satisfied with that mode of trial in civil as well as criminal cases. Half the year in *Canada* all business is stopped by the climate, which makes them much the busier the other half, and at that season they consequently find the attendance as jurymen a burden.

Mr. *T. Townshend*. Would they wish for and approve the other parts of the *English* law in civil matters?

Mr. *Hey*. They are very little acquainted with the *English* law, and from their ignorance of it, would be very much against its establishment. They are tenacious of their ancient laws and customs, and would esteem a total change a great injury to them.

Mr. *Baker*. Would they esteem the *Habeas Corpus* Act an injury?

Mr. *Hey*. I cannot imagine that any People would be so stupid as not to esteem it a benefit.

Mr. *T. Townshend*. Would not the *Canadians* think an Assembly also a great benefit?

Mr. *Hey*. Very far from it: they are too ignorant a People to understand the value of a free Government; they are exceedingly obedient: would obey the King's commands let it be what it may: if he ordered an Assembly to meet they would go, but they would not know what to do when they came there: the fact is, they are not capable of that Government: they do not expect it: it is contrary to all their ideas, to all their prejudices, to all their maxims: their idea of a House of Assembly is that of a House of riot and confusion, which meets only to impede public business, and to distress the Crown: all which is a system extremely contrary to the ideas and principles of the *Canadians*.

Mr. *T. Townshend*. Did Mr. *Hey* ever hear of a plan or representation of what Government would probably be successful in *Canada*?

Mr. *Hey*. There was a commission from his Majesty to Governor *Carleton*, the Attorney General, and myself, to draw up a report of that Government which would be most proper for *Canada*. In that deliberation I had the misfortune to differ in opinion from Governor *Carleton*; my ideas were, that the laws of *Canada* might be blended with those of *England*, so as to form a system perfectly adapted to the wants of the *Canadians*, and also to the principles of the polity of this country. I would have left the *Canadians* all their laws that in any degree concerned the transfer, possession, settlement, or mortgage of landed property. I would have secured them their religious toleration and security: but I proposed to give them the criminal law of *England*, and the civil law as far as it concerned the rights of moveable property, the modes of trial, &c. This was a mixture which I imagined would answer the purposes that were wanting.

Mr. *Mackworth*. Is Mr. *Hey* acquainted with the laws of *Canada*, by which, in matters of property, he must conduct himself in case this Bill passes.

Mr. *Hey*. Not as a system: only in the cases which have come before me from the Court of Common Pleas.

Mr. *Baker*. If this Bill passes, will there be any legal remedy for a man's being arbitrarily imprisoned?

Mr. *Hey*. That must depend very much on the constitution which his Majesty may be pleased to give to his Courts of Justice, which he is enabled to erect by this Bill. But if, as a Chief Justice, I knew of a man's imprisonment, I should be much induced, if I found no law for the purpose, to make one, to have the prisoner brought before me, that the cause of his commitment might be known.

The Committee then reported to the House.

Resolved, That this House will, to-morrow morning, resolve itself into a Committee of the whole House, to consider further of the said Bill.

Ordered, That Major General *Carleton*, Governor of the Province of *Quebec*, *William Hey*, Esquire, Chief Justice of the said Province, Doctor *James Marriott*, his Majesty's Advocate General, and M. *De Lotbiniere*, Esquire, do attend the said Committee at the same time.

FRIDAY, *June* 3, 1774.

The House being informed that the Sheriffs of the City of *London* attended at the door, they were called in; and, at the Bar, presented to the House,

A Petition of the Lord Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled.

And then they withdrew.

And the said Petition was read;

To the Honorable the Commons of Great Britain, *in Parliament assembled, the humble Petition of the Lord Mayor, Aldermen, and Commons, of the City of* London, *in Common Council assembled, sheweth:*

That your Petitioners are deeply concerned, and much alarmed, to find there is now a Bill depending before this honorable House, intituled, "An Act making more effectual "provision for the Government of the Province of *Que-* "*bec*, in *North America*," which, in all civil cases, takes away the exercise of the *English* law, and that sacred part of it, the Trial by Jury, and substitutes in its stead the *French* law of *Canada*, whereby the freedom of the person, and security of the property of his Majesty's subjects, are rendered very precarious.

That if this Bill passes into a law, the Roman Catholic will be the only legal established religion, without any provision being made for the free exercise of the Protestant religion, which may prove greatly injurious and oppressive to his Majesty's Protestant subjects, who do now, or may hereafter reside in the said Province.

That the Legislative power is vested solely in persons appointed during pleasure, by the Crown, which is totally inconsistent with the liberty and principles of the *English* Constitution.

Your Petitioners therefore most humbly pray that the said Bill may not pass into a law.

Ordered, That the said Petition do lie upon the table.

The Order of the Day being read, the House resolved itself into a Committee of the Whole, upon the Bill:

M. *De Lotbiniere* was called in, and examined in *French*.

Mr. *T. Townshend*. Are you of *Canada*?

M. *De Lotbiniere*. I am.

Mr. *T. Townshend*. Of the corps of nobility?

M. *De Lotbiniere*. Yes.

Digitized by Google

Mr. *T. Townshend.* Do you know if the *Canadians* are desirous of having an Assembly to represent them in the Government of the Province?

M. *De Lotbiniere.* They are very desirous of it.

Mr. *T. Townshend.* Why then have they not made representations to that purpose?

M. *De Lotbiniere.* Because they understand, that if they were gratified with an Assembly, they would in consequence have the expenses of the Government to support, which, in the present state of the Province, would be much more than they can support.

Lord *North.* Did M. *De Lotbiniere* ever hear any material objections to the establishment of a Legislative Council?

M. *De Lotbiniere.* I never heard it particularly debated, nor any objections.

Mr. *T. Townshend.* Does he think the *Canadians* are not desirous of a more free Government than a Governor, with a Council, the members of which are appointed, removed, and suspended by him?

M. *De Lotbiniere.* They would certainly desire a freer Government.

Lord *Beauchamp.* But if some of the noblesse were admitted into that Council, would they not then be well satisfied?

M. *De Lotbiniere.* They might then be satisfied.

Lord *North.* Would the noblesse be desirous of an Assembly in which the Bourgeois were admitted to sit in common with themselves?

M. *De Lotbiniere.* I do not apprehend they would object to that, if it was the King's pleasure so to have it.

Mr. *T. Townshend.* Have they been displeased with the *English* law?

M. *De Lotbiniere.* While the circumstances of lands have been left to the *Canadian* laws, they like the *English* judicature very well.

Dr. *Marriott*, his Majesty's Advocate General, was called in.

Mr. *Mackworth.* I desire to know of the gentleman at the bar, what would be the best establishment of laws in the Province of *Quebec*, in his opinion?

Mr. *Marriott.* It is difficult to say upon any subject, in this world, what is best for any men or set of men of speculation: that which succeeds best in public and private life is best; and therefore I cannot tell what will be best for the *Canadians.*

Mr. *Mackworth.* Does he think that the *Canadians* would chuse the system of *English* law, or the *French* law?

Mr. *Marriott.* I do not know a single *Canadian.* I never was in *Canada.*

Mr. *Mackworth.* Does the gentleman think that the commerce of this country, and the Province, would be hurt by a revival of the *French* laws in cases of property?

Mr. *Marriott.* I cannot tell.

Mr. *Mackworth.* Does he know any thing of the state of *Canada?*

Mr. *Marriott.* What I know is from such papers as have been laid before me, by order of the King, in Council, and by information of other persons.

Captain *Phipps.* I desire to ask if he understands the *French* law?

Mr. *Marriott.* I find it very difficult to understand any law.

Captain *Phipps.* Does he know the power of the *French* King, under the constitution of the *French* laws?

Mr. *Marriott.* I do not well understand the constitution of *France.* I never was in *France.* It is a very hard thing for a foreigner to obtain an adequate idea of the constitution of another country. The constitution of one's own requires a great deal of close application and study: I wish I understood it better; and that many other People would study it more, and understand it better than I fear they do.

Captain *Phipps.* Does he understand the constitution of *Ireland?*

Mr. *Marriott.* No: I never was in *Ireland.*

Mr. *Dempster.* Does he think it expedient to give the Province of *Quebec* any part of the *French* constitution?

Mr. *Marriott.* The question is upon the word "expedient."

Mr. *Dempster.* I mean, will it be wise and prudent?

Mr. *Marriott.* By the words "expedient, wise, and prudent," I understand the question to mean, whether it will be politically wise and prudent. Expediency is ministerial language. It is a word of State: State expediency. It means that high policy, that great arcanum, the sublime of Government, extended almost beyond the reach of human wisdom. Few that can pry into this sort of knowledge. Fewer that can comprehend it. I am sure I do not.

Mr. *Dempster.* The gentleman, by the nature of his office, and greatly informed as he is from his connections with Government, and his own reading, must know much concerning the actual state of the Province of *Quebec;* I desire he will answer what sort of Government he would give to it?

Mr. *Marriott.* The giving laws to mankind is the perfection of all knowledge, human and divine. It is not the work of days, of months, of years, but of ages. For me to answer that gentleman's question, what sort of Government I would give to the Province, I must be the vainest of men.

Mr. *Dempster.* From such papers and informations as have been laid before the gentleman for his consideration, I desire to know, in general, what is his idea of a civil establishment for the Province of *Quebec*, the properest to be given it by the Legislature of this country?

Mr. *Marriott.* It depends upon a most extensive knowledge, infinite indeed, of the relations of men and things, times and circumstances; the positions of both countries; the manners and genius of the People; the wants of the Province; the views of the mother country; the conduct of the neighbouring Colonies; the state of the nation *vis à vis*, or respecting them and the designs of the rest of *Europe.* These relations change every moment; this vast political prospect is for ever doubtful and floating; it contains too many objects for my short vision and poor comprehension.—My answer therefore to the question (what is the properest establishment for the Province of *Quebec*, to be given by the Legislature of this country) is, I cannot tell.

Mr. *W. Burke.* There is an absurdity in this answer. The gentleman spoke of an infinite knowledge of men and things, times and circumstances, and yet he says he cannot tell.

House.—Read the Minutes.

The Clerk read the Minutes—as Mr. *Burke* had represented them.

Mr. *Marriott.* They were not my words—It depends upon a most extensive knowledge, &c., &c., that is, the question depends—The words "it depends" were left out.—Repeats as above.

Mr. *Baker.* I would ask the gentleman at the bar if ever he has read any thing of the laws of *France?* I believe he has read a great deal.

Mr. *Marriott.* I have read a little of the *French* law.

Mr. *Baker.* Does he understand it?

Mr. *Marriott.* Not the style of it, nor its forms very well.

Mr. *Baker.* What does he mean by the style of it?

Mr. *Marriott.* There is in every civilized country, in which a system of civil laws is established, a law language—as there are in every art and science words and phrases peculiar to them, only understood by the persons who practise those arts and sciences; I correct myself: not always understood perfectly even by them, for they frequently dispute about the force and meaning. The law therefore calls these arts, crafts, and mysteries. The *French* have a serious word for the style of law; they call it *jargòn;* we ludicrously use it *jargon.* It is a cant word.

Mr. *Baker.* Did he ever see any system of the *French* law in *Canada?*

Mr. *Marriott.* I have read a collection of *French* laws, which contains, by way of abstract, the laws and usages of that Province, founded on the laws of the Prevôté of *Paris:* and it also contains several ordonnances of police and arrêts of the *French* King.

Mr. *Baker.* Does he understand them?

Mr. *Marriott.* Some part of them: the law language is difficult.

Mr. *Baker.* Is there not in that collection something concerning the *jus retractus?*

Digitized by Google

Mr. *Marriott*. I suppose the gentleman who puts the question means the *rêtrait lignager*. It is the right which a Lord of a fief or a manor, and the first original possessor of a grant from the Crown, has to receive some indemnifications from those persons who are called the *arrier* tenants, who hold under him. There is such a title as *rêtrait lignager*.

Mr. *Baker*. If the *French* civil laws were revived, or suffered to remain in *Canada*, would it not be a discouragement to the old *British* subjects to go and trade there, and make purchases of lands?

Mr. *Marriott*. If old *British* subjects were to go thither, the *French* civil law remaining in force, or being revived, they would go thither at their option, and of their own free will, as they now go to *Jersey* or *Guernsey*, where the *French* laws prevail. Or for another instance, if you please; if any person on speculation thought of going to buy an estate in *Scotland*, if he found that he did not like the *Scotch* law and inhabitants, he might do a better thing, keep his money in his pocket and stay at home; a thing much wanted in this country.

Mr. *Dempster*. On what terms do you think, in the state of things in *Canada*, an *English* merchant going to settle there, would hold any lands which he should purchase?

Mr. *Marriott*. On the same terms as the *Canadians* held them who convey the lands: or if the new settler takes them by grant from the Crown, he will then take them on the same terms as any other grantee would do; that is to say, on such terms as the granter shall please. All is voluntary on the part of the purchaser or grantee—he may take the lands, or he may leave them.

Mr. *Dempster*. Has he given no opinion upon the subject of *Canada*?

Mr. *Marriott*. I have.

Mr. *Dempster*. In what capacity, and to whom?

Mr. *Marriott*. As his Majesty's Advocate General, to his Majesty, in Council, I drew up a plan of a code of laws.

Mr. *Dempster*. Will the gentleman be pleased to give the House some account of the plan?

Mr. *Marriott*. I had the honor of his Majesty's commands in Council, together with my brethren in office, the Attorney and Solicitor General, to consider a great number of papers referred, and to call for such persons as could give me information upon the subject; and to prepare a plan of civil and criminal law for that Province: it was referred separately to each of us three, as being the law officers of the Crown. I drew up my plan accordingly.

Mr. *Dempster*. What was the plan?

Mr. *Marriott*. I drew my plan in the following method: after stating the principles of legislation, and representing what appeared to me to have been the late condition, and now, to be, and likely to be hereafter, the state of the Colony, I formed my plan under four heads: the Courts of Judicature; the Common Law of the Province; the Revenue; the Religion.

Mr. *Dempster*. To whom did he deliver that plan?

Mr. *Marriott*. To his Majesty in Council.

Mr. *Dempster*. As doubtless it was very extensive in point of knowledge and information, the House would be glad to know the contents?

Mr. *Marriott*. I stand here as his Majesty's servant: my colleagues next to me in office, who have given their opinions as well as myself to his Majesty, are within the bar. When an advocate or counsellor gives his opinion, it is the property of his client. His Majesty is in possession of my opinion. If this House does me the high honor of being desirous to know my sentiments, such as they are, (and they are very free ones) the House will then address his Majesty to lay my opinion before the House. If the House will not agree to that address, my sentiments must remain deposited with his Majesty, in his great wisdom, where they now most happily rest.

Mr. *Dempster*. When somebody moved to have all the papers laid before the House, the motion was overruled, on the ground that we might have complete information at the bar. I fear we shall not have it where we wish it, and were bidden to expect it. What is the sum and conclusion of that opinion?

Mr. *Marriott*. In a question so extensive, and which involved every possible consideration of policy, and very little of law, I drew up my opinion with all that modesty and diffidence which became me. The danger of positiveness in speculative opinions is too obvious to every man of a right mind. The more I viewed the subject on every side, the more difficulties occurred to me. I weighed all facts and reasonings in a true balance, without bias to any man or any party, but found it hard, after the whole result of my inquiries, to fix decisively what the system of law ought to be for a People so remote from home, of whose manners and wants we know so little. My method of proceeding was, I collected all facts as represented to me, and as far as other persons, who well knew the Colony by having been in it, were agreed in their reports made to the King's Government. I then brought all the facts and probable reasonings together in one general point of view, for the assistance of my two colleagues in office, that they might form an easier decision on their part. I drew indeed my own conclusions, but they were not positive, but open to better reasonings. I therefore, through the whole, adopted the style and manner of that which *Cicero* calls the *deliberativum genus dicendi*; I submitted every thing to his Majesty's wisdom in Council, aided by opinions and arguments of much higher authority than any which I could offer.

Mr. *Dempster*. Can the gentleman recollect any parts of the opinion which he gave?

Mr. *Marriott*. I answered before, that doubtless if this House will address his Majesty, they will have the whole of it before you: I have no objection, I am sure, for my part; but my memory will not serve me to repeat so extensive a work.

Mr. *Dempster*. Does it agree in substance, or part, with the Bill now depending before this House?

Mr. *Marriott*. I know nothing of such a Bill officially. A printed paper, with a title of a Bill relative to the Government of *Quebec*, was put into my hands only two days ago, by a friend accidentally. Not having the honor to be a member of this House, I cannot, according to the rules of it, take notice of any thing proposed within its walls. If the House were pleased to refer the Bill to me, I should desire to take it home, to read it with great care and deliberation. And if I were within the bar, as I am now without, I would give my opinion upon the Bill in my place as freely, and with as much courage, as any man upon this ground.

Mr. *Dempster*. The gentleman owns that he has had much information: I wish he would tell us what?

Mr. *Marriott*. The same as the House has already heard just now, and from some of the same persons.

Mr. *Cavendish*. If we cannot have the whole of his opinion, will he give us some of the very learned quotations in his book.

Mr. *Marriott*. So many compliments would naturally draw a positive answer from any person capable of feeling the flattery and giving an answer; but I do not know what the honorable gentleman thinks of me. It is not a little memory or a little time will serve to repeat all the quotations of civil and common law, and all the *French* and latin extracts which I have used. I have used a great many in dressing out my own thoughts. Quotations are commonly among authors but the mere ornaments, the fringe and trappings of a book. They only shew that the man who uses them, has read a great deal; but they do not prove how much he has thought, and whether well or ill; and they shew he has thought like other people who have thought and wrote before him. If I could possibly recollect and repeat this amass of the opinions and informations of other men, I must be very tedious, and appear very pedantic to the House. I question much whether a walking library would be tolerable in these walls. I cannot remember quotations.

Mr. *W. Burke*. Will the gentleman tell us how long he was composing his plan? (It must require great labour and study) and how many pages it contained?

Mr. *Marriott*. About three hundred closely written.

Mr. *W. Burke*. What was the time it took to compose it.

Mr. *Marriott*. I cannot exactly tell.

Mr. *W. Burke*. Was it several months?

Mr. *Marriott*. Ten or twelve months, at different intervals, to compose it. But if I am to speak to all the

Digitized by Google

time that I was thinking on the subject, the time was near two years. I took it up, laid it in my desk; took it up, and laid it in my desk again, that it might ripen in my mind. I saw my difficulties of coming to a decision increased. I dreaded being hasty or positive, and I thought no trouble too much on such a public subject, which appeared too much for the life of any man, and most certainly for any one man's understanding.

Mr. *W. Burke.* I desire to know, Mr. Chairman, what was the name of the thing which he took up and laid down so often, and which he delivered in at last to his Majesty?

Mr. *Marriott.* I think Mr. Chairman, I remember the face of that gentleman who asks me the question, "what "is that thing which I took up and laid down so often, and "delivered in to his Majesty." I answer, when that gentleman was himself in office, he very well knew what sort of things are the opinions of Crown lawyers.

Mr. *W. Burke.* Mr. Chairman, the witness at the bar has behaved without any respect to the House. It was enough for the House to be insulted elsewhere. We are in an abject state. I say so, and others think so. We are very ill used. The upper House had used us ill. They shut us out, not for fear we should hear what they did, but for fear we should see they did nothing. They frame the Bill there, delay it by keeping it in their hands, and then send it down to us; and now we are to hurry through it without sufficient information; and nobody will own it. The doors are shut upon us; nobody will give us information. I said, the gentleman at the bar said he had a knowledge of men and things, and yet he said he could not tell. I am not guilty of any blunders, any Iricism. The Clerk mistook as well as I. The gentleman says, he does not know the constitution of *France;* he does not know the constitution of *Ireland;* he never was in *Canada;* the King is his client; he will not tell you what advice he has given the King; we have a right to be informed by him. The Minister told us we should be so; and now truly the witness will not give an answer to any thing, what his real opinion is. By the rules of this House, no witness at the bar is to answer any thing personally, touching a member. It is a disrespect to the House. The questions are to be put to the Chair by a member; and the Chair, which represents the House, is to put the questions to a witness. He is to return answers to the Chair, that is to the House. If an improper question is put, the House may overrule it. I always behave like a gentleman; I know the gentleman at the bar, though I am not intimate with him. He has taken fire at my expression; I did not mean to affront him. He would not tell us what it was he had delivered: he himself therefore forced me to call it "that thing" which he delivered. I had no other way to express it. I am ready every where to demand or give satisfaction, where there is an affront offered or received. I desire the gentleman may withdraw, and to know the sense of the House, whether I put an improper question, or the gentleman made an improper answer?

[Mr. *Marriott* was ordered to withdraw.]

Mr. *Pulteney.* It is certainly very irregular for a witness at the bar to answer any thing relating to a member, personally, who puts the question. It was always in my opinion wrong, considering that gentleman's situation, to call him to be examined: but we were refused the perusal of his opinion, and the papers. The Attorney and Solicitor General here refused to tell us what were the opinions which were given in by them. I often have observed much debate and confusion occasioned in the House, when a witness of wit and abilities is examined. It should be remembered by both the persons, by the one who puts the question, and by the other who gives the answer, that the question is put by the House, and the answer is returned to the House. An attention to this would preserve reciprocal decorum.

Captain *Phipps.* I must observe to the Committee, that this examination is getting into a train which appears to me to be very improper. Sir, when men of great parts and abilities, and much wit, come to this bar, I cannot help condemning that kind of applause which is given them for exertions of that wit, though very unseasonable. I may have been guilty of joining in this encouragement to a witness, but am sure the Committee sees, by this time, that if we proceed thus, the witness will have been called to the bar to very little purpose. Besides, Sir, there is a conduct in witnesses that is not at all consistent with the dignity of this House. I therefore hope, that the witness, as well as any others that may come to this bar hereafter, would recollect, that although the House owes much to the situation of a witness, yet does the witness owe something to the dignity of the House.

Lord *North.* I rise to answer the honorable gentleman who was so warm. He is angry that the gentleman will not tell you what his opinion was. He made a complete answer to his question. He said it was a deliberative opinion: that he made no decision. I do admit, that the answer of a witness, by the rules of this House, should not be any thing personal to the member questioning, however impertinent, rude, or absurd, the question may appear to him. The rank and station of the gentleman at the bar ought to be considered. The word "thing" is understood generally as a word of contempt. Nothing contemptible comes from the gentleman at the bar: such a word might naturally strike him: and his not being a member of this House, so as to know the rules of it, excuses him for shewing his spirit on the occasion, when he thought himself affronted. He is under the protection of the House, and no improper question ought to be asked. In that case he may demand the protection of the House, and so may every person who is examined at this bar.

Mr. *Edmund Burke.* I rise to apologize for the honorable gentleman next me. I am perfectly sure he did not mean to affront the gentleman at the bar. I know the gentleman there extremely well, his great abilities, learning, and character; he has distinguished himself by his writings and behaviour, and nobody here or any where else can treat him with contempt; but we should have been very glad to have had his information. I am sensible that he is in a very trying situation. His information is withheld. It is a distress upon him, and an insult upon us to refer us to him, when it was known beforehand that it was not likely that he should think himself at liberty to give us his opinion *vivâ voce*, after what he has written was refused us by others. It was, however, very natural for us to call for him. We had no other hope of obtaining any information of great authority. All the world knows that the King's Advocate General, the Attorney and Solicitor General, from the nature of their very high offices, have the power of obtaining every sort of information. All is open to them in every department of Government. They can enter behind the veil. The *sanctum sanctorum* of State must be frequently and confidentially submitted to their view; but the curtain is drawn upon us, and the door is shut. How, then, are we to get information? I ask; shall we have it from the other Crown lawyers? The answer is, they stand upon their own ground, and take and narrow it when and where they please, as members within the bar; and the gentleman who proceeds in office, but who stands without the bar, necessarily suffers from a variety of torturing questions put to him on speculative points, which it must put any man under difficulties to answer, especially one in his station. I never should have concurred in the motion to examine him, if the former motion for the address for papers in general had not been overruled.

Mr. *Marriott* was again called in.

Chairman. Sir, you are to address yourself to the Chair.

Captain *Phipps.* Under what denomination are the papers which were delivered in by Mr. *Marriott* to the King?

Mr. *Marriott.* A Report.

Mr. *Mackworth.* I wish the gentleman would give a short account of the substance of that report, as concise as he pleases to make it.

Mr. *Marriott.* I thought I had before given an account of the contents, and of the plan. It is impossible to give a short account of a long affair.

Mr. *Mackworth.* In that report does he approve of Juries; does he like them; what does he think of them?

Mr. *Marriott.* I should choose to be tried by them. But I think of Juries as I do of every thing else in this world—every thing is imperfect. I have often considered

Digitized by Google

the different modes of trial in different countries; the Civil Law Courts, the Courts of Common Law, and Chancery; their modes are all defective in discovering truth. Juries are like most other men and things; they have their excellent qualities, and they have their bad ones.

Mr. *Mackworth*. Does he think it will be a hardship upon the *Canadians* not to have Juries? Not to have their lives and properties tried by a Jury out of their own neighbourhood? Would it be their happiness or unhappiness?

Mr. *Marriott*. If I were a *Canadian* I could tell what would make me happy; if I were to go to *Canada* I could tell the same. As an *Englishman*, I say that Juries are a mode of trial which I like; they are very favourable to the property of the subject, and the natural liberties of mankind.

Mr. *Dempster*. Does Mr. *Marriott* think that the present Bill is calculated to give as much freedom to *Canada* as is expedient to give?

Mr. *Marriott*. Expedient to give them! I answered before to that question; it involves a thousand others.

Mr. *C. Jenkinson*. Does he think that the *Canadians* will not suffer greatly if the *habeas corpus* law is not introduced among them?

Mr. *Marriott*. I desire the question may be repeated; the merit of the *habeas corpus* law is a great constitutional question.

Question repeated.

Mr. *Marriott*. The idea of the suffering is the idea of the sufferer, and not of a third person; I cannot answer for the feelings of the *Canadians*.

Mr. *C. Jenkinson*. Cannot the gentleman conceive the pain of another person?

Mr. *Marriott*. No person has a true impression of the degree of pain or pleasure of another being; there is no complete medium to convey the sensations; words will not do it. No person can tell what a man of probity and reflection, who wishes to judge without error, and to do his public duty in an arduous question, feels, when put upon the rack of opinion. No man in this place exactly knows how I feel, in my particular and relative situation, by being so long kept at this bar, and called upon to answer every sort of question that can be imagined about all possible and probable things from such a variety of persons. Witnesses, by all the law I know in the world, are called every where only to speak to facts; to opinions, no where;—except in one court of religion, in the world.

Mr. *C. Jenkinson*. The gentleman then has, I find, some sort of idea of another man's suffering, although not an adequate and perfect one. Cannot he tell the House, supposing I were to give the gentleman who sits below me a slap on the face, what he would suffer? I mean, what would a person struck suffer when there are visible signs of a violent blow? Suppose that the blood gushes out of the nose?

Mr. *Marriott*. The noses of some people bleed without pain. That gentleman might have a blow on the nose, and he might feel it. I should not. I mean, he would feel it if he were sober; if he were drunk he might not; he might take it all in good part; and as for the blood, swear it was all good claret.

A *Member*. Repeat the answer.

Mr. *Marriott*. If he were inebriated he might not feel. Mr. Chairman, I hope my answers are not improper. I desire to be serious. I am in earnest. The answer, I take it, by the law of all evidence, ought to be of the same colour with the question, and pointed to it.

Chairman. Right, certainly.

Colonel *Barré*. I would not desire to distress the learned gentleman at the bar. He is certainly under personal difficulties in his situation of office, and not being a member. But I see he bears his examination with much patience and good humour. We were all going to be very dull, and he has enlivened us. He has been asked above one hundred questions, and has parried them all: not one decisive answer. I did not expect he would have kept his ground so stoutly against numbers. I will now beg leave to try him. I undertake, Sir, to ask him one very easy question, which I think he may and will answer. What does he think is the King of *Prussia's* religion?

Mr. *Marriott*. I have read some of his works; if the writings I mean are really his; although some people have doubted the title, "*Oeuvres du Philosophe de Sans Souci*." His religion may be judged from them.

Colonel *Barré*. I desire to know, Sir, what he judges the King of *Prussia's* religion to be?

Mr. *Marriott*. From them? I believe his Majesty has no (formal) religion.

Colonel *Barré*. If the Province of *Canada* were to be ceded to his *Prussian* Majesty, what religion would he introduce into it?

Mr. *Marriott*. A soldier's religion.

Colonel *Barré*. What is a soldier's religion?

Mr. *Marriott*. If I were a soldier, Sir, I would answer the words—my honor.

Colonel *Barré*. What is a lawyer's religion?

Mr. *Marriott*. His honor too; not to give up his client. But I suppose the gentleman knows there are two orders of men in this country, the civilians, and the common lawyers. I am no common lawyer.—The religion of which?

Colonel *Barré*. Of both.

Mr. *Marriott*. The common lawyers must answer for themselves. I can readily answer for the civilians; they are ecclesiastical lawyers, and subscribe; they are of the religion of this country by law established.

Colonel *Barré*. I see, Sir, there is no hitting the gentleman at the bar. But I have read an opinion of some weight in a book here in my hand: it is so laid down, that I think the gentleman cannot escape answering to it. With the leave of the House, I will read it:—

"In order to judge politically of the expediency of suf-
"fering the Romish religion to remain an established religion
"of the State in any part of your Majesty's Dominions, the
"Romish religion, I mean its doctrines, not its ceremonies
"ought to be perfectly understood. The opinion of the
"royal author of the *Memoires de Brandenburgh*, seems to
"be conclusive on this head to every sovereign power, that
"the Protestant religion is best both for the Prince and the
"People; because there is in it no middle power to inter-
"vene and stand before the Prince against the People, nor
"before the People against the Prince."

The House now sees why I put the other question.

Colonel *Barré*. Did the gentleman ever read the *Memoires de Brandenburgh?* Is that which I have read the King of *Prussia's* opinion? Is that opinion in the *Memoires de Brandenburgh?*

Mr. *Marriott*. I have read a book with that title: but whether that book was his writing or whether, being his book, that was his opinion, (for many people write books, who are not of an opinion with their own book,) I do not know. There is something very like that opinion in the book.

Colonel *Barré*. The book, Sir, in which this opinion is recommended and adopted, ends with the name of the gentleman at the bar. He has subscribed to that opinion.—

Mr. *Marriott*. [Bowing with great respect round to the House, and laying his hand on his bosom.] I now subscribe to that opinion most seriously—and most sincerely.

Mr. *Marriott*. Was ordered to withdraw.

The House went into a debate, in the course of which Mr. *Charles Fox* and Mr. *T. Townshend* agreed with Mr. *Edmund Burke*, that it was wrong to have examined the King's Advocate General, and to force him to give an opinion to the House; and laid the blame on the Minister, and those persons who opposed the motion for the papers.

Mr. *Baker* moved, "That General *Murray* be examined as a witness."

Notice being given, that the General was not in the House, the Sergeant was sent out for him, but he was gone home.

The Committee then reported progress, and asked leave to sit again.

Resolved, That this House will, upon *Monday* morning next, resolve itself into a Committee of the whole House, to consider further of the said Bill.

Mr. *Baker* then moved, "That Lieutenant General
"*Murray*, late Governor of *Canada*, and present Govern-
"or of the town of *Quebec*, do attend the said Committee,
"on *Monday* next."

Digitized by Google

The motion was seconded by

Mr. *T. Townshend*, who set forth the necessity of his attendance; and said, he could assign no other reason for his evidence being denied, unless it was that he himself had been imprudent enough to declare to the House, that General *Murray* coincided with Mr. *Maseres;* and said, he believed when the noble Lord gave his consent to hear him, and sent the Sergeant to look for him, he well knew he was not in the House.

Lord *North* rose in a terrible passion, and said, he cared not what the honorable gentleman thought of him; that he never paid any respect to what a passionate and prejudiced person said; that he knew the honorable gentleman had an ill opinion of him, and he was welcome to think so still. He said, had General *Murray* been in the House he would have heard him, but as he was not, summoning him for another day would greatly delay the business, and he should therefore oppose the motion.

Mr. *T. Townshend* rose, and in a spirited manner answered, that he would submit to the House which seemed most passionate; that he was certain General *Murray's* evidence was material; and as to prejudice, he desired nothing but that it might be remarked, he was prejudiced to hear General *Murray*, the noble Lord was prejudiced against hearing him. He then set forth, that, by this law, the fishery on the *Labrador* coast would be altered, which would affect the *Newfoundland* fishery; that as it was an affair of great consequence, Admiral *Palliser* would be necessary to be examined; but as the noble Lord objected as to time, he would not move for his attendance, but only wish to refer the noble Lord to him for information.

Colonel *Barré* set forth how material it was to have General *Murray's* evidence, as he was at the taking of *Quebec*, was Governor of the Colony the first after it was taken, and remained Governor several years after, and therefore, consequently, knew the manners and customs of the *Canadians;* that, as he had been resident there at so critical a juncture, he must have seen how they liked the *French* laws, and how they liked the *English* laws.

Captain *Phipps* was likewise much for the General being heard, saying, that the evidence produced had been deficient in many points of information which he could have wished to have heard.

Mr. *Charles Fox* rose, and in the most sarcastic manner attacked Lord *North*, as to passion and prejudice. He said, the noble Lord always had two opinions; that most people's second opinion was best, but the noble Lord's second thought was generally the worst; that he was always very uniform in his conduct; for about half an hour before he gave leave for General *Murray* to be heard, but now he was against it. He said there had been no other objection started against the motion except want of time; that that was ridiculous, for the persons who brought in the Bill now, might have brought it in at the beginning of the session, or even last session; that they could not make an excuse, and say it was a case of such urgent necessity, that if the Bill did not pass in a day or two, the place would be entirely ruined, therefore the Bill must pass.

Lord *North* rose to explain himself, and said he had often been accused of having panegyrists in pay to write in favour of him in the newspapers; that he then would solemnly protest that he never had employed, or knew any person that ever did write in favour of him; that he did not wish for newspaper applause, as it was generally meant to serve some end; and as to panegyrics on him, he believed, if they only looked into the opposite scale, that which held abuse, they would find the account had been more than balanced.

Mr. *Dempster*, Governor *Johnstone*, Mr. *Burke*, Mr. *Baker*, Mr. *Turner*, &c., spoke in favour of the motion, and none but Lord *North* against it.

When the question was put, the House divided: Yeas, 36; Nays, 90.

So it passed in the Negative.

MONDAY, *June* 6, 1774.

The House again went into Committee of the Whole, upon the Bill.

Governor *Johnstone*, after stating his objections to the principle of the Bill, and to the extension of *Canada*, (which another member informed the House, was no less than 11,400,000 acres more than as claimed by *France*,) read a list of propositions, which, he said, appeared to him, to be contained in the Bill, amongst which were—

That a state of Slavery is better than a state of Freedom:

That the Popish Religion is better than the Protestant:

That Juries are unnecessary, and therefore to be disused:

That Monopolies are useful to Trade:

That *French* Laws and Commercial Regulations are preferable to *English*:

And that the Constitution which our ancestors had framed with so much wisdom, and established at the expense of so much blood and treasure, is to be destroyed by their wiser sons.

Mr. *E. Burke* spoke against the Bill; but confined himself to the point of ascertaining the limits of *New York;* and proposed the following to be the boundaries of *Canada*, against that Province, viz: by a line drawn from a point on the East side of *Lake Champlain*, in 45 degrees North latitude, and by a line drawn in that parallel West to the river *St. Lawrence*, and up that river to *Lake Ontario*, and across that lake to the river *Niagara*, and from *Niagara* across *Lake Erie*, to the Northwest point of the boundary of *Pennsylvania*, and down the West boundary of that Province, by a line drawn from thence till it strike the *Ohio*. After some debate this passed. The limits of *Quebec* were next carried along the *Ohio* to the *Mississippi*. Governor *Johnstone* spoke against the annexing the *Illinois* to *Canada*. There was another debate on annexing the coast of *Labrador* to *Quebec*. The objection was begun by Sir *C. Saunders*, who deduced from it the loss of the fishery to the *Americans*. Lord *North* gave an account of the sea cow and seal fishery on the *Labrador* coast, and shewed, that from the sedentary nature of it, it could not be conducted upon the same principles as the *Newfoundland* fishery.

Upon this clause the House divided: Yeas, 88; Nays, 49.

The Committee then reported progress; and it was,

Resolved, That this House will, to-morrow morning, resolve itself into a Committee of the whole House, to consider further of the said Bill.

TUESDAY, *June* 7, 1774.

The House, according to order, went into a Committee of the Whole, upon the Bill.

An objection was made to a part of the preamble of a clause, which says, "It will be highly expedient to grant "them the same laws, by which their lives and property "have been heretofore governed, protected, and ordered."

Mr. *Dempster* and Mr. *E. Burke* objected to the word "protected," as it was, in their opinion, not true, and was at the same time, paying the *French* too great a compliment.

Lord *North*, Lord *Beauchamp*, and Mr. *Grey Cooper*, insisted the word was proper, and that the law that governed, protected.

The next objection was made to the clause, which repeals all laws and ordinances passed by the Governor and Council, for the civil Government of *Quebec*, and the King's Proclamation, in 1763, so far as it relates to the Province of *Quebec*, from and after the first day of *May*, 1775.

A very strong debate ensued, in which Mr. *Dunning* spoke for near an hour and an half against it; he was supported by Mr. *E. Burke*, Captain *Phipps*, Mr. *Howard*, &c. Lord *North*, Mr. *Cornwall*, Lord *Clare*, Mr. *Rice*, &c., &c., as strongly supported the clause.

And on the motion, that the clause shall stand, the Committee divided: Ayes, 91; Nays, 31.

The next objection was made to the clause, which settles that Tythes and Dues shall be paid to the Romish clergy.

A very strong debate here ensued, in which Mr. *E. Burke*, Mr. *Baker*, Mr. *Dunning*, Mr. *W. Burke*, Mr. *C. Fox*, Captain *Phipps*, &c., strongly opposed, not only the whole clause, but particularly an alteration proposed by Lord *North*, which was, "that his Majesty should have "power to appropriate, when he thought proper, the said "tythes unto the establishing a Protestant clergy."

Digitized by Google

Lord *North*, the *Attorney* and *Solicitor General*, &c., &c., as strongly supported the clause, with the amendment, which was carried without a division.

A motion was then made to adjourn, it being past eleven o'clock, but the friends of the Bill insisting to go on, a debate arose, and the Committee divided; for proceeding, 75; against it, 31.

Several of the most strenuous opposers of the Bill now quitted the House, and the Committee proceeded, with very little interruption, through the two next clauses, the fourth and fifth. After which

The Committee reported further progress;

And it being half an hour after twelve of the clock, on *Wednesday* morning,

Resolved, That the House will, this day, resolve itself into a Committee of the whole House, upon the said Bill.

WEDNESDAY, *June* 8, 1774.

The House, according to order, was resolved into a Committee of the Whole, upon the Bill.

Mr. *Burke* said, he had last night, when it was past eleven o'clock, moved to adjourn, but his motion was rejected on account of the great necessity of going through the Bill with all possible despatch; yet he understood they were to adjourn on account of a *champêtre* to be given by a noble Lord (*Stanley*,) and therefore desired to know which ought to be given way to most, the pleasures of dissipation, or a Bill of such magnitude as that before them? He said, he had several very material amendments to propose to the clauses, which had been so slovenly and scandalously gone through that morning, but now he was precluded.

Lord *North* replied, he was sure he had shewn great candour to the House at the time the honorable gentleman mentioned, and that he should always trust to his conscience for the uprightness of his conduct.

Mr. *T. Townshend* rose, and answered the noble Lord as to the slovenly manner in which the two clauses mentioned had been carried through the Committee; he said, he likewise understood that the House was to adjourn a day on account of a *champêtre*, and to be sure, the ninth day of *June* was more proper for a *champêtre*, than for a Committee of the House of Commons to be sitting on so important a Bill; but he, at the same time, could not but allow that the noble Lord had an amazing foresight, in ordering, above all days in the year, the tenth day of *June*, for the finishing a Bill to establish Popery: he said, the day was truly characteristic to the business; and he made no doubt, but the noble Lord and his party would come with white roses in their breasts, which would at once make them truly respectable; he said, however, he should have a clause to introduce on the report, which, if the noble Lord would suffer it to pass, he should be so far devoted to him as to smirk and smile with the rest of his friends.

Mr. *Edmund Burke* also, in a most pointed speech, attacked the noble Lord as to candour and conscience; he ran on in such a vein of humour that the House was in a continual laugh during the whole of his speech. He said, the noble Lord ought to be highly commended for his humility, for he always gave way to the majority of the House; he said, as to the father of the Bill, he would be bold to say the noble Lord was the father; he brought it into that House, he supported it, and he was responsible for the mischiefs that might ensue from it.

Colonel *Barré* severely attacked the noble Lord as to his candour and conscience. He said, the Bill had originated with the Lords, who were the Romish Priests that would give his Majesty absolution for breaking his promise given by the Royal Proclamation, in 1763; that they, in this Bill, had done like all other Priests, not considered separately the crimes with which the Bill abounded, but had huddled them all up together, and, for despatch, had determined to give absolution for the whole at once. He said, the noble Lord might go on and support that or any sinful affair, as he was sure of getting absolution for all at last. He said, he was certain, by the noble Lord and his dependants proceedings, that after their death, People might say as they did after the death of King *Charles*, "that by papers found in their closets, they appeared to "have died in the Roman Catholic belief."

Mr. *Dempster*, Governor *Johnstone*, Mr. *Baker*, &c., attacked Lord *North*, for hurrying the two clauses through the Committee at such an improper time of the morning.

Mr. *C. Jenkinson*, Mr. *Welbore Ellis*, Lord *Beauchamp*, &c., supported Lord *North*, and said, as they were Roman Catholics, and were deemed near their end, it would be kind to let them die in peace; but that they found their case was like most Roman Catholics, who, generally, at their end, were surrounded by a number of troublesome People.

The House was full two hours and a half thus wrangling about the manner in which the business had been conducted the night before. After which, Sir *Charles Whitworth*, the Chairman, read the clause which mentions the number of the Legislative Council to be appointed, which is not to be more than twenty-three, nor less than seventeen.

Mr. *Dempster* objected as to the number, and proposed thirty. Lord *North* strongly opposed the amendment, and on the question being put, it was rejected.

Mr. *E. Burke*, Captain *Phipps*, Mr. *Baker*, Mr. *C. Fox*, Mr. *Dempster*, Governor *Johnstone*, &c., opposed the clause, and Lord *North*, Lord *Beauchamp*, Mr. *C. Jenkinson*, Mr. *Welbore Ellis*, Mr. *Gascoigne*, &c., supported it; which clause, on the question being put, was carried without a division. They next proceeded to several of the provisos annexed to the clause, which likewise occasioned much debate. Several amendments were proposed by the enemies to the Bill, but rejected, and other amendments inserted in their stead, proposed by Lord *North*; after which the last clause was read without any debate.

Mr. *Jenkinson* said, he had the other evening heard an honorable gentleman mention, that the oath to be taken by any person who was entrusted with power, would not suit the Roman Catholics, he had therefore substituted a new oath, which he begged leave to bring up, and to have it inserted as a clause, which being brought up and read, was approved of, as follows:

"*Provided always, and be it enacted*, That no person "professing the religion of the Church of *Rome*, and re-"siding in the said Province, shall be obliged to take the "oath required by the said statute, passed in the first year "of the reign of Queen *Elizabeth*, or any other oaths sub-"stituted by any other Act in the place thereof; but that "every such person, who by the said statute is required to "take the oath, therein mentioned, shall be obliged, and is "hereby required to take and subscribe the following oath, "before the Governor, or such other person, or in such "court of record, as his Majesty shall appoint; who is "hereby authorized to administer the same; *videlicet*:

"I, A—B—, do solemnly promise and swear, that I will "be faithful and bear true allegiance to his Majesty, King "*George*, and him will defend to the utmost of my power, "against all traitorous conspiracies and attempts whatso-"ever, which shall be made against his person, crown, and "dignity; and I will do my utmost endeavour to disclose "and make known to his Majesty, his heirs, and successors, "all treasons and traitorous conspiracies and attempts "which I shall know to be against him, or any of them; "and all this I do swear, without any equivocation, mental "evasion, or secret reservation, and renouncing all pardons "and dispensations from any power whomsoever, to the "contrary. So help me God.

"And every such person who shall neglect or refuse to "take the said oath before mentioned, shall incur, and be "liable to the same penalties, forfeitures, disabilities, and "incapacities, as he would have incurred, and been liable "to, for neglecting or refusing to take the oath required by "the said statute, passed in the first year of the reign of "Queen *Elizabeth*."

The Committee then rose, and

Sir *Charles Whitworth* reported from the Committee, that they had gone through the Bill, and made several amendments thereunto; which they had directed him to report, when the House will be pleased to receive the same.

Ordered, That the Report be received on *Friday* morning next.

Digitized by Google

FRIDAY, *June* 10, 1774.

The Order of the Day being read,

Sir *Charles Whitworth* reported the amendments made to the Bill, by the Committee of the whole House.

And the House being informed, *Thomas Penn*, Esquire, who petitioned this House, upon the 31st day of *May* last, on behalf of himself, and of *John Penn*, Esquire, true and absolute Proprietaries of the Province of *Pennsylvania*, and the three lower Counties of *New Castle*, *Kent*, and *Sussex*, on *Delaware*, in *America*, praying to be heard by Counsel upon the matter of said Petition, and which Petition was then ordered to lie upon the table, until the Report should be received from the Committee, to whom the said Bill was committed, declined being now heard by Counsel upon the said Petition.

The amendments of the Committee, were then severally read and agreed to by the House, except that made on the motion of Mr. *Burke*, on the 6th instant, in relation to the Southern boundary of *Canada*, which was amended to read as follows, and then adopted:

"Bounded on the South by a line drawn from the *Bay* "*of Chaleurs*, along the high lands which divide the rivers "that empty themselves into the river *St. Lawrence*, "from those which fall into the sea, to a point of forty-five "degrees of Northern latitude, on the Eastern bank of the "river *Connecticut*, keeping the same latitude, directly "West, through the *Lake Champlain*, until, in the same "latitude, it meets the river *St. Lawrence;* from thence, "up the Eastern bank of the said river, to the *Lake On-* "*tario;* thence through the *Lake Ontario*, and the river "commonly called *Niagara*, along the Eastern and South-"eastern bank of *Lake Erie*, following the said bank, until "the same shall be intersected by the Northern boundary "granted by the charter of the Province of *Pennsylvania*, "in case the same shall be so intersected; and from thence "along the said Northern and Western boundaries of the "said Province, until the said Western boundary strike the "*Ohio*. But in case the said bank of the said lake shall "not be found to be so intersected, then following the said "bank, until it shall arrive at that point of the said bank "which shall be nearest to the Northwest angle of the said "Province of *Pennsylvania;* and thence, by a right line "to the said Northwest angle of the said Province; and "thence along the Western boundary of the said Pro-"vince."

Mr. *Mackworth* moved, that a clause should be added to the Bill, "That in all trials relating to property and civil "rights, where the value shall exceed a certain sum, either "of the contending parties may demand a trial by Jury, "constituted according to the laws of *England*, and that "the issue between the parties shall be determined by the "verdict of such Jury, and not otherwise." He recommended the clause as a security for the *English*, in *Quebec*, against the *French* laws.

Lord *North* opposed it. He recapitulated part of the evidence that had been produced at the bar, and said Governor *Carleton* had informed the House, that the *Canadians* had a dislike to the *English* laws in general; and it was his opinion, that giving the *Canadians* their old system of laws would be the only means of making them a happy People; that Mr. *Hey*, the Chief Justice, had said it was his opinion, that the *Canadians*, at first, might have been brought to like the *English* laws, but since they had been so indulged, they expected now nothing less than a repeal of the whole of the laws by which they are governed at present; and that the noblesse of the country thought trial by Jury was humiliating and degrading to them, as it subjected their property to the decision of barbers and tailors; that Mr. *Maseres*, had to be sure, said, that Juries, he believed would be liked under proper regulations, but the People of *Canada* did not choose to give their time and attendance for nothing; that Mons. *Lotbiniere*, on a question being put to him, whether he did not think the *English* laws the best for the *Canadians* in general? Said, "I make no doubt but your laws are good and wise, and "make you a happy People, but I do not think they are "suited to every climate." His Lordship afterwards entered much upon the subject of Juries, and said, the *Canadians* could have but a bad opinion of *English* Juries, when a Grand Jury there had presented the Roman Catholics as a nuisance; he said, the *Canadians*, in their petition to the Throne, had desired to have the whole of their ancient laws restored to them, which the Bill was meant to do; that in his opinion, the trial by Jury was not necessary there; and that, by what he had been informed, the *French* laws, were sufficient to protect property without it; that People had very industriously circulated a report that he had made a ministerial question of this; he would assure the House, upon his honor he had not; that, after once fixing the Government of *Quebec*, in the hands of this nation, it was a matter of indifference to him what law or religion was established, so that it made the People happy; that the *British* merchants saying their property would not be secure without *English* laws, let gentlemen recollect that *British* merchants trade to all parts of the world, and think their property secure in *Portugal* or *Spain*, where they know the Roman Catholic religion is the religion of the land, and that the number of old or *English* subjects in *Canada* were so few in number, that the cries of one hundred and fifty thousand ought to be given way to in preference of three hundred and sixty.

Sergeant *Glynn* recapitulated the parts of the evidence which the noble Lord had so ingeniously selected; he said, the noble Lord had laid great stress on the imprudence of the Grand Jury presenting the Roman Catholics as a nuisance, and seemed to think, for that reason, they ought to have the trial by Jury taken away; did the noble Lord never recollect, that the *British* House of Commons had committed equally flagrant acts of injustice; and that, if the reason for abolishing held good in one point, it ought in the other; yet he sincerely hoped that the House would never be taken away; for, bad and corrupt as it was believed to be by ignorant People, it still remained some safeguard to the nation; he afterwards launched forth into the praise of Juries, and mentioned many particular circumstances where Juries had been found extremely beneficial to the welfare of the public; he afterwards stated the account of the seizing the papers of Mr. *Wilkes*, the general warrants, &c., &c. He said, all State causes would be carried as desired, was it not for Juries: he mentioned the affair of *Hampden*, concerning ship money, and concluded with saying, that the tenth day of *June*, 1774, would be handed down to posterity as a day when the members of a *British* House of Commons preferred Popery and *French* laws to the established religion and laws of their own country; and, at the same time, that trials by Jury, which their forefathers accounted a blessing, they deemed a curse.

Mr. Attorney General *Thurlow* said, he did not agree with the honorable and learned gentleman, that whoever was against the allowing a trial by Jury in that Bill thought the mode a curse; far from it; he had, himself, in many cases, often thought the trial by Jury a great blessing; yet it would be highly imprudent, unparliamentary, ridiculous, and absurd, to establish a clause at the end of the Bill, (as that must be,) which clause would entirely repeal that clause in the body of the Bill, which allows the *Canadians* all their ancient laws; for would any body say, that trial by Jury was one of their ancient customs, or assert that it was necessary; that, as for the petitioning *Canadians*, they only desired to have their ancient laws and customs restored to them; and that he by no means thought an optional Jury any thing like an *English* Jury; that, by the former, any party that thought he could gain a preference in his trial over the other, would adopt it; and that it must be allowed, that where the option was liked by one, it would displease the other; besides, the evidences at the bar had declared, that the *Canadians* were averse to the form of an *English* Jury, especially in that part which obliges them to be unanimous in their verdict; and that, if you took away that part, in his opinion, you destroyed the whole; that he believed the learned gentleman had been wrong in giving praise to a Jury in the case of Mr. *Hampden*, for no Jury was consulted on that case.

Mr. *Dunning* said, that as to the learned gentleman mentioning that he by no means approved of optional Juries, had we not, every term, instances in the Court of Chancery, where it was in the power of the Lord Chancellor to appoint a Jury, if he thought proper? That, as to the es-

Digitized by Google

tablishing the *French* laws in *Canada*, who had we fit to administer them? Had not the two learned and respectable gentlemen at the bar, Mr. *Hey* and Mr. *Maseres*, informed the House, that they by no means thought themselves capable of learning the *French* law sufficiently to administer it with justice; and if such learned gentlemen had not abilities sufficient to understand it, sure he was, that no person the Minister could produce was capable of undertaking the task, so as to do justice to the People and honor to himself. He said, the noble Lord had been repeatedly called upon to declare the author of the Bill; let the author now stand forth and clear himself; but he would be bold to say, no man would dare to own a bill which was meant to establish Popery. The noble Lord had said the *Canadians* had not desired to have a Jury; could the noble Lord say the *Canadians* had desired not to have a Jury? He then entered fully into the nature of Juries; said they were fit in all cases; that he had known many instances where Juries had found for the Crown, and that he could wish to see Juries established throughout the world, as they were a check upon evil judges, and consequently if they were not so good judges of law, they were judges of fact; he said, as to the People of *Canada* being negligent of attending to serve on Juries, it was the case here; there was scarce a term passed but jurymen were fined for non-attendance.

Mr. Solicitor General *Wedderburn* said, he could not agree with the learned Serjeant, that the supporters of the Bill deserved the appellation of traitors to their country; that he had no objection to a Jury hereafter being established there, but let it be left in the power of the Crown, and if they saw it was necessary, they could at any time adopt it; but this was not the time, when the People were so much enraged against the proceedings of Juries in that country; that as to the Jury which Mr. *Maseres* had formed for that country, in the pamphlet he had published, he by no means thought it like an *English* Jury, for it was to be formed of an odd number of people, thirteen, fifteen, or seventeen, and a majority of those people to be decisive, and the jurymen to have five shillings per day allowed them for their attendance. He said he never would allow that the *Canadians* were fit persons to serve upon a Jury; they understood nothing of its form, and therefore were not judges enough how to act upon it; that as to cases of revenue, we had had two instances of their deciding different to an *English* Jury; that a Jury in *England* had found for the Crown, they in *Canada* had twice, on the same trial, found for the defendant; and the witness at the bar, Mr. *Hey*, had informed the House, that he had often been put to trouble, because he never could get the *Canadians* to give a special verdict.

Mr. *Byng*. The noble Lord had given them such of the evidence as he thought proper, and mentioned the equality of the numbers of the two sorts of subjects; that as to the numbers, it was a matter of indifference to him whether they were three hundred and sixty or three hundred and sixty thousand, they had equally a claim to compassion; that he thought it proper, that wherever an *English* Colony was settled, *English* laws ought to be established; that he did not approve of the clause now offered, because he thought it not sufficient, yet he would gladly accept of it as part of a good thing, and he made no doubt but the *Canadians* would, when they became used to the nature of it, love it, and wish to have it in its full extent; that General *Carleton* had informed them that the *Canadians* were a docile People; had we any occasion to go to *Canada* to look for docile creatures? No! There was a sufficient number always to be seen on the opposite side of the House, docile enough to do any thing the noble Lord, their leader, should direct them to do.

Governor *Johnstone* spoke highly in favour of Juries, and recommended the clause.

Mr. *T. Townshend* spoke against the whole of the Bill, and much in praise of Juries; and recommended the clause offered in a strenuous manner, setting forth, that the *English* residents there had not gone to that Colony, had they not been invited by his Majesty's Royal Proclamation; but those who advise him to break his promise, would advise him to do any thing that was bad.

Mr. *Edmund Burke*, in a long speech, the first part of which was a keen, pointed vein of humour, against the ministerial members, who just then came into the House in great numbers, said, he should not then have risen, only he thought he now seized a happy moment when he should carry his point, for the House, had filled, all of a sudden, with members who had not heard any thing that had been said against the Bill, no, not even from its being first agitated in the House; that they had now come with good *English* dinners in their bellies, which would, he trusted, make them good humoured, and by being thus full of *English* meat, would undoubtedly be for *English* laws that could secure to them that meat; that he should have been afraid to attack such a body of power and wisdom as the other side of the House contained, had he not fortunately observed, that the noble Lord, and his two great oracles of wisdom and order, had all differed in their opinions; that finding them thus at variance, he thought the moment would be fortunate to his cause; the one was for a Jury, only now was not the proper time; the other against any Jury at all; and a third that it could not be inserted in the Bill. He then divided the People concerned in the Bill under three heads: first, the *English* merchants; second, the *English* subjects; and thirdly, the *Canadians;* he said they all deserved support; and, though the noble Lord, and his supporters, had so industriously always made use of the number three hundred and sixty, as suitable to their cause, let them only recollect what all the evidence at the bar agreed in, which was, that the *English* subjects were possessed of upwards of two-thirds of the whole trade: did the noble Lord think then that they were a body of People to be minded? That as to their numbers being small, the noble Lord might recollect that there was an old vulgar saying, "that one *Englishman* was always worth two *Frenchmen*," that, in this case, he thought them preferable to fifty *Frenchmen;* that he would be willing to give a *Canadian* every indulgence in his power, but not grant that indulgence at the expense of the *English;* that if these noblesse were the only persons (as they appeared to be by the evidences at the bar,) that were against the *English* laws, he would sacrifice them and all the noblesse of *England* and other countries, but he would make the majority of the People happy. But the reason the noblesse did not like the *English* laws, was on account of the manner in which they had been represented to them; namely, that they were a string of religious and civil persecutors, which would entirely hinder them either from exercising their own religion, or from having any share in the Government of their own country; that, remove those prejudices which the noblesse had imbibed from misrepresentations, and he would be bound to say they would not only admire our laws, but petition to have them; that, as to the noblesse hating Juries, because it trusted their property to their inferiors, it was a principal reason why he would give the *Canadians* a Jury, in order to protect their property from the arbitrary proceedings of the noblesse, who, in all countries, always wished to have the poor under their controul; that as to the *English* laws not being esteemed by the *French*, he could produce mountains of books written by *Frenchmen*, on the justness and excellency of our laws, where they approved of the trial by Jury as one of the greatest excellencies our Constitution produced; that the noble Lord had invited him, and others, to come and offer their opinions; setting forth, that the Bill was imperfect, and he wished to alter it, yet he had not attended to what had been offered; that, in the Committee, when he meant to propose a clause, the noble Lord told him he might do it with propriety on the Report, and that there would be no other obstacle in his way, than that he would oppose it: he said he was greatly obliged to the noble Lord for his candour, for it had spared him much trouble, having intended to offer several clauses, which he should, with great justice be called obstinate, were he now to attempt it, when he knew there was such a glorious triumvirate of power and wisdom formed against him; that he sincerely believed the *French* were in awe of us, yet he could not help thinking that they must be astonished that a People, who had such powerful arms, should have such weak heads: he strongly recommended the state of the merchants as an object of the noble Lord's attention, setting forth, that their property was always in a fluctuating state, and that they run great risks of their whole fortune, to benefit Government as well as themselves.

Digitized by Google

The question was then put, and the House divided: Yeas 40; Nays, 83.

So it passed in the Negative.

Mr. *T. Townshend* offered an amendment, making temporary that part of the Bill which relates to the Legislative Council.

This produced a short debate, but it passed in the Negative, without a division.

Mr. *Dempster* offered an amendment, for establishing rules to be observed in the making of Ordinances; which also passed in the Negative.

Mr. *C. Fox* proposed an amendment, to secure the religious Orders their rights and properties, as a corporate body claiming under the capitulation.

Which was rejected without a division.

Mr. *Dempster* then proposed to amend the Bill, giving to the *Canadians*, claiming it, the benefit of the *English* laws of *habeas corpus*, and bail, in cases of commitment.

And the question being put, the House divided: Yeas, 21; Nays 76.

So it passed in the Negative.

Ordered, That the Bill be read the third time, upon *Monday* morning next.

MONDAY, *June* 13, 1774.

The Order of the Day being read, the Bill was accordingly read the third time.

Mr. *Cooper* moved, that the Bill do Pass.

Mr. *Charles Fox* opposed this, on the ground of its being a money Bill, and having originated in the other House; he moved, therefore, that the Journals of the House of Commons, of the 5th of *March*, 1677, might be read; and the same being read accordingly, it appeared that they had rejected a Bill from the Lords, for the purpose of collecting customary tythes and other dues. He then argued from this precedent as a case exactly applicable and in point to the clause in the Bill, which provides for the security of the accustomed rights and dues of the Romish clergy; and appealed to the sense of the House if the present Bill, under such circumstances, was permitted to pass, whether it would not be, in fact, a relinquishment of the ancient and hitherto undisputed right of the House of Commons, to originate money Bills.

Mr. *Cooper*, in answer, quoted another precedent, from the Journals in the year 1691, on the Bill for the recovery of small tythes, in which the Lords had made an amendment.

Mr. *Howard* observed, that Mr. *Cooper's* precedent did not apply, and that he knew of but one in the whole records of Parliament that did, which was in the reign of *Edward* the Sixth, on which the learned Bishop who wrote the History of the Reformation remarked, that it was a direct infringement on the rights and privileges of the Reformation.

Then the question being put, That the Bill, with the amendments, do Pass; the House divided: Yeas, 56; Nays, 20.

So it passed in the Affirmative.

HOUSE OF LORDS.

TUESDAY, *June* 14, 1774.

A Message was brought from the House of Commons, by Mr. *Cooper* and others:

To return the Bill, and to acquaint this House, that they have agreed to the same, with some amendments, to which they desire their Lordships concurrence thereto.

Ordered, That the said amendments be taken into consideration on *Friday* next; and that the Lords be summoned.

Ordered, That the said Bill with the amendments, be printed.

FRIDAY, *June* 18, 1774.

The Order of the Day being read, the amendments to the Bill were read three times by the Clerk;

It was proposed, "To agree with the Commons in the said amendments."

Lord *Chatham* rose, and entered fully upon the subject of the Bill. He said it would involve a great country in a thousand difficulties, and in the worst of despotism, and put the whole People under arbitrary power; that it was a most cruel, oppressive, and odious measure, tearing up justice and every good principle by the roots; that by abolishing the trial by Jury, he supposed the framers of the Bill thought that mode of proceeding, together with the *habeas corpus*, mere moonshine, whilst every true *Englishman* was ready to lay down his life sooner than lose those two bulwarks of his personal security and property. The merely supposing that the *Canadians* would not be able to feel the good effects of law and freedom, because they had been used to arbitrary power, was an idea as ridiculous as false. He said the Bill established a despotic Government in that country, to which the Royal Proclamation, of 1763, promised the protection of the *English* laws. Here the noble Lord read part of the Proclamation, and then entered fully on the Council and power vested in the Governors, the whole mode of which, he said, was tyrannical and despotic: he was likewise very particular on the bad consequences that would attend the great extension of that Province, that the whole of the Bill appeared to him to be destructive of that liberty which ought to be the ground-work of every constitution: ten thousand objections, he was confident, might be made to the Bill, but the extinction of the mode of trial above mentioned, was a very alarming circumstance, and he would pronounce him a bold man who proposed such a plan. When his Lordship came to the religious part of the Bill, he directed his discourse to the bench of Bishops, telling them, that as by the Bill the Catholic religion was made the established religion of that vast Continent, it was impossible they could be silent on the occasion. He called the Bill a child of inordinate power, and desired and asked if any of that bench would hold it out for baptism; he touched again upon the unlimited power of the Governor, in appointing all the members, and who might be made up of Roman Catholics only. He also took notice of an amendment which had been made in the House of Commons, which was a new clause, repealing so much of the Act of Reformation of the first of *Elizabeth*, as relates to the oath of supremacy, and substituting a common oath of allegiance in its place. This Act of *Elizabeth*, he said, had always been looked upon as one that the Legislature had no more right to repeal, than the Great Charter, or the Bill of Rights.

His Lordship stated, with great force, many objections to the clause giving to the *French Canadians* so advantageous a part of the fisheries of cod on the *Labrador* coast, to the great prejudice of the *English* fishermen on the banks of *Newfoundland*; considering the said fisheries of *Labrador* as a nursery of *French Canadian* seamen, to man, in case of a *French* war, any squadrons of *France*, in those seas. He exposed the train of fatal mischiefs attending the establishment of popery and arbitrary power in that vast and fertile region now annexed to the Government of *Quebec*, and capable of containing (if fully peopled) not less than thirty millions of souls. He deduced the whole series of laws from the supremacy first re-vindicated under *Henry* the Eighth, down to this day, as fundamentals constituting a clear compact that all establishments by law are to be Protestant; which compact ought not to be altered, but by the consent of the collective body of the People. He further maintained, that the dangerous innovations of this Bill were at variance with all the safeguards and barriers against the return of Popery and of Popish influence, so wisely provided against by all the oaths of office and of trust, from the Constable up to the members of both Houses, and even to the Sovereign, in his coronation oath. He pathetically expressed his fears, that it might shake the affections and confidence of his Majesty's Protestant subjects in *England* and *Ireland*; and finally lose the hearts of all his Majesty's *American* subjects. His Lordship then said, that for these and other reasons, he gave his hearty negative to the Bill.

Lord *Dartmouth* said a few words in favour of the Bill.

Lord *Lyttelton* began by observing, that whatever fell from that noble Earl, fell with such weight as to make the deepest impression on those who heard him: that from the solemn opposition he had given to that clause of the Bill, which excused the *Canadians* from the oath of supremacy, and imposed an oath of allegiance in the room of it,

Digitized by Google

he was induced to give his reasons why he differed from Lord *Chatham*; that so far from thinking with the noble Lord last named, that no man who was a Protestant in his heart could give his consent to the passing of that clause, he affirmed that no true Protestant could refuse it his hearty concurrence, because the doctrinal principles of our holy religion, drawn from that pure and excellent source the Gospel of our Saviour, breathed forth a spirit of moderation, candour, and universal toleration to all religions that were not incompatible with the precepts of morality, and the general welfare and happiness of mankind. That to oblige Catholics to deny the supremacy of the Pope, was to compel them forcibly to abjure their religion, and in reality, to commence a persecution against them; that opposition always grew and strengthened under the scythe of persecution, and that fanaticism was never formidable till it was oppressed. He said that the *Canadians* had, ever since the conquest of that country, behaved like good and peaceable subjects, that therefore they were justly entitled to a beneficial code of civil policy, and to a free exercise of their religion. That though he had the greatest reverence for the Protestant faith, yet he had no less respect for the safety and good government of the State; that to force the inhabitants of *Canada* to renounce those errors which they had imbibed with their mother's milk, was to alter by violence the constitution of their mind, and by so doing, to lay a foundation for resistance, which if it did not proceed to rebellion, would at least tend to alienate their minds from that allegiance which they had but just adopted, and which, under the mild government we exercised over them, would, he hoped, be daily strengthened and matured by time. That it was matter of triumph to this great and free country to treat the conquered subjects of *France* with more lenity, and to give them a better form of Government than that which they had received from their mother country; that so far was he from believing that Administration had predetermined in the closet the result of the proceedings of Parliament, and that, as the noble Earl expressed himself, "what must be, must be," that on the contrary, in every stage of the Bill, they had shewed the greatest candour and desire of information, and in the House of Commons, had actually adopted many ideas that had been thrown out by opposition, especially in regard to a very important part of the Bill, the definition of the limits of *Canada*. He said, he approved of the Bill, chiefly from its lenity and moderation, and that he deemed it sound policy for a conquering nation to lay the yoke lightly over the necks of those who were subjected to its dominion. That as the noble Earl had observed how much *Canada* was inclined towards *France*, he thought nothing was more likely to win them over to *England* than to improve and meliorate their commercial as well as political situation, and, above all, to give them liberty of conscience in religious matters.

His Lordship then observed, the dark times of superstition were past, that the gloomy reign of persecution and priestcraft were now at an end, that science every where diffused—had every where enlightened the human mind; he took notice that the noble Earl had said, if the Bill passed you might take down the bells from your steeples, and the steeples from your churches; but that if even that was to happen, the evil would not be great, for that Christian men might meet in the faith of Christ and in Christian charity without these things, which to the pure of heart and to the truly devout were of little importance; that they were the externals of religion, the internals of which were charity and universal benevolence; and that these principles gave birth to the clause which the noble Earl had so uncharitably censured.

After Lord *Lyttelton* had thus answered Lord *Chatham's* objections to the religious tendency of the Bill, he proceeded to shew why he approved of the general policy of it: he said, he would not pretend to be sufficiently versed in the deep science of politics to affirm whether or no a better system of legislation might not have been invented, but that he insisted upon the code contained in the Bill to be conformable to the genius of the country over which it is to be exercised; that it was consistent with the political notions of the inhabitants, and the form of Government to which they had been accustomed; that forms of Government must always be suited to the dispositions of the governed, and infinitely varied in different climates; that the mild Constitution of this country would be rejected with contempt by the sons of despotism in *Asia*, and the excess of liberty happily spread over *England*, would degenerate to an excess of licentiousness in *Canada*. As to the idea of the noble Earl, that this political separation of *Canada* from the rest of *America* might be a means of dividing their interests, and that *French Canada* would in a future day be used as a proper instrument to quell *British America*, Lord *Lyttelton* said, he was not apprehensive of these consequences; but that if *British America* was determined to resist the lawful power and pre-eminence of *Great Britain*, he saw no reason why the loyal inhabitants of *Canada* should not co-operate with the rest of the Empire in subduing them, and bringing them to a right sense of their duty; and he thought it happy, that, from their local situation, they might be some check to those fierce fanatic spirits that, inflamed with the same zeal which animated the Round-heads in *England*, directed that zeal to the same purposes, to the demolition of regal authority, and to the subversion of all power which they did not themselves possess; that they were composed of the same leaven, and whilst they pretended to be contending for liberty, they were setting up an absolute independent Republic, and that the struggle was not for freedom, but power, which was proved from the whole tenor of their conduct, even to demonstration.

The question was then put, and the House divided: Contents, 26; Non-Contents, 7.

So it was resolved in the Affirmative.

The following Lords were the minority: the Duke of *Gloucester*, the Earls *Chatham*, *Coventry*, *Effingham*, and *Spencer*, the Lords *Sandys*, and *King*.*

WEDNESDAY, *June* 22, 1774.

[The Lord Mayor, Aldermen *Crosby*, *Lewis*, and *Plomer*, the Recorder, upwards of one hundred and fifty of the Common Council, and City Officers, went from *Guildhall* to *St. James's*, (Alderman *Sawbridge* joined them in the way,) in order to present an Address and Petition to his Majesty, previous to his going to the House, relative to the Bill for the government of *Quebec*. They arrived at *St. James's* a quarter before one. A little before two, the Lord Chamberlain waited on the Lord Mayor with a Message from the King, which he had committed to writing, to prevent any mistake; and he read the following paper:

* The Session was drawing near to the usual time of recess; and the greatest number of the members, fatigued with a long attendance on the *American* Bills, were retired into the country. In this situation, a Bill which has engaged a great deal of the public attention, was brought into the House of Lords;—"The Bill for making more "effectual provision for the Government of the Province of *Quebec*, in "*North America*." This passed through that House with very little, if any observation. But when it came down to the House of Commons, it met with a very different reception. A disposition immediately appeared in that House to criticise it with unusual severity. The party for Ministry seemed to be a little alarmed at this spirit, partly because, from its easy passage through the House of Lords, it was not so much expected; but principally, because they apprehended it would create more uneasiness among the People out of doors than any of the former Bills. In this case, the passions which had been excited by the disorders in *America*, did not operate in their favour. And as the Act had for a part of its objects establishments touching religion, it was far more likely to give occasion for popular complaint. The Ministry therefore found it necessary not to carry things with so high an hand as in the preceding Bills.

The Bill received in the course of these debates [in the Commons] many amendments, so as to change it very greatly from the state in which it came down from the House of Lords; but the ground-work remained the same. Throughout the whole progress of the business, though well fought, the numbers in the minority were uncommonly small. It produced, nevertheless, much greater uneasiness and discontent out of doors than any of the Bills for punishing of the old Colonies.

This discontent called on the attention of the House of Lords; so that when the Bill was returned to them with the amendments, there was a considerable opposition to it, although in some respects less exceptionable than when it had passed their House with so little notice; but, as in all other questions, so in this, the minority shewed no strength in numbers.

The session had now stretched far into the Summer. The business of it had been of as much importance as that, perhaps, of any session since the revolution. Great changes had been made in the economy of some of the Colonies, which were thought foundations for changes of a like nature in others; and the most sanguine expectations were entertained by the Ministry, that when Parliament had shewn so determined a resolution, and the advocates for the Colonies had appeared so very little able to protect them, the submission throughout *America* would be immediate; and complete obedience and tranquillity would be secured in future. The triumphs and mutual congratulations of all who supported these measures, within doors and without, were unusually great.—*Ann. Regis.*

Digitized by Google

"As your Petition relates to a Bill agreed on by the "two Houses of Parliament, of which his Majesty cannot "take public notice, until it is presented for his royal as- "sent in Parliament, I am commanded by the King to in- "form you, that you are not to expect an answer."

The Lord Mayor immediately sent the Remembrancer, to present his duty to the King, and inform his Majesty, "That they waited to present their Address, agreeable to "his Majesty's order;" which was in a little time complied with; when no other answer was given.

The following is a copy of the City Address:

"*To the King's Most Excellent Majesty, the humble Address and Petition of the Lord Mayor, Aldermen, and Commons, of the City of* London, *in Common Council assembled:*

"Most Gracious Sovereign,

"We, your Majesty's most dutiful and loyal subjects, the Lord Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled, are exceedingly alarmed that a Bill has passed your two Houses of Parliament, entitled "An Act for making more effectual provi- "sion for the government of the Province of *Quebec*, in "*North America*," which we apprehend to be entirely subversive of the great fundamental principles of the Constitution of the *British* Monarchy, as well as of the authority of various solemn acts of the Legislature.

"We beg leave to observe, that the *English* law, and that wonderful effort of human wisdom, the trial by Jury, are not admitted by this Bill in any civil cases, and the *French* law of *Canada* is imposed on all the inhabitants of that extensive Province, by which both the persons and properties of very many of your Majesty's subjects are rendered insecure and precarious.

"We humbly conceive, that this Bill, if passed into a law will be contrary, not only to the compact entered into with the numerous settlers of the reformed religion, who were invited into the said Province, under the sacred promise of enjoying the benefits of the laws of your realm of *England*, but likewise repugnant to your royal Proclamation of the 7th of *October*, 1763, for the speedy settling the said new Government.

"That consistent with the public faith, pledged by the said Proclamation, your Majesty cannot erect and constitute Courts of Judicature and Public Justice for the hearing and determining all cases, as well civil as criminal, within the said Province, but as near as may be agreeable to the laws of *England*; nor can any laws, statutes, or ordinances for the public peace, welfare, and good government of the said Province, be made, constituted, or ordained, but according to the laws of this Realm.

"That the Roman Catholic religion, which is known to be idolatrous and bloody, is established by this Bill, and no legal provision is made for the free exercise of our reformed faith, nor the security of our Protestant fellow subjects of the Church of *England*, in the true worship of Almighty God, according to their consciences.

"That your Majesty's illustrious family was called to the throne of these Kingdoms, in consequence of the exclusion of the Roman Catholic ancient branch of the Stuart line, under the express stipulation that they should profess the Protestant religion; and according to the oath established by the sanction of Parliament, in the first year of the reign of our great deliverer, *William* the Third, your Majesty, at your coronation, solemnly swore that you would, to the utmost of your power, maintain the laws of God, the true profession of the gospel, and Protestant reformed religion, established by law.

"That although the term of imprisonment of subjects is limited to three months, the power of fining is left indefinite and unrestrained, by which the total ruin of the party may be effected by an enormous and excessive fine.

"That the whole Legislative power of the Province is vested in persons to be solely appointed by your Majesty, and removable at your pleasure, which we apprehend to be repugnant to the leading principles of this free Constitution, by which alone your Majesty now holds, or legally can hold, the imperial crown of these Realms.

"That the said Bill was brought into Parliament very late in the present session, and after the greater number of the members of the two Houses were retired into the country, so that it cannot fairly be said to be the sense of those parts of the Legislature.

"Your Petitioners, therefore, most humbly supplicate your Majesty, as the guardian of the laws, liberties, and religion of your People, and the great bulwark of the Protestant faith, that you will not give your royal assent to the said Bill.

"And your Petitioners, as in duty bound, will ever pray."]

His Majesty, being seated on the Throne, adorned with his crown and regal ornaments, and attended by his Officers of State, (the Lords being in their robes,) and the Commons, with their Speaker, being in attendance,

The Royal assent was pronounced to the Bill, by the Clerk's Assistant.

Then his Majesty made a Speech, in which he said:—

"My Lords and Gentlemen,

"I have observed, with the utmost satisfaction, the "many eminent proofs you have given of your zealous "and prudent attention to the public service, during the "course of this very interesting session of Parliament.

"The very peculiar circumstances of embarrassment in "which the Province of *Quebec* was involved, had render- "ed the proper adjustment and regulation of the Govern- "ment thereof, a matter of no small difficulty. The Bill "which you prepared for that purpose, and to which I "have now given my assent, is founded on the clearest "principles of justice and humanity; and will, I doubt not, "have the best effects in quieting the minds, and promot- "ing the happiness of my *Canadian* subjects.

"I have long seen, with concern, a dangerous spirit of "resistance to my Government, and to the execution of "the laws, prevailing in the Province of *Massachusetts* "*Bay*, in *New England*. It proceeded at length to such "an extremity as to render your immediate interposition "indispensably necessary; and you have accordingly made "provision, as well for the suppression of the present dis- "orders, as for the prevention of the like in future. The "temper and firmness with which you have conducted "yourselves in this important business, and the general "concurrence with which the resolution of maintaining the "authority of the laws, in every part of my dominions, "hath been adopted and supported, cannot fail of giving "the greatest weight to the measures which have been the "result of your deliberations. Nothing that depends on "me shall be wanting to render them effectual. It is my "most anxious desire to see my deluded subjects, in that "part of the world, returning to a sense of their duty; ac- "quiescing in that just subordination to the authority, and "maintaining that due regard to the commercial interests "of this country; which must ever be inseparably con- "nected with their own real prosperity and advantage."

Anno Decimo Quarto Georgii, III. Regis.

***An Act for making more effectual provision for the Government of the Province of* Quebec, *in* North America.**

[N. B. The words printed within crotchets [], denote what was left out by the Commons; and those printed within a parenthesis (), what have been inserted by them.]

Whereas his Majesty, by his Royal Proclamation, bearing date the seventh day of *October*, in the third year of his reign, thought fit to declare the provisions which had been made in respect to certain Countries, Territories, and Islands, in *America*, ceded to his Majesty by the Definitive Treaty of Peace, concluded at *Paris*, on the tenth day of *February*, one thousand seven hundred and sixty-three: And whereas, by the arrangements made by the said Royal Proclamation a very large [*part of the territory of* Canada,] (extent of country) within which there were several Colonies and settlements, of the subjects of *France*, who claimed to remain therein under the faith of the said treaty, was left, without any provision being made for the administration of civil Government therein, and [*other*] (certain) parts of the [*said country*] (territory of *Canada*) where sedentary fisheries had been established and carried on by the subjects of *France*, inhabitants of the said Province of *Canada*, under grants and concessions from the Government thereof, were annexed to the Government of *Newfoundland*, and thereby subjected to regulations inconsistent with the nature of such fisheries: May it

Digitized by Google

therefore please your most excellent Majesty, that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords, Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that all the [*said*] territories, islands, and countries, [*heretofore part of the Province of* Canada,] in *North America*, [*extending Southward to the banks of*] (belonging to the Crown of *Great Britain*, bounded on the South by a line from the *Bay of Chaleurs*, along the high lands which divide the rivers that empty themselves into the river *St. Lawrence*, from those which fall into the sea, to a point in forty-five degrees of Northern latitude, on the Eastern bank of the river *Connecticut;* keeping the same latitude directly west through the *Lake Champlain*, until, in the same latitude, it meets the river *St. Lawrence;* from thence up the Eastern bank of the said river, to the *Lake Ontario;* thence through the *Lake Ontario*, and the river called the *Niagara;* and thence along by the Eastern and Southeastern bank of *Lake Erie*, following the said bank until the same shall be intersected by the Northern boundary, granted by the Charter of the Province of *Pennsylvania*, in case the same shall be so intersected; and from thence along the said Northern and Western boundaries of the said Province, until the said Western boundary strike the *Ohio:* but in case the said bank of the said lake shall not be found to be so intersected, then following the said bank, until it shall arrive at that point of the said bank which shall be nearest to the Northwestern angle of the said Province of *Pennsylvania;* and thence by a right line to the said Northwestern angle of the said Province, and thence along the Western boundary of the said Province, until it strike) the river *Ohio* (and along the bank of the said river) Westward, to the banks of the *Mississippi*, and Northward to the Southern boundary of the territory granted to the Merchants Adventurers of *England*, trading to *Hudson's Bay;* and [*which said*] (also all such) territories, islands, and countries, [*are not within the limits of some other* British *Colony as allowed and confirmed by the Crown, or*] which have, since the tenth of *February*, one thousand seven hundred and sixty-three, been made part of the Government of *Newfoundland*, be, and they are hereby, during his Majesty's pleasure, annexed to, and made part and parcel of, the Province of *Quebec*, as created and established by the said Royal Proclamation of the seventh of *October*, one thousand seven hundred and sixty-three.

(*Provided always*, That nothing herein contained relative to the boundary of the Province of *Quebec*, shall in any wise affect the boundaries of any other Colonies.)

(*Provided always*, And be it enacted, that nothing in this Act contained shall extend, or be construed to extend, to make void, or to vary or alter any right, title, or possession, derived under any grant, conveyance, or otherwise howsoever, of or to any lands within the said Province, or the Provinces thereto adjoining, but that the same shall remain and be in force, and have effect, as if this Act had never been made.)

And whereas the provisions made by the said Proclamation, in respect to the civil Government of the said Province of *Quebec*, and the powers and authorities given to the Governor, and other civil officers of the said Province, by the grants and commissions issued in consequence thereof, have been found, upon experience, to be inapplicable to the state and circumstances of the said Province, the inhabitants whereof [*amounting*] (amounted) at the conquest, to above [*one hundred*] (sixty-five) thousand persons, professing the religion of the Church of *Rome*, and enjoying an established form of constitution and system of laws, by which their persons and property had been protected, governed, and ordered for a long series of years, from the first establishment of the said Province of *Canada;* Be it therefore further enacted by the authority aforesaid the said Proclamation, so far as the same relates to the said Province of *Quebec*, and the commission under the authority whereof the Government of the said Province is at present administered, and all and every the ordinance and ordinances made by the Governor and Council of *Quebec* for the time being, relative to the civil Government and administration of justice in the said Province, and all commissions to Judges and other officers thereof, be, and the same are hereby revoked, annulled, and made void, from and after the first day of *May*, one thousand seven hundred and seventy-five.

And for the more perfect security and ease of the minds of the inhabitants of the said Province, it is hereby declared, that his Majesty's subjects professing the religion of the Church of *Rome*, of, and in the said Province of *Quebec*, [*as the same is described in and by the said Proclamation and commissions, and also all the territories, part of the Province of* Canada, *at the time of the conquest thereof, which are hereby annexed during his Majesty's pleasure, to the said Government of* Quebec,] may have, hold, and enjoy, the free exercise of the religion of the Church of *Rome*, subject to the King's supremacy, declared and established by an Act made in the first year of the reign of Queen *Elizabeth*, over all the dominions and countries which then did, or thereafter should, belong to the imperial Crown of this realm; and that the Clergy of the said church, may hold, receive, and enjoy their accustomed dues and rights, with respect to such persons only as shall profess the said religion.

Provided nevertheless, That, [*nothing herein contained shall extend, or be construed to extend, to the disabling*] (it shall be lawful for) his Majesty, his heirs, or successors, [*from making*] (to make) such provision (out of the rest of the said accustomed dues and rights) for the encouragement of the Protestant religion, and for the maintenance and support of a Protestant clergy within the said Province, as he or they shall, from time to time, think necessary and expedient.

(*Provided always, and be it enacted*, That no person professing the religion of the Church of *Rome*, and residing in the said Province, shall be obliged to take the oath required by the said statute, passed in the first year of the reign of Queen *Elizabeth*, or any other oaths substituted by any other Act in the place thereof, but that every such person, who by the said statute is required to take the oath therein mentioned, shall be obliged, and is hereby required to take and subscribe the following oath, before the Governor, or such other person, or in such court of record as his Majesty shall appoint, who are hereby authorized to administer the same; *videlicet:*

"I, A—B—, do sincerely promise and swear that I will "be faithful and bear true allegiance to his Majesty King "*George*, and him will defend to the utmost of my power, "against all traitorous conspiracies and attempts whatso-"ever, which shall be made against his person, crown and "dignity; and I will do my utmost endeavours to disclose "and make known to his Majesty, his heirs, and succes-"sors, all treasons and traitorous conspiracies and attempts, "which I shall know to be against him, or any of them, "and all this I do swear, without any equivocation, mental "evasion, or secret reservation; and renouncing all par-"dons and dispensations from any power or person whom-"soever to the contrary. So help me God."

And every such person who shall neglect or refuse to take the said oath, before mentioned, shall incur, and be liable to the same penalties, forfeitures, disabilities, and incapacities, as he would have incurred and been liable to, for neglecting or refusing to take the oath required by the said statute, passed in the first year of the reign of Queen *Elizabeth*.

And be it further enacted by the authority aforesaid, That all his Majesty's *Canadian* subjects, within the Province of *Quebec*, the religious orders and communities only excepted, may also hold and enjoy their property and possessions, together with all customs and usages relative thereto, and all other their civil rights, in as large, ample, and beneficial manner, as if the said proclamation, commissions, ordinances, and other acts, and instruments, had not been made, and as may consist with their allegiance to his Majesty, and subjection to the Crown and Parliament of *Great Britain;* and that in all matters of controversy relative to property and civil rights, resort shall be had to the laws of *Canada*, (as the rule) for the decision of the same, and all causes that shall hereafter be instituted in any of the courts of justice, to be appointed within and for the said Province, by his Majesty, his heirs, and successors, shall, with respect to such property and rights, be determined [*by the Judges of the same*] agreeably to the said laws and customs of *Canada* [*and the several*] (until they shall be varied or altered by any,) ordinances that shall, from time to time, be passed in the said Pro-

Digitized by Google

vince by the Governor, Lieutenant Governor, or Commander-in-chief, for the time being, by and with the advice and consent of the Legislative Council of the same, to be appointed in manner hereinafter mentioned.

(*Provided always*, That nothing in this act contained shall extend, or be construed to extend, to any lands that have been granted by his Majesty, or shall hereafter be granted by his Majesty, his heirs, and successors, to be holden in free and common soccage.)

Provided [*always*] (also,) That it shall and may be lawful to and for every person that is owner of any lands, goods, or credits, in the said Province, and that has a right to alienate the said lands, goods, or credits, in his or her life time, by deed of sale, gift, or otherwise, to devise or bequeath the same, at his or her death, by his or her last will and testament; any law, usage, or custom heretofore or now prevailing in the Province, to the contrary hereof in any wise notwithstanding.

[*Provided also, That nothing in this Act contained shall extend or be construed to extend, to any lands that have been granted by his Majesty, or shall hereafter be granted by his Majesty, his heirs, and successors, to be holden in free and common soccage;*] (such will being executed either according to the laws of *Canada*, or according to the forms prescribed by the laws of *England*.)

And whereas the certainty and lenity of the criminal law of *England*, and the benefits and advantages resulting from the use of it, have been sensibly felt by the inhabitants from an experience of more than nine years, during which it has been uniformly administered; be it therefore further enacted by the authority aforesaid, that the same shall continue to be administered, and shall be observed as law, in the Province of *Quebec*, as well in the description and quality of the offence, as in the method of prosecution and trial, and the punishments and forfeitures thereby inflicted, to the exclusion of every other rule of criminal law, or mode of proceeding therein, which did or might prevail in the said Province before the year of our Lord one thousand seven hundred and sixty-four; any thing in this Act to the contrary thereof in any respect notwithstanding; subject nevertheless to such alterations and amendments, as the Governor, Lieutenant Governor, or Commander-in-chief, for the time being, by and with the advice and consent of the Legislative Council of the said Province, hereafter to be appointed, shall from time to time, cause to be made therein, in manner hereinafter directed.

And whereas it may be necessary to ordain many regulations, for the future welfare and good Government of the Province of *Quebec*, the occasions of which cannot now be foreseen, nor without much delay and inconvenience be provided for, without entrusting that authority for a certain time, and under proper restrictions, to persons resident there: And whereas it is at present inexpedient to call an Assembly; be it therefore enacted by the authority aforesaid, that it shall and may be lawful for his Majesty, his heirs, and successors, by warrant under his or their signet, or sign manual, and with the advice of the Privy Council, to constitute and appoint a Council for the affairs of the Province of *Quebec*, to consist of such persons resident there, not exceeding twenty-three, nor less than seventeen, as his Majesty, his heirs, and successors, shall be pleased to appoint; and upon the death, removal, or absence, of any of the members of the said Council, in like manner to constitute and appoint such and so many other person or persons as shall be necessary to supply the vacancy or vacancies; which Council, so appointed and nominated, or the major part thereof, shall have [*full*] power and authority to make ordinances for the peace, welfare, and good government of the said Province, with the consent of his Majesty's Governor, or, in his absence, of the Lieutenant Governor, or Commander-in-chief, for the time being.

Provided always, That nothing in this Act contained shall extend to authorize or empower the said Legislative Council to lay any taxes or duties within the said Province, (such rates and taxes only excepted, as the inhabitants of any town or district within the said Province, may be authorized by the said Council to assess, levy, and apply, within the said town or district, for the purpose of making roads, erecting and repairing public buildings, or for any other purpose respecting the local convenience and economy of such town or district.)

Provided also, and be it enacted by the authority aforesaid, That every ordinance so to be made shall, within six months, be transmitted by the Governor, or in his absence, by the Lieutenant Governor, or Commander-in-chief, for the time being, and laid before his Majesty, for his royal approbation; and if his Majesty shall think fit to disallow thereof, the same shall cease and be void from the time that his Majesty's order in Council thereupon shall be promulgated at *Quebec*.

Provided also, That no ordinance touching religion, or by which any punishment may be inflicted greater than fine or imprisonment for three months, shall be of any force or effect, until the same shall have received his Majesty's approbation.

Provided also, That no ordinance shall be passed, at any meeting of the Council, (where less than a majority of the whole Council is present, or at any time,) except between the first day of *January*, and the first day of *May*, unless upon some urgent occasion; in which case, every member thereof resident at *Quebec*, or within fifty miles thereof, shall be personally summoned by the Governor, or, in his absence, by the Lieutenant Governor, or Commander-in-chief, for the time being, to attend the same.

And be it further enacted by the authority aforesaid, That nothing herein contained, shall extend, or be construed to extend, to prevent or hinder his Majesty, his heirs, and successors, by his, or their, letters patent, under the great seal of *Great Britain*, from erecting, constituting, and appointing, such courts of criminal, civil, and ecclesiastical jurisdiction, within and for the said Province of *Quebec*, and appointing, from time to time, the Judges and officers thereof, as his Majesty, his heirs, and successors, shall think necessary and proper, for the circumstances of the said Province.

(*Provided always, and it is hereby enacted*, That nothing in this Act contained shall extend, or be construed to extend, to repeal or make void, within the said Province of *Quebec*, any Act or Acts of the Parliament of *Great Britain*, heretofore made, for prohibiting, restraining, or regulating the trade or commerce of his Majesty's Colonies and Plantations in *America;* but that all and every the said Acts, and also all Acts of Parliament, heretofore made, concerning or respecting the said Colonies and Plantations, shall be, and are hereby declared to be, in force, within the said Province of *Quebec*, and every part thereof.)

An Act to prevent the Exportation to Foreign parts of Utensils made use of in the Cotton, Linen, Woollen, and Silk Manufactures of this Kingdom.

Whereas the exportation of the several tools or utensils made use of in preparing, working up, and finishing, the cotton and linen manufactures of this Kingdom, or any or either of them, or any other goods wherein cotton and linen, or either of them, are used, will enable foreigners to work up such manufactures, and thereby greatly diminish the exportation of the same from this Kingdom: therefore, for preserving as much as possible to his Majesty's *British* subjects the benefits arising from those great and valuable branches of trade and commerce, be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords, Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That if at any time after the first day of *July*, one thousand seven hundred and seventy-four, any person or persons, in *Great Britain* or *Ireland*, shall upon any pretence whatsoever, load or put on board, or cause to be laden or put on board, of any ship, vessel, or boat, which shall not be bound directly to some port or place in *Great Britain* or *Ireland*, any such tools or utensils as are commonly used in, or are proper for the preparing, working up, or finishing, of the cotton or linen manufactures, or any or either of them, or any other goods wherein cotton and linen, or either of them, are used, or any parts or parcels of such tools or utensils, by what name or names the same shall or may be called or known; the person or persons so offending shall, for every such offence, not only forfeit and lose all such tools and utensils, or parts or parcels thereof, which shall be so laden or put on board as aforesaid, but also the sum of two hundred pounds of lawful money of *Great Britain*; to be recovered by ac-

Digitized by Google

tion of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the Court of Session in *Scotland*, or in any of the four courts of *Dublin* respectively, wherein no essoine, protection, privilege, or wager of law, shall be allowed, or more than one imparlance.

And be it further enacted by the authority aforesaid, That from and after the said first day of *July*, it shall and may be lawful to and for any officer of his Majesty's Customs in *Great Britain*, and for any officer of the Revenue in *Ireland*, to seize and secure in some or one of his Majesty's warehouses, all such tools or utensils, or parts or parcels thereof, by this Act prohibited to be exported, as such officer shall find or discover to be lade or put on board of any ship, vessel, or boat, which shall not be bound directly to some port or place in *Great Britain* or *Ireland*, and that every officer who shall seize and secure any of the said tools or utensils, or parts or parcels thereof, shall be fully and absolutely indemnified for so doing; and all tools and utensils, or parts or parcels thereof, so seized and secured as aforesaid, shall, after condemnation thereof in due course of law, be publicly sold to the best bidder, and one moiety of the produce arising by the sale of such tools and utensils shall be to the use of his Majesty, his heirs, and successors, and the other moiety to the officer who shall seize and secure the same as aforesaid.

And be it further enacted by the authority aforesaid, That from and after the said first day of *July*, if the captain or master of any ship, vessel, or boat, in *Great Britain* or *Ireland*, shall knowingly permit any tools or utensils, by this Act prohibited to be exported as aforesaid, to be put on board his said ship, vessel, or boat, every such captain or master shall, for every such offence, forfeit the sum of two hundred pounds of lawful money of *Great Britain;* to be sued for and recovered in such manner as the penalties by this Act upon persons exporting the said tools and utensils are to be sued for and recovered: and if the said ship, vessel, or boat, belongs to his Majesty, his heirs, or successors, then the captain or master thereof shall not only forfeit the sum of two hundred pounds, to be sued for and recovered as aforesaid, but shall also forfeit his employment, and be incapable of any office or employment under his Majesty, his heirs, or successors.

And be it further enacted by the authority aforesaid, That if any Customer, Comptroller, Surveyor, Searcher, Waiter, or other officer of the Customs in *Great Britain*, or any officer of the Revenue in *Ireland*, shall take, or knowingly or willingly suffer to be taken, any entry outward, or shall sign any cocket, warrant, or sufferance, for the shipping or exporting of any of the said tools or utensils by this Act prohibited to be exported, or shall knowingly or willingly permit or suffer the same to be done, directly or indirectly, contrary to the true intent and meaning of this Act, every such Customer, Comptroller, Surveyor, Searcher, Waiter, or other officer of the Customs of *Great Britain*, or officer of the Revenue in *Ireland*, shall, for every such offence, forfeit the sum of two hundred pounds of lawful money of *Great Britain;* to be sued for and recovered, as aforesaid, and shall also forfeit his office, and be incapable of holding any office or employment under his Majesty, his heirs, or successors.

And be it further enacted by the authority aforesaid, That if any person or persons, from and after the said first day of *July*, shall collect, obtain, or have, in his, her, or their custody or possession any such tools or implements as aforesaid, or any tools or implements used in the woollen or silk manufactures of this Kingdom, or any parts or parcels thereof, and complaint shall be made upon the oath of one or more credible witness or witnesses before any Justice or Justices of the Peace, that there is reason to believe that such person or persons have or hath collected, obtained, or got into his, her, or their custody or possession, such tools or implements as aforesaid, or parts or parcels thereof, with intent to export the same to some other port or place than *Great Britain* or *Ireland;* then, and in such case, it shall and may be lawful to and for the Justice or Justices of the Peace unto whom such complaint shall be made, to issue his warrant or warrants, not only to seize all such tools or implements, and parts or parcels thereof, but also to bring the person and persons so complained of before him or them, or some other of his Majesty's Justices of the Peace for the same county, riding, division, or city; and if, when such person or persons shall be so brought before such Justice or Justices, he, she, or they, shall not give such an account of the use or purpose to which such tools, utensils, or parts or parcels thereof, are intended to be appropriated, as shall be satisfactory to the Justice or Justices before whom he, she, or they, shall be brought as aforesaid, then, and in such case, it shall and may be lawful to and for such Justice or Justices, not only to cause all such tools or utensils, or parts or parcels thereof, which shall have been seized as aforesaid, to be detained, but also to bind the person or persons so charged to appear at the next assizes, general gaol delivery, or quarter sessions of the peace for the county, city, riding, or division, where such offence shall be committed, with reasonable sureties for his, her, or their appearance; and in case such person or persons shall refuse or neglect to give such security, then, and in such case, it shall and may be lawful to and for such Justice and Justices to commit the person or persons so refusing to the county gaol, there to be kept until the next assizes, or next quarter sessions of the county, city, riding, or division, where such commitment shall be, at the election of such Justice of the Peace, and until he, she, or they, shall be delivered by due course of law: and in case any such person or persons shall be convicted upon any indictment or information against him, her, or them, at such assize or general goal delivery, or quarter sessions of the peace as aforesaid, of collecting, obtaining or getting into his, her, or their custody or possession, such tools or utensils, or parts or parcels thereof, with such intent as aforesaid; then, and in such case, the person or persons so offending, shall, for every such offence, not only forfeit and lose all such tools and utensils, and parts and parcels thereof, which shall be so seized and detained, but also the sum of two hundred pounds of lawful money of *Great Britain;* to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the Court of Session in *Scotland*, or in any of the four courts at *Dublin* respectively, wherein no essoine, protection, privilege, wager of law, or more than one imparlance, shall be allowed.

And be it further enacted by the authority aforesaid, That one moiety of the respective forfeitures by this Act inflicted upon offenders against the same, shall, when recovered, go and be applied to the use of his Majesty, his heirs, and successors, and the other moiety to the use of the person or persons who shall sue and prosecute for the same respectively.

And be it further enacted by the authority aforesaid, That if any suit or action shall be commenced against any person for what he shall do in pursuance of this Act, such action shall be commenced within six months after the fact committed; and the person, so sued, may file common bail, or enter a common appearance, and plead the general issue, not guilty; and may give this Act, and the special matter, in evidence; and if the plaintiff or prosecutor shall become nonsuit, or suffer discontinuance, or if a verdict pass against him or her, or if upon demurrer, judgment be given against the plaintiff, the defendant shall recover treble costs.

The following Speech of Lord *North*, on presenting the *American* papers to the House of Commons, 7th of *March*, 1774, was, through accident, omitted to be inserted in its proper place; See folio 32.

These papers, his Lordship said, consist of copies and extracts of letters from the Commander of the forces, and from the several Governors in *America;* of threats and prophetic warnings to the gentlemen to whom the tea lately sent over by the *East India* Company was consigned; of copies of letters from the several consignees at *Boston* to a ringleader of the faction in that town; of votes and resolves of the town of *Boston*, previous to the arrival of the tea; of narratives of transactions that happened after the arrival; of a Petition from the consignees to the Council of *Massachusetts*, praying that they and their property might be taken under the protection of Government; with the absolute denial of the Council to interfere in the business; of notes from the *India* House; of letters from the Admiral commanding in *Boston* harbour; and from Lt. Col. *Leslie*, of the sixty-fourth regiment, in barracks at *Castle William*; of a Proc-

Digitized by Google

lamation of the Governor's against the factious meetings of the inhabitants, which they treated with the most insolent contempt; of copies of treasonable printed papers; of the transactions of the *Massachusetts* Council, condemning the destruction of the tea, and advising legal prosecutions against the perpetrators, none of whom were publicly known.—So far regards the *Massachusetts* only.

The papers written and printed from the other Colonies, partake in a great measure of the nature of those already mentioned, and are formed exactly on their model. Besides the regular official information of the different Governors, transmitted to the *American* Secretary of State, there are copies of many inflammatory fugitive pieces, handbills, alarms, resolves of town meetings, and minutes of Council; but as there was no outrage committed but at *Boston*, it were unnecessary to trouble the House with all the incendiary scribbling and printing in the different Colonies. It may, however, be necessary to observe, that all the printed and circulated trash were plentifully larded with the fashionable phrases of "desperate plans of despotism; ministerial designs to ruin their liberties; slavery; galling fetters; forging infernal chains; encouraging popery; despotic rule;" &c. &c.

The letters from the different Governors contain a minute and regular detail of the state of their respective Provinces, and particularly of the capital cities of each, from the first intelligence of the teas being shipped at home till its arrival in *America*, and return back, or destruction. Above all Governor *Hutchinson's* letters are the most precise, exact, and circumstantial. He appears to have left nothing untried to preserve the peace of the town, and secure the property of the Company. He appears to have endeavoured, first, to sooth, and when that did not do, to intimidate the faction. It was the Governor who advised the consignees to apply to the Council for their advice, for the preservation of the tea committed to their care, and for their personal security; for two of his sons were the two principal consignees. He also, during the height of their turbulent, unlawful, and seditious assemblings, before the tea was destroyed, sent the Sheriff to the town-meeting at *Boston*, commanding the people there to break up and depart. When the Sheriff, Mr. *Greenleaf*, entered the hall, and intimated that he had a paper to read from the Governor, the faction put it to the vote, whether he should be permitted to read it or not? After some debate, permission was granted, and the Sheriff accordingly proclaimed the Governor's orders for them to disperse. The instant he had done speaking, the faction saluted him with an universal hiss, which continued during his stay, and accompanied him in his retreat. The Proclamation was afterwards published in the Gazette, from whence it was copied into the other papers, and commented upon with every mark of contempt and indignity.

Before the arrival of the tea, the Governor appeared to have taken every measure that prudence could suggest, or good policy justify, both for the security of the Company's property and for the safety of the consignees. The principal leader of the faction was applied to; he commanded the Governor's company of cadets; and although it was hardly to be expected that he would muster the cadets to oppose his own party, it was judged necessary to make him acquainted with his duty, and to leave him without excuse. The application, as was foreseen, was without effect; and no steps were taken either to preserve the peace, or to secure the tea. The Selectmen of the town insisted, indeed, that Mr. *Rotch*, the owner of Captain *Hall's* ship, should demand a clearance outward from the custom-house, in order that the tea might be carried back; Mr. *Rotch*, knowing that the demand was unusual, resisted for a long time, till finding his life in danger, he was constrained to comply. The custom-house refused to grant him an illegal clearance. The Governor was then applied to for a pass, without which the vessel would have been stopped at *Castle William*: but this was also refused to Mr. *Rotch*, because it was totally inconsistent with the duty of a Governor to grant a pass to a vessel that had not been regularly cleared at the custom-house. This negotiation, therefore, being to a crisis, a town meeting was called about the middle of *December* last, when an account of the several demands and refusals, with the reasons that prevented the compliance, were very fairly reported by Mr. *Rotch*; upon which a signal way given, and presently a number of men disguised like *Indians*, boarded the vessel in which the tea was stowed, broke open the chests, and committed the contents to the sea.

This is a succinct account of the proceedings at *Boston*, as they happened, in regular succession. It happened that the ship bound for *Boston* was the first, of those employed by the Company to carry the tea, that reached her destined port. Every civil precaution appears to have been tried, to preserve the property, and the peace of the town; his Majesty's Council, the cadets, and the militia, were all applied to, without effect: the Sheriff read a Proclamation to the faction, commanding them to dissolve their assembly, and this Proclamation was immediately afterwards inserted in the Gazette; both the Sheriff and the Proclamation were treated with insult.

The people of *Boston* were, on this occasion, fairly tried. The Governor from the beginning had formed the resolution not to call in either the naval or military force, but to trust the management of the whole affair to the conduct of the civil power. The loyal and peaceable people of the mercantile town of *Boston*, as they have ever affected to be thought, were wholly left to the exercise of their own judgment, and they have given all the world a notable proof of their justice and moderation, by wantonly committing to the waves a valuable commodity, the property of another mercantile body of loyal subjects, when all they had to do, in order to defeat any supposed imposition, was, to keep firm to their resolution, not to buy or to use it. It is but reasonable, however, that they should be made to pay for their outrageous pastime, and be constrained to make good the loss; such an indemnification will be, to them, the more bitter as they must pay for a commodity they did not taste, and which they pretend to abhor.

The other Governors, after the accomplishment of the Bostonian exploit, wisely agreed to suffer the tea to be carried back from whence it came. The consignees refused to receive it, and as no one had ordered it, no one was obliged to hazard his own personal safety, in taking upon himself to be the owner of it. They, therefore, well knowing that what had already happened, was fully sufficient to rouse the resentment of the *British* people and Parliament, very prudently acquiesced in the applications that were made to them by the respective Captains, for leave to return home, thereby avoiding an unnecessary occasion of involving their Provinces in a troublesome dispute, the issue of which could not but be foreseen.

With respect to Governor *Hutchinson*, had it not been for his determined resolution not to irritate the people by calling in the assistance of the naval power, the Company's tea might undoubtedly have been saved; but, as the leading men, in the town of *Boston*, have always made great complaints of the interposition of the army and navy, and not only declared, but insisted that they were the aggressors in every riotous disturbance that has happened among them, it cannot but give pleasure to every unprejudiced mind, that their Governor gave them no such plea on this occasion. They were left wholly to themselves, and their present conduct has given the lie direct to their former declarations.

By an impartial review of all the letters and papers now laid before the House, I may venture to assert, that it will manifestly appear, that nothing can be done there by officers, civil, military or naval, to effectuate the re-establishment of peace in that Province, without additional Parliamentary powers to give weight to their proceedings. They can make no movement, even the most trifling, but what is exclaimed against by the licentious as an infringement of their liberties. It is the settled opinion of the wisest men in that and this country, that no effort in the Colonies by any body of men, civil, or military, can remove the evils that now reign amongst them. It is Parliament, and Parliament only, which can restore that turbulent people to peace, and bring order out of confusion. It is therefore incumbent upon every member of this House, to weigh and consider the purport of the papers that his Majesty has been graciously pleased, unasked, to communicate; and to lay all prejudice aside in forming an opinion of them.

Digitized by Google

PROCEEDINGS IN THE SEVERAL COLONIES

ON

THE MEASURES ADOPTED BY THE BRITISH PARLIAMENT;

WITH

LETTERS AND OTHER PAPERS

RELATING TO THEIR CONDITION AND AFFAIRS, GENERALLY, IN 1774.

MR. BOLLAN TO THE HON. JOHN ERVING, WM. BRATTLE, JAMES BOWDOIN, AND JAMES PITTS, ESQRS., A COMMITTEE OF THE COUNCIL OF MASSACHUSETTS BAY.

Covent Garden, March 11, 1774.

GENTLEMEN: Late in the evening of *Saturday*, the 5th instant, I received certain information that on *Monday* a Message from the King would be sent to the two Houses of Parliament, respecting the late proceedings in *North America*, and at *Boston* in particular, accompanied with papers of correspondence; and Lord *North*, on that day, presented the following Message to the House of Commons: "His Majesty upon information of the unwarrantable practices which have been lately concerted and carried on in *North America*, and particularly of the violent and outrageous proceedings at the town and port of *Boston*, in the Province of *Massachusetts Bay*, with a view of obstructing the Commerce of this Kingdom, and upon grounds and pretences immediately subversive of the Constitution thereof, has thought fit to lay the whole matter before his two Houses of Parliament, fully confiding as well in their zeal for the maintenance of his Majesty's authority, as in their attachment to the common interest and welfare of all his dominions, that they will not only enable his Majesty effectually to take such measures as may be most likely to put an immediate stop to the present disorders, but will also take into their most serious consideration what further regulations and permanent provisions may be necessary to be established for better securing the execution of the laws, and the just dependence of the Colonies upon the Crown and Parliament of *Great Britain*."

In consequence of my information, after doubting some time on *Sunday* what was the best step now to be taken, and being sensible that Ministers, after taking as much time to prepare their own measures as they think fit, sometimes so far hurry on execution as to distress their opponents; for this and other reasons, to check in some measure, if I could, the torrent in this case, I resolved to prepare, and publish with all possible despatch, my late Petition to the King, with illustrations; and thereupon went into the city to the printer, who, during some time past, had been employed in my intended vindication of the Colonies, a laborious work, requiring great care; after collecting numerous proper materials, told him he must lay that aside for the present, and prepare for printing a short pamphlet, with all speed, promising to make proper allowance to the men who should work out of common hours, directing him to send the next morning for part of the copy; when, going about it, and attending to it without intermission, the copy was completed on *Tuesday*, before dinner; and, by my Clerk's attendance, and my going to the printer's in person, several times, and afterwards going late farther into the city, to two of the principal publishers, in consequence of Mr. *Almon's* telling me at the printer's it was too late for the next day's publication, I prevailed on them to publish it on *Wednesday* morning, and now send herewith enclosed two copies of it.

On *Tuesday* evening, having before heard of nothing but hostile intentions, I was informed that *American* affairs would come on in the House of Commons to day, wherefore on *Wednesday* I resolved to prepare, as far as the uncertain state of the affair would then permit, for petitioning that House, my chief intent being to ascertain the rights of the Colonies, a point the least objectionable, though in its nature efficacious; and for that purpose gain admittance at least to lay before the House authentic copies from the records of many letters, patent royal, passed for acquiring and settling new dominion in *America*, never yet laid before them, thereby proving that the several Princes, numerous Nobles, and other worthy persons who were concerned in the settlement of the Plantations, as well as the actual Settlers, were very far from understanding that they who by their merits should enlarge the public dominion, should thereby, contrary to natural justice, lessen their own liberties; and, after preparing a few general articles that might possibly serve on the occasion, in order to have my Petition presented when ready, and proper in point of time, I waited yesterday morning on General *Conway*, who had in the House denied the authority of Parliament to tax *America*. On proposing the presentation to him, he answered it would be more proper for him to support the petition, expressing clearly his readiness to do it; at the same time complaining that violence and disorders in the Colonies laid difficulties in the way of their friends obtaining the relief they wanted. Waiting upon Sir *George Savile*, he declined the presentation because he was in honour obliged various ways to apply himself closely to another business. He told me Lord *North* had put such an insidious question to him respecting the measures proper for the House to take, that after giving him a suitable answer, he directly went out of the House, out of resentment, as I understand. From him I went directly to the mansion house, where the Lord Mayor very readily and kindly promised to present my Petition. From him, pursuant to his recommendation, I went to Mr. Alderman *Oliver*, whom I found very intelligent and candid, and who satisfied me that my Petition might be presented at a more distant day than I had supposed, when a certain object of opposition would have arisen. He told me the *West India* merchants had agreed to meet on *Thursday* next, in order to oppose any injurious measures; agreeing with me that this was one common cause of all the Colonies. I had the pleasure of being informed by the Lord Mayor that the spirit of resentment in their House was abated, and he seemed to think in no small degree, several of the members to whom he had spoke having changed their minds.

I had, since being refused to be heard before the Lords of the Committee, made as great progress in my examination and observations on the most material parts of the Governor's letters, with intent to complete and publish them with my petition, as the time and avocations would permit, when the late proceedings in Parliament began, which obliged me to change my measures, and publish the Petition as you will find it, which I understand, has not been unserviceable, and the affair of the letters, you are

Digitized by Google

sensible, must give way to others more important during their continuance. It is no easy matter to prepare a Petition in efficacious terms for the Province service, and agreeable to the different sentiments of those who are to support it, and, moreover, least liable to objection from your adversaries; wherefore to this, and the other difficulties attending this important business, I must now go on with my preparations.

I am, gentlemen, with the greatest respect, for you, and the other members of the Council, your most obedient and most humble servant, W. Bollan.

The Hon. *John Erving*, *Wm. Brattle*, *James Bowdoin*, and *James Pitts*, Esqrs.

MR. BOLLAN TO THE COMMITTEE.

Covent Garden, March 15, 1774.

Gentlemen: Having begun my Petition to the House of Commons upon a larger scale, after conferring with proper members, I reduced it to as small compass as the sufficience and perspicuity of proper matter would permit, and now send a copy of it. As soon as completed yesterday morning, waiting on the Lord Mayor, in order to its presentation, I found him less spirited for the business than before, and inclined to postpone the presentation; whereupon I observed that it was uncertain what measures the Ministers might take; that some time past, when a Petition from another Colony was prepared and proposed to be presented in season, Administration got it delayed, and afterwards, when offered, objected with success, that it came out of time; and that, in point of fairness to all parties, as well as safety to my constituents, I earnestly desired my Petition might be presented that day, before the House proceeded to their consideration at large on the state of *American* affairs. He at length assented, and received my Petition accordingly; having in the course of what passed observed Ministers could carry any point they were set upon; to which I answered, that was no sufficient reason, I thought, for ceasing opposition and despairing of the Commonwealth, wherein he agreed. Then going directly to Mr. *Oliver's*, and finding he was gone to the House, I went thither, when, being informed, that the Lord Mayor was not come, nor General *Conway*, for whose use I carried a copy of my Petition, I went up into the great committee room to speak with Alderman *Oliver*, whom I found in the chair, which, upon speaking with him, I was satisfied he could not leave in season to assist or second the Lord Mayor; then returning towards the lobby the Under Door-keeper met me and told me the Lord Mayor had come out of the House and inquired for me; whereupon, as soon as possible, I got the Door-keeper to send in a message to let his Lordship know I was waiting in the lobby, where I staid a considerable time in painful suspense, till Sir *Joseph Mawbey* came out and told me the Lord Mayor had desired him to present my Petition, being unacquainted with the usual proper proceeding; and after saying a few things, he went into the House, and soon coming out again told me the Speaker had endeavored to throw cold water upon my Petition; but after making proper inquiry into the nature of the Council, on whose behalf I petitioned, he directly returned into the House with the spirit proper for presenting it. After waiting a considerable time he came out again and told me he had got my Petition so far allowed and accepted, as to be laid upon the table, where it would lie ready to be taken up when any prejudicial measure should require it. Upon asking what countenance the House shewed when it was read, he answered, favourable by many, and the question being put, whether it should be received, a considerable majority answered in the affirmative. The Minister, I found, with another member, setting on the Treasury bench, at first rather ridiculed the Petition; however, he did not chuse to divide the House upon the question. Among other things Sir *Joseph* told me, Governor *Pownall* objected that it did not appear I was the proper agent for the Council; to whom he answered, my authority would be shewn when I appeared, and produced my proofs; afterwards adding, they were once very near calling me in. Upon the whole Sir *Joseph* behaved extremely well, with the spirit and despatch proper for presenting my Petition immediately before the House proceeded upon *American* affairs. The reading and admittance of my Petition in a full House is a favourable circumstance.

It is impossible for me in the present interesting state of the Province affairs, and my concerns therein, to acquaint you with many particulars otherwise desirable; however I must by no means longer omit mentioning what gave me great pleasure, to wit, that when your affairs were considered in the House of Lords, the right of Parliament to tax the *Americans* was not only denied by Lord *Camden*, esteemed by many the most able judge of this question in the Kingdom, but he, according to my information, with great learning and historical knowledge, shewed that taxation and representation were inseparable companions; among other things reading in the House a passage in Mr. *Locke*, heretofore cited by me, in some public essay, for this purpose.

In case I had in my Petition expressly opposed the Parliament's right of taxation, instead of stating the rights of the Colonies incompatible with it, in order to give proper proofs of the same, and so laying the foundation of opposition, my Petition would certainly have been rejected.

March 17*th*.

I wrote in haste on the 15th inst., in order to despatch my letters, with a copy of my Petition and the duplicates, by the Captains *Lloyd* and *Scott*, who, I understood, were on the point of sailing; but going into the city, at noon, I found their departure was postponed for a short time. At present I have not much to add, and less time for doing it. On *Monday*, having risen early, and been in a constant state of hurry and anxiety until my Petition was admitted, I then went away directly, to get necessary sustenance, getting home about five, having before coming away declined writing to the Speaker, as the Door-keeper had proposed, for the favour of leave of admittance into the House. According to my information, next morning great disappointment took place by the principal persons, men of the greatest weight in the opposition, not speaking at all; and Lord *North's* drift seemed to be to adopt the ancient maxim *divide et impera*, and to make the town of *Boston* the chief source of all the opposition made by the Colonies to the measures of Government, and by punishment suitable to this idea to make an example of them, *in terrorem*, to others, supposing the old maxim, *proximus ardet*, would not take place in the Colonies.

Lord *Camden* was not at home yesterday when I went to wait on him, whereupon I left, to be delivered to him, at his return, a copy of my Petition to the House of Commons, and a printed copy of my late Petition to the King, &c. *American* affairs being appointed to come on in the House of Lords to-day, upon my waiting on him this morning his Lordship told me his servant informed him Serjeant *Baldwin* had left some papers for him, which he had not looked into, and he was in such haste, that I had bare time to inform him that *Calias*, which, you are sensible, was obtained by conquest, at the expense of much blood and treasure, had, in process of time, right of election of two members to set in Parliament, to which he seemed quite a stranger, the knowledge whereof after making many re searches in vain, I had at length acquired. The rights of taxation being hastily mentioned, he said an Act of Parliament hung over his head, and, at my coming away, said he should be glad to see me any other time; and, as the Ministers proceed against you by Bill, that will give opportu nity, of course, for my waiting on him.

I am, with the greatest respect, for you, gentlemen, and all the other honorable members of the Council, your most obedient and most humble servant, W. Bollan.

The Hon. *John Erving*, *Wm. Brattle*, *James Bowdoin*, and *James Pitts*, Esqrs.

ARTHUR LEE TO RICHARD H. LEE.

London, March 18th, 1774.

Dear Brother: The affairs of *America* are now become very serious; the Ministry are determined to put your spirit to the proof. *Boston* is their first object. On *Monday* the 14th, it was ordered in the House of Com-

Digitized by Google

mons, that leave be given to bring in a Bill "for the imme-
"diate removal of the officers concerned in the collection
"and management of his Majesty's duties of Customs from
"the town of *Boston*, in the Province of *Massachusetts Bay*,
"in *North America*; and to discontinue the landing and
"discharging, lading and shipping of goods, wares and mer-
"chandise, at the said town of *Boston*, or within the har-
"bour thereof."

If the Colonies in general permit this to pass unnoticed, a precedent will be established for humbling them by degrees, until all opposition to arbitrary power is subdued. The manner, however, in which you should meet this violent act should be well weighed. The proceedings of the Colonies, in consequence of it, will be read and regarded as manifestos. Great care, therefore, should be taken to word them unexceptionably and plausibly. They should be prefaced with the strongest professions of respect and attachment to this country; of reluctance to enter into any dispute with her; of the readiness you have always shown, and still wish to show, of contributing according to your ability, and in a constitutional way, to her support; and of your determination to undergo every extremity rather than submit to be enslaved. These things tell much in your favour with moderate men, and with *Europe*, to whose interposition *America* may yet owe her salvation, should the contest be serious and lasting. In short, as we are the weaker, it becomes us to be *suaviter in modo*, however we may be determined to act *fortiter in re*. There is a persuasion here that *America* will see, without interposition, the ruin of *Boston*. It is of the last importance to the general cause, that your conduct should prove this opinion erroneous. If once it is perceived that you may be attacked and destroyed by piecemeal, *actum est*, every part will in its turn feel the vengeance which it would not unite to repel, and a general slavery or ruin must ensue. The Colonies should never forget Lord *North's* declaration in the House of Commons, that he would not listen to the complaints of *America* until she was at his feet. The character of Lord *North*, and the consideration of what surprising things he has effected towards enslaving his own country, makes me, I own, tremble for ours. Plausible, deep, and treacherous, like his master, he has no passions to divert him, no pursuits of pleasure to withdraw him, from the accursed design of deliberately destroying the liberties of his country. A perfect adept in the arts of corruption, and indefatigable in the application of them, he effects great ends by means almost magical, because they are unseen. In four years he has overcome the most formidable opposition in this country, from which the Duke of *Grafton* fled with horror. At the same time he has effectually enslaved the *East India* Company, and made the vast revenue and territory of *India*, in effect, a Royal patronage. Flushed with these successes, he now attacks *America*; and certainly, if we are not firm and united, he will triumph in the same manner over us. In my opinion, a general resolution of the Colonies to break off all commercial intercourse with this country, until they are secured in their liberties, is the only advisable and sure mode of defence. To execute such a resolution would be irksome at first, but you would be amply repaid, not only in saving your money, and becoming independent of these petty tyrants, the merchants, but in securing your general liberties.

You are, however, more capable of judging what is proper and practicable. My great wish is to see you firm and united. Adieu. Yours affectionately,

ARTHUR LEE.

Richard H. Lee.

MR. BOLLAN TO THE COMMITTEE.

Covent Garden, March 22, 1774.

GENTLEMEN: Contrary to my information, received from several officers of the House of Commons, the forenoon of the 10th, who supposed *American* affairs would be deferred to some day this week, the Bill, of which you have a copy enclosed, was brought into the House in the afternoon, and being read, no debate ensued; whereupon, yesterday was appointed for the second reading. Before that took place Sir *Joseph Mawby* moved that I might be heard in support of my Petition, which being opposed by Administration, was refused, chiefly on this ground, that it did not relate to the Bill depending; but in the course of the opposition it was allowed there would be a time for my being heard upon a proper Petition. Sir *George Savile*, who first came out of the House, told me he had endeavoured to have the time ascertained when I should be heard; but this was not done. Afterwards, the Lord Mayor coming out with Sir *Joseph Mawby*, they declared their readiness to promote another Petition, after giving me some farther information hereupon. Before they came out the Bill had been read a second time, and committed for to-morrow, when I expect the debates will take place. As soon as this hasty letter is concluded I shall apply myself to the preparation of another Petition, proper, and least objectionable.

Enclosed you have copies of the past proceedings in the House, received from the proper officer.

I am, with the greatest respect for you, gentlemen, and the other members of the Council, your most obedient and most humble servant, W. BOLLAN.

The Hon. *John Erving*, *Wm. Brattle*, *James Bowdoin*, and *James Pitts*, Esqrs.

MR. BOLLAN TO THE COMMITTEE.

Covent Garden, March 23, 1774.

GENTLEMEN: I am just returned from the House of Commons, to which I went in order to have my second Petition, whereof you a have a copy enclosed, presented, before the House was resolved into a Committee of the Whole, for their consideration of the Bill for the port of *Boston*;—although in some doubt whether this was the proper time for presenting my Petition, which opposed the principle of the Bill, being determined to petition as soon as possible, to prevent your adversaries saying I did not come in season. When there I shewed my Petition to Sir *George Savile*, having not found him at home, in order to his supporting the motion for its admission. Upon his perusal he said he saw nothing at all improper in it, observing at the same time that he was not well acquainted with the forms of proceedings. Soon after I met with Sir *Joseph Mawby*, who, on reading the Petition, and being informed of what Sir *George* had said, readily declared he would present it before the House went into a Committee. Afterwards he came out and told me that he had shewed it to the Speaker, spoken to the Clerk of the House, and consulted the friends of the Petition, upon the proper time of its presentation, and that it was agreed on all hands that my Petition, opposing the principle of the Bill, could not be regularly presented now, because the Bill itself might be lost in the Committee; but the proper time of presenting it, wherein the Speaker agreed it would be admissible, was before the third reading of the Bill; and so the matter rests at present. While at the House I understood the objection mentioned to me some days ago by Sir *Joseph*, gained ground, to wit, that the Bill as it now stands gave no election for paying the value of the tea destroyed, and thereby preventing the shutting up of the port, but proposed to shut it up directly, to be opened on condition of future payment, which would be a precipitate, compulsory proceeding, without any certain necessity; and it seemed to me not improbable that some temperament of this nature might take place to day. However 'tis necessary for me to save the present ship, to despatch what little I have said, without waiting for any thing more.

I am, with the greatest respect for you, gentlemen, and the other members of the Council, your most obedient and most humble servant, W. BOLLAN.

The Hon. *John Erving*, *Wm. Brattle*, *James Bowdoin*, and *James Pitts*, Esqrs.

A GENTLEMAN IN LONDON TO A FRIEND IN ANNAPOLIS, MD.

London, March 31, 1774.

DEAR SIR: This covers a Bill brought into the House of Commons by Lord *North*, against the town of *Boston*, for destroying the tea sent out on account of the *East India* Company; by its complexion you may judge what will be the fate of *America*. I am sorry to see what little opposition it met with in the House of Commons—

Digitized by Google

not a division on the passage of the bill! In the House of Lords it met with more opposition; a number of able speakers opposed it, but the court party prevailed. You may be surprised that there was not a Petition presented to the House sooner than there was; the *Americans* residing here waited for the body of merchants to take the lead, but they acted on this important occasion as in every other matter of this nature heretofore.

I suppose there will be a general Congress from the Colonies;—on their deliberations the fall or rise of your country will depend. You will undoubtedly form some resolutions, and strictly adhere to them, or give up the dispute and submit at once to *English* tyranny. A determination to stop the exports of your country, and not import any *British* manufactures, will in two years restore you to liberty, and draw poverty and ruin on the mother country.

I have enclosed you the Petition to the King, with the names of those who signed it.

Lord *North* made a motion in the House of Commons for leave to bring in a bill to regulate the government of the *Massachusetts Bay*, the substance of which, I understand, is to invest such powers in the Governor as to enable him to hear, determine, and turn out at pleasure; in fact, to be as arbitrary as he pleases.

If *Boston* acquiesces, the next step will probably be to punish *Philadelphia* for sending the tea back, and thus, by crushing each respectively, enforce a submission by the whole, to any tax *Britain* may please to impose.

May heaven protect you, and direct your resolutions to the happiness of your country—may you be free from the chains of slavery intended by a wicked and arbitrary Government.

MR. BOLLAN TO THE COMMITTEE.

Covent Garden, April 2, 1774.

GENTLEMEN: After being several times assured *Jenkins* would not take away his bag before *Monday*, my servant is now, after two, returned in great haste to let me know his bag might be taken away in a few hours, which obliges me to discontinue writing a letter of information at large, and in few words to inform you that after various difficulties my Petition to the House of Lords was presented, on which considerable debate ensued, and at length it was determined that I should be heard in support of my Petition, and was called in, and heard accordingly. That soon after the Bill passed to be enacted—that Lord *North* has not yet brought in his Bill for the better regulating of the government of the Province of the *Massachusetts Bay*, in *North America*, for which leave was given on the 28th ult—that after being at the offices of the two Houses of Parliament this morning, calling at the Secretary of State's office, I saw General *Gage*, who, in a few minutes, Mr. *Pownall* told me was Governor of *Massachusetts Bay*, or at least, would be appointed by the King to-morrow.

I am with the greatest respect for you, gentlemen, and the other members of the Council, your most obedient and most humble servant, W. BOLLAN.

The Hon. *John Erving*, *Wm. Brattle*, *James Bowdoin*, and *James Pitts*, Esqrs.

MR. BOLLAN TO THE COMMITTEE.

Covent Garden, April, 1774.

GENTLEMEN: The present recess of the two Houses of Parliament, during the holidays, admits of resuming a more regular, though brief, relation of what has passed since the account given of what was done in the former part of the day on the 23d ult., by letter then despatched, but came an hour too late for Captain *Scott*. In the evening the House, after resolving themselves into a Committee, went through the *Boston* Bill, filled up the blanks, and made several amendments; and then, the Speaker resuming the chair, the same were reported, and ordered to be engrossed, and to be read the third time the next day. At nine in the evening a gentleman belonging to the House of Commons, to my great concern, acquainted me with this precipitate proceeding, the mention whereof next morning to some of the principal members who were not down at the House, having reserved themselves, I suppose, for the third reading, so surprised them they could scarce credit the account I gave of the matter, but soon found it true.

My business was now to get my Petition presented in season, which was attended with some fresh difficulties; Sir *Joseph Mawby* was gone out of town, expecting the Bill would not be read the third time till *Monday* following, when he would be ready to present it. Some of the chief members in the House were more inclined to support than present the Petition. After various applications Mr. Alderman *Crosby* undertook to present it. He attended accordingly, shewed my Petition to the Speaker, and afterwards, in point of fairness, to Lord *North*, and other members of different inclinations, without any objection being made to it. After waiting a considerable time Lord *North* went out of the House, and I was soon informed the *Boston* Bill would not come on till next day, and presently Alderman *Crosby* coming out, told me what he had done, adding that he would stay and present it that evening, if opportunity offered. Afterwards, while I was stept out of the lobby through necessity, he left the House likewise. The next morning waiting upon him, he said the friends of the Petition were inclined to put off the presentation to that day, and that it had been objected that I was not Agent for the Council, upon which I shewed him my authorities, wherewith he was fully satisfied, appearing from the first well disposed to present and support the Petition; and before the third reading he offered it to the House, stated distinctly all the particulars of its contents, and added, that having seen my authority from the Council he was fully satisfied with it, and doubted not the House would be so likewise upon my producing the same; but the Ministry having no inclination that I should comet here, opposed the Petition's being brought up, and a debate thereupon ensuing the Alderman, as he told me, was well supported, but on a division of the House the Ministry had a great majority against me; and in the evening, after the merits of the Bill were debated, it passed.

The next day it had the first reading in the House of Lords, and was appointed to be read the second time on *Monday*. On *Saturday* morning I went to Lord *Temple's*, in hopes that he would be inclined to oppose the Bill. He being rode out, and his return uncertain before noon, I took the liberty to write to him, enclosing copies of my two Petitions, and praying the favour of leave to wait on him: In the afternoon his Lordship by a civil message, in writing, informed me he would receive me. On the next morning, at ten o'clock, when waiting on him, a free conference respecting the state of *America* began, and continued for an hour and more, wherein he discovered friendly sentiments towards the Colonies in several respects, but seemed to have a firm opinion of the unlimited authority of Parliament; granting indeed, at the same time, that no benefit could arise from exercising the power of taxation. He said he had of late declined attendance in Parliament, mentioning the state of his health as a reason for it; and I have since been told he has not been able to get over a hurt he received by a fall from his horse some time ago. In the evening before, by letter to Lord *Camden* I took the liberty after informing his Lordship of the proceedings in the House of Commons to lay before him an office copy of the amended Bill as it passed.

On *Monday* morning being solicitous to make the best preparation for presenting my Petition to the Lords, I first waited on Lord *Stair*, to whom, when an advocate in *Scotland*, his title lately descended from the famous Earl of *Stair*. When the affair of the Colonies was first moved in the Lords' House, pursuant to the King's message, he had espoused your cause, being the first, if I remember aright, who spoke in their behalf. He now appeared very friendly towards you; but on proposing to his Lordship to present my Petition, after observing he had particular reasons for not presenting it, he took notice that it was the proper office of the Secretary of State for the Colonies to present it. On my discovering a doubt of the utility of this proceeding, he immediately mentioned the Duke of *Richmond*, as the most proper man in all respects. From his Lordship, who had frankly told me twice that if I could get no other person to present it, he would, I went directly down to the Duke's

Digitized by Google

house, who was gone out, and upon the best inquiry found there was no certainty of his return, saving to dinner, about four, and no prospect of seeing his Grace before six, when attending again I found he had been gone down to the House a considerable time, and was told that upon his being informed of my having come to wait upon him, he said he was sorry he had not seen me before he went, and that he was going to his seat in the country the next morning. From thence I went down to the House, where I found he was speaking on your behalf. While there a noble Lord, with whom several years ago I had the honour of some acquaintance, coming out of the House, and passing through the room, hastily came up to me and taking me by the hand, said he had not seen me this age, and so passed on. This suddenly inclined me to think I might prevail with him to present my Petition, but afterwards considering that his Lordship holds one of the most important and valuable offices in the Kingdom, I laid aside the thoughts of applying to him. Admission into the House being impracticable I returned home. Early the next morning my servant was informed by the Duke's porter that his Gracious' carriage was ordered to be ready at nine; whereupon I soon attended. On seeing his Grace I found him extremely well disposed to serve you, and that he had used his best endeavours to do it in the course of the debate, which, he told me, lasted till ten o'clock. As to presenting my Petition, he said that was the proper business of the Secretary of State for the Colonies, and afterwards favoured me with some farther advice. From him I went to Lord *Stair*, who, among other things, told me he spoke with Lord *Dartmouth*, touching the presentation of my Petition, and advised me directly to apply to him, in order to its being presented the next day, before the third reading of the Bill; whereupon going to Lord *Dartmouth's* he was gone out, and on going a second time found it very uncertain whether I could see him that day; wherefore in the evening I wrote to his Lordship, enclosed my Petition, with my authority from the Council, and prayed the favour of his Lordship to present it in season. Attending the next morning, I met with such difficulty in seeing his Lordship as obliged me to urge the necessity of speaking a few words with him immediately, whereby gaining admittance, I mentioned the contents of my letter as the reason for my application; whereupon he seemed less inclined to the presentation than Lord *Stair* supposed, and objecting to the sufficience of my authority, said the Council was an annual body, though the members chosen were generally the same, and that the Council's vote of last *June*, appointing persons to correspond with me as their Agent, was not a regular appointment of me for that purpose; to which I answered that in this case no set form of words was requisite, and that the Council's express declaration of my being their agent is reason sufficient as well for this purpose as any larger form of words; that the former vote manifested the nature of the trust reposed in me, and that the latter vote clearly shewed the continuance of it. He did not seem fully satisfied with my reasoning; however, having the Petition, with the two votes, in his hand, he did not refuse to present it, but said he was going to the King with a Petition of some natives of *America* to his Majesty, not to give his royal assent to the Bill; that it was uncertain how long he might wait before he should be admitted to see his Majesty, and how long he might be detained by him, so that it was uncertain whether he should be down at the House in time to present it. This reason, added to his Lordship's objection to the sufficience of my authority, made me readily take back my papers.

From him I went directly to Lord *Stair*, who seemed surprised at the difficulty I had met with; and having before settled my Petition to his mind, and now acquainted him with Lord *Dartmouth's* objection to my authority, after considering the matter, he undertook to present it, in such manner as clearly shewed he was determined to support it. Upon his presenting it a considerable debate ensued, wherein Lord *Camden* gave the most sensible and spirited support to its admissibility. Other particulars cannot now be mentioned; however at length the debate ceasing, as I suppose, an officer who came out of the House on some other occasion, said the matter was all over; nevertheless, when I was preparing to come away the proper officer came out of the House, and calling me by name introduced me. Upon my standing up at the bar the Lord Chancellor told me I had petitioned the House to be heard against the Bill depending, and that the Lords had agreed to hear me; and, after reminding me of the great dignity of the House of Peers, observed it was necessary for me to confine myself to the matter in question; to whom, having answered that I should endeavour to behave in the most proper manner, and that if I erred, I should with great pleasure stand corrected, I proceeded to set forth the great importance of the port of *Boston*, wherein as to the number of ships of late employed by the constant trade between it and *Great Britain*, I had not long since received useful knowledge from Mr. *Temple*, whom I described by his late offices without naming him; then mentioned the very great number of entries inwards and outwards, which appeared with certainty upon a trial, wherein I was many years ago concerned; adding that about thirty-five years ago Mr. *Dinwiddie*, who was a long time Surveyor General of the Customs for the South district, afterwards Governor of *Virginia*, told me that the annual value of the goods imported from *Great Britain* into the port of *Boston*, amounted to £600,000 sterling, which exceeded the value of the goods imported into any other *American* port, save that of *Kingston*, in *Jamaica*, where the amount of the imports were much increased for the sake of the *Spanish* trade.

I have not time to state all particulars, and if practicable I do not perceive any great benefit would thence arise. Below you have a note of some things taken in haste, as proper, with others, to be mentioned and explained; and it may not be amiss to take notice that on coming to the fishery, I observed to their Lordships that I was as well acquainted with the rise of the *English* and *French* navies as my poor abilities would permit; and after touching upon the agreeable nature of the present business to the *French*, I observed, that in my humble opinion, it would be a pleasure to them to see the *English* begin to lay difficulties in the way of carrying on their fishery. Upon coming to a short pause, when preparing, if I remember aright, to speak to the great hardships imposed by the Bill on the numerous *Boston* and *British* merchants and manufacturers, a noble Lord stood up and observed to this effect, that I had petitioned as Agent for the Council, but did not confine myself to their concerns; whereupon the noble Lord who, on coming out of the House the day before spoke to me kindly, and who, on my standing up at the bar, changing his seat, came and sat near me, cried out with others, go on, go on. After observing that the innocence of the merchants was a fact stated in my Petition, and that during the long time I had lived at *Boston*, the body of merchants never frequented the town meetings, but, like other merchants, were a peaceable set of men, and that they considered themselves as a distinct order, of which I had the proper evidence, to wit, a letter from a committee of eight, written to me respecting the great difficulties attending their commerce since the late unhappy difference. A short time after my coming out of the House, the Bill passed to be enacted.

On the *Friday* preceding, an intelligent member of the lower House assured me it was a point determined by Government that the Bill should pass, and receive the Royal assent on *Thursday*. This account was not long after confirmed by a noble Lord, who nevertheless agreed with me, that my business was to go on. I had not the least expectation of succeeding in my opposition to the Bill, but considered, first, that the establishment of the right of your being heard was beneficial; second, that the Lords having the supreme judicial authority of the Kingdom, together with the legislative, their admittance of the sufficience of my authority to be heard on the Council's behalf, may probably promote the like admittance into the Commons' House, in order to oppose two other disagreeable bills, which I am told Lord *North* intends to bring in, having had a constant view towards this point while speaking before the Lords, and was therefore particularly careful to avoid every occasion of censure; and upon inquiry was informed by a noble Lord that I had not given the least offence to any one member in the House.

During the former part of the proceedings in Parliament, subsequent to the King's message, I had considerable expectation that the honorable *India* merchants would assist

Digitized by Google

and strengthen your defence; afterwards that the manufacturers in the principal towns, who, according to my information, were alarmed, and stirring, would make their opposition to the Bill for shutting up the port; but all failed, even the *London* merchants declining their opposition to it. The Duke of *Richmond* told me that *Barclay*, a quaker, had presented some petitions without mentioning particulars; so that no other Petition but my own was presented, save a Petition of several natives of *North America*, which was presented to both Houses, admitted, and ordered to lie upon the table. The number of persons who signed the Petition to the House of Commons was seventeen; and the petitioners to the Lords were twenty-nine; this Petition was well drawn; but a noble Lord, who was your faithful and active friend from first to last, told me on these different occasions that this Petition had hurt the cause, by reason of the small number of petitioners, considering how numerous the natives of *North America*, residing in this metropolis, were, whence those Lords who contended for the Bill drew this prejudicial argument, "that the voice of the country was plainly against you."

If agreeable to the honorable the Council, it may not be amiss, I conceive, for them to give me authority to make, in their behalf, proper grateful acknowledgment to their principal friends in each House, for their kind endeavours to serve them, desiring at the same time that no public mention may be made of any of their names.

I am with the greatest respect for you, gentlemen, and the other members of the Council, your most obedient and most humble servant,

W. Bollan.

The Hon. *John Erving*, *Wm. Brattle*, *James Bowdoin*, and *James Pitts*, Esqrs.

B. FRANKLIN TO THOMAS CUSHING, SPEAKER.

London, April 2, 1774.

Sir: My last was of the 22d past, since which I have received none of your favours.

I mentioned that the Bill brought into Parliament for punishing *Boston*, met with no opposition. It did, however, meet with a little before it got through, some few of the members speaking against it in the House of Commons, and more in the House of Lords. It passed, however, by a very great majority in both, and received the Royal assent on *Thursday* the 31st, past. You will have a copy of it from Mr. *Lee*.

In mine of *February* second, I informed you, that after the treatment I had received at the Council Board, it was not possible for me to act longer as your Agent, apprehending I could, as such, be of no further use to the Province; I have, nevertheless, given what assistance I could, as a private man, by speaking to members of both Houses, and by joining in the Petitions of the natives of *America*, now happening to be in *London*, which were ably drawn by Mr. *Lee*, to be presented separately, to the several branches of the Legislature. They serve, though without other effect, to show our sentiments, and that we did not look on and let the Act pass, without bearing our testimony against it. And, indeed though called *Petitions*, (for, under another name, they would not have been received,) they are rather *Remonstrances* and *Protests*.

By the enclosed extract of a letter from *Wakefield*, in *Yorkshire*, to a friend of mine, you will see that the manufacturers begin to take the alarm. Another general non-importation agreement is apprehended by them, which would complete their ruin. But great pains are taken to quiet them, with the idea that *Boston* must immediately submit, and acknowledge the claims of Parliament, for that none of the other Colonies will adhere to them. A number of the principal manufacturers from different parts of the Kingdom, are now in town, to oppose the new duty on foreign linens, which they fear may provoke the *Germans* to lay discouragements on *British* manufactures; they have desired me to meet and dine with them, on *Wednesday* next, when I shall have an opportunity of learning their sentiments more fully, and communicating my own.

Some alterations of the Constitution of the *Massachusetts Bay*, are now hotly talked of, though what they are to be, seems hardly yet settled; one thing mentioned, is the appointment of the Council by mandamus; another, giving power to the Governor to appoint Magistrates, without consent of Council; another, the abolishing of town meetings, or making it unlawful to hold them, till the business to be proposed, has been certified to the Governor, and his permission obtained. A motion has also been made in the House of Commons, with a view to conciliate, as is said, that all the Duty Acts should be revised, and in the revision and re-enacting, without formally or expressly repealing the tea duty (which will hurt the *dignity* of Parliament) sink or omit it, and add an equal value in some of the coasting port duties; and the tea duty being thus taken out of the way, it is supposed will have the salutary effect of preventing the other Colonies from making a common cause with ours. Some advantages in trade, are at the same time to be given to *America*, for the same purpose, such as carrying wine and fruit directly from *Spain* and *Portugal*, without touching in *England*.

I send enclosed, the proceedings of the Lords on *Wednesday*, which show their zeal in the business, by appointing a Committee to sit during the recess, and the *Easter* holidays.

With great esteem, I am, sir, your most obedient and humble servant,

Benjamin Franklin.

Hon. *Thomas Cushing*, Esq.

Extract of a Letter from the Rev. Mr. *T***

ARTHUR LEE TO FRANCIS L. LEE.

Extract.

London, April 2d, 1774.

The Parliament are now bringing the question to that decision, which makes me tremble for the virtue, the character, the liberties of my countrymen. They have passed an act to take away the port of *Boston*, till every compensation is made for the tea, and perfect obedience is acknowledged. And then it is to be restored in such portions as the King pleases. What makes this more alarming is, that no accusation is brought against the town; no evidence produced to criminate it; and it is avowed, that this is the first step towards reducing all *America* to an acknowledgment of the right of Parliament to impose taxes upon her, and to a submission to the exercise of that right.

The *Americans* who are here, have thought it of so much consequence, that they have petitioned the three branches of the Legislature, against passing such a bill; but as you may imagine, without success.

The next proceeding against *Boston* and the Province, is already announced in the House of Commons. The Selectmen and town-meetings are to be abolished. The Governor is to be endued with the power of calling the citizens together, when, and for what purpose he pleases. They are not to deliberate on any thing, but what he dictates. The Council and Judges are to be suspended at the Governor's pleasure. The constitution of Juries is to be altered, so as to render them more manageable, in finding bills and verdicts against the friends of liberty.

We are just informed that General *Gage* is going over immediately, with three regiments, as Governor of *Massachusetts*, and Commander-in-chief; that he is to collect an army about *Boston*, in order to impose these measures, and reduce the people to entire obedience.

The storm, you see, runs high; and it will require great prudence, wisdom, and resolution, to save our liberties from shipwreck. In my opinion, there ought to be a general Congress of the Colonies; and I think *Annapolis* would be the place, where it would be less liable to military interruption, than at *New York* or *Philadelphia*. If you have virtue enough to resolve to stop, and to execute the resolution of stopping your exports and imports for one year, this country must do you justice.

The shipping, manufactures, and revenue, depend so much on the Tobacco and *Carolina* Colonies, that they alone, by stopping their exports, would force redress. Such a measure, should be attended with an address to the merchants, manufacturers, and traders of this country, stating the necessity which compels you to a measure injurious to them; professing every thing, to flatter or conciliate them. Such a measure, operating at the general election, next *April*, would probably produce such a return of members, as would listen to truth and redress, not so much for our grievances, as their own.

This is the only effectual measure I can conceive. If there is not virtue enough for it, I am afraid *American* liberty is no more; for you may depend upon it, that if they find the chains can be easily imposed, they will make them heavy, and rivet them fast.

It is impossible for me, to describe how much I am grieved at these proceedings, and with what anxiety I look forward to the event. You know I have doubted the virtue of my countrymen. *God* grant that I may be mistaken; that by a wise, temperate, and firm conduct, they may escape the blow intended, and preserve their freedom. The friends of liberty here, look to your conduct with great anxiety. They consider it as decisive, either to establish or overturn the present plan of despotism.

There is a spirit of violence, injustice, and persecution in Administration, against every active friend of *America*, which makes that character perilous. I cannot see that any service can be done here, until the event of these measures is seen, and the popular prejudices begin to abate. I am therefore determined to withdraw myself, by taking the advantage of a favourable opportunity of visiting *Rome*, for some months; from whence however, I shall return sooner, if any great event should hold out a probability of my being useful.

Mrs. *Lee* well knows the power of her praise; and how ambitious I should be of meriting it from her. But, alas, I have not the powers of pleasing. Horrors only dwell on my imagination. Public corruption at present, and public calamity for the future, are the dismal objects which incessantly fill my mind. The busy haunts of men furnish more to lament than to rejoice in; to censure, than to praise. They are filled with scenes of false happiness, and real misery, variety of vice and wretchedness. It is rural retirement only, rural innocence, rural tranquillity, which excite an uninterrupted flow of ideas, amiable and delightful. In these pleasing scenes, the perturbed spirits settle into a calm, productive of more real happiness than all that the splendour of fortune, all that the pomp of power can bestow. It is there the golden age revives, and all things inspire the spirit of love and delight. My best love awaits her. Remember me at *Mount Airy*, *Stradford*, *Chantilly*, and wherever else you think the mention of my name will not be disagreeable.

Adieu, &c., ARTHUR LEE.

Francis L. Lee.

SAMUEL ADAMS TO ARTHUR LEE.

Boston, April 4th, 1774.

MY DEAR SIR: My last letter to you I delivered to the care of Dr. *Williamson*, who sailed with Captain *****, in December last. The General Assembly has since been sitting, and the important subject of the Judges of the Superior Court being made dependent on the Crown for their salaries, was again taken up by the House of Representatives with spirit and firmness. The House had, in a former session, passed divers resolutions expressing their sense of the dangers of this innovation, and declaring, that unless the Justices should renounce the salaries from the Crown, and submit to a constitutional dependence upon the Assembly for their support, they would proceed to impeach them before the Governor and Council. One of them, Mr. *Trowbridge*, very early in the session, in a letter to the Speaker, expressed his formal compliance with that resolve, which letter was communicated to the House and voted satisfactory. The other four had taken no notice of the resolve. The House, therefore, having waited from the 26th of *January*, which was the first day of the session, till the 1st of *February*, then came to a resolution, that unless they should conform to their order on or before the fourth of the same month, further proceedings would be had on such neglect. The effect of this resolve was, that three of them, viz. *Hutchinson*, (a brother to him who is called Governor) *******, and *******, made similar declarations to that of *Trowbridge*, which were also voted satisfactory. Mr. Justice *Oliver*, who is brother of the Lieutenant Governor, and is connected with the Governor by the marriage of their children, came to a different determination, which occasioned a controversy between the Governor and the two Houses, inserted at large in the enclosed papers. Therein you will see that the Governor has treated the petitions, complaints and remonstrances of the Representative body with haughty contempt. The people view it with deep resentment, as an effect of his independency; whereby he is aliened from them, and become a fitter instrument in the hands of the Ministry to carry into effect their destructive plans. They are irritated to the highest degree, and despair of any constitutional remedy against the oppressions of a corrupt officer, while the Governor, *be he who he may*, is thus dependent on Ministers of State. They have, ever since the trial of *Preston* and his soldiers, been murmuring at the conduct of the Superior Court, and the partiality which many say is so clearly discovered in causes between revenue officers and the Government, abettors, and other subjects. Indeed, the House of Representatives, two or three years ago, passed a resolution that such conduct, in several instances, had been observed, as appears in their printed journals. To give you some idea of what the temper of that court has been, a lawyer* of great eminence in the Province, and a member of the House of Representatives, was thrown over the bar a few days ago, because he explained in a public newspaper the sentiments he had advanced in the House when he had been misrepresented; and a young lawyer of great genius in this town, who had passed the regular course of study, (which is more than can be said of

* *Joseph Hawley*, Esq., of *North Hampton*.

Digitized by Google

the Chief Justice,) has been, and still is, refused by the Governor, only because he mentioned the name of *Hutchinson* with freedom, and that not in court, but in a *Boston* town meeting, some years before. And to show you from whence this influence springs, I must inform you, that not long ago the Governor, the Lieutenant Governor, and three of the Judges, which make a majority of the bench, were nearly related; and even now the Governor has a brother there, and is brother-in-law to the Chief Justice. Such combinations are justly formidable, and the people view them with a jealous eye. They clearly see through a system formed for their destruction. That the Parliament of *Great Britain* is to make laws, binding them in all cases whatsoever; that the Colonies are to be taxed by that Parliament without their own consent; and the Crown enabled to appropriate money for the support of Executive and arbitrary powers; that this leaves their own Assembly a body of very little significance; while the officers of Government, and Judges, are to be totally independent of the Legislature, and altogether under the controul of the King's Ministers and Counsellors; and there an union will be effected, as dangerous as it will be powerful; the whole power of Government will be lifted from the hands into which the Constitution has placed it, into the hands of the King's Ministers and their dependants here. This is, in a great measure, the case already; and the consequences will be, angry debates in our Senate, and perpetual tumults and confusions abroad; until these maxims are entirely altered, or else, which *God* forbid, the spirits of the people are depressed, and they become inured to disgrace and servitude. This has long been the prospect in the minds of speculative men. The body of the people are now in council. Their opposition grows into a system. They are united and resolute; and if the *British* Administration and Government do not return to the principles of moderation and equity, the evil which they profess to aim at preventing by their rigorous measures, will the sooner be brought to pass, viz.—*the entire separation and independence of the Colonies.*

Mr. *Cushing* obliged me with a sight of your letter to him of the 22d of *December* last. I think I am not so clearly of opinion as you seem to be, that "the Declaratory Act is a mere nullity," and that therefore, "if we can "obtain a repeal of the Revenue Acts from 1764, without "their pernicious appendages, it will be enough." Should they retract the exercise of their assumed power, you ask, when will they be able to renew it? I know not when, but I fear they will soon do it, unless, as your worthy brother in *Virginia*, in a letter I yesterday received from him, expresses himself, "we make one uniform, steady effort, "to secure an explicit bill of rights for *British America*." Let the Executive power and right on each side be therein stipulated, that *Britain* may no longer have a power or right to make laws to bind us, in all cases whatsoever. While the claim is kept up, she may exercise the power as often as she pleases; and the Colonies have experienced her disposition to do it too plainly, since she in anger made the claim. Even imaginary power beyond right begets insolence. The people here, I am apt to think, will be satisfied on no other terms but those of redress; and they will hardly think they are upon equitable terms with the mother country, while, by a solemn act, she continues to claim a right to enslave them, whenever she shall think fit to exercise it. I wish for a permanent union with the mother country, but only on the principles of liberty and truth. No advantage that can accrue to *America* from such an union, can compensate for the loss of liberty. The time may come sooner than they are aware of it, when the being of the *British* nation, I mean the being of its importance, however strange it may appear to some, will depend on her union with *America*. It requires but a small portion of the gift of discernment, for any one to foresee that Providence will erect a mighty empire in *America*; and our posterity will have it recorded in history, that their fathers migrated from an *island* in a distant part of the world, the inhabitants of which had long been revered for wisdom and valour. They grew rich and powerful; these emigrants increased in numbers and strength. But they were at last absorbed in luxury and dissipation; and to support themselves in their vanity and extravagance, they coveted and seized the honest earnings of those industrious emigrants. This laid a foundation of distrust, animosity and hatred, till the emigrants, feeling their own vigor and independence, dissolved every former band of connexion between them, and the *islanders* sunk into obscurity and contempt.

May I whisper in your ear that you paid a compliment to the Speaker when you told him you "always spoke under the correction of his better judgment." I admire what you say to him, and I hope it will have a good impression on his mind; that we shall be respected in *England* exactly in proportion to the firmness and strength of our opposition. I am sincerely your friend,

SAMUEL ADAMS.

Arthur Lee, Esq.

As Captain *Wood* is now about to sail there is not time to have copies of the papers; I will send them by the next opportunity. In the mean time I refer you to Dr. *Franklin*, to whom they are sent by this vessel. S. A.

London, April, 5, 1774.

SIR: Such is my regard for the *Americans*, that though a native of this country, I do not know how I would wish our rulers to act at this time. The great folly which the *Americans* are running into is luxury. I hope we shall teach them to be wise, and attend to their real interest.

Though the present resentment seems levelled at *Boston*, yet as the principle is common to all, viz., the Parliamentary tax, I fear the rest of the Northern Colonies will so far take it as aimed at all, as in some degree to interrupt our commerce with them. This will in every shape be a loss to us; for though it may lessen the profit of their provision vessels, bound to the *Spanish* and *French* islands, yet the loss of the sale of the *British* commodities they carried is ours. This will likewise show them, that their lasting and certain expectation of profit in commerce, must arise from their own productions; which will naturally send them out of their maritime towns, to attend to the cultivation of their land; and thus they will become every day more independent of us: whereas their profit on the sale of our manufactures to the *Spaniards* and *French*, at present diverts many from that *true domestic policy*.

The *French* make cloth which pleases the inhabitants of *Turkey* and *Italy* better than our iniquitous fabric does. It may perhaps equally please the *Americans*, and when once commerce has taken a channel, who shall stem the tide! Our cruisers? Can they guard a coast of at least 1500 miles, abounding in creeks and inlets? Wise policy! What is the loss we may thereby sustain? Only of a clear profit of about a million and a half sterling from the Provinces of *New England*, *New York*, *and Pennsylvania*, with our loss from the other Colonies. A trifle to so rich a nation as we are!

I would, as a Politician, divide our *American* settlements into two classes. The first, and favourite one, the *West India* islands import hither a million sterling more than they export from us, the whole being almost articles of luxury and consumption. Cotton is, I think, the only rough material they send us. True! but the proprietors spend their fortunes here. If strict inquiry was made, I fancy it would be found that large remittances are made from hence to *Madeira* and *France* for wines, and several articles of luxury. I cannot suppose, from what I have seen in these islands, that less than half a million goes that way. What is pretty singular is, that *New England* exports from hence more than *Jamaica* does, and that *Jamaica* exports from hence nearly as much as all the other islands; so that *New England* and *New York* export a greater quantity of *British* manufactures, then all the favourite islands.

New England, *New York*, and *Pennsylvania*, send us, in articles of luxury, a few furs, but in cash and bills, at an average of several years, about a million and a half sterling, and about two hundred thousand pounds in rough materials, to be worked up by our people. While the flags of truce were permitted during the last war, their remittances were much greater. In the year 1760, the balance in our favour, from these three Colonies, was one million nine hundred thousand and odd pounds. Shall we, then, on the whole, call our present conduct wise? What can we do? What would a parent do to reclaim a wayward child, on whose reformation the parent's subsistence greatly depends? Set them down as they were at the close of the last war,

Digitized by Google

and glory in amending an injudicious measure too long pursued.

The word *war* brings to my mind another transgression of these wicked *Bostonians*. They very simply imagining that it would be for the advantage of *Britain*, conquered *Cape Breton*, in the war before the last; and we restored it, without indemnifying them, so far as I have heard, for their expense. These very miscreants continued a greater number of men constantly in arms, during the last war, than they were required to do; and most cruelly injured us, in a very essential manner, by sending to the *Havana* a supply of men, without whose aid the city had not been taken, nor our exhausted troops carried off in safety. As a just punishment on the gentleman who conducted that supply, to the ruin of his own fortune, he remained here for several years in a starving condition; and, as if a general infatuation had at that time seized all ranks of people, even the then House of Commons returned thanks to that people *for these exertions of Loyalty*.

FROM A GENTLEMAN IN LONDON TO ONE IN NEW YORK.

London, April 5, 1774.

I know not in what language to speak my concern and indignation relative to the *Boston Port Bill*. He who may view it singly, as pointed at a part of *America*, knows but little of the temper and designs of Administration.—The *liberty* of this country seems to have expired in their hands.—You must summon all the wisdom and firmness of the United Continent of *America* to preserve yours. I know it to be the design, and an indispensable measure, to divide—you must, therefore, subdue every prejudice, and bear with every infirmity, among yourselves, that, like a bundle of tender rods, you may not be separately broken to pieces. If the other Provinces do not warmly and firmly support an opposition to this horrid attempt to ruin the town of *Boston*, you must fall the easy victims of tyranny, and become the most abject slaves of the earth.

Let me entreat you, therefore, to turn a deaf ear to every prejudice and idle report against your suffering fellow subjects; forgive their errors, and think of nothing but mutual defence.

There were a few of us who petitioned Parliament, which was all we could do. The Sheriffs of this city stand at the head of the several petitions; they behaved nobly and spirited on this occasion; for they were first in proposing, and active in the execution of the affair—being the first in rank in the county of *Middlesex*, where the petitions were signed, their example gave weight and dignity to the proceedings.

I do not hold myself answerable to give reasons why those gentlemen, who formerly spoke the language of *America*, should have become so few in number; but, for your satisfaction, can assure you that Lord *Chatham* holds the same friendly sentiments of you. When he is asked why he does not attend the House of Lords, he says, *I have talked long enough to the tapestry*.*

The times are growing dangerous, and I know they would be glad to have my head; therefore you will excuse my not writing my name—you know my hand.——

Yours.

AN APOLOGY FOR THE LATE CONDUCT OF AMERICA.

From the London Gazetteer, April 7, 1774.

There are those who are clearly of opinion that the Commons of *Great Britain* have no right to give and grant away the property of the *Americans*.

If such people are consistent in their notions, they must allow that the *Americans* would be justified in refusing to make good such gifts, and to comply with the requisitions in such grants.

And if they would be justified in refusing to comply with such requisitions, it must also be allowed that there is a line of conduct which it would be proper for them to pursue, and that they are not left altogether without a remedy.

They that are most violent against the *Americans* for their conduct in the affair of the tea, would do well if they endeavoured, before they passed judgment upon it, to obtain proper ideas of right and wrong, and qualified themselves to distinguish what is unlawful from what is inexpedient only; otherwise they may be led to condemn, as criminal, measures that were ill judged only; and by the false colourings of jesuitical writers, may be induced to believe actions to be unjustifiable and wrong, that were only impolitic and foolish.

I think the affair of the tea is, in general, rather ill understood; and that the Constitution of *England*, the fundamental law of property, and the inalienable rights of human nature, seem to have been but little regarded in this dispute, concerning *American* taxation.

That the Constitution of *England* has been but little regarded must appear evident when it is considered what the spirit of that Constitution is with respect to its idea of taxation. Does the Legislature levy a tax upon the Kingdom in the same manner, and with the same pretensions as the King of *France*, by his edict, imposes taxes upon his subjects?—certainly not: The Commons give and grant for themselves and their constituents; the Lords answer for themselves; and the King, by his assent and acceptance of such gifts, binds the parties to fulfil the contract, and gives the deed the sanction of the law. But, say the advocates for *American* slavery, taxation is a necessary part of legislation; forgetting, or rather infamously misrepresenting the truth, which is that our Constitution knows of no arbitrary legislative money bills, nor acknowledges any other source of taxation but free gift. Can any man, then, have a right to give away another man's property?—certainly not. And the Commons of *Great Britain* may give and grant away as much as they please of their own property, but they have no right to give and grant away the property of the *Americans*.

So much touching the constitutional part of this dispute, which I should have thought too obvious to have required any discussion, had there not appeared to have been much pains taken to confound the two very distinct ideas of legislation and taxation, and to persuade mankind that legislation, which is essential to all Government, is nugatory without that power, which is incompatible with the very end of Government itself, *an arbitrary and unlimited power of taxation*; for the end of Government is the preservation of property, and there can be no property where there is an arbitrary power of taxation; for what property can any man have in that which another can, by right, take from him when he pleases, against his consent?

And that the fundamental law of property has been but little attended to in this dispute, the application of the foregoing observation will sufficiently demonstrate; for what security can the *Americans* be said to have in their property, if the people of *Great Britain* can give and grant it away when they please? or rather, can they truly be said to have any property at all, if the people of *Great Britain* have, under this pretended right of taxation, a power of taking from them, when they please, what they possess, and of using and disposing of it afterwards in what manner they think proper?

But how are the rights of human nature violated in this dispute? To this I answer, that the law of nature, being founded in reason and justice, admits of property; for the better preservation of which, and for the use and enjoyment of it in peace and quiet, men entered into society. If therefore, any man, or body of men, claim a right to take away at pleasure from other men their property, and to dispose of it as they please such claim tends to a dissolution of society, and is repugnant also to the law of nature, as it would place mankind in a worse condition than the state of nature, wherein they had liberty to defend their right against the injuries of others.

Unfortunately also for these flaming advocates for the high prerogative doctrine of a necessary and unlimited right of taxation in the *British* Legislature, and who assert that the power of legislation in the regulation of commerce, without that of unbounded taxation also, would be nugatory and futile, I must mention the cases of *Scotland* before the union, and *Ireland*. If the *British* Legislature must necessarily be possessed of that power, with respect to *America*, why was it not necessary with respect

* The House of Lords is hung with tapestry.

Digitized by Google

to *Scotland* before the union? and why is it not at this moment necessary with respect to *Ireland*? If the machine of Government cannot move on without this power over the poor dispersed, divided and defenceless *Americans*, how could it so long have moved on without the same power over the rebellious *Scots*, or the discountented and fickle *Irish*?

I could mention also the *Charters* of the *Americans*, which would be entirely subverted by this right of taxation; but those who, in their utmost pursuits, scruple not to violate the Constitution and polity of *Great Britain*, the fundamental law of property, and the rights of human nature, will pay, I am afraid, but very little regard to chartered rights.

But what line of conduct is to be observed by that people whose liberties and property are invaded? In answer to this question, I shall beg leave to subjoin a few short extracts from *Locke*: "Tyranny is the exercise of power "without right. Wherever the power that is put in any "hands for the Government of a people, and the *preserva-* "*tion of their properties*, is applied to other ends, and "made use of to *impoverish*, *harrass*, or *subdue* them to "the arbitrary and irregular commands of them that have "it, there it presently becomes tyranny, whether those "that thus use it are one or many. Where law ends, "tyranny begins. The exceeding the bounds of authority "is no more a right in a great than a petty officer; no "more justifiable in a King than a Constable; but is so "much the worse in him, in that he has more trust put in "him. May the commands then of a Prince be oppos- "ed? To this I answer, that force is to be opposed to "nothing but unjust and unlawful force. Where the in- "jured party may be relieved, and his damages repaired "by appeal to the law, there can be no pretence for force, "which is only to be used where a man is intercepted "from appealing to the law; for nothing is to be accounted "hostile force but where it leaves not the remedy of such "an appeal; and it is such force alone that puts him that "uses it into a state of war, and makes it lawful to resist "him. Men can never be secure from tyranny, if there "be no means to escape it, till they are perfectly under "it; and therefore it is that they have not only a right "to get out of it, but to prevent it."

Bearing these axioms of eternal truth in our minds, let us now take a slight view of the controversy between *Great Britain* and *America*.

The three estates of *Great Britain* claiming a supreme legislative power over *Great Britain* and its dependencies, the Commons of *Great Britain* claim an absolute and unlimited right of giving and granting away the property of the *Americans*.

America admits the supreme legislative power of *Great Britain*, as extending to the regulation of commerce, &c., but denies the inference drawn from it, the right of taxation, alleging, that such a right is not only contrary to the Constitution of *Great Britain*, and the venerable Charters of *America*, but that it cannot, in the very nature of things, exist; because, if it did exist, it would be impossible for an *American* to possess any property.

The Commons of *Great Britain*, proceeding to carry their claim into execution, give and grant away a tax upon all teas that shall be imported into *America*, to be collected in their very ports, at or before the landing thereof, and the Executive appoints his tax-gatherers to collect the same.

The *Americans* petition and remonstrate against the measure, as looking upon it to be a violation of their rights, and a total annihilation of their property; but obtaining no redress, rather than submit to so humiliating a measure, the whole Continent resolves to import no more tea, nobly choosing rather to have one natural right violently taken from them, than to become themselves the instruments of surrendering up the whole.

Great Britain, not satisfied with letting things remain in this situation, the *East India* Company are instigated to attempt, in open violation of the Charters of the *Americans*, in opposition to the general voice of the people, and in defiance of honour and justice, by a hostile importation of their tea, and by a submission to the tax so imposed, to sap the foundation of their liberties and property, and to establish a precedent for future inroads. Dreading the odium of such an action, and knowing the sentiments of the *Americans*, the Company at first hesitate; but being formally and regularly indemnified, they are at length prevailed upon by Administration to become parties in the cause, and to make a direct attack upon the liberties and property of *America*. A party also in *America*, either dependent upon, or looking up to Government for advancement, or influenced by the mean consideration of the commission to be got by the sale of the tea, are procured, who scruple not, to conspire with her external enemies, against the freedom of *America*, and become zealous advocates for taxation and slavery.

When the vessels arrive in *America*, such are the convulsions into which the whole Continent is thrown, that the parties concerned are prevailed on to consent to their immediate return.

In one instance, the Governor and officers of the Customs interfere; a proper clearance for the vessel is denied; the return of it is prevented; and a day for the landing of the cargo and the execution of their plan, is fixed upon.

What now ought the *Americans* to have done? Ought they to have tamely submitted to this taxation, and by acknowledging the principle to be just, from which it originated, confessed themselves in so humiliating a condition, as that the whole of their property, and every convenience of life that commerce could afford them, depended upon, and was held at the pleasure of the people of *Great Britain*?

This would have been to have imitated the lamb, who yielded his throat to be torn by the imperious wolf.

Ought they to have submitted first, and then petitioned?

They have repeatedly petitioned, but their cries were not regarded.

Ought they to have appealed to the law?

But what appeal can be made to the law, if the unjust acts done against a man, are maintained by the power of the aggressors, and the remedy which is due by law, be by the same power obstructed?

Ought they, when the tea had been landed, to have taken it from the consignees, and locked it up?

But what man could prudently have stood forth in this way; wrested the property from its owners, locked it up, and openly exposed himself to the rage of the blind and infatuated Ministry of *Great Britain*?

Whatever were the sentiments of the *Americans* upon this head, or whether in the heat of their resentment, they thought at all, is foreign to my purpose; it is sufficient for me to observe, that in the conflict, that commodity, which was to have been instrumental to the introduction of slavery and taxation, was destroyed.

Let us next consider in what light the *East India* Company ought to have been considered by the *Americans*: as merchants trading to *America*, under the sanction of the law of nations, or as a banditti hired to attack their privileges, and indemnified against any loss which might be sustained in such attack?

And if the indemnification by them required, places the nature of their act in so very unfriendly a point of view, shows that they were fully acquainted with the sentiments of the *Americans*, and considered the measure *as dangerous*, because *unjust*, in what light must the indemnifiers, the suborners themselves, appear?

And if the agents in this business appear so black, let us next examine in what light their commodity ought to have been considered—in the same sacred light as the property of the *honorable trader*, or as the *indifferent* property of men combined together to subvert the liberties of *America*? But neither of these ideas fully expresses its true nature.

Ought it not rather to have been considered as that identical property, that very engine, by which the enemies of *America* meant to subvert its privileges, and by introducing along with it an unlimited and discretionary right of taxation, totally to annihilate *American* property? Certainly, property so circumstanced, brought thither with such an intent, and become so maliciously involved in the subject of dispute, had lost those sacred sanctions which are the defence of common property, and may figuratively be said to have changed its very nature, and to have become an instrument of war.

Digitized by Google

If, then, it appears, that the Executive would not suffer it to be taken back, and that the landing of it would, in the opinion of the *Americans*, have proved as fatal to *America*, as the introduction of the wooden horse of the *Grecians* did to *Troy*, though the alternative which they chose may have procured them many enemies, there will, doubtless, be found many others who will pity and excuse.

EARL OF DARTMOUTH TO GOVERNOR GAGE.

Extract.

Whitehall, 9th April, 1774.

The King having thought fit that you should return immediately to your command in *North America*, and that you should proceed directly to *Boston*, on board his Majesty's ship *Lively*, now lying at *Plymouth*, ready to sail with the first fair wind, I send you herewith, by his Majesty's command, a commission under the great seal, appointing you Captain General and Governor-in-chief of his Majesty's Province of *Massachusetts Bay*, together with such instructions as have been usually given to Governors of that Province, for their guidance in the exercise of the ordinary and more permanent powers and authorities incident to that command.

What is further necessary for your direction in the present state of disorder and commotion within that Province, and for enabling you to carry into execution the measures that have been, and probably will be adopted, for reducing it to a state of obedience to lawful authority, is of a more delicate and important nature, and requires more precise and particular instructions.

With this letter you will receive an Act of Parliament, passed in the present session, for discontinuing the loading and unloading of goods and merchandise at the town and within the harbour of *Boston;* and also a Minute of the Treasury Board, containing the substance of such instructions as their Lordships have thought fit to give to their officers in consequence thereof; and it is the King's command that you do give them all proper and necessary assistance and support in the execution thereof.

To this end it will be expedient that you do, immediately upon your arrival, and as soon as your commission has been read and published, in the usual form, appoint a meeting, either at the town or within the castle, (as circumstances shall point out,) with the Commander-in-chief of his Majesty's ships, the Lieutenant Governor, and the Commissioners of the Customs, the Chief Justice, and the Secretary of the Province, in order to consider what steps it may be proper to take for carrying the Act into execution, and for enforcing, if necessary, a due obedience thereto; and if Mr. *Hutchinson* should not be come away, in consequence of the leave he has obtained for that purpose, his advice and assistance, in this case, as well as in the execution of every other part of your instructions, will be of very great use and advantage to you.

His Majesty trusts that no opposition will, or can, with any effect, be made to the carrying the law into execution, nor any violence or insult offered to those to whom the execution of it is entrusted. Should it happen otherwise, your authority as the first Magistrate, combined with the command over the King's troops, will, it is hoped, enable you to meet every opposition, and fully to preserve the public peace, by employing those troops with effect, should the madness of the people, on the one hand, or the timidity or want of strength of the peace officers on the other hand, make it necessary to have recourse to their assistance. The King trusts, however, that such necessity will not occur, and commands me to say, that it will be your duty to use every endeavour to avoid it; to quiet the minds of the people; to remove their prejudices, and, by mild and gentle persuasion, to induce such a submission on their part, to this law, and such a proper compliance with the just requisitions it contains, as may give full scope to his Majesty's clemency, and enable his Majesty to exercise the discretionary power given him by the Act, of again restoring to the town of *Boston* those commercial privileges and advantages which it hath so long enjoyed, and which have raised it to its present state of opulence and importance.

At the same time the sovereignty of the King, in this Parliament, over the Colonies, requires a full and absolute submission; and his Majesty's dignity demands, that until that submission be made, the town of *Boston*, where so much anarchy and confusion have prevailed, should cease to be the place of the residence of his Governor, or of any other officer of Government, who is not obliged by law to perform his functions there. It is, therefore, his Majesty's further pleasure, that so soon as the law for discontinuing the port shall have taken place, and every step has been pursued that is necessary to insure the execution of it, you do make the town of *Salem* the place of your residence; that you do require all officers (not included in the above exception) to attend you there; and that the General Court, and all other courts and offices which are not by law fixed at *Boston*, be appointed and held at *Salem*, until his Majesty, satisfied on your representation, that the laws of this Kingdom will be duly observed, and Government be again administered at the town of *Boston*, without opposition, shall have signified his Royal will and pleasure for the return of his Governor to, and for holding of the General Court at that town.

The proceedings of the body of the people at the town of *Boston*, in the months of *November* and *December* last, were of such a nature and criminality as to have fixed a deep degree of guilt upon those who were the principal ringleaders and abettors of those proceedings, and the measures proper to be taken for inducing the punishment of such guilt, become a very necessary part of the present consideration, relative to the state of the Province of *Massachusetts Bay*.

The King considers the punishment of these offenders as a very necessary and essential example to others, of the ill consequences that must follow from such an open and arbitrary usurpation as tend to the subversion of all government, and the rendering civil liberty unsafe and precarious; and his Majesty's subjects in the Province of *Massachusetts Bay* in general, cannot give a better test of their love of justice, and respect for the Constitution, than in their zealous endeavours to render effectual a due prosecution of such offenders.

If, however, the prejudices of the people should appear to you to be such as would in all probability prevent a conviction, however clear and full the evidence might be, in that case it would be better to desist from prosecution, seeing that an ineffectual attempt would only be a triumph to the faction, and disgraceful to Government.

The foregoing is all that I have at present in command from the King to say to you. I need not suggest to you the very great advantage that will result from your obtaining a just and perfect knowledge of the characters, inclinations and tempers of the principal people in the Colony; such information must, of necessity, be of great benefit, and your own discretion will point out to you the use that is to be made of it.

The last advices from *Boston* are of a nature to leave but little room to hope that order and obedience are soon likely to take the place of anarchy and usurpation. His Majesty, however, confides in your fortitude and discretion, and doubts not that all other officers, civil and military, animated by your example, will exert themselves in such a manner, in support of the Constitution, and for enforcing obedience to the laws, as will recommend them to his Majesty's royal grace and favour.

Enclosed in the Earl of *Dartmouth's* Letter to Governor *Gage*, of *April* 9th, 1774.

COPY OF A MINUTE OF THE TREASURY BOARD.

Whitehall Treasury Chambers, 31st March, 1774.

Present Lord *North*, Mr. *Townshend*, Lord *Beauchamp*, Mr. *Cornwall*.

My Lords take into consideration an Act to discontinue, in such manner and for such time as are therein mentioned, the landing and discharging, lading and shipping, of goods, wares and merchandise, at the town and within the harbour of *Boston*, in the Province of *Massachusetts Bay*, in *North America:* and being desirous that the provisions of the said Act should be carried into execution with all possible vigilance, despatch and circumspection, as far as the same relate to the officers of his Majesty's Customs, established in the same town and Province, transmit a copy of the said Act to the Commissioners of the Customs in *America*, and

Digitized by Google

direct them forthwith to take such steps as they shall find necessary for the removal of their Board from the said town of *Boston* to the town of *Salem*, in the said Province of *Massachusetts Bay*, and that as soon as proper offices can be prepared for their reception and accommodation.

Direct them, together with all the officers belonging to their Board, to repair to the said town of *Salem*, and there to execute the duties and functions of their commissions, until they shall receive further orders respecting the future residence and establishment of their Board.

Direct them, at the same time, to give orders for the removal of the Collector, Comptroller, Surveyor, and such other officers of the port of *Boston* as they shall judge necessary, to the town of *Plymouth*, or to the island of *Nantucket*, or to such other town or place within the limits of the said port, as shall appear to them most proper and most convenient for the trade of his Majesty's subjects; and let the said Collector, and other officers, be ordered to establish themselves in the said town of *Plymouth*, or such other town or place as the Commissioners shall appoint, within the limits of the said port of *Boston;* and there to proceed and carry on, in the usual manner, the business of their several departments in the collection and management of his Majesty's Customs, and in the execution of the Laws of Trade.

And inasmuch as it may be reasonably expected, that the trade within the port of *Salem* and *Marblehead*, will be considerably increased during the continuance of the said Act of Parliament, and may require an additional number of officers to be stationed at those places to transact the business of the Customs,—

Direct the Commissioners to take with them to *Salem*, such of the Tidesmen and incidental officers, now employed at *Boston*, as they shall think the service at *Salem* and *Marblehead* may demand: and recommend to their particular care and attention, that clause of the said Act which relates to vessels carrying coastwise, under the restrictions therein mentioned, fuel and victual for the necessary use and sustenance of the people of the town of *Boston;* and direct them to give express orders to the proper officers to be vigilant and alert in visiting and searching all such vessels laden with fuel and provisions, as aforesaid, which shall enter the harbour of *Marblehead*, for the purpose of obtaining a transire, or let pass, pursuant to the said Act of Parliament. And in case it shall appear to the officers employed on that service, by information, or by any probable cause of suspicion, that there are concealed on board any such vessels, any goods, wares or merchandise, other than such fuel or victual, that then, and in every such case, such officers should be directed to oblige the master or commander of such vessel so informed against or suspected, to unlade his cargo. before he obtains such transire, or let pass, in order to proceed to the town of *Boston*.

Let the Commissioners take care that, after the first day of *June*, 1774, and during the continuance of the said Act, no officers of the Customs whatsoever be suffered to reside within the town or harbour of *Boston*.

In consideration of the losses which the Collector, Comptroller, and other officers upon the establishment, within the said port of *Boston*, must inevitably suffer by the diminution of the fees and perquisites of the respective offices, during the continuance of the said Act,—

My Lords direct the Commissioners to report to their Lordships, as soon as they can form any opinion of the matter, how much it may be reasonable to allow to such officers respectively, as a compensation for such their losses. Direct them, from time to time, by every opportunity, to inform my Lords of the several steps they shall have taken in the execution of the said Act, and of their Lordships orders.

Acquaint them that they, and all the officers under their authority, may depend on being supported and protected in the execution of the duties of their respective offices.

Inform them that the Lords Commissioners of the Admiralty have despatched orders to the Admiral, commanders and commissioned officers of his Majesty's ships of war on that station, to use the utmost vigilance and activity in the execution of the several provisions of the said Act of Parliament; and in case any of the officers in any of his Majesty's ships, or sloops of war, shall see occasion to require any officer or officers of the Customs, to be put on board any of the vessels under their command, direct the Commissioners to take care that all such requisitions be duly complied with.

Transmit a copy of this Minute to Mr. Stephens, for the information of the Lords of the Admiralty, and to Mr. *Pownall*, for the information of the Earl of *Dartmouth*.

FROM A GENTLEMAN IN LONDON TO ONE IN NEW YORK.

Extract.

London, April 27, 1774.

I hope there is no necessity of admonishing you to unite in the defence of the liberty of *America*. The stroke may first be felt in *Boston;* but that man who does not perceive it meant against the whole line of Colonies must be blind indeed. Trust me, the views of Administration are to subdue and enslave you. They have so sure a majority in both Houses of Parliament, that they find no difficulty in executing every wish of the King, either in the ruin of this country or *America*. I love to speak the naked truth. Tell the people of *America*, that the favourite Ministry of the most powerful Monarch in *Europe*, hate the name of liberty, and abhor the man who dares support the principles of it. They suffer no man to share their confidence, until he has proved himself an unprincipled apostate, and spurns at the idea of a virtuous opinion. This may be supposed one of the great reasons why so few of the first rank among us openly espouse the cause of *America;* for it is the cause of virtue, in which nothing can be gained, but much lost. The infinite increase of perquisites, pensions, and places, in consequence of an uncontrolled direction of the *India* Company, has almost silenced opposition. Having, therefore, but few friends left, and even those left without power to do you any essential service you must rely upon nothing but your own wisdom and virtue to disappoint the wicked purposes of your powerful enemies; for their interest, inclinations, and even existence, all unite to work your ruin. I do not venture to point out what steps you should take to avert the storm, or direct it to your advantage. If you mean to negotiate any thing with this country, let it be done with dignity and firmness.

I have the satisfaction of assuring you that Lord *Chatham* is that kind of friend to *America* which he ever has been; he came to town on purpose to watch and oppose the present proceedings, but has ever since been confined to his bed. Lord *Camden* and Lord *Rockingham* are your friends.

The two Sheriffs of *London*, with other gentlemen, natives of *America*, have another petition now ready to present to the House of Commons, against the Bills now before them. Sir *George Savile* has agreed to bring it in and support it.

As to the merchants, many of them were such idiots as to wait on Lord *North*, and return to their country houses perfectly satisfied that he meant nothing inimical to you, *because he said so*. He served the *East India* Directors the same trick not many months since.

I have no doubt but that the people of *England* will, in six months time see the folly of those measures, and drive the Ministry to the necessity of giving up the question, especially if you have spirit enough to act properly.

LIEUT. GOVERNOR COLDEN TO EARL OF DARTMOUTH.

Extract.

New York, 4th May, 1774.

Captain *Lockyer*, with the so long looked for tea from the *India* Company, arrived at *Sandy Hook* on the 19th of last month. The ship came no farther up, and a few days after sailed from thence again for *London*, with the tea on board. Neither the Captain, nor any other, made the least application to me about the ship or her cargo. The account of this affair, published in the enclosed Newspaper, is as particular and full as any I could procure.

In the same paper your Lordship will find an account of some more violent proceedings against a parcel of tea imported by Captain *Chambers*, of the ship *London*, who arrived here while Captain *Lockyer* was in this place. As no application was made to me by Captain *Chambers*, or any other, before or since the riotous event, I cannot give

Digitized by Google

your Lordship a better account of it than is contained in the printed paper.

It happened early in the evening, and though a pretty large number of spectators were assembled, the quarter where I reside, and the greater part of the town, was perfectly quiet. It is said Captain *Chambers* drew the particular resentment of the people upon himself by the duplicity of his conduct. Last voyage he claimed applause here for being the first who refused to take the *India* Company's tea on board his ship, and received public thanks from the people of this place for it.

A few days after Governor *Tryon* went from hence, a small sloop loaded with *Dutch* tea, duck, &c., was seized by an officer of the custom-house. She was taken in this port at noon day, and secured without any tumult on the occasion.

—

Enclosed in Lieutenant Governor *Colden's* Letter to the Earl of *Dartmouth*, of *May* 4, 1774.

New York, April 28, 1774.

On *Monday* se'ennight, *April* 18, advice was received from *Philadelphia*, that Captain *Chambers*, of the ship *London*, of this port, had taken on board, at the port of *London*, eighteen boxes of fine tea, which were regularly cleared, and the mark and numbers were taken from the cocket by Captain *All*, of *Philadelphia*. As Captain *Chambers* was one of the first who refused to take the *India* Company's tea on freight the last summer, for which he received the thanks of the citizens, they could not believe that he knew of the tea's being on board, and therefore supposed it to have been shipped by some Ministerial tool, under another denomination, in order to injure the owners, or the reputation of the master, or to make an experiment of this mode of introducing the teas to *America*. The Committee, and the inhabitants, were, therefore, determined to examine into the matter with great vigilance.

In the night, the long expected tea ship *Nancy*, Captain *Lockyer*, arrived at *Sandy Hook* without her mizenmast, and one of her anchors, which were lost in a gale of wind the 2d inst., when her maintopmast was sprung, and thrown on her beam-ends. Letters being delivered to him by the Pilot, from sundry gentlemen of this city, informing him of the determined resolution of the citizens not to suffer the tea on board of his ship to be landed, he requested the Pilot to bring him up to procure necessaries, and make a protest; but he would not do it till leave was obtained. Early the next morning this was communicated to the Committee; and it appearing to them to be the sense of the city that such leave should be granted to him, the ship to remain at the *Hook*, the Pilot was immediately despatched to bring him up. This intelligence was immediately communicated to the public by an handbill.

At 6 P. M. the pilot boat returned with Captain *Lockyer* on board; and although the people had but a very short notice of it, the wharf was crowded with the citizens, to see the man whose arrival they long and impatiently wished, to give them an opportunity to co-operate with the other Colonies. The Committee conducted him to the house of the Honorable *Henry White*, Esq., one of the consignees, and there informed Captain *Lockyer*, that it was the sense of the citizens that he should not presume to go near the custom-house, and to make the utmost despatch in procuring the necessary articles he wanted for his voyage. To this he answered: "That as the consignees would not receive his cargo, he would not go to the custom-house, and would make all the despatch he could to leave the city." A Committee of Observation was appointed to go down in a sloop to the *Hook*, to remain near the tea ship till she departs for *London*; and four Committees were appointed to watch the ship *London*, on her arrival, day and night, till she should be discharged.

Wednesday night, *April* 20th, arrived Captain *Lawrence*, from *London*, who confirmed the account received from *Philadelphia*, of Captain *Chambers* having on board eighteen boxes of fine tea, but could not tell who was the shipper, or to whom it was addressed. *Thursday* the Committee interrogated Captain *Lawrence* relative to what he knew of the tea's being on board of Captain *Chambers*; when he showed them a memorandum in his pocket-book, which he took from the cocket in the middle of Captain *Chambers'* file of papers, in the Searcher's Office at *Gravesend*, corresponding with the advice transmitted from *Philadelphia*, except some variation in the mark. This morning the following handbill was distributed:

"*To the Public.*—The sense of the city, relative to the landing the *East India* Company's tea, being signified to Captain *Lockyer* by the Committee, nevertheless, it is the desire of a number of the citizens, that at his departure from hence, he should see, with his own eyes, their detestation of the measures pursued by the Ministry and the *India* Company, to enslave this country. This will be declared by the convention of the people at his departure from this city, which will be on next *Saturday* morning at 9 o'clock, when, no doubt, every friend to this country will attend. The bells will give the notice about an hour before he embarks from *Murray's* wharf.

"*By order of the Committee.*"

"New York, April 21, 1774.

Friday, at noon, Captain *Chambers* came into the the *Hook*; the Pilot asked him if he had any tea on board? He declared he had none. Two of the Committee of Observation went on board of Captain *Chambers*, and informed him of the advices received of his having tea on board, and demanded a sight of all his cockets, which was accordingly given them; but the cocket for the tea was not found among them, nor was the mark or number on his manifest.

About 4 P. M. the ship came to the wharf, when she was boarded by a number of the citizens. Captain *Chambers* was interrogated relative to his having the tea on board, but he still denied it. He was then told that it was in vain to deny it, for as there was good proof of its being on board, it would be found, as there were Committees appointed to open every package, and that he had better be open and candid about it, and demanded the cocket for the tea; upon which he confessed it was on board, and delivered the cocket. The owners and the Committee immediately met at Mr. *Francis's*, where Captain *Chambers* was ordered to attend. Upon examining him who was the shipper and owner of the tea? he declared that he was sole owner of it. After the most mature deliberation, it was determined to communicate the whole state of the matter to the people, who were convened near the ship, which was accordingly done. The *Mohawks* were prepared to do their duty at a proper hour; but the body of the people were so impatient, that before it arrived a number of them entered the ship, about 8 P. M., took out the tea, which was at hand, broke the cases, and started their contents into the river, without doing any damage to the ship or cargo. Several persons of reputation were placed below to keep tally, and about the companion to prevent ill-disposed persons from going below the deck.

At 10 the people all dispersed in good order, but in great wrath against the Captain; and it was not without some risk of his life that he escaped. *Saturday*, in the morning, the shipping in the harbour displayed their colours, and a large flag was hoisted on the *Liberty Pole*, and at 8 A. M. all the bells of the city rang, pursuant to the notice published on *Thursday*. About nine, the greatest number of people were collected at and near the coffee house, that was ever known in this city. At a quarter past nine the Committee came out of the coffee house with Captain *Lockyer*, upon which the band of music attending played *God save the King*. Immediately there was a call for Captain *Chambers*. Where is he? Where is he? Captain *Lockyer* must not go till we find Captain *Chambers*, to send him with the tea ship. This produced marks of fear in Captain *Lockyer*, who imagined some mischief was intended him; but upon assurances being given him to the contrary, he appeared composed. The Committee, with the music, conducted him through the multitude to the end of *Murray's* wharf, where he was put on board the pilot boat, and wished a safe passage; upon which the multitude gave loud huzzas, and many guns were fired, expressive of their joy at his departure. The Committee of Observation at the *Hook* have cognizance of him till a fair wind offers for his departure from thence. Thus, to the great mortification of the secret and open enemies of *America*, and the joy of all the friends of liberty and human nature, the union of these Colonies is maintained in a contest of the utmost importance to their safety and felicity.

Digitized by Google

On *Sunday* night, at 8 P. M., the Committee of Observation returned from the *Hook*. They inform us, that the sailors of the tea ship, being unwilling to proceed with her to *London*, made a raft of spars and boards, in order to quit the ship with the tide of flood, but were observed by the Captain, and being aided by the Committee, who offered their assistance to him, they desisted from their project.

That on *Sunday*, at 10 A. M., the ship and the sloop, with the Committee, weighed their anchors and stood to sea; and at 2 P. M. the pilot boat and the Committee's sloop left her at the distance of three leagues from the *Hook*.

With Captain *Lockyer*, in the ship *Nancy*, went passenger Captain *James Chambers*.

Many persons still suspecting that Captain *James Chambers* continues privately in this city, they may be assured that he sailed out of the *Hook*, for *London*, on *Sunday* last, on board the *Nancy*, Captain *Lockyer*, who afforded him a very hospitable and gentlemanly reception; and whose whole behaviour, during his stay in this city, proved him to be a sensible, discreet, and a very well bred man.*

In the same Paper, enclosed by Lieutenant Governor COLDEN *to the Earl of* DARTMOUTH, *in the preceding Letter, was this additional notice of the same transaction.*

Mr. RIVINGTON: You declare your paper is impartial; as such please to insert the following particulars relative to the idle paragraphs in Mr. *Gaines's Gazette* of last *Monday*.

What is the *Committee of Observation*? By whom were they appointed, and what authority had they to order Captain *Chambers*, or any body else, to attend them at Mr. *Francis's*, or any other place whatsoever? Who says, and upon what authority does he say, that the sense of the city was asked, relatively, either to the sending away Captain *Lockyer*, or the destruction of the tea on board the *London*? Has not every *London* Captain brought tea under the same circumstances? And, if so, what were the Apostates that informed against the unfortunate man, who was threatened with death for obeying the laws of his country? Who were the persons of reputation that were placed below to keep tally, saving ONE, who acted according to honour and principle? Let us know their names, or else we will dispute their pretensions. What did they get by conducting Captain *Lockyer* in public through the crowd, but a mortifying disgust in finding he would not even pull off his hat to the insulting huzzas of ALL the people? ALL, indeed! when I am persuaded that not one twentieth part joined in such outrage: though "the greatest number were collected at and near the Coffee House, that ever was known in this city." Marvellous indeed, and utterly beyond belief! Much like the narrative in the introduction to this noble and authentic history, wherein the historian informs us that the *Nancy's* "maintopmast was sprung and the ship thrown on her beam-ends;" or when he says, the tea on board the *London* was cast into the river without doing any damage to the ship or CARGO. This, too, was undoubtedly effected to the joy of all the friends of liberty and human nature.

But, Mr. Printer, to end the matter for the present. Who says that ALL the bells were rung on this solemn occasion? when it is asserted that several did not ring at all; and that several others did not ring but by means of fellows breaking into churches where they had no business, and for which they ought, and every good man hopes, so far as I know, that they will be prosecuted according to law.

I wish the Printers of public Chronicles would be cautious of disgracing their papers by publishing party relations. While they adhere to matters of fact, 'tis all well; but when they expand their columns to either patriot or ministerial minions, without any known evidence—nay, contrary to the truth of fact—they must not, they cannot, they shall not hope to escape the animadversions of a lover of Constitutional liberty, but a sworn foe to Coblers and Tailors, so long as they take upon their everlasting and unmeasurable shoulders, the power of directing the loyal and sensible inhabitants of the city and Province of *New York*. *April* 25, 1774.

The following Notice and Reply, appeared in the two succeeding numbers of the *Gazetteer*:—

NEW YORK, *May* 5.

A full Answer to the animadversions on the conduct of the inhabitants of this city, relative to the return of Captain *Lockyer*, &c., which were inserted in last weeks' *Gazetteer*, will be presented in our next.

NEW YORK, *May* 12, 1774.

To the Printer of the New York Gazetteer.

SIR: When any man attempts to call the attention of the public to his compositions, under the specious character of an advocate for truth, he should strictly adhere to the principle he pretends to maintain; otherwise, however loud and artful he may be in his profession, they will consider him as an imposter. I was led to these reflections in perusing the animadversions, published in your *Gazetteer*, on the conduct of the inhabitants of this city, relative to the dismission of Captain *Lockyer*, and his tea, and the narrative thereof, in Mr. *Gaines's Gazette*.

It may justly be expected, that when an anonymous author calls for names to authenticate facts, which he disputes, he will not be deficient in that kind of proof to support his assertions or suggestions, which he requires of others; but the contrary is evident to every one, who will be at the trouble to peruse the paper in question. Every man of information in this Colony, knows that it contains gross misrepresentations, to say no worse; for the Assembly, and the inhabitants of this Colony have, more than once, declared their abhorrence of the Revenue Act, and consequently, of the importation of tea, while the Act exists; and therefore, if *Great Britain* and the other Colonies were fully informed of our sentiments, relative to the obnoxious Act, it would not be necessary to take any notice of the animadverter. He would in that case be left to the just reproaches of his fellow-citizens, of which, I am persuaded he is not ignorant. But as the paper under consideration, was designed to induce a belief in those places, that we are greatly divided in this city upon the Revenue Act, and the point of returning the tea; and that it was done by the approbation only of an inconsiderable number: I shall, therefore, for the information of those who are at a distance from us, and the honour of the Colony, show these representations to be void of truth. This will appear, by a proper attention to the following facts, viz: In the Session of Parliament of 1767, the Commons of *Great Britain* gave to his Majesty, the property of the *Americans*, by granting, among other imposts, three pence sterling per pound, "for every pound weight, avoirdupois, of tea," which should be, "imported from *Great Britain* into any Colony or Plantation in *America*." The merchants of this city, and a great number of the other inhabitants of all ranks, being alarmed at this attempt to enslave them, on the 27th of *August*, 1768, signed an agreement to decline the most valuable part of their commerce with *Great Britain*, until this Act should be repealed; and the violators of this compact were declared to be "deemed enemies of their country." This compact, commonly called the Non-Importation, met with the general approbation of the citizens, which was demonstrated by their conformity to it. In consequence of this, the Captains of our ships, trading to *Great Britain* were, by standing orders from their owners, forbid to take on board there any of the goods prohibited by the agreement. In order that the sense of the Colony might be known, the General Assembly in their next Session, on the 31st of *December*, 1768, passed the following resolution, with several others, declarative of our rights and privileges, viz:

"*Resolved, nem. con.* That it is the opinion of this Committee "that no tax, under any name or denomination, or on any pretence, "or for any purpose whatsoever, can or ought to be imposed or "levied, upon the persons, estates, or property of his Majesty's good "subjects, within this Colony; but of their free gift, by their Repre-"sentatives, lawfully convened in General Assembly."*

This resolution had evidently the Revenue Act for its object. The opinion of the Colony, in legal consideration, having been thus declared, against the Parliamentary principle of taxing the Colonies, by Parliamentary authority; it was judged of equal importance to the common cause of *America*, that a declaration should be representatively made of the public sense, on the means which the merchants and others had adopted, to defeat the execution of that act, which proclaimed to the world, that the *Americans* had no property they could call their own. Accordingly, on the 10th of *April*, 1769, Mr. *Philip Livingston*, an eminent merchant of this city, made the following motion in the Assembly, viz:

"That the thanks of this House be given to the merchants of this "city, and Colony, for their repeated, disinterested public spirit, and "patriotic conduct, in declining the importation, or receiving goods "from *Great Britain*, until such Acts of Parliament as the General "Assembly had declared unconstitutional, and subversive of the rights "and liberties of the people of this Colony, should be repealed; and "that Mr. Speaker signify the same to the merchants at their next "monthly meeting.

"*Ordered*, That Mr. Speaker signify the thanks of this House "to the merchants of this city, at their next monthly meeting ac-"cordingly." †

After advice was received in 1770, of the partial repeal of the Revenue Act, a number of the merchants were inclined to import such goods from *Great Britain* as were not subject to the payment of an *American* duty; and in order to induce the consent of the citizens to depart from the first form of the non-importation agreement, they, on the 12th of *June*, 1770, published a paper, which they intended as the basis of the new agreement. It contains, among other stipulations, the following, viz.—"If any goods shall "arrive contrary to this and our former agreement, they shall be "re-shipped immediately. And any persons, masters of vessels, "or others, that shall import or receive a consignment of any dutia-"ble goods (that is subject to the payment of duties in *America*,) "shall be deemed enemies to the Colonies, and treated accordingly." From this it appears that the old agreement was confirmed, so far as it prohibited the importation of merchandise, subject to an *American* duty. The importation of goods was resolved upon the 9th of *July*,

* See the Journal of the Assembly, that ended by dissolution the 2d *January*, 1769, page 73.

† See the Journal of the Assembly, for *April*, 1769, page 23 and 55.

PENNSYLVANIA COUNCIL.

MEMORANDUM. 16th March, 1774.

The Governor this day received the following letter from Lord *Dunmore*, Governor of *Virginia*, by express, in answer to his Honor's letter of the 31st of *January*:

Williamsburg, 3d March, 1774.

SIR: I have been favoured with your letter of the 31st *January*, 1774, and duplicate of the same, the occasion of which having been the appointment of certain officers by me in a remote district of the county of *Augusta*, in this Colony, which includes *Pittsburg*, which having been done, as is always my rule, with the advice of his Majesty's Council, I could not, till I had an opportunity of laying your letter before them, return you an answer, and it is not till now that I am enabled so to do. From the opinion, therefore, of his Majesty's Council of this Colony, I must inform you, that although the calculations on which you rely in the plan accompanying your letter, may possibly be found exact, yet they can by no means be considered, by us, as the observation, on which they were founded, was

Digitized by Google

made without the participation of this Government, or the assistance of any person on the part of the Crown; and even if they were admitted, we apprehend they would decide nothing in the present case; for the right of the Proprietaries of *Pennsylvania* to the country about *Pittsburg*, must be founded on better authority than is there adduced to make it valid, and we are strengthened in this opinion by the principles you yourselves adopt, and the opinion of Lord *Camden*, which you have produced in your dispute with *Connecticut*. With respect to the right of this Colony to that country, the transactions of the late war show sufficiently what was ever the sense of the Government of *Virginia* with regard to it. And it seems to me that the step which I have taken ought not to have been either unexpected or surprising, as you are pleased to say it was to you, when it is well known that formal declarations were made by the Assembly of *Pennsylvania*, that *Pittsburg* was not within the jurisdiction of that Government at the time that requisitions were made to them for the defence of that place, the burden of which, on that account, fell on this Government.

In conformity to these sentiments you will easily see I cannot possibly, in compliance with your request, either revoke the commissions and appointments already made, or defer the opportunity of such other officers as I may find necessary for the good government of that part of the country, which we cannot but consider to be within the dominion of *Virginia*, until his Majesty shall declare the contrary; and I flatter myself I can rely so far on the prudence and discretion of the officers whom I have appointed, that the measure which I have pursued may have no tendency to raise disturbances in your Province, as you seem to apprehend, and if any should ensue I cannot but believe they will be occasioned, on the contrary, by the violent proceedings of your officers; in which opinion I am justified by what has already taken place in the irregular commitment of Mr. *John Conolly* for acting under my authority, which, however, as I must suppose, it was entirely without your participation, I conclude he is before this time released. But, nevertheless, the act having been of so outrageous a nature, and of a tendency so detrimental to both Colonies, that, with the advice of his Majesty's Council of this dominion, I do insist upon the most ample reparation being made for so great an insult on the authority of his Majesty's Government of *Virginia*; and no less can possibly be admitted than the dismission of the

1770, agreeable to the plan proposed in that paper, the non-importation agreement thus restricted, continued, as it still does, in full force, until we were alarmed with accounts in the latter end of *September*, 1773, by the arrival of our *London* ships, that the *East India* Company intended to ship their own tea for *America*. The masters of these vessels gave public information, that it had been offered to them on freight; and that they had refused to receive it. For this patriotic and spirited conduct, they at a meeting called for the purpose, by advertisement, received the public thanks in writing, from a great body of merchants, and a number of other inhabitants, in which honour, Captain *Chambers*, whose apostacy could not be foreseen, had his share. Our citizens, being thus informed of the refusal of our *London* Captains, it was concluded, that such refusal would discourage the *India* Company from shipping their tea; and therefore, it was judged unnecessary to call a meeting at that time, to agree on precautions against an event which was not expected; especially as the friends of the intended consignees gave frequent assurances, that they well knew the sense of the inhabitants on the subject, and were resolved to refuse the trust on the arrival of the tea.

A number of our citizens, however, fearing that the tea ship would bring the first intelligence that the tea was actually shipped, were jealous that it might be landed, unexpectedly, and therefore, without proper opposition. For this reason, they had frequent meetings, to concert a plan for guarding against the danger. And at one of those meetings, a committee was appointed to present, who accordingly did present to the consignees, the following Questions, viz:

"*First*, Are you, gentlemen, Commissioners, satisfied that it is "contrary to the general sense of the inhabitants of this city, that the "tea about to be imported by the *India* Company, should be received "or sold by you?

"*Second*, Will you, gentlemen, declare upon your honours, that in "case you are appointed the Commissioners, for the sale of the said "tea, that you will not receive, or sell, or be in any respect aiding or "assisting in receiving or selling the same?

"*November* 24, 1773."

To these queries, they gave the following Answer, in writing:

"Gentlemen: At present we have received no appointment from "the *East India* Company, nor any certain information on what terms "the tea is to come out to this Colony; when it arrives, (if addressed to "us) the community shall be acquainted with the conditions on which "it is sent. Should the tea be shipped, liable to the payment of the "*American* duty, we believe it is against the sentiments of the inhabi-"tants, that it should be sold by us, or any other person, and there-"fore we cannot execute the commission; nor shall we in any respect, "act therein contrary to the general sense of our fellow-citizens.

"New York, *November* 25th, 1773."

These gentlemen, when they were certainly informed that the tea was shipped, subject to the duty, did, in compliance with their engagement, make the following resignation to a Committee who waited on them for that purpose, to wit:

"The Agents since find, that the tea will come, liable to *American* "duty; and agreeable to their former promise, have declined receiving "and selling it under that predicament.

"New York, *December* 1, 1773."

That no means might be neglected to secure a unanimity of conduct in the several Colonies, on so important a point, an instrument of association was framed; fifteen hundred copies of which were printed, and dispersed through the city; that the inhabitants might be well apprised of its contents, before they were requested to sign it. This association paper, in its preamble, most fully and expressly declares against the unconstitutional imposition of taxes on the Colonies, by authority of Parliament; particularly points at the evil of importing tea, subject to duty; expresses the warmest sense of liberty in the subscribers; their resolution, by all lawful means to defeat the pernicious project; to transmit to posterity the blessings of freedom, derived from their ancestors; and to contribute to the support of the common liberties of *America*; which were, (as they still are) in danger of being subverted. It contains five resolves, substance declaring, "the abettors of the importation, landing, carting, storing, "sale and purchase of tea, subject to Parliamentary duty, and until "the statute 7 *George* the Third, chapter 46, commonly called the "Revenue Act, shall be totally and clearly repealed,—*enemies to their* "*country*. That whether such duty be paid in *Britain* or *America*, "our liberties are equally affected; and that the subscribers will "neither deal with, employ, or have any connection with the trans-"gressors of any of those resolves." In short, it contains the strongest terms of opposition, without actual violence, against the importation of that commodity, under those circumstances, leaving the use of force to prevent the mischief, to be resolved in some future time, in case any emergency might thereafter render that measure unnecessary. Of this association paper, none among us can be ignorant. It was signed by a vast number of our inhabitants, including most of the principal lawyers, merchants, landholders, masters of ships, and mechanics in the city, under the name and style of the *Sons of Liberty* of *New York*; was published in Mr. *Holt's New York Journal*, number 1615.

On the 16th of *December* last, a Committee of the Associates, published an advertisement in this (No. 35,) and Mr. *Holt's* paper, No. 1615, and in handbills, dispersed about this city, cordially inviting the Association of the *Sons of Liberty*, and every other *friend of the Liberties and Trade of America*, to met at the *City Hall*, on the next day, at one o'clock, on business of the utmost importance. At the time and place appointed, about two thousand of the inhabitants, though the weather was bad, attended on the occasion, and were addressed by one of the members of the Association, who informed them, that on request of a number of his fellow-citizens, he had several letters to communicate to the assembly, from the Committee of Correspondence at *Boston*, and a letter from *Philadelphia*, relative to the importation of the *East India* Company's tea. The letters were accordingly read, and a committee of gentlemen chosen, by suffrage of the meeting, without a dissenting voice, to correspond with our sister Colonies on the subject. After this, the association paper, which had then been signed, as above mentioned, was publicly read; and the Speaker having put the question, whether they agreed to the resolves it contained? It passed in the affirmative, *nem. con.*

So respectable was this meeting, that Government thought proper to send a message to them by the Mayor and Recorder, which was delivered to the whole body by the first Magistrate of the city, to the following purpose: "That the Governor declared that the tea "should be put into the Fort at noon-day; and engaged his honour that "it should continue there, till the Council should advise it to be "delivered out, or till the King's order, or that of the proprietors should "be known; and that then the tea would be delivered out at noon-"day."

Having communicated his message, he asked, "Gentlemen, is this satisfactory?" The question was answered with a general no! no! no! The Speaker of the meeting then read, with a loud voice, the Act of Parliament, imposing the duty on tea; and after some proper remarks on the disposal of *American* property, by the Commons of *Great Britain*, and observing that the duty became due on landing the tea, he put the following question, "Is it then, gentlemen, your opinion, "that the tea should be landed under this circumstance?" This was carried so generally in the negative, that there was no call for a division.

He having then informed the assembly that the patriotic inhabitants of *Philadelphia* and *Boston* had determined that no tea, subject to duty by Parliamentary authority, for raising a revenue in *America*, should be landed in either of those places; it was Resolved, *nem. con.*, "That this body highly approve of that spirited and patriotic conduct "of our brethren of the city of *Philadelphia*, and the town of *Boston*, "in support of the common liberties of *America*;" and it was voted, that those proceedings should be published, and transmitted by the Committee, to the other Colonies; which was accordingly done.

And to show that our citizens were determined not to preclude themselves from the use of force, if it should be necessary, to prevent the landing of dutied tea, it is notorious, that on the *Monday* following, a few persons, among whom Messrs. *Jacob Walton* and *Isaac Low*, were the most active, endeavoured to procure a subscription to the following paper:

"Whereas an Association has been lately entered into, by the in-"habitants of the city of *New York*, concerning the tea now expected "from *England*, on account of the *East India* Company, and a doubt "has arisen, whether it is the general sense of the subscribers, and "the rest of the inhabitants, that the landing or storing of the said "tea should be opposed by force?

"We the subscribers, to remove the said doubt, as far as concerns "our respective sentiments, do declare, and resolve as follows:

"1. That we do concur with the parties to the said association, that "the said tea ought not, *on any account*, to be suffered to be sold or "purchased while it remains subject to a duty imposed by the authority "of Parliament, *for the purposes of an American revenue*.

Digitized by Google

clerk (*St. Clair*) of *Westmoreland* county, who had the audacity, without any authority, to commit a Magistrate in the legal discharge of his trust, unless he (*St. Clair*) can prevail, by proper submission, on Mr. *Conolly*, to demand his pardon of me. I am, sir, your most obedient humble servant, DUNMORE.

John Penn, Esquire.

—

MEMORANDUM. 31st March, 1774.

The Governor having taken the foregoing letter into consideration, with the advice of the Council, wrote a letter this day to the Earl of *Dunmore*, in answer thereto, and sent the same by express, which letter follows in these words, viz:

Philadelphia, 31st March, 1774.

MY LORD: I was favoured with yours of the third of this month by express, which arrived when several of the gentlemen of the Council were out of town, and it being also my rule to consult the Council upon all occasions of a public nature, I could not possibly give your Lordship's letter an answer by the return of your messenger, who stayed but a very short time in town. I am sorry the papers I enclosed you had not the desired effect. I never expected they would be taken as decisive of the boundaries of *Pennsylvania*, as conclusive upon your Government, but I had reason to hope they contained such information as would show at least a very strong probability that *Pittsburg*, the place of dispute, was within this Province, and not subject to the Government of *Virginia*, and from them I concluded you would be convinced of the impropriety of a step which I conceived must have been taken upon a supposition that that place was certainly beyond our limits. But I perceive your Lordship hath taken up an opinion that it is not material whether it be within our charter bounds or not, and that the right of the proprietors of *Pennsylvania* to the country about *Pittsburg* must be founded on better authority than the Royal grant! And as your Lordship seems to imagine yourself supported in this sentiment by our own principles in Lord *Camden's*

"2. That to carry this resolve into execution, a firm and rigorous "opposition ought to be given to all persons who shall attempt to "betray our liberties, either by *purchasing* or *vending* the said tea.

"3. That we are determined to have no agency in landing or "storing the said tea.

"4. That as our liberties, with respect to this imposition, must "effectually be secured by a strict adherence to the preceding re-"solves, we do not conceive it necessary or expedient to hazard the "peace of the city, *by opposing the landing or storing the said tea* "*with force*.

"Dated in *New York*, the — day of *December*, 1773."

But the general sense of the citizens ran so much against the last resolve, that they were obliged to abandon the project on *Tuesday;* having been able, with the utmost industry, to procure, only a few subscribers. In the evening of that day, an express arrived, with an account of the destruction of the tea at *Boston;* which made so deep an impression on the minds of those who were foremost in promoting the last mentioned resolves, that some of them declared, that the tea expected, would not be safe in the city.

In this state matters continued until the tea ship had arrived, and we had received intelligence from *Philadelphia* that Captain *Chambers* had taken on board eighteen boxes of fine tea, at the port of *London*, attended with a regular clearance. The arrival of the tea ship at the *Hook*, induced the Committee of Correspondence, who relied on the well known general sense of the inhabitants, to appoint a Committee of Observation, to attend her, and to watch the arrival of Captain *Chambers*. When Captain *Lockyer* came up to town, he was informed by the city Committee, antecedent to the appointment of the Committee of Observation, that the general sense was fully against the landing of the tea; and attended him to the house of the Honorable *Henry White*, Esquire, one of his Majesty's Council, and one of the consignees, where they informed him that the same general sense was, that he should not presume to go near the custom-house; but make the utmost despatch in procuring necessaries for his voyage. To this declaration, which was fully authorized by the above mentioned transactions, he answered, that as the consignees would not receive the tea, he would comply with the injunction. The city Committee, appointed four other Committees to watch the ship *London*, on her coming into the harbour, and attend her day and night, till her cargo should be discharged. *Saturday*, the 23d of *April*, being fixed for Captain *Lockyer's* departure, an handbill was circulated by the Committee: signifying it to be the desire of a number of citizens, that, added to the declaration he had received of the general sense of the inhabitants against landing of the tea, he should, from a convention of the people, have ocular demonstration of our detestation of the measures of the Ministry and *East India* Company, to enslave us.

The friends of the country were therefore desired to attend his embarkation, at the appointed time, at *Murray's* wharf; which would be notified an hour before hand, by a general peal of the bells. To add to the striking solemnity, it was fortunately preluded by the arrival of Captain *Chambers*, on *Friday;* and the destruction of his tea, by some of the impatient inhabitants, at an earlier hour than was destined for that purpose. The next morning, all the church bells of the city, for it is again repeated, sounded the general joy of the inhabitants, on our deliverance from the odious burden. And this may be relied on, as a true and authentic narrative of our opposition to the scheme of subjecting us to a duty on tea, from its first projection, to the fruitless attempt to execute it.

This state of facts, must abundantly prove the general sense of the loyal, free people of this Colony, to be permanently and unalterably fixed against Parliamentary imposts on *America*. For, to what other principle, can the non-importation agreement be attributed? Are men easily induced to shut up the main avenues to the support of themselves and their families? Must not the call to such a measure be the loudest, and most irresistible? Or can the trade of the capital of a large and populous country be essentially impeded by the virtue of a few? By no means, nothing less than the sense; nothing short of the determined resolution of a great majority could produce an event so important in its nature; an event which must unavoidably have sharpened the edge of a thousand wants.

But who can pretend that public virtue and public spirit were confined to this city, while the Journals of our Assembly so emphatically declare the sense of the whole Province? How small is the representation of this capital when compared to that of the rest of the Colony? And by what kind of reason or example can it be shown, that a prevalent interest in a representative body, can by a trifling minority, be induced to belie their constituents, and make them speak a language contrary to their sentiments? Again, what may we justly infer from the spirited declaration of our rights, on the 31st of *December*, 1768, the resolve and vote of thanks of the 10th of *April*, 1769, in which the merchants of this city, were so highly, and so justly complimented for their disinterested and self-denying patriotism, manifested in the non-importation agreement? Surely nothing less than that the general voice of the people of all ranks, and in all quarters of the Colony, was raised in favour of liberty, and against Parliamentary impositions.

The restriction of our original non-importation agreement, and its present subsistence, under that modification, is the clearest proof of our permanent resolution, that commerce and liberty shall keep pace with each other; and serves as a standing memorial, that we scorn to have more of the former, than is consistent with our due enjoyment of the latter? Had not the spies of Administration *here* been fully convinced that the pulse of freedom beat high in every vein; that the constitutional resolves of our representatives, on the most interesting points, spoke the universal language of their constituents, could their information have produced the fruitless and merely verbal suspension of our internal power of legislation? By no means. This would have been an attempt to punish every individual for the transgressions of a few. It is therefore, to a demonstration evident, that the Genius of Liberty spreads her banner over the whole Colony.

Moreover, when we consider that Parliamentary taxations, are not as to their present value, a matter of moment, either to the mother country, or the Colonies; that the contention between us, is upon the points of principle and precedent; that it is not the *quantum*, but the *manner of exacting* those unconstitutional imposts, which is the bone of contention, our public jealousies must necessarily be increased.

When the taxation was more general, there was some colour for the assertion in the Revenue Act, that it was intended for the safety and defence of the Colonies. But it is not only true, that this cannot be asserted of the paltry duty on tea; we know, we were assured by our enemies, that when the other articles charged by the Revenue Act were exempted by the partial repeal, the duty on tea was left as a standing memorial of the right of Parliament to tax *Americans*.

We have, therefore, no reason to believe that our spirit of liberty, founded on a just constitutional basis, waxes cooler as the design of enslaving us grows more evident. The contrary is most true; it has become more inveterate by habit; and is increased by every fresh evidence, of a fixed resolution to reduce us to bondage. Who then can wonder at the firmness and animation of the people of all ranks; so conspicuous in every line of our association paper? Who can wonder that such vast numbers, after the most cool deliberation, gave it their sanction?

Who cannot well account for that universal suffrage of a public meeting of our inhabitants in its favour, after it had been signed, and their laudable and animated rejection of a temporising expedient of Government, ineffectually calculated to cool our ardour, and lay public jealousy asleep? To what principle can our attention to the unanimity of the Colonies, be ascribed; when at the same public meeting, a Committee was unanimously chosen, to correspond with our brethren on the common interest? Can any one in his senses, imagine, that the *American Lion*, which has once roared so loudly, as to have been heard with astonishment, across the *Atlantic*, is now fallen asleep? What has been done by Administration, to quell his rage? On the contrary, are they not daily practising every art to exasperate him? And yet an anonymous scribbler has had the unparalleled effrontery to arraign our late political manœuvres; to contrast the tailors and coblers with the loyal and sensible inhabitants of the city of *New York;* to attribute that to a few, which is evidently expressive of the sentiments of the whole body of our citizens.

With this view he begins his truly contemptible production, by asking, What is the Committee of Observation? And by whom were they appointed? Let him receive his answer from the above state of facts. They were a select Committee, nominated for the express purpose of watching the tea ship, and Captain *Chambers;* nominated by the city Committee, who were appointed at a general meeting of its inhabitants, and a number of the citizens, to prevent the landing of dutied tea. This he must know. How impertinent, then, is his other question concerning the authority by which a man, acting in the character of an enemy to his country, was amened to their tribunal. If the fact was really so, it is evident that he was summoned in virtue of a delegation of a general meeting. But the truth is, that it was the city Committee before whom he was arraigned. The cause of his arraignment was a breach of the non-importation agreement, solemnly entered into by his owners; and to which, by his orders, if he was in heart averse to it, he was, nevertheless, bound to pay implicit obedience. How insolently does the scribbler inquire, who, and upon what authority, says that the sense of the city was asked about the dismission of Captain *Lockyer*, or the destruction of the tea? If he can want an answer, let him take it from the association paper; from

Digitized by Google

opinion upon our case with *Connecticut*, the transactions of the late war, and the declarations of our Assembly some time ago, I will take the liberty of endeavouring to set you right in some matters which you do not seem to be fully informed of, being persuaded that if I can be so happy as to place them in a different point of light from what you have heretofore viewed them in, you will be candid enough to change your sentiments.

In the year 1752, the Proprietors of *Pennsylvania*, understanding that the Government of *Virginia* were about to erect forts upon the *Ohio*, in order to repel the encroachments of the *French* on the properties of the subjects of his *Britanic* Majesty, they instructed their then Governor, Mr. *Hamilton*, to assist in any measures of that sort, taking an acknowledgment from the Governor of *Virginia* that such settlement should not be made use of to prejudice their right to that country, and at the same time allowed him to give assurances that the people should enjoy their lands they *bona fide* settled on the common quit rent. Of this instruction Mr. *Hamilton* not long after gave notice to Governor *Dinwiddie*.

In the year 1754, Mr. *Dinwiddie* came to a resolution of raising men and building forts to the westward, in order to repel the invasions of the *French*. He had fixed upon the forks of *Monongahela* as a proper situation for one of these forts, supposing it to be on his Majesty's lands, and issued a proclamation, expressing his purpose of erecting a fort at that place, and inviting the people to enlist in his Majesty's service against the *French*; and as an encouragement, promising that the quantity of two hundred thousand acres of land should be laid out and divided amongst the adventurers, when the service should be at an end; one hundred thousand acres of which to be laid out adjoining the fort, and the other one hundred thousand acres on the *Ohio*.

Upon the appearance of this proclamation Mr. *Hamilton* wrote to Governor *Dinwiddie*, the 13th *March*, 1754, reminding him of his former intimation respecting these lands, and enclosing an abstract of the Proprietaries' instructions, and also requesting from him such an acknowledgment as the Proprietaries expected; to which Mr. *Dinwiddie*, in his letter of the 21st *March*, 1754, answers:

its re-enaction at a public town meeting; from their rejection of the proposal of Government to put the expected tea in a state of safety on its arrival; from their open declaration that it should not be landed; from the fruitless attempt of a few to procure subscribers to a set of resolves calculated to prevent a forcible opposition to its debarkation, and from the appointment of a Committee to correspond and support a harmony of measures with our sister Colonies. From all these he will be instructed, that the public sense required the sending back of the one, and the destruction of the other. Let us suppose, with this vain contemner of the rights of mankind, that every *London* Captain brought tea to this port. Will he have the assurance to say, they all imported it like Captain *Chambers*, regularly cocketted and cleared for entry at our custom-house? Will he say, that they, like him, in defiance of repeated warnings, and under the guise of the most solemn and most shamefully false asseverations, persisted in a wicked design to import tea into this Colony subject to duty? Or is it not a public virtue, while this badge of slavery is held over us, to supply the wants of our inhabitants at the risk of a seizure, and by that means to elude the payment of the odious tax? If any of them, but his friend, who so willingly walks with him in chains, have imported tea in any other manner, let the latent and dastardly accuser stand forth with his proofs. We shall then join with him in branding them as apostates; we shall despise them as villanous informers; we shall pronounce them as deserving that infamous death which has been justly inflicted on many less dangerous enemies to their country than Captain *Chambers*. The spirit of this high-flying zealot for despotism is manifest in his assertion, that the *unfortunate man* was threatened with death for *obeying* the laws of his country. A most excellent comment upon the Revenue Act! Let him point out a single passage in that statute which requires or commands all, or any of our ship Captains, to import tea subject to duty. Should such a liberal commentator become a good authority, we should soon be paraphrased out of our liberties. Does he desire to be informed who were the persons of reputation that kept the tally at the destruction of the tea? Let him stand forth himself and meet them, and he will soon know whether he or they will be supported by the public sense. If he would be told what they and their honest fellow citizens got by publicly conducting Captain *Lockyer* through the crowd: I answer, all that was expected; all that was intended, by one of the above mentioned publications, was, that this servant of the Ministry, and of the *East India* Company, should have ocular demonstration of our detestation of Parliamentary taxes, and bear the unwelcome tale to his employers. He cannot, surely, be so weak as to believe that he was carried through the *greatest crowd* that ever was collected in this city, merely to procure the compliment of the hat, or a smile or nod of approbation of a private ship Captain; who, though respectfully treated among us, was indebted for his good treatment to the humanity of our citizens, and their regard to due order and decorum. How, then, can it be supposed that any were mortifyingly disgusted at his not pulling off his hat, or that the huzzas of all the people were intended to insult him? But what principles other than such as would induce a man to put the most public contempt on the character of our great deliverer from slavery and arbitrary power, could induce any one to call a regular and orderly, though striking exhibition of our detestation of unconstitutional impositions, an outrage? Surely, in this fellow's view the revolution itself was an unparalleled outrage; an outrage, however, productive of the fullest security to our civil and religious liberties, and the establishment of the *illustrious* House of Hanover on the *British* throne! Did any man in his senses ever doubt whether that happy revolution was brought about by *all* the people of *Britain*, because every subject, to a man, did not actually enlist under the banners of the glorious and immortal King *William* III.? How marvellously does this hero in politics discover his talents, when he attempts to be witty about the ship *Nancy's* disaster, and the supposed blunder of the narrator, in distinguishing between Captain *Chambers's* tea and the cargo of his ship? The mention of that disaster, the truth of which has been proved by the Captain's protest before a notary, was evidently the effect of the narrator's intention to give a strict and circumstantial account of the events relating to the tea ship, which had been so long the object of general expectation; and our writer must be truly a novice in trade, who knows not how to distinguish between the cargo of a ship and the Captain's private adventure.

But, Mr. *Rivington*, let me assist you to answer the last question of this doughty *hero* of a *Jacobite*, and to *end the matter with him*, by giving him the following evidence, that all the bells in the City rang at the departure of the tea ship. *Rudolphus Ritzema*, Esq., will inform him that the bell of the *Lutheran Church* rang on the occasion; the same thing he may learn concerning the bell of *Trinity Church* from Messrs. *Anthony Griffiths* and *Thomas Tucker*; that of *St. George's Chapel* sounded in the hearing of Messrs. *Isaac Sears* and *Hercules Mulligan*; the ringing of the bells of the *three Reformed Protestant Dutch Churches* can be proved by Mr. *Garret Rapalje*; that of the *French Church* by Mr. *Frederick Basset*; the bell of the *English Presbyterian Church* was rung by Mr. *Brown*, their sexton; and that of the *German Calvinist Church* by their proper sexton. So that, if the universality of the expression *all the bells*, can be justified, though those of the City Hall and the College could not join in the enlivening concert, the narrator has spoke the truth, and his impertinent adversary has insinuated an egregious falsehood. He is now called upon to point out which of the churches was broke open on the occasion, and by whom, and what good men hope they will be prosecuted according to law? Let him learn that the *respectable public* is not to be laughed, jeered, or frightened out of their liberties, by a Jacobitish, ministerial tool, whose most exalted and tremendous character is that of sworn foe to coblers and tailors; whose heart aspires at the glorious satisfaction of seeing us stripped of our cloaths, and stalking in sullen melancholy barefooted, or in rags. But, however despicably he may think of those classes in community, let him recollect with Pope, that

> "Honour and shame from no condition rise;
> "Act well your part; there all the honour lies.
> "Fortune in men has some small diff'rence made;
> "One flaunts in rags; one flutters in brocade;
> "The cobler apron'd, and the parson gown'd;
> "The friar hooded, and the monarch crown'd.
> "What differ more (you cry) the crown or cowl?
> "I'll tell you, friend! a wise man and a fool.
> "You'll find, if once the monarch acts the monk;
> "Or, cobler-like, the *Doctor will get drunk*;
> "Worth makes the man, and want of it the fellow;
> "The rest is all but *leather* or *prunella*."

But to be serious; there was no alternative left between the destruction of the tea at *Boston* and *New York*, and a submission to the odious duty. Had the tea been landed without opposition, the duty must have been paid, or the commodity would have been seized; and when individuals foolishly or rashly, and against the most certain intelligence, will risk their property in the cause of despotism, or for the sake of sordid and flagitious profit, no good member of society will hesitate to pronounce, that private interest falls a just sacrifice to public utility. Thus much to you, Mr. Printer. A word or two to the public.

My friends and fellow countrymen, be excited by a frequent review of the above narrative, to a steady pursuit of that liberty, your high relish for which you have in so many luminous instances displayed! Continually provoke each other to fresh proofs of your unalterable love for the public weal. Let neither the imperious designs of an arbitrary Ministry, or the insidious machinations of your pretended friends, awe or cajole you out of your birthright. It is a sacred deposit bestowed by the great Parent of the universe on our ancestors, entrusted by their venerable hands to our care, to be preserved and transmitted by us to posterity pure and uncontaminated. Strain every nerve with an honest and spirited zeal in the common cause. Demonstrate to our dear fellow countrymen in the neighbouring Colonies that we have put our hand to the plough, and that far from looking back, we will co-operate with them in tearing out every plant of slavery by the roots. Show them by your every act, that you feel the solemn obligations into which you have, with them, cheerfully engaged. Convince them by a thousand proofs, if possible, that you will never cease, till, with them, you are in full possession of civil liberty, or with them are buried in one common grave. Beware, in particular, of those among you who are well known to excite sedition, or countenance a suppression of the laudable spirit of liberty alternately; and as it suits their private purposes: who are never to be depended on either by Administration or the people; who ever wear two faces; one to recommend them to ministerial favour, another to beguile the sons of liberty into bondage; who have long practised the art of exciting and assuaging tumults, to distinguish themselves as leaders of the people in the eyes of Government, that they may be courted by a sordid Minister into offices and honours. To whom the cause of the people is no longer their cause than while some private ends are to be answered, unconnected with, and often opposed to the good of the people. I need not mention their names—their persons and their threadbare system of politics are well known to you. But for the happiness of the country, the chain of their influence is broke. Oppose it with all your might; their interest is declining; let it never rise again till they have given you the fullest proofs of a permanent attachment to this country's weal. Persist, and if they do not alter their measures, incapable as they now must appear to lead this Colony, they must lose all credit with Government, and the swelling tide of public virtue will speedily whelm them into everlasting oblivion.

Brutus.

Digitized by Google

"Your private letter of the 13th current, I have duly "received, and am much misled by our Surveyors if the "forks of *Monongahela* be within the limits of your Pro-"prietaries grant. I have for some time wrote home to "have the line run, to have the boundaries properly "known, that I may be able to appoint Magistrates on the "*Ohio*, (if in this Government) to keep the traders and "others in good order, and I presume soon there will be "Commissioners appointed for that service. In the mean "time, that no hindrance may be given to our intended "expedition, it is highly reasonable, if these lands are in "your Proprietor's grant, that the settlers should pay the "quit rent to Mr. *Penn*, and not to his Majesty; and, "therefore, as much as lies in my power, I agree thereto, "after the time granted by my proclamation, to be clear of "quit rent, ceases."

From this correspondence between the Governors of *Virginia* and *Pennsylvania*, it appears beyond a doubt, that the terms upon which forts were built, and settlements made in that country, by the Government of *Virginia*, were well understood, and the rights of *Pennsylvania* carefully guarded; and these transactions entirely exclude the idea of that kind of settlement, or acquiescence and agreement of which Lord *Camden* speaks, and which are the only principles in his opinion from which your Lordship can draw any conclusions in favour of the right of *Virginia*.

From this view of the matter I flatter myself your Lordship will readily perceive that the principles of Lord *Camden's* opinion do not at all apply to the present case. As to the opinion of our Assemblies, on which you seem also to rely, the case is shortly as follows: When Governor *Dinwiddie* resolved to erect forts on the waters of the *Ohio*, and to carry an expedition against the *French*, who had fortified themselves in several parts of the country to the westward, he applied to Governor *Hamilton* to procure him the assistance of this Province. Unfortunately at this time there was no very good understanding between the Government and the Assembly, and when Mr. *Hamilton* laid Mr. *Dinwiddie's* requisition before them they declined complying with it, and urged for reasons, that, by the Royal orders to the several Governors, they were not to act as principals out of their own Governments. That they (the Assembly) would not presume to determine upon the limits of the Province; and that by the papers and evidences sent down to them, and referred to by the Governor, the limits of the Province had not been clearly ascertained to their satisfaction.

It is to be observed, that at this time there had been no real mensurations from *Delaware* to the westward, except the temporary line between this Province and *Maryland*, which extends only one hundred and forty-four miles from *Delaware*. From this line, and from sundry informations of *Indian* traders, founded on computed distances, and mountainous and crooked roads, Mr. *Hamilton* concluded that the *French* forts were considerably within this Province, and it hath since appeared with certainty that the fact was so, though the Assembly were not satisfied with those proofs. And it appears, by a report of a Committee of Assembly, appointed to examine those evidences, that they laid no great stress upon the opinions of traders founded on computed distances.

Upon the whole I cannot find that the Assembly ever made any thing like formal declarations "that *Pittsburg* was not within this Government," but that they rather declined making any determination upon the extent of the Province. But if their declarations had been ever so formal or positive, I cannot conceive how any proceedings of theirs could affect the state of the Province, controul the jurisdiction, or prejudice the rights of the proprietors.

Your Lordship is pleased to say: "With respect to the "right of this Colony to that country, the transactions of "the late war sufficiently show what was ever the sense of "the Government of *Virginia* with regard to it." I do not know to what particular transactions you allude, nor can I apprehend upon what principle the sense of the Government of *Virginia* can prejudice the right of *Pennsylvania*, especially when the Governor of this Province was so far from concurring in any such sense, that he took the most effectual measures to guard against any conclusions which might be drawn from it; and I may say, with the strictest truth, that the Government of *Virginia*, with great justice, concurred in this precaution.

Upon the whole, then, my Lord, I hope the papers I heretofore had the honour of sending you, when properly attended to, will satisfy you that *Pittsburg* is at least *probably* within the charter limits of this Province; and I flatter myself that what I have now urged will be sufficient to convince you that nothing can be inferred from the transactions of the late war, the correspondence between the Governors of the two Provinces, the proceedings of our Assembly, or the principles of Lord *Camden's* opinion, to contract the extent of our charter bounds, or establish the right of *Virginia* to any part of this Province. I therefore still hope that your Lordship will, upon a review of the subject, be induced to defer attempting to extend the jurisdiction of *Virginia* within the bounds of this Province, and thereby avoid the occasions of disturbances and dissentions amongst his Majesty's subjects, which will probably ensue from such a step, however prudent and cautious the Magistrates on each side may be inclined to be, and the rather, as a petition for a commission to run out and mark the boundaries between us is now depending before his Majesty. And to prevent the setting up claims, and making conclusions of right by the Government of *Virginia*, from the circumstances of settlement on the one side, and non-claim on the other, I must take this opportunity of notifying to your Lordship that the Proprietaries of *Pennsylvania* do claim, by their said petition, as part of their Province of *Pennsylvania*, all the lands lying west of a south line, to be drawn from *Dixon* and *Mason's* line, as it is commonly called, at the westernmost part of the Province of *Maryland* to the beginning of the fortieth degree of north latitude, to the extent of five degrees of longitude from the river *Delaware*; and I must request your Lordship will neither grant lands, nor exercise the Government of *Virginia* within those limits, till his Majesty's pleasure be known.

I am truly concerned that you should think the commitment of Mr. *Conolly* so great an insult on the authority of the Government of *Virginia*, as nothing less than Mr. *St. Clair's* dismission from his offices can repair. The lands in the neighbourhood of *Pittsburg* were surveyed for the Proprietaries of *Pennsylvania* early in the year 1769, and a very rapid settlement under this Government soon took place, and Magistrates were appointed by this Government to act there in the beginning of 1771, who have ever since administered justice without any interposition of the Government of *Virginia* till the present affair. It therefore could not fail of being both surprising and alarming that Mr. *Conolly* should appear to act on that stage under a commission from *Virginia*, before any intimation of claim or right was ever notified to this Government. The advertisement of Mr. *Conolly* had a strong tendency to raise disturbances, and occasion a breach of the public peace, in a part of the country where the jurisdiction of *Pennsylvania* hath been exercised without objection, and therefore Mr. *St. Clair* thought himself bound, as a good Magistrate, to take a legal notice of Mr. *Conolly*.

Mr. *St. Clair* is a gentleman who for a long time had the honour of serving his Majesty in the regulars with reputation, and in every station of life has preserved the character of a very honest worthy man; and though perhaps I should not, without first expostulating with you on the subject, have directed him to take that step, yet you must excuse my not complying with your Lordship's requisition of stripping him, on this occasion, of his offices and livelihood, which you will allow me to think not only unreasonable, but somewhat dictatorial.

I should be extremely concerned that any misunderstanding should take place between this Government and that of *Virginia*. I shall carefully avoid every occasion of it, and shall always be ready to join you in the proper measures to prevent so disagreeable an incident, yet I cannot prevail on myself to accede in the manner you require, to a claim which I esteem, and which I think must appear to every body else to be altogether groundless.

I am your Lordship's obedient humble servant,

JOHN PENN.

To the Right Honorable Earl of *Dunmore*, Governor and Commander-in-chief of his Majesty's Province of *Virginia*, *Williamsburg*.

Digitized by Google

MEMORANDUM, 11th April, 1774.

A few days ago the Governor received the following Letter from *Jonathan Trumbull*, Esquire, Governor of *Connecticut*, viz:

Lebanon, 24th March, 1774.

SIR: I received your letter of the 24th *February* last. It is with pleasure I observe, "that you will do every "thing in your power to avoid contentions and disorders "among his Majesty's subjects." A great number of people possessed of, and settled on, a part of the lands of the Colony of *Connecticut*, at or near a place called *Wyoming*, lying west of the river *Delaware*, within the boundaries and descriptions of our Royal charter, made their application to our Assembly for protection and government. In consequence thereof the town of *Westmoreland* was made, constituted and annexed to our county of *Litchfield*, thereby forbearing the exercise of our jurisdiction over a great number of others who have more recently entered under grants from the Proprietaries of *Pennsylvania*, and claim other parts of the lands belonging to *Connecticut*. It is not to be doubted that your power and influence may prevent the attempts of others to settle under your claim, and the disagreeable consequences which may follow the want on your part of a similar forbearance towards the people of *Westmoreland*, until a legal and constitutional decision of the point in question may be obtained, which both you and Mr. *Wilmot*, solicitor of the Proprietaries, have acquainted us they will never decline.

It is the duty of our Governor and Company, in faithfulness to the trust reposed in them, to assert and support the rights of this Government and its inhabitants. They do not look upon themselves chargeable with any fault for their exercise of jurisdiction over the people who inhabit land they have good reason to think themselves entitled to by legal purchase from the Aboriginal true proprietors thereof, and hold the primary possession of under the right of pre-emption, for the benefit, and within the limits of this Colony.

I am to acquaint you that several gentlemen from hence, by virtue of an Act of our Assembly, are employed and instructed to ascertain the latitudes of certain places at and beyond *Delaware* river. They design to set out the 18th of next month for that purpose.

I am, sir, with truth and regard, your obedient humble servant, JONATHAN TRUMBULL.

Honorable *John Penn*, Esquire.

The said Letter being taken into consideration, the Governor, with the advice of the Council, wrote a letter in answer thereto, in the words following, viz:

Philadelphia, 11th April, 1774.

SIR: I have your letter of 24th *March* last by the post. My sentiments of exercising the jurisdiction of this Government, in every part thereof, and the impropriety of extending your jurisdiction within our bounds, before you have laid your claim before his Majesty, are so plainly expressed in the several letters I have wrote you, and in those which passed between your Commissioners and me, that they need not be repeated; and I cannot but think it strange that you should persist in attempting to support a possession gained from the people of this Province in a course of absolute hostility, before your Government had any claim to lands within the bounds of this Province. It appears to me that your taking the latitudes at or beyond *Delaware*, within the bounds of this Province, is premature, and that no act of your Assembly can authorize such a proceeding. I therefore cannot concur in that step, but, on the contrary, must protest againt it, and desire it may not be done, lest it should produce effects which may be injurious to the public peace.

I am, with due regard, your most obedient and humble servant, JOHN PENN.

To the Honorable *Jonathan Trumbull*, Esquire, Governor and Commander-in-chief of the Colony of *Connecticut*, *Lebanon*.

At a Council held at *Philadelphia*, on *Wednesday*, *April*, 1774:

Present, The Honorable *John Penn*, Esquire, Governor, *Richard Peters*, *James Tilghman*, *Andrew Allen*, *Edward Shippen*, Jun., Esquires.

The Governor laid before the Board a Letter which he received this morning by *George Wilson*, Esq., express, from *William Crawford*, Esq., President of the Court of *Westmoreland* county, with several papers enclosed, relative to the disturbances created, and still continued, by the people of *Virginia* within that county, which were severally read, and are as follows, viz:

Westmoreland County, April 8th, 1774.

SIR: As some very extraordinary occurrences have lately happened in this county, it is necessary to write an account of them to you. That which I now give is at the request, and with the approbation of all the Magistrates that are at present attending the court. A few weeks ago Mr. *Conolly* went to *Staunton*, and was sworn as a Justice of the Peace for *Augusta* county, in which it is pretended that the country about *Pittsburg* is included. He had before this brought from *Williamsburg* commissions of the peace for several gentlemen in this part of the Province, but none of them, I believe, have been accepted of. A number of new militia officers have been lately appointed by Lord *Dunmore*. Several musters of the militia have been held, and much confusion has been occasioned by them. I am informed that the militia is composed of men without character and without fortune, and who would be equally averse to the regular administration of justice under the Colony of *Virginia*, as they are to that under the Province of *Pennsylvania*. The disturbances which they have produced at *Pittsburg* have been particularly alarming to the inhabitants. Mr. *Conolly* is constantly surrounded with a body of armed men. He boasts of the countenance of the Governor of *Virginia*, and forcibly obstructs the execution of legal process, whether from the Court or from single Magistrates. A Deputy Sheriff has come from *Augusta* county, and I am told has writs in his hands against Captain *St. Clair* and the Sheriff for the arrest and confinement of Mr. *Conolly*. The Sheriff was last week arrested at *Pittsburg* for serving a writ on one of the inhabitants there, but was, after some time, discharged. On *Monday* last one of *Conolly's* people grossly insulted Mr. *Mackay*, and was confined by him in order to be sent to jail. The rest of the party hearing it immediately came to Mr. *Mackay's* house and proceeded to the most violent outrages. Mrs. *Mackay* was wounded in the arm with a cutlass; the Magistrates, and those who came to their assistance, were treated with much abuse, and the prisoner was rescued.

Some days before the meeting of the court, a report was spread that the militia officers, at the head of their several companies, would come to Mr. *Hanna's*, use the Court ill, and interrupt the administration of justice. On *Wednesday*, while the court was adjourned, they came to the court house and paraded before it. Centinels were placed at the door, and Mr. *Conolly* went into the house. One of the Magistrates was hindered by the militia from going into it till permission was first obtained from their commander. Mr. *Conolly* sent a message to the Magistrates informing them that he wanted to communicate something to them, and would wait on them for that purpose. They received him in a private room. He read to them the enclosed paper, together with a copy of a letter to you, which Lord *Dunmore* had transmitted to him, enclosed in a letter to himself, which was written in the same angry and undignified style. The Magistrates gave the enclosed answer to what he read, and he soon afterwards departed with his men. Their number was about one hundred and eighty or two hundred. On their return to *Pittsburg* some of them seized Mr. *Elliott*, of the *Bullock Penn*, and threatened to put him in the stocks for something which they deemed an affront offered to their commander. Since their return, a certain *Edward Thompson*, and a young man who keeps store for Mr. *Spear*, have been arrested by them; and Mr. *Conolly*, who in person seized the young man, would not allow him time even to lock up the store. In other parts of the country, particularly those adjoining the river *Monongahela*, the Magistrates have been frequently insulted in the most indecent and violent manner, and are apprehensive that unless they are speedily and vigorously supported by

Digitized by Google

Government, it will become both fruitless and dangerous for them to proceed in the execution of their offices. They presume not to point out the measures proper for settling the present disturbances, but beg leave to recommend the fixing a temporary line, with the utmost expedition, as one step which in all probability will contribute very much towards producing that effect.

For further particulars concerning the situation of this county, I refer you to Colonel *Wilson*, who is kind enough to go on the present occasion to *Philadelphia*.

I am, sir, your very humble servant,

W. Crawford.

To the Honorable *John Penn*, Esquire.

—

Here follows Doctor *Conolly's* Address to the Magistrates of *Westmoreland* County, referred to in the foregoing letter.

Gentlemen:

I am come here to be occasion of no disturbances, but to prevent them. As I am countenanced by Government, whatever you may say or conceive, some of the Justices of this Bench are the cause of this appearance, and not me. I have done this to prevent myself from being illegally taken to *Philadelphia*. My orders from the Government of *Virginia* not being explicit, but claiming the country about *Pittsburg*, I have raised the militia to support the civil authority of that Colony, vested in me. I am come here to free myself of a promise made to Captain *Proctor*, but have not conceived myself amenable to this Court by any authority from *Pennsylvania*, upon which account I cannot apprehend that you have any right to remain here as Justices of the Peace, constituting a court under that Province; but in order to prevent confusion, I agree that you may continue to act in that capacity in all such matters as may be submitted to your determination by the acquiescence of the people, until I may have instructions to the contrary from *Virginia*, or until his Majesty's pleasure shall be further known on this subject.

J. Conolly.

—

The Answer of the Magistrates of *Westmoreland* County to the foregoing Address of Doctor *Conolly*, viz:

The jurisdiction of the Court and officers of the county of *Westmoreland*, rests on the legislative authority of the Province of *Pennsylvania*, confirmed by his Majesty in Council. That jurisdiction has been regularly exercised, and the Court and officers will continue to exercise it in the same regular manner. It is far from their intentions to occasion or foment disturbances, and they apprehend that no such intentions can with propriety be inferred from any part of their conduct; on the contrary, they wish, and will do all in their power to preserve the public tranquillity. In order to contribute to this very salutary purpose, they give information that every step will be taken on the part of the Province of *Pennsylvania* to accommodate any differences that have arisen between it and the Colony of *Virginia*, by fixing a temporary line betwixt them.

—

The Deposition of *Henry Read*, relative to the disturbances made in *Westmoreland* County by the *Virginians*, viz:

Westmoreland County, ss:

The deposition of *Henry Read*, of *Pittsburg*, yeoman, (he being of full age,) taken before us, two of his Majesty's Justices of the Peace for the county aforesaid, on his solemn oath of the Evangelist of Almighty *God*, is as follows, viz: That on this day, about eleven o'clock, Doctor *John Conolly*, at the head of a number of armed men on horseback, came into *Pittsburg* and alighted near the houses of *John Ormsby* and *Joseph Spear*, Esquire, when said *John Conolly* came into Mr. *Spear's* house, and soon after went out again; that this deponent, *William Amberson*, and some others, were tying up Mr. *Spear's* skins at his door; that *Conolly* then ordered one *Reily* to lay hold of that fellow, pointing to said *Amberson*, who is at Mr. *Spear's*, and acts for him as storekeeper and clerk; that *Reily* laid hold of *Amberson* by the arm; that *Amberson* then requested he might have liberty to lock up the store, and was endeavouring to go towards the store door, when Mr. *Conolly* came up and seized *Amberson* by the breast, and said, let the skins and store go to the devil, if your master was here I would serve him in the same manner; that then *Conolly*, with several armed men, took said *Amberson* down to the Fort; that after some time this deponent saw said *Amberson* and *Edward Thompson* brought up from the Fort to the town, and guarded by a number of armed men; that after they had drank some toddy at Mr. *Ormsby's* porch, they took *Amberson* and *Thompson* to *William Christy's* house, and placed several armed men at the door; that in this state this deponent left them, and came off express to give information to Mr. *Spear* at *Westmoreland* court; that there was in Mr. *Spear's* house, a large quantity of goods and skins. And further this deponent saith not.

Henry Read.

Sworn and subscribed this 7th day of *April*, 1774.

W. Crawford,
Van Swearingen.

The Board taking the above Letters and papers into consideration, thought it advisable for the Governor to defer writing an answer thereto, or taking any steps in consequence of the intelligence they contain, till the return of the express from *Williamsburg*, who was lately despatched by this Government to the Earl of *Dunmore*, on the subject of the above mentioned disturbances.

—

At a Council held at *Philadelphia*, on *Thursday*, 21*st April*, 1774:

Present, the Honorable *John Penn*, Esquire, Governor, *Richard Peters*, *Andrew Allen*, *James Tilghman*, *Edward Shippen*, Jun., Esquires.

The express sent to *Williamsburg* being returned without any answer from the Government of *Virginia*, the Governor recommended to the Board the consideration of the subject relative to the disturbances and violences committed by the people of that Colony within the county of *Westmoreland*, and laid before them three letters he received two days ago by express from *Æneas Mackay*, *Devereux Smith*, and *Andrew McFarlane*, Esquires, Magistrates of that county, each dated the 9th of *April* instant, which were severally read, and Messrs. *Mackay* and *Smith's* letters follow in these words, viz:

Pittsburg, 9th April, 1774

Sir: I have just time to inform your Honor that the Justices, *Devereux Smith*, *Andrew McFarlane*, and myself, returned from court late last night to this place; and that we were all three taken prisoners at half an hour past nine o'clock this morning by order of Doctor *Conolly*; and because we refused giving bail we are ordered to be sent off this afternoon to *Staunton*, in *Virginia*, where I suppose we will spend the most of this summer, which gives me no manner of concern so far as it affects my own person, although I cannot but feel for, and lament the distressing situation of my wife and children, left here exposed to the insults and tyranny of a lawless mob, whose aim is to subvert government and good order, and enrich themselves with the spoils of their neighbours.

I am, with due respect, sir, your most humble and most obedient servant, Æneas Mackay.

—

Pittsburg, April 9th, 1774.

Sir: When Justices *Mackay*, *McFarlane*, and I, returned from attending the court last evening, we were informed that Doctor *Conolly* was determined to issue King's warrants for us, which were served on the above mentioned gentlemen and myself this day by Mr. *Conolly's* Sheriff. The crime which we are charged with is for the answer we gave Doctor *Conolly* in writing by the concurrence of the Court of *Westmoreland*, a copy of which was enclosed to your Honor per favour of Colonel *Wilson*. Mr. *Conolly* offered to enlarge us on condition of giving bail to take our trial at *Staunton* court in *Virginia*, which the other gentlemen and I refused, so that we go to jail this day, where we intend to remain till your Honor's pleasure is known, which we make no doubt will be in a

Digitized by Google

short time. It is true, our going away from our families and business at this time, will be attended with very great inconveniences, but we are willing to suffer that, and a great deal more, rather than bring a disgrace on the commission which we bear under your Honor.

I am, with great respect, your Honor's most obedient and most humble servant,

DEVEREUX SMITH.

Mr. *McFarlane's* Letter is of the same tenor with the foregoing one from Mr. *Smith*.

The Board taking into consideration the said letters, as will as the letters and papers laid before them at their last meeting, are of opinion, that the most advisable step to be taken on this occasion by the Government will be to appoint Commissioners to go as soon as possible to *Williamsburg*, in order to represent to the Government of *Virginia* the ill consequences which may happen to the persons and properties of his Majesty's subjects, if an immediate stop be not put to the disorders and violent proceedings which have been begun and are now carrying on under the authority of the Government, within the western lands of this Province; and also to confer with the said Government on the most proper measures for establishing peace and good order among his Majesty's subjects of both Governments; and for that purpose to endeavour to agree upon a temporary line of jurisdiction; and further, to request the said Government will, without loss of time, join with the Proprietaries of this Province in an application to the Crown to appoint Commissioners for running and ascertaining the true boundary lines between *Pennsylvania* and *Virginia*.

The Board were likewise of opinion that a letter should be wrote to the three Magistrates who have been put under an arrest by Mr. *Conolly*, thanking them for their spirited behaviour, and acquainting them that proper care shall be taken to supply them at the expense of this Government, with all necessaries which may render their situation as comfortable and easy as possible until their discharge can be obtained; and also that a letter of instructions be sent to the other Magistrates of *Westmoreland* respecting their future conduct.

At a Council held at *Philadelphia*, on *Friday*, 22d *April*, 1774:

Present, the Honorable *John Penn*, Esquire, Governor, *Richard Peters*, *Andrew Allen*, *James Tilghman*, *Edward Shippen*, Jun., Esquires.

A member of Council laid before the Board draughts of two letters proposed to be sent to the Magistrates of *Westmoreland* county, which were read, and after a few alterations made to them, were ordered to be fairly transcribed, and despatched to morrow by the express, who came from that county.

The letters follow in these words, viz:

Philadelphia, April 22, 1774.

GENTLEMEN: I received your several letters informing me of your arrest and confinements on warrants issued by Doctor *Conolly*, and cannot but greatly approve your spirit and the attachment you have shown to the interest of this Province. But as the confinement of your persons at so great a distance from your homes must be very injurious to your private concerns, if you can procure your enlargement, by finding bail, I shall by no means disapprove such a step. I shall with all possible expedition, send Commissioners to my Lord *Dunmore*, to apply for your discharge; and as Colonel *Wilson* is so obliging as to offer to call at *Staunton*, in his way home, I have instructed him to procure for you any security or credit you may stand in need of, and shall do every thing in my power to free you from your disagreeable situation, or to make it as comfortable as may be.

I am, gentlemen, your very humble servant,

JOHN PENN.

To *Æneas Mackay*, *Devereux Smith*, and *Andrew McFarlane*, Esquires, Justices of the Peace for the County of *Westmoreland*.

Philadelphia, April 22, 1774.

GENTLEMEN: The present alarming situation of our affairs in *Westmoreland* county, occasioned by the very unaccountable conduct of the Government of *Virginia*, requires the utmost attention of this Government, and therefore I intend, with all possible expedition, to send Commissioners to expostulate with my Lord *Dunmore* upon the behaviour of those he has thought proper to invest with such power as hath greatly disturbed the peace of that county. As the Government of *Virginia* hath the power of raising a militia, and there is not any such in this Province, it will be in vain to contend with them in the way of force; the Magistrates therefore, at the same time that they continue with steadiness to exercise the jurisdiction of *Pennsylvania* with respect to the distribution of justice and punishment of vice, must be cautious of entering into any such contests with the officers of my Lord *Dunmore* as may tend to widen the present unhappy breach; and therefore as things are at present circumstanced I would not advise the magistracy of *Westmoreland* county to proceed by way of criminal prosecution against them for exercising the Government of *Virginia*. I flatter myself that our Commissioners to *Virginia* will succeed according to our expectations, and that our affairs to the westward will soon be put upon a peaceable and quiet footing. I am gentlemen, your very humble servant.

JOHN PENN.

To *William Crawford*, Esq., and his Associates, of *Westmoreland* County.

CORRESPONDENCE LAID BEFORE THE COUNCIL.

ARTHUR ST. CLAIR TO JOSEPH SHIPPEN.

Ligonier, January 15, 1774.

SIR: This will be delivered by Mr. *Hanna*, one of the trustees for *Westmoreland* county. To some management of his I believe, the opposition to fixing the county town at *Pittsburg* is chiefly owing—it is his interest it should continue where the law has fixed the courts, *pro tempore*; he lives there; used to keep public house there; and has now, on that expectation, rented his house at an extravagant price. *Erwen*, another trustee, adjoins, and is also public house keeper. A third trustee lives in the neighbourhood, which always make a majority for continuing the courts at the present place. A passage in the law for erecting the county is, that the courts shall be held in the foregoing place (the house of *Robert Hanna*) till a court house and jail are built; this puts it in their power to continue them as long as they please—for a little management might prevent a court house and jail being built this twenty years. This is explanation of a petition to the House, which was sent down lately—it was begun and ended on the *Friday* of the court week. An unexpected opportunity to *Philadelphia* offered that day, by reason of which it is to the House only, and signed but by a few people, but the few that have signed it are the principal people; and who acted more from their feelings for multitudes, who they saw suffering than from their own inconvenience. A like petition to the Governor will soon be forwarded, which will be countenanced, by, I am certain, five-sixths of the whole people.

Mr. *Hoofnagle* I hope will be almost home before you receive this. I beg you will excuse inaccuracies as I wrote in the greatest hurry—Mr. *Hanna* holding his horse whilst I write. I will see you early in the spring.

And am, sir, your most humble and most obedient servant,

AR. ST. CLAIR.

Joseph Shippen, Jun., Esq.

ARTHUR ST. CLAIR TO GOVERNOR PENN.

Ligonier, February 2, 1774.

I am honored with your letter of the 20th *January*, which reached me the 28th, and am happy to find the method pursued at *Pittsburg*, on the 25th, did not very materially differ from that you had been pleased to direct.

Digitized by Google

Doctor *Conolly* was arrested previous to the meeting, by my orders, on his avowing himself the author of the advertisement requiring the people to meet as a militia, and committed on refusing to find sureties for his good behaviour till next court.

I was in hopes the sending him out of the way would have put an end to it altogether; but I was mistaken. About eighty persons in arms assembled themselves, chiefly from Mr. *Croghan's* neighbourhood, and the country west of and below the *Monongahela*, and after parading through the town and making a kind of *feu de joy*, proceeded to the Fort where a cask of rum was produced on the parade, and the head knocked out. This was a very effectual way of recruiting.

As a scene of drunkenness and confusion was likely to ensue, I got the Magistrates (who attended in consequence of the letters I had sent them) together, and read the enclosed paper, which we had concocted that morning, and at the conclusion, when they were required to disperse, they replied they had been invited there, but came with peaceable intentions, and would go home again without molesting any one; on which we left them; however, towards night, their peaceable disposition forsook them, and I should probably have felt their resentment had I not got intimation of their design. I thought it most prudent to keep out of their way.

I have no doubt but the Magistrates will do their duty with spirit, and I shall take the earliest opportunity to make them acquainted with the support your Honor is determined to afford them. In some parts of the country they will have a difficult task, and I am really affraid this affair will be productive of a great deal of confusion. I shall not fail to give them the necessary cautions with regard to the Riot Act, and I think I can judge pretty nearly how far it may be safely extended.

Mr. *Conolly* has most certainly a commission from Lord *Dunmore*, expressly for *Pittsburg* and its dependencies, and his subalterns are *John Stephenson*, a brother of Mr. *Crawford*, our senior magistrate, *William Harrison*, a son-in-law of his, and *Dorsey Penticost*, who was lately in the commission of the peace here. Mr. *Penticost* has, I hear, been down to Mr. *Conolly* since his confinement, and taken the necessary oaths to qualify him for his military office, and is to assemble the people at *Red Stone* and take possession of *Fort Burd*. I have wrote to the Justices in that part of the country to watch his motions. Mr. *McKee* is said to be appointed a Justice by Lord *Dunmore*, but I would fain hope without his consent; at any rate he behaved very well on the late occasion, and as he was doubted, I made a point of having him there under pretence of his being *Indian* Agent, but in fact, if he was a friend or abettor of *Conolly's* measures.

It is, sir, extremely grateful to me that my conduct in any part meets with your approbation; but should I forget to be attentive to any thing that may disturb the happiness of your Government, or from which you may receive a personal injury, I should be guilty of the grossest breach of duty, as well as the blackest ingratitude, neither of which I trust will ever be the case.

I am, sir, your most obedient and most humble servant,

AR. ST. CLAIR.

The Honorable *John Penn*, Esq.

—

Paper enclosed in *Arthur St. Clair's* Letter to the Governor, of *February* 2, 1774.

As friends and fellow countrymen, which we ought all to consider each other, from whatever different quarters of the globe we have met here, suffer that we make you acquainted with some things of which you ought not to be ignorant.

We do not blame you for having an affection for the laws of the countries and provinces in which you have been born; 'tis a natural, 'tis a praiseworthy affection! And it requires a length of time and diligent application to discover and give the deserved preference to different systems of laws and forms of Government, for which but few have either leisure or opportunity.

We do not tell you the plan of *Pennsylvania* is a perfect one. Such no human institution is or ever was; but the rapid progress *Pennsylvania* has made, the numbers of people that flock to it from every part of the world, and particularly the much greater value of landed property than in the adjoining parts of the neighbouring countries, evince that it is no very defective one; evince that its laws are mild and salutary, and that property and liberty, civil and religious, is well secured, and that it has some advantages over its neighbours.

We doubt not but you will readily acknowledge these matters; but you will reply, it is nothing to us; the soil we live on being no part of *Pennsylvania*; we can have no part of the advantages or disadvantages arising from its constitution.

We well know much pains have been taken to persuade many of you to a belief of this, and likewise that the Proprietaries have industriously delayed to settle their boundary. There is not the least foundation for either.

The Proprietaries of *Pennsylvania* claimed the country about *Pittsburg*, and the settlers quietly acquiesced in that claim; and as soon as doubts began to arise about it they took effectual pains to satisfy themselves whether or not they were right in that claim, and actually found the country a considerable distance west of that place within their Province: And so far are they from delaying the running their boundary line, we have the best authority for saying that a petition has been a considerable time before his Majesty for that very purpose. You must be sensible it would be to little purpose to run it without the concurrence of the Crown; certainly it would never be conclusive.

The jurisdiction of *Pennsylvania* has been regularly extended to *Pittsburg*, and exercised there for a number of years, as the records of *Cumberland*, *Bedford*, and *Westmoreland* counties testify; and you yourselves have acknowledged it, by applying for your lands in that Province. Whether that extension has been legally made or not, can be determined by the Crown alone; but must be submitted to till it is determined. And it must be evident to you that Lord *Dunmore*, as Governor of *Virginia*, can have no more right to determine this matter then one of us, for this plain reason: the charters of *Pennsylvania* and *Virginia* both flowed originally from the Crown; on that footing they are perfectly independent of each other; but they are both parties in this dispute, and consequently neither can be judge.

We would fondly hope no person in this country would wish to be from under the protection of law. A state of anarchy and confusion, and total subversion of property must inevitably ensue. We cannot help thinking contending jurisdictions in one and the same country must produce similar effects, and every attempt to introduce modes or regulations not warranted by the laws or constitution of *Pennsylvania* will also do so in a certain degree.

Any grievances the inhabitants of this part of the country suffer there is no doubt the Legislature want only to be informed of to redress. Should it be imagined the protection of a military force is necessary, the votes and proceedings of the last winter session of Assembly will shew that, probably, it was owing to the representations of the *Indian* Agent, that an *Indian* war would certainly follow, establishing a military force at *Pittsburg*, that such protection was not then granted, and time seems to have shewn he was not in the wrong.

If that effect would have supervened at a time when his Majesty's troops were just withdrawn, when the country was naked, defenceless, and alarmed, and when the *Indians* were accustomed to the idea of troops in their neighbourhood, much more is it to be doubted the establishing a militia, which is a military force, will produce that effect now when they have been so long disused to it.

As his Majesty's Justices and Protectors of the public peace of *Pennsylvania*, it is our duty to tell you your meeting is an unlawful one, and that it tends to disquiet the minds of his Majesty's liege subjects. We do in his Majesty's name require you to disperse, and retire yourselves peaceably to your respective habitations.

Present when this was read.

ALEXANER MCKEE,	ÆNEAS MACKAY,
WILLIAM LOCHRY,	VAN SWEARINGEN,
JAMES POLLOCK,	WILLIAM BRACHEN,
JAMES CAVET,	ARTHUR ST. CLAIR.

Digitized by Google

ARTHUR ST. CLAIR TO JOSEPH SHIPPEN, JUN.

Ligonier, February 25, 1774.

DEAR SIR: The disturbances that have begun in this country seem still to be increasing, and, unless some effectual method is soon fallen upon to put a stop to them, will soon come to a formidable head. What that method should be it is difficult to say, but possibly the running a temporary line might quiet the people a little, though I doubt very much if even that would not now be opposed.

As much the greatest part of the inhabitants near the line have removed from *Virginia*, they are inexpressibly fond of any thing that comes from that quarter, and their minds are never suffered to be at rest. Mr. *Croghan's* emissaries (and it is astonishing how many he has either duped or seduced to embrace his measures) are continually irritating them against *Pennsylvania*, and assuring them they are not within its limits; so that unless Lord *Dunmore* does formally recede from what he has undertaken in this country, it will be next to impossible to exercise the civil authority. From the very beginning I foretold a second *Carolina* affair was intended, I am now convinced of it.

I have letters from all the Magistrates in that part of the country, complaining of the difficulties they are exposed to, and the open and avowed determination of the people not to submit to their jurisdictions. However, they are all still as yet, and I will do what in my power lies to continue them so; as one step towards it, and to convince the others that we in some measure are in earnest, I intend immediately removing my office to *Pittsburg*, adjoining, there to live the moment I can get my farm off my hands here.

I enclose you a letter from Mr. *Spear*, which I received by the bearer. I shall immediately write to Mr. *Swearingen* to commit, without ceremony, any person who shall attempt to oppose or molest him in the execution of his office. Excuse the haste I am almost always obliged to write to you in; opportunities offer unexpectedly, and the people waiting.

I am, dear sir, your very humble servant,

AR. ST. CLAIR.

Enclosed in *Arthur St. Clair's* Letter to *Joseph Shippen*, Jun., of *February* 25, 1774.

Pittsburg, February 23, 1774.

DEAR SIR: I am just now informed that the *Virginians* up the *Monongahela* have had two or three musters lately; one at *Red Stone Old Fort*, and one yesterday at *Paul Froman's*, on the other side of the *Monongahela*; and I am also told they had a meeting at Mr. *Penticost's* own house, in consequence of which Mr. *Penticost* wrote to Mr. *Swearingen* to act no longer there as a *Pennsylvania* Magistrate at his peril. I therefore think it would be advisable to endeavor to have a stop put to those proceedings, if possible, as it creates the greatest disturbance, and very much retards the execution of our civil process.

I am, in haste, dear sir, your humble servant,

JOSEPH SPEAR.

P. S. This news has just come to hand, otherwise I would have wrote you more full. Dr. *Conolly* is just now going over the run to *Red Stone*, I know not what for.

ÆNEAS MACKAY TO GOVERNOR PENN.

Pittsburg, April 4, 1774.

SIR: Since the return of the celebrated Dr. *Conolly* from *Virginia* last to this place, which he did on the 28th *March*, our village is become the scene of anarchy and confusion. The Doctor was taken into the Sheriff's custody here the 24th day of last *January*, in consequence of his extraordinary advertisement. He was but a few days in jail before he found means to prevail with the Sheriff, and obtained his leave to visit his associates at this place, where he staid a few days, and then, instead of returning to jail, according to his promise to the Sheriff, he went up to *Red Stone* settlement, where, with the assistance of his friends in that quarter, he assembled about twenty armed men, who guarded him from there to or near the frontiers of *Virginia*.

On the 30th of *March* a party from *Chaster* settlement joined the Doctor at this place. On hearing of that circumstance Sheriff *Proctor*, and the Justices *Smith*, *McFarlane*, and myself repaired to the Fort in order to discover the Doctor's intentions, and if we found them any wise tumultuously disposed, to read them the Riot Act. There we found about twenty odd men, some with and some without arms, and the Doctor before them with two letters in his hands, both of which he said he had just received from Lord *Dunmore*, with orders to make them (the militia) acquainted with the contents, and this he immediately did by reading the papers to them. In the first of these letters his Lordship greatly applauded the Doctor's conduct, when taken by the Sheriff, for not giving bail, and commanded him to persevere in the prosecution of the plan he begun upon, maintaining the possession of *Fort Pitt* and its dependencies, and to put the militia and other *Virginia* laws in force, concluding with a promise of being powerfully supported by his Lordship.

The other letter the Doctor declared to be a duplicate of his Lordship's answer to Governor *Penn's* letter, relating to the militia muster, when first set on foot in this place last *January*. Just as the Doctor had done reading these instruments, he turned on his heel, and gave us to understand he would be glad to speak to us in a bar room just at hand, when he said that although he, in obedience to Lord *Dunmore's* positive orders, had assembled these men, in order to hear the aforesaid letters read, he had no intention to take any step contrary to the established rules of law at this place, until after the court, which would set in a few days, when he said he was determined to deliver himself up, and abide by the judgment of the same, and requested of us to observe the like pacific measures in the mean time. We told the Doctor we are averse to violent proceedings, unless forced to it in our own defence, but expected he, the Doctor, did not mean we should desist from exercising the duty of our station, as conservators of the peace, till that time. To this he replied, he did not.

Next morning, the 31st of *March*, the Sheriff served a writ on *William Christy*, a militia Lieutenant, on notice of which the Doctor had the Sheriff taken by a King's warrant, and was actually in custody for some little time; and ever since that time there are parties of armed men in constant pursuit of our Deputy Sheriff and Constables, by which means it is impossible for us to do any business.

The Doctor is now in actual possession of the Fort, with a body guard of militia about him, invested, as we are told, with both civil and military power to put the *Virginia* law in force in these parts; and a considerable number of the inhabitants of these back parts of this county are ready to join him on any emergency. Every artifice are used to seduce the people; some by being promoted to civil or military employments, and others with the promises of grants of lands on easy terms: and the giddy headed mob are so infatuated as to suffer themselves to be carried away by these insinuating delusions; for instance of which, the two Constables appointed to serve as such in this township, (one of whom, *Philip Reily* by name, was sworn in at last *January* court,) both deserted us and joined the Doctor's party. It is most certain the Doctor is determined to carry his point, or lose his life in the attempt; and it is equally certain he has all the encouragement and promises of support from *Virginia* that he can wish for, so that unless an effectual remedy be speedily applied we know not what may be the consequence, for matters are carried to a very dangerous length already, and are likely to become more so every day.

We are told the Colonel of militia of *Augusta* county is under orders to be in readiness to march to this place on the shortest notice. Lord *Dunmore* has actually enclosed twelve commissions to the Doctor to fill up for militia officers at his own discretion.

We will have another general muster at this place some time this month, and we are well assured a strong body of the militia will appear with arms at the court, with an intention no doubt, to rescue *Conolly*, and perhaps will attempt something else.

The *Indians* are greatly alarmed at seeing parties of armed men patroling through our streets daily, not knowing but there is hostility intended against them, and their

Digitized by Google

country. I remain, sir, your most humble and most obedient servant, ÆNEAS MACKAY.

GEORGE CROGHAN TO DAVID SAMPLE.

April 4th, 1774.

SIR: I have been long convinced that *Fort Pitt* and its dependencies was without the limits of *Pennsylvania*, and no less convinced that the laws of that Province could have no force or power beyond its limits, yet as I have always considered any law better than no law, I have countenanced the law of that Province hitherto, by pleading to some actions brought against me, and being bail to others, though at the same time I have always denied the jurisdiction by not paying any taxes, as in that case my liberty and property was in as much danger as all the rest of my fellow subjects in the Colonies have thought theirs, by submitting to a tax laid on them by the *British* Parliament, and which they have always withstood. Now, sir, as the Colony of *Virginia* has this winter extended the laws of that Government to this part of the country, by raising the militia and appointing civil officers, I shall no longer countenance the laws of your Province by pleading to any actions brought against me, unless brought by the Colony of *Virginia;* for it must be granted, that if any Colony has a right to extend their laws to this country, *Virginia* must, till his Majesty's pleasure be known therein. Since this change has happened, two actions have been brought against me from your court, one at the suit of *Richard* and *William Butler*, the other at the suit of *Joseph Spear*. As you are my attorney, I desire, when those actions are called in court, that you wont appear to them, and I request that you will inform the Court you have my directions so to act, and inform them of my reasons, which I should wish them to know, though I have many others; but as your court can have nothing to do in adjusting the present disputes I will not trouble you with any thing farther on this head. And am, sir, your most humble servant,

GEORGE CROGHAN.

To *David Sample*, Esq.

THOMAS SMITH TO JOSEPH SHIPPEN.

Westmoreland County, April 7, 1774.

SIR: The present transactions at this place are so very extraordinary that I am persuaded you will be very much surprised at the relation of them, if any thing that is absurd and unwarrantable which originates from Lord *Dunmore* can surprise you. I think I am warranted in this observation by his Lordship's letter to his Honor, a duplicate of which, together with a letter at the same time to *Conolly*, we have had just read to us.

After *Conolly* was committed to jail in the manner you have been informed, the Sheriff let him at large on his word of *honour* to return at the court. He did return, indeed, and in such a manner as might have been expected from his preceding conduct. We heard, when we came up to this court, that he was mustering a large party in order to prevent the court from sitting. We thought that there could not be any foundation for such a report, but at the same time we thought it prudent to order the Sheriff to raise as many men as he could collect, to prevent us from being insulted by a lawless set of men acting under the colour of authority. The time was so short that few were collected on our side, and those few were ill armed, so that we found ourselves in a very disagreeable situation when we received certain intelligence that *Conolly* was coming down with two hundred armed men. When we found they were at hand the Magistrates thought it prudent to adjourn the court, as it was near the time. They soon after came down to the number of one hundred and fifty or one hundred and eighty, with colours flying, and their *Captains*, &c., had their swords drawn. The first thing that they did was to place centinels at the court house door, and then *Conolly* sent a message that he would wait on the Magistrates and communicate the reasons of his appearance. The Bench and Bar were then assembled in Mr. *Hanna's* house, where we sent him word we would hear him. He and *Penticost* soon came down, and he read the paper which will be sent down to his Honor the Governor with the bearer of this, and then he read a duplicate of Lord *Dunmore* to our Governor, together with the letter mentioned before.

The Court told him they would soon return an answer to what he had said. (They did not think it prudent to do it without consulting together and taking the opinion of the Bar.) We soon agreed on the terms of the answer, and the gentleman who had the principal hand in forming it, has done it in such a manner as I am persuaded will procure him the thanks of the Government. It contains firmness and moderation, and, as far as I am capable of judging, it was not possible to form one more free from exceptions in our present situation. One in any other form might have been the occasion of altercations, which might have produced undue concessions, or been attended with the most fatal consequences; for I have reason to believe that the greatest part of them were wishing for some colourable reason to quarrel. The Bench purposed to deliver the answer in the court house. However, in that particular they counted without their host, for they were refused admittance, and *Conolly* waited for them at the court house door, where Mr. *Wilson*, at the request of the Court, delivered it, and after exchanging copies they departed more peaceably than might have been expected. However, the consequences of such proceedings are too apparent to need be enumerated; the administration of justice must be entirely at a stand, and, indeed, I cannot help thinking that this mob has collected for that purpose, as I am well assured that amongst all those who assembled there was not one single man of any property; on the contrary, the greatest part of them were such as are obliged to hide themselves from their creditors, or such as are under the necessity of taking shelter in this part of the country to escape the punishment due to their crimes. It seems Lord *Dunmore* gave *Conolly* blank commissions, trusting to his own prudence to fill them up, by inserting the names of proper persons. *Conolly*, in order to be consistent with himself, bestowed one of these commissions on one *Teagarden*, an old fellow, who has several times been *committed* for felony. I don't, indeed, know that he has been *convicted*, because he has always broken the jail. Once I think he was committed to *Lancaster* jail and escaped. His character is so well known, that those who are the strongest advocates for the present disturbances are ashamed of his being appointed one of their Captains.

The people in this part of the country who would wish to enjoy the benefits of society, and would submit to any form of government, are in the most disagreeable situation that can be imagined: their *property*, their *liberty*, and their *lives*, are at the mercy of a lawless desperate banditti! In such a situation they look for, and have the utmost reason to expect, the protection of that Government under which they have settled. What is the most proper method to be taken it would be presumption in me to suggest. There are but two ways: the one to agree on a temporary line of jurisdiction until the matter can be finally settled; the other, to establish a sufficient garrison at *Fort Pitt* to withstand the rabble who act under Lord *Dunmore's* commission. It would have been a happy thing for this part of the country, if this last measure had met with success when it was first recommended to the Legislature; and, indeed, sensible people in this part of the country, who are well affected to this Government, cannot help drawing conclusions from the opposition which that measure met with, which I am persuaded could never be the motives of those who may have made the opposition to it.

The conduct of Lord *Dunmore* is really the most extraordinary, in the light in which the people of this part of the country are obliged to view and feel it, that can be imagined. To establish the jurisdiction of a different Province over the people who have purchased, and settled, and lived for a considerable space of time, peaceably under this;—to establish this jurisdiction by a military force, is such an absurd measure, that I believe it will be difficult to suppose any man in his senses would have adopted it.

I hope you will excuse this incoherent scrawl, when I inform you that it is wrote in a small room amidst the clamour and confusion of a number of people. If you think the contents of it are of consequence enough to be communicated to his Honor the Governor, I will request

Digitized by Google

you to do it; if not, you will please to excuse this impertinence, of, sir, your obliged and most humble servant,

THOMAS SMITH.

Joseph Shippen, Esquire.

REPRESENTATION OF THE COMMISSIONERS AND ASSESSORS.

To the Honorable *John Penn*, Esquire, Governor and Commander-in-chief of the Province of *Pennsylvania*.

MAY IT PLEASE YOUR HONOR: The Board of Commissioners and Assessors for the county of *Westmoreland*, at this critical junction, humbly beg leave to represent to your Honor the disagreeable situation they are now in, by reason of the present disturbances in this county. The Board beg leave to inform your Honor, that they have duly and regularly laid the assessments of the county, according to the laws of this Province; they have also issued the proper duplicates to the different Collectors by them appointed to collect the same; but the people residing in the back parts of the county, or the greater part of them, absolutely refuse to pay their taxes, or to serve the county in the office of Collector. On which account the Board has been under the necessity to be at a great expense by reason of their frequent meetings, which consequently must come off the public, and are unable without further assistance to execute their duty.

They therefore pray your Honor's advice and assistance in this matter, and for further particulars, refer your Honor to *George Wilson*, Esquire, who was an eye witness to the disturbance of the Court, by the meeting of a number of armed men; and the Board begs leave to assure your Honor that every step shall be taken in their power for the benefit and advantage of the Province.

By order of the Court,

JOSEPH BEELER, } Commissioners.
JAMES SMITH, }

Westmoreland, April 8, 1774.

THOMAS SMITH TO JOSEPH SHIPPEN, JUN.

Bedford, April 13, 1774.

SIR: If you have received my letter, which I did myself the favour to write by Colonel *Wilson*, you will not be surprised to be informed of the continuation of the outrages committed by the *Virginians*. They have now arrested three of the Magistrates of *Westmoreland* county, who are now on their way to *Augusta* jail, exposed to the insults of the rabble who are sent as their guard. The crime alleged against them is, I am informed, the answer which the Court gave to *Conolly's* modest address and proposals. I hope, for the honor of this Province, that it will not set calmly looking on and see its Magistrates, *as its Magistrates*, taken by a set of lawless men, when they were within its known limits, and hurried away like criminals to the jail of another Province, there to be confined contrary to all law and justice, to satisfy the whim and caprice of a man who seems either to have totally divested himself of any regard of natural justice, (I was going to say to the law of nations, if I might be allowed the expression,) or else be made the tool of a set of desperate men, who have more cunning than himself—for I have many reasons to think that this scheme was hatched at *Fort Pitt*. The reasons that could induce any man of common sense to take such a step I am at a loss to guess.

The bearer of this was sent down to go to *Philadelphia* with the account of these proceedings. I thought it my duty to enable him to pursue his journey, by accommodating him with money; he has acted some time as Under Sheriff, and if the High Sheriff had conducted himself in the same spirited, unsuspected manner, that this man has done, I am persuaded that these disturbances might have been prevented. But he, in the first place, had so little regard to his duty, that he let *Conolly* at liberty on his promise to return at the court, and when he was ordered to raise the posse, his conduct was a little mysterious, and he was extremely backward and remiss. The bearer can give you further information in this particular.

I am sir, your very humble servant,

THOMAS SMITH.

VIRGINIA ASSEMBLY.

The Speech of his Excellency the Right Honorable JOHN *Earl of* DUNMORE, *his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same, to the General Assembly, convened at the Capitol, on Thursday, the 5th of May*, 1774.

Gentlemen of the COUNCIL, *Mr.* SPEAKER, *and Gentlemen of the* HOUSE OF BURGESSES:

Having had nothing in particular charge from his Majesty to offer to your consideration, I have consulted only your own ease in the time of assembling you for the necessary business of the Colony, in which I recommend to you to proceed with that despatch which the public convenience requires.

Mr. SPEAKER *and Gentlemen of the* HOUSE OF BURGESSES:

I have not, at this time, any thing to require of you; but I hope that your resolutions, on the various matters which shall be the subject of your deliberation, may be influenced by prudence and moderation.

Gentlemen of the COUNCIL, *Mr.* SPEAKER, *and Gentlemen of the* HOUSE OF BURGESSES:

My ardent desire faithfully to promote the service of his Majesty, who ever evinces the good of his people to be the first object of his thoughts, will make me heartily concur with you in all measures, and assent to all such laws as shall be for the welfare and true interest of this country.

To his Excellency the Right Honorable JOHN *Earl of* DUNMORE, *his Majesty's Lieutenant and Governor General of the Colony and Dominion of* VIRGINIA, *and Vice Admiral of the same:*

The humble Address of the COUNCIL.

MY LORD: We his Majesty's most dutiful and loyal subjects, the Council of *Virginia*, now met in General Assembly, beg leave to return your Excellency our most cordial thanks for your Speech at the opening of this session; and to acknowledge that your Lordship, as well upon this as every other occasion, since the commencement of your administration, hath consulted the ease and convenience of the people committed to your care.

To promote the service of his Majesty, and to advance the interest of our country, ever have been the first objects of our wishes. Actuated by these motives, we will concur with the House of Burgesses in framing such laws as shall be for the welfare and true interest of this Colony; and with that despatch the importance of the subjects will admit of.

Permit us to take this opportunity of congratulating your Excellency on the safe arrival of the Countess of *Dunmore*, and your family in this country; an event, which while it adds greatly to your Lordship's domestic felicity, gives us a pleasing earnest of your intention of continuing among us.

To which his EXCELLENCY *was pleased to return the following Answer:*

GENTLEMEN OF THE COUNCIL: The faithful and united assistance which I have constantly received of you, fully convinces me of your zeal for his Majesty's service, as well as of your firm regard to the interests of your country; and makes this fresh declaration of both extremely grateful to me, as it must be likewise to your Sovereign and country.

I thank you very heartily for your kind congratulation upon the arrival of my family, the happiness of which will increase to me as it proves more agreeable to you, from whom I have received every mark of regard and attention.

To his Excellency the Right Honorable JOHN *Earl of* DUNMORE, *his Majesty's Lieutenant and Governor*

Digitized by Google

General of the Colony and Dominion of VIRGINIA, *and Vice Admiral of the same:*

The Humble Address of the HOUSE OF BURGESSES.

MY LORD: We his Majesty's most dutiful and loyal subjects the Burgesses of *Virginia*, now met in General Assembly, beg leave to return your Excellency our unfeigned thanks for your kind Speech at the opening of this session.

Sensible as we are of the importance of that variety of business which will probably come before us, we shall esteem it our bounden duty to proceed in the discussion of it with coolness, deliberation, and as much despatch as circumstances will admit; and we flatter ourselves that every resolution, we may find it expedient to adopt, will be marked with that prudence and moderation which you are pleased to recommend.

The fatherly attention of our most gracious Sovereign to the happiness of his subjects, in making the good of his people the first object of his thoughts, cannot but impress our minds with the liveliest sense of duty and gratitude; and it is with great satisfaction that we receive from your Excellency those earnest assurances, that you will heartily concur with us in all measures, and assent to all such laws as shall be for the welfare and true interest of this country.

It will ever, my Lord, afford us much pleasure to observe an increase of your domestic felicity: we therefore, with the greatest cordiality, embrace this first opportunity to congratulate your Excellency on the happy arrival of the Right Honorable the Countess of *Dunmore*, your Lordship's amiable and most respectable lady, with so many promising branches of your noble family, an event which we consider as having brought with it the surest pledges of our mutual happiness.

To which his EXCELLENCY *was pleased to return the following Answer:*

GENTLEMEN *of the* HOUSE OF BURGESSES:

The terms of duty and gratitude in which your loyal Address is conceived afford me the highest satisfaction, and must ensure his Majesty's most favourable countenance and protection to this faithful Colony. I shall ever retain a cordial remembrance of the parts you take in my domestic happiness, and of your obliging manner of expressing it on the occasion of the arrival of my family, which event I shall be much pleased to find considered as a pledge of my regard and attachment to this Colony.

[*May* 12, 1774. By an express, just arrived from *Fincastle* county, we are informed that very lately three or four skirmishes happened between the white people and the *Shawanese Indians*. We cannot affirm what occasioned the dispute, but are told one white man had taken some small matter from the *Indians*, which irritated them to arms; but were soon repelled by the other party, who killed eleven of them, seven of which they scalped.—Another of the *Indians* was terribly wounded in the groin, and it was imagined, when this express came away, that he could not possibly recover.]

On the 13th of *May*, his Excellency the Governor ordered the following Petition, with several Papers relative to the imprisonment of Mr. *John Conolly*, by the Officers of *Pennsylvania*, while he was acting as a Magistrate under the authority of this Government, to be laid before the House of Burgesses.

To his Excellency JOHN *Earl of* DUNMORE, *his Majesty's Lieutenant and Governor General of the Colony and Dominion of* VIRGINIA, *and Vice Admiral of the same, and the Honorable the* COUNCIL *and* HOUSE OF BURGESSES,

The Petition of the Inhabitants settled on the Waters of the OHIO *showeth:*

That the major part of your Petitioners have formerly lived in his Majesty's Colony of *Virginia*, and preferring the mild, easy, and equitable Government thereof, to the expensive administration of justice in *Pennsylvania*, which, being a limited and Proprietary Government, hath extended an unlimited, and (as we think) illegal jurisdiction over his Majesty's subjects, settled many miles west of their bounds, which is oppressive to the poor, and burthensome to all, particularly in trying titles to land, and in recovery of small debts, wherein their officers' fees are so disproportioned that they seem rather calculated for enriching individuals than the public good; their practising attornies being left at liberty to exact such fees as they may choose, in all land trials, and will not plead against their jurisdiction, however far west it may be extended. Officers of Government being generally at the disposal of the Proprietaries' Governor, who will neither appoint nor continue any but those who adhere strictly to their master's interest, however contrary to the good of the settlers, his Majesty's subjects; add to this, a heavy Provincial tax, which they likewise exact, a great part thereof being swallowed up by the officers who lay and collect the same, to the great grievance of the subject.

From the aforesaid several grievances, and the farther ill provided defence of the country in cases of emergency, we humbly conceive our lives and properties in imminent danger, from our contiguity to the faithless and barbarous natives, whose treaties, alliance, and sincerity, are never to be relied on, as well as a hearty conviction that the present Government is usurped.

We humbly entreat your Lordship and Council, and the Honorable House of Burgesses, to make such provision for us, in our present distressed situation, as to you shall seem meet; and your Petitioners, as in duty bound, will ever pray, &c. *Signed by* 587 *Inhabitants.*

Upon which the HOUSE *addressed his* EXCELLENCY *as follows:*

MY LORD: We his Majesty's most dutiful and loyal subjects, the Burgesses of *Virginia*, now sitting in General Assembly, beg leave to return your Excellency our sincere thanks for the written message, and the several papers therein referred to, which you were pleased to lay before us.

It is our most earnest wish and desire to cultivate and improve that good understanding and friendship which hath hitherto subsisted between our sister Colony of *Pennsylvania* and *Virginia*, and therefore we cannot sufficiently lament that any unhappy incident should have interposed which may tend to destroy this pleasing harmony, and create any dissention between us. But, my Lord, however strongly we may be impressed by these sentiments, we shall, on all occasions, think it our indispensable duty to support the just rights of our inhabitants, and protect them from oppression, in whatever quarter it may arise.

The imprisoning officers, acting under the authority of Government in either country, upon a dispute about a boundary, which appears to us never to have been established with any degree of accuracy, we cannot but consider as a wide departure and deviation from that plain and simple plan of accommodation which has been observed in former contests of this nature, and should have suggested a more conciliatory conduct on this occasion; much more should we have expected that it would have prevented that sanguinary measure of subjecting men to death, which, with concern, we observe hath been so precipitately and incautiously adopted.

For the present, we take the liberty of recommending to your Excellency to endeavour to have an equitable temporary line fixed between this Colony and *Pennsylvania*, until his Majesty shall be pleased to direct the proper and true boundary to be established.

It gives us pain, my Lord, to find that the *Indians* have made fresh encroachments and disturbances on our frontiers. We have only to request that your Excellency will be pleased to exert those powers with which you are fully invested, by the acts of Assembly, for making provision against invasions and insurrections; which, we doubt not, will be found sufficient to repel the hostile and perfidious attempts of those savage and barbarous enemies.*

*Of all the Northern Colonies, *Pennsylvania* has ever been the most vigilant to discover and active to avail herself of every commercial advantage. *Maryland* too, of late, has exhibited, some symptoms of attention to her true interests. Aware of the profits accruing from

Digitized by Google

PENNSYLVANIA COUNCIL.

At a Council held at *Philadelphia*, on *Saturday*, 7th of *May*, 1774:

Present, the Honorable *John Penn*, Esquire, Governor, *Benjamin Chew*, *James Tilghman*, *Andrew Allen*, Esqrs.

Mr. *Tilghman*, and Mr. *Andrew Allen* having agreed, at the particular request of the Governor, to undertake a journey to *Williamsburg*, as Commissioners from this Government, to treat with the Governor of *Virginia* on the subject of the disturbances in *Westmoreland* county, occasioned by his extending the jurisdiction of his Government within the western limits of this Province, and to negotiate such other matters with him as were agreed upon in Council the 21st of last month, one of the members laid before the Board a draught of a commission, and a letter of instructions, to the above named gentlemen; and also a letter to be sent with them to the Earl of *Dunmore*, which being severally considered, were fairly transcribed and signed by the Governor, and follow in these words, viz:

John Penn, Esq., one of the Proprietaries of the Province of *Pennsylvania*, and Counties of *New Castle*, *Kent*, and *Sussex*, on *Delaware*,

To *James Tilghman* and *Andrew Allen*, Esquires, two of the Council of the said Province and Counties, Greeting:

Whereas his Majesty King *Charles* the Second, by his letters patent, bearing date the fourth day of *March*, *Anno Domini* 1681, did, for the considerations therein mentioned, give and grant the Province of *Pennsylvania*, by the bounds and limits therein particularly set forth and described, to *William Penn*, Esquire, his heirs and assigns, forever, constituting him and them Proprietary and Proprietaries thereof, with divers powers, franchises and jurisdictions, for the better government thereof, as by the said letters patent may at large appear: And whereas the western lines and bounds of the said Province, specified in the said letters patent, having never yet been regularly and precisely run, marked out or ascertained, divers differences and disputes have of late arisen between the Right Honorable the Earl of

the *Indian* and frontier trade, in her last Assembly she has taken into consideration the state of her public roads, and levied several thousand pounds to render more tolerable, the capital pass over the *Alleghany* only. *Virginia*, regardless of emoluments of this kind, still continues in a profound lethargy; and while the transmontane Territories of *Penn* and *Baltimore*, during the space of several years past, have, notwithstanding the senseless prohibiting proclamation, been rapidly peopled, those of this Colony remain in a manner unseated, except a small spot bordering on *Pennsylvania*, seized on by needy or foreign adventurers. To apply a remedy to this evil, it was destined to the good sense and activity of Lord *Dunmore*. Not contented with the reports of partial or uncertain fame, disregarding his own ease, and the difficulties of a tedious journey through almost impassible and uninhabited mountains, his Lordship penetrated to the seat of our grievances, and on the spot rendered himself an eye and ear witness, of the indispensable necessity of granting the back lands; and, by doing this, not only to deal justice to his own people, but with the same blow, to give a check to the aspiring and encroaching spirit of the princely Proprietor, who has been boldly venturing to extend his writs and precepts a hundred miles beyond his true limits, far into the Government of *Virginia*. To this end, his Lordship's leading step was appointing a militia officer to preside at *Fort Pitt*, and magistrates to transact the business incident to their office in that quarter of *Augusta*. By this judicious measure, our countrymen there might expect to be relieved from the intolerable inconvenience of being dragged before the tribunal of *Penn*. These were their hopes. How vain! for, behold the issue: These officers, the Captain commandant, and the Justices, were threatened with the horrours of a jail, if they but ventured to act in virtue of their commissions. This, however, did not deter the spirited Captain *Conolly* from doing his duty. Notwithstanding these, I will not call them impotent threats, he ordered and appointed a muster; but an unlucky circumstance rendered the Captain incapable of giving attendance, for the day before he was to have met his officers and men, the haughty *Pennsylvanians* realized their threats, and conducted him to prison.

To the guardians, therefore, of our rights and liberties, I venture to drop these few loose hints, and shall detain neither you nor the public longer than just to close with this query: "Whether the establishing our Courts of Justice upon a certain footing, adjusting the boundaries of our Colony and counties, and in consequence determining what lands may or may not, with propriety and safety, be located and surveyed by the late military grantees, are not objects of that importance as to demand the immediate consideration of the Legislature; or if deferred until the summer, whether that short delay must not prove the sure fruitful source of litigation, confusion, and dispute." A VIRGINIAN.

WILLIAMSBURG, *March* 3, 1774.

Extract of a Letter received at WILLIAMSBURG, *dated* PITTSBURG, MARCH 26, 1774. "You may depend that no disturbances have happened with the *Indians* on the *Ohio* this winter, and that more is to be dreaded from the animosities subsisting between the settlers from *Pennsylvania* and *Virginia* than those barbarians. Governour *Penn* has sent up a Proclamation, strictly enjoining all Magistrates and Sheriffs to seize upon any twelve men that shall be found together, for the space of an hour, after being told to disperse. Doctor *Conolly* is relieved from his confinement, and has lately been qualified in *Augusta* Court as a Magistrate. He is daily expected to return, and will not let any insult pass that may be offered to the authority reposed in him by Lord *Dunmore*."

To his Excellency the Right Honorable JOHN Earl of DUNMORE, &c., &c., &c.

MY LORD: Though I know it is an established maxim with your Lordship that, as you are ever open to personal access, to take but little notice of addresses communicated to you through the channel of a common newspaper, yet I dare hope, that should some chance direct your Lordship's eye to this letter, it will engage your closest attention. I do not mean to spread abroad causeless apprehensions, or aggrevate reports that have been already disseminated through the country; but it is my intention to give you informations founded on undoubted veracity, and then leave it to your Lordship's wisdom to determine what is most expedient to be done. Doubt it not then my Lord, when I assure you, from testimony scarcely to be invalidated, that the situation of the frontier counties of this Colony is of the most alarming nature; a situation so truly critical, as to require the instant assistance of both the Executive and Legislative powers.

Our treacherous and clandestine foes, the *Indians*, have ever greedily embraced all opportunities of manifesting their inimical affections towards us; but some recent transactions of theirs, with which (if report speaks the language of truth) your Lordship has been already made acquainted, leaves us no room to doubt that the storm which has been so long gathering, will, ere long, break forth in all its fury. And should this ill-fated event take place while the inhabitants on the confines of the Colony remain in their present undisciplined, distressed situation, it will not be easy to give your Lordship an adequate idea of the horrid consequences that must ensue. The indiscriminate massacre of men, women and children, the depopulation of an infant Colony, whose fertility has already been sufficient to induce us to foster the most sanguine anticipations of its future value, the forcing from their peaceful habitations those adventurous people whom it ought ever to be the first object of Government to support; these, my Lord, with an infinite series of other melancholy circumstances, must be the certain concomitants of an *Indian* war, should we tamely suffer those savages to be the first invaders. It is neither by the suggestions of a blood-thirsty nor an avaricious disposition that I am instigated to dictate thus freely to your Lordship on this subject, but by the forebodings of a sympathetic apprehension of the impending destruction which awaits my countrymen in the frontier counties. Their emergency loudly calls for the relief of the Supreme Magistrate, and that, my Lord, must apologize for the freedom which an obscure individual has assumed with your Lordship, should you suppose any apology on that score necessary. Ten thousand incidents conspire to render a war at this time necessary, nay, inevitable; and the innocent lives of numbers might be saved by the timely proclamation of it. The very smiles of those faithless tribes ought to be considered as the harbingers of perfidy; but when they dare openly to annoy us with acts of hostility, surely a more solid resentment is due. Should an instance of any hostile act of theirs be demanded, I need only mention the unhappy murder of young *Russell*, committed not long ago, and, as has since been ascertained, was perpetrated by a *Cherokee* Chief. Numberless other examples, of hostilities equally atrocious, might be adduced, were it not hoped that this of itself is sufficient. Whether it would be prudent to wait for a second stroke let the provident determine. The spring, it seems, is the stated period for an invasion; and, in all probability, the attack will be earlier on the more remote inhabitants. The month of *May* is the time appointed for the convention of the *Assembly*; so that it is more than probable to suppose those barbarians will be scattering havoc and desolation around, while our House of Burgesses are spending much time in debating in what manner to prohibit such outrages. By convening them a month or two sooner, what mischiefs might not be prevented? You have it now in your power, my Lord, to render the name of *Dunmore* as memorable in *Virginia* as that of *Marlborough* is in *Great Britain*. Do not let slip the golden opportunity.

WILLIAMSBURG, *March* 24, 1774. VIRGINIUS.

The subscribers, patentees of land, at the Falls of the *Ohio*, hereby inform the public, that they intend to lay out a Town there in the most convenient place. The lots to be eighty feet front, and two hundred and forty deep. The number of lots that shall be laid off at first, will depend on the number of applications. The purchase money of each lot to be four *Spanish* dollars, and one dollar per annum quit rent, for ever. The purchasers to build within the space of two years from the first day of *December* next, on each lot, a log house, not less than sixteen feet square, with a stone or brick chimney; and, as in that country, it will be necessary the first settlers should build compactly, the improvements must naturally join each other. It is further proposed, for the convenience of the settlers, that an out lot, of ten acres, contigious to the town, shall be laid off for such as desire the same, at an easy rent, on a long lease.

Attendance will be given by the patentees at *Pittsburg*, till the middle of *June*, at which time one of them will set off to execute the plan. The advantageous situation of that place, formed by nature as a temporary magazine, or repository, to receive the produce of the very extensive and fertile country on the *Ohio* and its branches, as well as the necessary merchandise suitable for the inhabitants that shall emigrate into that country, (as boats of fifty tons may be navigated from *New Orleans* up to the town,) is sufficient to recommend it; but when it is considered how liberal, nay, profuse, nature has been to it otherwise, in stocking it so abundantly, that the slightest industry may supply the most numerous family with the greatest plenty and amazing variety of fish, fowl, and flesh; the fertility of the soil, and facility of cultivation, that fit it for producing commodities of great value with little labour; the wholesomeness of the waters, and serenity of the air, which render it healthy; and when property may be so easily acquired, we may with certainty affirm that it will in a short time be equalled by few inland places on the *American* continent.

JOHN CAMPBELL.
JOHN CONOLLY.

WILLIAMSBURG, *April* 7, 1774.

Digitized by Google

Dunmore, Governor and Commander-in-chief, &c., of his Majesty's Colony or Dominion of *Virginia*, and the Honorable the Proprietaries of the Province of *Pennsylvania*, their respective grantees, tenants, and officers, respecting the western bounds and limits of the said Province, and the jurisdiction of the said Colony or Dominion and Province, which have been productive of great troubles and disquiets to the settlers and inhabitants there, and endanger the King's peace and the public tranquillity: To the end, therefore, that the evils which have already arisen, and which are likely to arise in the premises, may be remedied and prevented, I have nominated and appointed, and do by these presents nominate and appoint you, the said *James Tilghman* and *Andrew Allen*, Esquires, to be Commissioners on the part of the Proprietaries of this Province, to confer and treat with his Excellency the Right Honorable the Earl of *Dunmore*, of and concerning the premises, and to agree upon such measures as you shall judge most expedient for settling and composing the said differences, troubles and disquiets, either by a temporary line or boundary of jurisdiction, or otherwise, as may best answer the good purposes of preserving his Majesty's peace, and quieting the minds of the inhabitants on or near the borders of the two Colonies or Provinces, until the final settlement of the said boundaries shall be effected, hereby ratifying and confirming whatever you shall do in the premises.

In testimony whereof, I have set my hand, and caused the great seal of the said Province to be hereunto affixed at *Philadelphia*, the seventh day of *May*, 1774.

JOHN PENN.

Instructions to JAMES TILGHMAN *and* ANDREW ALLEN, *Esquires, Commissioners appointed to treat and agree with the Right Honorable* JOHN *Earl of* DUNMORE, *Governor of* VIRGINIA, *concerning the settlement of the Western bounds and limits of the Province of* PENNSYLVANIA, *and preserving the public peace and tranquillity on the Borders, till a final settlement of the said lines.*

1st. You are to proceed, without loss of time, to *Williamsburg*, the place of his Lordship's residence in *Virginia*, and enter upon the execution of your commission as soon as possible after your arrival. Should his Lordship be from home, and not gone to too great a distance, you will wait his return, or send an express, (as you judge most proper,) to acquaint him with your being sent from this Government to treat with him on public business, and request his return.

2d. Your first point should be to prevail with him to join with the Proprietaries of this Province in a Petition to his Majesty in Council, to appoint Commissioners to run and mark out the boundary or division line—such as his Majesty shall please to order and direct, between this Province and *Virginia*; the expense of which to be equally borne by the two Colonies.

3d. Whether his Lordship should accede to the above proposal or not, you should urge every argument in your power to induce him to agree to the settling a temporary line of jurisdiction between the two Colonies, till the said boundary line shall be settled, or his Majesty's orders and directions can be obtained respecting the same.

4th. Should his Lordship come into the last mentioned measure, you will no doubt endeavour to fix the temporary line of jurisdiction as favourably as possible for this Province, and as near to the Charter bounds as you can; and in order thereto you will refer yourselves to the map or plan heretofore transmitted by me to him, which shows to demonstration that *Fort Pitt* is near six miles to the eastward of our five degrees of longitude. At any rate, however, you are not to accede to any proposed temporary line which shall give jurisdiction to *Virginia* over any lands lying to the eastward of the river *Monongahela*.

5th. Whatever may be the temporary line agreed on, you should take care to insert a clause in the articles to be drawn up, containing a saving of the rights on both sides, to the lands up to the true lines or boundaries where they shall be finally settled.

6th. If the business is not carried on by the interchange of letters, or written proposals between you, you should take private notes, or minutes, by way of diary, of every thing material that passes, not only to enable you to make an exact report of the whole transaction, but to found affidavits on to be sent to *England*, if necessary. As great reliance is had on your knowledge and abilities, any further instructions are unnecessary. JOHN PENN.

Philadelphia, 7th May, 1774.

Here follows the Governor's letter to the Earl of *Dunmore*, Governor of *Virginia*, viz:

Philadelphia, 7th May, 1774.

MY LORD: By accounts received from the westward, since my last letter to your Lordship, I find that the disorders in that quarter are greatly increased by your Lordship's extending the jurisdiction of *Virginia* to *Pittsburg*, and the country thereabouts; and that Dr. *Conolly's* proceedings have been such as are very alarming, and have a tendency to put the whole country beyond the *Alleghany* mountains into a state of confusion. The consideration of these unhappy circumstances have induced me to send two gentlemen of my Council, Mr. *Tilghman* and Mr. *Allen*, to wait on your Lordship, in order to confer with you on this important subject, and, if possible, to conclude with you upon such measures as may restore and establish the public tranquillity until the lines and boundaries of this Province can be finally settled by his Majesty's authority; for which good purpose I flatter myself your Lordship will not hesitate to join with us in representing to his Majesty the necessity of such a settlement. In the mean time, I am in hopes such temporary expedients may be fallen upon as may put an end to the present disturbances, secure the public peace, and quiet the minds of the people concerned in the unhappy differences which at present subsist between the Governments of *Virginia* and this Province.

I am, with great respect, your Lordship's most obedient humble servant, JOHN PENN.

To the Right Honorable the Earl of *Dunmore*, Governor and Commander-in-chief of his Majesty's Provinces of *Virginia*, *Williamsburg*.

Memorandum, 1st June, 1774.

The Reverend Dr. *Peters* having, at the instance of the Governor, wrote a letter to *Henry Wilmot*, Esquire, the same was ordered to be entered on the Minutes of Council, and follows in these words, viz:

Philadelphia, 18th May, 1774.

SIR: I am desired by the Governor to give you an account of what I know with respect to an *Indian* deed, under which some private people, calling themselves the *Susquehanna* Company, inhabitants of the Colony of *Connecticut*, claim all the lands in *Pennsylvania* between the forty-first and forty-second degrees of latitude. This, then, follows will give a true notion of the whole transaction, as far as my remembrance will enable me to recollect the matter.

In the year 1741, the proprietor, *Thomas Penn*, went from here for *England*, and from that time to this I have been well acquainted with all sorts of *Indian* negotiations, and have had a great share in the management of them, either as Proprietary Secretary, or as member of Council, or as Provincial Secretary, so that I can speak from the best grounds of every matter relating to *Indians* for above thirty years; and I can with truth declare, that before the year 1753, I never, that I can remember, heard of any claim set up by the Government, or any of the inhabitants of the Colony of *Connecticut*, to any lands within this Province. In the year 1753, I received information of a claim set up by some *Connecticut* people to a degree of longitude within this Province in virtue of the *Connecticut* Charter, and that there was a party gone into the *Indian* country to make a purchase of lands between *Susquehanna* and *Delaware*, to begin at or near *Wyomink*. Mr. *Hamilton*, and several others, were alarmed at this wicked attempt, and *Conrad Weiser*, the *Indian* Interpreter, was ordered to give the *Six Nation Indians* an account of this intelligence, and to put them upon their guard. Colonel *Johnson*, the *Indian* Agent for his Majesty in the *New York* Government, was likewise made acquainted with this new project, and desired likewise to apprise the *Indians* of it. The intelligence was likewise communicated to the Governor and Deputy Governor of *Connecticut*, who both disavowed the thing, and declared that the Government had no concern in it;

Digitized by Google

and the letters which passed between Mr. *Hamilton* and the Government of *Connecticut*, were put into the Council books, and a copy of those minutes of Council are exemplified under the great seal and sent to you.

The year following, namely, in the year 1754, there was a Congress, by order of the Crown, at *Albany*, between the whole body of the *Six Nations* and the King's Agent, together with the Governments of all the Northern Colonies. Four Commissioners were sent on the part of *Pennsylvania;* Mr. *John Penn* and myself on the part of the Governor, and Mr. *Isaac Norris* and Mr. *Benjamin Franklin* on the part of the Assembly, were the four Commissioners for this Province at that Congress. This being deemed a proper time to get a purchase from the *Indians* of more land, and which was become absolutely necessary by the numbers of people that had come into the Province, and could not be kept within the bounds of the purchased lands, Mr. *John Penn* and myself were instructed and empowered to make as extensive a purchase as the *Indians* could be prevailed on to make; and belts were sent to the *Onondago* Council by the Governor, to signify to them his desire to make another purchase of them when they should be altogether at this public treaty at *Albany*. Accordingly, as both sides were beforehand prepared for a new *Indian* purchase, the matter was gone upon, and a large extent of country, even as far as the western boundary of the Province, was treated for, and agreed to in open Council, and a deed executed by the *Indians;* and likewise another deed was executed by them, confirming to the Proprietaries a former deed, wherein the *Indians* bound themselves not to sell to any persons whatever any of the lands comprised within the bounds of his Majesty's Charter to the Proprietaries.

The *Connecticut* attempt was likewise made known by the *Indians* to us; and they, in their speeches, declared their absolute refusal to make any grant to them of any lands they were soliciting for; and, indeed, in their public treaty, they over and over declared that they would sell none of the *Wyomink* country, either to them or to us, it being what they had reserved for their own use, and for the reception of such other *Indians* as would want to come and reside amongst them. These, and further particulars, are to be seen in the exemplified copy of the report of that treaty made by Mr. *John Penn* and myself to Governor *Hamilton*, as the same is entered in the minutes of the Council.

This will serve to show, that at that time there was no *Indian* deed made to the people of *Connecticut* by the *Onondago* Council, and that if any deed is set up it must have been obtained in a clandestine manner from private *Indians*. Indeed, it was there currently reported that one *Lydens*, of the city of *Albany*, had undertaken this matter for the *Connecticut* people, and as he lived (and I think kept a public house) at *Albany*, he made it his business to get the *Indians*, as they came to trade there, into his house, and by liquor, or private bribes, by two's or three's, as he could find opportunity to prevail with them, to execute a deed, which was lodged with him for this infamous purpose. I have further to observe, that the persons to whom this pretended *Indian* deed was made were private people, and acting in direct opposition to their own laws, and in open violation of the right, if any, of the Colony of *Connecticut* to those lands. The *Indians* themselves, in public treaties, made mention that these very lands were formerly given by them to Colonel *Dungan*, by deeds regularly and duly executed, but in trust for them, as they said; and that Colonel *Dungan* sold those lands to the late proprietor, Mr. *Penn*, who, notwithstanding this purchase from Colonel *Dungan*, did not hesitate to buy them over again of the *Indians*, and to give them the full consideration for them. Let it further be observed, that in the general treaty held at *Fort Stanwix*, by Sir *William Johnson*, his Majesty's *Indian* Agent with all the *Six Nation Indians*, in 1768, for the King's purchase of lands from them, and to settle a general boundary between the *Indians* and the King's subjects, at which the Governor of *Jersey*, and the Commissioners from the other Provinces, and from *Pennsylvania* in particular, were present and assisting, the *Indians* executed a deed to the Proprietors of *Pennsylvania* for all the lands within the bounds of this Province, so far as they had then settled the general boundary with his Majesty. That this purchase contains all, or most of the lands claimed by *Connecticut*, and that the consideration money, together with the expenses attending that treaty, amounted to the sum of eight thousand pounds, or some sum near that; and in that very treaty, this attempt of the *Connecticut* people was solemnly mentioned, and as solemnly condemned by all the *Indians*.

As this great treaty is deservedly esteemed the basis and foundation of all matters relating to lands between the *Indian* nations and his Majesty, it was transmitted by Sir *William Johnson* to the King's Ministers, and lies among the public papers in the Privy Council, and may be consulted for the truth of what is here set down by the Proprietaries' solicitors at any future time.

As it is supposed that the *Susquehanna* Company have assigned over their right under this deed to the Government of *Connecticut*, I have been thus particular; and this detail of the circumstances that attended the obtainment of the *Indian* deed, may be kept among the Proprietary papers, together with the exemplified minutes of Council that have been sent to you, and may be made use of, in order to furnish ample proofs for the invalidating of this pretended *Indian* deed, if it should ever be set up by the *Connecticut* Government. I am, sir, your most humble servant,

RICHARD PETERS.

To *Henry Wilmot*, Esquire, *Bloomsbury Square, London.*

CORRESPONDENCE LAID BEFORE THE COUNCIL.

ARTHUR ST. CLAIR TO BENJAMIN CHEW.

Carlisle, April 28, 1774.

SIR: In conversation with Colonel *Wilson* the other day, he mentioned a transaction in *Virginia*, which if it be as he represents it, will throw some light upon what has been the "sense of that Colony, with regard to the country about *Fort Pitt*." Colonel *Stephens*, it seems, in the year 1764, when that fortress was besieged by the *Indians*, sent a detachment of the militia to escort some provisions for the relief of the besieged; for this he was complained of to the Assembly, and censured for sending the militia out of the Government.

I have heard, sir, that you are to go to *Williamsburg*, and imagined in that case, this hint would not be disagreeable. I wish you a pleasant journey, and am, sir, your most obedient humble servant,

AR. ST. CLAIR.

The Honorable *Benjamin Chew*, Esquire.

ÆNEAS MACKAY TO GOVERNOR PENN.

Staunton, May 5, 1774.

MAY IT PLEASE YOUR HONOR: I have taken the liberty of acquainting your Honor with the proceedings of Doctor *Conolly*, in regard to the Justices *Smith*, *McFarlane*, and myself, the 9th of *April* last, when we were torn from our families and business by *Conolly*, and his militia, and sent prisoners to this Colony, where, when we travelled together one day's journey, Messrs. *Smith* and *McFarlane* accompanied the Sheriff to this place, and I found means to procure leave to go to *Williamsburg*, in order to lay *Conolly* and his militia's conduct before my Lord *Dunmore*, in as true and clear a light as we had experienced from their tyranny and oppression.

After six days riding, I arrived at *Williamsburg*, where my Lord heard my story to an end, and then told me that *Conolly* was authorized by him, as Governor of *Virginia*, to prosecute the claim of that Colony to *Pittsburg* and its dependencies, and as to taking of prisoners, he, *Conolly*, only imitated the *Pennsylvania* officers, in respect to *Conolly's* imprisonment by them.

After his Lordship and I spoke our minds very free to each other, relating to *Conolly's* claims and lines, he dismissed me at that time, desiring I would call upon him the next day, which I did, but all the satisfaction I could obtain, after waiting at *Williamsburg* three days, was a letter to the Sheriff of this county, to whose custody we were committed, a copy of which, together with one of the proclamations sent to *Conolly*, by express from this place yesterday, I take the liberty of enclosing with this for your Honor's perusal.

In consequence of the above letter, we are to set off from this place immediately, but how to act after our re-

Digitized by Google

turn, is a mattar we are at this time unable to determine, for we are certain *Conolly* will with his militia force, oppose us in every step we may attempt, in the execution of our office. We would, therefore, be glad to know your Honor's sentiments on that subject as soon as possible. In the mean time, I remain with perfect respect, your Honor's most humble and most obedient servant,

ÆNEAS MACKAY.

—

Enclosed in the Letter of *Æneas Mackay* to Governour *Penn*, of 5th *May*, 1774.

Williamsburg, April 26, 1774.

SIR: I send you a packet, containing a Proclamation of which you have herewith one enclosed, which by the advice of his Majesty's Council, I have issued for the Government of the people in the district of your country, wherein is included *Pittsburg*, which I beg you will forward by express to Mr. *Conolly*.

With respect to Mr. *Mackay*, and the other two gentlemen committed to your custody by Mr. *Conolly*, I desire they may be permitted to return to their homes and occupations; I will become answerable for their appearance, in case it may be required, and bear you harmless therein.

I am, sir, your obedient and humble servant,

DUNMORE.

Daniel Smith, Esquire.

—

Enclosed in the Letter of *Æneas Mackay* to Governour *Penn*, of 5th *May*, 1774.

LORD DUNMORE'S PROCLAMATION.

Whereas, I have reason to apprehend that the Government of *Pennsylvania*, in prosecution of their claim to *Pittsburg* and its dependencies, will endeavour to obstruct his Majesty's Government thereof, under my administration, by illegal and unwarrantable commitments of the officers I have appointed for that purpose, and that that settlement is in danger of annoyance from the *Indians* also; and it being necessary to support the dignity of his Majesty's Government, and protect his subjects in the quiet and peaceable enjoyment of their rights, I have therefore, thought proper, by and with the advice and consent of his Majesty's Council, by this Proclamation in his Majesty's name, to order and require the officers of the militia in that district, to embody a sufficient number of men to repel any insult whatever; and all his Majesty's liege subjects within this Colony, are hereby strictly required to be aiding and assisting therein, as they shall answer the contrary, at their peril. And I do further enjoin and require the several inhabitants of the territory aforesaid, to pay his Majesty's quit rents, and all public dues, to such officers as are, or shall be appointed to collect the same, within this Dominion, until his Majesty's pleasure therein shall be known.

Given under my hand, and the seal of the Colony, at *Williamsburg*, this 25th day of *April*, 1774, in the fourteenth year of his Majesty's reign. DUNMORE

GOD SAVE THE KING.

—

Extract of a Journal of the *United Brethren's Mission* on *Muskingum*, from *February* 21 to *May* 20, 1774.

April 30. *Youngman* and *Schabosch* returned from *Pittsburg*, who brought information that the Government was changed there, and the place now belonged to *Virginia*. That they were afraid of the *Shawanese*, and it was supposed they would fall upon the white people below the *Ohio*, and opposite them, but the message from Sir *William Johnson* is come to all the other Nations, warning them not to join the *Shawanese*.

May 6. Several *Indians* from *Mochwesung* came to visit us, and we received the account that one *Shawanese* Chief on the *Ohio*, was killed by the white people, and another wounded. It seems an *Indian* war will break out. We hear the *Virginians* on the *Ohio*, threaten to fall upon the *Shawanese* settlements, and to destroy their towns.

May 8. In the evening arrived an express from *Gekelemuckepuck*, with the disagreeable news that the white people on the *Ohio* had killed nine *Mingoes*, and wounded two; the messenger arrived, making a terrible noise as it is usual in war time. He had also a message from the *Shawanese*, which the Chief of *Gekelemuck* sent to us to take notice of "that their grandfather, the *Delaware* "Nation, should not be concerned, but be easy and quiet; "let the traders traffic among them, and not hurt them, or "any other white people in that quarter; that the women "should continue to plant until they could further see "what would happen." This seems to signify as if they intended to keep the road to *Pittsburg* clear, and not hurt the *Pennsylvanians*, but only to contend with the *Virginians*.

May 9. In the evening, arrived Mr. *Anderson* and another white man, in company with the *Indian* Chief *White Eyes*, who came from *Pittsburg*, and went towards the *Shawanese*; little wanted, or these messengers would have fallen into the hands of the *Mingoes*, who had fled from the other side of the *Ohio*, and kept by the road leading to *Gekelemuckepuck*. But some of our *Indians* going from here to *Kaskaskum*, warned them, so that they turned off the common road, and arrived here safely. They are sent to make another trial to persuade the *Shawanese* to peace, and to desist from all hostilities. So as we now hear it is but a gang of white people on *Ohio*, who committed the murders of the *Indians*. And the people of *Pittsburg* do not believe that they were acting by order of the Governor of *Virginia*. They have also killed some traders, because they carry merchandise and ammunition to the *Indians*. We also heard that many people about *Pittsburg*, and below, on *Ohio*, have fled to the settlements.

May 15. In the morning arrived a messenger, inviting some of our *Indian* brethren to a Council at *Gekelemuckepuck*; at the return of one of them, we heard that the *Shawanese* and *Mingoes* had left *Gekelemuckepuck*, very angry, and threaten to kill all white people they shall meet with. These *Mingoes*, about twenty in number, were present at the aforesaid massacre at *Ohio*, stirring up the *Shawanese*, who have not suffered much; but the *Delawares* will do their utmost to hinder them. The *Indians* at *Gekelemuckepuck* have taken all the white people there within their protection, and keep a watch in the night that they may not be surprised.

May 18. Another of our *Indians* returned from the Council, who brought an imperfect account, but some hopes that all would turn out well. The Chief has spoke to the *Shawanese*, who have heard him, and promised to give their answer this day.

May 19. A messenger arrived from Mr. *Croghan*, at *Pittsburg*, to the *Delawares*, *Mingoes*, and *Shawanese*, advising them to be quiet, not to think of war, and not hurt the traders; that the people of *Pittsburg* did their utmost to apprehend the white people that have committed the murder, and that they had taken one of them.

May 20. The rest of our *Indians* returned, and brought the agreeable news that the *Shawanese* had accepted of the proposals made to them, so that we hope peace will be re-established, and that they will not hurt the traders among them, but rather assist them, that they may return to their friends. There were about fifty *Delawares* and *Monsys* in their first day's journey from *Gekelemuckepuck* arriving to *Mochwesung*, where mostly *Monsys* live; they see them dance the war dance, and, they said, how they heard war was declared, for some of the *Mingoes* had passed by, having a white scalp. Three of our brethren who were of the *Monsy* Nation, told them to leave off, and keep to the resolves of their own Nation, and of the *Delawares*.

—

Extract of the Missionary's Letter, dated, May 21, 1774.

This moment we are informed that another company of traders, from the lower *Shawanese* Country, have arrived at *Gekelemuckepuck*, whom we expect to receive here this night, and from hence they will proceed to join the others.

—

[Extract of a Letter from DAVID ZEISBURGER, Missionary at SCHONBRUNN, dated 24th *May*, 1774.]

In my last I informed you of the critical situation in which we find ourselves here. We then were in hopes that the dark cloud would pass over soon, and peace be re-established, as the *Shawanese* in the Council at *Woaketameka*, had given seemingly a pretty favourable answer. But it appears now that they were only afraid of the

Digitized by Google

Delaware party in the Council, for we heard since that a party of twenty warriors were gone to make an incursion where the *Mingoes* have been killed. The Chief *Netawatwees* brought this account himself mournfully to *Gnadenhutten*, desiring some messengers might be sent after one *Killbuck*, who was on the road to *Pittsburg*, with the traders. We sent directly two men with a letter to Mr. *Anderson*, that they may know of it at *Pittsburg*. The messengers returned last night after having delivered their message. The *Delawares* suppose that the *Shawanese* will soon move far off. I think our greatest danger would be if the white people would make an incursion into the *Indians'* land; and if they should strike the *Delawares*, the war would be general, and we then could not continue here; but we will keep unto the Lord a solemn feast of thanksgiving if he rules things so that we can stay here, for our flight would be subject to many difficulties; and where should such a number of people find a twelve months' subsistence, if they must forsake all that they have planted, for we are more than two hundred souls in this place only, besides the congregation at *Gnadenhutten*, and to move into the settlements of the white people with our *Indians*, I cannot find advisable; we know how it was in the last war.

In a Letter dated 27th *May*.

Proth and his family having been hindered from setting off from here till this day, I will mention what we heard since my last. It is but too true that two parties of *Shawanese* are gone against the settlements; we also heard that some with no good intent would visit us, and other terrifying reports of that sort. But last night a stranger, a sensible *Indian*, told us that it is only the *Shawanese* at *Woaketameka*, who want war, and are so mad because some of their people have been killed; these only have sent out the parties. The lower *Shawanese* were peaceable yet, and would have no war; and when the *Mingoes* came thither to kill the traders there, the *Shawanese* took them into their protection, and told the *Mingoes* "if they would war "against the white people, they would not hinder them, "but they should not kill such people in their town who "could not defend themselves; they would take them into "their bosom and not suffer that any harm should be done "unto them." I believe this to be a true account that the *Shawanese* are far from unanimous for war, and I am yet in hopes things will be settled again.

The Cosh, *alias* John Bull, writes, dated 24th *May* last: "About three weeks ago *John Jungman* and myself were at *Fort Pitt*. On the way thither we heard that three *Cherokee Indians* going down the river had killed one trader and wounded another, and plundered the canoe: the traders had imprudently shewn their silver things they had for trading. In the Fort we heard that the *Mingoes* had stolen that night fifteen horses, and that they were all gone off from below *Logtown*. The white people began to be much afraid of an *Indian* war. We hastened to get home again, and after our return received the news that a company of *Virginians*, under one *Cresap*, enticed some of the *Mingoes*, living at the mouth of *Yellow Creek*, to the other side of the river, and gave them rum to make them drunk, and then they killed five; two others crossing the river to look after their friends were shot down as soon as they came ashore. Five more were going over the river whom they also waylaid, but the *Indians* perceiving them, turned their canoe to make their escape, but being immediately fired at, two were killed and two wounded. The day following they killed one *Shawanese* and one *Delaware Indian*, in a canoe down the river with two traders. The same party killed *John Gibson's* wife, a *Shawanese* woman; they further pursued a canoe, killed a *Shawanese* Chief, and wounded another man. They said they would kill and plunder all that were going up and down the river. But they soon fled and left the poor settlers as victims to the *Indians;* many are fled and left all their effects behind. The *Mingoes* took their way up *Yellow Creek*, and struck our road just were it turns off from the road to *Gekelemuckepuck*, where they hunted for ten days to catch some traders, but as the *Delawares* had found them out, they stopped the traders from going that road. The *Mingoes* having sent word to the *Shawanese* they fetched them to their town *Woakatameka*, where they had a Council of War.

"We are in great distress and dont know what to do; our *Indians* keep watch about us every night, and will not let us go out of town, even not into our corn fields. If there should be more bad news, we will be forced to move from here, for we are in danger from both sides. I heard from some, that if the white brethren should be forced to leave them, the greatest part would return to the *Susquehanna*. But if only the *Delawares* continue in their peaceful mind it may go better than we now think. At the Council at *Woakatameka*, were several Headmen of the *Delawares* present, who live at *Schonbrunn* and *Gnadenhutten*, being particularly sent for by *Netawatenees* for to assist them in the good work of preserving peace. The Chief addressed the *Shawanese* and *Mingoes* present in a fatherly manner, shewing unto them the blessing of peace and folly of war; and pressed it very much upon their reason, what misery they would bring upon themselves and others by their madness, and told them positively that they had not to expect any help or assistance from the *Delawares*, and enjoined them very earnestly not to stop the road to *Philadelphia*, but to let it be free and open. The *Shawanese* gave him in answer, they did believe his words to be good, and they would take notice of them, and desired him to give also a fatherly admonition to their wives to plant corn for them; which he did, but they seemed more inclined to move off than to plant."

ARTHUR ST. CLAIR TO GOVERNOR PENN.

Ligonier, May 29, 1774.

I doubt not before this time you have expected some account from me of the situation of this country, but as I could not write with certainty respecting the intentions of the *Indians* I choose to defer it.

In my last to Mr. *Shippen* I think I mentioned that Mr. *Croghan* had sent a *Delaware* Chief *(White Eyes)* with two of our traders with a message to the *Shawanese;* their return had been impatiently expected. Tired at last with the suspense, I determined to go to *Fort Pitt* whatever might be the consequence, and am just returned from thence. I was lucky enough to arrive there the day they came in, and though their accounts are alarming enough, yet I cannot think they are equal to the panic that has seized the country.

The *Shawanese* message is insolent enough; and we have a certain account that twenty of their warriors are gone out, but we have still reason to think they do not mean mischief to the people here, as they lay all to the charge of the *Big Knife*, as they call the *Virginians*. The substance of their speech is, that they think what Mr. *Croghan* and Mr. *McKee* says to them is lies; that they know the path is open from *Philadelphia*, and that they will keep it so if they please; but that the *Big Knife* has struck them, and when they have satisfaction they will speak to him, but not before; that now they have no King, and are all upon their feet, with other threatening expressions in their way. There were several Chiefs of the *Delawares*, and the Deputy of the *Six Nations*, *(Goyasutha)* with eight others of the *Seneca* tribe, at *Pittsburg*, by Mr. *Croghan's* advice. They were called together and I made a short speech to them; they received it with pleasure, and in return gave the strongest assurances that they wished for nothing more than to continue in peace with this Province, and to become as one people. I think there can be no doubt of the sincerity of the *Delawares;* they have given substantial proofs of it in the care they have taken of the traders that were to have gone to the *Shawanese*; and if the *Six Nations* are in the same disposition, the war will be of little consequence, but I fear it is to be doubted whether *Goyasutha* knows the sense of the league or not.

One of the traders who went with *White Eyes* was detained at *Newcomers Town;* they it seems thought it imprudent that more than one should go very soon after the others left it. They were met by a *Shawanese* man who fired at *Duncan*, within a very small distance, but fortunately missed him. *White Eyes* immediately called to him to make back to the town, and he himself got betwixt the *Indian* and him, and came up with him where he had stopped to load his gun, and disarmed him; they both got safely back to the town, and were immediately shut up

Digitized by Google

in a strong house, and a guard kept on them day and night to preserve them from any attempt that might be made by the *Shawanese* or *Mingoes* (a small party of these last live near the *Shawanese*, and are in a manner incorporated with them) and this was continued till *White Eyes* went down to the *Shawanese* town and returned, during all which time they were furnished with provisions and every thing that could be procured for them in the most liberal manner. This I think must be an unequivocal mark of their disposition.

The mischief done by *Cresap* and *Greathouse* had been much exaggerated when I wrote to Mr. *Shippen*, but the number of *Indians* killed is exactly as I informed Mr. *Allen*, viz: thirteen. *Cresap* has lately been in the neighbourhood of *Pittsburg*, with intention it appeared to pursue the blow he had before struck, but Mr. *Conolly* sent a message to him forbidding him to attempt any thing against the *Indians;* this he has taken in high dudgeon, and declares publicly that what he did before was by Mr. *Conolly's* orders; so that it is to be hoped some of the devilish schemes that have been carrying on here will come to light. I ventured to say that an *Indian* war was part of the *Virginia* plan; I am satisfied it must at least be part of Mr. *Conolly's* plan, for he has already incurred such an expense by repairing the fort and calling out the militia, that I think it is impossible that Colony will ever discharge it unless disturbances be raised that may give his manœuvres the appearance of necessity.

It is scarcely possible to conceive the distressed situation of this country: one day the spirits of the people are raised a little, and some prospect of their being able to remain on their farms; the next a story worse than any they have heard before, and a thousand times worse than the truth, sinks them in despair; and those about *Pittsburg* are still in a more pitiable state, being harrassed and oppressed by the militia, who lay their hands on every thing they want without asking questions, and kill cattle at their pleasure; they indeed appraise them, when the owner happens to know of it, and give him a bill on Lord *Dunmore*, which is downright mockery.

From what I saw it was evident to me that the country must very soon be totally evacuated unless something was done to afford the inhabitants the appearance at least of protection. I therefore consulted with some of the inhabitants at *Pittsburg*, and Mr. *Mackay*, Mr. *Smith*, Colonel *Croghan*, Mr. *Butler* and myself entered into an association to raise victuals, and pay a ranging company of one hundred men for one month, to which a number of the inhabitants, as I came down, readily acceded, and I think in a few days we will have it completed. We flattered ourselves indeed that your Honor if you approve the measure, would take such measures with the House as would release us from the expense; but as you may probably want a formal requisition to lay before the House, I have acquainted you with it in another letter. One thing further I had in view: the inhabitants of *Pittsburg* propose stockading the town; when that is done should your negotiation with Lord *Dunmore* miscarry, throwing a few men into that place would recover the country the *Virginians* have usurped.

I beg pardon for so long a letter, and yet I believe I should have given you more but that I am detaining Mr. *Montgomery*, who charges himself with forwarding this to your Honor. I have only to request that you will please to give us your directions as soon as possible.

I am, sir, your most obedient and most humble servant,

AR. ST. CLAIR.

The Hon. *John Penn*, Esq., Governor of *Penn'a.*

P. S. An affair that has given me much trouble and vexation had like to have escaped my memory, the murder of a *Delaware Indian*, *Joseph Wipey*, about eighteen miles from this place. It is the most astonishing thing in the world the disposition of the common people of this country; actuated by the most savage cruelty, they wantonly perpetrate crimes that are a disgrace to humanity, and seem at the same time to be under a kind of religious enthusiasm, whilst they want the daring spirit that usually inspires. Two of the persons concerned in this murder are *John Hinkson* and *James Cooper*. I had got information of their design some time before they executed it, and had wrote to *Hinkson*, whom I knew to be a leader amongst them, to dissuade them and threatened them with the weight of the law if they persisted; but so far from preventing them, it only produced the enclosed letter. The body was discovered hid in a small run of water, and covered with stones. I immediately sent for the Coroner, but before he had got a jury together the body was removed, so that no inquest could be taken. I have issued warrants on suspicion, but they are so much on their guard I doubt they cannot be executed. Your Honor will please to consider whether it may be proper to proclaim them; it is most unlucky at this time. The letter may perhaps be made use of as evidence.

Mr. *McKee* had not time to transcribe the speeches of the *Indians*, but in a few days I shall probably receive them, and will forward them by the first opportunity. Nobody offered the arrest they have threatened me so much with.

A Speech of the SHAWANESE, *directed to* ALEXANDER MCKEE, *Esq.*, GEORGE CROGHAN, *Esq.*, *and the Commandant at* PITTSBURG, *Captain* JOHN CONOLLY.

BROTHERS: We are sorry to see so much ill doing between you and us. First you killed our brother *Othawakeesquo* (or *Ben*,) next our elder brothers the *Mingoes;* then the *Delawares*. All which mischiefs, so close to each other, aggravated our people very much; yet we all determined to be quiet till we knew what you meant; our people were all getting ready to go to their hunting as usual, but these troubles have stopped them. The traders that were amongst us were very much endangered by such doings from the persons injured, but as we are convinced of their innocence, we are determined to protect them, and sent them safe to their relations and other friends, and it will, we hope, be looked upon as a proof of our good intentions.

I, the *Cornstalk*, do send my brother to be along with the traders in case any of the parties injured should be in their way, and in revenge for the loss of their friends, fall on them; therefore, we request that you will present our good intentions to the Governors of *Virginia* and *Pennsylvania*, and request that a stop may be put to such doings for the future. We likewise request that the Commandant, Captain *Conolly*, of *Pittsburg*, will do his endeavour to stop such foolish people from the like doings for the future. And I have with great trouble and pains prevailed on the foolish people amongst us to sit still and do no harm till we see whether it is the intention of the white people in general to fall on us, and shall still continue so to do in hopes that matters may be settled. I did intend to go myself, not to talk, but to carry home the traders, but in my stead I send my brother, and expect that Mr. *McKee*, Mr. *Croghan*, and Mr. *Conolly*, and each other of our brothers will shew him the same regard that they would me, as in seeing him they see me all the same as if personally present. This is all that I have to say now to you.

N. B. what concerned the traders I have said to themselves, as the wampum we have given them will testify.

A short Speech to the Chiefs of the DELAWARES *and a few of the* SIX NATIONS, *by Mr.* ST. CLAIR, *at* PITTSBURG, *May* 1774.

Brothers of the SIX NATIONS *and* DELAWARES: The Governor of *Pennsylvania* has heard your good speeches, and I am come from him to thank you for the care you have taken of our traders, and the pains you have been at to preserve the general peace. Your brothers of *Pennsylvania* are determind to maintain the friendship subsisting betwixt the *Six Nations* and *Delawares* and them entire, but as they are alarmed at the threatenings of the *Shawanese*, we recommend it to you to prevent your people from hunting on our side of the river for some time, as our people will not be able to distinguish betwixt them and those who may be enemies.

We wish and will endeavour to keep the path open to our brothers, and will on our parts keep bright that chain of friendship which has been so long held fast by their and our forefathers. AR. ST. CLAIR.

Digitized by Google

GENERAL HALDIMAND TO THE EARL OF DARTMOUTH.

Extract.

New-York, May 15, 1774.

The accounts received before the arrival of the packet, as late as the 14th of *April*, had made known the plan of operation intended to bring *Boston* to a sense of order and decency, so that on the arrival of Lieutenant General *Gage*, the inhabitants of that place will not be at a loss what they are to expect if they will prove refractory. It is the opinion of many people here, that they will acknowledge their fault, pay for it, and endeavour to reinstate themselves into his Majesty's favour by a proper submission.*

I wish it may be the case, as there is no knowing how far the factious spirit of a few leading men may carry an inconsiderate multitude, who have imbibed the most romantic notions of independence and liberty; and there will not fail to be such papers propagated amongst them, in order to spirit them up. The Act of Parliament relative to the port of *Boston* is already reprinted here, with such representations, as may possibly answer that end. I take the liberty to enclose to your Lordship one of those papers handed about this town *gratis*.

Extracts of private Letters from London, *dated* April 7 *and* 8, *to persons in* New-York *and* Philadelphia.

[Printed on the back of the *Boston* Port Bill, and distributed in *New-York*, on the 14th *May*, 1774.†]

April 7. With the most anxious and deep concern, I sit down to give you some account of the bitter things that are meditated against *America*, and through her, against *England* herself, and that Constitution, by which it has long been distinguished among the nations, as a land of freedom and happiness, and an asylum against tyranny and oppression. A distinction, alas! that now subsists no more! And must be for ever lost—unless kind Providence should interpose, to save us from that slavery and darkness, which has well nigh overspread the face of the whole earth.

America, the last resort of retiring freedom, is now to be invaded, and the fugitive driven from her peaceful recesses there, that so she may find no resting place on this side heaven.

A plan of despotism and arbitrary power has incessantly been pursued during the present reign; through all the ministerial changes and manœuvres, *that* has still been the grand object in view; and may explain all those intricate movements of Government, which otherwise appear quite mysterious, and unaccountable, especially with regard to the Colonies; it may account for that obstinate perseverance in measures palpably inconsistent with every principle of the *English* Constitution, of justice, and of common sense; which have been attended with almost infinite expense, trouble, and difficulty, both to the Colonies and *Great Britain* itself; when at the same time, a plain, easy, and certain way to peace, harmony, and prosperity, lies so open before us, that none can mistake it, and yet offers itself in vain. An absolute, arbitrary Government, has infinite charms for a multitude of haughty luxurious parasites and flatterers, that ever surround a throne, and hope to share with it in tyrannizing over the people, and rioting on their spoils. No wonder that such as these should prevail on a young Monarch to be pleased with, to countenance, and adopt their plan. Unlimited power is generally a most desirable object, especially to youth and inexperience; and few are distrustful of themselves, or imagine that it would be unsafe in their hands.

In *England*, almost every obstruction to the execution of this plan is removed; places of high trust and importance are bestowed upon those who will act in subserviency to the views of the Court; those who might impede those views, are divested of power, and disabled from any effectual opposition. Experience has shown that the pensions and places, in the gift of the Crown, have as great an influence, on the nobility, whose estates might set them above dependence, as upon common men, for luxury is boundless, and can render the possessor of the greatest estate as needy as a beggar, and as vulnerable to the influence of a bribe. As for the Commons, those natural guardians of the liberties and properties of the people, though there are many worthy men among them, who do their utmost to stem the torrent of corruption, and preserve their country; yet, their number is too small to answer the end; the eloquence of *Cicero*, the most consumate knowledge of the interests of their country, and zeal for its service, the greatest abilities and integrity, are all rendered entirely useless, by a corrupt majority of ministerial tools, who vote just as they are directed; this House, therefore, which used to be the bulwark of the people's security, serves now only to give the form or appearance of legality to acts of real tyranny and oppression, by which they are deprived of their liberty and property. A great majority of the House are returned by little venal boroughs, bribed by the nation's own money, to elect such men as the Ministry choose, and afterwards command to vote as they please. A friend well acquainted with the internal state of *Great Britain*, assures me, "that many boroughs "in the Kingdom have scarce ten persons qualified to vote "for a Representative in Parliament, and that all who are "qualified, are under the influence of some nobleman, or "squire, who, if he has no person of his own family to put "in, transfers the election, or rather nomination, to such adventurers as choose to purchase a seat, as a means of "climbing the hill of preferment. In some places, there is "not even the shadow of an election, or town meeting. "The Sovereign, Bailiff, or rather Returning Officer, with "two or three Burgesses, go privately to the Session House, "and in a moment name such a one, as duly elected, without "the appearance of a candidate."

What a farce are such transactions, when the liberties of the people are thus played away at a game, wherein a corrupt Government, and an ambitious, covetous landlord, are the only gainers! All things being thus ripe in *England*, for the open introduction of arbitrary power, nothing seems

*A *British American*, who is a lover of peace, as well as hater of every species of tyranny, whether monarchical or parliamentary, proposes to the consideration of the public of *Boston*, whether it would not be their wisest course in the present critical situation of affairs, to RAISE IMMEDIATELY, by subscription, a sum equal to the estimated value of the DROWNED TEAS, and deposite it in some public office, ready to be tendered to his Excellency General *Gage*, immediately on his first requisition for restitution of the *India* Company's loss, with a solemn declaration (conceived in respectful and conciliating terms,) that they make the reimbursement with real pleasure, as they thereby have at once an opportunity of testifying their readiness to repair every private loss that individuals may sustain, in the present unhappy struggle for the maintenance of their just rights—of manifesting the cheerfulness with which they would load themselves with any burden for the public good, whilst left to the exercise of the constitutional power of disposing of their own property for that purpose; and showing their promptness to act in consonance with the sentiments of the *British* Parliament in every thing they can, without sacrificing their liberties. Such a procedure will contain ample declaration of their steady continuance in their patriotic sentiments; and, at the same time, would so entirely conform to the requisitions in the Act of Parliament that now threatens their destruction, as could not fail to place them at once in the light of constitutionally dutiful subjects to the Crown, as well as zealous defenders of the liberty of the subject.

The Querist presumes, that by adopting some such mode of management as this, "good may be brought out of evil;" and that hasty act of violence which moderate men now look on with high disapprobation, be thereby rendered a circumstance honourable to the *Bostonians* in particular, and advantageous to the Colonies in general, who doubtless would cheerfully bear their proportion in the sum to be raised.

It certainly would be the maddest of all possible Quixotisms to think of making an hostile opposition to such a naval and military force as it is certain is coming out with General *Gage*, and therefore some plan of constitutional policy that will afford means of evading the heavy threatened evils, should be fallen upon.

NEW-YORK, *May* 16, 1774.

†A report having been circulated, that a printed paper, published as extracts of letters from *London*, dated there the 7th and 8th of *April*, last, which were printed on the back of a copy of the late Act of the *English* Parliament, for shutting up the port of *Boston*, and distributed about town on *Saturday* last, *May* 14th, were spurious, and that the intelligence was not written from *England*, but fabricated here. As I am able to prove the said report to be entirely false, I leave every one to judge whether it comes from the friends or the enemies of the rights and liberties of *Great Britain* and the Colonies. The letters, whose contents are printed on the back of the Act aforesaid, were received on *Thursday*, the 12th instant, by the *Samson*, Captain *Coupar*, the latest ship arrived here from *London*. They were by one of the writers committed to the particular care of the gentleman who delivered them here, who is now in town, and can prove both the receipt of them in *London*, and the delivery here. One of the letters which contains the most circumstantial account of the facts, is left in the hands of the printer of the *New-York* Journal, who can both vouch for the truth of the copies, and produce the original of the principal letter; the other two letters, which were also seen by him and several other persons in town, are now gone to *Philadelphia*, by a gentleman of that place, who was here when Captain *Coupar* arrived. These letters (one of which was from a military officer of eminence, both on account of his rank and literary abilities) soon after their arrival, were read to several gentlemen in town, who thought their contents so important, that they solicited for the copies, and were at the expense of making them public. NEW-YORK, *May* 17, 1774.

Digitized by Google

to have prevented it, but the struggles of the *Americans* to preserve their liberties. These struggles have been doubly mortifying to the Ministry, as they have thereby, been not only prevented from levying a revenue upon *America*, but from executing their scheme in its full extent upon *England*. And unless that scheme be very soon executed, it is in danger of being blown up entirely; for matters have risen to such a crisis, the uneasiness and distress of the nation are become so general, that some violent commotion seems inevitable, and near at hand; and if a revolution should happen, and fail to establish despotism in *England*, it would probably be fatal to those who have attempted to introduce it. The most strenuous efforts, therefore, will now be made, both by force and fraud, to reduce the *Americans* to a conformity with the measures of the Ministry, who are enraged and distracted at the obstructions they meet with from that quarter.

I therefore earnestly warn you to firmness and vigilance; every art will be used, both to intimidate, and to deceive you; may *God* direct you to be wise and faithful to yourselves, and to your country, and crown your endeavours with success. You have every thing at stake that can be dear to reasonable creatures; your freedom, your property, your posterity, your honour. The very Ministry who are striving to enslave you, in spite of themselves, both honour and fear you; but if they succeed against you, will despise and spurn you.

About a fortnight ago, an Act of Parliament of a most extraordinary kind, to shut up the port of *Boston*, was passed in a most extraordinary manner, being smuggled through the House in seventeen days only, from its introduction. The evidence before the Privy Council was suppressed; the agents refused a hearing at the bar; and no member for *Boston* or *America* in either House. Nor had the merchants and manufacturers in *England*, who will be deeply effected by the execution of this Act, any proper notice of it, or opportunity to remonstrate against it. Indeed, it is openly said, that many thousand pounds were issued from the Treasury, to obtain a majority in the House, and hurry it through, before there should be time for opposition: so that, when a body of merchants, trading to *Boston* and *America*, waited on Lord *North*, with a request that a petition might be heard against the Bill, before it passed into a law, they had the mortification to find they were too late, and that the Bill had already passed. As his Majesty has, by the Act, a conditional power to suspend its operation, in case the tea destroyed at *Boston* should be paid for, the merchants offered Lord *North* £19,000 or a security to the *India* Company to pay for the tea, if that suspension of the Act might be procured from his Majesty. But these offers were refused, and the merchants went away much dissatisfied—as thinking people are in general, against the proceedings of the Ministry, especially in respect to this law, and the manner of getting it passed, which was with as much privacy and haste as possible, so that it is hardly yet known in the manufacturing towns, which will be hurt by it. It is expected to raise great clamour and uneasiness as soon as it comes to be generally known, and felt, by the labouring people, and the trade, the stoppage of which, it is imagined, in a few months will convince the Ministry they have acted wrong.

Another new Bill, as extraordinary as the *Boston* Bill, only more general in its operation, is in agitation in the Privy Council; and like the *Boston* Bill, it is intended to be smuggled through the House. *God* grant it may be stopped in its progress, or defeated of its design. It is expected here, that *America* will be surprised or frightened into a compliance with it, by the intended alarming clauses in it, and the spirited manner of enforcing it.

God give you vigilance, fortitude, and wisdom to avoid the snares laid for you, and enable you to escape them.

General *Gage* is appointed Governour and Commander-in-chief of *Massachusetts Bay*, with very extensive powers. Under him are to be a set of officers, approved by the Ministry, to be made Counsellors, and enforce the Parliamentary laws, with the (apparent) consent of the people. In short, every art will be used to deceive you, and either cheat, or frighten you out of your freedom and property; however, I can assure you, the Commanders have private orders not to fight, unless they can provoke you to appear the aggressors—nay, they have orders not to commence hostilities, without further orders. But how soon that restriction may be taken off, *God* only knows; nor do I think that it was from any regard to justice, or tenderness to you, that such a restraint was laid; but purely from fear of the consequences of sanguinary orders; therefore, I think, if you are firm and prudent, you have no occasion at this time, to fear any tragical consequences from a refusal to be taxed by the *British* Parliament, who have really no right at all to tax you; not, that I would persuade you to this refusal merely upon a supposition that the Ministry will not proceed to hostile and sanguinary measures—for my opinion is, that there is nothing too absurd or wicked for them to do; but that if they should proceed to such measures it will be better for you to die than submit to them; however, as your cause is just, and all the world must see that you are injured and oppressed, your oppressors will be condemned by all the world, both at home and abroad; and if you are but firm and prudent in your opposition, fear not but Providence will interpose in your behalf, and raise you up friends to support and assist you.

Some of the greatest and wisest, as well as the best men in *England*, are already on your side, and will stand by you; your enemies have nothing but mere power, unjustly obtained and applied, to support their cause; reason and justice are altogether against them; they therefore stand on slippery ground, and totter in their stations. Lord *Camden* exerted himself nobly in the House of Lords in your favour—he told them the *Boston* Bill would be productive of a train of evils, and they certainly would have cause to repent it. Great care is taken to prevent copies of his speech from getting to *America*, as well as to deceive you by false intelligence. Every tool of power in *America* will be called upon, and furnished with means to mislead you, by a misrepresentation of facts, and giving a false turn and colouring to every thing that it concerns you to know. Six hundred pounds per annum, are paid to writers of false intelligence, and letters, as well as newspapers, that might give you such intelligence as the Ministry desire to conceal from you, are all stopped

It is given out that severe measures are only intended against *Boston*, to punish their refractory conduct; but depend upon it, if they succeed against *Boston*, the like measures will be extended to every Colony in *America*; they only begin with *Boston*, hoping the other Colonies will not interpose. But you are all to be visited in turn, and devoured one after another. You may depend upon my intelligence—my office gives me access to the principals concerned in the measures, and I think it my duty to warn the innocent against the wicked devices that I know to be meditated against them. It behoves the Colonies to be united, in their intelligence, councils, and measures; it is a matter of the last importance to them, to stand by, and support one another; the most favoured can only expect to be last devoured. The Ministry are determined to try your metal to the utmost. *Mansfield* and *Bute* are supposed to be the prime directors, and to influence the Royal ear as they please. The spoils of *England* are insufficient to support the luxury of the minions of power; they have fixed their voracious appetites upon the possessions of the *Americans*, and intend to make a prey of them, in defiance of reason and justice; of the Charters of Kings, and the divine laws of nature. Depend upon it, every Colony is to be subdued into a slavish obedience to the tyrannical impositions of *Great Britain*; nothing less will suffice, nothing less is intended. After the subjection of *Boston*, and perhaps all the *New England* Governments, *New-Jersey* and *New-York* are to be the next in course; and they talk of taking away *Penn's* Charter. Look to yourselves; exert all your faculties to the utmost; your virtues will be put to a severe trial, and if they are not genuine and well founded, they will not stand the test.

Alas! how is my soul shocked at the present situation of *England*, my native country—a great, a generous, and late a happy people—but now, how changed, how fallen! The men who are really wise and good, deprived of opportunities of acting; the poor and middling people, ruined and oppressed; the rich, lost in luxury and dissipation; a set of weak and wicked men, misguiding the reins of Government; the people taxed to death, without mercy; placemen and pensioners, without number, &c.

Digitized by Google

Many of the officers on the intended expedition against *Boston* and *America* have nobly thrown up their commissions, and refused to fight against their brethren in the Colonies, without a just cause; and it is expected the soldiers will desert in multitudes, from a mere sense of honour and justice.

April 8. News is just now arrived, by a private hand, that the discontent of the people, has so far prevailed, that orders are sent to unman the fleet, or at least, that it should not sail till further orders. I hope the news will prove true.

The *Scots* in the House of Commons, have been your great enemies. I think it would be but just in the *Bostonians* to withold every farthing due to them in that town, which I am told, is very considerable, especially to the city of *Glasgow*. Indeed, I think, as the port is shut up, the whole debt due from them to *Great Britain* should be stopped, and reprisals be made by every means in your power. The preservation of *England* itself, and her excellent Constitution, require it of you.

May *God* direct and prosper your counsels.

NEW-YORK COMMITTEE OF CORRESPONDENCE.

New-York, Monday, May 16, 1774.*

The Merchants and other inhabitants of the city of *New-York*, assembled at the Exchange, in the said city, and nominated the following gentlemen to form a Committee to correspond with our sister Colonies upon all matters of moment, and that fifteen be a Board, all being duly summoned.

John Alsop,	Thomas Pearsall,	Gerardus Duyckinck,
William Bayard,	Elias Desbrosses,	Peter Van Schaack,
Theophilact Bache,	William Walton,	Henry Remsen,
Peter V. B. Livingston,	Richard Yates,	Hamilton Young,
Philip Livingston,	John De Lancey,	George Bowne,
Isaac Sears,	Miles Sherbrook,	Peter T. Curtenius,
David Johnston,	John Thurman,	Peter Goelet,
Charles McEvers,	John Broome,	Abraham Brasher,
Charles Nicholl,	John Jay,	Abraham P. Lott,
Alexander McDougall,	Benjamin Booth,	David Van Horne,
Capt. Thomas Randall,	Joseph Hallett,	Gerard W. Beekman,
John Moore,	Charles Shaw,	Abraham Duryee,
Isaac Low,	Alexander Wallace,	Joseph Bull,
Leonard Lispenard,	James Jauncey,	William McAdam,
Jacobus Van Zandt,	Gabriel H. Ludlow,	Richard Sharpe,
James Duane,	Nicholas Hoffman,	Thomas Marston.
Edward Laight,	Abraham Walton,	

On *Tuesday* the following Notice was published in handbills:—

"*To the Public:* An Advertisement having appeared "at the Coffee House, in consequence of the late extraordinary and very alarming advices received from *England*, "inviting the Merchants to meet at the house of Mr. "*Samuel Francis*, on *Monday* evening, *May* 16, in order "to consult on measures proper to be pursued on the "present critical and important occasion:

"A very respectable and large number of the Merchants "and other inhabitants did accordingly appear at the time "and place appointed, and then and there nominated for the "approbation of the public, a Committee of fifty persons, "of which fifteen to be a sufficient number to do business.

"That therefore, no formality may be wanting to constitute a Committee, duly chosen, the inhabitants of "this city and county, are requested to attend at the Coffee "House, on *Thursday* the 19th instant, at 1 o'clock, to "approve of the Committee nominated as aforesaid, or to "appoint such other persons, as in their discretion and "wisdom may seem meet."

New-York, Tuesday, May 17, 1774.

In consequence of the foregoing Advertisement, a great concourse of the inhabitants met at the Coffee House, on *Thursday, May* 19, to confirm or alter the nomination of a Committee to correspond with our sister Colonies, when Mr. *Isaac Low* addressed his fellow-citizens in the following words: *

"GENTLEMEN: You have been duly apprised, both by handbills and advertisements in this day's papers, of the intention of your present meeting.

"I hope, gentlemen, you will manifest by your conduct that you are actuated by the dictates of calm reason only, in the choice of the Committee I am to propose for your approbation.

"It is but charitable to suppose we all mean the same thing, and that the only difference amongst us is, or at least ought to be, the mode of effecting it, I mean the preservation of our just rights and liberties.

"Let us, then, call down wisdom to our aid, and endeavour to walk in her hallowed paths.

"Zeal in a good cause is most laudable, but when it transports beyond the bounds of reason it often leaves room for bitter reflection.

"We ought, therefore, gentlemen, to banish from our hearts all little party distinctions, feuds and animosities, for to our unanimity and virtue we must at last recur for

*At a very general meeting of the inhabitants of this city, on *Monday* last, *May* 16, a body of fifty respectable gentlemen were appointed by the public voice, to be a Standing Committee for the important and salutary purposes of keeping up a correspondence with our sister Colonies, and in conjunction with them pursuing in the present important crisis such judicious and constitutional measures as should appear to be necessary for the preservation of our just rights; the maintenance of the public peace; and the support of that general union, which at this time in particular, is so absolutely requisite to be preserved throughout the Continent.

At a time like this, when the public good is concerned, the public good alone should be the object of every individual. Tis therefore anxiously hoped, that at the general meeting to be assembled this day, to declare the universal assent to the choice of the body who made the nomination, all partial attachments and private animosities will be laid aside, and the choice be confirmed without any sinister opposition from narrow and ungenerous sentiments. As the gentlemen appointed are of the body of the merchants; men of property, probity, and understanding, whose zeal for the public good cannot be doubted; their own several private interests being so intimately connected with that of the whole community; and whose situations, connections, and opportunities of an universal knowledge of public circumstances, point them out as the proper persons to hold so important a trust.

On *Tuesday* evening, *May* 17, an express arrived in town from *Boston*, with an account that the inhabitants of that place had received on the 10th instant, by Captain *Jenkins*, the Act of Parliament for shutting up their port. On *Wednesday*, the Committees of Correspondence from eight of the adjacent towns, were summoned; and on *Thursday* they met at Fanueil Hall, and wrote circular letters to the several Committees of Correspondence in the other Colonies. On *Friday* the inhabitants of the town of *Boston* met, and agreed to send letters to every town in the *Massachusetts* Government, and to every Colony on the Continent, acquainting them that they were determined to stop all exports and imports to *Great Britain* and the *West Indies*. They chose other committees to confer with the inhabitants of *Salem*, *Marblehead*, &c.; to collect subscriptions for the employment of the artificers, &c.; and for effectually securing the peace of the city. In short, the inhabitants who had assembled in prodigious numbers, were all united in a firm resolution, not to comply with the Act of Parliament. The purport of their letter to the Committees of Correspondence at this city, and in *Philadelphia*, is to acquaint them with their resolutions, and to desire that they may be supported by their hearty concurrence in the measures which have hitherto been concerted by them.

NEW-YORK, *May* 19, 1774.

* In addition to this Address of Mr. *Low*, the following appeals to the people of *New-York* were published at this time:—

The late Act of Parliament for blocking up the harbour of *Boston*, is so far from discouraging the inhabitants of that town, that they never were in higher spirits than at the present hour. Confiding in the other Colonies, that they will unite in suspending their exports and imports, to and from *Great Britain* and the *West Indies*, they have cheerfully resolved to expend their fortunes and lives in the cause. Several among them, willing to part with all they possess for the public good, have subscribed largely for the support of the poor. They study to preserve good order, and to find employment for those who will be wholly turned out of business.

The liberty and welfare of *America* is suspended on the *issue* of the present struggle. If *it* be successful, our enemies will behold *America* tending to greatness in spite of all their devilish machinations. They will see her in full possession of that freedom which they look upon with envy, and which they long to destroy. But, if unsuccessful, wretched will be our condition. The sufferings of *Ireland* will be desirable compared with ours. We shall be at the mercy of revenge, made terrible by power, and inexorable by disappointment. Those very men who are now embarassed and distracted by the opposition they met with, will then insult and oppress us with all the wantonness of security. They who now dread our firmness will then despise our irresolution. They will spurn us for doing what they now say is rebellion not to do. We shall be in the hands of men who are abandoned to every abominable excess of wickedness; who are of that worst of characters, "*alieni appetens, fui profusus;*" men of unbounded avarice, and of unbounded intemperance; "men of blood," "who hate not covetousness," "whose *God* is their belly," greedy as the grave, and sanguinary as fiends.

Can there be any, then, so lost to feeling, so lost to reflection, to all disinterestedness, and all foresight, as not to be deeply engaged in opposing and frustrating measures big with the fates of *America* and freedom, of *England* and posterity? Let us, with the brave *Romans*, consider our ancestors and our offspring. Let us follow the example of the former, and set an example to the latter. Let us not be like that sluggish people, who, through a love of ease, "bowed themselves and became servants to tribute," and whom the inspired prophet, their father, justly compared to "asses!" Had I a voice which could be heard from *Canada* to *Florida*, I would address the *Americans* in the language of the *Roman* patriot: "If you have a mind to keep those "things, be they what they will, you are so fond of," (whether your money, your freedom, civil and religious, or whether your very super-

Digitized by Google

safety; and that man will approve himself the best friend to his country whose highest emulation is to inculcate those principles both by precept and example."

The nomination of the fifty gentlemen made at the Exchange, on the 16th instant, was then submitted by Mr. *Low*, and confirmed by the meeting, and Mr. *Francis Lewis* was added to the number by unanimous consent.

New-York, Monday, May 23, 1774.

The Committee appointed to correspond with our sister Colonies upon all matters of moment, met at the Coffee House, pursuant to notice for that purpose given: Present,

Isaac Low, *Chairman*,	Nicholas Hoffman,	Edward Laight,
Theophilact Bache,	Philip Livingston,	William McAdam,
Alexander McDougall,	William Bayard,	Gabriel H. Ludlow,
Leonard Lispenard,	Alexander Wallace,	Charles Shaw,
James Jauncey,	Peter Van Schaack,	William Walton,
Isaac Sears,	Benjamin Booth,	Thomas Randall,
Joseph Bull,	Henry Remsen,	Gerardus Duyckinck,
John De Lancey,	Peter T. Curtenius,	Abraham Brasher,
Abraham Duryee,	Abraham Walton,	Jacobus Van Zandt,
John Broome,	John Moore,	Peter V. B. Livingston,
Thomas Marston,	David Johnston,	Charles McEvers,
Charles Nicholl,	Richard Yates,	John Jay,
James Duane,	John Alsop,	Miles Sherbrook,
Richard Sharpe,	Abraham P. Lott,	Hamilton Young.
Peter Goelet,		

The Committee proceeded to choose Mr. *Isaac Low*, to be their Chairman, and Mr. *John Alsop*, their Deputy Chairman.

The Committee received a Letter from the body of Mechanics, signed by *Jonathan Blake*, their Chairman, informing them of their concurrence with the other inhabitants of this city, in their nomination.

Ordered, That Mr. *Duane*, Mr. *Jay*, and Mr. *Van Schaack*, be a Committee to draw up a set of Rules for the regulation of the Committee, and present the same to the next meeting.

Ordered, That the first five members on the list, who shall be in town be a Committee to open all letters directed to the Committee, in the absence of the Chairman and Deputy Chairman.

Letters from the Committee of Correspondence of *Boston*, with the Vote of the town of *Botson*, of the 13th instant, and a Letter from the Committee of *Philadelphia*, were read.

Ordered, That Mr. *McDougall*, Mr. *Low*, Mr. *Duane*, and Mr. *Jay*, be a Committee to prepare and report a draft of an Answer to the *Boston* Committee, at eight o'clock, P. M.; to which hour the Grand Committee were then adjourned.

New-York, May 23, 1774.

The Committee met at the Coffee House, at 8 o'clock, in the evening, pursuant to adjournment: Present,

Isaac Low, *Chairman*,	Richard Sharpe,	Gerardus Duyckinck,
Philip Livingston,	Jacobus Van Zandt,	Charles Nicholl,
Charles McEvers,	Peter V. B. Livingston,	Theophilact Bache,
Nicholas Hoffman,	Abraham Brasher,	Gabriel H. Ludlow,
Henry Remsen,	Peter Van Schaack,	John Moore,
Peter T. Curtenius,	James Jauncey,	Peter Goelet,
Isaac Sears,	John Jay,	Leonard Lispenard,
Abraham P. Lott,	David Johnston,	Alexander McDougall,
Abraham Walton,	William Walton,	Gerard W. Beekman,
James Duane,	Edward Laight,	Charles Shaw,
John Broome,	Miles Sherbrook,	John De Lancey,
Abraham Duryee,	William Bayard,	Thomas Randall.
Thomas Marston,	Hamilton Young,	

The Committee appointed this morning to prepare a draft of a Letter in answer to those received from *Boston*,

fluities,) "rouse at length, and stand up for the liberties of your "country."

What is it but for the rich to part with gratifications which nature never called for, and for the poor to be at worst but temporary sufferers for the general good? What but for some to be temperate, and all to be diligent? We have already seen, in one of the greatest towns in *America*, all ranks consenting thus to deny themselves for their country. Be, then, unanimous, and you shall be successful; be united and be free; be virtuous and be happy.

But let the *Bostonians* pay for the tea; it is but about eight thousand pounds sterling! As if our enemies were after nothing more than this small sum, doubtless greater than that cargo of seven year old tea was worth, which could not be got off in *England*, and, like unsavoury salt, was fit only to be trampled under foot, or thrown overboard; as if, in order to get this sum, they would lay out, none can tell how many times as much more, in fitting out a fleet, and bribing men, who could not, without reluctance, concur in their measures. Happy land! where the most deeply concerted stratagems of crafty tyrants are at once seen through by every one! May she never be guilty of forfeiting her liberty! Great would the crime be, since she must do it knowingly.

The *English* newspapers are stuffed with nonsensical declamations on the right of Parliament to have every farthing in *America* at their command, and with virulent invectives against the *Bostonians*. These writers are beneath contempt. They could not think as they do were they not hired. It is not ignorance in their heads, but, to use a strong scriptural phrase, "ignorance in their *hearts*," which makes them talk in this manner. Common sense refutes them all by this short question: How comes another by a right to take away my money without my consent? But, for our encouragement, let us remember, that some of the greatest and best men in *England* wish us success; the merchants and manufacturers at home are greatly and generally dissatisfied already, and will soon feel the cause of *American* liberty to be their own. In a word, let all our merchants unite as one man; let them strive against division in this crisis of jeopardy; let them show themselves worthy of that divine appellation, "the fathers of their country." And let not the Ministers of the Gospel neglect their duty; let them remember the example of the Apostles, who embraced every opportunity of testifying their zeal for the civil and religious liberties of mankind; and while they teach men to consider their oppressors as "the rod of *God's* anger, and the staff of his indignation," let them not fail to excite and encourage them to a hope of his interposition in their behalf, while they humble themselves by fasting and prayer, and are in use of all proper means for deliverance.

The following DIALOGUE being conceived, in some measure, calculated to advance the cause of Freedom, in the present critical situation of affairs, is for that purpose presented to the public:—

Question. What think you of the Act of Parliament for shutting up the port of *Boston*?

Answer. It appears to me an unconstitutional and tyrannical Act, and that a submission to it will greatly endanger the liberties of *America*.

Question. But would not the *Bostonians*, making payment to the *East India* Company for the destruction of their tea, reduce every thing to its former situation?

Answer. I think not. The Act does not enable the King to appoint certain wharfs, quays, &c., for the lading and unlading of goods, until peace and obedience to the laws are restored in the town of *Boston*; the *East India* Company paid for the tea; and until the officers of his Majesty's revenue, and others, shall receive satisfaction for what they have suffered. So that, however reasonable it may appear that the Company should be paid for their loss, yet the remaining terms are too humiliating and oppressive to be yielded to by men who have a sense of the blessings of freedom, and who possess the means of securing them. When can the Governour of *Boston* venture to give a certificate that the officers of his Majesty's revenue, and others, have received full satisfaction? Where will the demands of these officers stop? And how many crouching submissions and offers of obedience to Parliamentary authority, will be expected by his Majesty before he will declare in Privy Council, that the *Bostonians* have manifested a spirit of peace and obedience to the laws? But I will suppose (not grant) that the Governor may have it in his power soon to discover all the persons who have been injured by the conduct of the *Bostonians*; that the demands of the sufferers will be moderate; no advantage taken of this golden opportunity to swell their damages; and that his Majesty will be satisfied with general professions of a peaceable and obedient spirit. Can you, however, believe that the Governour will give such certificate, or his Majesty declare his acquiescence, till the unconstitutional duties have been paid? The words of the Act will warrant the demand of them, and I believe so good an opportunity of obtaining the grand desideratum will not be overlooked and neglected. The words of the Act are, "Provided, also, that nothing herein contained shall "enable his Majesty to appoint such port, wharf, &c., until it shall be "certified that reasonable satisfaction hath been made to the officers of "his Majesty's revenue, and others, who suffered by the riots and "insurrections," &c. May it not be said, that the officers of his Majesty's revenue have suffered the loss of the duties by means of the riots, (as they are called,) and will it not with propriety be declared, that his Majesty is one of those "others" mentioned in the Act, who have suffered by the means aforesaid? since, had the tea not been destroyed, he would have been entitled to the duty, and, if not paid, might have seized the tea to secure it. To me it appears in a high degree probable, that the duty which we have so nobly and universally testified against as unconstitutional, will be demanded; and that the want of an explicit declaration in the Act to that purpose, is to be attributed to ministerial art and contrivance to lead us on gradually in the business of humiliation till we cannot consistently recede.

I will, however, suppose, that neither the Governour nor his Majesty will make any demand of the duty; but, upon the above mentioned concessions, will proceed to execute the powers vested in him by the Act. In what condition will the *Bostonians* then be? Will they, after all this distressing submission, be re-instated in their former privileges? By no means. A great part of their property will be ravished from them, or rendered altogether useless. By the Act of Parliament the King may, after all proper concessions made, appoint the bounds and limits of the port or harbour of *Boston*, and assign so many wharfs and quays for lading and unlading of goods, as his Majesty shall think expedient, and it shall not be lawful to land or put off from any others. Here you see the property of all wharfs and water lots not licensed by his Majesty, is wrested from the hands of their proprietors, and without their consent, in the most arbitrary manner, rendered useless. By this Act, the merchant who had laid down at night in the possession of well earned affluence, rises in the morning despoiled of his property, and will in vain look for redress from any other source than the spirit of freedom, and the union of his fellow *Americans*. If the Parliament of *Great Britain* are allowed to bring their laws upon your farms and your soil; to regulate your internal policy, and snatch from the honest proprietor his peaceable and well earned possessions, adieu to liberty and all the train of blessings that attend her! Why did you oppose the Stamp Act? Upon what principles make opposition to the Revenue Law? And wherefore is the virtuous struggle yet kept alive against the tyranny of the *British* Parliament? For no other

Digitized by Google

presented a draft to the Committee, which was unanimously approved of, and ordered to be signed by the Chairman, and transmitted to the Committee of Correspondence, at *Boston;* in the words following:

New-York, May 23, 1774.

GENTLEMEN: The alarming measures of the *British* Parliament relative to your ancient and respectable town, which has so long been the seat of freedom, fill the inhabitants of this city with inexpressible concern. As a sister Colony, suffering in defence of the rights of *America*, we consider your injuries as a common cause, to the redress of which it is equally our duty, and our interest to contribute. But what ought to be done in a situation so truly critical, while it employs the anxious thoughts of every generous mind, is very hard to be determined.

Our citizens have thought it necessary to appoint a large Committee, consisting of fifty-one persons to correspond with our sister Colonies on this and every other matter of public moment, and at ten o'clock this forenoon, we were first assembled. Your letter, enclosing the vote of the town of *Boston*, and the letter of your Committee of Correspondence, were immediately taken into consideration.

While we think you justly entitled to the thanks of your sister Colonies for asking their advice on a case of such extensive consequences, we lament our inability to relieve your anxiety by a decisive opinion. The cause is general, and concerns a whole Continent, who are equally interested with you and us; and we foresee that no remedy can be of avail unless it proceeds from the joint act and approbation of all; from a virtuous and spirited union which may be expected while the feeble efforts of a few will only be attended with mischief and disappointment to themselves and triumph to the adversaries of our liberty.

Upon these reasons we conclude that a Congress of Deputies from the Colonies in general is of the utmost moment; that it ought to be assembled without delay, and some unanimous resolution formed in this fatal emergency, not only respecting your deplorable circumstances, but for the security of our common rights. Such being our sentiments, it must be premature to pronounce any judgment on the expedient which you have suggested. We beg, however, that you will do us the justice to believe that we shall continue to act with a firm and becoming regard to *American* freedom, and to co-operate with our sister Colonies in every measure which shall be thought salutary and conducive to the public good.

We have nothing to add, but that we sincerely condole with you, in your unexampled distress, and to request your speedy opinion of the proposed Congress, that if it should meet with your approbation, we may exert our utmost endeavours, to carry it into execution.

We are, &c.

Ordered, That the Chairman send a copy of this Letter to the Committee at *Boston*, and to the Committee of Correspondence at *Philadelphia*, acknowledging the receipt of a copy of their Letter to *Boston*, and approving the sentiments contained in it.

The Committee adjourned to the Exchange, to meet on the 30th of *May*, inst., at 6 o'clock, in the evening.

Mr. *Low*, according to order, transmitted to the Committee of Correspondence, in *Philadelphia*, a copy of the Letter from the Committee in *New-York* to the Committee at *Boston;* with a Letter, in the words, following:

New-York, May 24, 1774.

GENTLEMEN: A copy of your letter in answer to those received by express, from *Boston*, having been communicated to the Committee of fifty-one persons, lately appointed by our citizens to correspond with the other Colonies on all matters of moment, I am desired by the Committee to transmit you, the enclosed copy of their letter to the Committee of Correspondence at *Boston*.

I am also directed to inform you that the sentiments contained in your letter, to the Committee of *Boston*, are much approved by our Committee, who will be happy in a free and mutual communication of sentiment on all occasions on matters so important and interesting to the *American* Colonies.

I have the honour to subscribe myself, with much respect and regard, by order of the Committee,

I. Low, *Chairman*.

To the Committee of Correspondence, *Philadelphia*.

New-York, May 30, 1774.

The Committee met at the Exchange, at 6 o'clock, in the evening, pursuant to adjournment: Present,

Isaac Low, *Chairman*,	Edward Laight,	Peter Van Schaack,
John Alsop,	William Walton,	Henry Remsen,
William Bayard,	Richard Yates,	Hamilton Young,
Theophilact Bache,	John De Lancey,	Peter T. Curtenius,
Peter V. B. Livingston,	John Thurman,	Peter Goelet,
Philip Livingston,	Thomas Marston,	Abraham Brasher,
Isaac Sears,	John Broome,	Abraham P. Lott,
Charles McEvers,	Benjamin Booth,	Gerard W. Beekman,
Charles Nicholl,	Charles Shaw,	Abraham Duryee,
Alex. McDougall,	Gabriel H. Ludlow,	Joseph Bull,
John Moore,	Nicholas Hoffman,	William McAdam,
Leonard Lispenard,	Abraham Walton,	Richard Sharpe,
Jacobus Van Zandt,	Gerardus Duyckinck,	Francis Lewis.
James Duane,		

Agreeable to a Resolution of the last meeting, the following Regulations for the government of this Committeee in their debates and proceedings, were reported, agreed to, and ordered to be entered upon their minutes, to wit:

1. That the Chairman, and in his absence, the Deputy Chairman, and in the absence of both, a Chairman to be appointed *pro tempore*, shall preside at every meeting, and keep order and decorum, and that it shall be his duty to sign all letters from the Board.

2. That a Secretary shall be appointed, who is not a member of the Board.

---

ends surely than to retain our freedom and transmit it unimpaired to posterity; and the same noble considerations ought to impel us more strongly in the present case to use every lawful means to procure a repeal of this detestable Act. Should the other Colonies continue inactive spectators of the struggles of the *Bostonians*, when she is sacrificed to ministerial vengeance, then will a similar Act be forced upon us, and so in succession throughout the Colonies; the teas have been destroyed not at *Boston* alone, some of them have been thrown overboard at *New-York*, and the whole sent back from *Philadelphia*. The cries of humiliation will be too pleasant to ministerial ears to suffer them to forego a sacrifice so agreeable to them, especially when the good end of providing for their friends and dependants, and promoting in future their inimical designs, will be, in some measure, the consequence of appointing particular landing places at most of the sea port towns on the Continent. Let us, therefore, give our countrymen, the *Bostonians*, every possible and lawful assistance, and encourage them in a justifiable defence of their rights, by the earliest intimation of our readiness to unite with them; and if a non-importation and non-exportation scheme be the best and most likely method to effect redress, (as I believe it is,) we should signify that sentiment to all our sister Colonies, and desire their judgment upon the occasion. This non-importation agreement should be preceded by a declaration, that as the *East India* Company have suffered from our exertions in support of the cause of freedom, they, in justice, should be repaid the value of their tea, and that the Colonies in general would contribute to that payment; not because it was the requisition of the Act, but as a dictate of justice, at the very time when a resolution was made not to import till that Act was repealed. Such a generous resolution, replete at once with a sense of regard to the rights of the injured, and with a spirit of firmness to maintain our own freedom and inheritance, would conciliate us the affection of thousands on the other side of the water, and make the enemies of a people so spirited and just, fearful in the execution of their iniquitous designs.

Question. But is not the present situation of the *Bostonians* similar to that of a man attacked by a highwayman, who puts a pistol to his breast and demands his money? Can any concessions made by them be drawn into precedent, when such a violent act of force compels them to the measure?

Answer. I think the cases by no means similar. From the present distress of the people of *Boston*, they may be relieved by a virtuous union and agreement of their fellow *Americans* not to import from the mother country till the *Boston* Act is repealed. This is like an opportunity of striking the pistol from the hands of the robber, and reducing him to the terms of reason and justice. In the cause of freedom, in the defence of our liberties, every struggle and effort for victory and relief should be made; and poor, indeed, must be the spirit of that man, who, whilst an arm can even feebly be raised for its support, would extend himself under the tyrannical stride of his oppressors, and cry out submission to his force. No, my friend! whilst a single effort can be made, and more especially when we have so noble and effectual a one, let us never resign the only sweetener of all our enjoyments, but put forth every power to maintain and defend it. There are men who think it laudable, and their duty, to die in defence of their liberties; and shall we be afraid of losing a little property, when by that means we in all probability secure in perpetuity the enjoyment of the remainder? The robber may take your property when opposition would endanger your person; but what competition can the loss of such trash be put in, with the wreck of all that is dear and valuable in life. No highwayman, or set of highwaymen upon earth, should be allowed to spoil us of our freedom, of our liberties, whilst a nerve of opposition can be strung against them.

NEW-YORK, 20th *May*, 1774.

Digitized by Google

3. That all motions and addresses shall be made to the Chair, and standing.

4. That if more than one shall rise to speak at the same time, the Chairman shall determine who shall first be heard.

5. That the substance of every motion which is seconded, shall be entered on the minutes.

6. That no interruption shall be suffered while a member is delivering his sentiments.

7. That every question shall be determined by a majority of voices; and, after a determination, the same question shall not be resumed, but with the consent of the majority at a subsequent meeting.

8. That when a question shall be determined upon a division, the names of the members shall be entered as they shall vote on each side; and the dissentients, or any of them, shall be at liberty to enter their protest.

9. That the Committee shall meet upon their adjournments. But upon application of any five members, the Chairman, or in his absence, the Deputy Chairman, in the absence of both, the Secretary, shall call a special meeting; printed notice whereof shall be left at the residence of each member.

10. That none but members shall be permitted to take copies of the Committees' letters or proceedings without leave of the Board. That for the despatch of business, and to prevent interruptions, the doors at our meetings shall be shut; but that any citizen shall have free access to our proceedings, in the presence of a member.

11. That when both the Chairman and Deputy Chairman shall be out of town, the five first members named on the list of the body who may be in town, shall be at liberty to open letters directed to the Committee.

12. That every member who shall be absent at any meeting, or shall appear fifteen minutes after the appointed hour, (to be determined by the Chairman) shall forfeit a fine of two shillings; and if any member, after appearing, shall leave the meeting, without obtaining the consent of the Chairman, he shall forfeit eight shillings.

13. That at every meeting these Rules shall be publicly read, previous to the proceeding upon business.

Ordered, That *Joseph Allicocke* be appointed Secretary, and *Thomas Pettit* Messsenger of the Board.

Ordered, That Messrs. *Peter Van Schaack*, *Francis Lewis*, *John Jay*, *Alexander McDougall*, and *Theophilact Bache*, be a Committee to write a Circular Letter to the Supervisors in the different counties, acquainting them of the appointment of this Committee, and submitting to the consideration of the inhabitants of the counties whether it could not be expedient for them, to appoint persons to correspond with this Committee, upon matters relative to the purposes for which they are appointed.

The Committee adjourned to meet at the Exchange, on *Monday* next, the 6th *June*, 1774, at 6 o'clock, in the evening.*

New-York, May 31, 1774.

At a special meeting, held this evening, at 6 o'clock, at the Exchange: Present,

Isaac Low, *Chairman*,	Miles Sherbrook,	Henry Remsen,
P. V. B. Livingston,	John Thurman,	Hamilton Young,
Isaac Sears,	William Bayard,	Peter T. Curtenius,
Charles McEvers,	John Broome,	Peter Goelet,
Charles Nicholl,	Benjamin Booth,	Abraham Brasher,
Alex. McDougall,	Joseph Hallett,	Abraham P. Lott,
Leonard Lispenard,	Charles Shaw,	Gerard W. Beekman,
James Duane,	Gabriel H. Ludlow,	Abraham Duryee,
Edward Laight,	Nicholas Hoffman,	Joseph Bull,
William Walton,	Abraham Walton,	Francis Lewis,
John Moore,	Gerard Duyckinck,	Theophilact Bache.
John De Lancey,	Peter Van Schaack,	

The Committee appointed to write Circular Letters to the Supervisors in this different towns in the Province, produced a draft of a Letter for that purpose, which was approved of.

Ordered, That Mr. *Francis Lewis* procure three hundred printed copies thereof, to be transmitted with all convenient speed, enclosed to the Treasurer of each county, with a line signed by the Chairman, requesting their care in forwarding them, and that intimation be given in the newspapers that such Circular Letters have been sent.

A Letter from Mr. *Charles Thomson* of *Philadelphia*, signed by order of, and in behalf of Deputies convened from the different congregations in *Philadelphia*, dated *May* 29th, 1774. The Committee conceiving that the subject of this Letter not being in their province:

Ordered, That copies thereof be made out well, and sent to the Clergy of the different denominations in this city, and that a Letter be written by the Chairman, informing Mr. *Thomson* thereof.

Which was accordingly done; a copy of which is as follows:

New-York, June 1, 1774.

SIR: Your favour of the 29th ultimo, by express, was laid before our Committee of Correspondence last evening.

I am directed to acquaint you, that, conceiving the subject of it to be out of their province, they could only order copies to be delivered to the Clergymen of the different congregations in this city, that they may conduct themselves therein, as to them shall seem fit. By order of the Committee. Sir, your most humble servant,

ISAAC LOW, *Chairman*.

Mr. *Charles Thomson*.

Pursuant to a Resolve of the last meeting, the following is a copy of a Letter transmitted to the respective Treasurers of each county in this Province, enclosing Circular Letters to be by them forwarded to the Supervisors in their respective Districts.

New-York, June 3, 1774.

SIR: It having been thought expedient by the Committee of Correspondence in this city to send circular letters to the Supervisors of the several counties in this Province, I am directed to enclose a sufficient number of them to

*Among the Letters written at this time by persons in *New-York* to their Correspondents in *Great Britain*, were the following:

EXTRACT OF A LETTER TO A GENTLEMAN IN LONDON.

Notwithstanding the boasted resolutions of many of the principal people of this Colony to stand forth in defence of their rights and liberties, we are well assured that most of them are sorry for embarking in the cause so far, and that they only want an opportunity to throw off the mask, to join with the friends of Government. If the Minister was wicked enough to load us with the heaviest imposition, I doubt not but he would be able to carry his designs into execution, by means of a few men-of-war; for the spirit of the inhabitants here died away as soon as it was known that General *Gage*, with a fleet of ships, arrived at *Boston*, to shut up the ports and remove the courts of judicature. I heartily wish that an end were put to all disputes between us and our mother country, that trade and commerce might flourish again, for whilst these contentions last, the merchants of your city must feel the effects of it as well as us. The *Spaniards* alone have had the advantage, and they are ready to receive us under their protection; but I hope the people are more loyal than to accept of their offers.

NEW-YORK, *May* 30, 1774.

EXTRACT OF A LETTER TO A GENTLEMAN IN LONDON.

I have the pleasure to inform you that General *Gage* arrived safe, and in good health, at *Boston*, in twenty-five days from *Portsmouth*. He landed at the Castle, and immediately sent for the Council, where he made a speech to them which was spirited, but at the same time tempered with very sound and wholesome advice. In two or three days he made his entry into *Boston*, and had his commission read; upon which the *Bostonians* tell us, in their newspaper, that they shewed him every demonstation of their attention; that they made him a grand entertainment at Faneuil Hall, but even could not help affronting him at that *grand Bostonian* feast, by hissing him, because he gave Governour *Hutchinson* as a toast. You nor your friends must not imagine there was any honesty in those marks of joy these *Bostonians* shewed the General on this occasion;—no sir, it was hypocrisy all; for at the same time they were sending express after express to the Southern Colonies, assuring them that at several *loyal town meetings*, as they call them, they had come to the resolution of shutting up their port; that they would fast and pray, and stand firm to the cause of *American* liberty, raving out invocations to their dear sisters to join them in this firm work. But allowing the *loyal* town of *Boston* all the merit they assume to themselves, for the very *curious* and *remarkable* and *no less sensible* resolution of shutting up their port, after they and all the other Colonies know very well that Parliament had first done that business for them, yet it won't all do. It is true the Presbyterian junto, or self-constituted Committee of the *Sons of Liberty* for the city of *New-York*, (as they style themselves) which had stood ever since the time of the Stamp Act, had taken upon them to write letters to *Boston* to their brethren there, assuring them, "that the city of *New-York* would "heartily join them against the cruel and arbitrary proceedings of the "*British* Parliament," &c., which as soon as the gentlemen of property in this city knew, they were very justly alarmed, and a meeting of the inhabitants was desired at the Coffee House, when, in spite of all that could be done by the old Committee, which consisted of eight or ten flaming patriots without property, or any thing else but impudence, a new Committee was chosen, consisting of fifty members, most of them men of sense, coolness, and property; and I understand that nearly the same thing was done at *Philadelphia*. Now, sir, these two new self-authorized Committees have wrote to the *Bostonians*, "that they are of "opinion that they certainly ought to pay for the tea they had destroyed, "because it would be no more than justice so to do; that to be sure the "*British* Parliament had behaved very cruelly to them in making such "an Act, and they heartily condole with them on account of the "dreadful hard circumstances they were thereby reduced to, but as to

Digitized by Google

you, requesting the favour of you to direct and forward them to your Supervisors in their several districts.

By order of the Committee, ISAAC LOW, *Chairman*.

Directed to the Treasurer of the county of *Albany*, with forty copies; to the Treasurer of the county of *Tryon*, with thirty; to the Treasurer of the county of *Charlotte*, with twelve; to the Treasurer of the county of *Cumberland*, with twelve; to the Treasurer of the county of *Westchester*, with thirty; to the Treasurer of the county of *Gloucester*, with twelve; to the Treasurer of the county of *Ulster*, with twenty; to the Treasurer of the county of *Orange*, with twenty; to the Treasurer of the county of *Dutchess*, with forty; to the Treasurer of the county of *Richmond*, with six; to the Treasurer of the county of *Kings*, with six; to the Treasurer of the county of *Queens*, with thirty; and to the Treasurer of the county of *Suffolk*, thirty.—Total two hundred and eighty-eight.

New-York, June 6, 1774.

The Committee met, by adjournment, at the Exchange, at 6 o'clock, in the evening: Present,

Isaac Low, *Chairman*,	Edward Laight,	Henry Remsen,
William Bayard,	William Walton,	Hamilton Young,
Theophilact Bache,	Richard Yates,	Peter T. Curtenius,
Peter V. B. Livingston,	Miles Sherbrook,	Peter Goelet,
Isaac Sears,	John Thurman,	Abraham Brasher,
Charles McEvers,	Benjamin Booth,	Abraham P. Lott,
Charles Nicholl,	Joseph Hallett,	Gerard W. Beekman,
Alexander McDougall,	Charles Shaw,	John Broome,
Thomas Randall,	Alexander Wallace,	Joseph Bull,
John Moore,	Abraham Walton,	Richard Sharpe,
Leonard Lispenard,	Gerardus Duyckinck,	Thomas Marston.
James Duane,		

Ordered, That a Committee be appointed to write a Letter to the Committee of Correspondence in *Boston*, acquainting them that we adhere to the measure of a Congress, and that we shall be ready to meet them at any time and place they shall think fit to appoint, either Deputies from the General Assembly, or such other Deputies as shall be properly chosen and authorized to speak the sentiments of their different Colonies.

That the Committee at *Boton* give a sufficient time for the Deputies of the Colonies to the southward, as far as *Carolina*, to assemble, and acquaint them with the measure of Congress. Those letters to the southward of us, we shall with pleasure forward.

"shutting up the two ports of *New-York* and *Philadelphia*, they could "by no means think of such a measure, because it did not seem to be at "all the general opinion of the inhabitants of the two cities to do so; "that they of themselves were but a small number when compared to "the inhabitants of these cities, and these few could not pretend to dic-"tate to them, much less to the whole Province, which must be reduced "to distress and desperation by such a measure." This, I am told, was the purport of their letter, for I was not present, because I never have chosen to countenance self-appointed meetings of this sort, which appears to me contrary to law, and flying in the face of Government. I would have sent you all the papers printed on the occasion of those meetings, together with the impudent and inflammatory pieces published on account of the *Boston* Port Bill, but as those latter pieces are in general copied or inserted in the newspapers which, I fancy, you will see at the coffee houses, it is needless; and were I to send the former, it would not be worth the heavy charge of postage. Upon the whole I think there is little doubt but that all will be pretty quiet in all the Colonies in a short time; the most bitter pill will be the acknowledgment of the right of taxation in the Parliament. There is a talk of desiring the different Governours to call their wise Assemblies to settle this matter, and that it would be proper to have a Congress of the most sensible men amongst all the Colonies to meet somewhere to try to ward off the blow aimed at that great goddess of the *Dutch East India* Company in *America*, called AMERICAN LIBERTY. You will have discovered that I am no friend to Presbyterians, and that I fix all the blame of those extraordinary *American* proceedings upon them. You would perhaps, think it proper to ask, whether no Church of *England* people were among them? Yes, there were, to their eternal shame be it spoken! but in general they were interested in the motion, either as smugglers of tea, or as being overburdened with dry goods they know not how to pay for, and would therefore have been glad to have a non-importation agreement, or a resolution to pay no debts to *England*. But, Sir, these are few in number. Believe me the Presbyterians have been the chief and principal instruments in all these flaming measures, and they always do and ever will act against Government, from that restless and turbulent anti-monarchical spirit which has always distinguished them every where, whenever they had, or by any means could assume power, however illegally. In short, I am myself well convinced, that Government at home, if they mean to look for genuine loyalty, and cordial affection to the State, will no where find it except in the hearts of the professors of the Church of *England*: And I am as well convinced, that if Government would wish to preserve and encourage loyalty in the Colonies, they must countenance the Church of *England* much more than they have done hitherto. It is an indubitable fact that previous to and during all these acts of violence committed in the Colonies, especially to the eastward, the Presbyterian pulpits groaned with the most wicked, malicious and inflammatory harangues, pronounced by the favourite orators amongst that sect, spiriting their godly hearers to the most violent opposition to Government; persuading them that the intention of Government was to rule them with a rod of iron, and to make them all slaves; and assuring them that if they would rise as one man to oppose those arbitrary schemes, *God* would assist them to sweep away every *ministerial tool*, (the amiable name these wretches are pleased to bestow on the professors of the Church) from the face of the earth; that now was the time to strike, whilst Government at home was afraid of them; together with a long string of such seditious stuff, well calculated to impose on the poor devils their hearers, and make them run into every degree of extravagance and folly, which if I foresee aright, they will have leisure enough to be sorry for: But in general, the Church of *England* people during all this time, without any public oratory to spur them, did, from principle, from their own truly loyal principles, in which care is taken to educate them, every thing they could by writing and argument, and their influence, to stop the rapid progress of sedition, which would have gone much farther lengths if it had not been for them.

I am not a little amazed at reading over the speeches in the House in the debates on the *Boston* Bill, to find those gentlemen saying such mighty pretty things of the *Americans* in general, and of *Boston* in particular; if those things have not been said merely out of opposition to the Ministry, believe me, those gentlemen in the House are egregiously ignorant of the state of the Colonies, and have an opinion of them, they are far from meriting; however, I hope every thing will soon be settled, and that the *Americans* will be taught to pursue their true interest, viz: the improvement of their commerce, and the cultivation of their lands; if they attend to those particulars, I fancy they will find it full as much to their advantage as the regulation of the State. In short, Administration at home has really nothing further to do but to be determined, and steady, to put an entire stop to smuggling, and to make an example of some few of the ringleaders of the faction, in every principal city on the Continent, and if this is done, I fancy *America* will afterwards give very little trouble.

NEW-YORK, *May* 31, 1774.

EXTRACT OF A LETTER TO A GENTLEMAN IN SCOTLAND.

SIR: I seldom trouble you with politics, but at this time you may like perhaps to know what reception the *Boston* Port Bill has met with. To give you any tolerable idea of our present system of politics in *America* in general, would exceed the bounds of a letter. I shall only tell you that the power which it was found necessary to throw into the hands of the mob, during the general opposition to the Stamp Act, was not extinguished with the repeal of that Act. The attempt of the *India* Company to import their tea was no sooner in agitation, than the leaders of the mob, supported by the *Dutch* tea smugglers, made their appearance; and finding the men of property careless of shewing themselves, they took upon them to act for the whole community. It was the same body who formed the association for opposing the landing of the tea, and for returning it, which they afterwards deliberately effected. When the account of the *Boston* Port Bill reached us, the same body assumed the lead, and were hurrying themselves into the most violent measures. The men of property, however, finding affairs began to wear too alarming an appearance for them to stand any longer neuter, determined to attempt wresting the power once more out of their hands. A committee of fifty of the mercantile body was accordingly opposed to these leaders, and the election was carried in their favours, though with some difficulty. In this state has *New-York* been since the Stamp Act, and that of *Philadelphia*, *Charleston*, and *Boston*, has been pretty much the same. As the management, however, has now fallen into the hands of men averse to precipitate measures, I think the interdict of the Parliament to *Boston*, and the new moddling of this Government will meet with no opposition. But what alarms us is their suspicion of the third bill, which we have heard is before the House. Should the import of this bill prove to be what is surmised of it, viz: the sending home those suspected or charged with any act against Government, to stand trial in *Westminster* Hall, you must not be surprised to find all *America* in flames. The friends of Government and the advocates for the proper subordination of *America* to *England*, have a hard struggle to keep things in the situation they are now in; but should a bill have passed to this effect, we shall no longer find argument, or, what is more, dare to offer them though we should.

NEW-YORK, *June*, 1774.

EXTRACT OF A LETTER TO A GENTLEMAN IN ENGLAND.

You'll see by the papers I sent you by Captains *Lawrence* and *Miller*, that we have published the intelligence we received from all our friends in *England*, by Captain *Coupar*, and the last vessels. They have had as great an effect as could be wished; and from one end to the other of the *British* Colonies we shall see but one sentiment, that is, to view the treatment and pretensions of *Great Britain* with the highest resentment and disdain. We shall all be united, and act as one man; and if you should see any friends to *America*, pray tell them to be in no pain for us; we shall act as we ought, and, to a man, not hesitate to die, rather than submit to be the slaves *Briton* would make us. We fear not to tell the highest of them that we are as free as they are, and so will live and die. If their force should plunder us of our rights and property, we will tell them with our latest breath, that they are tyrants and robbers, and we shall leave them a land as desolate as our forefathers found it. We shall leave the stings of their own guilty consciences to avenge our wrongs, and present them with a lively view of the horrours they have caused. We are at the same time assured, *Great Britain* will not long survive the destruction of her Colonies. Alas! that a few traitors should occasion such complicated and extensive calamity! We are well assured it is but a few, comparatively, a contemptible few, that are the authors of all this mischief, and that the whole body of the nation, as well in *England* and *Ireland*, as here, have the same sentiments that we have, and like us are injured and oppressed. We love the nation, its Constitution, and constitutional Government, and have ever been ready to risk our lives in their defence. We lament their fall as well as our own, in which we see it involved, unless Providence interpose. Perhaps he may turn all the mischief upon the heads of the contrivers of it; perhaps, by the united exertions of all the Colonies, which there is no doubt of, we may be delivered and *England* preserved, though its strength seems now only applied to crush us, the best friends it had in the world. The boat waits, adieu.

NEW-YORK, *June* 2, 1774.

Digitized by Google

Sub-committee for writing the Letter are *Peter V. B. Livingston, John Moore, John Broome, John Thurman, Isaac Low.*

Ordered, That the Committee of *Boston* be requested to give this Committee the names of the persons who constitute the Committee of Correspondence at *Boston;* that they have made a mistake in answering this Committee's Letter, which mentioned not a word of a suspension of trade, which they say we have so wisely defined, as we leave that measure entirely to the Congress, and we shall readily agree to any measure they shall adopt—to request that their letters for the future be sealed and directed to the Chairman.

The Committee adjourned, to meet at the Exchange, on *Monday*, the 20th of this instant, *June*, at 6 o'clock, in the evening.

—

Copy of the Letter sent to the Committee of Correspondence in *Boston:*

New-York, June 7, 1774.*

GENTLEMEN: We have received your favour of the 30th *May*, and you may rest assured, we shall eagerly embrace all proper opportunities of contributing our mite towards bringing to a favourable issue the unhappy disputes which at present subsist between the parent State and her Colonies.

You say, that "a speedy, united, and vigorous effort is "certainly all that can be depended upon, to yield us any "effectual relief, and that this effort is on all hands ac-"knowledged to be the suspension of trade, so wisely "defined by you." To the first, we entirely concur with you in sentiments; but in the last, we apprehend you have made a mistake—for on revising our letter to you, so far from finding a word mentioned of a "suspension of trade," the idea is not even conceived. That, and every other resolution, we have thought it most prudent to leave for the discussion of the proposed general Congress.

Adhering therefore to *that* measure, as most conducive to promote the grand system of politics we all have in view, we have the pleasure to acquaint you, that we shall be ready on our part, to meet at any time and place that you shall think fit to appoint; either of Deputies from the General Assemblies, or such other Deputies as shall be chosen, not only to speak the sentiments, but also to pledge themselves for the conduct of the people of the respective Colonies they represent.

We can undertake to assure you, in behalf of the people in this Colony, that they will readily agree to any measure that shall be adopted by the general Congress. It will be necessary that you give a sufficient time for the Deputies of the Colonies, as far southward as the *Carolinas*, to assemble, and acquaint them as soon as possible with the proposed measure of a Congress. Your letters to the southward of us we will forward with great pleasure.

You may have seen all the names of our Committee in the public prints; and as we never heard the names of those which constitute your Committee, we request the favour of you to give us that satisfaction in your next. We beg that your letters for the future may be sealed and directed to our Chairman.

We are, gentlemen, your friends and most humble servants, by order of the Committee,

I. LOW, *Chairman.*

—

New-York, June 10th, 1774.

At a special meeting held at the Exchange, at 7 o'clock, this evening: Present,

Isaac Low, *Chairman*,	Richard Yates,	Hamilton Young,
John Alsop,	Miles Sherbrook,	Peter T. Curtenius,
Theophilact Bache,	John Broome,	Peter Goelet,
P. V. B. Livingston,	John Jay,	Abraham Brasher,
Isaac Sears,	Benjamin Booth,	Abraham P. Lott,
Charles McEvers,	Joseph Hallett,	G. W. Beekman,
Charles Nicholl,	Charles Shaw,	Joseph Bull,
Alex. McDougall,	James Jauncey,	Richard Sharpe,
Thomas Randall,	Nicholas Hoffman,	Thomas Marston,
John Moore,	Abraham Walton,	Francis Lewis,
Leonard Lispenard,	Gerardus Duyckinck,	John De Lancey,
Edward Laight,	Peter Van Schaack,	John Thurman.
William Walton,	Henry Remsen,	

A Letter from the Committee of Correspondence for *Connecticut* was received and read, and is as follows:

Hartford, June 4, 1774.

GENTLEMEN: Mr. *Revere*, on his return, acquainted us with the purport of yours by him, to the Committee at *Boston*, which being agreeable to our sentiments, and similar to what we had previously wrote them on the subject, we take the liberty to enclose you a copy of ours to them of this date, and ask your consideration of the proposal, and your sentiments of the measure, as soon as conveniently they may be had. We have wrote to the same purport to the Committees of the Colonies of *Rhode Island* and *New-Hampshire*. And are, with great truth and esteem, gentlemen, yours, &c.

By order and in behalf of the Committee of Correspondence for *Connecticut*, SILAS DEANE.

To the Committeee of Correspondence for *New-York*.

P. S. The Resolves of our lower House of Assembly are enclosed; in addition to which they gave us in command to recommend a Congress, and to join therein.

—

Copy of a Letter from the Committee of Correspondence for *Connecticut* to the Committee of Correspondence at *Boston*, enclosed in the preceding Letter to the *New-York* Committee:

Hartford, June 3, 1774.

GENTLEMEN: The lower House of Assembly, at their session at this place, which closes this day, came into sundry resolutions relative to their rights and privileges, a copy of which you have enclosed; and on the important subject take liberty to add, as our opinion, that a Congress is absolutely necessary previous to almost every other measure, since, as the injury is general, the mode taken for redress ought to be commensurate, which is not probable to be obtained short of a general conference and union. The resolves of merchants of any individual town or Province, however generously designed, must be partial when considered in respect to the whole Colonies in one general view; while, on the other hand, every measure recommended, every resolve come into by the whole united Colonies, must carry weight and influence with it on the mind of the people, and tend effectually to silence those base insinuations which our enemies are ever ready to throw out, of interested motives, sinister views, unfair practices, and the like, for the vile purposes of sowing the seeds of jealousy between the Colonies, to divide and render abortive all our designs in favour of the liberties of *America*. We conceive little or nothing need be added on the subject, the propriety and utility of which seems to be universally acknowledged. The time and place must be fixed. For the first, the earlier, consistent with having the principal Provinces notified and present, the better; say the last week of *July*, or first in *August*, by which time all, as far as *Virginia*, may be informed of, and invited to attend it; for the place, *New-York*, is near the centre, but the season of the year make us prefer some

Saturday last, the 4th instant, being the anniversary of his Majesty's birth day, when he entered the thirty-seventh year of his age, at 12 o'clock his Excellency General *Haldimand*, attended by a number of gentlemen, walked to the Commons, where they were received by a Royal salute from the train of artillery, and the Royal *Welsh* Fusileers then under arms, after which his Excellency returned to his residence, where his Majesty's and other loyal healths were drank, under the discharge of a royal salute from *Fort George*, his Majesty's ship *Swan*, *James Ayscough*, Esquire, commander, and sundry other vessels in the harbour.

In the evening some very curious fire-works were exhibited, and a small number of houses were illuminated; but the generality of the inhabitants (though perfectly well affected to his Majesty's person and family, and preferring the *English* Constitution to every other form of Government) were too deeply impressed with the melancholy situation of all the *British* Colonies, to assume the least appearance of public rejoicing, while it remains in suspense, whether we shall remain freemen by maintaining our rights, or submit to be slaves.

Every town in every Colony of *America* from which we have yet heard, consider the case of *Boston* as their own, and agree in sentiment, to unite their strength, and exert every faculty in the most determined persevering endeavours to preserve their rights and liberties against the tyrannical encroachments of *Great Britain*. To this end a Congress is soon expected, and a total suspension of all commercial intercourse between the Colonies and *Great Britain*, and *Ireland*, at least, it is generally believed will very soon take place.

Digitized by Google

agreeable country town to a city, in which there will necessarily be more avocations, besides its being disagreeable in these months. *Norwalk* or *Fairfield* are towns in which gentlemen may be well accommodated in this Colony. But we submit this, as well as the time, to the opinion of the other Colonies, to whom we shall write, and expect their answer will be in season. We conceive, as Committees of Correspondence and Inquiry are appointed in every considerable Colony by their Assemblies, they are the proper persons to attend, or to appoint others for that business. But of this you are to judge. And we hint it, as the Assemblies of some of the Colonies will probably not have an opportunity of meeting again till next winter, and consequently will not be able to appoint in any season. We have only to add, that we are sensibly affected with your distressed situation.

We are, gentlemen, with great respect, your obedient servants. By order, and in behalf of the Committee of Correspondence for *Connecticut*,

SILAS DEANE.

To the Committee of Correspondence for *Boston*.

P. S. Yours of the 31st ult., in answer to ours of the 26th, is before us. The situation of the town of *Boston*, particularly of the poor, and such as must now be deprived of employ, and reduced to straits, was considered by both Houses of Assembly, and a resolution come into to contribute to their relief, which passed both Houses. But the time and mode of carrying it into execution is deferred until they hear more directly from you, which doubtless they will before their next meeting.

Ordered, That a Committee be appointed to answer the Letter received from the Committee at *Hartford*, and enclose them a copy of a Letter wrote the 23d ultimo, by this Committee, to *Boston*; and also to answer a Letter received from Mr. *Bernard Lentot*, of *Branford*, and that they write a letter to the Committee of Correspondence of *South Carolina*, enclosing a copy of this Committee's first letter to *Boston*, and to acquaint them that this Committee have, in a subsequent letter to the Committee at *Boston*, desired them to appoint a time and place for a Congress, an answer to which they expect daily.

The Committee for that purpose were *Peter Van Schaack*, *Henry Remsen*, *Alexander McDougall*, *John De Lancey*, *Isaac Low*.

—

Copy of a Letter sent to the Committee of Correspondence of *Connecticut*:

New-York, June 11, 1774.

GENTLEMEN: Your agreeable favour of the 4th inst., covering a copy of yours of the 3d to the Committee of Correspondence for the town of *Boston*, and the resolutions of your lower House of Assembly on the second *Thursday* of *May*, came duly to hand, which were last night laid before us. We are greatly obliged to you for your communications on the interesting concern of our country. The sentiments contained in the former of the necessity of a Congress, are supported with such reasons as must command the assent of every well-wisher to the rights and privileges of *America*, and we are happy to find that this measure is so generally adopted, and so much desired by all the Colonies who have given their opinion on the present alarming crisis. Our sense and approbation of the utility of such a Convention, is fully expressed in a letter of the 23d ultimo, to the Committee of *Boston*, a copy of which is enclosed. We have wrote them on the 7th inst., to appoint the time and place for holding the Congress, where we shall be ready to meet either Deputies of the General Assemblies, or such other Deputies as shall be chosen, not only to speak the sentiments, but also to pledge themselves for the conduct of the people of the respective Colonies they represent. The substance of this will be communicated to the Committee of *Charlestown*, *South Carolina*, by a vessel that sails to-morrow. We are, gentlemen, your most obedient and very humble servants.

Signed by order of the Committee of Correspondence for the city of *New-York*.

ISAAC LOW, *Chairman*.

To *Silas Deane*, Esq., and others, of the Committee of Correspondence for *Connecticut*.

Copy of a Letter to Mr. *Bernard Lentot*, of *Branford*.

New-York, June 11th, 1774.

SIR: Your favour of the 29th of last month has been laid before our Committee of Correspondence. I am directed to acquaint you that they esteem themselves obliged by the communication of your sentiments at this very important and critical conjuncture. The hints you furnish may be very proper for the consideration and discussion of a general Congress of Deputies from the different Colonies, a measure that seems on all hands agreed will be most likely to produce the desired effect; but what can or will be done must be submitted to the wisdom of their united councils. We can only join you in our ardent wishes that they may prevail in their endeavours to re-establish that peace and harmony on which so essentially depend the prosperity and happiness of both countries.

We remain, with much respect, sir, your friends and most humble servants. By order of the Committee,

ISAAC LOW, *Chairman*.

—

Copy of a Letter from the Committee of Correspondence, appointed by the Assembly of *New-York*,* to the Committtee of Correspondence for *Connecticut*:

New-York, June 24, 1774.

GENTLEMEN: We have your letter of the 4th before us, enclosing the resolves of your Assembly, and a letter to the Committee of Correspondence at *Boston*; and we agree with you, that at this alarming juncture, a general Congress of Deputies from the several Colonies would be a very expedient and salutary measure; such a Congress, consisting of men of coolness, prudence, and understanding, would, we conceive, be the best means under Providence, of restoring that peace and harmony between *Great Britan* and her Colonies, which is the surest foundation of happiness to both, and which every good man, every well wisher to his country, ought to labour strenuously to establish. We are sorry therefore, that we are not sufficiently empowered to take any steps in relation to so salutary a measure; for we are a Committee of Correspondence only, and cannot consistently with good order and propriety interfere in a matter of such importance, without the appointment and concurrence of our whole House of Representatives. After what has been said, it would be needless to mention any thing about the places of meeting, only this, that if the other Colonies, who may have authority for so doing, should meet in Congress, in, or near this city, we shall most gladly and willingly assist with our advice, &c., if necessary, which, circumstanced as we are at present, is all we are enabled to do.

We should be glad however to know before we come to any final determination on this matter, what steps will be taken by the other Colonies, who are in the same situation with us, by not having an opportunity of knowing the sentiments of their Houses of Representatives; when the measures proposed to be adopted by them, shall be communicated to us, we shall be better able to judge what plan will be most likely to procure a redress of our present grievances, and promote the union and prosperity of the mother country and the Colonies; and we expect daily to receive accounts of these matters, of which we shall send you the most early intelligence. We are with great respect, gentlemen, your most obedient servants,

JOHN CRUGER, S. BOERUM,
FREDERICK PHILLIPS, DANIEL KISSAM,
BENJAMIN SEAMAN, ZEB. WILLIAMS, *late Zeb. Seaman*,
JAMES JAUNCEY,
JAMES DE LANCEY, JOHN RAPALJE.
JACOB WALTON,

To the Committee of Correspondence of the Colony of *Connecticut*.

**Resolved, nem. con.*, That a Standing Committee of Correspondence and Inquiry be appointed, to consist of the following persons, to wit: *John Cruger*, Esq., Speaker, *James De Lancey*, *James Jauncey*, *Jacob Walton*, *Benjamin Seaman*, *Isaac Wilkins*, *Frederick Phillips*, *Daniel Kissam*, *Zebulon Seaman*, *John Rapalje*, *Simon Boerum*, *John De Noyelles*, and *George Clinton*, Esquires, or any seven of them, whose business it shall be to obtain the most early and authentic intelligence of all such acts and resolutions of the *British* Parliament, or proceedings of administration, as do or may relate to or affect the liberties and privileges of his Majesty's subjects in the *British* Colonies in *America*, and to keep up and maintain a correspondence and communication with our sister Colonies respecting these important considerations, and the result of their proceedings to lay before the House.—*January* 20, 1774.

Digitized by Google

New-York, June 20, 1774.

The Committee met, by adjournment, at 6 o'clock, this evening, at the Exchange: Present,

Isaac Low, *Chairman*,	Edward Laight,	Gabriel H. Ludlow,
John Alsop,	William Walton,	Gerardus Duyckinck,
William Bayard,	Richard Yates,	Henry Remsen,
Theophilact Bache,	John De Lancey,	Hamilton Young,
Peter V. B. Livingston,	Miles Sherbrook,	Peter T. Curtenius,
Isaac Sears,	John Thurman,	Peter Goelet,
Charles McEvers,	Benjamin Booth,	Abraham Brasher,
Charles Nicholl,	Joseph Hallett,	Joseph Bull,
Alexander McDougall,	Charles Shaw,	William McAdam,
Thomas Randall,	Alexander Wallace,	Francis Lewis.
John Moore,		

Mr. *Allicocke* requested for particular reasons to resign as Secretary to this Committee. *John Blagge* was unanimously appointed in his stead.

The Committee then adjourned until *Monday*, the 27th *June*, instant, then to meet at the Exchange, at 6 o'clock, in the evening.

New-York, June 27, 1774.

The Committee met, by adjournment, at 6 o'clock, this evening, at the Exchange: Present,

Isaac Low, *Chairman*,	Edward Laight,	Nicholas Hoffman,
William Bayard,	William Walton,	Gerardus Duyckinck,
Theophilact Bache,	Richard Yates,	Henry Remsen,
Peter V. B. Livingston,	John De Lancey,	Peter T. Curtenius,
Isaac Sears,	Miles Sherbrook,	Peter Goelet,
Charles McEvers,	John Thurman,	Abraham Brasher,
Charles Nicholl,	John Broome,	Abraham P. Lott,
Alexander McDougall,	Benjamin Booth,	Gerard W. Beekman,
Thomas Randall,	Joseph Hallett,	Joseph Bull,
John Moore,	Charles Shaw,	Thomas Marston,
Leonard Lispenard,	Alexander Wallace,	John Alsop.
Jacobus Van Zandt,	Gabriel H. Ludlow,	

A Letter from *Easthampton*, of 17th *June*, 1774, with Resolves, received and read; a Letter from *Philadelphia*, of 21st *June*, 1774, with Resolves, received and read; a Letter from *Boston*, of 16th *June*, 1774, received and read.

On motion of Mr. *McDougall*, it was debated, which was the most eligible mode of appointing Deputies to attend the ensuing general Congress: when it was agreed to postpone the determination of the matter, until *Wednesday* evening, at 6 o'clock, to which time the Committee adjourned.

New-York, June 29, 1774.

The Committee met, by adjournment, at 6 o'clock, this evening, at the Exchange: Present,

Isaac Low, *Chairman*,	Edward Laight,	Gerardus Duyckinck,
John Alsop,	William Walton,	Henry Remsen,
Theophilact Bache,	Richard Yates,	Hamilton Young,
Peter V. B. Livingston,	John De Lancey,	Peter T. Curtenius,
Isaac Sears,	Miles Sherbrook,	Peter Goelet,
Charles McEvers,	John Thurman,	Abraham Brasher,
Charles Nicholl,	John Broome,	Abraham P. Lott,
Alexander McDougall,	Benjamin Booth,	William McAdam,
Thomas Randall,	Joseph Hallett,	Richard Sharpe,
John Moore,	Charles Shaw,	William Bayard,
Leonard Lispenard,	Alexander Wallace,	Nicholas Hoffman.
Jacobus Van Zandt,	Gabriel H. Ludlow,	

A Letter from *Tryon* county, dated the 22d *June*, 1774, was received and read; a Letter from *Southampton*, dated the 22d *June*, 1774, was received and read, together with Resolves.

Mr. *McDougall* moved, and was seconded by Mr. *John Broome*, in the following motion, viz:

"That this Committee proceed immediately to nominate five Deputies for the city and county of *New-York*, to represent them in a Convention of this Colony, or in the general Congress, to be held at *Philadelphia*, on the first of *September* next, if the other counties of this Colony approve of them as Deputies for the Colony; and that their names be sent to the Committee of Mechanics for their concurrence; to be proposed on *Tuesday* next to the freeholders and freemen of this city and county for their approbation."

Debates arising on the foregoing motion,

Ordered, That the same be postponed until *Monday* evening, the 4th of *July* next, then to be finally determined. To which time the Committee adjourned.

New-York, July 4, 1774.

The Committee met, by adjournment, at the Exchange, at 6 o'clock, this evening: Present,

Isaac Low, *Chairman*,	Edward Laight,	Hamilton Young,
John Alsop,	William Walton,	Henry Remsen,
William Bayard,	Richard Yates,	Peter T. Curtenius,
Theophilact Bache,	John De Lancey,	Peter Goelet,
Peter V. B. Livingston,	Miles Sherbrook,	Abraham Brasher,
Isaac Sears,	John Thurman,	Abraham P. Lott,
Charles McEvers,	John Broome,	Gerard W. Beekman,
Charles Nicholl,	Benjamin Booth,	Joseph Bull,
Alexander McDougall,	Joseph Hallett,	William McAdam,
Thomas Randall,	Charles Shaw,	Richard Sharpe,
John Moore,	Alexander Wallace,	Thomas Marston,
Leonard Lispenard,	Gabriel H. Ludlow,	Francis Lewis.
Jacobus Van Zandt,	Gerardus Duyckinck,	

A Letter, dated *Annapolis*, 26th *June*, 1774, with printed Resolves, was received and read; a Letter from *Shelter Island*, dated *June* 7th, 1774, with Resolves, was received and read; one from *County Hall*, in *Suffolk* county, dated 25th *June*, 1774; and one from the Committee of Mechanics, dated *New-York*, 4th *July*; also one from *Dutchess* county, dated *June* 29th, 1774, was received and read.

Mr. *Booth* moved, and was seconded by Mr. *De Lancey*, that the previous question be put, Whether this Committee shall determine upon Mr. *McDougall's* motion, referring the nomination of Delegates to the Committee of Mechanics for their concurrence, or whether it should be referred only to the town at large.

Affirmatives.		*Dissentients.*
William Bayard,	Gerardus Duyckinck,	Peter T. Curtenius,
John Alsop,	Edward Laight,	Francis Lewis,
Thomas Marston,	Benjamin Booth,	Isaac Sears,
Hamilton Young,	William Walton,	Peter V. B. Livingston,
Richard Sharpe,	William McAdam,	Leonard Lispenard,
Joseph Bull,	Theophilact Bache,	Jacobus Van Zandt,
Gabriel H. Ludlow,	John De Lancey,	Abraham Brasher,
Miles Sherbrook,	Richard Yates,	John Moore,
Gerard W. Beekman,	Charles Nicholl,	Abraham P. Lott,
Charles Shaw,	Henry Remsen,	Thomas Randall,
Alexander Wallace,	John Thurman,	Joseph Hallett,
Peter Goelet,	Charles McEvers.	John Broome,
		Alexander McDougall.

Mr. *Bache* moved, and was seconded by Mr. *De Lancey*:

"That this Committee proceed to nominate five persons to meet in a general Congress, at the time and place which shall be agreed on by the other Colonies, and that the freeholders and freemen of the city and county of *New-York* be summoned to appear at a convenient place to approve or disapprove of such persons for this salutary purpose; also, that this Committee write Circular Letters to the Supervisors of the several counties, informing them what we have done, and to request of them to send such Delegates as they may choose to represent them in Congress."

Captain *Sears* moved, and was seconded by Mr. *P. V. B. Livingston*:

"That Messrs. *Isaac Low*, *James Duane*, *Philip Livingston*, *John Morin Scott*, and *Alexander McDougall*, be nominated agreeable to the question now carried."

The previous question being on Captain *Sears's* motion, it was carried as follows:

Affirmatives.		*Dissentients.*
John Moore,	Gerardus Duyckinck,	Isaac Sears,
William Bayard,	Edward Laight,	Peter T. Curtenius,
Thomas Marston,	William Walton,	Peter V. B. Livingston,
John Alsop,	Theophilact Bache,	Leonard Lispenard,
Hamilton Young,	William McAdam,	Jacobus Van Zandt,
Miles Sherbrook,	Charles Nicholl,	Abraham Brasher,
Gabriel H. Ludlow,	Richard Yates,	Thomas Randall,
Joseph Bull,	John Thurman,	Richard Sharpe,
Gerard W. Beekman,	Benjamin Booth,	John Broome,
Henry Remsen,	Francis Lewis,	Abraham P. Lott,
Charles Shaw,	Charles McEvers,	Alexander McDougall,
Alexander Wallace,	Peter Goelet.	Joseph Hallett.
John De Lancey,		

Mr. *De Lancey* moved, and was seconded by Mr. *Booth*:

"That this Committee immediately proceed to nominate five persons to be held up to this city and county as proper persons to serve them as Delegates in a general Congress."

When the following gentlemen had the greatest number of voices for their nomination, viz: *Philip Livingston*, *John Alsop*, *Isaac Low*, *James Duane*, and *John Jay*.

Digitized by Google

Ordered, That an Advertisement, signed by the Chairman, be published, requesting the inhabitants of this city and county to meet at the City Hall, on *Thursday*, the 7th instant, at 12 o'clock, to concur in the nomination of the foregoing five persons, or to choose such others in their stead as in their wisdom shall seem meet.*

The Committee then adjourned, until 6 o'clock, on *Thursday* evening, the 7th instant, then to meet at the Exchange.

New-York, 7th July, 1774.

The Committee met, by adjournment, at 6 o'clock, this evening, at the Exchange: Present,

Isaac Low, *Chairman*,	Leonard Lispenard,	Gabriel H. Ludlow,
John Alsop,	Edward Laight,	Nicholas Hoffman,
William Bayard,	William Walton,	Henry Remsen,
Theophilact Bache,	Miles Sherbrook,	Hamilton Young,
P. V. B. Livingston,	John Thurman,	Peter T. Curtenius,
Isaac Sears,	Benjamin Booth,	Peter Goelet,
Charles McEvers,	Joseph Hallett,	Abraham P. Lott,
Charles Nicholl,	Charles Shaw,	Gerard W. Beekman,
Alex. McDougall,	Alexander Wallace,	Joseph Bull,
Thomas Randall,	Francis Lewis,	Richard Sharpe.
John Moore,		

A Letter, dated *Albany*, 29th *June*, 1774, from *Jacob Lansing*, was received and read.

Agreeable to the meeting advertised to be held at the City Hall this day, a number of citizens attended, and it was unanimously agreed that this Committee appoint a Committee of their body to attend with the Committee from the Mechanics, at Mr. *Francis's*, at 10 o'clock to-morrow morning, in order to appoint two or more persons in each Ward in this city, to take with them a list of the five persons nominated by this Committee, and also a list of the five persons nominated by the Committee of Mechanics, as Delegates to the proposed Congress; and exhibit to the freeholders, freemen, and such of the inhabitants who pay taxes, both lists, leaving it to their election to sign either; for the five names nominated by this Committee, or for the five nominated by the Committee of Mechanics, as they shall think fit.

Ordered, That the following persons be a Committee to attend the Committee of Mechanics for the aforesaid purpose: *Joseph Hallett, Charles Shaw, Isaac Sears, Peter Goelet, Francis Lewis, Peter T. Curtenius, Richard Sharpe, Edward Laight, Joseph Bull.*

The following motion was made by Mr. *Thurman*, and seconded by Mr. *McEvers:*

" Mr. Chairman: An advertisement appeared yesterday in the following words, viz:

" *The enemies of the liberties of* America *being unwea-*
" *ried in misrepresenting the attachments of the inhabit-*
" *ants of this city to the common cause of this country to*
" *the neighbouring Colonies, a number of the citizens*

* While the question on appointing Delegates to the General Congress was pending, the following publications appeared:

To the INHABITANTS *of the* BRITISH *Colonies in* AMERICA. Never did AMERICA behold so alarming a time as the *present*. The parent State is big with resentment against us for our late proceedings; and seems determined, at all events either to make us obedient to the laws of the *British Parliament*, or to cast us off, or let us cast off ourselves, and leave us freely to follow our own inventions. *We* seem as determined as *they* are, *to abide by the issue; otherwise*, we should not certainly encourage the people of BOSTON to refuse the payment of a just demand. And yet, ALL are ready to declare, that we cannot hope to withstand the POWER of *Britain*, if once she was to let loose her *military indignation* against us. *God* forbid that we should ever feel it—the consequences *might* be ruinous to *her;* to *us* they must assuredly prove *utterly destructive*. The *British Legislature* claims a *right of regulation* which WE *professedly deny*.

How shall the dispute between us be adjusted? How shall a FIRM FOUNDATION be laid for a *future* PERMANENT UNION? Surely not by opposing a *military force*, which, in the event, must infallibly overpower us; and *then* we shall have no *claim of right*—as being a *conquered country*. Surely not by making RESOLVES in *town* and *county*, and *parish* meetings:—for they can do nothing, if we may judge by experience, but *inflame* and *irritate*. Surely not by a GENERAL CONVENTION; for *that* is a measure which *never* should be adopted, unless we were *resolved* on the *last extremes*. Whatever may be the proceedings of such a body, it is too much to be apprehended that they will have no salutary influence on the *British* policy; because the *Convention itself* will be deemed unconstitutional, and having no existence in *law*, it *may* also be judged to be *illegal*. These, I hope, are the *harshest* terms it will be distinguished by; but much *softer* ones, I am too clear, it will not experience.

But we are *aggrieved*, and must have redress. Redress, I am confident, may be obtained; but, I fear, not by any of the means that we have *hitherto* fallen upon. We talk much of the CONSTITUTION: Constitutionally then let us *act*.

Let EVERY COLONY *instruct its* REPRESENTATIVES *in* GENERAL ASSEMBLY, *to present an* HUMBLE ADDRESS *to* THE KING, *requesting the liberty of sending a certain number of their body to England at a fixed time, for the* EXPRESS PURPOSE *of settling with the National Council, a* CONSTITUTION FOR AMERICA, *which hitherto we have not enjoyed, but in idea; and let that settlement be* FINAL.

This is a request which a *most gracious* SOVEREIGN would most gladly accede to; this is a measure which despotism itself could find no fault with; and in my humble opinion, it is the only measure which can ensure to us our liberties, save the effusion of human blood, and make our children's children adore the memory, and bless the wisdom of their ancestors, who not only preserved their country from destruction, but procured for them blessings—the blessings of *right ascertained* and *acknowledged*, with which former ages were almost wholly unacquainted.

Should it be objected that some of the Assemblies are dissolved, and not likely to be called again, so that their constituents could not have an *opportunity* of instructing their Representatives; the answer is obvious, that when such a *disposition* shall appear in the *people*, it cannot be doubted that *all the Governours* upon the Continent would readily embrace the favourable season, and give us *all* what *ought* to be our most ardent, and is our most *patriotic* wish to obtain.

NEW-YORK, *July* 5, 1774.

To the Author of a piece addressed to the Inhabitants of the BRITISH *Colonies in* AMERICA, *dated* NEW-YORK, *July* 5, 1774.

SIR: You Address as above, I have read with much attention; and happening to differ in opinion from you, in matters of importance *only* to the public, I hope you'll indulge me with the liberty of publishing my sentiments.

I agree with you, Sir, that *America* never did behold so alarming a time as the present; and that the *parent State* is big with resentment against us for our late proceedings. But who are to blame for our alarming situation, and for our late proceedings? The *parent State* or *we*? *They* for endeavouring to impose such laws upon us, or to deprive us of all our right to our own property; or *we*, for endeavouring to prevent the imposition? Surely Sir, the answer is obvious to all mankind. The *parent State* is to blame, and not *we*. But, you say, they seem determined to make us obedient to the laws of the *British Parliament*, or to cast us off. What then, Sir? Should the only happy country upon the face of the earth, should the great asylum for the distressed of all *Europe*, give up its right to its own property, because a *present Ministry*, and a *present House of Commons* seem determined that they should? I will venture to affirm, Sir, that if you consider this matter again, you will agree with me, that they ought not; and as to the casting us off, I am told that *Britain* receives too much advantage from the connection, to admit the idea. But *we* seem as determined as *they* to abide by the issue; otherwise, you say, we should not certainly encourage the people of *Boston* to refuse payment for the *tea* lately destroyed there. In this I have the honour of agreeing with you again; but you'll excuse my dissent when you say, Sir, that we encourage *Boston* to refuse the payment of a *just* demand. How is it possible, Sir, that the well known honour and honesty of the *British Colonies* could encourage a sister Colony to refuse the payment of a *just* demand. No, Sir, they do not; you quite mistake the encouragement the Colonies give upon that head; it is only to refuse the payment of an *unjust* demand; and a demand too that is as unjustly made. But you *implicitly* take it for granted, that the demand is *just*. What then, Sir, does that prove it to be so? Or is it a reason that the Colonies should do so too? I believe I may venture to inform you, that *they* consider particular circumstances, which that *tea* was under, which I think you would do well to consider too, before you attempt to publish again upon the subject. And pray, Sir, in the interim give free scope to your thoughts, and judge from your own reason, whether that *same tea* was not a *felonious instrument* wafted over the *Atlantic*, with the express and malicious design of murdering the rights and liberties of a whole Continent. The Colonies viewing the matter in this *just* point of light, can no more condemn its destruction, than you or I could the destruction of a weapon raised by the hand of an assassin to deprive us of life, limb, or private property. And let me assure you Sir, that while there is any private property left in the world, it will ever be defended by those who have it; though to the damage of those who would *unjustly* attempt to take it away. But you add, that the *British* Legislature claims a *right of regulation*, which we professedly deny. True, Sir, such a *right of regulation*, as would deprive us of *all right to our own property*, we both *professedly* and *sincerely* deny: and I believe will continue to do so, till the old principles of natural reason and justice are no more. But then you ask, " how can the dispute be adjusted?" I'll tell you, Sir, when our oppressors are convinced that it is more for their interest to treat us *justly*, than otherwise; and then, and not till then, will a *firm foundation* be laid for a permanent Union; and justice being the corner stone, then every subject of the Empire shall be acknowledged to have an equal right to his own property; and that no power on earth can take the whole or any part of it from him, but by his own consent, or that of his Representatives. I grant with you, Sir, that this *foundation* cannot be laid by opposing a *military force;* but should it be otherwise, should we be forced into a state of the most absolute slavery; I should take the liberty of denying your consequence, that, when conquered, we should have no *claim of right*, as being a conquered country; for even in that case we should have all the rights you are pleased to vouchsafe to us now, the *sole right of petitioning*. You seem to be very sure that our general resolves can do us no service; and that a *General Convention* will be ineffectual; for you say, " that is a measure that should never be adopted, unless we were " resolved on the last extremes." True, Sir, no more it ought. But *America* is now brought to the last extremity, to the very brink of the arbitrary gulf opened wide to devour her. And these being in our apprehensions necessarily tending to the last extremes, consequently in your opinion, a *General Convention* ought now to be adopted to resolve upon them. But you say again, *that Convention* will be deemed unconstitutional; I hope not by you, Sir, who have been so good as to allow it a right to meet upon the last extremity, to resolve upon the last extremes. But having no existence in law, you say also it may

Digitized by Google

"*think it highly necessary to convene the good people of* "*this metropolis in the Fields on* Wednesday *next, which* "*will be the 6th instant, at six o'clock, in the evening,* "*where every friend to the true interest of this distressed* "*country is earnestly requested to attend, when matters of* "*the utmost importance to their reputations and security* "*as freemen will be communicated.* Tuesday, *5th* July, "1774."

"The above advertisement is conceived in such mystic and ambiguous terms, that no person out of the secret could imagine from whence it could proceed. Much surprised, therefore, was I, to learn that a member of this Committee acted as Chairman to the promoters of the said advertisement.

"I conceive, Mr. Chairman, that no individual whatever, especially a member of this Committee, had a right to call a meeting by an anonymous advertisement, much less to exhibit a set of resolves calculated for particular purposes, no motion ever having been made for resolves in this Committee, and that no resolves whatsoever should have been entered into, until when well digested by this Committee, and held up to the public for their consideration.

"I therefore move that this Committee disavow all such proceedings, evidently calculated to throw an odium on this Committee, and to create groundless jealousies and suspicions of their conduct, as well as disunion among our fellow-citizens."

Mr. *McDougall* moved, and was seconded by Mr. *Lispenard*, That the previous question be put, on Mr. *John Thurman's* motion, disavowing the proceedings in the Fields on the 6th instant.

Carried in the negative.

Affirmatives.		*Negatives.*
Francis Lewis,	John Alsop,	Edward Laight,
Peter V. B. Livingston,	Charles McEvers,	William Walton,
Leonard Lispenard,	Gerard W. Beekman,	Charles Shaw,
Isaac Sears,	Richard Sharpe,	Peter Goelet,
Thomas Randall,	Hamilton Young,	John Moore,
Peter T. Curtenius,	Benjamin Booth,	Nicholas Hoffman,
Alexander McDougall,	Alexander Wallace,	Miles Sherbrook,
Abraham P. Lott,	John Thurman,	William Bayard,
Joseph Hallett,	Charles Nicholl,	Gabriel H. Ludlow.
Joseph Bull,	Theophilact Bache.	
Henry Remsen,		

Mr. *Thurman's* motion being then put, it was carried in the affirmative.

Affirmatives.		*Negatives.*
John Alsop,	William Walton,	Francis Lewis,
Charles McEvers,	Charles Shaw,	Peter V. B. Livingston,
Gerard W. Beekman,	Peter Goelet,	Leonard Lispenard,
Richard Sharpe,	John Moore,	Isaac Sears,
Hamilton Young,	Nicholas Hoffman,	Thomas Randall,
Benjamin Booth,	Miles Sherbrook,	Peter T. Curtenius,
Alexander Wallace,	William Bayard,	Alexander McDougall,
John Thurman,	Gabriel H. Ludlow,	Abraham P. Lott,
Charles Nicholl,	Joseph Bull,	Joseph Hallett.
Theophilact Bache,	Henry Remsen.	
Edward Laight,		

Resolved, therefore, That such proceedings are evidently calculated to throw an odium upon this Committee, and to cause groundless jealousies and suspicions of their conduct, as well as disunion among our fellow-citizens.

be judged to be illegal; by no means, Sir, when you have allowed that the last extremes will make it legal. You are confident that redress may be obtained, but not by any means we have *hitherto* fallen upon. If the Congress or Convention which you have permitted to meet upon the last extremes, do fall upon means of redress, we shall be quite satisfied; though we have *hitherto* been unsuccessful. As to your method of redress, which you say is the only one that a most *gracious Sovereign* would most gladly accede to, and which can *insure* to us our liberties, I do humbly affirm, that I think it a method so little calculated to *insure* to us our liberties, that, with ninety-nine *Americans* out of every hundred, it would be thought a most effectual way to destroy them; unless, Sir, you would be pleased to give security that our Deputies sent to Parliament should not be polluted by the well known fountains of corruption, that at present have too much existence there. In one place you grant that we have a *Constitution*, or why do you call upon us to act constitutionally? And in another, you are pleased to inform us that hitherto we have *had* no Constitution, but in idea. Pray, Sir, be pleased to inform us of your design in these sentiments; lest we might be led to think you had been guilty of a small *contradiction*. For my own part, could I believe that hitherto we have had no Constitution, but in idea, I should be led to think that our several Governments were ideal also; that our courts of justice were ideal, and that the glorious Congress itself will be but ideal; if so, surely it cannot be an object worthy of your future opposition. However that may be, we shall trust to the wisdom of its members, and to their *uncorrupted patriotism* commit our cause; the cause of *God*; the cause of nature; the cause of *America*.

Mr. *Lewis* moved, and was seconded by Mr. *Curtenius*:

"That a Committee be appointed to draw and report, without delay, a set of Resolutions to be proposed to the city, expressing their sense of the *Boston* Port Act, and our concurrence with such of the neighbouring Colonies as have declared what may be proper to be done for the relief of the town of *Boston*, and the redress of *America* grievances."

Ordered, unanimously, That the seven following persons be a Commintee for that purpose, viz: Mr. *Low*, Mr. *Lewis*, Mr. *Moore*, Captain *Sears*, Mr. *Remsen*, Mr. *Shaw*, Mr. *McDougall*.

Mr. *McEvers* moved, and was seconded by Mr. *Booth*,

"That Mr. *Thurman's* motion of this evening, with the resolve thereon, be immediately printed at large.

Which was carried as follows:

Affirmatives.		*Negatives.*	
Mr. McEvers,	Walton,	Mr. Curtenius,	Mr. Bull,
Beekman,	Laight,	McDougall,	Lispenard,
Sherbrook,	Bache,	Randall,	P.V. B. Livingston,
Alsop,	Nicholl,	Lott,	Captain Sears.
Shaw,	Thurman,	Hallett,	
Goelet,	Booth.		
Moore,			

The Committee then adjourned until *Wednesday*, the 13th of *July*, at 6 o'clock, in the evening.

Proceedings in the Fields, referred to in Mr. Thurman's *motion of this Evening.*

At a numerous meeting of the inhabitants of the city of *New-York*, convened in the Fields by public advertisement, on *Wednesday*, the 6th of *July*, 1774.

Mr. Alexander McDougall, *Chairman.*

The business of the meeting being fully explained by the Chairman, and the dangerous tendency of the numerous and vile arts used by the enemies of *America*, to divide and distract her councils, as well as the misrepresentations of the virtuous intentions of the citizens of this metropolis, in this interesting and alarming state of the liberties of *America*, the following Resolutions were twice read, and the question being separately put on each of them, they were passed without one dissentient:

1st. *Resolved, nem. con.*, That the statute commonly called the *Boston* Port Act, is oppressive to the inhabitants of that town, unconstitutional in its principles, and dangerous to the liberties of *British America*; and that, therefore, we consider our brethren at *Boston* as now suffering in the common cause of these Colonies.

2d. *Resolved, nem. con.*, That any attack or attempt to abridge the liberties, or invade the Constitution of any of our sister Colonies, is immediately an attack upon the liberties and Constitution of all the *British* Colonies.

3d. *Resolved, nem. con.*, That the shutting up of any of the ports in *America*, with intent to exact from *Americans* a submission to Parliamentary taxation, or extort a reparation of private injuries, is highly unconstitutional, and subversive of the commercial rights of the inhabitants of this Continent.

4th. *Resolved, nem. con.*, That it is the opinion of this meeting, that if the principal Colonies on this Continent shall come into a joint resolution to stop all importation from, and exportation to *Great Britain*, till the Act of Parliament for blocking up the harbour of *Boston* be repealed, the same will prove the salvation of *North America* and her liberties; and that, on the other hand, if they continue their exports and imports, there is great reason to fear that fraud, power, and the most odious oppression, will rise triumphant over right, justice, social happiness, and freedom: Therefore,

5th. *Resolved, nem. con.*, That the Deputies who shall represent this Colony in the Congress of *American* Deputies, to be held at *Philadelphia*, about the first of *September* next, are hereby instructed, empowered, and directed to engage with a majority of the principal Colonies, to agree for this city upon a non-importation from *Great Britain*, of all goods, wares and merchandises, until the Act for blocking up the harbour of *Boston* be repealed, and *American* grievances be redressed; and also to agree to

Digitized by Google

all such other measures as the Congress shall in their wisdom judge advancive of these great objects, and a general security of the rights and privileges of *America*.

6th. *Resolved, nem. con.*, That this meeting will abide by, obey, and observe all such resolutions, determinations and measures, which the Congress aforesaid shall come into, and direct or recommend to be done, for obtaining and securing the important ends mentioned in the foregoing resolutions. And that an engagement to this effect be immediately entered into and sent to the Congress, to evince to them our readiness and determination to co-operate with our sister Colonies for the relief of our distressed brethren at *Boston*, as well as for the security of our common rights and privileges.

7th. *Resolved, nem. con.*, That it is the opinion of this meeting that it would be proper for every county in the Colony, without delay, to send two Deputies, chosen by the people, or from the Committees chosen by them in each county, to hold, in conjunction with Deputies for this city and county, a Convention for the Colony, (on a day to be appointed,) in order to elect a proper number of Deputies to represent the Colony in the general Congress. But that, if the counties shall conceive this mode impracticable or inexpedient, they be requested to give their approbation to the Deputies who shall be chosen for this city and county to represent the Colony in Congress.

8th. *Resolved, nem. con.*, That a subscription should immediately be set on foot for the relief of such poor inhabitants of *Boston* as are, or may be deprived of the means of subsistence, by the operation of the Act of Parliament for stopping up the port of *Boston*. The money which shall arise from such subscription to be laid out as the city Committee of Correspondence shall think will best answer the end proposed.

9th. *Resolved, nem. con.*, That the city Committee of Correspondence be, and they are hereby instructed, to use their utmost endeavours to carry these resolutions into execution.

Ordered, That these Resolutions be printed in the public newspapers of this city, and transmitted to the different counties in this Colony, and to the Committees of Correspondence for the neighbouring Colonies.

To the Inhabitants of the City and County of NEW-YORK.

GENTLEMEN: The trust you were pleased to repose in us, in appointing us members of the Committee of Correspondence, renders it necessary to inform you of the above proceedings, as well as to justify our conduct upon the points on which we divided. We voted against Mr. *Thurman's* motion, because the people have an undoubted right to convene themselves, and come into whatever resolutions they shall think proper, if they be not contrary to law; and although the manner of calling them might not be deemed so regular as might be wished, though practised heretofore in the debates on the Stamp Act, yet considering that a respectable number of our fellow-citizens did meet, and did no acts but what were conformable to the general spirit of all the Colonies in this alarming state of our public affairs, we therefore conceived that our disavowing their conduct would naturally tend to hold up the idea of a division, if not a disapprobation ofthe resolutions; and as the resolutions do not so much as insinuate that they came from the Committee, no charge could lie against them for any matter contained in them. For these reasons, also, we voted against Mr. *McEvers's* motion to publish the proceedings, and because he declared, before the question was put, that these proceedings should be published, in order that they might be sent home by the packet. This declaration from a member of the Committee, has, in our opinion, such a tendency to hold up a disunion amongst us, which must impede the public business, and retard a redress of our grievances, especially as the gentlemen who voted for his motion heard the reasons offered against their being published, that we conceive we cannot, with such a majority, answer the end of our appointment; and, therefore, in justice to ourselves, and from a regard to the public interest, we desire that our names may be erased out of the list of the Committee. And we are humbly of opinion, that the temper manifested by the majority for publishing Mr. *McEvers's* motion, is destructive to, and subversive of, the end for which the Committee of Correspondence was appointed. All of which is, nevertheless, humbly submitted to you.

FRANCIS LEWIS,	ISAAC SEARS,
JOSEPH HALLETT,	THOMAS RANDALL,
ALEXANDER MCDOUGALL,	ABRAHAM P. LOTT,
P. V. B. LIVINGSTON,	LEONARD LISPENARD.

We, whose names are hereunto subscribed, though not present at the debates, do likewise request our names may be struck out of the list of the Committee.

JOHN BROOME,
ABRAHAM BRASHER.
JACOBUS VAN ZANDT.

N. B. It may be proper to inform the reader, that printing the proceedings of the Committee has been agitated several times, and judged inexpedient, because every citizen, by the rules of the Board, may have access to them in the presence of one of the members; that Mr. *McEvers's* motion was made after the Committee adjourned to *Monday* next, and some of the members were gone, and one going down stairs.

New-York, July 8th, 1774.

To the worthy Inhabitants of the City and County of NEW-YORK.

FELLOW-COUNTRYMEN: Your Committee of fifty-one having laid before you their proceedings on *Thursday* evening, I should not have troubled you at this time, had not eleven of the Committee made a formal resignation, and published an appeal to you in justification of their conduct.

You are told, that "the people have an undoubted "right to convene themselves, and come into whatever "resolutions they shall think proper, if they be not con-"trary to law." This is granted by every one; but you would think me a very impudent fellow, and deserving of the severest reprehension, if I, as a member of that Committee, was to call you together this evening by an anonymous advertisement, and propose a set of resolves to you of the last importance, without either giving you the least previous notice of their contents, or consulting your Committee upon the occasion. Would you not be all of opinion that I deserved the highest censure, both from you and the Committee? This was the ground of your Committee's conduct; and their disapprobation, as you have seen, was conceived in the mildest terms the nature of the case could admit of. And let those who quitted the chamber in a rage, ordering their names struck off, and afterwards bawling along the streets, "the Committee is dissolved—the Committee is dissolved"—let them, I say, be answerable for the consequences of a division, if a division must take place. Your Committee, notwithstanding the evident designs of a faction to dissolve them, are determined to persevere in promoting, to the utmost of their ability, the important ends of their appointment, so long as you, their constituents, shall signify your approbation of their conduct.

The remainder of the appeal is taken up with a declaration of Mr. *McEvers's*, artfully selected to throw an oblique slur upon that gentleman's character. You are told, "that "he declared, before the question was put, that these pro-"ceedings should be published, in order to be sent home "by the packet." But they forgot to tell you, that Mr. *McEvers* previously declared that the resolves were printed in Mr. *Holt's* paper on purpose to be sent home by the packet, and that he wished our proceedings might accompany that paper wherever it went. This is all that your Committee had in view in publishing their proceedings. They conceived that the resolves were printed and held up to the world, not only as the act of this Committee, but of the city at large, and that they would evidently pass under such a construction, unless the mode of obtaining them was publicly disavowed. But you will readily discover how artfully this has been represented, with a view of tarnishing one of the most amiable characters among us; a character that is strongly marked in the breast of every

Digitized by Google

good citizen, as exhibiting not only a true friend to the liberties of this country, but a friend to mankind.

ONE OF THE COMMITTEE.

New-York, July 9th, 1774.*

New-York, July 13, 1774.

The Committee met, by adjournment, at six o'clock, in the evening.

[The Committee appointed on the 7th instant, presented a set of Resolutions to be proposed to the City.]

Ordered, That the same be forthwith printed, and distributed in handbills, for the consideration of the public, who are requested to attend at the Coffee House on *Tuesday* next, at 12 o'clock in the morning, to signify their sense of the said resolves.

Mr. *Laight* moved, and was seconded by Mr. *McEvers:* "That the five gentlemen nominated by this Committee as Delegates to the general Congress, viz: Mr. *Duane*, Mr. *Philip Livingston*, Mr. *John Alsop*, Mr. *Isaac Low*, and Mr. *John Jay*, be proposed to the citizens for their approbation at the same time and place;"

Which being unanimously agreed to,

Ordered, That printed Notices be immediately dispersed.

The Committee adjourned until *Tuesday*, the 19th of *July*, instant, to meet at 6 o'clock, in the evening.

New-York, 19th July, 1774.

The Committee met, by adjournment, at 6 o'clock, this evening: Present,

Isaac Low, *Chairman*,	Peter Goelet,	John Jay,
John Alsop,	Charles McEvers,	Joseph Bull,
Peter T. Curtenius,	Alexander Wallace,	Gabriel H. Ludlow,
Henry Remsen,	Charles Shaw,	Edward Laight,
John De Lancey,	John Moore,	Hamilton Young,
Benjamin Booth,	Abraham Walton,	Gerardus Duyckinck,
William Walton,	William Bayard,	Richard Yates.
Gerard W. Beekman,		

A Letter, dated *Charlestown, S. C.*, 8th *July*, 1774, with Resolves, was received and read.

The Resolves proposed by this Board to the inhabitants of this city, having been published and dispersed through the town several days previous to this meeting, and every person thereby furnished with an opportunity of considering them with due deliberation, and as only a small proportion of the citizens attended the meeting at the Coffee House to signify their sense of same, and the sentiments of the majority still remaining uncertain:

Therefore, to remove all doubts and uneasiness on that head, it is ordered, that certain amendments be made to the said resolves, [see Resolves, 2d, 3d, and 7th,] and that two or more persons be appointed in each Ward to take the sense of the freeholders, freemen, and such others who pay taxes, respecting the said resolutions so amended; as also the Delegates nominated by this Committee to attend the Congress. But, in the mean time, although the said resolves cannot with certainty be said to correspond with the sentiments of the major part of the citizens, though in all probability they do, yet, as they contain our sentiments, it is further ordered, that they be immediately published as such, leaving those who may dissent from us to declare their opinions in such other phrases or modes of expression as they shall think proper.

1st. *Resolved*, That his most sacred Majesty *George* the Third, King of *Great Britain*, is our liege, lawful, and rightful Sovereign, and that it is our indispensable duty, to the utmost of our power, by all constitutional means, to maintain and support his crown and dignity; that it is our greatest happiness and glory to have been born *British* subjects, and that we wish nothing more ardently than to live and die as such; that we are one people, connected by the strongest ties of affection, duty and interest, and that we lament as the greatest misfortune, every occurrence which has the least tendency to alienate or disturb that mutual harmony and confidence, which, if properly cultivated, could not fail of rendering the *British* Empire the admiration and envy of the world. That we, therefore, view with inexpressible concern and grief, some late acts of the *British* Parliament, claiming rights, and exercising powers, which we humbly conceive are replete with destruction, and may be attended with the most fatal consequences to the Colonies and their parent State.

2d. *Resolved*, That all Acts of the *British* Parliament, imposing taxes on the Colonies, are unjust and unconstitutional, and particularly that the Act for blocking up the port of *Boston*, is in the highest degree arbitrary in its principles, oppressive in its operation, unparalleled in its rigour, indefinite in its exactions, and subversive of every idea of *British* liberty, and therefore justly to be abhorred and detested by all good men.

3d. *Resolved*, That the destruction of the tea at *Boston* was not the only motive for bringing such unexampled distress on that people, because the alternative of suffering it, or paying for the tea, had otherwise been left in their option. But we truly lament that the enforcing the right of taxation over the Colonies seems to have been the main design of the said Act of Parliament.

4th. *Resolved*, That vengeance separately directed has a more dangerous tendency, and is more destructive of the liberties of *America* than conjunctively; and that therefore it is the indispensable duty of all the Colonies, according to their different circumstances, to afford every reasonable assistance to a sister Colony in distress, especially when that distress is evidently calculated to intimidate others from contributing what may be in their power to procure the desired relief.

5th. *Resolved*, That the proposed Congress of Delegates from the different Colonies, to consult on the mode of procuring relief from our difficulties, is the most prudent measure that could have been devised at this alarming crisis.

6th. *Resolved*, That as the wisdom of the Colonies will, in all probability, be collected at the proposed Congress, it would be premature in any Colony to anticipate their conduct by resolving what ought to be done; but that it should be left to their joint councils to determine on the mode which shall appear most salutary and effectual to answer the good purposes for which they are convened.

7th. *Resolved*, That nothing less than dire necessity can justify, or ought to induce the Colonies to unite in any measure that might materially injure our brethren, the manufacturers, traders, and merchants in *Great Britain*; but that the preservation of our inestimable rights and liberties, as enjoyed and exercised, and handed down to us by our ancestors, ought to supersede all other considerations; and that, therefore, we doubt not the cool, dispassionate people of *England*, whose friendship on former occasions we have experienced, will, on mature consideration, not only applaud our motives, but co-operate with us in all constitutional measures, for carrying these our virtuous resolutions into execution, in order to obtain the desired and just redress of our grievances.

8th. *Resolved*, That if a non-importation agreement of goods from *Great Britain* should be adopted by the Congress, it ought to be very general and faithfully adhered to; and that a non-importation, partially observed, like the last, would answer no good purpose, but, on the contrary, only serve to expose all the Colonies to further injuries.

* Several handbills on the Times have been printed and distributed in this city since the 9th instant, viz:

Mr. McDOUGALL'S *Address to the Freeholders and Freemen of this City and County*, upon the nomination of five gentlemen to represent the Province in the Continental Congress. In this performance, the proposed method of taking the sense of the city upon the nomination, that ought to be adopted, is censured as an infringement of the liberties of the electors; for which reason, and to end a controversy that might prove injurious to the common cause, this gentleman declines a nomination to the Congress.

A MODERATE MAN'S *Address to the free-born Citizens of* NEW-YORK, approving of the Resolves, disapproving of the manner in which they were obtained, and recommending that the eleven members be desired to resume their seats in the Committee Chamber; and yesterday was published *an Address to the Inhabitants of this City and County, by* AGRICOLA. The author of this last exhibition undertakes to justify the mode in which the Committee proposed, agreeable to that ordained for their direction by the electors at the City Hall, on the 6th instant, to collect the sense of the city and county, touching the choice of Deputies for the Congress. He makes very free, in other respects, with Mr. *McDougall's* Address, and treats the *Moderate Man* (who would gladly conciliate all differences, and wishes the eleven members may resume their seats at the Committee Board,) with ineffable contempt.

Last night the Committee of Correspondence met, and concluded upon a set of resolves on our present alarming situation, which will be this day communicated to the public for their further consideration, and on *Tuesday* next the inhabitants will be desired to meet at the Coffee House to signify their sense of the said resolves.

NEW-YORK, *July* 14, 1774.

Digitized by Google

9th. *Resolved, therefore*, That the Delegates to the Congress ought to be so chosen or instructed, that they may "be able, not only to speak the sentiments, but to "pledge themselves for the good conduct of the people of "the Colonies they represent."

10th. *Resolved*, That the tribute of our most grateful thanks is justly due to all the friends of the Colonies in *Great Britain* who are opposed to the severe measures now exerting against them; and particularly to those illustrious patriots who so ably distinguished themselves in both Houses of Parliament, in opposing laws, which, at the same time that they subvert the liberties of *America*, have a manifest tendency to injure those of the mother country, and may eventually entirely overthrow their once excellent Constitution.

The following motion was made by Mr. *Jay*, and seconded by Mr. *Laight:*

"That a Committee be appointed to take the distresses of the poor of the town of *Boston*, and ways and means for their relief, into consideration, and make their report with all convenient speed."

Ordered, That Mr. *Alsop*, Mr. *Jay*, Mr. *Curtenius*, Mr. *Laight*, Mr. *Duyckinck*, and Mr. *De Lancey*, be a Committee for that purpose.

Ordered, That the following persons be a Committee to prepare answers to the Letters which have been received, viz: *John Alsop, Theophilact Bache, Miles Sherbrook, Richard Yates, Joseph Bull, Peter Goelet, Gerardus Duyckinck.*

Ordered, That Mr. *Shaw*, Mr. *William Walton*, Mr. *Curtenius*, Mr. *Goelet*, Mr. *Remsen*, Mr. *Laight*, and Mr. *Bull*, be a Committee to apply to the Committee of Mechanics, and request them to appoint certain persons of their body to join our nominating body to go round the Wards to take the sense of the inhabitants on the matters above mentioned.

The Committee adjourned, to *Monday*, the 25th instant, at 6 o'clock, in the evening, to meet at the Exchange.

New-York, July 20th, 1774.

To the Respectable Public.—We conceive the sense of our fellow-citizens, relative to the Delegates to represent them at the proposed Congress, (notwithstanding the proceedings of yesterday at the Coffee House,) remains so uncertain, that until the sentiments of the town are ascertained with great precision, we can by no means consider ourselves, or any others, nominated as Delegates, duly chosen or authorized, to act in so honourable and important a station.

JOHN ALSOP,
ISAAC LOW,
JOHN JAY.

New-York, 20th July, 1774.

To the Respectable Public.—Certain Resolves having been proposed by the Committee of Correspondence, to a number of citizens assembled at the Coffee House yesterday, and rejected,* and instead of desiring that amendments or additions might be made, or a new set drawn up by the said Committee, more agreeable to their sentiments, they proceeded to nominate a new Committee for the purpose, and appointed us, the subscribers, on it; and being summoned this morning to attend their meeting, thought it incumbent on us to return the following answer:

GENTLEMEN: We have received your notice to attend the Committee appointed yesterday to draw up resolves for this city. When we consider that the appointment of this Committee was proposed and carried without any previous notice of such design having been given to the inhabitants, and made no part of the business for which they were requested to assemble, we think our election too irregular to assume any authority, in consequence of it, to draw resolves for the town; especially as the nomination of this Committee seems to cast an invidious reflection on the Committee of Correspondence, and manifestly tends to divide the citizens into factions and parties, at a time when they should be distinguished by concord and unanimity. Besides, we conceive our attendance could answer no purpose, nor afford you any assistance. The resolves read yesterday, with a few amendments, contain our sentiments; as such they will be published, and (some seemingly exceptionable parts being omitted) offered to the consideration of the public.

We are, gentlemen, your most obedient humble servants,

ISAAC LOW, HENRY REMSEN,
JOHN MOORE, JOHN JAY.

To the Gentlemen of the Committee at Mr. *Doran's*.

* By a very late letter we are informed that the people of *New-York* have unanimously voted, that the resolves proposed to them were destitute of vigour, sense, and integrity; that they have chosen a Committee of fifteen persons to draw up new resolves, and that two unexceptionable friends of liberty were added to the Delegates.

BOSTON, *July* 25, 1774.

New-York, July 25, 1774.

The Committee met, by adjournment, at the Exchange, at 6 o'clock, in the evening: Present,

Isaac Low, *Chairman*,	Richard Yates,	Gerardus Duyckinck,
John Alsop,	John De Lancey,	Henry Remsen,
William Bayard,	Miles Sherbrook,	Hamilton Young,
Theophilact Bache,	John Jay,	Peter T. Curtenius,
Charles McEvers,	Benjamin Booth,	Abraham Duryee,
Charles Nicholl,	Charles Shaw,	Joseph Bull,
John Moore,	Gabriel H. Ludlow,	Richard Sharpe,
Edward Laight,	Abraham Walton,	Alexander Wallace.
William Walton,		

A Letter dated *Boston, July*, 1774, received and read.

Mr. *Remsen*, seconded by Mr. *Duryee*, made the following motion, viz:

"Mr. Chairman, I move that a poll be opened at the usual places of election in each Ward in this city, on *Thursday*, the 28th instant, at 9 o'clock, in the morning, to elect five Deputies for the city and county of *New-York*, to meet in Congress, at *Philadelphia*, the first of *September* next; and in order that the same may be conducted in the most unexceptionable manner:

"I further move, that this Committee request the Aldermen, Common Council, and Vestry in each Ward to superintend the same, and that the Committee of Mechanics be also requested to appoint two persons in each Ward to attend with two of this Committee for the same purpose; that not only the freeholders and freemen, but also persons who pay taxes be deemed qualified to vote."

Which being unanimously agreed to;

Ordered, That the same be forthwith carried into execution, and public notice thereof be immediately given by printed handbills.

Ordered further, That the following persons be a Committee: For the East Ward, *Theophilact Bache* and *Charles McEvers*; for the South Ward, *Charles Nicholl* and *John DeLancey;* for the Dock Ward, *Charles Shaw* and *Gabriel H. Ludlow;* for Montgomerie Ward, *James Bull* and *Edward Laight;* for the North Ward, *William McAdam* and *Miles Sherbrook;* for the West Ward, *Benjamin Booth* and *Peter T. Curtenius;* for the Out Ward, *William Bayard* and *Abraham Duryee.*

An Amendment having been made, by upwards of fifteen persons of this Committee, in their third resolve, and ordered to be printed in Mr. *Gaine's* paper of this day,* different from what was inserted in Mr. *Rivington's* and *Holt's* papers of *Thursday* last, the said Amendment is unanimously adopted by this Committee, and ordered to remain as such.

The Committee adjourned, to meet on *Thursday* evening, the 27th instant.

*Whereas a set of Resolves were published in Mr. *Gaine's* Gazette of the 25th instant, by some gentlemen and others, styling themselves a Committee of the city of *New-York*, wherein among other things it was proposed to the Committee of Correspondence to send expresses to the Supervisors of the different precincts or districts of each county, in order to collect the sentiments of the people upon the present alarming and critical situation of affairs in *America*.

In case such expresses arrive, an inhabitant of this county would be glad to have answers to a few queries, which may enlighten the minds of some, and facilitate the measure of joining with their fellow-subjects in publishing a proper set of resolves.

First, Does the King of *Great Britain's* authority, or his right of dominion over the *American* Colonies, stand in any need of being established by such resolves of town and parish meetings, as appear in the newspapers?

Secondly, Does our resolving that we are his Majesty's true and faithful liege subjects, make us one jot the more so?

Thirdly, Have or have not the *Bostonians* for a series of years past, by many of their transactions and publications, discovered an inclination to subvert the Constitution both in Church and State?

Digitized by Google

New-York, July 27, 1774.

The Committee met, by adjournment, this evening: Present,

Isaac Low, *Chairman*,	John De Lancey,	Henry Remsen,
William Bayard,	John Jay,	Peter T. Curtenius,
Philip Livingston,	Benjamin Booth,	Abraham Duryee,
Charles Nicholl,	Charles Shaw,	Joseph Bull,
John Moore,	Alexander Wallace,	Richard Sharpe,
Edward Laight,	Gabriel H. Ludlow,	Peter Goelet,
William Walton,	Gerard Duyckinck,	Joseph Hallett.
Richard Yates,	Peter Van Schaack,	

A Note from the Committee at Mr. *Marriner's*, to the Delegates nominated by this Committee, with their Answer was read, and is in the words following:

New-York, July 26, 1774.

GENTLEMEN: As you are upon the nomination as Delegates to represent this city and county of *New-York*, at the proposed Congress, in order to avoid the inconveniences which may arise from contested elections, we are requested as a Committee from a number of citizens to ask you, whether on your part you will engage to use your utmost endeavours at the proposed Congress, that an agreement not to import goods from *Great Britain* until the *American* grievances be redressed, be entered into by the Colonies there to be represented. If you will so engage, the body by whom we are nominated will support you, if not, that body have a set of candidates who will comply with the proposed engagement.

Presented by Messrs. ABRAHAM BRASHER, THEOPHILUS ANTHONY, FRANCIS VAN DYCK, JEREMIAH PLATT, CHRISTOPHER DUYCKINCK.

—

Answer to the foregoing Note:

New-York, July 27, 1774.

GENTLEMEN: Should we become your Delegates, we beg leave to assure you that we will use our utmost endeavours to carry every measure into execution at the proposed Congress that may then be thought conducive to the general interest of the Colonies; and, at present, are of opinion that a general non-importation agreement, faithfully observed, would prove the most efficacious means to procure a redress of our grievances.

Permit us to add, that we are led to make this declaration of our sentiments, because we think it right, and not as an inducement to be favoured with your votes; nor have we the least objection to your electing any gentlemen as your Delegates, in whom you think you can repose greater confidence, than in your humble servants,

PHILIP LIVINGSTON, JOHN ALSOP,
ISAAC LOW, JOHN JAY.

—

The following was received in Answer to the above:

New-York, July 27, 1774.

At a meeting of a number of citizens, convened at the house of Mr. *Marriner*, it was unanimously agreed, That they acquiesce in the nomination of the following gentlemen, as Delegates to represent the city and county of *New-York*, at the ensuing Congress to be held at *Philadelphia*, on the first of *September* next, viz:

Mr. *Philip Livingston*, Mr. *James Duane*,
John Alsop, *John Jay*.
Isaac Low,

Presented by Messrs. ABRAHAM BRASHER, THEOPHILUS ANTHONY, FRANCIS VAN DYCK, JEREMIAH PLATT, CHRISTOPHER DUYCKINCK.

Fourthly, Was the destruction of the tea at *Boston* the sole cause of the grievances under which that city now labours?

Fifthly, Does not our resolving, that the people of *Boston* are suffering in the common cause of *America*, involve us in an imputation that we concur with them in sentiments and inclinations in such schemes as may have created a jealousy in the mother country, and brought on them their present sufferings?

Sixthly, Will not a general agreement of non-importation from *England* bring on an entire non-exportation, by justly causing our ports to be blocked up like that of *Boston*; and then what will become of our produce, of which we are like to have such vast quantities?

Lastly, Would not a general agreement, (religiously observed) not to use tea, or any other article unconstitutionally taxed; together with the united representation or application of their legal Representatives in the several Provinces, to our most gracious Sovereign, be the most likely and unexceptionable means for *Americans* to have their present grievances redressed?

ULSTER COUNTY, *New-York*, *July* 30, 1774.

The Committee appointed to wait on the Magistrates, Common Council, and Vestry, to request their superintendence in each Ward, at the election for Delegates, to attend the proposed Congress, reported, that they had accordingly waited on them, and received for answer, that they would comply with their request.

The Committee of Mechanics returned the names of the fourteen persons they were requested to appoint to attend the said election.

A Letter from *Charles Thomson*, dated *Philadelphia*, 25th *July*, 1774, received and read, with Resolves.

The Committee adjourned to 28th instant.

—

New-York, July 28, 1774.

The Committee met this evening, at 6 o'clock, at the Exchange: Present,

Isaac Low, *Chairman*,	John Moore,	Charles Shaw,
John Alsop,	Edward Laight,	Alexander Wallace,
William Bayard,	William Walton,	Gabriel H. Ludlow,
Theophilact Bache,	John De Lancey,	Nicholas Hoffman,
Philip Livingston,	Miles Sherbrook,	Gerardus Duyckinck,
Charles McEvers,	John Jay,	Peter T. Curtenius,
Charles Nicholl,	Benjamin Booth,	Peter Goelet.

The Committee observing a mistake in the account given in Mr. *Holt's* paper, of the opinion declared by the Delegates nominated to attend the Congress, relative to the more proper measures to be adopted by the Colonies in the present alarming situation,*

Ordered, That the proceedings of this Committee relative to the matter, be published in the next paper.

The gentlemen of this Committee appointed to attend the poll held in the different Wards of the city, for the election of five Delegates to represent this city and county, at the ensuing Congress, delivered the poll lists taken at the said election in each Ward of this city, subscribed by the Magistrates and others under whose superintendence the same was held, which said several poll lists being read and examined, it appears that *Philip Livingston*, *Isaac Low*, *John Jay*, *John Alsop*, and *James Duane*, the persons nominated by this Committee, were unanimously elected Delegates for the aforesaid purpose.

The Committee appointed to take the distresses of the poor of the town of *Boston*, and ways and means for their relief into consideration, reported that they have entered on the inquiry, and will make a full report upon the matters submitted to them at the next meeting of the Committee.

—

Copy of a Letter to the Committee of Correspondence at *Charlestown*, *South Carolina*:

New-York, July 26, 1774.

GENTLEMEN: Your favour of the 8th instant, enclosing the resolutions entered into by the inhabitants of your Colony, was delivered to us by Captain *Hunt*; and the resolutions being read to this Committee, were much approved of.

It gives us the greatest pleasure to perceive that at this time, when the liberties of *America* are so unjustly invaded, your sentiments so exactly correspond with our own, as nothing but a strict union among all the Colonies can ever effect a restoration of our just rights; it is our sincere wish that every Colony will exert themselves to the utmost to preserve that union strict and inviolable; for our parts, you may depend we will readily concur in every constitutional measure that carries with it any probability of success in obtaining a redress of our grievances.

You will please to observe, there has been three different sets of resolves entered into by the inhabitants of this city; but that which is signed by our Chairman, we have adopted. *Thursday* next is the day appointed to choose Delegates to represent this city and county in the general

* The following is the publication referred to:—

"There seems to be at present, a coalition of parties in this city, with respect to the measures previous to a general Congress of Delegates from the several *British* Colonies. Both parties acquiesced in the Delegates nominated for this city; and those gentlemen have declared their present opinion, that a non-importation agreement will be necessary, but are left at liberty to conform to the general opinion of the Delegates at the Congress."

Digitized by Google

Congress, to be held at *Philadelphia*, the first of *September* next, and we make no doubt the other Colonies will soon follow our example. When the choice is made, we shall acquaint you therewith, as well as with every other measure entered into by the inhabitants of this Province.

In the mean time, we remain, gentlemen, your most obedient servants. By order of the Committee.

P. S. The packets enclosed in yours, were carefully forwarded, and the proper direction put on that for *Quebec*. This Committee think themselves highly obliged to Captain *Hunt* for his civility, in detaining his vessel for your despatches.

July 28th. This day a poll was opened in the different Wards for choosing Delegates to represent this city and county at the Congress, the first of *September* next, at *Philadelphia*; and the following five gentlemen, *James Duane, Philip Livingston, John Alsop, John Jay*, and *Isaac Low*, were unanimously elected for that purpose.

—

Copy of a Letter to the Committee of Correspondence at *Philadelphia :*

New-York, July 28, 1774.

GENTLEMEN: After various contests and other intervening circumstances to prevent our endeavours for terminating the appointment of our Delegates to represent this city and county in the general Congress, we have at length the pleasure to acquaint you, that a mode has been adopted which has given universal satisfaction; that of opening a regular poll in each Ward of this city. In consequence whereof, the following five gentlemen, *James Duane, Philip Livingston, John Alsop, John Jay*, and *Isaac Low*, were unanimously elected.

Circular Letters have also been despatched to the different counties in this Province, informing them of what we have done, and requesting them each to appoint, with all possible speed, one or more Delegates to join and go with ours to Congress; or if they choose to confide in our Delegates, to signify such their determination, in the most clear and explicit terms the first opportunity after the sense of the counties can be known on so interesting a subject.

We received your favour, enclosing the Resolves and Instructions of your Provincial Committee to the House of Assembly; they are approved, and do great honour to the authors. We are gentlemen, your most humble servants.

By order of the Committee.

—

Copy of a Letter to *Matthew Tilghman*, Esquire, Chairman for *Maryland :*

New-York, July 28, 1774.

We have received your favour of 26th ultimo, which brought us your Resolutions for the people of the Province of *Maryland*. They were read, and their firmness and spirit much approved.

You mention the 20th *September*, at *Philadelphia*, as the time and place for the general Congress; but the Colony of *Massachusetts* has fixed on the 1st of *September*, at *Philadelphia*, for that purpose; and we with the rest of the Eastern Colonies have agreed to the same time and place, *New-Hampshire* excepted, from whence we have not yet been favoured with their sentiments on the present situation of our *American* affairs, so that we are uncertain how they intend acting, but are in hopes they will join in the general plan of operation.

This city and county have this day elected their five Delegates to attend at the ensuing Congress: their names are *Philip Livingston, John Alsop, Isaac Low, James Duane*, and *John Jay*; whose names will be sent up to the other counties of this Province to know if they approve of them to represent the whole Province, if not, to add such others as they shall think proper.

You have herewith the Resolves of this Committee, which seem to be principally adopted in this city; notwithstanding, there are two other sets of resolves in the public newspapers.

The delay that has happened in fixing upon our Delegates, has prevented our answering your favour until now, for which we must beg your excuse, and remain, with great respect, gentlemen, your most humble servants.

Copy of a Letter sent to the Committee, or Treasurer of the different Counties:

New-York, July 29, 1774.

GENTLEMEN: We should have answered your letter sooner, but were induced to defer it by the prospect we had of having all disputes relative to our Delegates (the only matter of moment we had to communicate) settled before now; but various cross-circumstances have continually intervened to prevent our endeavours for terminating so important a controversy.

At length, however, we have the pleasure to acquaint you, that a mode has been adopted which gave universal satisfaction; that of opening a regular poll in each Ward of this city; in consequence whereof, the following five gentlemen, *James Duane, Philip Livingston, John Alsop, Isaac Low*, and *John Jay*, were unanimously elected to represent this city in the general Congress, the 1st of *September* next, at *Philadelphia*.

It therefore becomes necessary that the Delegates to represent the other counties in this Province, be speedily appointed. The counties will judge of the propriety of confiding in the same persons only which we have chosen, or to appoint such others to go with them to the Congress, as they may think fit to depute for that purpose. Permit us to observe, that the number of Delegates is immaterial, since those of each Province, whether more or less, will conjointly have only one vote at the Congress.

In order, however, that the representation of the different counties may be quite complete, it is absolutely necessary that your county appoint, with all possible speed, one or more Delegates, to join and go with ours to the Congress, or, if you choose to repose your confidence in our Delegates, that you signify such your determination in the most clear and explicit terms, by the first opportunity after the sense of your county can be known on so interesting a subject.*

The Committee adjourned, until *Monday, August* 7th, 1774.

—

New-York, August 7, 1774.

The Committee met, by adjournment, at the Exchange, at 6 o'clock, in the evening: Present,

Isaac Low, *Chairman*,	Miles Sherbrook,	Peter Van Schaack,
John Alsop,	John Jay,	Henry Remsen,
Philip Livingston,	Benjamin Booth,	Peter T. Curtenius,
James Duane,	Charles Shaw,	Gerard W. Beekman,
Edward Laight,	Gabriel H. Ludlow,	Abraham Duryee,
William Walton,	Nicholas Hoffman,	Joseph Bull.
John De Lancey,	Gerardus Duyckinck,	

A Letter from *Elizabethtown*, dated *August* 5, 1774, was received and read.

Ordered, That *John Jay, James Duane, Philip Livingston*, and *Henry Remsen*, be a Committee to answer a Letter from *Boston;* and to wait on the Chairman of the Mechanics' Committee, to request the favour of the *Boston* Letter to them.

Ordered, That the following persons be a Committee to procure proper persons to go round in the different Wards of this city, with a subscription for the relief of the poor in the town of *Boston*, and to draw up the form of such subscription, *Peter T. Curtenius, Peter Van Schaack, Charles Shaw, Edward Laight, Nicholas Hoffman, Gerardus Duyckinck, Joseph Bull.*

The above persons to request the Committee of Mechanics to appoint a Committee from their body, to assist this Committee in the above office. That the moneys when collected, be paid into the hands of Messrs. *Gerardus Duyckinck, Peter T. Curtenius*, and *G. W. Beekman*.

The Committee adjourned until to-morrow evening, at 8 o'clock.

* NEW-YORK, *August* 25. On the 16th instant there was a meeting of the several Committees of the County of *Orange*, when *Henry Wisner* and *John Waring*, Esquires, were chosen Delegates for that county, to meet at the Congress at *Philadelphia* on or about the first day of *September* next.

We hear from *Albany*, that on the 10th instant there was a meeting of the inhabitants at the Market Place in that city, on the business of appointing Delegates for the general Congress. That on the 13th they had another meeting, when it was resolved that *Robert Yates, Peter Sylvester*, and *Henry Van Schaack*, Esquires, if approved by the majority of the Delegates from the several Districts, at a general meeting for the county, should be deputed for the said county to attend the Congress at *Philadelphia*. We hear several other counties have adopted the measure of sending, each for itself, Delegates to the Congress.

Digitized by Google

New-York, August 8, 1774.

The Committee met, by adjournment, this evening: Present,

Isaac Low, *Chairman*,	Edward Laight,	Peter T. Curtenius,
William Bayard,	Miles Sherbrook,	Abraham Duryee,
Philip Livingston,	Benjamin Booth,	Joseph Bull,
Charles Nicholl,	Charles Shaw,	William Walton,
John Moore,	Nicholas Hoffman,	Peter Van Schaack.
James Duane,	Hamilton Young,	

Copy of a Letter to the Committee of Correspondence, at *Boston*:

New-York, August 9, 1774.

GENTLEMEN: It gives us pain to be informed that you have the least reason to impute our silence to any but the true cause, viz: our having had nothing of importance to communicate, even in point of ceremony, which at such a juncture might be dispensed with. We do not think we have been deficient. When all depends on mutual confidence, and harmony, much is it to be lamented that the letters or whisperings of individuals should become the foundation of jealousy for the rectitude of our intentions, and our sincere desire of supporting the general cause. We can cheerfully appeal to our acts, our letters, our resolves, and the unreserved and open declarations which we have frequently and publicly made of our sentiments, in the present alarming state of our Colonies; and by these alone we ought to be judged. Permit us to add, that whatever grounds you have to question the patriotism of the order of Merchants, which is so strongly implied in your letter to our Committee of Mechanics, it is a debt of justice to affirm that the spirited and disinterested conduct of the commercial part of this city, ought to place them above the reach of suspicion, since at all times, and upon every occasion, they have proved themselves the unshaken friends of constitutional liberty, and have virtuously sacrificed the advantages of their profession to the public good.

To justify ourselves to you and to the world, far from declining, we think it our indispensable duty, and therefore must demand, as a right, that you will candidly furnish us with copies of the letters, and the dates of the newspapers, in which they were published, and a detail of the facts which have given rise to your uneasiness; and you may be assured that they shall become the subject of serious consideration. In times like these it is highly necessary that the foes to truth and liberty should be known and detected; and if they cannot be reformed, at least that a period may be put to their power of sowing the seeds of discord, one of the most fatal evils which can befall our country.

We have the pleasure to acquaint you that we have at length chosen five Delegates to represent this city in Congress, viz: *Philip Livingston*, *John Alsop*, *Isaac Low*, *James Duane*, and *John Jay*. They were elected by the people, without one dissenting voice. Circular letters have been sent to the counties informing them of it, and requesting them either to signify their acquiescence in our Delegates, or immediately appoint others to represent them. Enclosed you have a copy of our Resolves, which have been generally adopted in this metropolis.

The distresses of the poor of your town, and ways and means for their relief, have engaged the earnest attention of our Committee; and for this necessary and benevolent purpose, we have agreed that a subscription shall be set on foot throughout the Colony, which we do not doubt will meet with the wished for success. On our parts, we beg leave to assure you that nothing shall be omitted which we shall think conducive to your welfare and redress, or which may have a tendency to promote the restoration and establishment of our common rights and privileges.

We are, gentlemen, &c.

—

Copy of a Letter to the several Counties of this Province:

New-York, August 9, 1774.

GENTLEMEN: The distresses of the poor of the town of *Boston*, now sinking under the hand of power, and exposed to all the miseries which must attend so fatal a calamity, call aloud for our tender and compassionate concern. Every motive of policy and humanity should excite us to contribute with a liberal hand to their immediate redress. They are our countrymen and brethren, suffering in the common cause of liberty, and their hard condition may one day be our own, and we stand in need of that bounty which it now becomes our duty cheerfully to dispense.

From considerations so interesting, this Committee of Correspondence have unanimously recommended to their constituents a generous subscription for the support of the indigent inhabitants of that oppressed town, and entertain no doubt but it will meet with all the success to be expected from a people equally distinguished for their charity and benevolence, and their unshaken zeal for constitutional liberty. All the collections are appointed to be paid into the hands of Messrs. *Gerard William Beekman*, *Gerardus Duyckinck*, and *Peter T. Curtenius*, of this city, merchants, and to be expended under the direction of this Committee, for such necessaries as the condition of the poor inhabitants require.

After laying before you this example, we earnestly recommend it to the imitation of your county. Perhaps, in some instances, it may be most convenient to the inhabitants to contribute in wheat or flour, which will be equally serviceable. Permit us, gentlemen, to submit this salutary measure to your immediate patronage. The interest and welfare of a whole Continent require that a provision should be made for all who become sufferers in our common cause, and the immediate honour and reputation of this Colony must animate us to distinguish ourselves on so patriotic and benevolent an occasion.

We are, gentlemen, your obedient humble servants.

By order, &c.

The Committee adjourned to *Monday* evening, the 22d instant, at 6 o'clock, in the evening.

—

New-York, August 22, 1774.

The Committee met, by adjournment, at the Exchange, this evening:* Present,

Isaac Low, *Chairman*,	James Duane,	Nicholas Hoffman,
William Bayard,	Edward Laight,	Peter Van Schaack,
Theophilact Bache,	Miles Sherbrook,	Henry Remsen,
Philip Livingston,	Benjamin Booth,	Peter T. Curtenius,
Charles McEvers,	Charles Shaw,	Peter Goelet,
John Moore,	Gabriel H. Ludlow,	Abraham Duryee.

A Letter, dated *Suffolk* County, 11th *August*, 1774, received and read.

—

Copy of a Letter to *William Floyd*, Esq., *Suffolk* County:

New-York, August 23, 1774.

SIR: Your favour of the 11th instant, acquainting that Colonel *William Floyd* is appointed a Delegate to represent your county at the ensuing general Congress at *Philadelphia*, has been communicated to the Committee of Correspondence in this city.

I am, sir, your most humble servant.

—

Copy of a Letter to *Zephaniah Platt*, Esquire, *Poughkeepsie*, *Dutchess* County:

SIR: We received your favour of the 20th instant, enclosing the Resolves of the inhabitants of your precinct, and acquainting that you confide in the Delegates chosen by our citizens to represent them in the general Congress. What good can be effected time must discover, but we are

* On *Monday* evening, *August* 22d, the Committee of Correspondence met, according to adjournment; and as this was the last time of their assembling before the departure of our Delegates, the business of the ensuing Congress was discussed with a manly firmness, and a becoming freedom of sentiment. Three of the Delegates were present, and paid great attention to the opinions of their fellow-citizens, declaring themselves happy to receive information on those important points that were shortly to come before them; the whole scope, extension, and consequences of which, they were unable, as yet, to comprehend. The points mostly insisted upon in these debates, were, that if it was recommended to the *Bostonians* to pay for the tea, as an act of justice, their port would soon be opened, and then we should stand upon our former ground of importing no goods liable to a duty. That nothing but "a dire necessity," according to our own resolves, should induce us to break off our connections with the parent country; and that whenever we should be reduced to the last sad alternative of entering into a non-importation agreement, it ought not to be a partial one, like the last, when some men made fortunes by the ruin of others, but that it should include and suspend the importation of every *European* commodity from all parts of the world.

Digitized by Google

confident our Delegates, (and we trust those from the other Colonies,) will go with hearts most sincerely and zealously disposed to render the measure productive of every happy consequence that can be reasonably expected from their united councils on matters of so truly important and serious a nature. We are, gentlemen, your most humble servants,

By order of the Committee.

The Committee adjourned until *Monday*, 29th *August*, 1774.

New-York, August 29th, 1774.

The Committee met, by adjournment: Present,

Isaac Low, *Chairman*,	William Walton,	Nicholas Hoffman,
John Alsop,	Miles Sherbrook,	Peter Van Schaack,
William Bayard,	John Thurman,	Hamilton Young,
Theophilact Bache,	Benjamin Booth,	Peter T. Curtenius,
Charles Nicholl,	Charles Shaw,	Abraham Duryee,
James Duane,	Alexander Wallace,	Joseph Bull.
Edward Laight,	Gabriel H. Ludlow,	

A Letter dated *Kingston*, 19th *August*, 1774, received and read; a Letter dated *Kingston*, 19th *August*, 1774; a Letter dated *New Windsor*, 26th *August*, 1774; a Letter with Proceedings of *Bedford*, dated *August* 9th, 1774; a Letter dated *Mamaroneck*, 7th *August*, 1774; a Letter dated *White Plains*, 27th *August*, 1774;—received and read, approving of the Delegates adopted for the city and county of *New York*.

The Committee adjourned until *Monday*,* 5th *September*, 1774.

* On *Monday* evening, *September* 5, the Inhabitants of this City were greatly alarmed with the following Accounts, brought by express, which had been forwarded with great despatch to our Committee of Correspondence:

POMFRET, CONNECTICUT, *September* 3, 1774.

CAPTAIN CLEVELAND: Mr. *Keys* this moment brought us the news that the men-of-war and troops began to fire upon the people last night at sunset at *Boston*, when a post was immediately sent off to inform the country. He informs, that the artillery played all night; that the people were universally rallying from *Boston* as far as here, and desire all the assistance possible. The first was occasioned by the country's being robbed of their powder from *Boston* as far as *Farmingham*, and when found out, the persons who went to take them were immediately fired upon; six of our number were killed the first shot, and a number wounded, and beg you will rally all the forces you can, and be upon the march immediately for the relief of *Boston*, and the people that way.

ISRAEL PUTNAM.

Send an express along to *Norwich* and elsewhere.

AARON CLEVELAND.

Forwarded from *Norwich* per JOHN DURKEE.

NEW-LONDON, *September* 3.

Pray send forward an express to *Saybrook*, and elsewhere on the sea shore, and to *East Haddam*, immediately. I desire those towns to forward expresses to their neighbouring towns.

RICHARD LAW,
NATHANIEL SHAW,
SAMUEL H. PARSONS.

To Messrs. *John Lay*, Esquire, and the rest of the Committee of Correspondence at *Lyme*.

NEW-LONDON, *September* 3.

You will see, by a Letter to your Committee of Correspondence, the necessity of rallying all your forces immediately. Pray let every man who values his own, or his country's liberty, appear immediately. We shall march before noon to-morrow. I came home to-day; shall set out with our forces on the morrow. Let your Captains call their men as early as possible, and make no delay in joining. S. PARSONS.

To the Committee of Correspondence in SAYBROOK, *or to the Selectmen in* SAYBROOK:

It is desired that this may be forwarded to *Killingsworth*, to be forwarded westward.

Ele. Matther, John Lay, 2d, *John McCurdy, William Noyes, Samuel Matther*, Jun., Committee of Correspondence.

TO DR. NATHANIEL RUGGLES, AND SAMUEL BROWN, ESQUIRE.

GENTLEMEN: You will doubtless think it prudent, on the receipt of this intelligence, to forward it at least as far as *New-Haven*, where, doubtless, intelligence will be received by the upper road.

AARON ELLIOTT,
BENJAMIN GALE.

GUILFORD, *September* 4.

Forwarded by the subscriber to *Branford*. SAMUEL BROWN.

BRANFORD, *September* 4.

Forwarded to *John Whiting*, Esquire, and the rest of the Committee of Correspondence at *New-Haven*, per SAMUEL BAKER,
SAMUEL JONES.

NEW-HAVEN, *September* 4.

GENTLEMEN: We have to communicate the fatal news of an attack by the King's fleet and troops upon the town of *Boston*. Enclosed you have the foundation and conveyance of the melancholy intelligence. We thought it necessary and expedient to communicate by express, expecting your speedy aid to forward the same to the Congress at *Philadelphia*. We are, gentlemen, your friends and brethren in the common cause. Signed for the Committee of Correspondence.

TIMOTHY JONES, *Clerk of the said Committee*.

To the Committee of Correspondence of *New-York*.

New-York, September 5, 1774.

The Committee met, by adjournment: Present,

Abraham Duryee,	John De Lancey,	Peter T. Curtenius,
Theophilact Bache,	Alexander Wallace,	Benjamin Booth,
Charles Nicholl,	Gabriel H. Ludlow,	Charles Shaw,
Edward Laight,	Peter Van Schaack,	Gerard W. Beekman,
William Walton,	Hamilton Young,	Joseph Bull.

Mr. *Low*, the Chairman, and Mr. *Alsop*, the Deputy Chairman of this Committee, being out of town, they proceeded to choose a Chairman *pro tempore*, when Mr. *Abraham Duryee* was unanimously chosen.

A Letter dated *Albany*, *August* 27, 1774, with Resolves and Proceedings, received and read; a Letter dated *Poughkeepsie*, *August* 31st, 1774, received and read, approving the resolves and Delegates for *New-York*.

The Committee adjourned to *Monday*, 19th *September*.

New-York, September 19, 1774.

The Committee met, by adjournment: Present,

A. Duryee, *Chairman*,	Alexander Wallace,	Edward Laight,
William Walton,	Henry Remsen,	Joseph Bull,
John Moore,	Peter T. Curtenius,	Charles Nicholl,
Peter Goelet,	Nicholas Hoffman,	John De Lancey,
Gabriel H. Ludlow,	Peter Van Schaack,	Charles Shaw.

A Letter from Mr. *Isaac Low*, dated *Philadelphia*, 17th *September*, 1774, was received and read.

Ordered, That Mr. *Van Schaack*, Mr. *Moore*, and Mr. *W. Walton*, be a Committee to prepare a draught of a Letter to be sent to the counties of *Richmond*, *Kings*, *Queens*, and *Tryon*, requesting them to send Delegates from their respective counties to represent them in the general Congress now sitting at *Philadelphia*, or to signify their acquiescence in those already assembled there for the Province of *New-York*.

The Committee adjourned to *Monday*, 3d *October* next, 1774.

New-York, September 30, 1774.

At a special meeting of the Committee at the Exchange, at 9 o'clock, A. M.: Present,

Henry Remsen,	Gerardus Duyckinck,	William Walton,
Charles McEvers,	Peter Goelet,	William McAdam,
Charles Nicholl,	Gerard W. Beekman,	John Moore,
Richard Sharpe,	Peter T. Curtenius,	Theophilact Bache,
William Bayard,	John De Lancey,	Edward Laight,
Charles Shaw,	Miles Sherbrook,	Peter Van Schaack,
Hamilton Young,	Joseph Bull,	Gabriel H. Ludlow.

Mr. *Abraham Duryee*, the Chairman of this Committee, being out of town, they proceeded to choose one in his stead, when Mr. *Henry Remsen* was unanimously chosen.

The Chairman laid before the Committee a representation of a number of the inhabitants of this city, signed by *Joseph Totten*, their President. And the Committee taking into their serious consideration the subject matter of the said Address, and being desirous on all occasions to conform themselves to the true sense of their constituents, thought proper to publish a notification, immediately to be dispersed throughout the city for convening the inhabitants at the City Hall at one o'clock this day.

The Committee then adjourned to this evening at six o'clock.

New-York, September 30, 1774.

The Committee met, by adjournment, at 6 o'clock, this evening: Present,

H. Remsen, *Cham'n*.	William Walton,	Nicholas Hoffman,
Theophilact Bache,	Hamilton Young,	Gabriel H. Ludlow,
Richard Sharpe,	Miles Sherbrook,	John Moore,
Nicholas Hoffman,	John De Lancey,	Edward Laight,
Peter Van Schaack,	Charles McEvers,	Charles Shaw,
Peter T. Curtenius,	Charles Nicholl,	Gerard W. Beekman.
Joseph Bull,		

It was unanimously *Resolved*, That the following Narrative of the proceedings of the Committee on this day be published.

At a meeting of the Committee of Correspondence of this city, specially summoned, the following representation, being the result of the deliberations of a number of their constituents assembled last night, was presented to the Committee and read:

"To the respectable body of gentlemen nominated by the public voice as a Committee for managing the affairs of the inhabitants of this city in the present exigency of our public concerns,

Digitized by Google

"The Representation of a number of the Citizens who chose you to act in their behalf in all matters relating to the public weal, respectfully showeth:

"That within a few days past a number of persons, very inconsiderable in comparison to the number who constitute the body of the freeholders and freemen of this city, have taken upon themselves to disturb the peace and order of the town, by assembling, without any notification from you, to whom the public voice gave the care of the community's interest in all affairs of a public nature; and have presumed to call themselves a Committee from the body of the inhabitants of the city, and in that character have arbitrarily censured and threatened several worthy and respectable persons amongst our fellow-citizens.

"We, therefore, respectfully desire you will call a meeting of the inhabitants to assemble at the City Hall, at one o'clock, to-morrow, and there declare to them our sentiments of such proceedings, and make such public resolves for the preservation of the peace, good order, and general weal of the community, as the state of affairs makes requisite.

"We are, gentlemen, with great respect, and the fullest confidence in your wisdom and integrity, as the guardians of your fellow-citizens' true interest and liberties, your sincere friends.

"Signed by the unanimous desire of the assembly,

"JOSEPH TOTTEN, *President*."

New-York, September 29th, 1774.

The Committee taking into their serious consideration the subject matter of the said Address, and being desirous of giving to our fellow-citizens every satisfaction in our power, in the important capacity they did us the honour to appoint us to, we give this public notice, that, agreeable to their desire, we shall attend at the City Hall at one o'clock this day, and we earnestly request all the inhabitants of this city to meet us, and assist our deliberations with their counsel and support.

Signed by order of the Committee,

HENRY REMSEN, *Chairman*.

In consequence of the above Notice, the Committee, at the time appointed, repaired in a body to the City Hall, when Mr. *Henry Remsen*, their Chairman, was proceeding to open and explain the business of the meeting to a very respectable body of his fellow-citizens, but being interrupted by the noise and clamour of sundry persons, it was agreed to adjourn to the Coffee House; and, notwithstanding the attempts which were then again made use of to prevent his being heard, the Chairman addressed himself to the people as follows:

"GENTLEMEN: In consequence of an application from a number of respectable citizens, communicated by Mr. *Joseph Totten*, their Chairman, which has been published in handbills, it was thought proper to summon a special meeting of the Committee of Correspondence, at which meeting it has been resolved, that the inhabitants of this city should be called together, and that the following questions should be proposed for their consideration:

"Whether those persons who style themselves a Committee, and have called upon several of our fellow-citizens to inquire into their private business, were authorized by you? And whether you approve of their conduct in so doing?"

Which questions being severally and distinctly put, passed in the negative by a very great majority, who declared that the said persons, styling themselves a Committee, had acted without authority from the public; that their conduct was highly disapproved of, and that such their sentiments, should be published.

Therefore, in conformity to the sentiments of a very great majority of our constituents, and being ourselves fully persuaded that all such irregular proceedings have a direct tendency to promote a disunion amongst ourselves, we thus publicly declare our disapprobation of all such measures. By order of the Committee,

HENRY REMSEN, *Chairman*.

The Committee adjourned to *Monday, October* 10, 1774.

New-York, October 4, 1774.

The Committee had a special meeting at 6 o'clock: Present,

H. Remsen, *Chairman*,	Benjamin Booth,	Gabriel H. Ludlow,
John Thurman,	Joseph Bull,	Nicholas Hoffman,
Peter Van Schaack,	Gerardus Duyckoink,	Abraham Walton,
Charles Nicholl,	Peter Goelet,	William Walton,
Edward Laight,	Hamilton Young,	Charles McEvers.
Charles Shaw,		

The Committee taking into consideration the exorbitant price to which sundry articles of goods have advanced, but more particularly some of the necessaries of life:

Ordered, That Mr. *Van Schaack*, Mr. *McEvers*, Mr. *Bull*, and Mr. *Booth*, be a Committee to draw up an advertisement, requesting the Importers of Goods in this city, to meet on *Friday* morning, the 7th instant, at 11 o'clock, in the morning, in order to consider of the most effectual ways for stopping this growing evil.

Committee Chamber, New-York, October 5, 1774.

The Committee of Correspondence, having taken into consideration the present dissatisfaction prevailing in the city on account of the advance upon several articles imported from *Great Britain*, and foreseeing that these discontents will be likely to increase, when a non-importation agreement shall have taken place, have judged it necessary to request a meeting of all the Importers at the Exchange, on *Friday* morning next, at 11 o'clock, to consider and determine upon such a plan as will be best likely to remedy these inconveniences.

By order of the Committee,

HENRY REMSEN, *Chairman*.

New-York, October 13, 1774.

At a meeting of Importers of goods from *Great Britain*, to take into consideration the dissatisfaction that has already appeared, upon the advance of divers articles, some of them the real necessaries of life: And being determined, as far as in us lies, to preserve the peace of the city, we think it necessary, in order to remove the cause for any future murmurings to make the following declarations:

That we will not from the apprehension of a non-importation agreement put any unreasonable advance upon our goods; and when such an agreement shall have taken place, we will continue to sell them for a moderate profit, and no more.

That we will do our utmost to discourage all engrossers and persons who buy up goods with a view of creating an artificial scarcity, thereby to obtain a more plausible pretext for enhancing the prices.

That if any retailer or other person, should by a contrary conduct, endeavour to defeat these our good intentions, *we will, as one man, decline dealing with him*, and shall consider him or them as the author or authors of all the disturbances that shall be consequent thereupon.

Signed, by order of a large number of Importers, met at the Exchange. HENRY REMSEN.

New-York, November 7, 1774.

The Committee met at the Exchange, at 6 o'clock: Present,

Isaac Low, *Chairman*,	Abraham Duryee,	Peter T. Curtenius.
David Johnston,	John De Lancey,	Gerard W. Beekman,
Charles Nicholl,	John Alsop,	James Duane,
Gerardus Duyckinck,	Joseph Bull,	John Thurman,
Gabriel H. Ludlow,	Philip Livingston,	John Moore,
William Walton,	Alexander Wallace,	Charles Shaw.

A Letter dated *Malbro' Town, October* 17th, 1774, was received and read.

Mr. *Duane* moved, That this Committee inquire what progress has been made in the subscriptions and collections for the poor of the town of *Boston*.

Ordered, That *Peter Van Schaack, Peter T. Curtenius, Charles Shaw, James Duane, Nicholas Hoffman, Gerardus Duyckinck, John Jay*, and *Joseph Bull*, be a Committee for that purpose; who are authorized to take such further measures for carrying the above into execution, as they may think necessary.

Mr. *Duane* moved, that the following Advertisement be published in the papers for the purpose therein mentioned:

New-York Committee Chamber, November 7, 1774.

Whereas, at the Continental Congress, held at *Philadelphia*, it was

"*Resolved*, That a Committee be chosen in every coun-

Digitized by Google

ty, city, and town, by those who are qualified to vote for Representatives to the Legislature, whose business it shall be attentively to observe the conduct of all persons touching the Association entered into by the members of the said Congress in the name, and on the behalf of themselves and their respective constituents; and when it shall be made to appear to the satisfaction of the majority of any such Committee that any person within the limits of their appointment has violated the said Association, that such majority do forthwith cause the truth of the case to be published in the Gazette, to the end that all such foes to the rights of *British America*, may be publicly known, and universally contemned as the enemies of *American* liberty; and that thenceforth the parties to the said Association will respectively break off all dealings with him or her."

Which said resolve of the Congress being this day taken into consideration by the Committee of Correspondence of the city of *New-York*, they do hereby recommend to the freeholders and freemen of the said city, to assemble together at the usual places of election in their several Wards, at 10 o'clock in the forenoon, on *Friday*, the 18th inst., then and there to elect and appoint eight fit persons in each respective Ward, to be a Committee of Inspection for the purpose expressed in the said resolve of the Congress. By order of the Committee,

ISAAC LOW, *Chairman.*

—

The following persons were appointed to prepare a Circular Letter to the different Counties recommending them to appoint Committees of Inspection, agreeable to the eleventh resolve of the Congress, viz: *John Jay*, *Peter T. Curtenius*, *Isaac Low*, and *James Duane*.

The Committee adjourned to *Monday* evening, the 14th instant.

—

New-York, November 14, 1774.

The Committee met, by adjournment, at 6 o'clock, in the evening: Present:

Isaac Low, *Chairman*,	Miles Sherbrook,	James Duane,
John Alsop,	Joseph Bull,	Gerard W. Beekman,
John Thurman,	Hamilton Young,	Abraham Duryee,
William Walton,	Richard Sharpe,	Peter T. Curtenius,
Henry Remsen,	John Jay,	Peter Van Schaack.
Gerardus Duyckinck,	Peter Goelet,	

Copy of a Letter to Mr. *Daniel Dunscomb*, Chairman of the Committee of Mechanics:

Committee Chamber, November 14, 1774.

SIR: Some difficulties have arisen relative to the advertisement published by this Committee for choosing a Committee of Inspection; and this Committee being desirous of adopting a mode that shall be agreeable to their fellow-citizens in general, have postponed the further consideration of this subject until to-morrow evening, at six o'clock, to the end that they may have a conference with your Committee on a matter which is conceived of so much importance to the peace and welfare of this city. You are therefore requested to call a meeting of your Committee, some time to-morrow, and beg the favour of the whole body to meet us here in the evening, precisely at six o'clock, and you will oblige, sir, your most humble servant. By order of the Committee,

ISAAC LOW, *Chairman.*

To Mr. *Daniel Dunscomb*, Chairman of the Committee of Mechanics.

—

Committee Chamber, November 14, 1774.

Whereas it is intended very soon to transmit the donations that have been collected in the Colony, for the support of the poor of *Boston* to that city. The Committee of Correspondence request the favour of the benefactors and collectors of that laudable charity as soon as possible to pay the several contributions into the hands of Messrs. *Gerard W. Beekman*, *Gerardus Duyckinck*, and *Peter T. Curtenius*, of the city of *New-York*, merchants, or either of them, who are appointed by this Committee and have undertaken to transact that business.

By order of the Committee,

ISAAC LOW, *Chairman.*

The Committee adjourned until to-morrow evening, at 6 o'clock, *November* 15, 1774.

New-York, November 15, 1774.

The Committee met, by adjournment, this evening: Present,

Isaac Low, *Chairman*,	Nicholas Hoffman,	Charles Shaw,
John Alsop,	William Walton,	John Thurman,
James Duane,	Hamilton Young,	Benjamin Booth,
Philip Livingston,	Charles Nicholl,	William McAdam,
John Jay,	Henry Remsen,	Peter T. Curtenius,
William Bayard,	Peter Van Schaack,	Abraham Duryee,
Theophilact Bache,	Joseph Bull,	John Moore.
John De Lancey,		

Ordered, That when a Committee for carrying the Association of the Congress into execution shall be elected, this Committee do consider themselves as dissolved; and that this resolution be immediately made public.

—

New-York Committee Chamber, 15th November, 1774.

Whereas it is apprehended that inconveniences may arise from the mode lately recommended by this Committee for electing a new Committee to superintend the execution of the Association entered into by the Congress; and this Committee of Correspondence having taken the same into further consideration, and consulted many of their fellow-citizens, and also conferred with the Committee of Mechanics thereupon, and having agreed to dissolve their body as soon as such new Committee shall be appointed:

Public notice is, therefore, hereby given, that it is now thought fit, that, instead of the mode prescribed by the former advertisement, sixty persons, to continue in office until the first day of *July* next, shall be chosen by the freeholders and freemen of the said city, to be a Committee for the purposes mentioned in the said Association; and that the said election shall be held at the City Hall, on *Tuesday* next, at ten o'clock, in the forenoon, under the inspection of the Vestrymen of this city, who shall be requested by the inhabitants for that purpose.

By order of the Committee,

ISAAC LOW, *Chairman.*

—

At the before mentioned conference with the Committee of Mechanics, it was mutually agreed:

1st. That the Committee nominated and held up to the public are not to exceed seventy; nor to be less than sixty persons.

2d. To be chosen by the freeholders and freemen, at the City Hall, on *Tuesday* next, under the inspection of the Vestrymen of the city.

3d. To continue in office until the first day of *July* next.

4th. Each Committee to interchange one hundred names, out of which the Committee is to be nominated.

5th. To be styled, "The Committee for carrying into execution the Association entered into by the Continental Congress."

The Committee adjourned until to-morrow evening, 16th *November*, 1774, at six o'clock.

—

Tuesday, November 22, 1774.

The Election of a Committee of sixty persons, for the purposes mentioned in the Association, entered into by the Congress, having this day come on, pursuant to advertisements in the public newspapers, a respectable number of the freeholders and freemen of this city, assembled at the City Hall, where the election was conducted under the inspection of several of the Vestrymen, and the following persons were chosen without a dissenting voice, viz:

Isaac Low,	Henry Remsen,	Hercules Mulligan,
Philip Livingston,	Peter T. Curtenius,	John Anthony,
James Duane,	Abraham Brasher,	Francis Basset,
John Alsop,	Abraham P. Lott,	Victor Bicker,
John Jay,	Abraham Duryee,	John White,
P. V. B. Livingston,	Joseph Bull,	Theophilus Anthony,
Isaac Sears,	Francis Lewis,	William Goforth,
David Johnston,	John Lasher,	William Denning,
Charles Nicholl,	John Roome,	Isaac Roosevelt,
Alex. McDougall,	Joseph Totten,	Jacob Van Voorhees,
Thomas Randall,	Samuel Jones,	Jeremiah Platt,
Leonard Lispenard,	John De Lancey,	William Ustick,
Edward Laight,	Frederick Jay,	Comfort Sands,
William Walton,	William W. Ludlow,	Robert Benson,
John Broom,	John B. Moore,	William W. Gilbert,
Joseph Hallett,	George Janeway,	John Berrian,
Charles Shaw,	Rodolphus Ritzema,	Gabriel H. Ludlow,
Nicholas Hoffman,	Lindley Murray,	Nicholas Roosevelt,
Abraham Walton,	Lancaster Burling,	Edward Flemming,
Peter Van Schaack,	Thomas Ivers,	Lawrence Embree.

Digitized by Google

TOWN MEETING IN BOSTON.

Friday, May 13, 1774.

On this day there was a numerous and respectable meeting of the freeholders and other inhabitants of this town, legally warned and assembled at Fanueil Hall, to consider an *edict* lately passed by the *British* Parliament, for shutting up the harbour, and otherwise punishing the inhabitants;* and to determine upon proper measures to be taken by the town thereon.

After making choice of Mr. *Samuel Adams*, Moderator of the meeting, the edict was distinctly read by the Clerk; and the nature and tendency, as well as the *design* of it, being explained in the observations of several gentlemen upon it, the town came into the following vote, *nem. con:*

Voted, That it is the opinion of this town, that if the other Colonies come into a *joint* resolution to stop all importations from *Great Britain*, and exportations to *Great Britain*, and every part of the *West Indies*, till the Act for blocking up this harbour be repealed, the same will prove the salvation of *North America* and her liberties. On the other hand, if they continue their exports and imports, there is high reason to fear that fraud, power, and the most odious oppression, will rise triumphant over right, justice, social happiness, and freedom.

And, *Ordered*, That this vote be forthwith transmitted by the Moderator to all our sister Colonies, in the name and behalf of this town.†

Then it was moved for consideration what measures were proper for the town to take on the present emergency; whereupon several judicious, spirited and manly proposals were made, which being debated with a candour, moderation, and firmness of mind becoming a people resolved to preserve their liberty, it was voted, that the Moderator, with *John Rowe*, Esq., Mr. *Thomas Boylston*, *William Phillips*, Esq., Dr. *Joseph Warren*, *John Adams*, Esq., *Josiah Quincy*, Esq., *Thomas Cushing*, Esq., Mr. *Henderson Inches*, Mr. *William Mollineaux*, and Mr. *Nathaniel Appleton*, be a Committee to take the several proposals that have been, and others that may be made, into consideration, and report to the town as soon as may be.

After which the town made choice of Mr. *Oliver Wendell*, *Isaac Smith*, Esq., Mr. *William Dennie*, Mr. *William Powell*, and Mr. *John Pitts*, to repair immediately to the towns of *Salem* and *Marblehead*, to communicate the sentiments of this metropolis to the gentlemen there, consult with them, and make report at the adjournment.

Then the meeting was adjourned to *Wednesday* next, the 18th instant, at ten of the clock in the forenoon.

Wednesday, May 18,‡ 1774.

The freeholders and other inhabitants of this town, met again this day, at Fanueil Hall, by adjournment; and the Committee which had been appointed to receive and consider of proposals for the support and employment of such as will be sufferers by the operation of the *cruel* edict of the *British* Parliament, reported that several judicious proposals had been made, and that they conceived that ways and means would be found for the relief of such inhabitants in the time of distress. They recommended to their fellow-citizens patience, fortitude, and a firm trust in *God*, and desired further time to agree upon a report.

The meeting was therefore adjourned to *Monday*, the 31st instant, at ten of the clock in the forenoon, by which time it is expected we shall have encouraging news from some of the sister Colonies.

Previous to the adjournment the town thought it their duty to pass the following Votes, viz:

1st. That the trade of the town of *Boston* has been one essential link in that vast chain of commerce, which, in the course of a few ages, has raised *New England* to be what it is, the Southern Provinces to be what they are, the *West India* Islands to their wealth, and, in one word, the *British* Empire to that height of opulence, power, pride and splendour, at which it now stands.

2d. That the impolicy, injustice, inhumanity and cruelty of the Act aforesaid, exceed all our powers of expression. We, therefore, leave it to the just censure of others, and appeal to *God* and the world.

EXTRACT OF A LETTER RECEIVED IN BOSTON.

Philadelphia, May 17, 1774.

The post has just brought us an account of General *Gage's* arrival, which I hope will give you quiet and security. Many people here were of opinion that neither Governour *Hutchinson's*, nor the Commissioners' lives were safe before. I sincerely hope that your town and Province will, at length, learn a little wisdom and moderation. I assure you that their friends here are much cast down; their enemies (of which we have a great many) rejoice, and moderate people are almost silent; but all concur in wishing moderation and peace. Your patriots will find themselves deceived in the general support of the other Provinces; from this they will find none; and, if they were so inclined, we are likely to have work enough on the frontiers, where above fifty *Indians* have just now been cruelly murdered, which will certainly bring on an *Indian* war. *God* bless you, and grant you peace and quiet.

SAMUEL ADAMS TO ARTHUR LEE.

Boston, May 18th, 1774.

My dear Sir: The edict of the *British* Parliament, commonly called the *Boston* Port Act, came safely to my hand. For flagrant injustice and barbarity, one might search in vain among the archives of *Constantinople* to find a match for it. But what else could have been expected from a Parliament too long under the dictates and controul of an Administration which seems to be totally lost to all sense and feeling of morality, and governed by passion, cruelty and revenge. For us to reason against *such* an Act, would be idleness. Our business is to find means to evade its malignant design. The inhabitants view it, not with astonishment, but with indignation. They discover the utmost contempt of the framers of it; while they are yet disposed to consider the body of the nation (though represented by such a Parliament) in the character they have sustained heretofore, humane and generous. They resent the behaviour of the merchants in *London:* those, I mean, who receive their bread from them, in infamously deserting their cause at the time of extremity. They can easily believe, that the industrious manufacturers, whose time is wholly spent in their various employments, are misled and imposed upon by such miscreants as have ungratefully devoted themselves to an abandoned Ministry, not regarding the ruin of those who have been their best benefactors. But the inhabitants of this town must and will look to their own safety, which they see does not consist in a servile compliance with the ignominious terms of this barbarous edict. Though the means of preserving their liberties should distress, and even ruin the *British* manufacturers, they are resolved (but with reluctance) to try the experiment. To this they are impelled by motives of self-preservation. They feel humanely for those who must suffer, but being innocent, are not the objects of their revenge. They have already called upon their sister Colonies, (as you will see by the enclosed note,) who not only feel for them as fellow-citizens, but look upon them as suffering the stroke of Ministerial vengeance in the common cause of *America;* that cause which the Colonists have pledged themselves to

* The Port Bill was received at *Boston* by Captain *Jenkins*, who arrived there on *Tuesday*, the 10th of *May*, 1774. On *Friday*, the 13th, about noon, *General Gage* arrived in the *Lively* frigate, and landed at the Castle.

† On *Saturday*, the 14th, Mr. *Paul Revere* was despatched by the Committee of Correspondence with important letters to the Southern Colonies.

‡ On *Tuesday*, the 17th, his Excellency *General Gage* landed at the long wharf, where several of his Majesty's Council, of the House of Representatives, and many of the principal gentlemen of the town, together with the Cadet Company under arms, waited his arrival, and escorted him to the Council Chamber. The Troop of Horse, the Company of Artillery, the Company of Grenadiers, and the several companies of militia under arms, saluted him as he passed. His commission was read, and after the usual ceremonies he was sworn in Governour and Vice-Admiral of the Province. His Proclamation for continuing all officers, &c., in their places, till further orders, was then read by the High Sheriff, which was answered by three huzzas, firing the cannon from the battery and artillery company, and three vollies of small arms. After receiving the compliments, &c., and reviewing the militia, he was escorted to Faneuil Hall, where an elegant entertainment was provided at the expense of the Province. After dinner, and drinking several loyal toasts, his Excellency went to the Province House.

Digitized by Google

each other not to give up. In the mean time, I trust in *God* this devoted town will sustain the shock with dignity; and, supported by their brethren, will gloriously defeat the designs of their common enemies. Calmness, courage, and unanimity prevail. While they are resolved not tamely to submit, they will, by refraining from any acts of violence, avoid the snare that they discover to be laid for them, by posting regiments so near them. I heartily thank you for your spirited exertions. Use means for the preservation of your health. Our warmest gratitude is due to Lords *Camden* and *Shelburne*. Our dependence is upon the wisdom of the few of the *British* nobility. We suspect studied insult in the appointment of the person who is Commander-in-chief of the troops in *America* to be our Governour; and I think there appears to be in it more than a design to insult upon any specious pretence. We will endeavour, by circumspection and sound prudence, to frustrate the diabolical designs of our enemies.

I have written in haste, and am, affectionately, your friend, SAMUEL ADAMS.

Arthur Lee, Esq., *London*.

GOVERNOUR GAGE TO THE EARL OF DARTMOUTH.

Extract.

Boston, May 19, 1774.

His Majesty's ship, the *Lively*, in which I embarked at *Plymouth*, on the 16th of *April*, arrived here on the 13th of this month.

The late Governour *Hutchinson*, the Chief Justice, the Commissioners of the Customs, and the Consignees, were either at the Castle, or dispersed in the country, not daring to reside in *Boston*. I went to Mr. *Hutchinson*, and remained with him at *Castle William*, till preparations were made for my reception in *Boston*, where my commission was read and published in the usual forms, on the 17th instant.

The Act for shutting up the port got here before me; and a town meeting was holding to consider of it at the time of my arrival in the harbour. They determined to invite the other Colonies to stop all exports and imports to and from *Great Britain* and *Ireland*, and every part of the *West Indies*, till the Act be repealed; and appointed persons to go to *Marblehead* and *Salem* to communicate their sentiments to the people there, and bring them into like measures; which persons were to make their report at the adjournment, on the 18th, when the meeting was again held, and I am told, received little encouragement from *Salem* and *Marblehead*, and transacted nothing of consequence.

I do not propose laying any thing before the new Assembly at their meeting, except the common business of the Province, if any occurs.

I hear from many, that the Act has staggered the most presumptuous; but minds so inflamed cannot cool at once; so it may be better to give the shock they have received, time to operate; and I may find the Assembly in a better temper than usual, and more inclined to comply with the King's expectations at *Salem*, to which place they will be removed after the first of *June*.

At a town meeting held at *Providence*, *Rhode Island*, on the 17th day of *May*, A. D., 1774, called by warrant: SAMUEL NIGHTENGALE, Esquire, *Moderator*.

Resolved, That this town will heartily join with the Province of the *Massachusetts Bay* and the other Colonies, in such measures as shall be generally agreed on by the Colonies, for the protecting and securing their invaluable natural rights and privileges, and transmitting the same to the latest posterity.

That the Deputies of this town be requested to use their influence at the approaching session of the General Assembly of this Colony, for promoting a Congress as soon as may be, of the Representatives of the General Assemblies of the several Colonies and Provinces in *North America*, for establishing the firmest Union, and adopting such measures as to them shall appear the most effectual to answer that important purpose, and to agree upon proper methods for executing the same.

That the Committee of Correspondence of this town be desired to assure the town of *Boston*, that we do consider ourselves greatly interested in the present alarming conduct of the *British* Parliament towards them, and view the whole *English American* Colonies equally concerned in the event, and that we will, with the utmost firmness, act accordingly, whenever any plan shall be agreed on: in the mean time, we are of opinion that an universal stoppage of all trade with *Great Britain*, *Ireland*, *Africa*, and the *West Indies*, until such time as the port of *Boston* shall be reinstated in its former privileges, &c., will be the best expedient in the case; and that a proper time should be generally agreed on for the same universally to take place.

Whereas, the inhabitants of *America* are engaged in the preservation of their rights and liberties; and as personal liberty is an essential part of the natural rights of mankind, the Deputies of the town are directed to use their endeavours to obtain an act of the General Assembly, prohibiting the importation of negroe slaves in this Colony; and that all negroes born in the Colony should be free at attaining to a certain age.

Voted, That *James Angell*, Esquire, be added to the Committee of Correspondence of this town, and that he sign their letters as Clerk.

Chestertown, Maryland, May 18, 1774.

It must be universally allowed, that the essential circumstance which constitutes the political happiness of a free people, consists in their being governed by laws of their own making, or to which their consent is given by Delegates of their own choice and nomination. This maxim, founded on the genius of the *British* Constitution—the most perfect under Heaven—cannot be supposed partial or confined; but must be as extensively diffusive in its benign operations, as are the regions subordinate to, and claiming protection under that Constitution.

The Act of Parliament, therefore, subjecting the *British* Colonies in *America* to the payment of a duty on tea, for the purpose of raising a revenue, being passed without their consent, and calculated to enslave them, cannot but be deemed unconstitutional and oppressive; from whence it clearly follows, that it highly behoves the *Americans* as *loyal* and *free-born* subjects of *Great Britain*, to take every prudent and justifiable measure in order to evade its baneful effects; thus to baffle the designs of a corrupt and despotic Ministry. Our brethren of the Northern Colonies have already declared their opposition to this Act; and as it equally affects the good people of this loyal Province of *Maryland*, a number of respectable gentlemen, friends to liberty, met at a public house in *Chestertown*, on *Friday*, the 13th of *May*, 1774; when a Chairman was chosen; a Committee appointed; and it was agreed upon to have a general meeting of the inhabitants of the county, on *Wednesday*, the 18th of the same month, to declare their sentiments respecting the importation of tea, while subject to a duty. A numerous and very respectable meeting was accordingly held, when the Committee was enlarged, and the following resolutions were repeatedly read, and unanimously agreed to, viz:

1st. *Resolved*, That we acknowledge his Majesty *George* the Third, King of *Great Britain*, *France*, and *Ireland*, to be our rightful and lawful Sovereign, to whom we owe and promise all dutiful allegiance and submission.

2d. *Resolved*, That no duties or taxes can constitutionally be imposed on us, but by our own consent, given personally, or by our Representatives.

3d. *Resolved*, That the Act of the *British* Parliament of the 7th of *George* the Third, (Chapter 46th,) subjecting the Colonies to the payment of a duty on tea, for the purpose of raising a revenue in *America*, is *unconstitutional*, *oppressive*, and calculated to enslave the *Americans*.

4th. *Resolved*, *therefore*, That whoever shall import, or in any way aid or assist in importing, or introducing from any part of *Great Britain*, or any other place whatsoever into this town or county, any tea, subject to the payment of a duty imposed by the aforesaid Act of Parliament; or, whoever shall wilfully and knowingly sell, buy, or consume, or in any way assist in the sale, purchase, or consumption of any tea imported as aforesaid, subject to

Digitized by Google

a duty, he, or they, shall be stigmatized as enemies to the liberties of *America*.

5th. *Resolved*, That we will not only steadily adhere to the foregoing resolves, but will endeavour to excite our worthy neighbours to a like patriotic conduct; and whoever amongst us shall refuse his concurrence, or after complying, shall desert the cause, and knowingly deviate from the true spirit and meaning of these our resolutions, we will mark him out, as inimical to the liberties of *America*, an unworthy member of the community, and a person not deserving our notice or regard.

6th. *Resolved*, That the foregoing resolves be printed, that our brethren in this and the other Colonies may know our sentiments as they are therein contained.

Signed by order of the Committee,

W. Wright, *Clerk*.

N. B. The above resolves were entered into upon a discovery of the late importation of the dutiable tea, (in the brigantine *Geddes*, of this port) for some of the neighbouring counties. Further measures are in contemplation, in consequence of a late and very alarming Act of Parliament.

TO THE FREEMEN OF AMERICA.

It is impossible to review the advantages we derive from our connection with *Great Britain*, without wishing it to be perpetual. We were formed by her laws and religion. We are clothed with her manufactures, and protected by her fleets and armies. Her Kings are the umpires of our disputes, and the centre of our Union. In a word, the island of *Britain* is the fortress in which we are sheltered from the machinations of all the Powers of *Europe*. No wonder therefore, we look forward with horrour to those convulsions that must attend (ages hence,) our separation from that country.

The councils of a State, like the faculties of the mind, are liable to prejudice and decay. The conduct of the *British* Parliament towards *America* for several years past, carries strong marks of insanity and folly. The laws of mechanics, apply in politics as well as philosophy; a grain of wisdom properly managed, will outweigh in this science the whole armies and navies of *Britain*.

We have been in some measure *passive* spectators of the manœuvres of our mother country. A Stamp Act; Revenue Acts; a Board of Commissioners; Judges of Admiralty, invested with new powers; the Military set over the Civil Governours, and both rendered independent of the people; Restrictions on our trade; Dissolutions of our Assemblies; and disregarded petitions for redress of these grievances, have all been borne with a temper and moderation, which show how much we value peace and order, and how inestimable we esteem the advantages of being connected with *Great Britain*. We have only *asserted* our right to freedom. This has produced in some places, a few trifling commotions, but these were conducted only by mobs, which are always the first-born offspring of oppression, and which are not unknown even in *Britain*; and particularly remembered there for having insulted our King a few years ago at his Palace gates. Future ages will hardly believe that we were descended from *British* ancestors, when they read of our having borne so long, and resented so feebly, the outrages committed by a *British* Parliament, upon the dearest birth-right of a *Briton*.

Moderation and gratitude are sometimes an over-balance for self-preservation. The first law of nature cannot be contradicted by any social or national obligations. The man who refuses to assert his right to liberty, property, and life, is guilty of the worst kind of rebellion; he commits high treason against *God*.

Liberty, property, and life, are now but names in *America*. Liberty is levelled by the Declarative Act of Parliament to tax us without our consent; property is now annihilated by the late Act of Parliament, which destroys the trade of *Boston*; our countrymen are condemned without being heard; a whole community suffer for the conduct of a few individuals. Newspapers, and a private letter from a Governour, are their only accusers; and thousands, accustomed to affluence, are reduced to the lowest species of poverty: "they cannot work, and to beg, they are ashamed." We dare not even call our lives our own. The next act of Parliament may summons our Assemblymen and patriots to expiate their virtue at *Tyburn*.

New-York, *Philadelphia*, and *Charlestown*, cannot expect to escape the fate of *Boston*. Our doom is delayed only with a view of dividing and weakening us. We have offered the same indignity to the *British* Parliament, and have done nearly the same injury to the property of the *East India* Company. When the spirits of our brethren in *Boston* are subdued, our rivers and shores will probably be crowded with men-of-war, and lined with tide waiters.

An union of the Colonies, like an electric rod, will render harmless the storms of *British* vengeance and tyranny. Remember my dear countrymen, we are contending for the crown and prerogative of our King, as well as for liberty, property, and life. The *British* Parliament have violated the Constitution in usurping his *supreme* jurisdiction over us. Our brethren in *Boston* may perhaps stand in need of our counsels; every stroke aimed at them, is levelled against the vitals of all *America*. Success has hitherto crowned our attempts to save our country. Virtue, unanimity, and perseverance, are *invincible*.

Philadelphia, May 18, 1774.

Farmington, Connecticut, May 19, 1774.

Early in the morning was found the following handbill, posted up in various parts of the town, viz:

"To pass through the fire at six o'clock this evening, in "honour to the immortal goddess of Liberty, the late infa-"mous Act of the *British* Parliament for farther distressing "the *American* Colonies; the place of execution will be "the public parade, where all *Sons of Liberty* are desired "to attend."

Accordingly, a very numerous and respectable body were assembled, of near one thousand people, when a huge pole, just forty-five feet high was erected, and consecrated to the shrine of Liberty; after which the Act of Parliament for blocking up the *Boston* harbour was read aloud; sentenced to the flames, and executed by the hands of the common hangman; then the following Resolves were passed, *nem. con.*:

1st. That it is the greatest dignity, interest, and happiness of every *American* to be united with our parent State, while our liberties are duly secured, maintained, and supported by our rightful Sovereign, whose person we greatly revere; whose Government while duly administered, we are ready with our lives and properties to support.

2d. That the present Ministry, being instigated by the Devil, and led on by their wicked and corrupt hearts, have a design to take away our liberties and properties, and to enslave us for ever.

3d. That the late Act which their malice hath caused to be passed in Parliament, for blocking up the port of *Boston*, is unjust, illegal, and oppressive; and that we, and every *American*, are sharers in the insults offered to the town of *Boston*.

4th. That those pimps and parasites who dared to advise their master to such detestable measures, be held in utter abhorrence by us and every *American*, and their names loaded with the curses of all succeeding generations.

5th. That we scorn the chains of slavery; we despise every attempt to rivet them upon us; we are the sons of freedom, and resolved, that, till time shall be no more, that god-like virtue shall blazon our hemisphere.

COMMITTEE OF CORRESPONDENCE AT WESTERLY TO THE COMMITTEE OF BOSTON.

Westerly, May 19, 1774.

Gentlemen: With mingled concern and indignation, the Committee of Correspondence for this town have seen an Act for blocking up the harbour of *Boston*.

Rome designing to destroy the city of *Carthage*, barbarously required of the *Carthagenians* that they should forsake their city, and remove their habitations twelve miles from the sea. The consideration of the inveterate hatred occasioned by the long and bloody wars which had subsisted between *Rome* and *Carthage*; the remembrance of several hundred thousand *Romans* killed in those wars,

Digitized by Google

and several hundred towns plundered by the *Carthagenians*, are some excuse for the *Roman* severity; but the cruel and unnatural treatment which the town of *Boston* has received from *Great Britain*, will admit of no palliation. The metropolis of a most affectionate and loyal Colony, which in all the wars of *Great Britain* hath gloriously supported the *British* interest in *America*, and even by their wise and vigorous efforts made a conquest which gave peace to *Europe*, is now threatened with destruction, for no other cause, but because the people have bravely determined not to become slaves.

We have long felt for the town of *Boston*; we heartily sympathize with our brethren upon this alarming occasion; we are much pleased with the noble firmness with which this cruel edict is received in *Boston*. We highly approve the measures taken by the town, and are entirely of opinion that the joint resolution of the Colonies to stop all importations from and exportations to *Great Britain* and the *West Indies*, until the Act is repeled, will infallibly produce the desired effect.

The country which we possess, blessed be *God!* affords every necessary of life. We are morally certain, that with the common blessings of Heaven upon our industry and frugality, we can live comfortably, without importing a single article from *Britain* or the *West Indies*; and we are equally certain, that neither *England* nor the *West Indies* can subsist long without us; their own preservation therefore, will compel them to do us justice.

This horrid attack upon the town of *Boston*, we consider not as an attempt upon that town singly, but upon the whole Continent. We are therefore determined to use our whole influence for the support of the town of *Boston*, in the same manner as if the attack had been made on the metropolis of this Colony; and we doubt not but the other Colonies will consider this arbitrary and tyrannical edict in the same light, and heartily unite with the friends of liberty in *Boston* in support of the common cause.

That infinite wisdom may direct and preserve all the Colonies, is the ardent prayer of, &c., &c.

COMMITTEE OF PORTSMOUTH, NEW-HAMPSHIRE, TO THE COMMITTEE OF BOSTON.

Extract.

Portsmouth, May 19, 1774.

We think the late Act of Parliament, to shut up the port of *Boston*, of the most extraordinary nature, and fatal tendency. Administration are taking every method to disunite the Colonies, thereby to render the noble opposition to their arbitrary and destructive measures abortive. We hope a firm union of all the Colonies will still subsist, and that such a plan may be devised, and resolutely pursued by all as may prevent the cruel effects of this Act.

We heartily sympathize with you under your present difficult and alarming situation; and we will exert ourselves to carry any plan into effect which may be concerted by the Colonies for the general relief. We sincerely wish you resolution and prosperity in the common cause; and shall ever view your interest as our own. And are with the highest esteem, &c.

Williamsburg, Virginia, May 19, 1774.

The following Letter is supposed to be written by Mr. *Edmund Burke*, of the House of Commons.

To the Right Honourable Lord NORTH:

MY LORD: As questions of the highest national importance are now to be decided, and as measures pregnant with danger and ruin are meditated, permit an *American* to relate a few historical facts, which merit your most serious attention. This is probably the only address you will receive on behalf of the Colonies; when, friends, convinced of the efficacy of reason or truth in the present contest, have resolved to leave the *British* Government, to gain wisdom by the more certain, but expensive means of unhappy experience; concluding, that the consequences which must result from one hostile effort against *America*, will produce more conviction than volumes of argument. But as the public papers have been for some weeks abandoned to those incendiaries who wish to spread carnage and devastation through *America*, I shall make one solitary attempt to frustrate their hopes, and vindicate the claims of the Colonies.

At the discovery of *America*, no person imagined any part of that Continent to be within the Realm of *England*, which was circumscribed within certain known and established limits. Whatever was the title of the Kings of *England*, at that time, to any share of *America*, it must have been an acquired title: and the Sovereign then had, and still has, an undoubted prerogative right, to alienate for ever from the Realm without consent of Parliament, any acquisition of foreign territory. This right has been constantly exercised by the Kings of *England*, at almost every treaty of peace, and at the sale of *Dunkirk*, &c., and it was particularly manifested by the Act for annexing *Gibraltar* to the Realm. Conformable to this prerogative right King *James* the First, and *Charles* the First, did alienate unto certain persons large territories in *America*, and by the most solemn compacts, did form them into separate civil States, with all the powers of distinct legislation and Government; particularly those of making peace and war, coining money, pardoning crimes, comferring titles and dignities, erecting and incorporating boroughs and cities, establishing ports, harbours, &c., with a grant and release of all subsidies and customs, to be levied within the same, and an express exemption from foreign taxation. This is evident from the most ancient Charters of *Virginia* and *Massachusetts Bay*, but especially from that of *Maryland*, which I have particularly stated in another performance. From these charters it manifestly appears to have been the Royal intention, to form these Colonies into distinct States like *Jersey*, *Guernsey*, *Isle of Man*, &c., dependent on the Crown, but not on the Parliament of *England*; and conformable to this intention, we find that when a bill was several times brought into the House of Commons, to secure the people of *England* a liberty of fishing on the coasts of *America*, messages were sent to the Commons by those Monarchs, requiring them to proceed no further in the matter, and alleging that "*America* was without the "Realm and jurisdiction of Parliament;" and on this principle the Royal assent was withheld, during all those reigns, from every bill affecting the Colonies. These and other facts, which appear on the journals of Parliament, joined to the charters of the Colonies, fully demonstrate that they were really and intentionally created distinct States, and exempted from the authority of Parliament. And their inhabitants having on the faith of such fundamental terms and conditions, accepted, cultivated, and improved the territories thus granted, have an indefeasible right to maintain and enjoy the privileges so acquired; and nothing but an act of union, made with their own consent, can annex them to the Realms, or subject them to its Legislature.

The right of the Crown to alienate the soil of the Colonies, has not been disputed; but the right of exempting their inhabitants from the jurisdiction of Parliament, has been denied without cause. *Allegiance and subjection* are due from a people to their Sovereign; but the allegiance of subjects to subjects, is an absurdity unknown to the laws of this Kingdom. The freedom of *Britains* consists in this, that they participate the power of making those laws by which they are governed; and wherever this freedom is enjoyed, the Legislative power must necessarily be confined to those who partake of it, either in person or delegation. So long as the people of *America* resided within the Realm, shared in its Government, and were protected by it, so long they were necessarily bound to obey, and support that Government; but when, by the consent of their Sovereign, they migrated to *Ireland* and *America*, though they continued within the King's allegiance, yet ceasing to participate or enjoy the Legislative power of this Realm, the operation of that power over them necessarily terminated; and nothing more was necessary to emancipate the people of *America* from the authority of Parliament, than to permit them to leave the Realm; which nobody will deny the King's right of doing; and should the people of *England*, by their Delegates, continue to exercise the powers of legislation and taxation upon the Colonies, after such separation from the Realm, they must exalt themselves to the sovereignty of *America*, and render the inhabitants of that country the *subjects* of *subjects*; a condition, more humiliating than those of the *Spartan Helotes*; for if a people be subject to any supreme power, in which

Digitized by Google

they have no pacticipation, whether it be legal in a single person, or in thousands, the power is *despotism*, and the subjects of it are *slaves*.

After the death of King *Charles* the First, the Commonwealth Parliament, which usurped the rights of the Crown, naturally concluded, that by those rights they had acquired some kind of supremacy over the Colonies of *America;* the people of *New England*, had indeed approved their proceedings, and were therefore left without any exercise of such supremacy by the Commonwealth Parliament; but *Virginia*, and other places, having held out for the King, were reduced by force; and the conditions on which they submitted, clearly discover that the supremacy, claimed by this Parliament, was no more than *nominal*.

The Articles of the Treaty were as follow:

" 1st. The Plantation of *Virginia*, and all the inhabitants thereof, shall be and remain in due subjection to the Commonwealth of *England;* not as a conquered country, but as a country submitting by their own voluntary act: and shall enjoy such freedoms and privileges as belong to the free people of *England*.

" 2d. The General Assembly, as formerly, shall convene and transact the affairs of the Colony.

" 3d. The people of *Virginia* shall have a free trade, as the people of *England*, to all places, and all nations.

" 4th. *Virginia* shall be free from all taxes, customs, and impositions whatsoever, and none shall be imposed on them, without the consent of their General Assembly; and that neither forts nor castles shall be erected, nor garrisons maintained, without their consent."

From hence your Lordship may discover, that the rights of the Colonies, in those early days, were acknowledged; and that even those who had brought a Monarch to the scaffold, had the moderation and justice to *respect*, and preserve those rights. Nor did the *Virginians* esteem the privileges granted by this treaty as any valuable acquisition; for (considering themselves as a *distinct State*) they in *January*, 1659, invested *Sir William Berkley* with the Government, and proclaimed *Charles* the Second King of *England*, *Scotland*, *France*, *Ireland*, and *Virginia*, some time before his restoration to *England*.

After the restoration, the Act of Navigation, and that of fifteenth of *Charles* Second, were passed; but these I have fully considered in another place; as also that of the twenty-fifth of the same reign, which for the regulation of Commerce (as the preamble expresses) first laid duties on certain articles in the Colonies. This, however, was held to be such an infringement of their rights, that a general revolution ensued in *Virginia*, and the King's Governour was deposed; and when after *Bacon's* death, this insurrection subsided, agents were sent to *England*, to remonstrate "against taxes and impositions being laid on the Colony "by any authority but that of the General Assembly." And this remonstrance produced a declaration from the King, under the privy seal, dated the 19th of *April*, 1676, declaring "that taxes ought not to be laid upon the pro-"prietors and inhabitants of the Colony, but by the com-"mon consent of the General Assembly, except such "impositions as the Parliament should lay on the com-"modities *imported into England*, from the Colony." And though the duties which had given rise to this remonstrance and declaration were not wholly repealed until some time after, yet when a supply was wanted for the support of Government in *Virginia*, the King, in 1679, framed (in *England*) an Act for the purpose, and sent it thither by Lord *Colepeper* when it was passed into a law, and "enacted, by the King's most excellent Majesty, by "and with the consent of the General Assembly of the "Colony of *Virginia*, &c." Here we see the Sovereign naming himself as a part of the Legislature of that Province, and thereby manifesting that he considered it as a *supreme Legislature*. For if the Colonies be a part of the Realm it is a violation of the great Charter of King *John* and the bill and Declaration of Rights, for the King personally, or by his Governours, to join any other Assembly than the Parliament, in any act for raising money from them; it is to subject them to complex taxations, which are repugnant to the *British* Constitution.

In the year 1663 the Territory of *Carolina* was erected into a Principality, with the powers of a distinct state; and so jealous were the Lords Proprietaries of these privileges, that they even denied the King's right of appointing a Vice Admiral therein, for trying offences committed without the Principality: and *Joseph Morton*, the Governour, was dismissed from the Government for having accepted a commission of Vice Admiral from the King.

In 1691, when the new Charter of *Massachusetts Bay* was granted by King *William*, the agents thought it not adequate to the deserts and expectations of the Province, and were unwilling to accept it. This, however, the majority of them, after consulting the most able lawyers, resolved to do, and in justification of their conduct subscribed an instrument containing the reasons of it. The last article of which will shew the idea then entertained of the rights of that Province: "The Colony," say these gentlemen, "is now made a Province, and the General Court has, "with the King's approbation, as much power in *New* "*England*, as the King and Parliament have in *England*. "They have all *English* privileges and liberties, and can "be touched by *no law* and by *no tax*, but of their own "making." Nor had the people of *New England* any reason to alter this opinion of their rights until since the conclusion of the last war; no imposition upon them having in that long interval been attempted by Parliamentary authority. There are many other facts which might be adduced to the same purport; but these will suffice to shew that the claim of the Colonies to the privileges of distinct Legislation and Government, and to an exemption from Parliamentary taxation, are not new, as some have ignorantly or wickedly pretended. They will also shew, that from the earliest years of their settlement the rights of the Colonies have been known, and with but little variation have been acknowledged, respected, and maintained, even by the Legislature of this country, and the few instances which have happened to the contrary, may be considered as usurpations of the strong against the weak; and "*quod ab initio injustum est, nullum potest* "*habere juris effectum.*"—*Grotius.*

There are other grounds, however, on which the adversaries of the Colonies have chosen to manage this contest; and upon these grounds I shall meet them in my next.

I am, my Lord, yours, &c., &c. E. B.

FROM A MEMBER OF THE VIRGINIA ASSEMBLY TO HIS CORRESPONDENT IN LONDON.

Extract.

Williamsburg, May 20, 1774.

Infinite astonishment, and equal resentment, has seized every one here on account of the war sent to *Boston*. It is the universal determination to stop the exportation of tobacco, pitch, tar, lumber, &c., and to stop all importation from *Britain* while this act of hostility continues. We every day expect an express from *Boston*, and it appears to me incontestably certain, that the above measures will be universally adopted. We see with concern, that this plan will be most extensively hurtful to our fellow-subjects in *Britain;* nor would we have adopted it, if *Heaven* had left us any other way to secure our *liberty*, and prevent the total ruin of ourselves and our posterity to endless ages. A wicked Ministry must answer for all the consequences. I hope the wise and good on your side will pity and forgive us. The House is now pushing on the public business for which we were called here at this time; but before we depart our measures will be settled and agreed on. The plan proposed is extensive; it is wise, and I hope, under *God*, it will not fail of success. *America* possesses virtue unknown and unfelt by the abominable sons of corruption who planned this weak and wicked enterprise.

At a Meeting of between two and three hundred of the respectable Inhabitants of the City of *Philadelphia*, at the City Tavern, on *Friday* evening, *May* 20th, 1774, the Letters from the *Boston* Committee were read: when it was

Agreed, That a Committee be appointed to correspond with our sister Colonies.

That *John Dickinson*, Esq., *William Smith*, D. D.,* *Edward Pennington*,* *Joseph Fox*, *John Nixon*,* *John M. Nesbit*, *Samuel Howell*,* *Thos. Mifflin*,* *Jos. Reade*, *Thomas Wharton*, Jun., *Benjamin Marshall*, *Joseph*

Digitized by Google

Moulder,* *Thomas Barclay*,* *George Clymer*,* *Charles Thomson*,* *Jeremiah Warder*, Jun.,* *John Cox*,* *John Gibson*,* and *Thomas Penrose*, compose the Committee of Correspondence until an alteration is made by a more general meeting of the inhabitants.

That the Committee be instructed to write to the people of *Boston*, that we truly feel for their unhappy situation. That we consider them as suffering in the general cause; that we recommend to them firmness, prudence and moderation; and that we shall continue to evince our firm adherence to the cause of *American* liberty.

That the above resolutions be transmitted by the Committee to the other Colonies.

That the Committee be instructed to apply to the Governour to call the Assembly of the Province.

That they be authorized to call a meeting of the inhabitants when necessary.

On the day following, these gentlemen of the Committee whose names are marked thus, * having met, the following letter was drawn up and signed by them, to be immediately forwarded by Mr. *Paul Revere* to *Boston*. Copies of it were transmitted to *New-York*, and most of the Southern Colonies. The gentlemen of the Committee who did not attend at the first meeting were prevented by necessary business, but the proceedings of that meeting have been since fully approved by them.

—

A Letter from the Committee of the City of *Philadelphia* to the Committee of *Boston*, sent by Mr. *Paul Revere*, dated *May* 21st, 1774:

GENTLEMEN: We have received your very interesting letter, together with another from the town of *Boston*, and the vote they have passed on the present alarming occasion; and such measures have been pursued thereon as the shortness of the time would allow. To collect the sense of this large city is difficult; and when their sense is obtained they must not consider themselves as authorized to judge or act for this populous Province in a business so deeply interesting as the present is to all *British America*.

A very respectable number of the inhabitants of this city was, however, assembled last evening, in order to consult what was proper to be done, and after reading the sundry papers you transmitted to us, and also a letter from the Committee of Correspondence at *New-York*, the enclosed resolves were passed, in which you may be assured we are sincere, and that you are considered as suffering in the general cause. But what further advice to offer on this sad occasion, is a matter of the greatest difficulty, which not only requires more mature deliberation, but also that we should take the necessary measures to obtain the general sentiments of our fellow-inhabitants of this Province, as well as our sister Colonies. If satisfying the *East India* Company for the damage they have sustained would put an end to this unhappy controversy, and leave us on the footing of constitutional liberty for the future, it is presumed that neither you nor we could continue a moment in doubt what part to act; for it is not the value of the tea, but the indefeasible right of giving and granting our own money; a right from which we never can recede. That is the matter now in consideration.

By what means the truly desirable circumstance of a reconciliation and future harmony with our mother country on constitutional grounds may be obtained, is indeed a weighty question. Whether by the method you have suggested of a non-importation and non-exportation agreement, or by a general Congress of Deputies from the different Colonies, clearly to state what we conceive our rights, and to make a claim or petition of them to his Majesty, in firm, but decent and dutiful terms, so as that we may know by what line to conduct ourselves in future, we now the great points to be determined. The latter, we have reason to think, would be most agreeable to the people of this Province, and the first step that ought to be taken; the former may be reserved as our last resource, should the other fail, which, we trust, will not be the case, as many wise and good men in the mother country begin to see the necessity of a good understanding with the Colonies upon the general plan of liberty as well as commerce.

We shall endeavour, as soon as possible, to collect the sentiments of the people of this Province, and the neighbouring Colonies, on these grand questions, and should also be glad to know your sentiments thereon; in the mean time, with sincere fellow-feelings of your sufferings, and great regard to your persons, we are, gentlemen,

Yours, &c., &c.

—

GOUVERNEUR MORRIS TO MR. PENN.

New-York, May 20th, 1774.

DEAR SIR: You have heard, and you will hear, a great deal about politics, and in the heap of chaff *you* may find some grains of good sense. Believe me, sir, freedom and religion are only watchwords. We have appointed a Committee, or rather we have nominated one. Let me give you the history of it. It is needless to premise, that the lower orders of mankind are more easily led by specious appearances than those of a more exalted station. This, and many similar propositions, you know better than your humble servant.

The troubles in *America*, during *Grenville's* administration, put our gentry upon this finesse. They stimulated some daring coxcombs to rouse the mob into an attack upon the bounds of order and decency. These fellows became the *Jack Cades* of the day, the leaders in all the riots, the belwethers of the flock. The reason of the manœuvre in those who wished to keep fair with the Government, and at the same time to receive the incense of popular applause, you will readily perceive. On the whole, the shepherds were not much to blame in a politic point of view. The belwethers jingled merrily, and roared out liberty, and property, and religion, and a multitude of cant terms, which every one thought he understood, and was egregiously mistaken. For you must know the shepherds kept the dictionary of the day, and, like the mysteries of the ancient mythology, it was not for profane eyes or ears. This answered many purposes; the simple flock put themselves entirely under the protection of these most excellent shepherds. By and bye behold a great metamorphosis, without the help of *Ovid* or his divinities, but entirely effectuated by two modern Genii, the god of Ambition and the goddess of Faction. The first of these prompted the shepherds to shear some of their flock, and then, in conjunction with the other, converted the belwethers into shepherds. That we have been in hot water with the *British* Parliament ever since every body knows. Consequently these new shepherds had their hands full of employment. The old ones kept themselves least in sight, and a want of confidence in each other was not the least evil which followed. The port of *Boston* has been shut up. These sheep, simple as they are, cannot be gulled as heretofore. In short, there is no ruling them; and now, to leave the metaphor, the heads of the mobility grow dangerous to the gentry, and how to keep them down is the question. While they correspond with the other Colonies, call and dismiss popular assemblies, make resolves to bind the consciences of the rest of mankind, bully poor printers, and exert with full force all their other tribunitial powers, it is impossible to curb them.

But art sometimes goes farther than force, and, therefore, to trick them handsomely a Committee of patricians was to be nominated, and into their hands was to be committed the majesty of the people, and the highest trust was to be reposed in them by a mandate that they should take care, *quod respublica non capiat injuriam*. The tribunes, through the want of good legerdemain in the senatorial order, perceived the finesse; and yesterday I was present at a grand division of the city, and there I beheld my fellow-citizens very accurately counting all their chickens, not only before any of them were hatched, but before above one half of the eggs were laid. In short, they fairly contended about the future forms of our Government, whether it should be founded upon aristocratic or democratic principles.

I stood in the balcony, and on my right hand were ranged all the people of property, with some few poor dependants, and on the other all the tradesmen, &c., who thought it worth their while to leave daily labour for the good of the country. The spirit of the *English* Constitution has yet a little influence left, and bu a little. The remains of

Digitized by Google

it, however, will give the wealthy people a superiority this time, but would they secure it they must banish all schoolmasters and confine all knowledge to themselves. This cannot be. The mob begin to think and to reason. Poor reptiles! it is with them a vernal morning; they are struggling to cast off their winter's slough, they bask in the sunshine, and ere noon they will bite, depend upon it. The gentry begin to fear this. Their Committee will be appointed, they will deceive the people, and again forfeit a share of their confidence. And if these instances of what with one side is policy, with the other perfidy, shall continue, to increase, and become more frequent, farewell aristocracy. I see, and I see it with fear and trembling, that if the disputes with *Great Britain* continue, we shall be under the worst of all possible dominions; we shall be under the domination of a riotous mob.

It is the interest of all men, therefore, to seek for reunion with the parent State. A safe compact seems, in my poor opinion, to be now tendered. Internal taxation is to be left with ourselves. The right of regulating trade to be vested in *Great Britain*, where alone is found the power of protecting it. I trust you will agree with me, that this is the only possible mode of union. Men by nature are free as air. When they enter into society, there is, there must be, an implied compact, for there never yet was an express one, that a part of this freedom shall be given up for the security of the remainder. But what part? The answer is plain. The least possible, considering the circumstances of the society, which constitute what may be called its political necessity.

And what does this political necessity require in the present instance? Not that *Britain* should lay imposts upon us for the support of Government, nor for its defence; not that she should regulate our internal police. These things affect us only. She can have no right to interfere. To these things we ourselves are competent. But can it be said that we are competent to the regulating of trade? The position is absurd, for this affects every part of the *British* Empire, every part of the habitable earth. If *Great Britain*, if *Ireland*, if *America*, if all of them are to make laws of trade, there must be a collision of these different authorities, and then who is to decide the *vis major?* To recur to this, if possible to be avoided, is the greatest of all great absurdities.

Political necessity, therefore, requires, that this power should be placed in the hands of one part of the Empire. Is it a question which part? Let me answer by taking another. Pray, which part of the Empire protects trade? Which part of the Empire receives almost immense sums to guard the rest? And what danger is in the trust? Some men object that *England* will draw all the profits of our trade into her coffers. All that she can, undoubtedly. But unless a reasonable compensation for his trouble be left to the merchant here, she destroys the trade, and then she will receive no profit from it.

If I remember, in one of those kind letters with which you have honoured me, you desire my thoughts on matters as they rise. How much pleasure I take in complying with your requests let my present letter convince you. If I am faulty in telling things which you know better than I do, you must excuse this fault, and a thousand others, for which I can make no apology. I am, sir, &c.

Mr. *Penn*. GOUVERNEUR MORRIS.

Newport, Rhode Island, May 20, 1774.

At a town meeting, called and held at *Newport*, in the Colony of *Rhode Island*, the 20th day of *May*, 1774:

HENRY WARD, Esq., *Moderator*.

Voted, That we have the deepest sense of the injuries done to the town of *Boston*, by the Act of Parliament lately passed for putting an end to their trade, and destroying the port. And that we consider this attack upon them as utterly subversive of *American* liberty; for the same power may at pleasure destroy the trade, and shut up the ports of every Colony in its turn; so that there will be a total end of all property.

Voted, That we will unite with the other Colonies in all reasonable and proper measures to procure the establishment of the rights of the Colonies upon a just and permanent foundation; and particularly, in case the other Colonies shall, upon this alarming occasion, put a stop to their trade to *Great Britain* and the *West Indies*, that we will heartily join with them in the measure.

Voted, That the Committee of Correspondence for this town, immediately transmit a copy of these resolutions to the Committee of Correspondence for the town of *Boston*.

Voted, That the Committee of Correspondence of this town immediately send a copy of the above resolutions to each town in this Colony.*

WILLIAM CODDINGTON, *Town Clerk*.

GENERAL GAGE TO GOVERNOUR TRUMBULL.

Boston, May 20th, 1774.

SIR: His Majesty having judged fit to order me to return to my command of his forces in *North America*, and also to appoint me to be Governour of his Province of the *Massachusetts Bay*, I think it necessary to acquaint you therewith, and at the same time to assure you of my readiness to co-operate with you in all matters that concern the good of his Majesty's service, and the welfare of his subjects.

I have the honour to be, with great regard, sir, your most obedient humble servant,

THOMAS GAGE.

To the Honourable *John Trumbull*, &c.

EXTRACT OF A LETTER TO SUNDRY GENTLEMEN IN NEW-YORK.

Boston, May 21, 1774.

On receipt of your letter by express, on advice of the late tyrannical Acts of Parliament, we of the Committee specially assembled, and feasted on the welcome repast. A general joy spread through the whole city, who had the most pleasing resentment of the noble and patriotic generosity of our worthy brethren in *New-York*, who even prevented our solicitations for assistance. We are in the most assiduous and vigorous motion here. We have sent circular letters to every town and district in the Province; and though we have not had time to receive answers from distant towns, we have this day received from an inland town a full declaration of their resolution to stand by us with their lives and fortunes: another topic for *Wedderburne* to harangue upon. The *British* merchants themselves have already began to anticipate our non-importation agreement, which will be confirmed by a brig which sailed yesterday for *London*, with countermands and letters enough expressive of the general sense of the Colonies, as far as we have been able to collect it.

The friends of Government (or rather despotism) here, finding their patron *Hutchinson* in the deepest distress, have been handing about an address to him, applauding his virtue and public spirit, declaring his letters quite harmless, and imploring his interposition with his Majesty on their behalf; at least that the port may be opened; some of them have talked loudly of giving largely to the sum proposed to be raised by them to compensate the *East India* Company's loss in their tea; but this project drags heavily, though Mr. *Hutchinson* sent word to the town, that in case they would pay only the first cost of the tea, he would engagethat every thing else should be made easy. They absolutely tremble with a dread of the junction of the Colonies, and a suspension of the trade with *Great Britain*, which, at this critical season, must bury the authors of this complicated, treasonable conspiracy against the peace and security of the nation, in the ruins of their own scheme.

It is given out here, by some of the crew, that your Chamber of Commerce have written letters to Captain *Chambers*, offering, if he will be easy, and return, they will

* The above votes were passed in a very full meeting, and it is with great pleasure we inform the public that there never appeared a more universal spirit, firmness, and determined resolution, to stand by and support our brethren of *Boston* against the diabolical Ministerial plan of slavery, there being but one or two hands held up against every thing bearing the least imaginable appearance of liberty. It is proposed that a number of gentlemen immediately form a company for carrying on the woollen manufacture in this Colony in the most extensive manner, there being quite wool enough raised here to clothe all the inhabitants.

Digitized by Google

pay him for his tea, and provide him the command of a good ship, but this report gains no credit here.

Philadelphia, May 23, 1774.

By intelligence from *Pittsburg* of the 1st of *May*, we learn that about the 26th of *April*, as one *Stephens*, with two *Indians*, (a *Shawanese* and a *Delaware*,) were going down the *Ohio* in a canoe, (that had been a few days before robbed by three men and a woman of the *Cherokee* nation, after they had killed one white man, and wounded another,) he discovered a canoe with people near *Whaling*, coming up the river, which he suspected to be *Indians*, and strove to avoid them by making towards the opposite shore, when they were fired upon twice, and the two *Indians* in his canoe killed; but he could not perceive who it was that fired, as the enemy lay concealed in the bushes. He then threw himself into the river, and observed the canoe that was coming up to contain white men. He made towards it, and found therein Colonel *Michael Cresap*, and some other men, who pretended entire ignorance of his misfortune, although he, the said *Stephens*, declares, that, from several circumstances, he suspects the murder was committed by persons in confederacy with *Cresap*, as he heard him threaten to put every *Indian* to death he should meet with on the river; and that if he could get a number of men together sufficient for the undertaking, he was determined to mark a small *Indian* village on *Yellow Creek*.

We also learn, that Major *Macdonald*, of *Virginia*, on his return to *Pittsburg* from the *Big Runaway*, gives account that a skirmish had happened between some *Virginians* and *Indians*, in which some were killed on both sides, which had occasioned the surveyors and grantees of land from that Colony to return; and that on his way to *Pittsburg*, on the 27th of *April*, he stopped at the house of Colonel *Cresap*, near *Whaling*, where one *Mahon* came and informed that fourteen *Indians*, in five canoes, had called at his house going down the river, and asked him for provisions, which he refused, telling them that two of their brethren, the day before, had been killed by the white people, which these *Indians* heard nothing of before, and proceeded down the river. That, upon this news, *Cresap* collected fifteen men, followed and overtook them at the mouth of a small creek, where they had hauled up the canoes, and were waiting with expectation of being attacked as a consequence of what they had heard. That *Cresap*, spying the canoes, fired among them, upon which a skirmish ensued: and the *Indians* retired after the loss of one man on each side, and left in the canoes sixteen kegs of rum, and some saddles and bridles.

Captain *Crawford*, and Mr. *Neville*, of *Virginia*, from *Pittsburg*, informed, that about the 3d instant, in their way there, they met a number of the inhabitants moving off their places, and with them a party who produced several *Indian* scalps, and said they got them as follows: "That a number of *Indians* encamped at the mouth of *Yellow Creek*, opposite to which two men named *Greathouse* and *Baker*, with some others, had assembled themselves, at a house belonging to the said *Baker*, and invited two men and two women of the *Indians* over the creek to drink with them, when, after making them drunk, they killed and scalped them; and two more *Indian* men then came over, who met with the like fate. After which six of their men came over to seek their friends, and on approaching the bank where the white men lay concealed, perceived them, and endeavoured to retreat back, but received a fire from the shore, which killed two *Indians*, who fell in the river; two fell dead in the canoe, and a fifth was so badly wounded that he could hardly crawl up the bank." Among the unfortunate sufferers was an *Indian* woman, wife to a white man, one of the traders; and she had an infant at her breast, which these inhuman butchers providentially spared and took with them. Mr. *Neville* asked the man who had the infant if he was not near enough to have taken its mother prisoner without killing her? He replied, that he was about six feet from her when he shot her exactly in the forehead, and cut the hoppase with which the child's cradle hung at her back; and he thought to have knocked out its brains, but remorse prevented him, on seeing the child fall with its mother. This party further informed them, that after they had killed these *Indians* they ran off with their families, and that they thought the whole country was fled, as *Cresap*, who was the perpetrator of the first offence, was then also on his way to *Redstone*.

Address of the Episcopal Ministers and Wardens in BOSTON, *to Governour* HUTCHINSON, *presented* MONDAY, MAY 23, 1774, *at the Castle.*

SIR: The Ministers of the Episcopal Churches in *Boston*, and the neighbouring towns, with as many of the Wardens as could conveniently attend, hearing of your intention to embark in a short time for *England*, beg leave to express our unfeigned gratitude for your generous attention, and unwearied application to the important interests of this Province, in which your wisdom and integrity have been equally conspicuous. If any of our fellow-citizens have viewed your administration in a less favourable light, we are persuaded it must be owing to some misapprehension of your Excellency's intentions. But that which falls more immediately within our province, is the regard you have always paid to the interests of religion, and the favourable notice you have taken of the Church of *England* within your Government. Be pleased, sir, to accept this sincere testimony of our respect and gratitude, together with our earnest prayers that the divine blessing may attend you through the remaining stages of your life, and reward you with an eternity of happiness in the life to come.

To which his EXCELLENCY *was pleased to return the following Answer:*

GENTLEMEN: Whatever favourable notice I may have taken of the Church of *England*, the grateful return you have made in this mark of respect, is alone an ample reward, and will be an additional inducement to me, in whatever station I may be the remaining part of my life, sincerely to wish your prosperity, and to contribute every thing in my power to the advancement of the interest of religion among you.

Address of the Justices of the Court of General Sessions of the Peace, for the County of SUFFOLK, *in* MASSACHUSETTS, *to his Excellency Governour* GAGE. *Presented on* TUESDAY, MAY 24, 1774.

Province of MASSACHUSETTS BAY:

To his Excellency the Honourable THOMAS GAGE, *Esq., Governour, Commander-in-chief, and Vice Admiral of said Province, and Lieutenant General of his Majesty's Forces in* NORTH AMERICA:

SIR: The Justices of his Majesty's Court of General Sessions of the Peace for the county of *Suffolk*, are happy in having an opportunity before the close of the present term, at once to testify their loyalty to the King, and to pay your Excellency their dutiful respects, on your advancement to the Chair of Government in this Province.

The appointment of a gentleman of your Excellency's eminence and character, we esteem as a mark of the royal favour; we flatter ourselves that it will be acceptable to the people over whom you preside, as it may afford them encouragement that the powers with which you are invested, will invariably be applied to the promotion of their peace and prosperity, and thereby they may lose the remembrance of their former troubles.

We are sensible that the cares of Government are at all times burthensome, and more peculiarly so when increased by any public dissentions. We therefore wish your Excellency that wisdom which is from above, to direct you in every department both of office and duty, and that under your auspices the people of your charge may ever enjoy the benefits resulting from a just and due execution of the laws, even security to their persons and property, and the happiness of *British* subjects.

The administration of justice, we consider as the principal duty of Kings; in this view, conformable to our duty, we would tender to your Excellency the earliest assurances that the Executive powers wherewith we are intrusted, by our commission, shall in all respects be employed for the preservation of the peace and good order of this county; and that both as citizens and Magistrates, we will afford

Digitized by Google

every assistance in our power, towards rendering your Excellency's administration easy and happy to yourself, and effective of the most permanent tranquillity and welfare of this community.

To which Address his EXCELLENCY *was pleased to return the following Answer:*

GENTLEMEN: The loyalty you express to the King, and your kind Address to me on my appointment to this Government, claim my warmest acknowledgments.

I receive the greatest satisfaction in the assurances you give of your intentions towards the preservation of the peace and welfare of the community, and return you thanks for the assistance you offer to render my administration easy and happy.

I beg you to believe, that as it is my duty, so it is my inclination to give a close attention to the administration of justice, and the due execution of the laws; and that I shall exert every power lodged in my hands, for the protection of his Majesty's subjects, that every individual may enjoy the blessings peculiar to a *British* Constitution, by being secured both in his person and property.

FROM PHILADELPHIA TO THE BOSTON COMMITTEE.

Extract.

Philadelphia, May 24, 1774.

We lament with you the distress of *Boston*, and think *Great Britain* must be out of her senses. We are fully sensible your cause is the common cause of all the Colonies; we must have a push for it, with all our strength against the whole strength of *Great Britain;* by sea they will beat us; by land, they will not attempt us; we must try it out in a way of commerce.

1st. By suspending all trade with *Great Britain*, we can lessen the revenue of the Crown near a million sterling per annum.

2d. By suspending all trade with the *West Indies*, we can starve them and ruin their plantations; by withholding our provisions and lumber, in six months, which will stop the four and a half per cent to the Crown, ruin a great number of merchants in *London*, who are concerned in the *West Indies*, and deliver us from the slow poison we usually import from thence.

3d. By withholding flax-seed from *Ireland*, we can ruin the linen manufactory in twelve months. This will reduce about three hundred thousand people to a want of employ; which, with near an equal number of *British* manufacturers in *Great Britain* reduced to the same state, will soon muster tumults enough to fill their hands and hearts at home, for there is no satisfying starving people, but by killing or feeding them.

These are the means we are coolly deliberating; we have other things in contemplation; as stopping our ports entirely, and laying up all our shipping; and some other things; we shall try to convene a general Congress of all the Colonies as soon as may be. May *God* give wisdom and firmness, prudence, and patience, in this time of trial.

Talbot Court House, Maryland, May 24, 1774.

Alarmed at the present situation of *America*, and impressed with the most tender feelings for the distresses of their brethren and fellow-subjects in *Boston*, a number of gentlemen having met at this place, took into their serious consideration the part they ought to act, as friends to liberty, and to the general interests of mankind.

To preserve the rights, and to secure the property of the subject, they apprehend is the end of Government. But when those rights are invaded—when the mode prescribed by the laws for the punishment of offences, and obtaining justice, is disregarded and spurned; when, without being heard in their defence, force is employed, and the severest penalties are inflicted; the people, they clearly conceive, have a right not only to complain, but likewise to exert their utmost endeavours to prevent the effect of such measures as may be adopted by a weak or corrupt Ministry to destroy their liberties; deprive them of their property; and rob them of their dearest birth-right as *Britons*.

Impressed with the warmest zeal for, and loyalty to their most gracious Sovereign; and with the most sincere affection for their fellow-subjects in *Great Britain*, they are determined calmly and steadily, to unite with their fellow-subjects in pursuing every legal and constitutional measure, to avert the evils threatened by the late Act of Parliament for shutting up the port and harbour of *Boston;* to support the common rights of *America;* and to promote that union and harmony between the mother country and her Colonies, on which the preservation of both must finally depend.

I. TO THE INHABITANTS OF THE BRITISH COLONIES IN AMERICA.

Philadelphia, May 24, 1774.

BRETHREN: Divine Providence has been pleased to place us, in this age and country, under such circumstances as to be reduced to the necessity of choosing one of these conditions: either to submit to the dominion of others holding our lives, liberties, and properties, by the *precarious tenure* of their will; or, to exert that understanding, resolution, and power, with which Heaven has favoured us, in striving to maintain our rank in the class of freemen.

The importance of these objects is so immensely great, and the treatment of one of these Colonies so extremely alarming, as to call for your most earnest and immediate consideration.

The subject of the present dispute between *Great Britain* and us is so generally understood, that to enlarge upon it is needless. We know the extent of her claims; we begin to feel the enforcement of those claims; we may foresee the consequences of them; for, reason teaching us to infer actions from principles, and events from examples, should convince us what a perfection of servitude is to be fixed on us and our posterity; I call it perfection, because the wit of man, it is apprehended, cannot devise a plan of domination more completely tending to bear down the governed into the lowest and meanest state in society, than that now meditated, avowed, and in part executed on this Continent.

If this system becomes established, it may with truth be said of the inhabitants of these Colonies, "that they hold "their lives, liberties, and properties, by the precarious "tenure of the will of others."*

Allowing the danger to be real at the prospect of so abject and so lasting a subjection, what must be the sentiments of judicious and virtuous *Americans?* They will quickly determine whether the first part of the alternative should be adopted.

Here arguments would be absurd; not more ridiculous would be an attempt to prove vice preferable to virtue; the climate of *St. Vincent* more pleasant than that of *Pennsylvania;* the natives of *Indostan*, under the Government of the *East India* Company, as happy as *English* freeholders; or the inhabitants of *Great Britain* more loyal subjects than those of the Colonies.

That liberty is inestimable, and should if possible, be preserved, you *know*. To pretend to convince you of the truth of the former proposition, or of the duty of the latter, would be to insult you. You must be; you are resolved to observe the most proper conduct for securing your best and dearest interests. What that may be, deserves, demands, your closest attention, your calmest deliberation.

On this head, I venture to submit some observations to your consideration. I am by every tie of interest and duty an *American;* and, unless my heart deceives me, I am an *American* in affection; my fortunes, hopes, and wishes are bound up in your prosperity; with my countrymen I must mourn or rejoice; and therefore, though I am perfectly sensible I cannot present to them reflections arising from great abilities, or extensive learning, and adorned by elegance of composition; yet, I trust they will lend a careful and candid attention to plain thoughts; dictated by honest intentions, and a participation of afflictions. Aiming solely at your welfare, and not at the trifling reputation of a writer, far be from me, the over-weening presumption that my opinions are free from errour; conscious of my frailties, I desire those opinions to be severely examined; the correction of them will confer a real obligation upon

* "*Non nobis nati sumus.* It is for our posterity we desire to pro-"vide—that they may not be in worse case than villains. For a *free-"man* to be a *tenant at will* for his *liberty!* I will not agree to it. It "is a tenure not to be found in all *Littleton.*"—*Speech of Sir* EDWARD COKE, *Lord Chief Justice.—Par. His. Vol.* 8. *p.* 61.

Digitized by Google

me, if it serves my country; and happy shall I esteem myself, if the detection of my mistakes shall open to you a clear view of the most expedient measures to be pursued.

There are some men who say that the late Act of Parliament, abolishing the privileges of the port of *Boston*, was occasioned by the particular imprudence of the inhabitants, and in no manner concerns the other Colonies.

To form a true judgment on this point, it will be proper to take a short review of some other transactions.

Great Britain, triumphant by your assistance in the late war, found at the conclusion of it, by a peace hastily bestowed on her haughty and hereditary foes, her Dominions enlarged; her fleets formidable; her armies disciplined; her trade flourishing; her enemies intimidated and exhausted; her Colonies thriving, affectionate, and dutiful.

The cup of prosperity large and full, courted her lips. Deep she drank of the enchanted beverage, as if the vessel like the cruise of *Serepta's* widow, could not fail; after a short but feverish repose she roused herself, may I say, as one of *Homer's* giants; a race,

"By whom no statutes and no rights were known,"

to injure those that never injured her. She had conquered her enemies; that, other Kingdoms had done. Should no exploits of a more transcendent energy illustrate the annals of *George* the Third? no achievements so shockingly great and advantageous, that even the pensioned historians of the animated era must weep in tracing them, and blush in reciting them. Luckily for her fame, perhaps for her profit, the near-sighted policy and low-spirited humanity of every State, in every period, had left untouched for her, the novel glory of conquering *friends, children, flesh of her flesh*, and *bone of her bone*, unstained by any former reproach; resting in perfect tranquillity, acknowledged loyalty, and actual obedience to every kind of authority hitherto by her exercised over them; perpetually pouring into her lap those fruits of their industry, which she would permit them to collect from the different parts of the world. Proud of their connection with her; confiding in her; loving, revering, almost adoring her; and ready and willing as they ever had been, to spend their treasure, and their blood, at her request, in her cause.

* "*Parcere superbis, et debellare subjectos,*"

was a thought that had escaped the sagacity of statesmen, and even the fancy of poets. The subtlety of *Machiavel's Italian* brain had missed it, and no *Bœotian* had blundered upon it.

The temptation was too great to be resisted; the parent resolved to seize that treasure, and if not tamely resigned, to spill that blood herself. †"*O sapiens et beata regina.*"

The greatest ‡Ministers who had heretofore conducted her affairs, had discovered, and declared, that we were continually toiling for her benefit; that she was sure of receiving, in the course of commerce, all those emoluments of our labour which reason could require; and, therefore, tenderly cherished and supported us. Notions too dull! and advantages too just! to merit the slightest regard from his Majesty's enlightened and magnanimous Counsellors.

"They lavish gold out of the bag, and weigh silver in the "balance; they fall down; yea! they worship" (them.) Remember this, and show yourselves men.

P. P.

* "To spare the proud and to subdue the subject."

† "O wise and happy Queen."

‡ Sir *Robert Walpole*, and every other Minister to whom the project of taxing the Colonies was mentioned, rejected it.

"When I had the honour of serving his Majesty, I availed myself of the means of information which I derived from my office. I speak therefore, from knowledge. My materials were good; I was at pains to collect, to digest, to consider them; and I will be bold to affirm that the profit of *Great Britain* from the trade of the Colonies, through all its branches, is two millions a year; this is the fund that carried you triumphantly through the last war; the estates that were rented at £2,000 a year, three score years ago, are £3,000 at present; those estates sold then from fifteen to eighteen years purchase; the same may now be sold for thirty. You owe this to *America*; this is the price that *America* pays you for her protection. I dare not say how much higher these profits may be augmented. Upon the whole, I will beg leave to tell the House what is really my opinion: it is that the Stamp Act be repealed absolutely, totally, and immediately; that the reason for the repeal be assigned, because it was founded on an erroneous principle."—Mr. Pitt's *Speech*.

All the most distinguished writers on the trade of *Great Britain* previous to the present reign, held a language entirely agreeing with Mr. *Pitt's* sentiments.—See *Davenant, Child, Tucker, Beawes, Postlethwaite, &c.*

Williamsburg, May 30, 1774.

The House of Burgesses, of *Virginia*, on the 24th of *May*, adopted the following Resolution, which was directed to be forthwith printed and published:

"Tuesday, 24th of May, 14th *George* III., 1774.

"This House being deeply impressed with apprehension of the great dangers to be derived to *British America* from the hostile invasion of the city of *Boston*, in our sister Colony of *Massachusetts Bay*, whose commerce and harbour are on the first day of *June* next to be stopped by an armed force, deem it highly necessary that the said first day of *June* be set apart by the Members of this House, as a day of fasting, humiliation, and prayer; devoutly to implore the Divine interposition, for averting the heavy calamity which threatens destruction to our civil rights, and the evils of civil war; to give us one heart and one mind firmly to oppose, by all just and proper means, every injury to *American* rights; and that the minds of his Majesty and his Parliament may be inspired from above with wisdom, moderation, and justice, to remove from the loyal people of *America* all cause of danger from a continued pursuit of measures pregnant with their ruin.

"*Ordered, therefore*, That the members of this House do attend in their places at the hour of ten in the forenoon, on the said first day of *June* next, in order to proceed with the Speaker and the mace to the church in this city for the purposes aforesaid; and that the Reverend Mr. *Price* be appointed to read prayers, and to preach a sermon suitable to the occasion.*

"By the House of Burgesses,

"George Wythe, c. h. b."

Thursday, May 26. Between three and four o'clock, P. M., the Right Honourable the Earl of *Dunmore*, sent a message to the honourable the House of Burgesses, by the Clerk of the Council, requiring their immediate attendance in the Council Chamber; when his Excellency spoke to them as follows:

"Mr. Speaker and Gentlemen of the House of Burgesses: I have in my hand a paper published by order of your House, conceived in such terms as reflect highly upon his Majesty, and the Parliament of *Great Britain*, which makes it necessary for me to dissolve you, and you are dissolved accordingly."

Friday, May 27. At ten o'clock this day, the honourable Members of the late House of Burgesses, met by agreement, at the long room of the *Raleigh* tavern, in *Williamsburg*, called the *Apollo;* when, having formed themselves into a Committee, and appointed the Honourable *Peyton Randolph*, Moderator, the following Association was unanimously entered into by the patriotic Assembly, in support of the constitutional liberties of *America*, against the late oppressive Acts of the *British* Parliament, respecting the town of *Boston*, which, in the end, must affect all the other Colonies.

AN ASSOCIATION, BY THE MEMBERS OF THE LATE HOUSE OF BURGESSES.

We his Majesty's most dutiful and loyal subjects, the late Representatives of the good people of this country, having been deprived by the sudden interposition of the Executive part of this Government from giving our countrymen the advice we wished to convey to them in a legislative capacity, find ourselves under the hard necessity of adopting this, the only method we have left, of pointing out to our countrymen such measures as in our opinion are best fitted to secure our dearest rights and liberty from destruction, by the heavy hand of power now lifted against *North America*. With much grief we find that our dutiful applications to *Great Britain*, for security of our just, ancient, and constitutional rights, have been not only disregarded, but that a determined system is formed and pressed for reducing the inhabitants of *British America* to slavery, by subjecting them to the payment of taxes, imposed without the consent

* The order originally was, "that the Reverend Mr. *Price* be appointed to read prayers; and the Reverend Mr. *Gwatkin* to preach a "sermon suitable to the occasion." But upon Mr. *Gwatkin's* petitioning to be excused from complying with his appointment, Mr. *Price*, the Chaplain to the House, was directed to preach in his stead.

Digitized by Google

of the people on their Representatives; and that in pursuit of this system, we find an Act of the *British* Parliament, lately passed, for stopping the harbour and commerce of the town of *Boston*, in our sister Colony of *Massachusetts Bay*, until the people there submit to the payment of such unconstitutional taxes, and which Act most violently and arbitrarily deprives them of their property in wharfs erected by private persons, at their own great and proper expense, which Act is, in our opinion, a most dangerous attempt to destroy the constitutional liberty and rights of all *North America*.

It is further our opinion, that as tea, on its importation into *America*, is charged with a duty, imposed by Parliament for the purpose of raising a revenue, without the consent of the people, it ought not to be used by any person who wishes well to the constitutional rights and liberty of *British America*. And whereas the *India* Company have ungenerously attempted the ruin of *America*, by sending many ships loaded with tea into the Colonies, thereby intending to fix a precedent in favour of arbitrary taxation, we deem it highly proper and do accordingly recommend it strongly to our countrymen, not to purchase or use any kind of *East India* commodity whatsoever, except saltpetre and spices, until the grievances of *America* are redressed.

We are further clearly of opinion, that an attack, made on one of our sister Colonies, to compel submission to arbitrary taxes is an attack made on all *British America*, and threatens ruin to the rights of all, unless the united wisdom of the whole be applied. And for this purpose it is recommended to the Committee of Correspondence, that they communicate, with their several Corresponding Committees, on the expediency of appointing Deputies from the several Colonies of *British America*, to meet in general Congress, at such place annually as shall be thought most convenient: there to deliberate on those general measures which the united interests of *America* may from time to time require.

A tender regard for the interest of our fellow-subjects, the merchants and manufacturers of *Great Britain*, prevents us from going further at this time; most earnestly hoping, that the unconstitutional principle of taxing the Colonies without their consent will not be persisted in, thereby to compel us against our will, to avoid all commercial intercourse with *Britain*. Wishing them and our people free and happy, we are their affectionate friends the late Representatives of *Virginia*.

Signed by eighty-nine Members of the late House of Burgesses.

May 27, 1774.

We the subscribers, Clergymen and other inhabitants of the Colony and Dominion of *Virginia*, having maturely considered the contents of the above Association, do most cordially approve and acceed thereto.

Signed by a number of Clergymen and other Inhabitants.

On *Sunday* afternoon, *May* 29, letters were received by express from *Boston*, *Philadelphia*, and *Annapolis*, in *Maryland*, testifying the resentment of those different places, and the Northern Provinces in general, against the late oppressive Act of the *British* Parliament which is intended so materially to injure the port of *Boston*, and recommending an union of measures to their Southern brethren, to induce the Ministry to abate in their rigorous and unconstitutional designs against *American* freedom, which they consider themselves equally entitled to with their fellow-subjects in *Britain*.

Immediately upon receiving the letters the Honourable *Peyton Randolph*, Esquire, moderator of the Committee of the late House of Representatives, thought it proper to convene all the members that were then in town; who on considering those important papers, came to a resolution to call together the several other members near this city, to whom notice could be given. Twenty-five of them accordingly met next day, *Monday*, *May* 30, at ten o'clock, when it was unanimously agreed to refer the further consideration of this matter to the first day of *August* next; at which time it is expected there will be a very general attendance of the late members of the House of Burgesses, and that a non-importation agreement will be then entered into, as well as resolutions to suspend, at some future day, exporting any of our commodities to *Britain*, should the present odious measures, so inimical to the just rights and liberty of *America*, be pursued.*

EARL OF DUNMORE TO THE EARL OF DARTMOUTH.

Williamsburg, May 29, 1774.

My Lord: The General Assembly of this Colony met here on the 6th of *May*, for despatch of the necessary business, and a few days after an account arrived in this country of the Act of Parliament, passed for discontinuing the shipping or discharging goods in the harbour of *Boston*, which has induced the House of Burgesses again, on this occasion to declare, what they are fond of having it thought always originates with them, a determined resolution to deny and oppose the authority of Parliament. Accordingly *Robert Carter Nicholas*, the Treasurer of this Colony, made a motion for the order, which passed, and which I herewith transmit to your Lordship.

It was intended by the solemnity of a public fasting and praying to prepare the minds of the people to receive other resolutions of the House, the purport of which I am not informed of, but from such a beginning may naturally be concluded could tend only to inflame the whole country, and instigate the people to acts that might rouse the indignation of the mother country against them; in hopes therefore of preventing the progress of these ill effects by the only means in my power, which I fear will not be effectual, I have with the unanimous consent of the Council, dissolved the Assembly, and I have determined not to issue new writs until I hear from your Lordship, and am informed whether his Majesty shall think it necessary to give me any command in respect to this undutiful part of the Legislature of *Virginia*.

I have heard from many of the dissolved members, and I hope it is true, that the House in general in the hasty manner the measure was proposed and agreed to, did not advert to the whole force of the terms in which the order I transmit is conceived, and that if it had, it is believed a strong opposition would have been made to it, and probably that it might have met a different fate.

I am, &c. Dunmore.

Annapolis, Maryland, May 26, 1774.

At a meeting of the Inhabitants of the City of *Annapolis*, on *Wednesday*, the 25th day of *May*, 1774, after notice given of the time, place, and occasion of this meeting:

Resolved, That it is the unanimous opinion of this meeting, that the town of *Boston* is now suffering in the common cause of *America*, and that it is incumbent on every Colony in *America*, to unite in effectual means to obtain a repeal of the late Act of Parliament for blocking up the harbour of *Boston*.

That it is the opinion of this meeting, that if the Colonies come into a joint resolution to stop all importations, from, and exportations to, *Great Britian*, till the said Act be repealed, the same will preserve *North America* and her liberties.

Resolved therefore, That the inhabitants of this city, will join in an Association with the several counties of this Province, and the principal Colonies of *America*, to put an immediate stop to all exports to *Great Britain*, and that after a short day hereafter to be agreed on that there be no imports from *Great Britain* till the said Act be repealed, and that such Association be on oath.

That it is the opinion of this meeting that the gentlemen of the law of this Province, bring no suit for the recovery of any debt due from any inhabitant of this Province to any inhabitant of *Great Britain*, until the said Act be repealed.

*On the first of *June*, the Honourable the Speaker and as many members of the late Assembly, as were in town, with the citizens of *Williamsburg*, and numbers from a distance, assembled at the Court House and went in procession to the Church, where an excellent sermon, well adapted to the present unhappy disputes between *Great Britain* and her Colonies, was preached by the Reverend Mr. *Price*, chaplain to the House of Burgesses, agreeable to the late order of that patriotic and very respectable body.

Digitized by Google

That the inhabitants of this city will, and it is the opinion of this meeting, that this Province ought immediately to break off all trade and dealings with that Colony or Province which shall refuse or decline to come into similar resolutions with a majority of the Colonies.

That Messrs. *John Hall, Charles Carroll, Thomas Johnson*, Jun., *William Paca, Matthias Hammond*, and *Samuel Chase*, be a Committee for this city, to join with those who shall be appointed for *Baltimore* town, and other parts of this Province, to constitute one general Committee, and that the gentlemen appointed for this city immediately correspond with *Baltimore* town, and other parts of this Province, to effect such Association as will best secure *American* liberty.

—

To the Printers of the MARYLAND GAZETTE:

Your *Gazette* of the 26th instant, contains an anonymous publication of the Resolutions entered into by the meeting of the inhabitants of this city, held for the purpose of taking into consideration Letters from *Boston* and *Philadelphia*, which it is presumed is entitled to no other than an anonymous answer. The public are desired to suspend forming any judgment of the sentiments of this city on a subject of so momentous a concern, until they are furnished with more authentic grounds.

Annapolis, May, 26, 1774.

—

Annapolis, (A. M. 11 o'clock,) May 27, 1774.

A paper having been circulated this morning, in this city, and distributed with the *Gazette*, desiring the public to suspend forming any judgment of the sentiments of this city, on the subject matter of letters from *Boston*, and *Philadelphia*, until they are furnished with more authentic grounds than the resolutions entered into by the meeting of the inhabitants held for that purpose, ALL the CITIZENS, and particularly those who dissent from the printed resolutions, are earnestly requested to meet at the Playhouse, precisely at three o'clock, this afternoon.

At a meeting of the inhabitants of the city of *Annapolis* in consequence of the foregoing notice, after reading the several letters and papers communicated from *Boston*, and *Philadelphia*, the first, second, and third resolutions of this city, on *Wednesday* last, were distinctly read, one by one, and the question being put on them, severally, that they be confirmed, the first was unanimously confirmed, and, on a division, the second and third were also confirmed, very few dissenting. The fourth resolution being read, the question was moved and put, that the same be expunged, and on a division, resolved by a considerable majority, that it be not expunged. The other resolutions were read, and on the question being put on each, were confirmed without any division.

Resolved, That this day's proceedings be immediately printed, and made public. Per order,

JOHN DUCKET, *Clerk*.

—

Annapolis, May 30, 1774.

A publication of the enclosed Protest, supported by a considerable number of the Inhabitants of the City of *Annapolis*, will, it is presumed, furnish the most authentic grounds for determining the sense of the majority on a question of the last importance.

We whose names are subscribed, inhabitants of the city of *Annapolis*, conceive it our clear right, and most incumbent duty, to express our cordial and explicit disapprobation of a Resolution which was carried by forty-seven against thirty-one, at the meeting held on the 27th instant.

The Resolution against which we protest in the face of the world is the following:

"That it is the opinion of this meeting that the gentlemen of the law of this Province, bring no suit for the recovery of any debt due from any inhabitant of this Province to any inhabitant of *Great Britain*, until the said Act be repealed."

Dissentient,

1. Because we are impressed with a full conviction, that this resolution is founded in treachery and rashness, inasmuch as it is big with bankruptcy and ruin to those inhabitants of *Great Britain*, who, relying with unlimited security on our good faith and integrity, have made us masters of their fortunes; condemning them UNHEARD, for not having interposed their influence with Parliament in favour of the town of *Boston*, without duly weighing the force with which that influence would probably have operated, or whether, in their conduct, they were actuated by wisdom and policy, or by CORRUPTION and AVARICE.

2. Because, whilst the inhabitants of *Great Britain* are partially despoiled of every legal remedy to recover what is justly due to them, no provision is made to prevent us from being harrassed by the prosecution of internal suits, but our fortunes and persons are left at the mercy of domestic creditors, without a possibility of extricating ourselves, unless by a general convulsion; an event, in the contemplation of sober reason, replete with horrour.

3. Because our credit as a commercial people will expire under the wound; for what confidence can possibly be reposed in those who shall have exhibited the most avowed and most striking proof, that they are not to be bound by obligations as sacred as human invention can suggest.

Lloyd Dulany,	Thomas Neal,	Lewis Jones,
William Cooke,	William Tonry,	William Willatt,
James Tilghman,	James McKenzie,	John King,
Anthony Stewart,	Nicholas Minsky,	William Prew,
William Steuart,	Martin Water,	Thomas Towson,
Charles Steuart,	John Warron,	William Howard,
David Steuart,	William Chambers,	John Donaldson,
Jonathan Pinkney,	James Clarke,	D. Dulany, of Walter,
William Tuck,	Denton Jacques,	William Worthington,
Thomas Sparrow,	Joseph Dowson,	Thomas B. Hodgkin,
John Green,	Thomas Macken,	William Wilkins,
James Brice,	Richard Burland,	Thomas French,
George Gordon,	Dan. Dulany, of Dan.	Joseph Selby,
John Chalmers,	R. Molleson,	William Gordon,
John Anderson,	Robert Couden,	Thomas Hyde,
John Unsworth,	William Aikman,	John Maconochie,
James Taylor,	George French,	Philip Thomas Lee,
William Cayton,	John Parker,	John Ball,
George Ranken,	Archibald Smith,	Samuel Owens,
Robert Moor,	Thomas Bonner,	Samuel Ball,
Jonathan Parker,	Matthias Mae,	Thomas Braithwaite,
Brice Selden,	Alexander McDonald,	James Murray,
John Varndel,	David Crinnig,	Richard Mackubin,
John Annis,	John Timmis,	Michael Wallace,
Robert Ridge,	David Atchison,	William Hyde,
Robert Nixon,	James Maynard,	Nathan Hammond,
Thomas Kirby,	William Harrison,	Peter Psalter,
William Edwards,	Robert Kirkland,	Joseph Brouing,
Robert Lambert,	William Ashton,	Thomas Hincks,
William Eddis,	Robert Morrison,	Lewis Neth,
John Clapham,	Charles Bryan,	Edward Dogan,
Elie Vallette,	John Haragan,	J. H. Anderson,
Robert Buchanan,	Hugh Hendley,	Richard Burt,
William Noke,	Richard Thompson,	Henry Horsley,
James Brooks,	Reverdy Ghiselin,	Cornelius Fenton,
Richard Murrow,	Charles Marckel,	Richard Addams,
John Brown,	John Randall,	George Ranken, Sen.
John Hepburn,	William Stiff,	Edward Wilmot,
Colin Campbell,	James Mitchell,	Robert Lang,
Nathaniel Ross,	Charles Roberts,	George Nicholson,
William Niven,	Samuel Skingle,	Benjamin Spriggs,
James Kingsbury,	Thomas Stiff,	John Horton,
James Barnes,	Henry Jackson,	Charles Wright,
John Sands,	William Devenish,	Constantine Bull,
James Williams,	James Hackman,	Amos Edmons,
Joseph Williams,	Charles Barber,	Henry Sibell,
John Howard,	John Evitts,	Joshua Cross,
William Munroe,	James Maw,	John Woolford,
John D. Jaques,	Jordan Steiger,	Samuel H. Howard,
John Norris,	Joseph Richards,	Oliver Weeden,
John Steele,	Edward Owens,	Alexander Finlater,
N. Macubbin,	Thomas Prysse,	Cornelius McCarty,
Thomas Hammond,	J. Wilkinson,	Jonathan Simpson.
Thomas Pipier,	Robert Key,	

—

DANIEL DULANY, JUN. TO ARTHUR LEE.

Annapolis, May, 1774.

DEAR SIR: I received your favour, which I made it my business to communicate to my acquaintances, who all agreed in your proposal. It would give me the highest satisfaction to continue a correspondence with you. Our town was assembled a few days ago to consider letters sent from *Boston* and *Philadelphia*. The subject of the *Boston* letter was, to request the Colonies to join in a non-importation and non-exportation scheme, as the readiest method to compel Parliament to restore them to their just rights. The *Philadelphians* were very cool, indeed, upon the application. There is a stroke of insulting pity in their answer which I am sure will raise your indignation to the highest pitch.

Digitized by Google

We came here to the following resolves:

1st. That it is the opinion of the meeting that the town of *Boston* is now suffering in the common cause of *American* liberty.

2d. That the best method to redress the evils they now labour under, would be to put a total stop to imports and exports to and from *Great Britain*.

3d. That the Association be upon oath for that purpose.

4th. That it is the opinion of this meeting that no lawyer should bring an action for any merchant in *Great Britain* against an inhabitant till this Act be repealed.

5th. That no trade be carried on with any Colony that does not come into similar resolutions.

These are not to be obligatory till they are agreed to by a majority of the Colonies and the several counties of this Province. Every thing passed unanimously except the fourth resolution, which I confess I opposed, with about thirty more. It seems to me to carry with it so much injustice and partiality, that I am afraid it will give a handle to our enemies to hurt the general cause. I would have agreed to it if it had extended to merchants in this country as well as foreign merchants.

Every just, indeed, every efficient measure, should be taken against the *British* Parliament in their designs to tax *America*; for I am convinced, that if once the principle of taxing were established, property here would not be worth holding. But, at the same time, let us never give them an opportunity, by our resolves, to accuse us of injustice. I hope you will agree with me in this.

It gives me great pleasure to hear that our friend *Alleyne* succeeded so well in the four and a half per cent. cause. I have expected to hear from him on business for some time past, his management of which I requested, but I have not had the pleasure. Present my compliments to him, and inform him that I should be glad of a line from him. Remember me to your brother.

I am, with great esteem, dear sir, your most humble servant, D. DULANY, JUN.

Arthur Lee, Esq., *London*.

CONNECTICUT RESOLUTIONS.

In the House of Representatives of the ENGLISH *Colony of* CONNECTICUT.

This House, taking into their serious consideration sundry Acts of the *British* Parliament, in which their power and right to impose duties and taxes upon his Majesty's subjects in the *British* Colonies and Plantations in *America*, for the purpose of raising a revenue, are declared, attempted to be exercised, and in various ways enforced and carried into execution; and especially a very late Act, in which pains and penalties are inflicted on the capital of a neighbouring Province, a precedent justly alarming to every *British* Colony in *America*, and which being admitted and established, their lives, liberties, and properties, are at the mercy of a tribunal where innocence may be punished upon the accusation and evidence of wicked men, without defence, and even without knowing the accuser; a precedent calculated to terrify them into silence and submission whilst they are stripped of their invaluable rights and liberties—do think it their duty and expedient at this time, to renew their claim to the rights, liberties and immunities of freeborn *Englishmen*, to which they are justly entitled by the laws of nature, by the Royal Grant and Charter of his late Majesty King *Charles* the Second, and by long and uninterrupted possession; and thereupon do declare and resolve as follows, viz:

1st. In the first place, we do most expressly declare, recognise and acknowledge his Majesty King *George* the Third to be the lawful and rightful King of *Great Britain*, and all other his Dominions and Countries; and that it is the indispensable duty of this Colony, as being part of his Majesty's dominions, always to bear faithful and true allegiance to his Majesty, and him to defend to the utmost of their power, against all attempts upon his person, crown and dignity.

2d. That the subjects of his Majesty in this Colony ever have had, and of right out to have and enjoy, all the liberties, immunities and privileges of free and natural born subjects within any of the Dominions of our said King, his heirs and successors, as fully and amply as if they, and every of them, were born within the Realm of *England*. That they have a property in their own estate, and are to be taxed by their own consent, only given in person, or by their Representatives, and are not to be disseized of their liberties and free customs, sentenced or condemned, but by lawful judgment of their peers; and that the said rights and immunities are recognised and confirmed by the inhabitants of the Colony, by the Royal Grant and Charter aforesaid, and are their undoubted right, to all intents, constructions and purposes whatsoever.

3d. That the only lawful representatives of the freemen of this Colony, are the persons they elect to serve as members of the General Assembly thereof.

4th. That it is the just right and privilege of his Majesty's liege subjects of this Colony to be governed by their General Assembly in the article of taxing, and internal police, agreeable to the powers and privileges recognised and confirmed in the Royal Charter aforesaid, which they have enjoyed for more than a century past, and have neither forfeited nor surrendered, but the same have been constantly recognised by the King and Parliament of *Great Britain*.

5th. That the erecting new and unusual Courts of Admiralty, and vesting them with extraordinary powers above, and not subject to, the controul of the Common Law Courts in this Colony, to judge and determine in suits relating to the duties and forfeitures contained in said Acts, foreign to the accustomed and established jurisdiction of the former Courts of Admiralty in *America*, is, in the opinion of this House, highly dangerous to the liberties of his Majesty's *American* subjects, contrary to the great Charter of *English* liberty, and destructive of one of their most darling rights, that of trial by juries, which is justly esteemed one chief excellence of the *British* Constitution, and a principal branch of *English* liberty.

6th. That the apprehending and carrying persons beyond the sea to be tried for any crime alleged to be committed within this Colony, or subjecting them to be tried by Commissioners, or by any court constituted by Act of Parliament, or otherwise within this Colony, in a summary way, without a jury, is unconstitutional, and subversive of the liberties and rights of the free subjects of this Colony.

7th. That any harbour or port duly opened and constituted, cannot be shut up and discharged but by an Act of the Legislature of the Province or Colony in which such harbour or port is situated, without subverting the rights and liberties, and destroying the property of his Majesty's subjects.

8th. That the late Act of Parliament inflicting pains and penalties on the town of *Boston*, by blocking up their harbour, is a precedent justly alarming to the *British* Colonies in *America*, and wholly inconsistent with, and subversive of, their constitutional rights and liberties.

9th. That whenever his Majesty's service shall require the aid of the inhabitants of this Colony, the same fixed principles of loyalty, as well as self-preservation, which have hitherto induced us fully to comply with his Majesty's requisitions, together with the deep sense we have of its being our indispensable duty, (in the opinion of this House,) will ever hold us under the strongest obligations which can be given or desired, most cheerfully to grant his Majesty, from time to time, our further proportion of men and money, for the defence, protection, security, and other services of the *British American* Dominions.

10th. That we look on the wellbeing and greatest security of this Colony, to depend (under *God*) on our connection with *Great Britain*, which it is ardently wished may continue to the latest posterity; and that it is the humble opinion of this House that the Constitution of this Colony being understood and practised upon, as it has, ever since it existed, (till very lately,) is the surest bond of union, confidence, and mutual prosperity of our mother country and us, and the last foundation on which to build the good of the whole, whether considered in a civil, military, or mercantile light; and of the truth of this opinion we are the more confident, as it is not founded on speculation only, but has been verified in fact, and by long experience found to produce, according to our extent, and other circumstances, as many loyal, virtuous, industrious and well governed subjects, as any part of his Majesty's Dominions; and as truly

Digitized by Google

zealous of, and as warmly engaged to promote the best good and real glory of the grand whole, which constitutes the *British* Empire.

11th. That it is an indispensable duty which we owe to our King, our country, ourselves, and our posterity, by all lawful ways and means in our power, to maintain, defend and preserve, these our rights and liberties, and to transmit them entire and inviolate to the latest generations; and that it is our fixed, determined, and unalterable resolution, faithfully to discharge this our duty.

At their Sessions at *Hartford*, on the second *Thursday* of *May*, 1774, in the fourteenth year of his Majesty's reign, the foregoing Resolutions, reported to the House by their Committee, were unanimously voted, and ordered to be entered on their Journal or Record.

Boston, Wednesday, May 25, 1774.

This being the anniversary day appointed by the Royal Charter, for convening a great and general Court or Assembly of this Province, and for the election of his Majesty's Council, the gentlemen who were returned to serve and represent the several towns, met a Committee from the Honourable Board, authorized and appointed by his Excellency the Governour, administered the oaths required by Act of Parliament to the members of the House, who, after having taken the oath of abjuration, and subscribed the declaration, they unanimously chose Mr. *Samuel Adams* for their Clerk; the House then proceeded to the choice of a Speaker, when the Honourable *Thomas Cushing*, Esquire, was unanimously chosen and approved.

The following gentlemen were elected Counsellors for the ensuing year:

For the late Colony of Massachusetts Bay.—The Honourable *Samuel Danforth, John Erving, James Bowdoin, James Pitts, Samuel Dexter, Artemas Ward, Benjamin Greenleaf, Caleb Cushing, Samuel Phillips, John Winthrop, William Phillips, John Adams, James Prescott, Timothy Danielson, Richard Derby*, Jun., *Michael Farley, Benjamin Austin, Norton Quincy*, Esquires.

For the late Colony of Plymouth.—*James Otis, William Sever, Walter Spooner, Jerathmeel Bowers*, Esquires.

For the Province of Maine.—*Jeremiah Powell, Jedediah Prebble, Enoch Freeman*, Esquires.

For Sagadahock.—*Benjamin Chadburne*, Esq.

At Large.—George Leonard, Jun., *Jedediah Foster*, Esquires.

Before the election of Counsellors, letters were received from the Honourable *Isaac Royall* and *James Gowan*, Esquires, resigning their seats at the Board.

Thursday, May 26.

The list of Counsellors chosen yesterday, being, this day, agreeable to the direction of the Royal Charter, presented to the Governour, his Excellency was pleased to consent to the gentlemen before mentioned, except *James Bowdoin, Samuel Dexter, John Winthrop, William Phillips, John Adams, James Prescott, Timothy Danielson, Michael Farley, Benjamin Austin, Norton Quincy, Jerathmeel Bowers, Enoch Freeman, Jedediah Foster*, Esquires.

This day his Excellency was pleased to make the following Speech to both Houses:

Gentlemen of the Council, *and Gentlemen of the* General Assembly:

His Majesty having been pleased to appoint me Governour and Captain General of his Province of the *Massachusetts Bay*, and my commissions having been read and published, I have met you for the election of Counsellors for the ensuing year; on which business you have been convened agreeable to your Charter, and as that work is finished, you will proceed as you shall judge fit to the consideration of such other matters as may properly come before you, and that you judge ought to be entered upon previous to the first of next month. And you will be assured that I shall with pleasure concur with you to the utmost of my power in all matters that tend to the welfare and prosperity of the Province. I make mention of the first of next month, because I have the King's particular commands for holding the General Court at *Salem* from that day, until his Majesty shall have signified his royal will and pleasure for holding it again at *Boston*.

The honour of my appointment to the command of this Government being so lately conferred, and the time since I took it upon me so very short, I have not at present any matter to lay before you, farther than to acquaint you, that the Provincial Treasurer having informed me that sufficient provision is made for the redemption of the Government securities that are now, and will become due in *June*, 1775, you will have no other burden upon you but to supply the Treasury for the support of Government for the ensuing year. T. Gage.

Council Chamber, May 26, 1774.

Marblehead, May 25, 1774.

AN ADDRESS PRESENTED TO GOVERNOUR HUTCHINSON BY SUNDRY GENTLEMEN OF MARBLEHEAD.

To Governour Hutchinson:

Sir: His Majesty having been pleased to appoint his Excellency the Honourable *Thomas Gage*, Esquire, to be Governour and Commander-in-chief over this Province, and you (as we are informed) being speedily to embark for *Great Britain*, we, the subscribers, merchants, traders and others, inhabitants of *Marblehead*, beg leave to present you our valedictory Address on this occasion; and as this is the only way we now have of expressing to you our entire approbation of your public conduct during the time you have presided in this Province, and of making you a return of our most sincere and hearty thanks for the ready assistance which you have at all times afforded us when applied to in matters which affected our navigation and commerce, we are induced from former experience of your goodness, to believe that you will freely indulge us in the pleasure of giving you this testimony of our sincere esteem and gratitude.

In your public administration we are fully convinced, that the general good was the mark which you have ever aimed at, and we can, sir, with pleasure assure you, that it is likewise the opinion of all dispassionate thinking men within the circle of our observation, notwithstanding many publications would have taught the world to think the contrary; and we beg leave to entreat you, that when you arrive at the Court of *Great Britain*, you would there embrace every opportunity of moderating the resentment of the Government against us, and use your best endeavours to have the unhappy dispute between *Great Britain* and this country brought to a just and equitable termination. We cannot omit the opportunity of returning you, in a particular manner, our most sincere thanks for your patronizing our cause in the matter of entering and clearing vessels at the Custom House, and making the fishermen pay hospital money. We believe it is owing to your representation of the matter that we are hitherto free from that burthen.

We heartily wish you, sir, a safe and prosperous passage to *Great Britain*; and when you arrive there, may you find such a reception as shall fully compensate for all the insults and indignities which have been offered you.

Richard Hinkly,	Robert Hooper, 3d.,	Robert Hooper,
Samuel Reed,	John Prince,	John Gallison,
John Lee,	George McCall,	Jacob Fowle,
Robert Ambrose,	Joseph Swasey,	John Pederick,
Jonathan Glover,	Nathan Bowen,	Richard Reed,
Richard Phillips,	Thomas Robie,	Benjamin Marston,
Isaac Mansfield,	John Stimson,	Samuel White,
Joseph Bubler,	John Webb,	Joseph Hooper,
Richard Stacey,	Joseph Lee,	John Pentice,
Thomas Proctor,	Sweet Hooper,	Robert Hooper, Jun.,
John Fowle,	Henry Saunders,	Thomas Lewis.

GOVERNOUR HUTCHINSON'S ANSWER.

So kind an Address from so many gentlemen of respectable characters in the town of *Marblehead*, requires my most grateful acknowledgments. You may be assured of my endeavours, as far as shall fall within my sphere, to obtain what you desire. Thomas Hutchinson.

Digitized by Google

A Declaration of MARBLEHEAD, *relative to the Address from sundry Inhabitants of the town to Governour* HUTCHINSON.

Be it known to the whole world, its present generation, and every future one:

That the town of *Marblehead* now legally assembled, pursuant to appointment, taking into consideration an Address which appeared in the last *Essex Gazette*, from sundry inhabitants of this town, to the late Governour *Hutchinson* is clearly of opinion,

1st. That as the Address did originate since the commencement of this meeting, and as the warrant for the meeting enabled the inhabitants to take any suitable steps upon the present critical situation of public affairs, whether by addressing instructions, or otherwise, the Addressers, by the secret and clandestine manner in which they have conducted this Address, have manifested a disposition to destroy the harmony of the town in its public affairs, and thus planted the seeds of dissensions, animosities and discords.

2d. That a public address to a person just leaving a high and public office in the Province, who is not only neglected by the two honourable branches of the present Legislature of it, but has likewise been censured by both Houses of a former Assembly as an inveterate enemy to the liberties of the Province, is such an indignity offered to those branches of the Government, as this town is in duty and gratitude bound to bear testimony against; more especially as it conceives itself under lasting obligations to them for their steady and virtuous attachment to the liberties and true interest of the Province, which they have strenuously contended for.

3d. That the Addressers have, to the utmost of their power, strengthened the hands of a subtle enemy to the Province by their Address; and this instrument, although but a fantastical shadow of public respect, will be naturally improved by Mr. *Hutchinson* to justify his own conduct, and raise still higher the prejudices which so unjustly rage against this injured Province and Continent.

4th. That the Address aforesaid is not only in substance exceptionable, but insulting and affrontive to this town; as the Addressers first say to Mr. *Hutchinson*, "In your "public administration we are fully convinced that the "general good was the mark you ever aimed at," (which, however, this town could never believe, and having been fully convinced of the contrary, hath publicly declared it.) And then they go on to assert, that this, their sentiment, is likewise the opinion of all "dispassionate thinking men "within the circle of their observation, notwithstanding "many publications would have taught the world to think "the contrary." By which paragraph this town conceives that the Addressers have plainly adjudged all the inhabitants of it who are not, in this their opinion relative to Mr. *Hutchinson*, to be passionate thoughtless men; and at least nineteen-twentieths of the inhabitants must fall under this indecent censure.

5th. That the thirty-three inhabitants of this town who could publicly pass such an encomium on an opinion of their own, which appears to the town both flattering and absurd, "as that it is likewise the opinion of all dispassionate thinking men;" who could not only declare themselves, and those, in their opinion, entitled to the characters mentioned, but that no other persons in the community of which they were a part, were deserving of them; and who could in the public papers appear subscribers of such a conduct, have exposed themselves to be censured by the world as persons in this instance both vain and inattentive.

6th. That the Addressers have needlessly agitated the matter of "fishermen paying hospital money;" which being an affair that nearly affects many considerable towns in this Province, could not with propriety have been taken up so publicly by any particular town, without consulting the other towns, as it has been by the Addressers, and without noticing an error in the Address, Mr. *Hutchinson* is told by the signers, "that they believe it is owing to "his representation of the matter that we are hitherto free "from the burthen." By which clause the Government of *Great Britain* may have great reason to think that a demand of hospital money from the fishery is expected here, and should the poor men who can now scarcely support themselves and families alive by fishing, have an increased burthen of hospital money brought upon them hereafter, they may have great reason to condemn this impudent measure of the Addressers. This town cannot but express, on the present occasion, a great satisfaction at the unanimity which appears in the collective body of this Province with respect to its enemies. The number addressing Mr. *Hutchinson*, compared with the body of freeholders in the Province, are but as a drop in the bucket. May it continue to be the fixed principle of the latter, "that the persons who are declared by the right-"eous Government of a people to be their inveterate ene-"mies, ought so to be esteemed and treated by them; "and may we heartily join with our brethren in this Pro-"vince in supporting the honour and dignity of our Gene-"ral Assembly, by treating with neglect and contempt "those persons who are or may be under just censures."

The preceding is a true copy of a Declaration this day unanimously voted at a legal meeting of this town, and published by its order.

BENJAMIN BODEN, *Town Clerk.*

Marblehead, June 3, 1774.

In the House of Representatives of the Province of NEW-HAMPSHIRE.

Thursday, May 26, 1774.

Voted, That there be allowed and paid unto the Captain General of this Province for payment of officers, soldiers, billetting, firewood, and candles, for support of his Majesty's Fort *William* and *Mary*, for one year, viz: from the 25th of *March*, 1774, to the 25th of *March*, 1775, the sum of two hundred pounds lawful money, to be paid in four quarterly payments, out of the money that is or shall be in the Treasury, with advice of Council. Sent up by Mr. *Jenness*.

Friday, May 27, 1774.

The Secretary brought from the Board the vote for an allowance for Fort *William* and *Mary*, with a verbal message from his Excellency that he thought the allowance insufficient, and desired some alteration might be made by allowing a larger sum, or appointing a number of soldiers sufficient, with proper allowance.

The House took into consideration the Message from the Governour by the Secretary, and came to the following vote, viz:

Voted, That his Excellency the Captain General be desired to give orders for the enlisting three men, to be posted at his Majesty's Fort *William* and *Mary*, for one year, commencing the 25th day of *March*, 1774, under such officer as he shall appoint; the pay of the officer to be three pounds per month, and each private twenty-five shillings per month, and five shillings per week for billetting, and that there be allowed thirty cords of wood for the use of the Fort for the said year, to be paid out of the money in the Treasury when the muster roll shall be allowed by the General Assembly.

Sent up by Colonel *Folsom* and Captain *Waldron*.

Friday, P. M., May 27, 1774.

Mr. Secretary and Mr. *Warner* came from the Board with the vote for soldiers for the Fort, and observed that it was insufficient, which he took notice of in sundry particulars, and left the vote for the consideration of the House; also a written Message from his Excellency, viz:

Mr. Speaker and Gentlemen of the Assembly:

The vote of Assembly for the support of his Majesty's Castle *William* and *Mary*, dated this day, appears to me to be so inadequate, that it is my duty to inform the Assembly that I do not think it safe to entrust so important a fortress to the care and defence of three men and one officer. Also that the wages, billetting and fuel mentioned in said vote, will by no means engage able men in the service proposed, more especially as the money for the whole is to be paid when the muster roll shall be allowed, which necessarily implies an advance, the issue whereof is not provided. I therefore earnestly recommend to the Honourable Assembly to make such provision for the support of the Castle aforesaid, as may enable me to carry into execution the intention of the grant.

J. WENTWORTH.

Council Chamber, New-Hampshire, May 27, 1774.

Digitized by Google

Saturday, May 28, 1774.

Voted, That the Honourable *John Wentworth*, Esquire, of this House, *Samuel Cutts*, *John Gedding*, *Clement March*, *Josiah Bartlett*, *Henry Prescott*, and *John Pickering*, Esquires, be a Committee of this House to correspond, as occasion may require, with the Committees that are or may be appointed by the several Houses of Representatives in our sister Colonies, and to exhibit to this House an account of such their proceedings when required.

The House taking into consideration the many and great difficulties that have arisen, and still subsist, between our parent country and the Colonies on this Continent, and in particular the present distressing circumstances of the town of *Boston*, came to the following Resolution, viz:

Resolved and *Voted*, That the Speaker of this House be directed to answer such Letters, from time to time, as he may receive from any of the Houses of our sister Colonies relative to the aforesaid difficulties, and to assure them that this House is ready to join in all salutary measures that may be adopted by them at this important crisis, for saving the rights and privileges of the *Americans*, and promoting harmony with the parent State.

Voted, That his Excellency, the Captain General, be desired to give orders for enlisting five men, to be posted at his Majesty's Fort *William* and *Mary*, from the 25th of *March*, 1774, until the 25th of *March*, 1775, under such officer as he shall be pleased to appoint; and the pay of the officer shall be three pounds lawful money per month, and five shillings lawful money per week for billetting, to be paid quarterly by warrant from his Excellency on the Treasurer. The muster roll to be adjusted, and allowed by the General Assembly. And that there be thirty cords of firewood allowed, and paid for out of the Treasury, for the use of the aforesaid officer and soldiers during said time.

ADDRESS OF MERCHANTS AND OTHERS, OF BOSTON, TO GOVERNOUR HUTCHINSON.

To Governour HUTCHINSON:

SIR: We, Merchants and Traders of the town of *Boston*, and others, do now wait on you, in the most respectful manner, before your departure for *England*, to testify, for ourselves, the entire satisfaction we feel at your wise, zealous, and faithful administration, during the few years that you have presided at the head of this Province. Had your success been equal to your endeavours, and to the warmest wishes of your heart, we cannot doubt that many of the evils under which we now suffer, would have been averted, and that tranquillity would have been restored to this long divided Province; but we assure ourselves, that the want of success in those endeavours will not abate your good wishes when removed from us, or your earnest exertions still, on every occasion, to serve the true interest of this your native country.

While we lament the loss of so good a Governour, we are greatly relieved that his Majesty, in his gracious favour, hath appointed as your successor a gentleman, who, having distinguished himself in the long command he hath held in another department, gives us the most favourable prepossession of his future administration.

We greatly deplore the calamities that are impending, and will soon fall on this metropolis, by the operation of a late Act of Parliament for shutting up the port on the first of next month. You cannot but be sensible, sir, of the numberless evils that will ensue to the Province in general, and the miseries and distresses into which it will particularly involve this town in the course of a few months. Without meaning to arraign the justice of the *British* Parliament, we could humbly wish that this Act had been couched with less rigour, and that the execution of it had been delayed to a more distant time, that the people might have had the alternative, either to have complied with the conditions therein set forth, or to have submitted to the consequent evils on refusal; but, as it now stands, all choice is precluded, and however disposed to compliance or concession the people may be, they must unavoidably suffer very great calamities before they can receive relief. Making restitution for damage done to the property of the *East India* Company, or to the property of any individual, by the outrage of the people, we acknowledge to be just; and though we have ever disavowed, and do now solemnly bear our testimony against such lawless proceedings, yet, considering ourselves as members of the same community, we are fully disposed to bear our proportions of those damages whenever the sum and the manner of laying it can be ascertained. We earnestly request that you, sir, who know our condition, and have at all times displayed the most benevolent disposition towards us, will, on your arrival in *England*, interest yourself in our behalf, and make such favourable representations of our case, as that we may hope to obtain speedy and effectual relief.

May you enjoy a pleasant passage to *England*, and under all the mortifications you have patiently endured, may you possess the inward and consolatory testimonies of having discharged your trust with fidelity and honour, and receive those distinguishing marks of his Majesty's royal approbation and favour, as may enable you to pass the remainder of your life in quietness and ease, and preserve your name with honour to posterity.

Boston, May 28, 1774.

William Blair,	Isaac Winslow,	David Mitchelson,
James Selkrig,	Lewis Deblois,	Abraham Savage,
Archibald Wilson,	Thomas Aylwin,	James Asby,
Jeremiah Greene,	William Bowes,	John Inman,
Samuel H. Sparhawk,	Gregory Townsend,	John Coffin,
Joseph Turill,	Francis Greene,	Thomas Knight,
Roberts & Co.	Philip Dumaresq,	Benjamin Greene, Jr.,
John Greenlaw,	Harrison Gray,	David Greene,
Benjamin Clark,	Peter Johonnot,	Benjamin Greene,
William McAlphine,	George Irving,	Henry H. Williams,
Jonathan Snelling,	Joseph Green,	James Warden,
James Hall,	John Vassall,	Nathaniel Coffin, Jun.,
William Dickson,	Nathaniel Coffin,	Sylvester Gardiner,
John Winslow, Jun.,	James Perkins,	John S. Copley,
Theophilus Lillie,	John White,	Edward Foster,
Miles Whitworth,	Robert Jarvis,	Colbourn Barrell,
James McEwen,	William Perry,	Nathaniel Greenwood,
William Codner,	J. and P. McMasters,	William Burton,
Daniel Silsby,	William Coffin,	John Timmins,
William Cazneau,	Simeon Stoddard, Jun.	William Taylor,
James Forrest,	John Powell,	Thomas Brinley,
Edward Cox,	Henry Laughton,	Harrison Gray, Jun.,
John Berry,	Eliphalet Pond,	John Taylor,
Richard Hirons,	M. B. Goldthwait,	Gilbert Deblois
Ziphion Thayer,	Peter Hughes,	Joshua Winslow,
John Joy,	Samuel Hughes,	Daniel Hubbard,
Joseph Goldthwait,	John Sample,	Hugh Tarbett,
Samuel Prince,	Hopestill Capen,	Henry Lyddel,
Jonathan Simpson,	Edward King,	Nathaniel Cary,
James Boutineau,	Byfield Lyde,	George Brinley,
Nathaniel Hatch,	George Lyde,	Richard Lechmere.
Martin Gay,	A. F. Phillips,	John Erving, Jun.,
Joseph Scott,	Rufus Greene,	Thomas Gray,
Samuel Minot,	David Phipps,	George Bethune,
Benjamin M. Holmes,	Richard Smith,	Thomas Apthorp,
Archibald McNiel,	George Spooner,	Ezekiel Goldthwait,
John Winslow,	George Leonard,	Benjamin Gridley,
Isaac Winslow, Jun.,	John Borland,	John Atkinson,
Thomas Oliver,	Joshua Loring, Jun.,	Ebenezer Bridgham,
Henry Lloyd,	William Jackson,	John Gore,
Benjamin Davis,	James Anderson,	Adino Paddock.

To which his late EXCELLENCY *was pleased to return the following Answer:*

GENTLEMEN: You may be assured that I have nothing so much at heart as to contribute to the relief of my country in general, and of the town of *Boston* in particular, from the distresses which you have described so fully in your Address to me.

Your persons and characters are so well known to me, that I am sure you wish to do what may be necessary on your part, and your sentiments declared in this open manner, together with your known disposition to promote peace and good order in the Government, will, I flatter myself, have a tendency to facilitate the success of my endeavours.

I entirely agree with you in your just sentiments of his Excellency the present Governour, whose administration I hope you will strive to make easy to himself, as well as prosperous to the Province. I thank you for so warm, affectionate, and respectful an Address.

Boston, Tuesday, 24th May, 1774.

Protest of the Merchants and Traders of BOSTON, *unanimously voted at a very full meeting this day.*

Whereas a paper called an Address to Governour *Hutchinson*, has been handed about and signed in a private manner by sundry persons, who style themselves merchants

Digitized by Google

and others of the town of *Boston*; and whereas the merchants and traders, duly notified and met, having been refused a copy of said paper, although requested by their Committee, and apprehending said Address is intended to justify the administration of Mr. *Hutchinson*, when Governour of this Province, we hereby utterly disclaim said Address, and disavow a measure so clandestinely conducted, and so injurious in its tendency.

ADDRESS PRESENTED BY SEVERAL GENTLEMEN OF THE LAW TO GOVERNOUR HUTCHINSON.

To his Excellency Governour HUTCHINSON:

SIR: A firm persuasion of your inviolable attachment to the real interests of this your native country, and of your constant readiness, by every service in your power, to promote its true welfare and prosperity, will, we flatter ourselves, render it not improper in us, Barristers and Attorneys at Law in the Province of *Massachusetts Bay*, to address your Excellency upon your removal from us, with this testimonial of our sincere respect and esteem.

The various important characters of Legislator, Judge, and First Magistrate, over this Province, in which, by the suffrages of your fellow-subjects, and by the royal favour of the best of Kings, your great abilities, adorned with a uniform purity of principle and integrity of conduct, have been eminently distinguished, must excite the esteem, and demand the grateful acknowledgments of every true lover of his country and friend to virtue.

The present perplexed state of our public affairs, we are sensible, must render your departure, far less disagreeable to you than it is to us. We assure you, sir, we feel the loss; but when, in the amiable character of your successor, we view a fresh instance of the paternal goodness of our most gracious Sovereign—when we reflect on the probability that your presence at the Court of *Great Britain* will afford you an opportunity of employing your interest more successfully for the relief of this Province, and particularly of the town of *Boston*, under their present distresses, we find a consolation which no other human source could afford. Permit us, sir, most earnestly to solicit the exertion of all your distinguished abilities in favour of your native town and country, upon this truly unhappy and distressing occasion.

We sincerely wish you a prosperous voyage, a long continuation of health and felicity, and the highest rewards of the good and faithful.

We are, sir, with the most cordial affection, esteem and respect, your Excellency's most obedient and very humble servants,

Robert Auchmuty,	Andrew Cazneau,	David Ingersoll,
Jonathan Sewall,	Daniel Leonard,	Jeremiah D. Rogers,
Samuel Fitch,	John Lowell,	David Gorham,
Samuel Quincy,	Daniel Oliver,	Samuel Sewall,
William Pinchon,	Sampson S. Blowers,	John Sprague,
James Putnam,	Shearjashub Bourn,	Rufus Chandler,
Benjamin Gridley,	Daniel Bliss,	Thomas Danforth,
Abel Willard,	Samuel Porter,	Ebenezer Bradish.

Boston, May 29, 1774.

To which his EXCELLENCY *was pleased to return the following Answer:*

GENTLEMEN: The relation to the Bar which I stood in for many years together, makes this mark of your affection and esteem peculiarly acceptable. I feel the distress coming upon the town of *Boston*. I am confident nothing will be wanting on your part which may tend to promote the free course of law and that peace and good order in government which seems to have been made the conditions of obtaining relief from this distress. You may be assured that nothing shall be wanting on my part which may tend to procure this relief as speedily and effectually as may be. You certainly may be happy under the administration of his Excellency the present Governour, and I have great reason to join with you in a testimony to his amiable disposition and character.

EXTRACT OF A LETTER RECEIVED IN PHILADELPHIA.

Bedford, Pennsylvania, May 30, 1774.

I suppose you have heard of the *Indians* being killed at *Whaling*. Since that time, *Indian White Eyes*, Mr. *Duncan*, and Mr. *Saunderson*, who were sent down the river from *Fort Pitt*, in order to accommodate matters with the *Shawanese*, are returned, but had hard work to get back. The *Delawares*, who at present seem to be friends, had enough to do to save their lives, and as to the poor traders down among the *Shawanese*, no person can tell whether they are dead or alive.

White Eyes, on his return to *Fort Pitt*, said the *Shawanese* were for war, and that forty odd of them are at present out, intending a stroke, as is supposed, at some part of *Virginia*. The *Delawares* say they will not go to war; but there is no dependence on them. We expect every day to hear of their striking in some quarter.

It is lamentable to see the multitudes of poor people that are hourly running down the country; such of them as stay are building forts. *God* knows how it will turn out with them. We intend, as soon as we hear of any damage being done, to erect fortifications here. The *Shawanese* themselves say, that they have nothing against *Pennsylvania*, but only *Virginia*; though we may depend, as soon as they strike *Virginia*, they will also fall on us.

"JOIN OR DIE!"

The Act of Parliament for blocking up the harbour of *Boston*, in order to reduce its spirited inhabitants to the most servile and mean compliances ever attempted to be imposed on a free people, is allowed to be infinitely more alarming and dangerous to our common liberties, than even that hydra the Stamp Act, (which was defeated by our firmness and union,) and must be read with a glowing indignation by every real friend of freedom in *Europe* and *America*. Though the town of *Boston* is now intended to be made a victim to Ministerial wrath, yet the insult and indignity offered to our virtuous brethren in that capital, who have so nobly stood as a barrier against slavery, ought to be viewed in the same odious light as a direct hostile invasion of every Province on the Continent, whose inhabitants are now loudly called upon, by interest, honour and humanity, to stand forth, with firmness and unanimity, for the relief, support and animation of our brethren in the insulted, besieged capital of *Massachusetts Bay*. The generals of despotism are now drawing the lines of circumvallation around our bulwarks of liberty, and nothing but unity, resolution and perseverance, can save ourselves and posterity from what is worse than death—slavery!

Newport, Rhode Island, May 30, 1774.

ADDRESS FROM THE MAGISTRATES OF THE COUNTY OF MIDDLESEX TO T. HUTCHINSON, LATE GOVERNOUR.

To his Excellency Governour HUTCHINSON:

SIR: The Magistrates of the county of *Middlesex*, impressed with a deep sense of the miseries and calamities in which the town of *Boston* and this county will, especially, be involved, by the operation of a late Act of the *British* Parliament, prohibiting imports and exports to and from the port of *Boston*, beg leave to address your Excellency on this most interesting occasion, and to beseech the exertion of those powers and talents for its relief, of which we have so long and so often experienced the great and beneficial effects; and we assure you, sir, that notwithstanding the popular delusion, which prevails in some parts of this Province, your Excellency's administration of the Government has ever appeared to us so replete with evidence of your sincere and uniform desire to promote its best interests, as leaves us no room to doubt your willingness to employ your great abilities, to extricate the Province from those calamities in which, notwithstanding your utmost endeavours to prevent them, it is now unhappily plunged. We can assure you, sir, that the Magistrates of this county have long beheld, with an indignant eye, those riotous and tumultuous proceedings which have, in so great a measure destroyed public peace and order, rendered the safety of persons and property precarious, and drawn the resentment of Parliament on this Province; and that none of his Majesty's subjects more ardently wish for the restoration and establishment of order and good Government, than we of this loyal county. We hope and trust that the future conduct of this whole Province will be

Digitized by Google

such, as that, aided by your good offices at the Court of *Great Britain*, we may be restored to his Majesty's favour, and quietly and peaceably enjoy all the rights and privileges to which *English* Colonists are constitutionally entitled. And we humbly hope that the policy of *Great Britain* will ever be such, as shall induce them to view every desirable benefit, which they can rationally expect to receive from their Colonies, as founded in the principles of commerce, and not of taxation.

With the most unfeigned sincerity we wish your Excellency a safe and easy voyage; that you may find that favour in the eyes of the King which your long and faithfull services afford you the best grounds to expect from a wise and virtuous Sovereign; and, above all, that after many more years happily spent in doing good, you may finally receive the approbation of the King of Kings.

We have the honour to be, with the utmost gratitude, and sincerest respect, your Excellency's most obedient and very humble servants.

Signed by thirty-one of the Magistrates.

Monday, May 30, 1774.

To which his Excellency was pleased to return the following Answer:

I thank you, gentlemen, for this honour done me by your Address. You may depend on my improving every favourable circumstance in order to obtain for the people of this Province, a restoration to his Majesty's favour, and securing to them the enjoyment of all those rights and privileges which *English* Colonists are constitutionally entitled to; and I join with you in humbly hoping that the expectation of benefit from the Colonies to the Kingdom will be founded on the principles of commerce, and not of taxation.

This public declaration from the Magistrates of so large a county, of their abhorrence of those riotous and tumultuous proceedings which have drawn the resentment of Parliament upon the Province, and of their ardent wishes for the restoration and establishment of order and good Government will, I conceive, have a tendency to promote the success of my endeavours.

Philadelphia, May 30, 1774.

Observing in the *Pennsylvania Packet* of this day, a notification, "that a number of persons, composed of the members of all societies in this city, met, and unanimously agreed, that it would be proper to express their sympathy for their brethren at *Boston*, by suspending all business on the first day of the next month;"* the people called Quakers, though tenderly sympathizing with the distressed, and justly sensible of the value of our religious and civil rights, and that it is our duty to assert them in a Christian spirit, yet in order to obviate any misapprehensions which may arise concerning us, think it necessary to declare, that no person or persons were authorized to represent us on this occasion, and if any of our community have countenanced or encouraged this proposal, they have manifested great inattention to our religious principles and profession, and acted contrary to the rules of Christian discipline established for the preservation of order and good government among us.

Signed, on behalf and at the desire of the elders and overseers of the several meetings of our religious society in *Philadelphia*, and other friends met on the occasion, the 30th of the fifth month, 1774.

JOHN REYNELL,
JAMES PEMBERTON,
SAMUEL NOBLE.

QUEEN ANNE (MARYLAND) RESOLUTIONS.

At a Meeting of a considerable number of the Magistrates, and other the most respectable Inhabitants of *Queen Anne's* County, at *Queenstown* on the thirtieth day of *May*, 1774, in order to deliberate upon the tendency and effect of the Act of Parliament for blocking up the port and harbour of *Boston*.

Duly considering and deeply affected with the prospect of the unhappy situation of *Great Britain* and *British America*, under any kind of disunion, this meeting think themselves obliged by all the ties which ever ought to preserve a firm union amongst *Americans*, as speedily as possible to make known their sentiments to their distressed brethren of *Boston*; and therefore publish to the world:

That they look upon the cause of *Boston*, in its consequences to be the common cause of *America*.

That the Act of Parliament for blocking up the port and harbour of *Boston*, appears to them a cruel and oppressive invasion of their natural rights, as men, and constitutional rights as *English* subjects, and if not repealed, will be a foundation for the utter destruction of *American* freedom.

That all legal and constitutional means ought to be used by all *America* for procuring a repeal of the said Act of Parliament.

That the only effectual means of obtaining such repeal, they are at present of opinion is an Association under the strongest ties, for breaking off all commercial connections with *Great Britain* until the said Act of Parliament be repealed, and the right assumed by Parliament for taxing *America, in all cases whatsoever* be given up, and *American* freedom ascertained, and settled upon a permanent constitutional foundation.

That the most practicable mode of forming such an effectual Association, they conceive to be a general meeting of the gentlemen who are already or shall be appointed Committees to form an *American* intercourse and correspondence upon this most interested occasion.

That in the mean time they will form such particular Associations as to them shall seem effectual; yet professing themselves ready to join in any reasonable general one that may be desired as aforesaid.

That these sentiments be immediately forwarded to be printed in the *Maryland* and *Pennsylvania* Gazettes.

That *Edward Tilghman, Solomon Wright, Turbut Wright, John Brown, Richard Tilghman Earle, James Hollyday, Thomas Wright, William Hemsley, Adam Gray, Clement Sewell, Richard Tilghman, James Kent, John Kerr, James Bordley*, and *William Bruff*, be a Committeee of Correspondence and Intercourse, until some alteration is made in this appointment by a more general meeting. Attested by

JAMES EARLE, *Clerk to Committee.*

BALTIMORE COUNTY RESOLUTIONS.

At a General Meeting of the Freeholders, Gentlemen, Merchants, Tradesmen, and other Inhabitants of *Baltimore* County, held at the Court House of the said county, on *Tuesday*, the 31st of *May*, 1774:

Captain CHARLES RIDGELY, *Chairman.*

1st. *Resolved*, That it is the opinion of this meeting that the town of *Boston* is now suffering in the common

* It having been suggested that the first day of *June*, which will be so distinguished an era in the *American* history, when the *Boston* Port Bill is to take effect, should have some particular notice taken of it, a number of persons, composed of the members of all societies in this city, met and unanimously agreed that it would be proper to express their sympathy for their brethren at *Boston*, by suspending all business on that day. Such a pause is intended, not only to shew the real concern we feel for the distresses of our brethren and fellow-subjects, but to give an opportunity of seriously reflecting on our own dangers, and the precarious tenure of our most valuable rights.—PHILADELPHIA, *May* 30, 1774.

This being the first day of *June*, when the inhabitants of the town of *Boston*, our brethren and fellow-subjects, suffering in the common cause of liberty, are to have their port and harbour shut up, and to be excluded from all commercial intercourse, except an allowance of wood and provisions, just necessary to keep them from perishing with want and cold, in consequence of an Act of Parliament lately passed for that purpose, many of the inhabitants of this city, of most denominations, propose to express their sympathy and concern for their distressed brethren, by suspending business on *this day*, and will be glad of the concurrence of such of their fellow-citizens as approve of the measure.—*June* 1.

Yesterday we had a pause in the business of this city, and a solemn pause it indeed was. If we except the Friends, I believe nine-tenths of the citizens shut up their houses. The bells were rang muffled all the day, and the ships in the port had their colours half hoisted.—*June* 2.

Whereas, in the *Pennsylvania Packet* of this day, it is mentioned, that "on *Wednesday* last, being the day when the Act for shutting up "the port of *Boston* took effect, the bells of *Christ* Church were muffled "and rang a solemn peal, and that the houses of worship were crowded," &c. We are desired by the Rector of that Church to acquaint the public that the bells were not rung with his knowledge or approbation, and that, by his express direction, there was no particular observance of that day in either of the Churches under his care. It is well known that the established Church is restrained from any religious observance of days, except those appointed by the Church, or the public authority of Government.—*June* 6.

Digitized by Google

cause of *America*, and that it is the duty of every Colony in *America* to unite in the most effectual means to obtain a repeal of the late Act of Parliament for blocking up the harbour of *Boston*. [Dissentient three.]

2d. *Resolved*, That it is the opinion of this meeting, that if the Colonies come into a joint resolution to stop importations from and exportations to *Great Britain* and the *West Indies*, until the Act for blocking up the harbour of *Boston* be repealed, the same may be the means of preserving *North America* in her liberties. [Dissentient three.]

3d. *Resolved*, That, therefore, the inhabitants of this county will join in an Association with the several counties in this Province, and the principal Colonies in *America*, to put a stop to exports to *Great Britain* and the *West Indies*, after the first day of *October* next, or such other day as may be agreed on, and to put a stop to the imports from *Great Britain* after the first day of *December* next, or such other day as may be agreed upon, until the said Act shall be repealed, and that such Association shall be upon oath. [Dissentient nine.]

4th. *Resolved, unanimously*, That it is the opinion of this meeting, that as the most effectual means of uniting all parts of this Province in such Association as proposed, a general Congress of Deputies from each county be held at *Annapolis* at such time as may be agreed upon, and that, if agreeable to the sense of our sister Colonies, Delegates shall be appointed from this Province to attend a general Congress of Delegates from the other Colonies, at such time and place as shall be agreed on, in order to settle and establish a general plan of conduct for the important purposes aforementioned.

5th. *Resolved, unanimously*, That the inhabitants of this county will, and it is the opinion of this meeting, that this Province ought to break off all trade and dealings with that Colony, Province, or town, which shall decline or refuse to come into similar resolutions with a majority of the Colonies.

6th. *Resolved*, That Captain *Charles Ridgely*, *Charles Ridgely*, son of *John*, *Walter Tolley*, Jun., *Thomas Cockey Dye*, *William Lux*, *Robert Alexander*, *Samuel Purviance*, Jun., *John Moale*, *Andrew Buchanan*, and *George Risteau*, be a Committee to attend a general meeting at *Annapolis*. And that the same gentlemen, together with *John Smith*, *Thomas Harrison*, *William Buchanan*, *Benjamin Nicholson*, *Thomas Sollars*, *William Smith*, *James Gittings*, *Richard Moale*, *Jonathan Plowman*, and *William Spear*, be a Committee of Correspondence to receive and answer all letters, and on any emergency to call a general meeting, and that any six of the number have power to act.

7th. *Resolved*, That a copy of the proceedings be transmitted to the several counties of this Province, directed to their Committee of Correspondence, and be also published in the *Maryland Gazette*, to evince to all the world the sense they entertain of the invasion of their constitutional rights and liberties.

8th. *Resolved*, That the Chairman be desired to return the thanks of this meeting to the gentlemen of the Committee of Correspondence from *Annapolis*, for their polite personal attendance in consequence of an invitation by the Committee of Correspondence for *Baltimore* town.

Signed per order, WILLIAM LUX, *Clerk*.

DEPUTY GOVERNOUR PENN TO THE EARL OF DARTMOUTH.

Philadelphia, 31st May, 1774.

MY LORD: I take the opportunity of the Packet to acquaint your Lordship, that as soon as the people of *Boston* knew of the late Act of Parliament for shutting up that port, an express was despatched from thence with the intelligence to this city, with a proposal to concur with them in putting a total stop to the importing or exporting any kind of goods whatsoever until the above Act should be repealed. In consequence of this, a considerable number of merchants and others had a meeting at a tavern in this city, where I understand the matter was taken into consideration and debated. The only resolution that I can learn they came into was to prefer a petition to me to convene the Assembly on the occasion; and I am told a petition has been framed for that pnrpose, and is now handed about the town to be signed, and will be presented to me in a few days. Should so affrontive an application be really made to me, your Lordship may be assured I shall treat it as it deserves. I have, however, been informed, that the movers of this extraordinary measure had not the most distant expectation of succeeding in it, but that their real scheme was to gain time by it to see what part the other Colonies will take in so critical a conjuncture.

Should any further steps be taken here that may be worthy your Lordship's information, I shall not fail immediately to communicate them. I have the honour to be, &c.,

JOHN PENN.

GOVERNOUR FRANKLIN TO THE EARL OF DARTMOUTH.

Extract.

Burlington, 31st May, 1774.

Since my last I have received two circular despatches from Mr. *Pownall*, dated *March* 10th and *April* 6th, enclosing copies of his Majesty's Message to both Houses of Parliament relative to the late disturbances in *America*, their Resolutions thereupon, and the Act of Parliament respecting the port of *Boston*. The latter has been published in the usual manner, though the people in this Colony are not concerned in carrying on any commerce with the Province of *Massachusetts Bay*.

It is difficult as yet to foresee what will be the consequence of the *Boston* Port Act. It seems as if the merchants of *Philadelphia* and *New-York*, at their late meetings, were inclined to assist or co-operate with those of *Boston*, in some degree, but not to carry matters so far as to enter into a general non-importation and exportation agreement, as was proposed to them by the town of *Boston*. However, I believe it may be depended upon, that many of the merchants, on a supposition that a non-importation agreement (so far as respects from *Great Britain*) will be certainly entered into by next autumn, have ordered a much greater quantity of goods than common to be sent out by the next fall ships from *England*.

A Congress of members of the several Houses of Assembly has been proposed in order to agree upon some measures on the present occasion; but whether this expedient will take place it is as yet uncertain. The *Virginia* Assembly, some time ago, appointed a Committee of Correspondence to correspond with all the other Assemblies on the Continent, which example has been followed by every other House of Representatives. I was in hopes that the Assembly of this Province would not have gone into the measure; for though they met on the 10th of *November*, yet they avoided taking the matter into consideration, though frequently urged by some of the members, until the 8th of *February*, and then I believe they would not have gone into it, but that the Assembly of *New-York* had just before resolved to appoint such a Committee, and they did not choose to appear singular.

GOVERNOUR GAGE TO THE EARL OF DARTMOUTH.

Extract.

Boston, 31st May, 1774.

I wish I had met with a ready disposition to comply with the terms of the Act of Parliament, instead of a resolution to ask assistance from the other Colonies; but I don't find there is any inclination in the rest to shut up their ports, which was not to be expected considering what they before suffered from their non-importation agreements. If they intend, or not, to take any resolutions in behalf of *Boston*, farther than giving good words, is not known here.

The violent party seems to break, and people fall off from them, but no means are yet adopted to comply with the Act. The Assembly has shown no disposition to begin upon it, but were hurrying the business of supplies through their House, to throw it off themselves, and to avoid meeting at *Salem*, by adjourning themselves when the supplies had passed their House; but receiving intelligence of their designs, I adjourned them, on a sudden, to the 7th of *June*, and then to meet at *Salem*.

They, as yet, have only presented me with a petition to proclaim a day of fasting and prayer, but as they have lately had a day of the kind, according to custom, and as I saw no cause for an extraordinary day of humiliation, I have judged it best not to comply.

Digitized by Google

I had a meeting with the late Governour, the Admiral, and Commissioners of the Customs, on the subject of putting the Act in force, in which, after putting some questions to the Attorney General, the Chief Justice being absent, they appeared to agree in the manner of it. The officers of the Customs remove to-morrow, when I also purpose to leave *Boston*, and the Admiral has stationed his ships.

No design has appeared of opposing the execution of the Act, nor do I see any possibility of doing it with effect; but many are impatient for the arrival of the troops, and I am told that people will then speak and act openly, which they now dare not do. General *Haldimand* took the opportunity of a vessel in the service to send a detachment of sixty artillerists, and eight pieces of ordnance, from *New-York* to *Castle William*, which I propose to encamp with the troops.

JOHN SCOLLAY TO ARTHUR LEE.

Boston, May 31st, 1774.

SIR: Mr. *Adams* informs me that you kindly received the letter I wrote you in *December* last. This information prompts me to address you again. Letter writing, and on politics, is not my province, but such are the times, that that man's heart must be callous indeed that does not feel for his country, and that does not give it out in every way. In short, we have all, from the cobbler up to the senator, become politicians.

On the morrow, that Act, cruel Act of our parent State, (or, rather, hard-hearted step-mother,) called the *Boston* Port Bill, is to take place, a Bill fraught with vengeance against this town. However, *Lord North* will find out himself, and that very soon, that he overshot his mark. That which he intended should operate against *Boston* only, will affect every town in this Province. The seaport towns will feel the operation of the Act, in a degree as much as *Boston*, *Boston* being the grand engine that gives motion to all the wheels of commerce. This being stopped, it will sensibly affect the whole trade of the Province. All the seaport towns depend on this to take off by far the greatest part of their imports; they cannot send a vessel to sea again after her return from a voyage, till they send her cargo to *Boston* to be sold. In short, all the running cash in the Province centres in this town. To this market all the trading towns repair with their goods to make money of them. *Newburyport*, *Marblehead*, and *Salem*, will most sensibly feel the shock, and if the blockade continues long they must haul up their vessels, for no place but *Boston* can take off their cargoes. It is a most melancholy consideration, that this town, which was, and is now, the most flourishing in trade and commerce, must be devoted to destruction, and in a few days be brought to the forlorn condition of a deserted village. Thousands that depend on their daily labour for support, must be reduced to the greatest degree of distress and want. However, they will suffer in a good cause, and that righteous Being who takes care of the ravens who cry unto him, will provide for them and theirs. ***** ****** For that purpose we have it in contemplation, if the blockade continues any length of time, to employ the poor in building a horse bridge over *Charles* river, a river about as wide as the *Thames*. By this bridge, *Charlestown*, a large and opulent town, will be joined to *Boston*. This bridge will greatly facilitate the intercourse between *Boston*, *Marblehead* and *Salem*, and other trading towns.

When the news first arrived of Lord *North's* proposing this Bill in Parliament, it was looked on as a mere hum. People could not think that a *British* House of Commons would be so infatuated as to pass such a Bill, to punish a whole town for a trespass that was committed in it by nobody knows who, and to carry it into execution without giving the town an opportunity to answer to the charge, is an unheard of proceeding. Although it was designed this town should be ruined, yet I doubt not but that it will finally end in great good, not only to this town, but to all the Colonies. I believe, by this management, his Lordship's fabric, which cost him so much labour, and afforded him so much delight, will be demolished, and instead of despotism and tyranny over the Colonies, a foundation will be laid for lasting peace and harmony between *Great Britain* and these Colonies. This may be looked on as visionary, but I think the crisis is near when this must take place, which is the warmest wish of every free-hearted *North American*. We have too great a regard for our parent State (although cruelly treated by some of her illegitimate sons) to withdraw our connection. Of her we have no idea of an independency, and the Colonies are too precious a jewel for the Crown to part with; therefore I think that the wisdom of the *English* nation, and that of the Colonies united, might fall on some plan of conciliating their differences, and fix on some principles for each party to resort to, as the great charter of agreement between the King and his Colonies. Such an event would make the Colonies happy, and the *British* nation great and prosperous.

As you will no doubt have the particulars of these matters handed to you by some of your friends, it will be needless for me to enlarge.

I hope you will excuse my troubling you with this epistle, and believe me to be, with great regard, sir, your most humble servant, JOHN SCOLLAY.

Arthur Lee, Esquire, *London*.

Charlestown, South Carolina, May 31, 1774.

This morning a packet was received here, despatched from on board the brigantine *Sea Nymph*, Captain *Moore*, from a very respectable Committee at *Philadelphia*, enclosing letters from the Committees, and containing the first intelligence of the passing of the Act of Parliament for blockading of the town of *Boston*; which, if we may judge from the indignation with which it is every where received, will prove the crudest policy that ever disgraced a *British* Senate, and be the very means to perfect that union in *America* which it was intended to destroy, and finally restore the excellent constitution even of the mother country itself.

A LETTER TO THE INHABITANTS OF CHARLESTOWN, SOUTH CAROLINA.

Norfolk, May 31, 1774.

GENTLEMEN: The occasion is too serious to admit of apologies for this unsolicited communication of our sentiments to you, at this alarming crisis to *American* freedom; for the time is come, the unhappy era has arrived, when the closest union among ourselves, and the firmest confidence in each other, are our only securities for those rights, which as men and freemen, we derive from nature and the Constitution. The late hostile Parliamentary invasion of the town of *Boston* we deem an attack upon the liberties of us all. Of the particulars of that unhappy transaction, we presume, you are already fully informed, and, we doubt not, shudder with us at this systematic mode of depriving the unrepresented *American* of his rights and possessions, and vesting the Crown with such despotic power over the free-born inhabitants of the capital of the *Massachusetts Bay*. What measures are most proper to be adopted on this sad occasion we are at a loss to point out; but we look to the wisdom of your city, in cunjunction with the other large commercial towns on this Continent, to take more immediately the lead in these important matters, and to fix upon such expedients in the regulation of trade, as may be most productive of relief to our suffering brethren of *Boston*, and the general establishment of the rights of these Colonies. And you may rest assured that in every measure conducive to this grand Continental object, you will always meet with our most hearty concurrence. We are under great apprehensions for the people of *Boston*, least they may sink under the weight of their misfortunes. And at the same time that we highly approve of the expediency of a Congress, as proposed by several of the Colonies, we think the trading part of the community ought particularly to interfere; for nothing but the most speedy and efficacious measures can relieve them; and if after all, there should be found an unhappy necessity to reimburse the *India* Company for that just punishment they received for their ungenerous attempts on our liberties, we trust there is no inhabitant of these Colonies who feels and thinks himself a freeman, but will cheerfully put his hand to his purse, and join in the general expense.

Enclosed we transmit you the proceedings of the inha-

Digitized by Google

bitants of the borough of *Norfolk* and town of *Portsmouth*, ogether with the letters and other papers from *Boston*, *Philadelphia*, and *Baltimore*, as also copies of the resolutions and other proceedings of the Members of our late House of Burgesses, both before and after their dissolution. We hope to be able to inform you more particularly of the collected sense of the trade of this Colony at the general meeting of the merchants next week at *Williamsburg*, when we expect further despatches from the Northward. We hope the favour of a free and full communication of your sentiments on this important occasion, and trust that your flourishing and respectable Province will still continue their generous endeavours for the establishment of the rights of the Colonies, that the opposition of all *America* may be as extensive as the oppression.

With the warmest attachment to the interest of the Colonies, we are, gentlemen, most respectfully, your most obedient humble servants,

THOMAS NEWTON, Jun., JOHN GREENWOOD,
JOSEPH HUTCHINGS, ALEXANDER SKINNER,
PAUL LOYALL, WILLIAM HARVEY,
ALEXANDER LOVE, NIEL JAMIESON.
SAMUEL INGLIS,

THE COMMITTEE OF NORFOLK AND PORTSMOUTH TO THE BALTIMORE COMMITTEE OF CORRESPONDENCE.

Norfolk, June 2, 1774.

GENTLEMEN: We acknowledge the receipt of your interesting favour, and hope you will still continue to communicate your sentiments to us on the important subject of your letter, in the freest and fullest manner. We are happy in so general a concurrence in opinion with you, and are ready to unite in any measures that may be generally thought for the advantage of the Colonies, and the relief of our unhappy brethren of *Boston*. We sympathize most sincerely with them in their sufferings; our hearts are warmed with affection for them; and we trust they will never be deserted, nor left the solitary strugglers against arbitrary power. The Act for blocking up their harbour and stopping their trade, and the Bill for altering and amending the Charter of the Colony of *Massachusetts Bay*, which Lord *North* has lately brought into the House of Commons, we view as fatal strokes to the liberties of these Colonies, and as a public robbery of our rights; but we rest with a firm assurance that the paltry policy, of attacking a town or a Province singly, will never so unhappily delude, as to disunite us from that joint, firm and universal opposition of all *British America*, which, we trust, will always render abortive every such pernicious measure.

As we have had occasion to write to *South Carolina*, previous to this, our earliest opportunity of answering your favour, we transmit you a copy of that letter, which you may please to communicate as you think proper. You have also enclosed, some other papers, from which you will be fully sensible that we are ready to join in any measures for the public good.

We are with great esteem and regard, gentlemen, your most obedient, humble servants,

JOSEPH HUTCHINGS, PAUL LOYALL,
ALEXANDER SKINNER, WILLIAM HARVEY.
JAMES TAYLOR,

THE COMMITTEE OF NORFOLK AND PORTSMOUTH TO THE BOSTON COMMITTEE.

Norfolk, June 3, 1774.

GENTLEMEN: We gladly take this first opportunity of assuring our brethren of *Boston*, on this melancholy occasion, that we are not indifferent spectators of their distressing situation, under the present cruel exertion of *British* power, to support an edict calculated to ruin their trade, and for ever subject a very considerable property to the arbitrary pleasure of the Crown; our bosoms glow with tender regard for you; we sympathize with you in your sufferings; and thought it our duty devoutly to observe the appointment of the first of *June* as a day of fasting and prayer, solemnly to address the Almighty Ruler to support you in your afflictions, and to remove from our Sovereign those pernicious Counsellors that have been the wicked instruments of your oppression. Be assured, we consider you as suffering in the common cause, and look upon ourselves as bound by the most sacred and solemn ties to support you in every measure that shall be found necessary to regain your just rights and privileges.

As we have had occasion to communicate our sentiments to *Charlestown* and *Baltimore*, we refer you to those letters, and the other papers transmitted to you; and although we are not one of the larger commercial towns on the Continent, yet, as the trade is more collected here than in any other place of this well watered and extensive Dominion, we thought it our duty to communicate what we apprehended to be the sense of the mercantile part of the community among us.

That the Almighty arm may support you and shield you in the hour of danger, is the fervent prayer of, gentlemen, your affectionate brethren,

THOMAS NEWTON, Jun., HENRY BROWN,
JOSEPH HUTCHINGS, ALEXANDER SKINNER,
MATTHEW PHRIPP, THOMAS BROWN,
SAMUEL KERR, ROBERT TAYLER.
ROBERT SHEDDEN,

LIEUT. GOVERNOUR COLDEN TO THE EARL OF DARTMOUTH.

Extract.

New-York, 1st June, 1774.

The Act of Parliament shutting up the port of *Boston*, was brought to this place by a merchant vessel a few days before I received it from your Lordship's office.

The Act was immediately published in all our newspapers, and was the subject of all conversation. I knew that people universally in this Colony had received such ideas of being taxed at the pleasure of Parliament, that I was particularly anxious upon this occasion to discover the sentiments of those who might have most influence over others, and was assured by the gentlemen of the Council, and others of weight in the city, that no means would be omitted to prevent the hot-headed people taking any measures that might endanger the peace and quiet of the Colony.

The men who at that time called themselves the Committee, who dictated and acted in the name of the people, were many of them of the lower rank, and all the warmest zealots of those called the *Sons of Liberty*. The more considerable merchants and citizens seldom or never appear among them, but I believe were not displeased with the clamour and opposition that was shown against internal taxation by Parliament.

The principal inhabitants, being now afraid that these hot-headed men might run the city into dangerous measures, appeared in a considerable body at the first meeting of the people after the *Boston* Port Act was published here. They dissolved the former Committee, and appointed a new one of fifty-one persons, in which care was taken to have a number of the most prudent and considerate people of the place. Some of them have not before joined the public proceedings of the Opposition, and were induced to appear in what they are sensible is an illegal character, from a consideration that if they did not, the business would be left in the same rash hands as before.

Letters had been received from *Boston* with an invitation from that town to the sister Colonies, immediately to come into a resolution to refrain from any commerce with *Great Britain* and the *West India* Islands, till the Act for shutting up the port of *Boston* was repealed. A printed handbill of this proposal is enclosed.

I am informed that the new Committee, in their answer to *Boston*, have given them no reason to expect that the merchants of this place will adopt so extravagant a measure, and people with whom I converse assure me, that they think it cannot be brought about by the most zealous advocates of opposition. As yet no resolutions have been taken by the people of this Colony, and the cool, prudent men will endeavour to keep measures in suspense till they have an opportunity of adopting the best. I am told they have proposed that the Colonies be invited to send Deputies to meet together, in order to petition the King for redress of grievances, and deliberate upon some plan whereby the jealousies between *Great Britain* and her Colonies may be removed. It is allowed by the intelligent

Digitized by Google

among them, that these assemblies of the people, without authority of Government, are illegal, and may be dangerous, but they deny that they are unconstitutional when a national grievance cannot otherwise be removed. What resolutions will be taken I cannot yet say. The Government of this Province has no coercive power over these assemblies of the people, but the authority of the Magistrates, in all other cases, is submitted to as usual.

MAJOR GEN. HALDIMAND TO THE EARL OF DARTMOUTH.

Extract.

New-York, 1st June, 1774.

I think it my duty to acquaint your Lordship with the apparent effect which the late vigorous measures adopted by the Parliament of *Great Britain* have made on the minds of the people of this country; the few who entertained more loyal and liberal ideas of Government, are now induced and encouraged to speak their minds with more freedom, and fear not to disapprove the rash proceedings of their countrymen, blindly led by a few hot-headed and designing men. This has operated so far as to prevent, hitherto, the effect of the resolution warmly urged by a number of violent enthusiasts, to shut up their ports themselves, both here and at *Philadelphia*, and to decline any importation from *Great Britain* and *Ireland*, or exportation to any of the *West India* Islands, until the Act against the town of *Boston* should be repealed.

The more timid amongst them, actuated by self-interest and common prudence, have joined the few who dared to stand forth against such outrageous and illegal combinations. In consequence of which the measure was rejected; but it is to be feared that the fire is only smothered at present, and might break out anew unless the measures said to be adopted subsequent to the *Boston* Port Bill, should prove sufficient to restore the good order and harmony so essential to *Britain* and her Colonies, to assure the dependence of the latter on the Kingdom of *Great Britain*, and in time remove the prejudices now subsisting.

Williamsburg, June 2, 1774.

By advices from *Fincastle*, we learn that there has been a smart skirmish, on the branches of *New River*, between a party of white people, who were out surveying lands, and a number of *Indians*, whom they fell in with, supposed to be *Shawanese*. Our people drove the *Indians* off, and killed eight of them, with the loss of eight men and a boy of their own party; among them the noted Captain *John Ashby*, who, in the last war, brought the first account of General *Braddock's* defeat to this city with amazing expedition.

We likewise hear, that the frontier inhabitants are all in motion at the alarming behaviour of the *Indians*, and seem determined to drive from among them so cruel and treacherous an enemy.

FREDERICKSBURG (VIRGINIA) RESOLUTIONS.

At a Meeting of the Inhabitants of *Fredericksburg*, in the County of *Spottsylvania*, and Colony of *Virginia*, at the Town House, on *Wednesday*, the first day of *June*, 1774:

Resolved, That it is the unanimous opinion of this meeting to concur in every proper measure that may be thought expedient by our sister Colonies, on this important occasion, respecting the hostile invasions of the rights and liberties of the town of *Boston*.

Resolved, That Messrs. *Fielding Lewis*, *Charles Dick*, *Charles Mortimer*, *James Mercer*, *Charles Washington*, *William Woodford*, *James Duncanson*, *William Porter*, *George Thornton*, and *Charles Yates*, be appointed a Committee for this town to correspond with the neighbouring towns and counties for the purpose of communicating to each other, in the most speedy manner, their sentiments on this present interesting and alarming situation of *America*.

Resolved, That *Benjamin Johnston* be appointed Clerk to this Committee.

Resolved, That the proceedings of this Committee, as well as those of other Provinces and Colonies, laid before them this day, be fairly transcribed by the Clerk in a book to be kept for that purpose.

Per order of the Committee,

BENJAMIN JOHNSTON, *Town Clerk*.

II. TO THE INHABITANTS OF THE BRITISH COLONIES IN AMERICA.

Philadelphia, June 1, 1774.

BRETHREN: It is not my design to travel through all the Ministerial manœuvres respecting us since the commencement of this Reign; it is not necessary. Sufficient, I trust, it will prove, to lay before you such a series of correspondent facts as will thoroughly convince you that a plan has been deliberately framed, and pertinaciously adhered to, unchanged even by frequent changes of Ministers, unchecked by any intervening gleam of humanity, to sacrifice to a passion for arbitrary dominion, the universal property, liberty, safety, honour, happiness and prosperity of us, unoffending yet devouted *Americans*; and that every man of us is deeply interested in the fate of our brethren of *Boston*.

If such a series is not laid before you, the combined force of which shall tear up by the roots, and throw out of your bosoms every lurking doubt, censure me as an enthusiast, too violently warmed by a sense of the injustice practised against my beloved country.

The danger of a father's life once racked words from a dumb son. Worse than death, in my view, threatens our common mother. Pardon, therefore, a brother's imperfections.

Amidst a volume of institutions called regulations, wrong at first, corrected in other errours, again corrected, still requiring regulation, and remaining, after all their editions, if not like *Draco's* codes of blood, yet codes of plunder, confounding, by the intricacy and multiplicity of their inventions, and confiscating for having confounded,* appears the Fourth of *George* the Third, chapter 15th styled, "An Act for granting certain duties in the *British* Colonies and Plantations in *America*," &c. This was the first comet of this kind that glared over these Colonies since their existence. Here first we find the Commons of *Great Britain* "giving and granting" our money for the express purpose of "raising a revenue in *America*."

We, busy in guiding our ploughs, felling our timber, or sailing in the circuits of traffic prescribed us, and still veering like bees to our hive, with millions of our gains to *Great Britain*, the centre of our toils by land and sea, poor harmless husbandmen and traders! scarce observed the blow given us. Our hearts filled with confidence by contemplating the pleasing images of her generous, distinguished virtues, from the splendour of which, in our judgment, those of ancient *Greece* and *Rome* hid their diminished heads—suspicion could find no entrance. We saw, in the preamble, something of the usual forms "for extending and securing navigation and commerce," were lulled into security, nor could suppose the stroke was aimed at our vitals. An infant that had tottered along a directed walk in a garden, and loaded with flowers had presented them to a mother, would as soon have expected to be knocked down by her.

Not long were we suffered to enjoy our tranquillity. The fifth of *George* the Third, chapter the 12th, the ever memorable Stamp Act quickly followed. By this, reciting the former Act, the Commons of *Great Britain* "gave and granted" duties, so called, of our money, on almost every piece of parchment, vellum, or paper, to be used in these Colonies, and declared every instrument of writing without a Stamp to be void. Tax gatherers of a

* "Omitting the immense increase of people, by natural population, in the more Northern Colonies, and the migration from every part of *Europe*, I am convinced the whole commercial system of *America* may be altered to advantage. You have prohibited where you ought to have encouraged; and you have encouraged where you ought to have prohibited. Improper restraints have been laid on the Continent in favour of the Islands. You have but two Nations to trade with in *America*. Would you had twenty! Let Acts of Parliament in consequence of treaties remain, but let not an *English* Minister become a Custom House officer for *Spain*, or for any foreign Power. Much is wrong, much may be amended for the general good of the whole."—MR. PITT'S *Speech*.

Digitized by Google

new kind were appointed to collect these duties. The petitions of our Assemblies, previous to its passing, on notice received of the design, asserting our rights, and supplicating a respect for them, were treated with contempt. You remember the time and its distress. You behaved as you ought.*

Convinced that a people who *wish* to be free, must *resolve* to be free, you abolished the "abominable thing," and proceeded in your usual business, without any regard to the illegal edict obtruded upon you.

Permit me to add two observations relating to remarkable attendants on the taxation comprised in that Act, the memory of which is perhaps grown faint, from length of time, in some minds.

By the statutes granting Stamp Duties in *England* or *Great Britain*, especial caution has been taken that nothing more should be levied upon the subject under any pretence whatsoever, than the duties themselves. These words run through those Acts, "That the officers shall receive the "several duties, and stamp and mark the vellum, parch-"ment, and paper, &c., *without any other fee or reward*; "which stamp or mark shall be a sufficient discharge for "the respective duties," &c. And "the Commissioners "shall take care that the several parts of the Kingdom "shall, from time to time, be sufficiently furnished with "vellum, parchment, and paper, stamped and marked as "is directed, TO THE END that the subjects, &c., MAY "HAVE IT IN THEIR ELECTION, *either to buy* the same of "the officers and persons to be employed, &c., at the "*usual* and *most common rates* above the said duties, or "*to bring* THEIR OWN vellum, parchment, or paper, to "be stamped or marked as aforesaid."†

Was the Stamp Act for *America* like other statutes? Judge. By this it is enacted, "That the High Treasurer, "or any three or more of the Commissioners of the Trea-"sury, shall once in every year SET THE PRICES, at which "all sorts of stamped vellum, parchment, and paper, shall "be sold," &c.

The Stamps were kept in *England*. Ship loads of "all "sorts of stamped vellum, parchment, and papers" were sent over to us. We had no *choice*, either to take these or to carry other vellum, parchment, or paper to be stamped. We must not only have paid the certain duties imposed, but the uncertain "prices" which the Commissioners should please to "set" for the value of their "vellum, "parchment, and paper;" and "penalties and forfeitures" fell upon us every step we took, without paying these *impositions*. This surely was not only to be taxed by the Parliament, but over again for the same articles by the Commissioners.

Here some men, whose minds are strongly impressed with ideas of equity, may ask, if it is possible that even a *British* Parliament should so wantonly degrade us? It is as true as that the port of *Boston* is THIS DAY shut up.

The "forfeitures and penalties thereby imposed were to "be sued for and recovered in any Court of Record, OR "IN ANY COURT OF ADMIRALTY OR VICE ADMIRALTY, "appointed, or to be appointed, and having jurisdiction in "the respective Colony where the offence should be com-"mitted," &c.

THIS was no regulation of trade. The facts, to be tried in any dispute, must have arisen on land—within the body of a county—as remote from Admiralty jurisdiction on every constitutional principle, as a suit on a bond, or an ejectment for a freehold. Yet thus, by a few lines, was the inestimable privilege of trial by jury to be torn from you and your posterity. Thus the decision of the rights of property, not in controversies between man and man, on the question of "*meum vel tuum*," where, though rung by oppression, the wretched loser might draw a degree of consolation, by reflecting that he had received some consideration for the substance taken away; or, at least, that a countryman gained his spoils—but in litigations founded on rigid *forfeitures* and arbitrary *penalties*—was to be referred to the corrupt tribunals of single Judges—appointed from another country—filled with its prejudices—holding their commissions during pleasure—totally independent of you—claiming fees and salaries to be paid out of your money—condemned by themselves.*

If this be "wisdom," it is not of that kind, the "ways whereof are *past finding out*."

The Act, thus revoked by you, received soon after a formal repeal in Parliament. This was done by the sixth

* "I rejoice that *America* has resisted. Three millions of people, so dead to all the feelings of liberty as voluntarily to consent to be slaves, would have been fit instruments to make slaves of the rest."—MR. PITT'S *Speech*.

† Fifth and sixth *William* and *Mary*, chapter 21; thirtieth *George* Second, chapter 19, and other statutes.

* "When the Jury have delivered in their verdict, and it is recorded in Court, they are then discharged. And so ends a trial by jury. A trial which, besides the other vast advantages which we have occasionally observed in its progress, is also as expeditious and cheap as it is convenient, equitable, and certain; for a commission out of Chancery, or the civil law courts, for examining witnesses in one cause, will frequently last as long, and of course be full as expensive, as the trial of a hundred issues at *nisi prius*; and yet the fact cannot be determined by such Commissioners at all; no, not till the depositions are published and read at the hearing of the cause in Court.

"Upon these accounts the trial by jury ever has been, and I trust ever will be, looked upon as the glory of the *English* law. And, if it has so great an advantage over others in regulating civil property, how much must that advantage be heightened when it is applied to criminal cases! But this we must refer to the ensuing book of these commentaries: only observing for the present, that it is the most transcendent privilege which any subject can enjoy, or wish for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of twelve of his neighbours and equals. A Constitution, that I may venture to affirm has, under Providence, secured the just liberties of this nation for a long succession of ages. And, therefore, a celebrated French writer (*a*) who concludes, that because *Rome*, *Sparta*, and *Carthage* have lost their liberties, therefore those of *England* in time must perish, should have recollected that *Rome*, *Sparta*, and *Carthage*, at the time when their liberties were lost, were strangers to the trial by jury.

"Great as this eulogium may seem, it is no more than this admirable Constitution, when traced to its principles, will be found in sober reason to deserve. The impartial administration of justice, which secures both our persons and our properties, is the great end of civil society. But if that be entirely entrusted to the Magistracy, a select body of men, and those generally selected by the Prince, or such as enjoy the highest offices in the State, their decisions, in spite of their own natural integrity, will have frequently an involuntary bias towards those of their own rank and dignity. It is not to be expected from human nature, that the few should be always attentive to the interests and good of the many. On the other hand if the power of judicature were placed at random in the hands of the multitude, their decisions would be wild and capricious, and a new rule of action would be every day established in our Courts. It is wisely, therefore, ordered, that the principles and axioms of law, which are general propositions, flowing from abstracted reason, and not accommodated to times or to men, should be deposited in the breasts of the Judges, to be occasionally applied to such facts as come properly ascertained before them. For here partiality can have little scope; the law is well known, and is the same for all ranks and degrees: it follows as a regular conclusion from the premises of fact pre-established. But in settling and adjusting a question of fact, when intrusted to any single Magistrate, partiality and injustice have an ample field to range in; either by boldly asserting that to be approved which is not so, or, more artfully, by suppressing some circumstances, stretching and warping others, and distinguishing away the remainder. Here, therefore, a competent number of sensible and upright jurymen, chosen by lot, from among those of the middle rank, will be found the best investigators of truth, and the surest guardians of public justice. For the most powerful individual in the State will be cautious of committing any flagrant invasion of another's right, when he knows that the fact of his oppression must be examined and decided by twelve indifferent men; and that, when once the fact is ascertained the law must of course redress it. This, therefore, preserves, in the hands of the people that share which they ought to have in the administration of public justice, and prevents the encroachments of the more powerful and wealthy citizens. Every new tribunal, erected for the decision of facts, without the intervention of a jury, (whether composed of Justices of the Peace, Commissioners of the Revenue, Judges of a court of conscience, or any other standing Magistrates,) is a step towards establishing aristocracy, the most oppressive of absolute Governments. The feodal system which, for the sake of military subordination, pursued an aristocratical plan in all its arrangements of property, had been intolerable in times of peace, had it not been wisely counterpoised by that privilege so universally diffused through every part of it, the trial by the feodal Peers. And in every country on the Continent, as the trial by the Peers has been gradually disused, so the nobles have increased in power, till the State has been torn in pieces by rival factions, and oligarchy in effect has been established, though under the shadow of regal Government, unless where the miserable commons have taken shelter under an absolute monarchy, the lighter evil of the two. And particularly it is a circumstance well worthy an *Englishman's* observation, that in *Sweden* the trial by jury, that bulwark of Northern liberty, which continued in its full vigour, so lately as the middle of the last century, (*b*) is now fallen into disuse; (*c*) and that there, though the regal power is in no country so closely limited, yet the liberties of the commons are extinguished, and the Government is degenerated into a mere aristocracy. (*d*) It is, therefore, upon the whole, a duty which every man owes to his country, his friends, his posterity, and himself, to maintain to the utmost of his power, this valuable Constitution of all his rights, to restore it to its ancient dignity, if at all impaired by the different value of property, or otherwise deviated from its first institution; to amend it wherever it is defective; and, above all, to guard with the most jealous circumspection against the introduction of new and arbitrary methods of trial, which, under a variety of plausible pretences, may in time imperceptibly undermine this best preservative of *English* liberty."—BLACKSTONE'S *Com*, 3*d vol. p.* 378, 381.

(a) *Montesq*, Sp. L. xi, 6. (b) *Whitelocke of Parl.* 427. (c) Mod. Un. Hist. xxxiii, 22. (d) Mod. Un. Hist. xxxiii, 17.

Digitized by Google

of *George* the Third, chapter the 11th. Because it was unconstitutional, as we were not and could not be represented there? No. Because it deprived "three millions "of loyal subjects of their darling privilege of trial by "jury, 'the best preservative of *English* liberty?'" No. Because "the continuance of the Act would be attended "with many inconveniences, and might be productive of "consequences greatly detrimental to the commercial in-"terests of" *Great Britain.*

Cool, guarded expressions! breathing the true spirit of the modern philosophy, so prevailing among the higher ranks in that polished Kingdom. How much care to avoid *inconveniences* and detriment to their own commercial interests! How sovereign a contempt for all the agonies that bowed us down to the earth, while indignation, shame, grief, affection, veneration, and gratitude combatted within our breasts! They were advised to speak peace to our souls, by nobly assigning an "*erroneous principle,*" for the repeal.* No. The freedom of *America* is the *Carthage* of *Great Britain—delenda est.* "Let us repeal the Act, "but never resign the principle on which it was founded."

One *generous* step they did take, becoming *Britons.* It demands our acknowledgments; nor should we withhold them. Why will they not suffer us to thank them for other favours?

The repealing Act spoke an indecisive language, subject to comments, that might differ on different sides of the *Atlantic.* We might have been too much agitated between hopes and apprehensions. It would have been unkind to leave us in such a state of anxiety. It would have been unworthy of a free people, who were determined to subjugate another free people. "*Parmenio* may steal victories, *Alexander* scorns it."

Therefore, the same day, I think, on which they repealed the Stamp Act, in the next chapter, however, they *candidly* explained to us their sentiments and resolutions, beyond a possibility of a mistake by the "Act for the better "securing the dependency of his Majesty's Dominions in "*America* upon the Crown and Parliament of *Great* "*Britain.*"

"Lift up thine eyes round about, and behold: all these "gather themselves together, AND COME TO THEE: Thou "shalt SURELY CLOTHE thee with them all, as with an "ornament, and BIND them on thee as a bride doth."

Philadelphia, June 1, 1774.

TO ALL THE ENGLISH COLONIES OF NORTH AMERICA.

Remember the fable of the bundle of sticks given by the father to his sons; it could not be *broken* until it was *divided.* We must stand or fall together. For the *Boston* Port Act carries in its principle and effects the certain, if not the immediate destruction of all the liberties of *America*, the ruin of all our property, and greatly endangers the safety of our persons; its nature is so malignant, and its operations will be so fatal to our whole temporal happiness, that it cannot fail to awaken the attention of all *America.* The most deliberate wisdom, the steady counsel, and firm resolution of *America*, never was, and it is hardly conceivable, ever can be more necessary than in this dreadful crisis.

I don't pretend to be able to comprehend all the evils, or to point out half the consequences of that alarming statute; but a few that occur appear to me to deserve great consideration.

1st. The Legislative power, by which it was enacted, is founded in a direct violation of the most essential and fundamental principle of the *English* Constitution, viz: *that no* ENGLISHMAN *shall be bound by any law to which he has not consented.*

2d. The ordinary object of human laws, is either the attainment of some benefit, resulting therefrom, or the remedy of a mischief. But this is a mere statute of vengeance, wreaked on the *Bostonians*, for opposing the Parliamentary duty on tea, and is, therefore, a practical proof as well as dreadful sample of the disposition of the *British* Parliament to hurl mighty destruction against all who oppose their impositions, whenever it is in their power to cause their resentment to be felt.

3d. The interest ruined by this Act of Parliamentary vengeance is immense, 'tis the trade and navigation of an ancient metropolis of one of the richest and oldest Provinces of *English America*, whose dignity and merit is second to none on this Continent; whose inhabitants are almost wholly of *English* descent; whose affections for the *English* nation, and attachment to *Hanoverian* succession have been rapturously warm; whose patience and perseverance, whose expense of lives and treasure in commencing and extending the conquests and settlements of *English America*, all far exceed the utmost claim or boast of any other *English* Colony. But they oppose the Tea Duty, therefore their merits are forgotten, their honour is laid in the dust; their interest, obtained by long and painful industry to the amount of hundreds of thousands, is ruined; their traitors are cherished and encouraged, their humble and dutiful petitions are rejected, their claims of right, founded in nature, in the *English* Constitution, and in their Charter, under the sacred sanction of the public faith, are spurned ought of sight with anger and contempt.

4th. The extent and operation of this baneful Act is mostly confined to the harbour of *Boston*, and its appendages, but its principle extends to every inch of *English America.* The *Bostonians* have as good a right to their harbour, their shipping, their wharfs and landing places, as they have to their houses, gardens, streets, commons, country seats, and plantations, and as good a right as the *Philadelphians* have to theirs, and, therefore, nothing can be more manifest than this, viz: That the same principle, the same power, that can seize on and wrest the one, can, with equal right and authority, seize on and wrest all the others out of the hands and use of their present proprietors, and, therefore, it follows by a consequence, which I dare say the *British* Parliament don't mean to deny, that if we presume to oppose any Act they may make, however oppressive and tyrannical we may deem it, or even to affront any peevish officer they may appoint over us, or without any of these, if they should even conceit we affront them, or if, without even such conceit, they should take it into their heads to exercise the absurd plenitude of their power over us, I say, in any of these cases, the same Parliamentary power which has deprived the *Bostonians* of their harbour, wharfs, landing places, &c., can, with equal authority, deprive any and every *English* Colony on the Continent of theirs, and accordingly send a sufficient force of ships and soldiers to stop every port in them, and put an end to all their navigation and trade; and not that only, but drive them all from their houses, streets, cities, and plantations. I appeal to the public if these are strained consequences, and if the power that can do the one cannot, with equal right, do all the rest.

5th. This fatal Act, as far as it relates to personal covenants and contracts, not only makes void all bills of lading, charter parties, &c., relating to vessels and cargoes destined to the port of *Boston*, and which may arrive there after the first day of *June* next; but the principle of this manifestly extends to all written contracts and covenants whatsoever, sealed or unsealed; to all deeds of lands, mortgages, indentures, covenants, bonds, bills, notes, receipts, &c., for there can be no doubt that the same power which is able to vacate, by sovereign authority, covenants and contracts relative to navigation made by private persons on reasonable and lawful considerations, can vacate also all covenants and contracts relating to inland affairs, so that if we should happen to disapprove of the Tea Duty, the *Boston* Port Act, or any other law the *British* Parliament may see fit to make, we may expect soon to be visited with a law from them, vacating all our deeds of lands, indentures of servants, bonds, &c., empowering all our servants to run away, and every rascal that pleases to enter on our estates and turn us out of our houses, &c.

6th. This dreadful extent of power is claimed by the *British* Parliament, on whom we have not the least check, and whose natural prejudices will ever induce them to oppress us—they are not of our appointment, they do not hope for our votes, or fear the loss of them at a future election; they have no natural affection for us; they don't feel for us; they never expect to see us, and therefore do not court our smiles, or dread meeting our angry countenan-

* "Upon the whole, I will beg leave to tell the House what is my opinion; it is, that the Stamp Act be repealed, absolutely, totally, and immediately; that the reason for the repeal be assigned, because it was founded on an erroneous principle."—Mr. PITT's *Speech.*

Digitized by Google

ces. When they vote away our money, they don't, at the same time, give that of their own and their best friends with it, but, on the contrary, they ease themselves and their friends of the whole burthen they lay on us, and, therefore, will always have strong inducements to make or burdens as heavy as possible that they may lighten their own. Indeed, in every view of this Act, it appears replete with horrour, ruin, and woe, to all *America*; it matters not where it begins to operate, no Colony on the Continent is exempt from its dreadful principle, nor can any one that has a seaport avoid its execution. But however ghostly, grinning, and death-like this awful threatening power lowers over us, I doubt not there are means left to *America* to avoid its effects, and virtue enough to induce every individual to throw aside every little consideration and unite with immoveable firmness in the important business of self-preservation.

We have reason to think this is the last effort of the power that would oppress us; if, it takes place we are undone, undone with our posterity. If we oppose and avoid it, we may still continue to enjoy our liberties, and posterity will look back to this alarming period, and will admire and boast the virtue of their ancestors that saved them from slavery and ruin.

KENT COUNTY (MARYLAND) RESOLUTIONS.

A numerous and very respectable Meeting of the Inhabitants of *Kent* County, in *Maryland*, was held at the Court House in *Chestertown*, on *Thursday*, the 2d day of *June*, 1774, pursuant to public notice given for that purpose.

THOMAS SMITH, Esq., was unanimously chosen *Chairman*.

And, after reading the Act of Parliament for blocking up the harbour of *Boston*, and sundry letters and papers received from the Committee of Correspondence at *Annapolis*, the following gentlemen were chosen to correspond with the Committees of the other counties of this Province, and of the Colonies in general, viz: *William Ringgold*, (*Eastern Neck*,) *Robert Buchanan*, *John Maxwell*, *Emory Sudler*, Colonel *Richard Lloyd*, Colonel *Joseph Nicholson*, *John Cadwallader*, *Joseph Nicholson*, Jun., *Thomas Ringgold*, *Thomas B. Hands*, *Joseph Earle*, *Ezekiel Foreman*, *James Anderson*, *James Hynson*, *James Pearce*, and *Isaac Spencer*, Esquires, and Messrs. *William Carmichael*, *John Vorhees*, *Donaldson Yeates*, *William Ringgold*, (*Chestertown*,) *Eleazer McComb*, Dr. *John Scott*, *Jeremiah Nicols*, Dr. *William Bordley*, and Captain *James Nicholson*.

The gentlemen present then desired the Committee to nominate a select number of their members to meet the Committees from the different counties in one Grand Provincial Committee, at the city of *Annapolis*, on a day thereafter to be appointed, to deliberate on proper measures to be taken in conjunction with the other Colonies, in order to bring about a repeal of the above Act of Parliament, so destructive in its consequences to the liberties of *America* in general, and of the town of *Boston* in particular.

The following gentlemen were appointed for that purpose, viz: Mr. Chairman, *William Ringgold*, (*Eastern Neck*,) *Joseph Nicholson*, Jun., *Thomas Ringgold*, and *Joseph Earle*, Esquires, who were directed to use every means in their power to promote unanimity of counsels, in order that a rational and well concerted plan may be laid down and prosecuted to attain the end proposed.

The gentlemen of the Committee being moved with the most tender sympathy for the distresses of their suffering brethren of *Boston*, particularly of the labouring poor, who are deprived of the means of supporting themselves and families by the operation of the Act for blocking up their harbour, opened a subscription for their relief, which in a little time was filled up to a considerable amount, and is left in the hands of the Chairman to be collected and shipped to them in such articles of provisions as may be most wanted, whenever it shall be necessary.

The Committee then adjourned to the house of Mr. *Edward Warrell*, in the said town, where their future meetings are to be held.

Signed by order of the Committee,

WILLIAM HALL, *Clerk*.

Extract of a Letter from one of the members of the House of Assembly of NEW-JERSEY, *and one of the Committee of Correspondence, which consists of nine members. Dated* JUNE 2, 1774.

"I returned yesterday from *New-Brunswick*, where six of our Committee met. We answered the *Boston* letters, informing them that we look on *New-Jersey* as eventually in the same predicament with *Boston*, and that we will do every thing which may be generally agreed on. We have signed a request to the Governour to call the General Assembly, to meet at such time as his Excellency may think proper, before the first of *August* next. Our Committee is well disposed in the cause of *American* freedom."

EXTRACT OF A LETTER RECEIVED IN PHILADELPHIA.

Boston, June 2, 1774.

We have been, for three weeks past, in a general hurry in business; most of our navigation is gone, and by the 13th instant I do not expect to see six vessels in our harbour. One regiment of the troops arrived yesterday, and they are marking out the lines in our Common to fix tents. How many are to be fixed here we cannot tell, and indeed we can know nothing certain till the operations take place. Our Custom House Officers all take their departure to-day, if they did not set out last night, to *Plymouth*, (being in this port,) to carry on business there. Governour *Hutchinson* sailed yesterday morning in Captain *Callahan*, for *London*, with his second son, one of our consignees, and a daughter. Governour *Gage* sets out from *Cambridge* this day, for *Salem*, to meet the General Court there the 7th instant. Five gentlemen, in their private capacity, waited on him three or four days since, to know what the amount of the tea was, and to whom they might apply; but they could only obtain from him that they would know, but did not say when. He was much on the reserve: but from the conversation I have had with two of them, we shall not be able to know any thing, with certainty, till either this town, as a town, or the General Court, apply to him. He sent a written order to our Provincial Treasurer, to move the Province money down to *Salem*; but he refused complying, well knowing he could not answer it without the special orders of the Assembly. I hope the Southern Governments will view our case in its true light, which I take to be a besieged city, in which is a great diversity of opinions and interests, and in a very little time will be the city of a great multitude without business, and ready to break through stone walls for subsistence.

THE EARL OF DARTMOUTH TO GOVERNOUR GAGE.

Extract.

Whitehall, 3d June, 1774.

Since you left *England* the Parliament has made a very considerable progress in the *American* business, and I send you herewith, by the King's command, two Acts to which His Majesty gave the royal assent a few days ago.

These Acts close the consideration of what relates to the state of your Government, and it is hoped that they will have the good effect to give vigour and activity to civil authority; to prevent those unwarrantable assemblings of the people, for factious purposes, which have been the source of so much mischief; and to secure an impartial administration of justice in all cases where the authority of this Kingdom may be in question.

The Act for the better regulation of the Government of the Province of *Massachusetts Bay*, provides, that from the 1st of *August* next, all elections of the Council under the authority of the Charter, shall be void, and that, for the future, the Council shall be appointed by the King.

In consequence of that provision, his Majesty has, with the advice of the Privy Council, nominated thirty-six persons, qualified as the Act directs, to be the Council of *Massachusetts Bay*, from and after the time limited for the continuance of the present Council; and enclosed herewith, I send you his Majesty's additional instruction, under the sign manual, authorizing and requiring you to assemble the said Council, and containing such further directions as are thought necessary and incident to this new establishment,

Digitized by Google

and as correspond with the provisions of the Act in relation thereto.

It would, perhaps, have been in some respects desirable that it might have been left to the King's discretion, to have directed that, in case of the death or absence of both Governour and Lieutenant Governour, the administration of Government should have been devolved on the Seniour Counsellor, as in other Governments; but as the Act reserves to the new Council all the liberties, privileges, and immunities enjoyed by the other, except in cases provided for, it is apprehended that such direction cannot be given, and for the same reason it has appeared, at least doubtful whether the Crown could delegate to you the powers of suspension and appointment to vacancies *pro tempore*, exercised in the other Royal Governments. In this situation it became the more necessary that a Lieutenant Governour should be immediately appointed; and the King having, upon Mr. *Hutchinson's* recommendation, nominated Mr. *Oliver*, of *Cambridge*, to that office, enclosed I send you his Majesty's sign manual, containing his appointment.

There is little room to hope that every one of the persons whom his Majesty has appointed to be of his Council, will be induced to accept that honour, for there can be no doubt that every art will be practised to intimidate and prejudice. I trust, however, that the number of those who decline will not be so considerable as to involve you in any difficulty on that account, or to create any embarrassment in the execution of a measure upon which so much depends.

Whatever vacancies may be created by any of the present members refusing to act, ought to be filled up as soon as possible, and, therefore, you will transmit to me, by the first opportunity, the names of such persons as you think best qualified for that trust, and the most likely to give weight and authority to the measures of Government; taking care, at the same time, not to propose any from whom you have not received assurances of their readiness to accept the office.

It is to be expected that every artifice which has been hitherto used with so much success to keep alive a spirit of sedition and opposition in the people, will be exerted on the present occasion to entangle and embarrass; but the King trusts that by temper and prudence on the one hand, and by firmness and resolution on the other, you will be able to surmount all the obstacles that can be thrown in your way.

It is impossible to foresee what those obstacles may be. If the General Court should happen to be sitting at the time when the new constitution of the Council is to take place, every advantage will probably be taken that such a situation affords, to create difficulties and throw the business into perplexity; but however that may be, and whatever may be urged, there can be no doubt that a prorogation at least will become absolutely necessary, in order to put an end to any business that may be depending before the old Council. Perhaps circumstances may require a dissolution, but it is much to be wished that, if possible, such a measure may be avoided.

The letters received from Mr. *Hutchinson* since you sailed from *Plymouth*, contain an account of the public proceedings down to the 5th of *April*, at which time it does not appear that any intelligence had been received in the Province of the steps that were taking here. It was, therefore, reasonable to suppose that the conduct and measures of the faction would be, as they actually were, of the same colour and complexion with those they had before pursued.

The impeachment of the Chief Justice seems to have been the favourite object of both Council and Assembly; but as Mr. *Hutchinson* had, with equal firmness and discretion, defeated that measure by prorogation, it is not necessary for me to say more on so extravagant a proceeding than that it was altogether an unwarrantable assumption of power, to which that Government is not, I conceive, either in the nature or principles of it, in any degree competent.

To what further extravagance the people may be driven, it is difficult to say; whatever violences are committed must be resisted with firmness; the constitutional authority of this Kingdom over its Colonies must be vindicated, and its laws obeyed throughout the whole Empire.

It is not only its dignity and reputation, but its power, nay, its very existence, depends upon the present moment; for should those ideas of independence, which some dangerous and ill-designed persons here are artfully endeavouring to instil into the minds of the King's *American* subjects, once take root, that relation between this Kingdom and its Colonies, which is the bond of peace and power, will soon cease to exist, and destruction must follow disunion. It is not the mere claim of exemption from the authority of Parliament in a particular case that has brought on the present crisis; it is actual disobedience and open resistance that have compelled coercive measures, and I have no longer any other confidence in the hopes I had entertained that the public peace and tranquillity would be restored, but that which I derive from your abilities, and the reliance I have on your prudence, for a wise and discreet exercise of the authorities given to you by the Acts which I now send you.

The powers contained in the Act for the more impartial administration of justice do, in particular, deserve your attention, for it is hardly possible to conceive a situation of greater difficulty and delicacy than that which a Governour would be in, if reduced to the necessity of exercising his discretion in the case provided for; but it is a case I trust that will never occur, and I will hope that, notwithstanding all the endeavours, equally flagitious and contemptible, used by a few desperate men to create in the people ideas of more general resistance, the thinking part of them will be awakened to such a sense of their true interests, and of the miseries that await a further continuance of these unhappy disputes, as to exert their best endeavours for a preservation of the public peace, and thereby give such effect and countenance to the civil authority as to render any other interposition than that of the ordinary Civil Magistrate unnecessary.

There is another *American* Bill, for making more effectual provision for quartering of his Majesty's troops, that has passed both Houses, and waits for the Royal assent, which, although of general purport, is founded principally on a case that occurred in the Province of *Massachusetts Bay*.

You will remember what happened at *Boston* in 1770, respecting the quartering of the two regiments sent thither from *Halifax*, and the artifices used by forced constructions of the Act of Parliament to elude the execution of it, and to embarrass the King's service. In order, therefore, to prevent the like in future, the present Bill is adopted, and enclosed I send you a printed copy of it, hoping to be able to send the Act itself by the first ship.

Charlestown, S. C., June 4,* 1774.

America has never seen a more critical period than the present. The Stamp Act, with all its ruinous consequences, portended less evil to this Continent than the present gathering storm.

When I consider the determined resolution of Parliament to enforce their pretended right of internal taxation, and reflect that the free-born Colonists, who have extended the *British* Empire over this once savage land, will sooner die than surrender the privileges of *Englishmen*, I tremble for the consequences. My heated imagination anticipates all the horrours of a civil war, and foresees these flourishing Provinces deluged with the unnatural bloodshed of our brethren and fellow-subjects In this alarming situation of affairs, methinks I see every brow contracted into a serious gloom, and every thinking man earnestly inquiring "what is to be done."

Nothing can be entered upon by honest men, with spirit and resolution, till they are first convinced of the justice of their cause. Let us then, without prejudice, inquire whether the present struggles of *America* are defensible on principles of equity? If we are wrong, let us with honour

*Charlestown, *S. C. June* 6. *Saturday* last being the King's birthday, when his Majesty entered the thirty-seventh year of his age, the same was observed here in the usual way, *i. e.* the bells were rung—colours displayed—guns, at the forts, fired—the militia were reviewed—and his Honour, the Lieutenant Governour, had company to dine with him in the Council Chamber—but there was not a single house illuminated at night, nor any other demonstration of joy; the people *lamenting* that so good a Prince should be beset by a Ministry who seem to have studied to *alienate*, rather than preserve, the affections of his most loyal subjects.

Digitized by Google

give up before force exacts a submission; if we are right, let us act like true patriots, and hold it out to the last, preferring one hour of virtuous liberty to a whole eternity of bondage.

The original source of contention, from which every particular act of opposition has sprung, is reducible to this simple question: Has the Parliament of *Great Britain* a right to tax *America* internally? I presume they have not. Two perfect rights can never interfere; if they have a just right to demand our property, we cannot in justice withhold it; and if they have a right to take from us one penny without our consent, for the same reason they have a right to the whole. From which this consequence is demonstrably evident: that we have no property at all, but are the vassals of the *British* House of Commons, holding all our possessions by their gracious forbearance, who have a right at pleasure, to take what, when, how much, and in any manner, they please. Or, in a word, I may say with Mr. *Locke*, "what property has any man in that which another has a right to take from him?"

It being proved that the Parliament has no right to tax *America* internally, it follows, that their claim is founded only in their superior strength. What name do we assign to that man, or body of men, who demands our property without any right, intending to prosecute the claim with an armed force? I blush to mention it, and shall only say, that the man who demands my money with a pistol at my breast is commonly called a robber; and that no proposition in *Euclid* is more capable of demonstration, than that such a man has as good a right to the money in my pocket as the House of Commons to tax us without our consent.

In this view of the matter, we are justified by the Constitution, by reason, by nature, yea, by *God* himself, in opposing, by every prudent measure, the payment of every such demand. Heaven approves the generous struggle.

We are only contending for our natural rights, and that liberty wherewith *God* has made us all free. The cause we are embarked in is good, and if any of the subordinate means used have been rash, the blame of them lies at the door of those who, by oppression, (which will make a wise man mad) have hurried the loyal *Americans* unadvisedly into them.

We are, therefore, reduced to this dilemma, either to acknowledge ourselves tenants at will to the House of Commons, or resolutely oppose this claim by every prudent measure. What are the prudent measures? I answer, that all the *Americans* should unite, firmly resolved to stand by one another even to death; one great soul of harmony should animate this whole Continent, and dispose each one to consider an injury offered to any part as offered to himself. Hapless *Boston*! that firmest bulwark of *American* liberty, is doomed to be the first victim at the altar of Ministerial vengeance. Shall we stand by indifferent spectators because we were spared? Surely, no! The free-born soul of every genuine patriot resents the guilty thought, and resolves to stand or fall with these firm defenders of our common rights. To enforce this union more, give me leave to observe, that *New-York* and *Philadelphia* are in the same predicament with *Boston;* and what is *Charlestown* behind either? Have not all obstructed the operation of one unconstitutional *British* Act of Parliament? And where is the mighty difference between destroying the tea, and resolving to do it, with such firmness as intimidated the Captains to return? Besides, did not every Province applaud the *Bostonians* with high commendations of their zeal for *American* liberty? I humbly hope they will act so far consistent with themselves, as to resent the treatment offered to that town as though it were offered to every other one. The contrary conduct would be ungenerous, cruel, and contrary to the true interest of the whole.

Why are the *Bostonians* destined for the first sacrifice? Not because they are most guilty; but because the Ministry would fondly divide the Province—divide and destroy—an attempt to punish all at once might unite all. If they ever can subjugate the free spirit of *New England*, (which may *God* forbid,) that instant the evil genius of tyranny will begin to stalk over these Provinces with gigantic strides, blasting the fruits of our virtuous industry. Where gay fields now smile, bedecked in the yellow robe of full eared harvest, soon would desolation frown over the uncultivated earth. Suns would in vain arise, and in vain would showers descend; for who would be industrious when others would reap the fruit of his labour? After the subjugation of *Boston*, *New-York*, and *Philadelphia*, our turn would be next. Methinks I see our courts of justice removed—our harbour blockaded—navigation stopped—our streets crowded with soldiers, insulting the peaceable inhabitants, and raising provisions to a starving price—and, after a little time, the now flourishing *Charlestown* reduced to a neglected plain.

Rise just indignation! Rise patriotism! and every public virtue! to the aid of our much injured country. Let us convince the world that *Britons* will be *Britons* still, in every age and clime. Let us instantly join our sister Colonies and resent the treatment offered by every possible means, whilst our united opposition can avail. Let us heartily unite in some well digested general plan that cannot fail to operate to the early relief of our brethren in *Boston*, now actually suffering in the common cause of *American* liberty. Let us begin by abolishing all parties and distinctions—abandoning luxury and pleasure—and establishing economy. Let us nobly determine to make a willing sacrifice of our private interest to this glorious cause—this cause of infinite importance. Let us enter into solemn resolutions not to import any *British* goods, (a very few necessary articles excepted) and determine firmly and strictly to adhere to them till the privileges of *Boston* are restored—the Tea Duty repealed—and the right of internal taxation given up. Let us, (if we are driven to that extreme necessity, and nothing less can restore us to our Constitutional freedom,) even desist to export—in which case it will be expedient that we determine not to distress each other by suits, and apply to the gentlemen of the law to decline business. Let us endeavour to make the union amongst ourselves, as well as with our sister Colonies, as perfect as human means can render it. "By uniting we stand, by dividing we fall." I foresee many inconveniences that will arise from every measure we can pursue; but I maintain it, they are infinitely short of what would follow on our giving up the point is dispute. If the Parliament's claim of internal taxation be established, either by our consent or by a military force, that moment we are transformed into slaves—all our property at the absolute disposal of the House of Commons.

Death itself is an event devoutly to be wished in comparison of such a state. Let us then act wisely; of two evils choose the least—join with our sister Colonies in a determined proper opposition to tyranny. Resolve rather to die the last of *American* freemen, than live the first of *American* slaves.

ANNE ARUNDEL COUNTY (MARYLAND) RESOLUTIONS.

At a Meeting of a very considerable and respectable body of the Inhabitants of *Anne Arundel* County, inclusive of those of the City of *Annapolis*, on *Saturday*, the 4th day of *June*, 1774.

Mr. Brice Thomas Beale Worthington, *Moderator*.

1. *Resolved, unanimously*, That it is the opinion of this meeting, that the town of *Boston* is now suffering in the common cause of *America*, and that it is incumbent on every Colony in *America*, to unite is effectual means to obtain a repeal of the late Act of Parliament for blocking up the harbour of *Boston*.

2. *Resolved*, That it is the opinion of this meeting, that if the Colonies come into a joint resolution to stop all importations from, and exportations to *Great Britain* and the *West Indies*, till the said Act be repealed, the same will be the most effectual means to obtain a repeal of the said Act, and preserve *North America* and her liberties.

3. *Resolved therefore, unanimously*, That the inhabitants of this county will join in an Association with the several counties in this Province, and the principal Colonies in *America*, to put a stop to exports to *Great Britain*, and the *West Indies*, after the ninth day of *October* next, or such other day as may be agreed on, and to put a stop to the imports of goods, not already ordered, and of those ordered that shall not be shipped from *Great Britain*, by the 20th day of *July* next, or such other day as may be

Digitized by Google

agreed on, until the said Act shall be repealed; and that such Association be on oath.

4. *Resolved*, That as remittances can be made only from exports, after stopping the exports to *Great Britain* and the *West Indies*, it will be impossible for very many of the people of this Province who are possessed of valuable property, immediately to pay off their debts, and therefore it is the opinion of this meeting the gentlemen of the law ought to bring no suit for the recovery of any debt due from any inhabitant of this Province, to any inhabitant of *Great Britain*, until the said Act be repealed; and further, that they ought not to bring suit for the recovery of any debt due to any inhabitant of this Province, except in such cases where the debtor is guilty of a wilful delay in payment, having ability to pay, or is about to abscond, or remove his effects, or is wasting his substance, or shall refuse to settle his account.

5. *Resolved*, That it is the opinion of this meeting, that a Congress of Deputies from the several counties to be held at *Annapolis*, as soon as conveniently may be, will be the most speedy and effectual means of uniting all the parts of this Province in such Association as proposed; and that if agreeable to the sense of our sister Colonies, Delegates ought to be appointed from this Province to attend a general Congress of Deputies from the other Colonies, at such time and place as may be agreed on, to effect unity in a wise and prudent plan for the forementioned purpose.

6. *Resolved, unanimously*, That the inhabitants of this County will, and it is the opinion of this meeting, that the Province ought to break off all trade and dealings with that Colony, Province, or town, which shall decline, or refuse to come into similar resolutions with a majority of the Colonies.*

7. *Resolved*, That *Brice Thomas Beale Worthington*, *Charles Carroll*, barrister, *John Hall*, *William Paca*, *Samuel Chase*, *Thomas Johnson*, Jun., *Matthias Hammond*, *Thomas Sprigg*, *Samuel Chew*, *John Weems*, *Thomas Dorsey*, *Rezin Hammond*, and *John Hood*, Jun., be a Committee to attend a general meeting at *Annapolis*, and of Correspondence to receive and answer all letters, and on any emergency to call a general meeting, and that any six of the number have power to act.

Ordered, That a copy of these Resolves be transmitted to the Committees of the several counties of this Province, and be also published in the *Maryland Gazette*.

By order,

JOHN DUCKETT, *Clerk of Committee.*

* QUESTIONS *submitted to the consideration of the Committee for* ANNE ARUNDEL *County*.

1. If the Association takes place on the proposed plan, will not a multitude of artificers and labourers of every denomination be immediately deprived of all means of subsistence? If that be the case will they, if no tender regard be paid to their interest and real importance in society, no refuge be provided for their inevitable distress, have any other resource than AN APPEAL TO HEAVEN AND A STRONG ARM in support of the natural and inextinguishable right of self-preservation? For I assume it as a point granted, that in a common and extreme calamity the barriers erected by positive law to fence and distinguish private property are thrown down, and that every thing relapses into a state of nature.

2. Shall not the landlord be bound, neither to demand payment in money or produce of the tenant, nor to make charge of rent whilst the Association lasts?

3. Will it not be most improvident to suffer the accumulation of interest to swallow up our effects, and spread itself like a rapid and consuming disease to our persons, the moment we have by our efforts in a contest equally interesting to ALL baffled the counsels of a Tyrant Minister? Will it not be strikingly unjust, that the trade of the money-lender alone shall continue to produce its fruits without interruption, to be gathered in season, out of the substance of those who are already stunned and exhausted by the suspension of their respective trades, occupations, and pursuits? Shall not all bonds then on interest, not only lie TO ALL INTENTS AND PURPOSES DEAD during the existence of the Association, but be controulled by suitable and temporary restrictions in the commencement and manner of their operation when it shall expire? And the observance of this be enforced by obligations as solemn as any other article of the Association?

4. If every issue of wealth be effectually stopped up, how shall the annual interest arising on public bonds be discharged? And will not the situation of this Province be truly deplorable, when the period fixed by law for calling in the principal shall arrive, unless some expedient be devised to shield us from the misfortune, without blasting the credit of our Provincial fund?

5. Will not the exceptions of the fourth Resolve, pointing out the conduct which ought to be observed by the gentlemen of the law towards the debtors and creditors residing in this Province, be construed as a banter unbecoming so awful an occasion, unless some standard, some precise rule be set up to give them significance and effect? If as it would seem, the gentlemen of the law are clothed with the power to decide in cases of this moment, shall not the debtor, upon inquisition, be obliged to reveal under oath every the most delicate circumstance, which may contribute to give a complete view of his affairs, and furnish a certain ground to judge of his ABILITY OR DISABILITY TO PAY? What shall amount to a proof that a debtor is about to ABSCOND OR REMOVE HIS EFFECTS? How shall a debtor clearly know the degree of excess which shall subject him to the charge of WASTING HIS SUBSTANCE; since, when property is at stake, some men are so much more ready to take the alarm than others, and what one shall censure as unwarrantable prodigality, another will commend as the laudable exertion of a social heart, and even the secret dispensations of melting charity are, when detected, by some transmuted into culpable profusion? What is meant by SETTLING AN ACCOUNT?

6. Shall the inhabitants of *Great Britain* be deemed by the gentlemen of the law, totally excluded from the benefit of the exceptions referred to in the preceding section, and yet their effects *here* be liable to be attached for debts due to the inhabitants of this Province?

June 13, 1774. CANDOUR.

EXTRACT OF A LETTER RECEIVED AT NEW-YORK.

Philadelphia, June 4, 1774.

I pity our brethren in *Boston*; they are very severely punished; but some of their friends here, and I fear with you also, are too warm, and to serve them seem willing to draw us into the same dilemma; but surely this is not the way to serve the general cause; we can be of more use to our brethren when *whole* than when *broken*, and I cannot let go my hopes that we may by a joint petition of our rights to the Crown, prevent things from going to extremities, and get *Boston* restored to the same liberties with the other Colonies; but some wish to push all things into confusion; with them I can never join, while any other expedient it left. Our letter to *Boston* is a moderate one, yet *warm* and *firm* enough. You have no doubt seen it, as a copy was sent to your Committee, who are of our sentiments, and I hope will continue cool.

Hartford, Conn., June 4, 1774.

To the Honourable JONATHAN TRUMBULL, *Esq., Governour of the English Colony of* CONNECTICUT, *in* NEW ENGLAND, *&c.*

MAY IT PLEASE YOUR HONOUR: In your great condescension graciously still please to consider of me; methinks I stand in need of every help and encouragement attainable. May it please your Honour to grant unto me my humble request.

Your Honour doubtless remembers that I made mention of another recommendation and pass from your Honour, when I was admitted into your presence, humbly desiring that it might be more extensive, not confined to one or two journies, or to one or two years, neither to any particular place, as I shall be going from one Government unto another, sometimes I shall be travelling up and down in this Government, also in *Rhode-Island* and *York* Governments, and perhaps also in *Boston* and *Hampshire* Governments; and I know not where else, and in thus travelling it is very probable that I shall see many strangers, and your Honour knows that the world is full of inquiries. Also I would inform your Honour that a recommendation and pass from thee, is a great help to me; it not only causes the gentlemen with whom I have to do, to take more notice of me, but it also recommends me to the respects of my *Indian* brethren, and thereby I am rendered more useful, or put in a capacity of being much more serviceable to my poor *New England* brethren, the natives; and not only this, but a recommendation from your Honour gives me favour in the eyes and hearts of the people in general in these parts, and thereby I am less chargeable in my travels. But most noble Governour fearing that I have already wearied your patience, I must draw towards the conclusion. May it please your Honour graciously to grant unto me thy favour, with respect of a recommendation and pass at this time, to save me from further trouble, also to save me from troubling your Honour any more; and not only with respect to this but also with respect of my petition to your Honour and to the Honourable Assembly; if your Honour be pleased to grant me thy favour concerning these things, I shall think myself happy, and would with all my heart cheerfully if it was in my power, make your Honour an ample satisfaction. But your Honour knows my pitiful circumstances. So I end still laying at the feet of your Honour's mercy, and still laying at the feet of the Hon-

Digitized by Google

ourable Assembly's mercy; humbly hoping that my expectations will not altogether perish. I am most noble Governour your Honour's well-wisher and humble Petitioner, JOSEPH JOHNSON.

An Indian *of the* Mohegan *Tribe.**

To the Honourable *Jonathan Trumbull*, Esq., Governour, and at present at *Hartford*.

THE EARL OF DUNMORE TO THE EARL OF DARTMOUTH.

Williamsburg, June 6, 1774.

MY LORD: Since the dissolution of the Assembly of *Virginia*, but before all the members of the House of Burgesses had quitted this city, there arrived an express, despatched from *Boston*, to the Committee of Correspondence here, as I learn, has likewise been done to all the other Colonies, to excite and encourage the whole to shut up the courts of justice against all *English* creditors, to join in a general Association against the importing of any *British* manufactures, or even exporting any of their own produce to *Great Britain*, and proposing a Congress of Deputies from all the Colonies forthwith.

I am really unable to suggest to your Lordship to what lengths the people of this Colony will be induced to proceed, further than what they have already made manifest by the order of the House of Burgesses, and subsequent Association, the copies of which I have already transmitted to your Lordship; but the part of the late Burgesses remaining in town at the arrival of the *Boston* messenger, having taken upon themselves to receive despatches, and to enter into a consideration of their contents, and then to summon the inhabitants, all above the age of twenty-one, to appear at an hour they chose to appoint, and to propose to them to agree to all those violent measures above mentioned, which, that they may be more solemnly entered into, and more generally adopted, they have deferred the execution of, to a further consideration on the first day of *August* next, when all the members that composed the late House of Burgesses are required to attend; these circumstances give too much cause to apprehend that the prudent views, and the regard to justice and equity, as well as loyalty and affection, which is publicly declared by many of the families of distinction here, will avail little against the turbulence and prejudice which prevails throughout the country; it is, however, at present quiet.

In the order of the House of Burgesses, which I before transmitted, your Lordship will observe that the Rev. Mr. *Gwatkin*, who was the Professor of Mathematics and Natural Philosophy in this College, and is now the principal master of the Grammar School, and who is of a most exemplary good character, and great literary abilities, is appointed to preach the sermon on that occasion; in justice to which gentleman, I think it necessary to let your Lordship know, that his name was made use of entirely without his knowledge, and that he civilly, but with firmness, declined being employed for such a purpose, and which proved no little mortification to the party who dictated the measure.

I am your Lordship's most obedient humble servant,

DUNMORE.

P. S. The paper which is herewith enclosed is just come out of the printing office, and contains Resolutions which the city of *Annapolis* has entered into, and are the same which I have already mentioned to your Lordship, as proposed for this Colony to join in; but the time that has been set for the reconsideration of them may possibly be sufficient to cool the heat of the party, which is now strenuously endeavouring to establish them. D.

PRINCE WILLIAM (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders, Merchants, and other Inhabitants of the County of *Prince William*, and town of *Dumfries*, in the Colony of *Virginia*, at the Court House of the said County, on *Monday*, the 6th day of *June*, in the year of our Lord 1774.

Resolved, And it is the unanimous opinion of this meeting, that no person ought to be taxed but by his own consent, expressed either by himself or his Representatives; and that, therefore, any Act of Parliament levying a tax to be collected in *America*, depriving the people of their property, or prohibiting them from trading with one another, is subversive of our natural rights, and contrary to the first principles of the Constitution.

Resolved, That the city of *Boston*, in the *Massachusetts Bay*, is now suffering in the common cause of *American* liberty, and on account of its opposition to an Act of the *British* Legislature, for imposing a duty upon tea, to be collected in *America*.

Resolved, That as our late Representatives have not fallen upon means sufficiently efficacious to secure to us the enjoyment of our civil rights and liberties, that it is the undoubted privilege of each respective county, (as the fountain of power from whence their delegation arises,) to take such proper and salutary measures as will essentially conduce to a repeal of those Acts, which the general sense of mankind, and the greatest characters in the nation, have pronounced to be unjust.

Resolved, And it is the opinion of this meeting, that until the said Acts are repealed, all importation to, and exportation from, this Colony ought to be stopped, except with such Colonies or Islands in *North America* as shall adopt this measure.

Resolved, And it is the opinion of this meeting, that the courts of justice in this Colony ought to decline trying any civil causes until the said Acts are repealed.

Resolved, That the Clerk of this Committee transmit copies of these Resolves to both the printers in *Annapolis* and *Philadelphia*, to be published in their Gazettes.

Per order, EVAN WILLIAMS, *Clerk Com'tee.*

EXTRACT OF A LETTER TO A GENTLEMAN IN BOSTON.

Philadelphia, June 6, 1774.

'Tis urged by some that *Boston* ought to pay for the tea destroyed there. This is to give my reasons why they should not pay for it.

1st. Dutied tea was prohibited by the general consent of all *North America*, for certainly nothing can make goods more perfectly prohibited than a general protest against their importation. If this should want *form* of law, it surely has all the *substance* of reason that can be necessary to constitute the most *absolute* prohibition; and if any merchant sends prohibited goods to any port, he

---

* NEW-YORK, *December* 22. Mr. *Johnson*, an *Indian* of the *Mohegan* tribe, is to preach this evening in the Old Presbyterian Church, in this city, when a collection is to be raised for him, to defray a considerable expense he has been at, in preparing the way for the removal of this tribe and the remains of six other tribes in that vicinity, who are chiefly Christians, unto the *Oneida* country; an event that promises the most salutary effects to this Province. His great merit in this affair, and his deserving character in other respects, are certified in the most ample manner, by the Governour of a neighbouring Colony, and he has been encouraged in the prosecution of his design by the kindness of his Honour, our Lieutenant Governour, several gentlemen of the Council, the Mayor of this city, and other principal gentlemen.

MR. PRINTER: May it please you to give the few following lines a place in your next *Thursday's* paper, which may contribute a little to satisfy the curiosity of your numerous customers, not only in this renowned city, but elsewhere. And in the doing of which you will greatly oblige your humble servant, JOSEPH JOHNSON,

An *Indian* of the *Mohegan* Tribe, in the Colony of *Connecticut.*

To the Citizens of NEW-YORK: With all humility I take this method, and cheerfully embrace this early opportunity, publicly to return my grateful thanks to the inhabitants of this city, whose generous hearts the Lord hath graciously opened and hath moved with pity to me-ward, and to my poor Nation, and hath made willing liberally to contribute out of their abundance, for my present relief and future encouragement. I thank all those generous, free hearted, and public spirited gentlemen and ladies of this city, who have contributed for my benefit, either in a public or private manner. I thank all those persons who have treated me with much respect, since my arrival in this city. Give me leave to make known unto you the resolution of my heart. My dear friends, if *God* should see fit to promote me, and in his providence make me to be a man of influence amongst the Nations that inhabit the Western wilderness, it is the purpose of my heart, to exert my uttermost, to cultivate and to establish peace, between his Majesty's loyal subjects and the *Indians* that border on your extensive frontiers. And it is the purpose of my heart to instruct them in the great things of your holy Religion, according to the knowledge that is graciously allowed to me. And give me leave to say, that whatsoever you, my dear friends, have been pleased graciously to contribute for me, shall by me be used with prudence, and with discretion. But lastly, I shall ever retain in my mind, with a heart full of love and gratitude, your great kindness to me-ward. But I end, I am, my kind benefactors, yours, the public's and the whole world's well wisher, JOSEPH JOHNSON,

An *Indian* of the *Mohegan* Tribe, in the Colony of *Connecticut.*

NEW-YORK, *December* 29, 1774.

Digitized by Google

consents to risk the loss of them; his folly only is to be pitied.

2d. I consider *that* importation of tea, not as a mercantile concern of the *India* Company, but as a political medium agreed upon by that Company and the Ministry together, to force the Tea Duty upon *America* against their consent, and therefore the destruction of it was not, in the least degree, a *malicious* design by the *Bostonians* to injure the *India* Company, but a *virtuous* effort to preserve their own liberties. If a man draws his sword on me to deprive me of life or liberty, and I break his sword, ought I to pay for the sword? If a man shuts me in his house to deprive me of my liberty, and I break the door, ought I to pay for the door? If I lie an anchor in a ship, and one sends a fire ship down to burn me, and I sink the fire ship, ought I to pay for it?

3d. But here is property destroyed which ought to be paid for; then, say I, let those sustain the damage who were the blameable causes of it, and not, by any means, those who acted from a virtuous necessity, from which they could not be excused, without breach of that duty they owed to their country, to themselves, and their posterity.

4th. An action cannot be good or advisable from which bad consequences and no good ones will necessarily flow upon a whole country. Paying for the tea will be deemed repentance, a submission, a retraction of that virtue by which the liberties of *America* were asserted and saved, and the grand scheme to destroy them rendered abortive. Virtue relinquished, repented of, and given up with shame, becomes the butt of ridicule for an enemy, and argues a baseness of soul which even a friend must view with contempt.

I beg to be free enough to mention another thing which astonishes me and all your friends, viz: that a number of reputable people of *Boston*, (some say forty, some sixty,) have humbly addressed Governour *Hutchinson*, to implore the mercy of the Ministry on poor *Boston*. I would deny this with great bitterness, but I fear I cannot. I should have thought the late proceedings of Parliament had dumbfounded every tory in *America*, but could not have imagined that a single one in *Boston* could have remained unconverted. That sort of poor spirited animals must have wagged their tails, and licked the feet of their despots so long as to have lost the spirit of an ordinary cur, or they could never do this. To kiss the rod is a submission that can never be due to any but a righteous chastiser. Imploring mercy is always a confession of guilt, and to do this without a conviction of guilt is the most abject conduct conceivable. And in the case in point, to be really and sincerely convicted of guilt, is worse; it is, in principle, to give up all the liberties of *America*. Can a *Bostonian* compliment a man of Mr. *Hutchinson's* conduct, whom all *America* believes to be the great instrument of your calamities? Can a *Bostonian* implore his intercession with your oppressors; oppressors who have violated the laws of *God* to wrong you; who have deprived you of the wharfs, landing places, and harbour, which the *God* of nature, the obligation of civil contract, and the law of the land, will conspire to seal to you as your property and right; who have vacated the obligations of personal covenants, such as are contained in bills of lading, charter parties, &c., and which the laws of Heaven will oblige the conscience of every honest man to fulfil; I say, can the virtue, can the pride of a *Bostonian* submit to implore the mercy of such oppressors, and that too by soliciting the mediation of their capital tool of oppression? I always had an exalted opinion of the virtue of the *Bostonians*. I indeed knew they might suffer, but never once suspected they could lose their dignity in suffering. Excuse my warm sentiments. If they give wounds they are the wounds of a friend. But I lament to tell you this conduct of a few with you, weakens the hands of your friends, and furnishes occasion to some to say the *Bostonians* themselves are melting away; our support can never save them whilst they want firmness themselves, and whilst they themselves acknowledge that they suffer for their own faults, and not for the cause of *American* liberty. Depend on it, it is the design of the Southern Colonies to support *Boston* with their united strength, to make their cause a common one; but at the same time they greatly rely on your firmness, your prudence, your virtue, and example in the struggle.

LOWER FREEHOLD (NEW-JERSEY) RESOLUTIONS.

At a Meeting of the Freeholders and Inhabitants of the Township of *Lower Freehold*, in the County of *Monmouth*, in *New-Jersey*, on *Monday*, the 6th day of *June*, 1774, after notice given of the time, place, and occasion of this meeting.

Resolved, That it is the unanimous opinion of this meeting, that the cause in which the inhabitants of the town of *Boston* are now suffering is the common cause of the whole Continent of *North America*; and that unless some general spirited measures, for the public safety, be speedily entered into, there is just reason to fear that every Province may in turn share the same fate with them; and that, therefore, it is highly incumbent on them all to unite in some effectual means to obtain a repeal of the *Boston* Port Bill, and any other that may follow it, which shall be deemed subversive of the rights and privileges of free-born *Americans*.

And that it is also the opinion of this meeting, that, in case it shall appear hereafter to be consistent with the general opinion of the trading towns, and the commercial part of our countrymen, that an entire stoppage of importation and exportation from and to *Great Britain* and the *West Indies*, until the said Port Bill and other Acts be repealed, will be really conducive to the safety and preservation of *North America* and her liberties, they will yield a cheerful acquiescence in the measure, and earnestly recommend the same to all their brethren in this Province.

Resolved, moreover, That the inhabitants of this township will join in an Association with the several towns in the county, and, in conjunction with them, with the several counties in the Province, (if, as we doubt not, they see fit to accede to the proposal,) in any measures that may appear best adapted to the weal and safety of *North America* and all her loyal sons.

Ordered, That *John Anderson*, Esq., Messrs. *Peter Forman*, *Hendrick Smock*, *John Forman*, and *Asher Holmes*, Captain *John Covenhoven*, and Doctor *Nathaniel Scudder*, be a Committee for the township, to join with those who may be elected for the neighbouring townships or counties, to constitute a General Committee, for any purposes similar to those above mentioned; and that the gentlemen so appointed do immediately solicit a correspondence with the adjacent towns.

NORWICH (CONNECTICUT) RESOLUTIONS.

At a very full Meeting of the Inhabitants of the Town of *Norwich*, in the Colony of *Connecticut*, legally warned and convened, in the Town House, on the 6th day of *June*, 1774.

The Hon. JABEZ HUNTINGDON, Esq., *Moderator*.

Voted, That this meeting be adjourned to the Meeting House, and there immediately opened, that more convenient room may be had for the number of people now assembled.

The meeting was opened at the Meeting House accordingly, when the following Resolves passed, almost unanimously.

Voted, That we will, to the utmost of our abilities, assert and defend the liberties and immunities of *British America*; and that we will co-operate with our brethren in this and the other Colonies, in such reasonable measures as shall, in a general Congress, or otherwise, be judged most proper to relieve us from the burdens we now feel, and secure us from greater evils we fear will follow from the principles adopted by the *British* Parliament respecting the town of *Boston*.

Voted, That Captain *Jedediah Huntingdon*, *Christopher Leffingwell*, Esq., Dr. *Theophilus Rogers*, Captain *William Hubbard*, and Captain *Joseph Trumbull*, be a Standing Committee, for the keeping up a correspondence with the towns in this and the neighbouring Colonies, and that they transmit a copy of these votes to the Committee of Correspondence for the town of *Boston*.

A true copy of record—attest,

BENJ. HUNTINGDON, Jun., *Town Clerk*.

Digitized by Google

Essex County, N. J., 7th June, 1774.

All the Inhabitants of the County of *Essex*, in *New-Jersey*, friends to the Constitution, the liberties and properties of *America*, are hereby notified and desired to meet at the Court House, in *Newark*, on *Saturday*, the 11th of *June*, instant, at two of the clock in the afternoon, to consult and deliberate, and firmly resolve upon the most prudent and salutary measures to secure and maintain the constitutional rights of his Majesty's subjects in *America*. It is, therefore, hoped, that from the importance of the subject, the meeting will be general.

Signed by order, at a meeting of a number of the Freeholders of the County of *Essex*, the 7th day of *June*, 1774.

JOHN DE HART,
ISAAC OGDEN.

Marblehead, June 7, 1774.

We, the subscribers, Merchants and Traders of *Marblehead*, do hereby offer to our oppressed, but much respected brethren of *Boston*, and other neighbouring towns thereof, during the operation of the Act of Parliament, called the Port Bill, the free use of our stores in this town, reserving only sufficient room for our own goods and merchandise. We likewise assure them of our readiness in seeing to the lading and unlading of their goods in this town, and shall consider ourselves obliged to them for every opportunity of thus saving them expense, and showing how much we sympathize with and respect them. We confidently depend on their patience and resolution, the known characteristics of *Bostonians* and their neighbours; and hope soon to see them relieved from their distress, and the liberties of *America* founded on a permanent basis by an indissoluble Union.

Signed by twenty-eight of the principal Merchants and Traders.

N. B. Such of us as have wharfs do likewise heartily and freely give the use of them to our brethren aforesaid, for landing their goods and merchandise in this place.

PENNSYLVANIA COUNCIL.

At a Council held at *Philadelphia*, on *Tuesday*, 7th, of *June*, 1774.

Present, the Honourable *John Penn*, Esq., Governour, *James Hamilton*, *James Tilghman*, *Andrew Allen*, Esqrs.

The Governour laid before the Board the copy of a Petition from sundry Inhabitants of the Province, to call the Assembly, on occasion of the late Act of Parliament, respecting the port of *Boston*, which is to be presented tomorrow; and requested their advice as to a proper answer to be given to the same:

Upon which the following Answer was drawn up and approved:

GENTLEMEN: Upon all occasions when the peace, order and tranquillity of the Province require it, I shall be ready to convene the Assembly; but as that does not appear to me to be the case at present, I cannot think such a step would be expedient, or consistent with my duty.

Wednesday, June 8. The Petition was presented, and is in the following words:

To the Honourable JOHN PENN, *Esquire, Governour and Commander-in-chief in and over the Province of* PENNSYLVANIA, &c., &c.

The Petition of sundry Inhabitants of the Province of *Pennsylvania*, humbly showeth:

That since the recess of the Assembly of this Province, the proceedings of the *British* Parliament towards *America*, and particularly an Act lately passed against the town of *Boston*, have filled the minds of your petitioners, and others, their fellow-subjects, with deep anxiety and concern; that your petitioners apprehend the design of this Act is to compel the *Americans* to acknowledge the right of Parliament to impose taxes upon them at pleasure; that the precedent of condemning a whole town or city unheard, and involving all its inhabitants, of every age and sex, and however different in political sentiment or action, in one common ruin, gives universal alarm. Deeply impressed with these sentiments, and at the same time solicitous to preserve peace, order, and tranquillity, we do earnestly entreat the Governour to call the Assembly of the Province, as soon as it can conveniently be done, that they may have an opportunity, not only to devise measures to compose and relieve the anxieties of the people, but to restore that harmony and peace between the mother country and the Colonies, which has been of late so much and so unhappily interrupted. And your Petitioners shall ever pray, &c.

Signed by near nine hundred respectable Freeholders, in and near the City of Philadelphia.

To which his Excellency was pleased to return the Answer approved by the Council on yesterday.

FREDERICK COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders and other Inhabitants of the County of *Frederick*, in *Virginia*, and gentlemen practising at the bar, held at the town of *Winchester*, the 8th day of *June*, 1774, to consider of the best mode to be fallen upon to secure their liberties and properties, and also to prevent the dangerous tendency of an Act of Parliament, passed in the fourteenth year of his present Majesty's reign, entitled, "An Act to discontinue in such manner, and for such time as are therein mentioned, the landing and discharging, lading and shipping of goods, wares, and merchandise at the town and within the harbour of *Boston*, in the Province of *Massachusetts Bay*, in *North America*, evidently has to invade and deprive us of the same."

The Reverend CHARLES M. THURSTON *Moderator*.

A Committee of the following gentlemen, viz: the Reverend *Charles M. Thurston*, *Isaac Zane*, *George Rootes*, *Angus McDonald*, *Alexander White*, *George Johnson*, and *Samuel Beall*, 3d, were appointed to draw up Resolves suitable to the same occasion, who, withdrawing for a short time, returned with the following votes, viz:

Voted, 1st. That we will always cheerfully pay due submission to such Acts of Government as his Majesty has a right by law to exercise over his subjects, as Sovereign of the *British* Dominions, and to such only.

2d. That it is the inherent right of *British* subjects to be governed and taxed by Representatives chosen by themselves only; and that every Act of the *British* Parliament respecting the internal policy of *North America*, is a daring and unconstitutional invasion of our said rights and privileges.

3d. That the Act of Parliament above mentioned is not only in itself repugnant to the fundamental law of natural justice, in condemning persons for a supposed crime unheard, but also a despotic exertion of unconstitutional power, calculated to enslave a free and loyal people.

4th. That the enforcing the execution of the said Act of Parliament by a military power, will have a necessary tendency to raise a civil war, thereby dissolving that union which has so long happily subsisted between the mother country and her Colonies; and that we will most heartily and unanimously concur with our suffering brethren of *Boston*, and every other part of *North America*, that may be the immediate victims of tyranny, in promoting all proper measures to avert such dreadful calamities, to procure a redress of our grievances, and to secure our common liberties.

5th. It is the unanimous opinion of this meeting, that a joint resolution of all the Colonies to stop all importations from *Great Britain*, and exportations to it, till the said Act shall be repealed, will prove the salvation of *North America* and her liberties. On the other hand, if they continue their imports and exports, there is the greatest reason to fear that fraud, power, and the most odious oppression, will rise triumphant over right, justice, social happiness, and freedom.

6th. That the *East India* Company, those servile tools of arbitrary power, have justly forfeited the esteem and regard of all honest men; and that the better to manifest our abhorrence of such abject compliance with the will of a venal Ministry, in ministering all in their power an increase

Digitized by Google

of the fund of peculation; we will not purchase tea, or any other kind of *East India* commodities either imported now, or hereafter to be imported, except saltpetre, spices, and medicinal drugs.

7th. That it is the opinion of this meeting that Committees ought to be appointed for the purpose of effecting a general Association, that the same measures may be pursued through the whole Continent. That the Committees ought to correspond with each other, and to meet at such places and times as shall be agreed on, in order to form such General Association, and that when the same shall be formed and agreed on by the several Committees, we will strictly adhere thereto; and till the general sense of the Continent shall be known, we do pledge ourselves to each other and our country, that we will inviolably adhere to the votes of this day.

8th. That *Charles M. Thurston*, *Isaac Zane*, *Angus McDonald*, *Samuel Beall*, 3d, *Alexander White*, and *George Rootes*, be appointed a Committee for the purposes aforesaid; and that they, or any three of them, are hereby fully empowered to act.

Which being read, were unanimously assented to and subscribed.*

GOVERNOUR WENTWORTH TO THE EARL OF DARTMOUTH.

Extract.

New-Hampshire, 8th June, 1774.

In my letter, No. 59, I had the honour to write your Lordship that the General Assembly of this Province stood prorogued to the 10th of *May*, at which time they met and proceeded upon business. I took great pains to prevail on them not to enter into any extra Provincial measures, yet one of the members for *Portsmouth* read in his place the enclosed letter, No. 1, to the Committee of Correspondence of *Portsmouth*, but the House then declined considering it. On *Friday*, 27th of *May*, it was moved to appoint Committees of Correspondence, and, after a warm debate, carried by a majority of two only; the next morning it was reconsidered, and carried by a majority of one only, and passed, as by the enclosures, Nos. 2 and 3. Immediately after this, the Supply Bill was passed and sent up to the Council; being withheld, as I imagined for time to effect the other measure. I directly adjourned the Assembly, and kept them under short adjournments till this day, in hopes to obtain a suspension of these votes; but finding that there were two letters in town for the Speaker, which, some of those who were most active said, were to appoint a Congress of the Colonies, I considered it to be improper to admit their proceedings, and, therefore, immediately put an end to the Committees, (who have not as yet wrote or acted,) and to the Assembly by a dissolution, in a message, (No. 4, herewith transmitted,) cautiously expressed, in such general terms, as to prevent any misrepresentations. This mode of dissolution, after such short adjournments, which are attended by few members, precluded any meeting of those persons to contrive undesirable measures, or pursue those in their private capacity that were attempted as an Assembly, which was extremely disconcerted, and I hope will counteract the efforts of those who strive to lead this Province into combinations with the *Massachusetts Bay*. Before the dissolution, all the usual and necessary business of the Province was completed, so that no detriment can arise from my delaying to call an Assembly. I am in expectation that a few weeks will convince those who may be members of the imprudence and errour of measures that tend to weaken or subvert the subordination of the Colones.

* On *Monday*, the 6th instant, tickets were posted up in different parts of *Frederick* County, *Virginia*, signed by the friends of liberty, requesting the gentlemen, merchants, freeholders, and other inhabitants of the county to meet at the Court House, on the ensuing *Wednesday*, at three o'clock in the afternoon, to consider of the most proper measures to prevent the fatal consequences apprehended from the Act of Parliament mentioned in the votes, and to defend and secure the rights and liberties of *America*. In consequence of which, (though the notice did not exceed forty-eight hours,) a great concourse assembled at the time and place appointed. The Court House being too small to contain the company, they adjourned to the Church, where the above votes were unanimously agreed to. The general opinion of the people there seems to be, that the *Boston* scheme of non-importation from *Great Britain*, and exportation to it, is the only probable means to obtain redress of our grievances, and show great eagerness that it may be universally adopted.

MESSAGE FROM GOVERNOUR WENTWORTH TO THE ASSEMBLY OF NEW-HAMPSHIRE.

Mr. Speaker, and Gentlemen of the Assembly:

As I look upon the measures entered upon by the House of Assembly to be inconsistent with his Majesty's service, and the good of this Government, it is my duty, as far as in me lies, to prevent any detriment that might arise from such proceedings. I do, therefore, hereby dissolve the General Assembly of this Province, and it is dissolved accordingly. J. WENTWORTH.

Portsmouth, June 8, 1774.

Williamsburg, June 9, 1774.

An express arrived in town last night from *Pittsburg*, with letters to his Excellency the Governour, from Captain *Conolly*, commandant at that place, giving an account that the *Shawanese Indians* have openly declared their intention of going to war with the white people, to revenge the loss of some of their Nation who have been killed; that they had scalped one of the traders, and detained all the rest who were in their towns; that it was expected the *Cherokees* would join them, as they had sent a belt last fall to the Northern Nations to strike the white people, which had been received by the *Shawanese* and *Wabash Indians*; that the *Six Nations* postponed their answer till this spring, and that there is soon to be a Grand Council in the Lower *Shawanese* town, where about seventy *Cherokees*, and a number of other *Indians* are to attend, on the subject of going to war with the *English*. Sundry parties are now gone out, by order of Captain *Conolly*, for the protection of the inhabitants, and are to assemble at the mouth of *Whaling Creek*, in order, if it is judged practicable, to go against the Upper *Shawanese* town.

The *Delawares*, who profess to be our friends, informed Captain *Conolly* that a party of *Shawanese* were now gone against the settlement, and it is imagined they will fall upon *Greenbrier*.

All the country about *Pittsburg* is in a very ruinous and distressed situation, the inhabitants have chiefly fled, and forted themselves as low as *Old Town* on *Potomac* river.

III. TO THE INHABITANTS OF THE BRITISH COLONIES IN AMERICA.

Philadelphia, June 8, 1774.

BRETHREN: These are the words of the Declaratory Act, mentioned in the last letter, "Whereas several of the "Houses of Representatives in his Majesty's Colonies "and Plantations in *America*, have of late, against law, "claimed to themselves, or to the General Assemblies of "the same, the sole and exclusive right of imposing duties "and taxes upon his Majesty's subjects in the said Colo-"nies and Plantations; and have, in pursuance of said "claim, passed certain votes, resolutions, and orders, de-"rogatory to the Legislative authority of Parliament, and "inconsistent with the dependency of said Colonies and "Plantations, &c.; therefore be it declared, &c., that the "said Colonies and Plantations in *America*, have been, "are, and of right ought to be, subordinate unto, and "dependent upon, the imperial Crown and Parliament of "*Great Britain*, and that the King's Majesty, by and "with the advice and consent of the Lords, spiritual and "temporal, and Commons of *Great Britain*, in Parliament "assembled, had, hath, and of right ought to have, full power "and authority to make laws and statutes of sufficient force "and validity to bind the Colonies and people of *America*, "subjects of the Crown of *Great Briton*, in all cases "whatsoever."

From the crowd of objects, each pressing for attention, that present themselves to the mind of a *British American*, on reading this Act, I beg leave to select and particularly mention only two that you, collecting them, and taking a just view of your present situations, may feel *that* and only *that* resentment, springing from virtue, and guided by wisdom, which the most worthy and the most peaceable men must approve.

The resolutions, &c., mentioned in this Act, were those caused by the Stamp Act. These principal points are firmly asserted by them—the exclusive right of taxation,

Digitized by Google

and the right of trial by jury. The Parliament, well knowing how harsh and jarring it would sound in *English* ears to say the right of trial by jury was "derogatory to "the Legislative authority of Parliament, and inconsistent "with the dependency of the Colonies," planted their most direct battery against the right of taxation. Common sense and the experience of all nations, as not a single instance occurs to the contrary, convincing them if that gave way, a general ruin would soon ensue, and all the rest would follow in the train of the chief, like captive nobles attending their conquered Prince.

However, not quite satisfied with the slow work of exterminating them in detail, but improving upon an impartial hint, it was judged fittest, upon the whole, so to consolidate them, that, as if the *British Americans* had but "one neck," a single stroke might despatch millions, by subjecting us *at once* to the decrees of Parliament in all cases whatsoever.

Widely different was the Act of the sixth of *George* the First, chapter 5th, "for the better securing the dependency "of the Kingdom of *Ireland*," &c. By that Act, *Ireland* was declared "to be subordinate unto, and dependent upon "the Imperial Crown* of *Great Britain*." These words, "and Parliament," are not in it. It is said, indeed, that "the King, with the advice and consent of the Lords and "Commons of *Great Britain*, in Parliament assembled, "had, and of right out to have, power and authority to "make laws and statutes of sufficient force and validity to "bind the Kingdom and people of *Ireland*."

Compare the Acts and you will find the Act for *America* copied from that of *Ireland*; but in the last mentioned, the annihilating words, "in all cases whatsoever," are not to be found. The people of *Ireland* have been for several centuries bound by *English* statutes, for regulating their trade, and for other purposes, and this statute, therefore, only asserted the usual authority over them. Their vitals, the exclusive right of taxation, and the right of trial by jury, have been preserved. If it was the intention of the *British* Parliament to exercise a "power and authority" over that Kingdom destructive of these rights, it is not expressed, it is not implied. Why were the unlimited words omitted in that Act? Or why, when the Lords and Commons were copying a pattern, which their fathers set them, did they deform the transcript by such Eastern flourishes?

The truth is, the fathers too much revered the *English* principles, for which they had been upon the point of shedding their blood in placing their Sovereign upon his throne, so flagrantly to violate them—or, if their conduct was not directed by justice, they dared not thus to provoke the brave, generous inhabitants of that ancient Kingdom.

"Are there yet the treasurers of wickedness in the "House, and the scant measure that is abominable. The "rich men thereof are full of violence."

TO P. P. AUTHOR OF THE LETTERS TO THE INHABITANTS OF THE BRITISH COLONIES IN AMERICA.

SIR: The Declaratory Act, passed by the Parliament at the time they repealed the Stamp Act, was such a violation of the Constitution, such an assumption of new powers, so subversive of liberty, and so destructive of property, that it deserves particular observation. That it has hitherto passed unnoticed is owing to the gratitude and joy with which *America* received the repeal of the Stamp Act. For the same reason the principal on which the repeal was founded, was suffered to pass without animadversion; and the people who claimed the repeal as a point of equity and right received it with gratitude as a *free gift*.

The *English* Constitution, whose object is liberty, has, for the preserving of that liberty, and for the security of property, vested peculiar powers in the different branches of the Legislature, which are to be exercised for the good and safety of the subject. *Salus populi suprema est lex*. The abuse of these powers, or the attempt of one branch of the Legislature to extend its peculiar powers so as to abridge those of the others, has been the foundation of many civil wars and struggles in *Britain*.

From the earliest period of the *English* Constitution, it has ever been deemed the prerogative of the Crown to grant charters to the subjects, and terms of capitulation to conquered countries, who were taken under the Dominion of the Crown. And the statute of *quo warrento*, eighteenth of *Edward* First, expressly declares that, "*illi qui habent* "*chartas regales, secundum chartas istas et earundem pleni*-"*tudinem judicentur*." On which statute Lord *Coke* observes, "in the first place that as it was enacted, *ex speciali* "*gratia domini regis*, 'it binds the King,' and consequent-"ly in binding the King must also bind his Parliament; in "the second place, from the words '*earundem plenitudi*-"*nem*,' that this statute is to be construed 'as fully and "beneficially for the charters, as the law was taken at the "time when charters were granted.'" In the third place says he, "certainly this ancient statute was a direction to "the sages of the law for their construction of the King's "charters, as it appeareth in our books."

On this foundation rests the Declaratory Act respecting *Ireland*. When *Henry* the Second conquered *Ireland* he granted the *Irish* peace, and annexed them to his Crown on this condition: "That the Kingdom and people of "*Ireland* should forever be governed by the same *mild* "*laws* as *England* was governed." And the statute passed in the thirty-first of *Edward* Third, confirms and renews this charter, by declaring that his Majesty's subjects in *Ireland*, being either natives of that Kingdom or *English* born subjects, only resident there, "*sint veri anglici, et* "*sub eisdem degant domino et regimine, et eisdem legi*-"*bus utantur*." And hence the Act of the sixth *George* First, chapter six, assume no *new* power, lays no new restrictions upon his Majesty's good subjects of *Ireland*, nor claims any new right, but simply declares, "that the "King's Majesty, by and with the advice and consent of the "Lords, spiritual and temporal, and Commons of *Great* "*Britain*, in Parliament assembled, hath full power and "authority to make laws of sufficient force and validity to "bind the Kingdom and people of *Ireland*."

Here is no charter violated, no claim of power to deprive them of property, or levy taxes on them without their consent. Their Parliament, their right and trial by jury, and of granting supplies to their King in their own way for the support of Government, administration of justice, and defence of the Kingdom, remain untouched. But the Declaratory Act passed against *America*, fifth of *George* Third, in violation of their charters, declares, that the claim of the Houses of Representatives in his Majesty's Colonies and Plantations in *America*, to the sole and exclusive right of imposing duties and taxes upon his Majesty's subjects in the said Colonies and Plantations, is against law; that the votes, resolutions, and orders, passed in pursuance of such claim, are derogatory to the Legislative authority of Parliament; that the said Colonies and Plantations in *America* have been, are, and of right ought to be, subordinate unto, and dependent upon, the imperial Crown and Parliament of *Great Britain*, and that the King's Majesty, by and with the advice, &c., hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the Colonies and people of *America*, subjects of the Crown of *Great Britain*, in all cases whatsoever. What is this but the high hand of power to break down the barriers of the Constitution, and make us tenants at will, of our lives, liberty, and property.

There was a time when the Crown held lands in *England*, "*sacra, patrimonia coronæ*," the annual rent of which, if now resumed would amount to four millions sterling. These have been conveyed to subjects, and are now held by virtue of charters from the Crown. If the *chartæ regales*, or chartered rights of the Colonies can be violated and annulled by Parliament, what security can the possessors of those lands have for the estates they enjoy? Let the Parliament try the experiment on their fellow-subjects in *Great Britain*, and judge of the temper and disposition of the Colonies by the effect such a step will produce among themselves.

* "A tax granted by the Parliament of *England* shall not bind those "of *Ireland*, because they are not summoned to our Parliament;" and again, "*Ireland* hath a Parliament of her own, and maketh and "altereth laws; and our statutes do not bind them, because they do "not send Knights to our Parliament. But their persons are the King's "subjects, like as the inhabitants of *Calais*, *Gascony*, and *Guienna*, "while they continued under the King's subjection."—BLACKSTONE, *vol.* 1, *p.* 101, *from the Year Books*.

Digitized by Google

EXTRACT FROM AN ADDRESS SENT BY THE BOSTON COMMITTEE, TO THE PEOPLE OF EVERY TOWN IN THE PROVINCE, WITH A PAPER WHICH THEY ARE TO SIGN.

Boston, June 8, 1774.

There is but one way that we can conceive of to prevent what is to be deprecated by all good men, and ought by all possible means to be prevented, viz: the horrours that must follow an open rupture between *Great Britain* and her Colonies; or on our part, a subjection to absolute slavery; and that is by affecting the trade and interest of *Great Britain* so deeply as shall induce her to withdraw her oppressive hand. There can be no doubt of our succeeding to the utmost of our wishes, if we universally come into a solemn league not to import goods from *Great Britain*, and not to buy any goods that shall hereafter be imported from thence, until our grievances shall be redressed. To these, or even to the least of these shameful impositions, we trust in *God* our countrymen never will submit.

We have received such assurances from our brethren in every part of the Province, of their readiness to adopt such measures as may be likely to save our country, and that we have not the least doubt of an almost universal agreement for this purpose; in confidence of this, we have drawn up a form of a covenant to be subscribed by all adult persons of both sexes; which we have sent to every town in the Province, and that we might not give our enemies time to counteract us, we have endeavoured that every town should be furnished with such a copy on or before the fourteenth day of this month, and we earnestly desire that you would use your utmost endeavours that the subscription paper may be filled up as soon as possible, so that they who are in expectation of overthrowing our liberties, may be discouraged from prosecuting their wicked designs; as we look upon this, the last and only method of preserving our land from slavery without drenching it with blood; may *God* prosper every undertaking which tends to the salvation of this people. We are, &c.

Signed by order and in behalf of the Committee of Correspondence for *Boston*. WILLIAM COOPER, *Clerk*.

FORM OF A COVENANT SENT TO EVERY TOWN IN MASSACHUSETTS.

We the subscribers, inhabitants of the town of ****** having taken into our serious consideration the precarious state of the liberties of *North America*, and more especially the present distressed condition of this insulted Province, embarrassed as it is by several Acts of the *British* Parliament, tending to the entire subversion of our natural and charter rights; among which is the Act for blocking up the harbour of *Boston*. And being fully sensible of our indispensable duty to lay hold on every means in our power to preserve and recover the much injured Constitution of our country; and conscious at the same time of no alternative between the horrours of slavery, or the carnage and desolation of a civil war, but a suspension of all commercial intercourse with the Island of *Great Britain*, do, in the presence of *God*, solemnly and in good faith, covenant and engage with each other:

1st. That from henceforth we will suspend all commercial intercourse with the said Island of *Great Britain*, until the said Act for blocking up the said harbour be repealed, and a full restoration of our charter rights be obtained. And

2d. That there may be the less temptation to others to continue in the said, now dangerous commerce, we do in like manner solemnly covenant, that we will not buy, purchase, or consume, or suffer any person, by, for, or under us, to purchase or consume, in any manner whatever, any goods, wares, or merchandise, which shall arrive in *America* from *Great Britain* aforesaid, from and after the last day of *August* next ensuing. And in order as much as in us lies, to prevent our being interrupted and defeated in this only peaceable measure entered into for the preservation and recovery of our rights, we agree to break off all trade, commerce, and dealings whatever with all persons, who, preferring their own private interest to the salvation of their own perishing country, shall still continue to import goods from *Great Britain*, or shall purchase of those who do import, and never to renew any commerce or trade with them.

And, whereas the promoting of industry, economy, arts and manufactures among ourselves is of the last importance to the civil and religious welfare of a community: we engage,

3d. That from and after the first day of *October* next ensuing, we will not by ourselves, or any for, by or under us, purchase or use any goods, wares, manufactures, or merchandise, whensoever or howsoever imported from *Great Britain*, until the harbour of *Boston* shall be opened, and our charter rights restored.

And last. As a refusal to come into any agreement which promises the deliverance of our country from the calamities it now feels, and which like a torrent are rushing upon it with increasing violence, must evidence a disposition inimical to, or criminally negligent of, the common safety, we agree, that after this covenant has been offered to any person, and they refuse to sign it, we will consider them in the same light as contumacious importers, and withdraw all commercial connections with them forever, and publish their names to the world.

Witness our hands, *June* —, 1774.

ADDRESS OF MERCHANTS AND OTHERS, OF THE TOWN OF BOSTON, TO GOVERNOUR GAGE, PRESENTED AT SALEM, JUNE 8, 1774.

May it please your EXCELLENCY:

We esteem it not one of the least consolations to this Province, in this day of its distress, that his Majesty hath been pleased to appoint to the head of it, a gentleman of your Excellency's known ability, steadiness, and moderation. The long command which you have held in another department in *America*, in which you have displayed every good quality of the heart and mind, gives us the most favourable hopes of your future administration; and makes us the less regret the parting with our late worthy Governour, whose wise and faithful administration hath given us the most entire satisfaction.

We therefore, merchants, traders and others, of the town of *Boston*, for ourselves, do now wait on your Excellency to pay you our hearty congratulations on your arrival at the metropolis, to acknowledge our gratitude to our Sovereign for his gracious appointment of you to the head of this Province at this very important conjuncture; and to give you our firm assurances that we will do every thing in our power, in our respective stations, to promote peace and good order, and to make your administration easy and happy.

We cannot well express to your Excellency the distress of mind we feel at the approaching calamity, which will soon overwhelm the town of *Boston*, particularly the trading part of it, by the operation of a late Act of Parliament for shutting up the harbour.

The real miseries which this will occasion to our fellow-townsmen cannot well be conceived. A mind like your Excellency's, fraught with tenderness and humanity will anticipate our sufferings; and requires a description of the evil, to prompt you to a ready exertion of all your interests to avert or remove it.

We could wish a discretionary power had been lodged with your Excellency to restore the trade to its usual course immediately on the Act being fully complied with; but as the Act stands, being only to be repealed by his Majesty in Council, on your Excellency's favourable representation of us, it will take so much time before it can be effected, as will involve us in unspeakable misery, and, we fear, total ruin. Making restitution to the *East India* Company for damage done to the persons and property of individuals among us, by the outrage of rash and inconsiderate men, we look upon to be quite equitable; and we, who have ever disavowed all lawless violences, do bear our testimony against them, and particularly against that action which we suppose to be the immediate cause of our heavy chastisement, are willing to pay our proportions whenever the same can be ascertained, and the mode of laying it determined on. As soon as compensation shall be made, and all other terms of the Act complied with, we have no doubt your Excellency will make such favourable representations of our case to his Majesty in Council, as that he may be graciously pleased to restore us to his Royal favour.

Digitized by Google

We sincerely wish that all your Excellency's endeavours to promote peace and the general tranquillity of the Province may meet with success; and we promise to ourselves that the whole of your administration will be such as may claim the warmest testimonies of gratitude from the people, and the approbation of your Royal master.

Signed by one hundred and twenty-seven of the Inhabitants, including those who signed the Address to Governour Hutchinson.

Salem, June 8, 1774.

HIS EXCELLENCY'S ANSWER.

GENTLEMEN: You will accept my thanks for your polite Address, and kind congratulations on my arrival in this Province; and be assured that I receive the greatest satisfaction, that so respectable a body have testified an open disavowal of the lawless violences that have been committed in the town of *Boston*.

I sincerely condole you on the distresses that many must feel on this occasion of shutting up the port, and shall rejoice in being afforded an early opportunity to make such representation as may tend to their relief; but you will believe that no discretionary power is lodged with me.

It is greatly to be wished for the good of the community in general, that those in whose hands power is vested, should use the most speedy method to fulfil the King's expectations, and fix the mode to indemnify the *East India* Company, and others who have suffered; which could not fail to extricate the citizens of *Boston* out of the difficulties in which they are involved, with as little delay as the nature of them will admit, and lay a foundation for that harmony between *Great Britain* and the Colony, which every considerate and good man must wish to see established; and nothing shall be wanting on my part to accomplish an end so desirable.

Salem, June 8, 1774.

MASSACHUSETTS GENERAL ASSEMBLY.

The honourable House of Representatives, before they proceeded to business in *Salem*, on *Wednesday*, 8th *June*, 1774, came into the following Resolutions, and ordered the same to be entered on their Journals, viz:

Resolved, That by the Royal Charter of this Province, the power of convening, proroguing, and adjourning the Great and General Court of Assembly from time to time, is vested in the Governour, to be exercised as he shall judge necessary and for the good of the people. Therefore,

Resolved, That it is clearly the opinion of this House, that whensoever the Governour of this Province doth convene or hold the General Assembly at any time or place unnecessarily, or merely in obedience to an instruction, and without exercising that judgment and discretion of his own, with which by Charter he is specially vested for the good of the Province, it is manifestly inconsistent with the letter as well as the intention and spirit of the Charter.

Resolved, That the town of *Boston* hath, from the earliest times of this Province, been judged, and still is on various accounts, the most convenient place for holding the General Assembly; and accordingly, ample provision is there made for the accommodation of the said General Assembly, at a very great expense to the people of this Province.

Resolved, As the clear opinion of this House, that the General Assembly cannot be removed from its ancient seat, the Court House in *Boston*, and held in any other place, without great aud manifold inconveniences to the members thereof, and injury and damage of those who have necessary business to transact with the said General Assembly; many of which inconveniences have been clearly stated, and expressed by former Houses of Representatives, as appear by their Journal.

Resolved, That this House can see no necessity for the removal of the General Assembly from its ancient and only convenient place, the Court House in *Boston*, to the town of *Salem*; and the removal of the said Assembly from the Court House in *Boston* without necessity, is at all times considered to be a very great grievance.

On *Thursday*, *June* 9, 1774, a Committee of the House of Representatives waited on the Governour with the following Answer to his Speech at the opening of the Session.

"*May it please your* EXCELLENCY:

"Your Speech to both Houses of the General Assembly, at the opening of this Session, has been read and considered with all due attention in the House of Representatives.

"Your Excellency has therein signified to us, that his Majesty has been pleased, 'to appoint you Governour 'and Captain General of his Province of *Massachusetts* '*Bay*; and that your commission has been read and 'published.' We congratulate your Excellency on your safe arrival, and honour you in the most exalted station in this Province; and confiding in your Excellency that you will make the known Constitution and Charter of the Province the rules of your administration, we beg leave to assure you that nothing on our part shall be wanting that may contribute to render the same easy and happy to yourself, and to aid your Excellency in promoting the prosperity of his Majesty's Government, and the welfare of our Constitution. And we thank your Excellency for the assurances you are pleased to give of your concurrence with us therein.

"It gives us pain to be informed by your Excellency, that you have the King's particular commands for holding the General Court at *Salem*, 'from the first day of this 'instant *June*, until his Majesty shall have signified his 'Royal will and pleasure for holding it again at *Boston*.' We are entirely at a loss for the cause of this command, as we cannot conceive any public utility arising from it, and both we and our constituents are now suffering the inconvenience of it.

"The removal of the Assembly from the Court House in *Boston*, its ancient and only convenient seat, has very lately given great discontent to the good people of this Province; and we cannot but think that misrepresentations from persons residing in this Province, have induced his Majesty's Ministers to advise his Majesty to lay your Excellency under an injunction whereby the people are in this instance deprived of the benefit of that discretionary power which is vested in the Governour by Charter, and has been exercised by former Governours, of determining in such cases for the good of the Province.

"We confide, however, in your Excellency's impartiality and justice, that the true state of this Province, and the character of his Majesty's subjects in it; their loyalty to their Sovereign; their affection for the parent country, as well as their invincible attachments to their just rights and liberties, will be laid before his Majesty; and we hope by these means your Excellency will be the happy instrument of removing the displeasure of his Majesty, and restoring harmony, which has too long been interrupted by the artifices of designing men.

"Your Excellency has laid no particular business before us, excepting the supply of the Treasury for the support of Government for the ensuing year, to which we shall give our immediate attention, as also to any other matters your Excellency may please to lay before us, and give that despatch to public business, which the manifold and great inconvenience of our present situation will admit."

In Council, June 9, 1774.

Ordered, That *Jeremiah Powell*, *William Sever*, and *Jedediah Preble*, Esquires, be a Committee to wait on his Excellency the Governour with the following Address, in answer to his Speech at the opening of the present General Court. THOMAS FLUCKER, *Secretary*.

"*To his Excellency* THOMAS GAGE, *Esq.*, *Captain-General and Governour-in-chief of the Province of the* MASSACHUSETTS BAY, *&c. &c.*

"*The Address of the Council of the said Province:*

"*May it please your* EXCELLENCY:

"Your Speech to the two Houses at the opening of this Session has been duly considered by this Board.

"His Majesty having been pleased to appoint you to the

Digitized by Google

Government of this Province, we take this opportunity to wait on you with our congratulations on that occasion.

"Your Excellency has arrived at a juncture when the harmony between *Great Britain* and the Colonies is greatly interrupted, whereby your station, though elevated, must needs be rendered less agreeable to you than it would have been; but if you should be the happy instrument of restoring in any measure that harmony, and of extricating the Province from their present embarrassments, you will doubtless consider these happy effects as more than a compensation for any inconveniences arising to you from the peculiar circumstances of the times. His Majesty's faithful Council on all occasions will cheerfully co-operate with your Excellency in every attempt for accomplishing those desirable ends.

"We wish your Excellency every felicity; the greatest of a political nature, both to yourself and the Province is, that your administration in the principles and general conduct of it may be a happy contrast to those of your two immediate predecessors. It is irksome to us to censure any one, but we are constrained to say there is the greatest reason to apprehend that from their machinations (both in concert and apart) are derived the origin and progress of the disunion between *Britain* and the Colonies, and the present distressed state of this Province—a Province to which the latter of them, in an especial manner, owed his best services, and whose liberties and rights he was under every obligation of duty and gratitude to support.

"The inhabitants of this Province claim no more than the rights of *Englishmen*, without diminution or 'abridgment;' these, as it is our indispensable duty, so it shall be our constant endeavour to maintain to the utmost of our power, in perfect consistence, however, with the truest loyalty to the Crown; the just prerogatives of which your Excellency will ever find this Board zealous to support.

"Permit us, sir, on this occasion, to express the firmest confidence that, under their present grievances, the people of this Province will not in vain look to your Excellency for your paternal aid and assistance; and, as the great end of Government is the good of the people, that your experience and abilities will be applied to attain that end; the steady pursuit of which, at the same time it insures their confidence and esteem, will be a source of the truest enjoyment, self-approbation.

"We thank your Excellency for the assurance you have given 'that you shall with pleasure concur with the 'two Houses to the utmost of your power in all matters 'that tend to the welfare and prosperity of the Province;' and your Excellency may be assured that we shall contribute every thing on our part to promote measures of so salutary a tendency."

June 14th, 1774. The Committee appointed to present the foregoing Address, waited on his Excellency therewith yesterday, and read as far as that part which reflects on the administration of his Excellency's two immediate predecessors, when he desired the Chairman not to proceed any further, and that he would assign his reasons for refusing to receive it, in a Message to the Council; and on the same day sent by his Secretary the following Message:

"*Gentlemen of the* Council:

"I cannot receive an Address which contains indecent reflections on my predecessors who have been tried and honourably acquitted by the Lords of the Privy Council, and their conduct approved by the King.

"I consider this Address as an insult upon his Majesty, and the Lords of his Privy Council, and an affront to myself. T. Gage."

ADDRESS OF MERCHANTS AND OTHERS, INHABITANTS OF SALEM, TO HIS EXCELLENCY GOVERNOUR GAGE, ON SATURDAY, JUNE 11, 1774.

To his Excellency Thomas Gage, *Esq., Captain-General, Governour and Commander-in-chief, of the Province of* Massachusetts Bay, *in* New England, *and Lieutenant-General of his Majesty's Forces:*

May it please your Excellency:

We, Merchants and others, Inhabitants of the ancient town of *Salem*, beg leave to approach your Excellency with our most respectful congratulations on your arrival in this place.

We are deeply sensible of his Majesty's paternal care and affection to this Province, in the appointment of a person of your Excellency's experience, wisdom, and moderation, in these troublesome and difficult times.

We rejoice that this town is graciously distinguished for that spirit, loyalty, and reverence for the laws, which is equally our glory and happiness.

From that public spirit and warm zeal to promote the general happiness of men, which marks the great and good, we are led to hope under your Excellency's administration for every thing that may promote the peace, prosperity, and real welfare of this Province.

We beg leave to commend to your Excellency's patronage the trade and commerce of this place, which, from a full protection of the liberties, persons, and properties of individuals, cannot but flourish.

And we assure your Excellency we will make it our constant endeavours by peace, good order, and a regard for the laws, as far as in us lies, to render your station and residence easy and happy.

Signed by forty-eight persons.

HIS EXCELLENCY'S ANSWER.

Gentlemen: I thank you for this very kind Address, and your obliging congratulations on my arrival at this place. The favourable sentiments you are pleased to entertain of me are extremely flattering, and merit my warmest acknowledgments.

I doubt not that you will continue to cherish that spirit of loyalty and reverence to the laws that has distinguished the ancient town of *Salem*. And no attention or protection shall be wanting on my part to encourage such laudable sentiments, which cannot fail to increase your trade and commerce, and render you a happy and flourishing people.

HARFORD COUNTY (MARYLAND) RESOLUTIONS.

At a Meeting of a very considerable and respectable body of the Inhabitants of *Harford* County, *Maryland*, on the 11th of *June*, 1774.

Aquila Hall, *Chairman*.

1st. *Resolved*, That it is the opinion of this meeting that the town of *Boston* is now suffering in the common cause of *America*, and that it is the duty of every Colony to unite in the most effectual constitutional means to obtain a repeal of the late Act of Parliament for blocking up the harbour and port of *Boston*.

2d. *Resolved*, That therefore we will join in an Association with the other counties of this Province, on oath, not to export to, or import from, *Great Britain*, any kind of produce or merchandise after such a day as the Committees of the several counties at their general meeting shall fix, until the repeal of the *Boston* Port Act.

3d. *Resolved*, That we will deal with none of the *West India* Islands, Colony or Colonies, person or persons whatsoever residing therein, who shall not enter into similar resolves with a majority of the Colonies within such time as the General Committees of this Province shall agree, but hold him or them as an enemy or enemies to *American* liberty.

4th. *Resolved*, That we will join in an Association with the other counties, to send relief to the poor and distressed inhabitants of *Boston*, to enable them firmly to persevere in defence of the common cause.

5th. *Resolved*, That the merchants ought not to advance the price of their goods, but sell them as they intended had not these Resolves been entered into.

6th. *Resolved*, That the gentlemen of the law ought to bring no suit for the recovery of any debt due from any inhabitant of this Province, to any inhabitant of *Great Britain*, or this, or any other Colony, until the said Act be repealed, except in such cases where the debtor is guilty of wilful delay in payment, having ability to pay, or is about to abscond or remove his effects, or is wasting his substance, or shall refuse to settle his account by giving his bond on interest, (or security if required) which fact or facts are to be made appear to some neighbouring Magistrate, and certified under his hand.

Digitized by Google

7th. *Resolved*, That the following gentlemen, viz: Rev. *William West*, Messrs. *Aquila Hall*, *Richard Dallum*, *Thomas Bond*, son of *Thomas*, *John Love*, Captain *John Paca*, *Benedict Edw. Hall*, *Benjamin Rumsey*, *Nathaniel Giles*, and *Jacob Bond*, be a Committee to meet the Committees of the other counties of this Province, to consult and agree on the most effectual means to preserve our constitutional rights and liberties, and to promote the union and harmony between *Great Britain* and her Colonies, on which their preservation depends. And that the same gentlemen, together with the following, Captain *John Matthews*, Captain *William Smith*, Doctor *John Archer*, *William Young*, *Abraham Whitaker*, *William Webb*, *Amos Garret*, *George Bradford*, *John Rumsey*, *Jeremiah Sheredine*, *William Smithson*, *William Bond*, son of *Joshua*, *Isaac Webster*, and *Alexander Cowan*, be a Committee of Correspondence, and on any emergency to call a general meeting, and that any six of them have power to act.

Signed per order, of the Committee.

JOSEPH BUTLER, *Clerk*.

FREDERICK COUNTY (MARYLAND) RESOLUTIONS.

At a Meeting of a respectable and numerous body of the Freemen of the lower part of *Frederick* County, at *Charles Hungerford's* tavern, on *Saturday*, the 11th day of *June*, 1774.

Mr. HENRY GRIFFITH, *Moderator*.

1. *Resolved, unanimously*, That it is the opinion of this meeting that the town of *Boston* is now suffering in the common cause of *America*.

2. *Resolved, unanimously*, That every legal and constitutional measure ought to be used by all *America* for procuring a repeal of the Act of Parliament for blocking up the harbour of *Boston*.

3. *Resolved, unanimously*, That it is the opinion of this meeting that the most effectual means for the securing *American* freedom, will be to break off all commerce with *Great Britain* and the *West Indies*, until the said Act be repealed, and the right of taxation given up, on permanent principles.

4. *Resolved, unanimously*, That Mr. *Henry Griffith*, Doctor *Thomas Sprigg Wootton*, *Nathan Magruder*, *Evan Thomas*, *Richard Brooke*, *Richard Thomas*, *Zadock Magruder*, Doctor *William Baker*, *Thomas Cramphin*, *Jun.*, and *Allen Bowie*, be a Committee to attend the General Committee at *Annapolis*, and of Correspondence for the lower part of *Frederick* County, and that any six of them shall have power to receive and communicate intelligence to, and from, the neighbouring Committees.

5. *Resolved, unanimously*, That a copy of these our sentiments, be immediately transmitted to *Annapolis*, and inserted in the *Maryland Gazette*.

Signed per order,

ARCHIBALD ORME, *Clerk*.

ESSEX COUNTY (NEW-JERSEY) RESOLUTIONS.

At a Meeting of the Freeholders and Inhabitants of the County of *Essex*, in the Province of *New-Jersey*, at *Newark*, in the said County, on *Saturday*, the 11th day of *June*, 1774.

This meeting taking into serious consideration some late alarming measures adopted by the *British* Parliament for depriving his Majesty's *American* subjects of their undoubted and constitutional rights and principles; and particularly the Act for blockading the port of *Boston*, which appears to them pregnant with the most dangerous consequences to all his Majesty's Dominions in *America*; do unanimously resolve and agree:

1. That under the enjoyment of our constitutional privileges and immunities we will ever cheerfully render all due obedience to the Crown of *Great Britain*, as well as full faith and allegiance to his most gracious Majesty King *George* the Third; and do esteem a firm dependence on the mother country essential to our political security and happiness.

2. That the late Act of Parliament relative to *Boston*, which so absolutely destroys every idea of safety and confidence, appears to us big with the most dangerous and alarming consequences; especially as subversive of that very dependence which we should earnestly wish to continue, as our best safeguard and protection: And that we conceive every well-wisher to *Great Britain* and her Colonies is now loudly called upon to exert his utmost abilities in promoting every legal and prudential measure towards obtaining a repeal of the said Act of Parliament; and all others subversive of the undoubted rights and liberties of his Majesty's *American* subjects.

3. That it is our unanimous opinion, that it would conduce to the restoration of the liberties of *America* should the Colonies enter into a joint agreement, not to purchase or use any articles of *British* manufacture; and especially any commodities imported from the *East Indies*, under such restrictions as may be agreed upon by a general Congress of the said Colonies hereafter to be appointed.

4. That this county will most readily and cheerfully join their brethren of the other counties in this Province, in promoting such Congress of Deputies, to be sent from each of the Colonies, in order to form a general plan of union, so that the measures to be pursued for the important ends in view may be uniform and firm; to which plan when concluded upon we do agree faithfully to adhere. And do now declare ourselves ready to send a Committee, to meet with those from the other counties, at such time and place, as by them may be agreed upon, in order to elect proper persons to represent this Province in the said general Congress.

5. That the freeholders and inhabitants of the other counties in this Province be requested speedily to convene themselves together, to consider the present distressing state of our public affairs; and to correspond and consult with such other Committees, as may be appointed, as well as with our Committee, who are hereby directed to correspond and consult with such other Committees, as also with those of any other Province; and particularly to meet with the said County Committees, in order to nominate and appoint Deputies to represent this Province in general Congress.

6. We do hereby unanimously request the following gentlemen to accept of that trust; and accordingly do appoint them our Committee for the purposes aforesaid, viz: *Stephen Crane*, *Henry Garritse*, *Joseph Riggs*, *William Livingston*, *William P. Smith*, *John De Hart*, *John Chetwood*, *Isaac Ogden*, and *Elias Boudinot*, Esquires.

EXTRACT OF A LETTER TO A GENTLEMAN IN NEW-YORK.

Norwich, (in England,) June 13, 1774.

What a scene of misery and distress are the pernicious measures of Administration disclosing in this city! The cries of thousands of poor journeymen weavers, and the clamour of their unemployed masters, with all their numerous dependants of combers, dyers, hot-pressers, &c., will ere long reach the ears of the weak, tyrannic Lord that occasioned them, and make his name and memory as odious in *Europe* as in *America*. Every manufacturer in the home trade, who, at this time of the year used to receive prodigious orders for coarse camblets, callimancoes, and black and white crapes, from the ware-houses in *London* for the Colonies, are now entirely at a stand; and when business in the foreign houses decline, our work-houses will be crowded with paupers, and the poor-rates become insupportably high, and numberless families become destitute of bread. It is not many months since a petition was presented to Parliament, by our worthy members, Sir *Harbord Harbord*, and *Edward Bacon*, Esquire, setting forth the decay of trade, and the hardships we labour under. But alas! how does a Prime Minister regard the misfortunes he heaps upon others. Instead of protecting and encouraging our commerce, he has taken the most direct means to diminish and destroy it; and for what? To execute his avowed and secret designs, and to gratify his pride, his folly, and his resentment. Because a licentious rabble in *Boston* destroyed a dutied article, which

Digitized by Google

one of the wisest men in this nation has proved ought not to have been taxed, and which would not have been destroyed, if the ships that carried it had not obstinately persisted in landing it; for that reason, I say, a whole city, a whole Province, must suffer all the dreadful effects of Ministerial vengeance. The worthy magistrate, the innocent merchant, the honest tradesman, the well disposed poor, all, all must be treated with the most unexampled, the most diabolical rigour, for the outrage of a few, have, like the city of *London*, their humble petitions and just remonstrances ridiculed and disregarded; their Charter violated; their ports blocked up; their trade removed; their inhabitants dragged three thousand miles for trial; and to complete the tragedy and their slavery, a military Governour and troops sent over to enforce the Ministerial mandate. Excellent measures these to stir up a civil war at home; compel the exasperated *Americans* to take up arms, and to ruin the trade of the mother country. But whatever gratification such measures may afford to a wrong headed, deluded Minister, they are highly offensive to unemployed and impoverished manufacturers, whose business is their dependence and support, and who are too sensible of the loss, not to curse those who would deprive them and their posterity of it. Happy is it for Lord *North* that he is not a tradesman, lamenting for orders, and distressed for remittances. Unhappy for him that the Kingdom at large condemn his *American* measures, and are ashamed of his conduct. In a word, pensioners may flatter, and levees may applaud; but it is too clear, that unless he conciliate the esteem of the Colonies by a repeal of the cruel destructive laws he has framed, and restore the trade he has taken away, that he will kindle a flame he will find himself unable to quench, and load himself with the execrations not only of innumerable poor that may be deprived of employment in the manufactory of this city, *Birmingham*, *Sheffield*, and *Yorkshire*, but those of every sensible and spirited person in the Kingdom.

Williamsburg, June 16, 1774.

On *Monday* evening last, the 13th instant, an express arrived in this city from *Hampshire*, with letters from Colonel *Abraham Hite*, residing there, to his Excellency our Governour, which give us fresh assurances of the determined resolution of the *Indians* to declare war against us. It would be needless to expatiate with respect to the distresses of the inhabitants in many of the back parts of this Colony, as their situation must be sufficiently obvious to every one who has attended to the many late accounts of the barbarity of the *Indians* towards them. Colonel *Hite* reports, that he has received intelligence from *Cheet River*, upon which he can depend, that on the 4th instant some people going to or by the house of one *William Speir*, they discovered him, his wife, and four children murdered and scalped, with a broad-axe sticking in the man's breast, and his wife lying on her back, entirely naked. At another place they found a man's coat, with a number of bullet holes in it; and a child murdered close by the same. The cattle they have likewise killed; in short, the outrages committed by these barbarians are hardly credible; and, we are told, that scarce a day happens but some cruelty or other is committed. Colonel *Hite* declares, that although he resided there during the two last wars, he never saw greater consternation and distress among the people than is at this time.

Philadelphia, Monday, June 13, 1774.

On *Thursday* evening last, *June* 9th, about twelve hundred Mechanics of this city and suburbs, assembled at the State House, to hear a letter and other papers read from the Mechanics of the City of *New-York*, and to form such resolutions as should be judged proper for their future conduct at this most alarming and critical time, when *American* liberty is so deeply wounded, and her rights so unjustly invaded by levying taxes on us without our consent, for the purpose of raising a revenue; and for refusing payment of those illegal taxes, blocking up with divers ships of war the port and town of *Boston*, thereby most unjustly depriving that once flourishing town of its whole trade; the inhabitants of their private property; and the labouring poor of the means of subsisting themselves and families. These proceedings of the parent State against her *American* children, call aloud upon all *Americans* to assemble, consult, and determine firmly to pursue such measures for their own and neighbours future security, as shall be judged most likely to avert the present calamity, and secure to them the perfect enjoyment of their liberties and properties upon a fixed and lasting foundation; for which purpose, the Mechanics of this city did propose, and intend at this meeting to form such resolutions to co-operate with the Committee of Merchants, and to strengthen their hands, as will convince the world *Americans* were born and determine to live free, and that they never will be slaves; that liberty is their birthright: they cannot, they will not give it up. But since the sending out the handbills for calling this great assembly, information was received that the present Committee have sent expresses to all the Southern Colonies for their advice on this alarming occasion, and returns to those expresses are expected in a very few days; that the Committee had determined to call a general meeting of all the inhabitants in the city and county, to be held here next *Wednesday*, the 15th instant, at three o'clock in the afternoon, then to chose one Grand Joint Committee, to represent the whole inhabitants of this city and county, to correspond with the Committees of the neighbouring Provinces, and to adopt such measures to be pursued by all, as their united wisdom shall direct; wherefore it is judged best at present to omit going into particular resolutions, or appointing a particular Committee to represent the Mechanics, as the grand general meeting is so near at hand.

As it was judged there would not be sufficient time to give proper notice to the county, it was agreed on *Saturday* last by the Committee and a number of the most respectable inhabitants called to advise on the present occasion, that the general meeting be postponed to *Saturday* next, at or near the State House, at three o'clock, P. M., at which time and place the inhabitants of this city and county, qualified to vote for Representatives, are desired to attend, in order to take into their consideration certain propositions prepared to be laid before them.

GEORGE CLYMER TO JOSIAH QUINCY, JR.

Philadelphia, June 13, 1774.

DEAR SIR: The business I have been engaged in, almost ever since I had the pleasure of seeing you, has in a great measure prevented me from improving a friendship and correspondence in which I expected the greatest satisfaction.

Knowing how much you have at heart the welfare of your country—the character you sustain, and your circle of connexions—any information from you respecting the true springs and motives of action in your people on many late occasions, would have been extremely agreeable to me, feeling myself much interested in every thing that can affect them.

I have ever been the advocate for the political conduct of the people of *Boston*, wherever it has been made the subject of conversation; but manners dissimilar to those of many of the more Southern Colonies, and perhaps, some other causes, have most undoubtedly contributed to fix prejudices, which nothing but a clear knowledge of circumstances can possibly remove.

I sincerely believe that fair representations of things would always have freed them from any suspicions of an impatience of good order, and of just authority. Those among us of the most enlarged sentiments, and who have elevated ideas of liberty, are unwilling to censure any irregularities, or even extravagances, which a zeal for her cause may have produced; but narrow minds can scarcely in any case, be brought to approve, where domestic economy and good order seemed to be disturbed. I would willingly hope that the number of such shortsighted censurers are diminished, and that the distress now so unjustly inflicted upon the town of *Boston*, has fixed their attention more upon the danger which so fatal a precedent

Digitized by Google

has made common to all the *Americans*. At present, I believe this to be the case, and that almost every one amongst us sees the necessity of checking the progress that arbitrary power is making.

Would to *God* your relief could be speedily effected by the means pointed out by the vote of your town; but the minds of men, at least in two of the principal Colonies, cannot yet be brought to combat with the most powerful principle in human nature: I mean *self-interest*, which must be so generally renounced during a suspension of trade. Many indeed who are not swayed by selfishness, are for offering the olive branch to the mother country, unaccompanied by the threats and menaces implied in that measure; and proposing through a general Congress such terms of accommodation as will leave us the essential rights of *Englishmen*, and suffering her at the same time to reap those advantages in trade which some suppose she had in contemplation, in first settling these Colonies, notwithstanding the opinion which old charters in many early transactions justify, that the absolute independence of the Colonies was intended. If these two ideas are not to be fairly reconciled in theory, they think, perhaps, a temporary compromise, which should leave any determinate principles out of the question, may be effected. Our people seem bent upon first trying this experiment; the necessity of harmony and perfect unanimity, which all seem sensible of, has reconciled very different interests among us, and by yielding to each other, the Quakers and Presbyterians, and other contending sects, have met on this point.

A measure of this kind seems calculated rather as a general barrier against the encroaching power of Parliament, than to give immediate relief to people in your situation. We all wish, however, that your firmness should remain unshaken, until the remedy to be applied shall have had its operation; but this seems hardly possible. Patriotism, assailed by poverty and want, has seldom stood its ground. The general subscription to be opened here, which I hope will be followed in other places, will show that your neighbours have not *absolutely* forsaken you in the day of distress; it will in some measure alleviate the wretchedness of the poor, and stifle their clamours for bread. Would to Heaven this proposed charity may be in the least adequate to the occasion, that the hard necessity of complying with dangerous and disgraceful terms might be utterly taken away.

It is said there is a crisis in political, as well as in natural disorders; this may be, when the apprehensions of any great evils shall have made such progress as to incline men to make the strongest and most decisive efforts to avoid them. I believe we are not ripe yet for these efforts; the two bills before Parliament for taking away the peculiar privileges of your Province, and making the soldiery masters of your lives, will probably quicken and mature our resentments, and give us a greater certainty of approaching tyranny.

But I have to ask your pardon for this tedious letter. I expect in a few weeks to see you at *Boston*, with a brother of Mr. *Dickinson's*.

I am, dear Sir, your most obedient servant,

GEORGE CLYMER.

Josiah Quincy, Jun.

SOUTH-HAVEN (NEW-YORK) RESOLUTIONS.

At a Meeting of the Inhabitants of the Parish of *South-Haven*, in the County of *Suffolk*, and Colony of *New-York*, the 13th of *June*, 1774.

Mr. WILLIAM SMITH, *Moderator*.

It is voted and agreed, that the Act of Parliament, for blocking up the harbour of *Boston*, is unconstitutional, and has a direct tendency to enslave the inhabitants of *America*, and put an end to all property.

And it is also the opinion of this meeting, that if the Colonies all unite, and strictly adhere to a non-importation agreement from *Great Britain* and the *West Indies*, and have no trade with them, we should have great reason to expect in a short time a repeal of that oppressive Act; and for that purpose we do heartily desire that such an agreement may be entered into.

And it is further voted and agreed by this meeting, that the following gentlemen, viz: *William Smith*, Esquire, Colonel *Nathaniel Woodhull*, Colonel *William Floyd*, Mr. *Thomas Fanning*, Captain *Josiah Smith*, Captain *David Mulford*, and Captain *Jonathan Baker*, be a Standing Committee for this place, to correspond with the Committee of Correspondence in the City of *New-York* and others; and that they do immediately communicate the above sentiments to them.

Signed by order of the meeting, W. SMITH.

Charlestown, S. C., June 13, 1774.

At a Meeting of the General Committee this day, it was

Unanimously agreed, That a General Meeting of the inhabitants of this Colony be called, on *Wednesday* the 6th of *July* next, at eight o'clock in the morning, at the Exchange, in *Charlestown*, to consider of the papers, letters, and resolutions, transmitted to the Committee from the Northern Colonies; and also of such steps as are necessary to be pursued, in union with the inhabitants of all our sister Colonies on this Continent, in order to avert the dangers impending over *American* liberties in general, by the late hostile Act of Parliament against *Boston*, and other arbitrary measures of the *British* Ministry: And that public notice thereof be immediately given in the Gazettes."

EXTRACT OF A LETTER TO A GENTLEMAN IN NEW-YORK.

Charlestown, S. C., 13th June, 1774.

Circular letters are despatched by express to all the most leading men throughout this Colony, in order to remove some jealousies which have been industriously excited, to acquaint them with the present dangerous situation of every *American* and his posterity, and to engage their union, assistance, and influence, in their several districts, to attend, either personally or by deputies authorized to declare their sentiments, at a general meeting of Delegates from every part of the Colony, to be held at *Charlestown*, the 6th of *July* next.

The *Virginia* packet, which was particularly addressed to our merchants, is to be immediately returned to them with our thanks for their polite communication, and an intimation that we shall be glad to have, in a private way, their sentiments before the 28th instant, when our Committee are to meet again, agree upon and prepare what should be proper to lay before and recommend to the general meeting on the 6th of *July*, where we should also be glad to see them.

Even the merchants now seem generally inclined to a non-importation. How much farther we shall go will depend upon the expected advices from the other Colonies, and the spirit and vigour with which they act.

I could wish your Committee had extended its correspondence to *Georgia*, and beg leave to recommend the doing it still, without delay.

I am particularly desired to request from every Colony the most speedy information of their respective annual exports of unwrought iron, to *Great Britain*. How many tons each could supply to this Colony—also what quantity of hoes, axes, tools, cutlery, and other articles usually imported from *Great Britain*, each Colony can supply, &c.

EXTRACT OF A LETTER RECEIVED IN PHILADELPHIA.

Charlestown, S. C., June 14, 1774.

The inhabitants are much alarmed at the arbitrary proceedings of the *British* Ministry, and our Committee have met, in consequence of the letters received from the Northern Colonies, and are resolved to co-operate with them in any prudent measure which may be thought likely to remedy the grievance. I believe whatever *New-York* and your city may conclude on, (we place so much confidence in your moderation and firmness,) our town will readily join in with. Our tea remains here entirely unmolested; if the duty is not taken off the present session of Parliament, we shall probably have orders to send it home,

Digitized by Google

which must be a mortifying circumstance, as well to my Lord *North* as to the *India* Company. We value ourselves much on having given our sister Colonies so striking an instance of our virtue and opposition to Ministerial schemes; if it is not sent for soon it will be good for nothing. I could wish the town of *Boston* had taken this legal way of destroying theirs, as it is equally effectual; besides giving a proof to all the world that we are so much attached to the cause of liberty, that there are not even individuals among us who would purchase the baneful herb.

CHARLES COUNTY (MARYLAND) RESOLUTIONS.

At a Meeting of the Inhabitants of *Charles* County, on the 14th of *June*, 1774, at the Court House, in *Port-Tobacco* town, to deliberate on the effect and tendency of the Act of Parliament, for blocking up the port and harbour of *Boston*.

Mr. WALTER HANSON unanimously chosen *Chairman*.

1st. *Resolved*, That it is the opinion of this meeting that the Act of the *British* Parliament passed to block up the harbour and port of *Boston*, and suspend the trade and commerce of that town, is a violent attack upon the liberty and property of the inhabitants thereof, and in its consequences tends to render insecure and destroy the rights and privileges of all *British America*.

2d. That the town of *Boston*, now suffering under the execution of the said Act, justly demands the most speedy and effectual assistance of every Colony in *America* to obtain a repeal of the same.

3d. That the inhabitants of this county will join in an Association with the several counties of this Province to put a stop to all imports from *Great Britain* after the first day of *August* next, except the articles of medicine, until the said Act be repealed.

4th. That if the said Act of Parliament is not repealed by the 31st day of *October*, in the year 1775, that then the inhabitants of this county will join with the several counties of this Province, and the principal Colonies in *America*, to break off all commercial connection with *Great Britain* and the *West Indies*.

5th. It is the opinion of this meeting, that a Congress of Deputies from the several Colonies will be the most probable means of uniting *America* in one general measure to effectuate a repeal of the said Act of Parliament.

6th. That Deputies shall be sent from this county to meet at the City of *Annapolis*, on the 22d instant, and join with the Deputies appointed by the several counties in a general, rational, and practicable Association for this Province, and to appoint Deputies to attend a Congress of those nominated by the several Colonies, and to adopt any other measures for the relief of the people of *Boston*, which to them seems fit and reasonable.

7th. That the inhabitants of this county will break off all trade, commerce, and dealings, with that Colony, town, or county, which shall decline or refuse to associate in some rational and effectual means to procure a repeal of the said Act of Parliament.

8th. That the inhabitants of this county will adopt and steadily pursue such measures, as tend to protect and secure the liberties of this county, according to the true principles of the *English* Constitution, and thereby show themselves loyal and faithful subjects to his Majesty King *George* the Third.

9th. That Messrs. *Walter Hanson, William Smallwood, Josias Hawkins, Francis Ware, Joseph Hanson Harrison, Thomas Stone, George Dent, Gustavus Richard Brown, John Dent, Thomas Hanson Marshall, Daniel Jenifer, Samuel Love, James Forbes, Robert T. Hooe, Philip Richard Fendall, Zephaniah Turner, James Key*, and *James Craik*, or any seven of them, be a Committee of Correspondence, to receive and answer all letters, and, on any emergency, to call a general meeting of the county; and that Messrs. *Walter Hanson, William Smallwood, Josias Hawkins, Francis Ware, Joseph Hanson Harrison, Thomas Stone, John Dent, Daniel Jenifer*, and *Robert T. Hooe*, are appointed Deputies for this county to attend the general meeting at *Annapolis*, the 22d instant.

Signed per order, JOHN GWIN, *Clerk*.

IV. TO THE INHABITANTS OF THE BRITISH COLONIES IN AMERICA.

Philadelphia, June 15, 1774.

BRETHREN: The intelligence received since the preceding letter was written, seems to render needless every attempt to prove from *former* transactions, my first intention, if health had permitted, that a regular plan has been invariably pursued to enslave these Colonies, and that the Act of Parliament for the blocking up the port of *Boston* is a part of the plan. However unprecedented and cruel that measure is, yet some persons among us might have flattered themselves that the resentment of the Parliament is directed solely against the town. The last advices mention two Bills to be passing in Parliament, one changing the chartered Constitution of the Province of *Massachusetts Bay* into a Military Government; and another empowering Administration to send for and try persons in *England* for actions committed in that Colony.*

By these instances we perceive that Administration has not only renounced all respect, and all appearance of respect for the rights of these Colonies, but even the plainest principles of justice and humanity. Were the Representatives of the people of *Massachusetts Bay* called upon to make satisfaction for the damage done to private property in any late tumult there? No. Yet it was known that those Representatives had made ample reparation for the injuries committed on occasion of the Stamp Act. It was known that the like reparation had been made by the Assemblies of *New-York* and *Rhode-Island*. In short, it was known, that notwithstanding the incessant pains taken by many Ministers to tease the Colonies by oppressions and insults into madness, yet they have, with difficulty, excited only a few tumults, for which the popular branch of the Legislature in the several Colonies has ever been ready to atone, upon requisitions from the Crown.

Great clamour has been raised at home against *Massachusetts Bay*, on account of resolutions at some of their own town meetings, and other writings published in that Colony; and better it were that many of them had been suppressed. The truth is, that people, animated by an ardent and generous love of liberty, saw, and peculiarly felt, the projects against the freedom and happiness of *America*. I know them well; and if ever a State deserved the character, they are a moral, religious, quiet, and loyal people, affectionately attached to the welfare and honour of *Great Britain*, and dearly valuing their dependence on her. Observant and sensible as they were of the present and approaching evils, some of them adopted a very imprudent, but what appeared to them a very peaceable and justifiable method, of discouraging Administration from proceeding in such alarming and dangerous measures—that of speaking in a high tone. Words were opposed to injuries; and menaces, never designed for execution, to insults intolerable. What could they do? Their *humble petitions* were haughtily and contemptuously rejected. The more they supplicated the more they were *abused*. By their tears, and Heaven knows many they have shed, their persecutions flourished as trees by water poured on their roots. Their very virtue and passionate fondness for concord for their mother country, occasioned this objected errour. "Surely," says *Solomon*, "oppression maketh a wise man mad." A silly man may disregard it. In playing the fool they showed their wisdom. This is the true history of those futile pieces that produced so much solid eloquence in *Great Britain*.

* By the first of these Bills the Governour is to be invested with the power of a Justice of the Peace, to call out the military to effect, though the Minister says in his speech: "I shall always consider that a military power, acting under the authority and controul of a Civil Magistrate, is a part of the Constitution." By the second, *Americans* are to be seized, confined, and carried to *England*, to be tried, that is, hanged on charges for an act done in a Colony. This is not all. Soldiers and others, who shall commit any offence, such as murdering the Colonists, under the pretence of supporting the authority of Parliament, shall be carried to *England* to be tried—that is—acquitted. Of the *habeas corpus* and trial by peers, "*stat nominis umbra*."

"That the absolute power, claimed and exercised in a neighbouring Nation, is more tolerable than that of the Eastern Empires, is in a great measure owing to their having united the judicial power in their Parliaments, a body separate and distinct from both the Legislative and Executive, and if ever that Nation recovers its former liberty, it will owe it to the efforts of those Assemblies. In *Turkey*, where every thing is centered in the Sultan, or his Minister, despotic power is in its meridian, and wears a most dreadful aspect."—5 BLACKSTONE, 269, 270.

Digitized by Google

Riots and weak publications, by a small number of individuals, are sufficient reasons with Parliament to ruin many thousand inhabitants of a truly respectable town, to dissolve charters, to abolish the benefits of the writ of *habeas corpus*,* and extirpate *American* liberty—for the principle reaches all. But in *England* the Press groans with publications, seditious, treasonable, and even blasphemous. The discontented swarm over the Kingdom proclaiming their resentments. Many enormous riots have disturbed the public peace. The Sovereign has been insulted in passing from his Palace to the Parliament House, on the business of the Nation. Is it to be concluded from the facts, that the body of the people is seditious and traitorous? Can his Majesty believe that he is thought by his *English* subjects in *general* to be such a Prince as some of them have represented him? Will the two Houses of Parliament acknowledge what has been spoken and written and acted against them in *England*, expresses the sentiments of the Kingdom? Or will they say the *people* of *England* have forfeited their liberty, because *some* of *them* have run into licentiousness? Let a judgment be formed in *both* cases by the *same* rule. Let them condemn *those* or acquit *us*.

Pretences and reasons are totally different. The provocation said to be given by our sister Colony, are but the *pretences* for the exorbitant severity exercised against her. The reasons are these—the policy, despicable and detestable as it is, of suppressing the freedom of *America*, by a military force, to be supported by money taken out of our own pockets, and the supposed conveniency of opportunity for attaining this end. These *reasons* are evident from the Minister's speech. The system is formed with art, but the art is discoverable. Indeed, I do not believe it was expected we should have such early and exact intelligence of the schemes agitated against us as we have received. Any person who examines the multitude of invectives published in pamphlets and newspapers in *Great Britain*, or the speeches made in either House of Parliament, will find them directed *against the Colonies in general*. The people in that Kingdom have been, with great cunning and labour,† inflamed *against the Colonies in general*. They are deluded into a belief that we are in a state of rebellion, and aiming directly at a state of independency; though the first is a noxious weed that never grew in our climates, and the latter is universally regarded with the deepest execrations by us—a poison we never can be compelled to touch, but as an antidote to a worse, if a worse can be—a curse that if any Colony on this Continent should be so mad as to aim at reaching, the rest of the body would have virtue and wisdom enough to draw their swords, and hew the traitors into submission, if not into loyalty. It would be our interest and our duty thus to guarantee the public peace. The Minister, addressing the House of Commons, uses several expressions relating to *all the Colonies*, and calls the stoppage of the port of *Boston* "a punishment inflicted on those *who have disobeyed your authority*."

Is it not extremely remarkable, after such a variety of charges affecting *all* the Colonies, that the statute of vengeance should be levelled against a single Colony? *New-York*, *Philadelphia*, and *Charlestown* have denied freedom of trade to ships sailing under *the protection of Acts of Parliament*. Will not the House of Commons think the inhabitants of these places "have disobeyed their authority," and that a punishment should be inflicted on them?" Why do we not hear of some measure pursued against those cities? Are they immaculate in the eyes of Administration and Parliament? Has not each of these places done *real damage* to the *East India* Company? Has there been even a requisition of compensation for that damage from any of them? Why is there such a *profound silence* observed with respect to them? Because they are judged by Administration and Parliament more innocent than the Colony of *Massachusetts Bay*? No. Because Administration and Parliament do us *Americans* the honour to think we are such idiots that we shall not believe ourselves interested in the fate of *Boston*, but that one Colony may be attacked and humbled after another, without showing the sense or spirit of beasts themselves, many of which unite against common danger.

Why were the states of *Greece* broken down into the tamest submission, by *Philip* of *Macedon*, and afterwards by the *Romans*? Because they contended for freedom *separately*. Why were the States of *Spain* subdued by the *Carthagenians*, and afterwards by the *Romans*? Because they contended for freedom *separately*. Why were the ancient inhabitants of the Kingdom, that now harasses us, conquered by their invaders? *Tacitus* will inform us. "*Nec aliud adversus validissimas gentes pro nobis utilius, "quam quod in commune non consultunt. Rarus ad pro-"pulsandum commune periculum conventus. Ita dum sin-"guli pugnant omnes vincuntur.*"*

Why did the little *Swiss* Cantons and *seven* small Provinces of the Low Countries so successfully oppose the tyrants, that, not contented with an Empire, founded in humanity and mutual advantages, *unnecessarily* and arrogantly strove to "lay" the faithful and affectionate wretches "at their feet?" Because they wisely regarded the interest of *each* as the interest of *all*.

Our own experience furnishes a mournful additional proof of an observation made by a great and good man, Lord President *Forbes*. "It is a certain truth," says he, "that all States and Kingdoms, in proportion as they grow "great, wealthy, and powerful, grow wanton, wicked, and "oppressive; and the history of all ages give evidence of "the fatal catastrophe of all such States and Kingdoms, "when the cup of their iniquity is full." Another "truth," as "certain," is, that such "States and Kingdoms" never have been, and never will be, checked in the career of their "wantonness, wickedness, and oppression," by a people in any way dependent upon them, but by the prudent, virtuous, and steady unanimity of that people. To employ more words to elucidate a point so manifest, would be the idle attempt of gilding gold.

Surely you cannot doubt at this time, my countrymen, but that the people of *Massachusetts Bay* are suffering in a cause† common to us all; and, therefore, that we ought immediately to concert the most prudent measures for their relief and our own safety.

Our interest depending on the present controversy is unspeakably valuable. We have not the least prospect of human assistance. The passion of despotism, raging like a plague for about seven years past, has spread with unusual malignity through *Europe*; *Corsica*, *Poland*, and *Sweden*, have sunk beneath it. The remaining spirit of freedom that lingered and languished in the Parliament of *France*, has lately expired.‡ What Kingdom or State interposed for the relief of their distressed fellow-creatures? The contagion has at length reached *Great Britain*. Her statesmen emulate the *Nimrods* of the Earth,

* Both Houses of Parliament resolved two or three years ago, that persons might be sent for from any of the Colonies for acts done there and tried in *England*, under the old statute of *Henry* the Eighth, made before the Colonies existed. The late Court at *Rhode-Island* was established on that principle. The intention of Parliament in passing the Bill above mentioned is chiefly to screen persons acting in support of their unconstitutional claims. They have declared they have no doubt but that the thirty-fifth of *Henry* has established a just and legal mode of cutting *American* throats.

"I can live, although another, who has no right, be put to live with "me; nay, I can live, although I pay excises and impositions more than "I do; but to have my liberty, which is the soul of my life, taken from "me by power, and to have my body pent up in a jail," (then thrown into a ship of war, transported three thousand miles across the Ocean, to a land of bitter, selfish, furious, and revengeful enemies, there thrust into the jaws of dungeons,) "without remedy by law, and to be "adjudged: O improvident ancestors! O unwise forefathers! to be "so curious in providing for the quiet possession of our laws, and the "liberties of Parliament, and to neglect our persons and bodies, and "let them lie in prison, and that *durante bene placito*, remediless! "If this be law why do we talk of liberties? Why do we trouble "ourselves with a dispute about law, franchises, property of goods, "and the like? What may any man call his own if not the liberty of "his person? I am weary of treading these ways."—*Speech of* ROBERT PHILIPS, *a member of the wise and moderate Parliament that met in the year* 1627.

† Private letters give a further proof of this fact.

*Nor was any thing more advantageous to us against very powerful nations, than their imprudence in not consulting together for the interest of the whole. Conventions for repelling a common danger were rare. Thus, while each State resisted singly, all were subdued.—TACITUS, *in vit. Agric.*

†The Act for shutting up the port of *Boston* orders, "that it shall "not be opened until peace and obedience to the laws shall be so far "restored in the said town of *Boston*, that the trade of *Great Britain*, "may safely be carried on there, and his Majesty's duties duly col-"lected," &c. Thus, it appears, if the inhabitants renounce the common cause of the Colonies, the port may be opened—if they adhere to that cause it will remain shut.

‡ By the new modeling their Parliaments.

Digitized by Google

and wish to become "mighty hunters" in the woods of *America*. What Kingdom or State will interpose for our relief? The preservation of our freedom, and of every attendant blessing, must be wrought out, under Providence, by ourselves. Let not this consideration discourage us. We cannot be false to each other, without being false to ourselves. We have the firmest foundation of union and fidelity—that we wish to attain the same things—to avoid the same things. The friendship of others might be precarious, suspected, deceitful.

The infinitely great, wise, and good Being, who gave us our existence, certainly formed us for a state of society. He certainly designed us for such a state of society as would be productive of happiness. Liberty is essential to the happiness of a society, and therefore is our right. The Father of Mercies never intended men to hold unlimited authority over men.* Craft and cruelty have indeed triumphed over simplicity and innocence, in disobedience to his holy laws. The Father of Mercies never intended us for the slaves of *Britons*. Craft and cruelty, indeed, are striving to brand us with marks infamously denoting us to be their property as absolutely as their cattle. Their pretensions to a right of such power, not only oppose constitutional principles, but even partake of impiety. The sentence of bondage against us is only issued by the frail omnipotence† of Parliament.

"Non sic inflectere sensus
"Humanos edicta, valent."‡

We cannot question the justice of our cause. This consideration will afford comfort and encouragement to our minds. Let us, therefore, in the first place, humbling ourselves before our gracious Creator, devoutly beseech his divine protection of us his afflicted servants, most unreasonably and cruelly oppressed. Let us seriously reflect on our manifold transgressions, and by a sincere repentance, and an entire amendment of our lives, strive to recommend ourselves to divine favour.

In the next place, let us cherish and cultivate sentiments of brotherly love and tenderness among us. To whom, under the cope of Heaven, can we look for help in these days of "darkness and trouble," but one to another. O my countrymen! Have pity one on another. Have pity on yourselves and your children. Let us, by every tender tie, implore you; let us mutually excuse and forgive each other our weakness and prejudices, (for who is free from weakness and prejudices?) and utterly abolishing all former dissensions and distinctions, wisely and kindly unite in one firm band, in one common cause.

If there are any men, or any bodies of men, on this Continent, who think that an accommodation between us and *Great Britain*, or that their own particular interest may be advanced by withdrawing themselves from the counsels of their countrymen, I would wish them most deliberately to consider the consequences that may attend such a conduct. What step can possibly be taken more directly tending to prevent an accommodation between us and *Great Britain* than supplying Administration with proofs of our intestine divisions? What do our enemies so ardently wish for as for these divisions? Has not the expectation of these events encouraged the Ministry to treat us with such unexampled contempt and barbarity? Will not the certainty of these events excite resolution in them to press us, to take every advantage of a people so industriously studying and labouring to weaken and destroy themselves? Then a Minister may with reason call upon the House of Commons, "Now is our time to stand out—"to defy them—to proceed with firmness and without fear—"to produce a conviction to all *America* that we are now "in earnest, and that we will proceed with firmness and "vigour until she shall be laid at our feet."*

I appeal to every man of common sense, whether any measure will be so likely to induce Administration to think of an accommodation with us, as our unanimity. Must not, therefore, every measure impeaching the credit and weight of this unanimity, in the same degree obstruct all accommodation? Will not every such measure naturally produce haughtiness, perseverance and fresh rigour in our oppressors? Will not these still more enrage us, and place us farther from an accommodation? If the protection and peace we wish to derive from our unanimity be taken from us by the imprudence of our brethren who break that unanimity, or destroy all respect for it in *Great Britain*, and thereby encourage her to seize what she will certainly think the lucky opportunity for pursuing her blows, what must be the consequence. We held up a shield for our defence. If our brethren have pierced it through, and rendered it useless, their imprudence will, according to the usual course of human affairs, compel us to change the mode of defence, and drive us into all the evils of civil discords.

What advantages can they gain that can compensate to men of any understanding or virtue, for the miseries occasioned by their bad policy. Their numbers will be too small in any manner whatever to controul the sentiments or measures of *America*. Their conduct never can prevent the exertions of these Colonies in vindication of their liberty. It may by provocations render those exertions more rash and imprudent; but their numbers will be so extravagantly exaggerated, as all facts have been against us, on the other side of the *Atlantic*, that *Great Britain* may be deceived, and emboldened into measures destructive to herself and to us. We are now strenuously endeavouring, in a peaceable manner, by this single power, the force of our unanimity, to preserve our freedom. Those who lessen that unanimity detract from its force, will prevent its effect, and must be, therefore, justly chargeable with all the dreadful consequences to these Colonies.

The third important consideration I beg leave to recommend to my countrymen is, to draw such reflections from their situation as will confirm their minds in that manly noble fortitude so absolutely necessary for the maintenance

* "To live by one man's will became the cause of all men's "misery."—Hooker's *Eccles. Pol.*

"Is not universal misery and ruin the same, whether it comes from "the hands of many or of one?"—*Bishop* Hoadly's *Disc. on Gov.*

"Of so contrary an opinion was this good man (*Hooker*) to that of "some others, who can never oppose one extreme, without running into "another, as bad, if not worse, and think they cannot enough con-"demn rebellion without giving the divine sanction to tyranny and "oppression. This judgment ought likewise to be of the more weight "with such as profess the most profound veneration for the memory of "*Charles* the First, and the honour of the old Church of *England*; "because this treatise in which it was to be found was chosen out of "many others, by that Prince, to be recommended to his children as "the best instructer they could converse with, and was had in such "estimation by all churchmen, from the time of its appearance, that it "may well pass, not only for his own judgment in particular, but for "the judgment of the whole Church of *England* at that time."—*Bishop* Hoadly, *ibid.*

"Would not the unhappiness of this Nation in particular have been "the same, whether a late King, alone, or by a former law, has sub-"jected it to the religion of *Rome* and the maxims of *France*? And, "upon supposition of such an attempt, would not our late deliverance "have been as glorious, as great, and justifiable, as much wanted, and "as truly beneficial, as it was upon the attempt of the King alone? "Would not the invitation of the Prince of *Orange*, the election and "meeting of the persons who made the Convention, and the conse-"quent establishment in the Protestant line, have been as requisite and "as useful? Nay, would not the ends of Government have been more "effectually answered this way, than by submission to a total dissolu-"tion of all happiness at present, and of all hopes for the future? "How then can it be said that the ends of Government require that "degree of submission upon the one supposition, which they are "allowed not to do upon the other, when the same misery and destruc-"tion must follow a submission in both cases, and the same universal "happiness must in both be the consequence of a just and well "managed defence? Or would the ends of Government be destroyed, "should the miserable condition of the whole people of *France*, which "hath proceeded from the King's being absolute, awaken the thoughts "of the wisest heads amongst them, and move them all to exert "themselves, so as that those ends should be better answered for the "time to come?"—*Bishop* Hoadly, *ibid.*

It was resolved by the House of Commons, that this Bishop, then Mr. *Hoadly*, and Rector of *St. Peter's* Poor, *London*, "for having "often strenuously justified the principles on which her Majesty and "the Nation proceeded in the late happy revolution, had justly merited "the favour and recommendation of the House;" and accordingly addressed Queen *Anne*, "that she would be graciously pleased to "bestow some dignity in the Church on the said Mr. *Hoadly*, for his "eminent services both to the Church and State."

"Whatever dishonours human nature, dishonours the policy of a "Government which permits it; and a free State which does not com-"municate the natural right of liberty to all its subjects, who have not "deserved by their crimes to lose it, hardly seems to be worthy of that "honourable name."—*Lord* Littleton's *History of* Henry *II.*

"Without goodness power would be tyranny and oppression, and "wisdom would degenerate into craft and mischievous contrivance."—*Archbishop* Tillotson's *Sermons.*

"*Etiamsi non sit molestus dominus, tamen est miserrimum, posse, si velit.*" Cicero. Even if a Sovereign does not oppress, yet it is a most miserable condition for the subjects that he has the power, if he has the will.

† 1 *Blackstone*, 161.

‡ Edicts cannot so bend the common sense of human nature.

* Lord *North's* Speech.

Digitized by Google

of those inestimable privileges for which they are now contending. The man who fears difficulties arising from the defence of freedom, is unworthy of freedom. *God* has given the right and the means of asserting it. We may reasonably expect his gracious assistance in the reasonable employment of those means. To look for miracles while we abusively neglect the powers afforded us by divine goodness, is not only stupid, but criminal. We are yet free—let us think like freemen.

In the last place, I beg to offer some observations concerning the measures that may be most expedient in the present emergency. Other Nations have contended in blood for their liberty, and have judged the jewel worth the price that was paid for it. These Colonies are not reduced to the dreadful necessity. So dependent is *Great Britain* on us for supplies that Heaven seems to have placed in our hands means of an effectual, yet peaceable resistance, if we have sense and integrity to make a proper use of them. A general agreement between these Colonies of non-importation and non-exportation, faithfully observed, would certainly be attended with success. But is it now proper to enter into such an agreement? Let us consider that we are contending with our ancient, venerable and beloved parent country. Let us treat her with all possible respect and reverence.* Though the rulers there have had no compassion upon us, let us have compassion on the people of that Kingdom. And if, to give weight to our supplications, and to obtain relief for our suffering brethren, it shall be judged necessary to lay ourselves under some restrictions with regard to our imports and exports, let it be done with tenderness, so as to convince our brethren in *Great Britain* of the importance of a connection and harmony between them and us, and the danger of driving us into despair. Their true interests, and our own, are the same; nor would we admit any notion of a distinction till we know their resolution to be unalterably hostile.

In the mean time, let us pursue the most proper methods for collecting the sentiments of all the *British* Colonies in *North America* on the present situation of affairs, the first point, it is apprehended, to which attention should be paid. This may be effected various ways. The Assemblies that may have opportunity of meeting, may appoint Deputies to attend a general Congress, at such time and place as shall be agreed on. Where Assemblies cannot meet, such of the people as are qualified by law to vote in election of Representatives, may meet and appoint, or may request their Representatives to meet and appoint.

When the inhabitants of this extended Continent observe that regular measures are prosecuted for re-establishing harmony between *Great Britain* and these Colonies, their minds will grow more calm. Prospects of accommodation, it is hoped, will engage them patiently and peaceably to attend the result of the public Councils, and such applications as, by the joint sense of *America*, may be judged proper to be made to his Majesty and both Houses of Parliament.

"Better is a little with righteousness, than great revenues without right."

LANCASTER (PENNSYLVANIA) RESOLUTIONS.

At a Meeting of the Inhabitants of the Borough of *Lancaster*, at the Court House in said Borough, on *Wednesday*, the 15th day of *June*, 1774.

Agreed, That to preserve the constitutional rights of the inhabitants of *America*, it is incumbent on every Colony to unite, and use the most effectual means to procure a repeal of the late Acts of Parliament against the town of *Boston*.

That the Act of Parliament for blocking up the port and harbour of *Boston*, is an invasion of the rights of the inhabitants of the said town, as subjects of the Crown of *Great Britain*.

That it is the opinion of the inhabitants of this meeting, that the most proper and effectual means to be used to obtain a repeal of the said Act, will be to put an immediate stop to all imports and exports to and from *Great Britain*, until the same Act be repealed.

That the traders and inhabitants of this town will join and concur with the patriotic merchants, manufacturers, tradesmen, and freeholders of the City and County of *Philadelphia*, and other parts of the Province, in an Association of solemn agreement to this purpose, if the same shall be by them thought necessary.

That *Edward Shippen*, Esquire, *George Ross*, Esquire, *Jasper Yeates*, Esquire, *Matthias Slough*, Esquire, *James Webb*, Esquire, *William Atlee*, Esquire, *William Henry*, Esquire, Mr. *Ludwick Lauman*, Mr. *William Bausman*, and Mr. *Charles Hall*, be a Committee to correspond with the General Committee at *Philadelphia*.

That these sentiments be immediately forwarded to the Committee of Correspondence at *Philadelphia*.

Signed by order of the said Committee,

EBERHART MICHAEL, *Clerk*.

RHODE-ISLAND RESOLUTIONS.

At the General Assembly of the Governour and Company of the *English* Colony of *Rhode-Island* and *Providence* Plantations, in *New-England*, in *America*, begun and holden by adjournment at *Newport*, within and for the said Colony, on the second *Monday* in *June*, in the year of our Lord one thousand seven hundred and seventy-four, and in the fourteenth year of the reign of his most sacred Majesty, *George* the Third, by the grace of *God*, King of *Great Britain*, and so forth.*

This Assembly taking into their most serious consideration several Acts of the *British* Parliament for levying taxes upon his Majesty's subjects in *America*, without their consent; and particularly an Act lately passed for blocking up the port of *Boston*; which Act, even upon the supposition, that the people of *Boston* had justly deserved punishment, is scarcely to be paralleled in history for the severity of the vengeance executed upon them; and also considering to what a deplorable state this and all the other Colonies are reduced, when, by an Act of Parliament, in which the subjects of *America* have not a single voice, and without being heard, they may be divested of property, and deprived of liberty; do, upon mature deliberation,

Resolve 1st. That it is the opinion of this Assembly that a firm and inviolable union of all the Colonies, in counsels and measures, is absolutely necessary for the preservation of their rights and liberties; and that, for that purpose, a Convention of Representatives from all the Colonies ought to be holden in some suitable place, as soon as may be, in order to consult upon proper measures to obtain a repeal of the said Acts, and to establish the rights and liberties of the Colonies upon a just and solid foundation.

2d. That the Honourable *Stephen Hopkins*, and the Honourable *Samuel Ward*, Esqrs., be, and they are hereby appointed by this Assembly to represent the people of this Colony, in a general Congress of Representatives from the other Colonies, at such time and place as shall be agreed upon by the major part of the Committees appointed, or to be appointed by the Colonies in general.

3d. That they consult and advise with the Representatives of the other Colonies who shall meet in such Congress, upon a loyal and dutiful petition and remonstrance to be presented to his Majesty, as the united voice of his faithful subjects in *America*, setting forth the grievances they labour under, and praying his gracious interposition for their relief. And that in case a major part of the Representatives of all the Colonies shall agree upon such petition and remonstrance, they be empowered to sign the same in behalf of this Colony.

* "'By justice (saith the Scripture) the Throne is established,' and 'by justice a Nation shall be exalted.' I resemble justice to *Nebuchadnezzar's* tree, shading not only the palace of the King, and the house of nobles, but sheltering also the cottage of the poorest beggar. Wherefore, if now the blast of indignation hath so bruised any of the branches of this tree, that either our persons, or goods, or possessions, have not the same shelter as before, let us not, therefore, neglect the root of this great tree; but rather, with all our possible means, endeavours, and unfeigned duties, both apply fresh and fertile mould unto it, and also water it even with tears, that so those bruised branches may be recovered, and the whole tree prosper again and flourish."—*Mr.* CRESKELD'S *Speech in the Parliament that met in* 1727.

* The Assembly met at the Court House in *Newport*, on *Monday*, *June* 13, 1774; and on *Wednesday* adopted these Resolutions, which passed unanimously, except one, to which there were only two or three dissentients.

Digitized by Google

4th. That they also consult upon all such reasonable and lawful measures as may be expedient for the Colonies, in an united manner, to pursue in order to procure a redress of their grievances, and to ascertain and establish their rights and liberties.

5th. That they also endeavour to procure a regular annual Convention of Representatives from all the Colonies, to consider of proper means for the preservation of the rights and liberties of all the Colonies.

6th. That the Speaker of the lower House transmit as soon as may be, copies of these Resolutions to the present or late Speakers of the respective Houses of Representatives of all the *British* Colonies upon the Continent.

HENRY WARD, *Secretary*.

WOODSTOCK (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders and other Inhabitants of the County of *Dunmore*, held at the town of *Woodstock*, the 16th day of *June*, 1774, to consider the best mode to be fallen upon to secure their liberties and properties; and also to prevent the dangerous tendency of an Act of Parliament, passed in the fourteenth year of his present Majesty's reign, entitled, "An Act to discontinue in such manner and "for such time as is therein mentioned the landing and dis-"charging, lading or shipping of goods, wares, and merchan-"dise, at the town and within the harbour of *Boston*, in the "Province of the *Massachusetts Bay*, in *North America*," evidently has to invade and deprive us of the same.

The Reverend PETER MECKLENBERG, *Moderator*.

A Committee, of the following gentlemen, viz: the Reverend *Peter Mecklenberg*, *Francis Slaughter*, *Abraham Bird*, *Taverner Beale*, *John Tipton*, and *Abraham Bowman*, were appointed to draw up Resolves suitable to the same occasion, who, withdrawing for a short time, returned with the following votes, which had been previously agreed to and voted by the freeholders and inhabitants of the County of *Frederick*.

1st. That we will always cheerfully pay due submission to such Acts of Government, as his Majesty has a right, by law, to exercise over his subjects, as Sovereign to the *British* Dominions, and to such only.

2d. That it is the inherent right of *British* subjects to be governed and taxed by Representatives chosen by themselves only; and that every Act of the *British* Parliament respecting the internal policy of *North America*, is a dangerous and unconstitutional invasion of our rights and privileges.

3d. That the Act of Parliament above mentioned, is not only itself repugnant to the fundamental laws of natural justice, in condemning persons for supposed crime, unheard; but, also, a despotic exertion of unconstitutional power, calculated to enslave a free and loyal people.

4th. That the enforcing the execution of the said Act of Parliament by a military power, will have a necessary tendency to raise a civil war, thereby dissolving that union which has so long happily subsisted between the mother country and her Colonies; and that we will most heartily and unanimously concur with our suffering brethren of *Boston*, and every other part of *North America*, that may be the immediate victims of tyranny, in promoting all proper measures to avert such dreadful calamities; to procure a redress of our grievances, and to secure our common liberties.

5th. It is the unanimous opinion of this meeting, that a joint resolution of all the Colonies, to stop all importations from *Great Britain*, and exportations to it, till the said Act be repealed, will prove the salvation of *North America* and her liberties; on the other hand, if they continue their imports and exports, there is the greatest reason to fear that power and the most odious oppression will rise triumphant over right, justice, social happiness, and freedom.

6th. That the *East India* Company, those servile tools of arbitrary power, have justly forfeited the esteem and regard of all honest men; and that the better to manifest our abhorrence of such abject compliances with the will of a venal Ministry, in ministering all in their power an increase of the fund of peculation, we will not purchase tea, or any other kind of *East India* commodities, either imported now, or hereafter to be imported, except saltpetre, spices, and medicinical drugs.

7th. That it is the opinion of this meeting, that Committees ought to be appointed for the purpose of effecting a general Association, that the same measures may be pursued through the whole Continent; that the Committees ought to correspond with each other, and to meet at such places and times as shall be agreed, in order to form such general Association; and that when the same shall be formed and agreed on by the several Committees, we will strictly adhere to, and till the general sense of the Continent shall be known, we do pledge ourselves to each other, and to our country, that we will inviolably adhere to the vote of this day.

Voted, That the Reverend *Peter Mecklenberg*, *Francis Slaughter*, *Abraham Bird*, *Taverner Beale*, *John Tipton*, and *Abraham Bowman*, be appointed a Committee for the purpose aforesaid; and that they or any three of them are hereby fully empowered to act.

THE BRITISH AMERICAN, NO. IV.

Williamsburg, Va., June 16, 1774.

Friends, Fellow-citizens, and Countrymen:

Having, under the above signature, formerly addressed three letters to you, upon the long litigated right of the *British* Parliament to tax the *American* Colonies, which were not ill received by the public, I intend through the channel of this paper, to give my sentiments of what ought to be the conduct of the inhabitants of *British America* in the present alarming state of affairs; and I think it more peculiarly my duty to do so at this time, because, (though one of the Representatives of the Colony of *Virginia*,) I did not attend the last session of the Assembly; indeed, as I live a very retired life, a great distance from *Williamsburg*, I did not hear of the Act of Parliament relative to *Boston*, till after the Assembly was dissolved; but I urge not this in justification, nor even in palliation of my offence, since nothing can excuse a Representative of the people from constantly attending in Assembly; and, as I neither expect, or shall attempt, to be chosen again, I take this, as the only method left me, of atoning to my country for having neglected my duty.

In the course of these letters, after explaining what the real excellence of the Constitution, (so far as relates to the real excellence of the legislation) formerly was; after pointing out how far, and by what means, that Constitution hath been altered, and that excellence almost annihilated; and after considering the connections between the Colonies and the mother country, I shall endeavour to prove that it would be really injurious for *Great Britain* to enforce, or for the Colonies to submit to, the authority of *British* Acts of Parliament in *America*.

That the first aim of *America* ought to be to prevent, if possible, *Great Britain* from sinking, which by an unanimously, loyal, cool, steady, and intrepid conduct, which I shall endeavour to point out, it is possible for her to effect. But if the utmost exertion of her virtue should not enable her to accomplish this ever to be wished for end; and *Great Britain* is in so corrupt a state that she must fall, that *America* must take care not to fall with her; but by preserving her own liberty, prepare an asylum for such of the inhabitants of the mother country as still retain a love of liberty, or possess a desire of being free.

Having thus given a general idea of the subject intended to be pursued in my future letters to my countrymen in general, I shall conclude this, with some advice to my fellow-citizens, of *Virginia* in particular. Do not enter into any hasty resolves, that you yourselves upon deliberation condemn; remember that coolness is the true characteristic of an intrepid spirit. However you may be displeased with the conduct of your late Representatives, keep your resentment to yourselves. Remember that the best of men may be sometimes mistaken; that this is not a time to entertain jealousies, or create dissensions amongst ourselves; and that to irritate by reproachful language will never reform. Reflect that the merchants and manufacturers of *Great Britain* are our fellow-subjects; that they probably disapprove the conduct of the *British* Parliament as much as we do; that they are possibly warm in our interests at this moment, and if not, that they are at least

Digitized by Google

entitled to justice at our hands; and that, however, discretion ought to prevent us from increasing, common honesty ought to induce us to discharge, as soon as possible, the debts we have already contracted; that to stop the exportation of our commodities would be so injurious to yourselves, that you ought not to risk it till every other measure has been tried without success; and reserve this as your *dernier* resort; but above all things, be careful that your honest indignation against the two Houses of the *British* Parliament does not hurry you into any indiscreet expressions against, or corrupt your loyalty to, your Sovereign, though you owe no obedience to the *British* Parliament, two branches of it being only your fellow-subjects, and not your masters; yet to your King you have sworn allegiance; his amiable private character entitles him to your highest reverence and esteem; his political character as a Sovereign of the Empire in general, and as supreme head of this Colony in particular, ought to induce you to give him every mark of your warmest loyalty, and most zealous affection to his person. Wait therefore with patience my fellow-citizens a few weeks longer.

The expiration of the Fee Bill, by the sudden dissolution of the Assembly, must shut up the Courts of Justice. No Sheriff is obliged to serve any process, since under a positive Act of Assembly, he can no longer receive any reward; and neglect of duty can no longer be punished, when the equivalent for that duty is taken away; the invasion of the *Indian* enemy; the immense debt due from the public; and the scarcity of a circulating currency amongst you, are circumstances which will probably induce the Governour to call an Assembly immediately. If he should be careful in the choice of your Representatives, instruct them fully how they are to conduct themselves; rely seriously on their virtue, and expect a constitutional redress of your grievances; nothing but necessity can justify any other. But if the Governour should be restrained by the instructions of a wicked Minister from relieving the distresses of the Colony by calling an Assembly immediately, and writs should not be issued for that purpose before the first day of *July*, I would then advise the freeholders of each county in the Colony to convene themselves, and choose two of the most able and discreet of their inhabitants to accompany and assist their late Representatives at the meeting in *Williamsburg*, on the first day of *August;* and let the whole Colony unanimously support whatever may be then resolved upon.

I do not advise this election of two additional Representatives of each county, because I entertain the smallest doubt of the integrity, zeal, or abilities of the late Representatives to serve their country; on the other hand, I am certain, that a very great majority of the late Assembly may be firmly relied on; but the increase of their numbers will add weight to their counsels, and convince both our friends and enemies that the Colony of *Virginia* is so unanimously firm in the common cause of *America*, that no dissolution of your Assembly or change of Representatives, can furnish in future, the smallest hopes of your giving up your liberty, or of your submitting to the arbitrary mandates of a *British* Parliament.

Williamsburg, Virginia, June 17, 1774.

His Excellency the Governour, with the advice of his Majesty's Council, was this day pleased to order writs to issue for the election of a new Assembly, which is to meet on the 11th of *August*.

To the Gentlemen, Freeholders, and others, in the County of New-Castle, *upon* Delaware, *who have a vote in the election of Representatives in General Assembly.*

The several Acts of Parliament made for these ten years last past, relating to the *British* Colonies in *North America*, and their operations upon the property, liberty and lives of the good people of this country, are two well known, and too severely felt, to require any enumeration or explanation—suffice it to mention, that they have taken away the property of the Colonists without their participation or consent; that they have introduced the odious and arbitrary power of excise into the customs; that they have made all revenue causes triable without jury, and under the decision of a dependent party Judge; that they have taken from the Assemblies all freedom of debate and determination, in the instance of suspending the Legislative power of *New-York;* that they have extended the obsolete and arbitrary Act of thirty-five *Henry* the Eighth, for trial of treason and misprison of treason, to the depriving the subjects of a fair trial in the proper country, and exposing him to the most grievous exertions of tyranny and injustice; that they have maintained a standing army in time of peace, above the controul of civil authority; and that they have not only *declared* that they can make laws to bind us *in all cases whatsoever*, but, to Crown all, have *actually* deprived the great and lately flourishing town of *Boston*, of all trade whatsoever, by shutting up their port and harbour with a formidable fleet and army; and, it is not doubted, have new-moulded the Charter of the Province of the *Massachusetts Bay;* and virtually indemnified all officers of the customs, the navy and army, and others acting by their command, from all murders and other crimes which they may commit upon the loyal, brave and free people of that Province. These are no phantoms arising from a heated brain, but real facts, not exaggerated.

It is impossible that any people, impressed with the least sense of constitutional liberty, should ever patiently submit to these enormous grievances, and accordingly we find our brethren and fellow-subjects in most of the Colonies are deliberating and resolving upon such measures as are thought to be most likely to recover our lost rights and privileges.

Shall the people of this large and wealthy county, heretofore the foremost on many occasions, particularly in the time of the detestable Stamp Act, to oppose all attempts to deprive them of their personal security and private property, be now inactive and silent? Forbid it liberty, let humanity forbid it.

You are therefore most earnestly requested to meet together at the Court House, in the town of *New-Castle*, on *Wednesday*, the 29th inst., at two o'clock in the afternoon, to consider of the most proper mode of procuring relief for our dear countrymen, and brethren of *Boston*, the redressing the beforementioned grievance, the restoring and securing our invaded property and expiring liberties—and establishing, on a constitutional bottom, the wonted, and by us so much desired, peace, friendship, and love between *Great Britain* and these Colonies. It is expected that none who have a due regard to their country, posterity, or themselves, will be absent. A Freeman.

June 17, 1774.

EASTHAMPTON (SUFFOLK CO. NEW-YORK) RESOLUTIONS.

At a Meeting of the Inhabitants of the town of *Easthampton*, in the County of *Suffolk*, legally warned by the Trustees of said town, the 17th of *June*, 1774.

Eleazer Miller, Esq., *Moderator.*

1st. *Voted*, That we will, to the utmost of our abilities, assert, and in a lawful manner defend, the liberties and immunities of *British America;* that we will co-operate with our brethren in this Colony in such measures as shall, from time to time, appear to us the most proper, and the best adapted to save us from the burthens we fear, and in a measure already feel, from the principles adopted by the *British* Parliament respecting the town of *Boston* in particular, and the *British* Colonies in *North America* in general.

2d. *Voted*, That a non-importation agreement through the Colonies is the most likely means to save us from the present and further troubles.

3d. *Voted*, That *John Chatfield*, Esq., Colonel *Abraham Gardiner*, *Burnet Miller*, *Stephen Hedges*, *Thomas Wickham*, Esq., *John Gardiner*, Esq., and Captain *David Mulford*, be a Standing Committee for keeping up a Correspondence with the City of *New-York*, and the towns of this Colony; and, if there is occasion, with other Colonies; and that they transmit a copy of these votes to the Committee of Correspondence for the City of *New-York*.

Voted unanimously, not one contrary vote.

Burnet Miller, *Town Clerk.*

Digitized by Google

MASSACHUSETTS HOUSE OF REPRESENTATIVES.

The late Honourable House of Representatives of this Province, having finished all the ordinary public business of importance that had been before them, on *Friday, June* 17, 1774, came into the following Resolutions; present, one hundred and twenty-nine members, and only twelve dissentients,* viz:

In the House of Representatives, June 17, 1774.

This House having duly considered, and being deeply affected with the unhappy differences which have long subsisted, and are increasing, between *Great Britain* and the *American* Colonies, do resolve, that a meeting of Committees, from the several Colonies on this Continent is highly expedient and necessary, to consult upon the present state of the Colonies, and the miseries, to which they are, and must be reduced, by the operation of certain Acts of Parliament respecting *America;* and to deliberate and determine upon wise and proper measures to be by them recommended to all the Colonies, for the recovery and establishment of their just rights and liberties, civil and religious, and the restoration of union and harmony between *Great Britain* and the Colonies, most ardently desired by all good men.

Therefore, resolved, That the Honourable *James Bowdoin*, Esq., the Honourable *Thomas Cushing*, Esq., Mr. *Samuel Adams*, *John Adams*, and *Robert Treat Paine*, Esquires, be and they are hereby appointed a Committee on the part of this Province, for the purposes aforesaid, any three of whom to be a quorum, to meet such Committees or Delegates from the other Colonies, as have been or may be appointed, either by their respective Houses of Burgesses or Representatives, or by Convention, or by the Committees of Correspondence appointed by the respective Houses of Assembly, to meet in the City of *Philadelphia*, or any other place that shall be judged most suitable by the Committee on the first day of *September* next; and that the Speaker of the House be directed, in a letter to the Speakers of the Houses of Burgesses or Representatives in the several Colonies, to inform them of the substance of these resolves.

—

Whereas, this House, taking into consideration the many distresses and difficulties to which the *American* Colonies, and this Province in particular, are and must be reduced by the operation of certain late Acts of Parliament, have determined that it is highly expedient that a Committee should be appointed to meet, as soon as may be, the Committees that are or shall be appointed by the several Colonies on this Continent, to consult together upon the present state of the Colonies, and to deliberate and determine upon wise and proper measures to be by them recommended to all the Colonies for the recovery and establishment of their just rights and liberties, civil and religious, and the restoration of that union and harmony between *Great Britain* and the Colonies, most ardently desired by all good men. And the Honourable *James Bowdoin*, Esquire, the Honourable *Thomas Cushing*, Esquire, Mr. *Samuel Adams*, *John Adams*, and *Robert Treat Paine*, Esquires, are appointed a Committee on the part of this Province, for the purposes aforesaid; any three of whom to be a quorum, to meet such Committees or Delegates from the other Colonies as have been or may be appointed, either by their respective Houses of Burgesses or Representatives, or by Convention, or by Committees of Correspondence appointed by the respective Houses of Assembly, to meet in the City of *Philadelphia*, or any other place that shall be judged most suitable by the joint Committees, on the first day of *September* next. And whereas this House did resolve, that there be paid to said Committee, out of the public Treasury, the sum of five hundred pounds, to enable them to discharge the important trust to which they are appointed; they, upon their return, to be accountable for the same. And said Resolve was sent up to the Honourable Board for their concurrence, who accordingly concurred in the Resolve of the House; but his Excellency the Governour declined his consent to the same. Wherefore this House would recommend, and they do accordingly hereby recommend to the several towns and districts within this Province, that each town and district raise, collect and pay, to the Honourable *Thomas Cushing*, Esquire, of *Boston*, the sum of five hundred pounds, by the fifteenth day of *August* next, agreeable to a list herewith exhibited, being each town and district's proportion of said sum, according to the last Province tax, to enable them to discharge the important trust to which they are appointed; they, upon their return, to be accountable for the same.

Whereas the towns of *Boston* and *Charlestown* are at this time suffering under the hand of power, by the shutting the harbour by an armed force, which, in the opinion of this House, is an invasion of the said towns, evidently designed to compel the inhabitants thereof to a submission to taxes imposed upon them without their consent. And whereas it appears to this House, that this attack upon the said towns, for the purpose aforesaid, is an attack made upon this whole Province and Continent, which threatens the total destruction of the liberties of *British America*.

It is, therefore, Resolved, As the clear opinion of this House, that the inhabitants of the said towns ought to be relieved; and this House do recommend to all, and more especially to the inhabitants of this Province, to afford them speedy and constant relief, in such way and manner as shall be most suitable to their circumstances, till the sense and advice of our sister Colonies shall be known. In full confidence that they will exhibit examples of patience, fortitude and perseverance, while they are thus called to endure this oppression for the preservation of the liberties of their country.

—

Whereas this, and his Majesty's other Colonies in *North America*, have long been struggling under the heavy hand of power, and our dutiful petitions for the redress of our intolerable grievances, have not only been disregarded and frowned upon, but the design totally to alter the free Constitution of civil Government in *British America*, and establish arbitrary Governments, and reduce the inhabitants to slavery, appears more and more to be fixed and determined. It is, therefore, strongly recommended by this House, to the inhabitants of the Province, that they renounce altogether the consumption of *India* teas, and, as far as in them lies, discontinue the use of all goods and manufactures whatever, that shall be imported from the *East Indies* and *Great Britain*, until the public grievances of *America* shall be radically and totally redressed. And it is also further recommended to all, that they give all possible encouragement to the manufacturers of *America*. And it is moreover strongly recommended to the inhabitants aforesaid, that they use their utmost endeavours to suppress pedlars and petty chapmen, (who are of late become a very great nuisance,) by putting in execution the good and wholesome laws of this Province for that purpose.

—

June 17, 1774. His Excellency the Governour, having directed the Secretary to acquaint the two Houses that it was his pleasure the General Assembly should be dissolved, and to declare the same dissolved accordingly, the Secretary went to the Court House, and finding the door of the Representatives Chamber locked, directed the Messenger to go in and acquaint the Speaker that the Secretary had a Message from his Excellency to the Honourable House, and desire he might be admitted to deliver it. The Messenger returned, and said he had acquainted the Speaker therewith, who mentioned it to the House, and their orders were to keep the door fast.

Whereupon the following Proclamation was published on the stairs leading to the Representatives Chamber, in presence of several members of the House, and a great number of other persons, and immediately after in Council:

PROVINCE OF MASSACHUSETTS BAY.

By the GOVERNOUR.—*A Proclamation for Dissolving the General Court.*

Whereas the proceedings of the House of Representatives, in the present session of the General Court, make it

* The following is said to be a true list of the names of eleven of the gentlemen who voted AGAINST a Congress; the remaining one is at present uncertain—Colonel *Worthington*, Colonel *Murray*, Colonel *Jones*, Major *Ingersol*, *David Thatcher*, Esq., *Abijah White*, Esq., Colonel *Bacon*, Colonel *Day*, Captain *Hayward*, of *Easton*, Mr. *Samuel Field*, and *Barnabas Freeman*.

Digitized by Google

necessary for his Majesty's service that the said General Court should be dissolved:

I have, therefore, thought fit to dissolve the said General Court, and the same is hereby dissolved accordingly, and the members thereof are discharged from any further attendance.

Given under my hand, at *Salem*, the 17th day of *June*, 1774, in the fourteenth year of his Majesty's reign.

T. GAGE.

By his Majesty's command, T. FLUCKER, *Secretary*.

GOD *save the King*.

BOSTON (MASSACHUSETTS) RESOLUTIONS.

At a legal and very full Meeting of the Freeholders and other Inhabitants of the town of *Boston*, by adjournment, at Faneuil Hall, *June* 17, 1774.

The Honourable JOHN ADAMS, Esquire, *Moderator*.

Upon a motion made, the town again entered into the consideration of that article in the warrant, viz: "To "consider and determine what measures are to be taken "on the present exigency of our public affairs, more "especially relative to the late edict of a *British* Parlia-"ment for blocking up the harbour of *Boston*, and anni-"hilating the trade of this town;" and after very serious debates thereon,

Voted, (with only one dissentient,*) That the Committee of Correspondence be enjoined forthwith to write to all the other Colonies, acquainting them that we are not idle; that we are deliberating upon the steps to be taken on the present exigencies of our public affairs; that our brethren, the landed interest of this Province, with an unexampled spirit and unanimity, are entering into a non-consumption agreement, and that we are waiting with anxious expectation for the result of a Continental Congress, whose meeting we impatiently desire, in whose wisdom and firmness we can confide, and in whose determination we shall cheerfully acquiesce.

Agreeably to order, the Committee of Correspondence laid before the town such letters as they had received in answer to the circular letters wrote by them to the several Colonies, and also the seaport towns in this Province, since the reception of the *Boston* Port Bill; and the same being publicly read,†

Voted, unanimously, That our warmest thanks be transmitted to our brethren on the Continent, for that humanity, sympathy and affection with which they have been inspired, and which they have expressed towards this distressed town at this important season.

Voted, unanimously, That the thanks of this town be, and hereby are, given to the Committee of Correspondence, for their faithfulness in the discharge of their trust, and that they be desired to continue their vigilance and activity in that service.

Whereas the Overseers of the Poor in the town of *Boston* are a body politic, by law constituted for the reception and distribution of charitable donations for the use of the poor of the said town,

Voted, That all grants and donations to this town, and the poor thereof, at this distressing season, be paid and delivered into the hands of said Overseers, and by them appropriated and distributed, in concert with the Committee lately appointed by this town for the consideration of ways and means of employing the poor.

Voted, That the Town Clerk be directed to publish the proceedings of this meeting in the several newspapers.

The meeting was then adjourned to *Monday*, the 27th *June*, instant. Attest,

WILLIAM COOPER, *Town Clerk*.

ADDRESS FROM THE MERCHANTS AND FREEHOLDERS OF THE TOWN OF SALEM, PRESENTED TO HIS EXCELLENCY GOVERNOUR GAGE, ON SATURDAY, JUNE 18, 1774.

May it please your Excellency:

We, who are Merchants and Freeholders in the town of *Salem*, beg leave to present you our dutiful respects on your appointment to the Government of this Province. The universal tribute of thanks and applause paid you for the wisdom, mildness, and exact regularity of your conduct in another command, cannot fail to excite the most just expectations that this Province will enjoy the happy fruits of your benignity.

We are deeply affected with a sense of our public calamities; but the miseries that are now rapidly hastening on our brethren in the capital of the Province greatly excite our commiseration; and we hope your Excellency will use your endeavours to prevent a further accumulation of evils on that already sorely distressed people.

By shutting up the port of *Boston* some imagine that the course of trade might be turned hither, and to our benefit; but nature, in the formation of our harbour, forbids our becoming rivals in commerce to that convenient mart. And were it otherwise, we must be dead to every idea of justice, lost to all the feelings of humanity, could we indulge one thought to seize on wealth and raise our fortunes on the ruin of our suffering neighbours. But so far from receiving a benefit, we are greatly injured by the shutting up the harbour of *Boston*, as it deprives us of a market for much the largest part of our *West India* imports; and there is not a town in the Province but will feel the ill effects of it. Permit us then, sir, to apply to your clemency and justice to afford us every alleviation in your power, and to procure for us every possible relief from this extensive mischief.

We account it the greatest unhappiness that this Province, which has ever been foremost in loyalty to the Kings of *Britain*—in its efforts to defend their Territories and enlarge their Dominions—should be the first to feel our Sovereign's severest displeasure. Our fathers fled from oppression, braved every danger, and here began a settlement on bare creation. Almost incredible are the fatigues and difficulties they encountered to subdue a dreary wilderness filled with savage beasts, and yet more savage men; but by their invincible resolution they rose superior to them all; and by their astonishing efforts greatly facilitated the settlement of the other *British* Colonies in *America*. Yet, sir, we speak it with grief, the sons are checked and dishonoured for exhibiting proofs of their inheriting some portion of that spirit which, in their fathers, produced such astonishing effects.

A happy union with *Great Britain* is the wish of all the Colonies. It is their unspeakable grief that it has in any degree been interrupted. We earnestly desire to repair the breach. We ardently pray that harmony may

* The town meeting was as full and respectable as ever was known; their unanimity and firmness was never exceeded; not one, though often called upon, had any thing to offer in favour of paying for the tea, in compliance with the *Boston* Port Bill; all appeared disposed to stand the utmost efforts of tyranny, rather than make a free surrender of the rights of *America*. The speeches made on the state of *American* affairs would do honour to any assembly.

The Solemn League and Covenant for a non-consumption of *British* merchandise, is an axe at the root of the tree; by coming into it we establish our own manufactures, save our money, and finally our country from the destruction that threatens it.

† BOSTON, *June* 20, 1774. The present aspect of public affairs is highly favourable to the liberties of *America*; the whole Continent seems inspired by one soul, and that soul a vigorous and determined one. *Virginia* is all in motion; and *Maryland* has made amazing progress for the short space since they have taken this fresh alarm from the *Boston* Port Bill. Meetings of towns, counties, and by Delegates of the whole Province, either have been held, or are going rapidly on. Besides the doings of *Annapolis* and *Baltimore*, those of *Chester* are deserving of our warmest acknowledgments. Subscription papers have been set on foot in that county, and considerable sums already subscribed for the relief of our poor in this devoted town. *Philadelphia* is following the generous example, as well as the *Jersies*, *New-York* and *Connecticut*. *New-Jersey* is very forward, and are on the point of choosing their Deputies for the Congress by a very regular method, viz: Of meeting in towns and neighbourhoods, sending Deputies from those meetings to county meetings, and others from those to a Provincial one. Committees of Correspondence are not now confined to the Province of *Massachusetts Bay*. Lord *North's* Administration is become so important that nearly every subject of the Empire feels himself deeply interested in it, and insists upon being acquainted with the very minutia of all his plans.

The zeal, firmness and unanimity of our late House of Representatives, and the steady support they received from the Honourable his Majesty's Council, does honour to the good sense and patriotism of the parties, who at this trying season committed the conservation of their inestimable, and now much endangered rights, into such worthy hands. Some exceptions we must allow there have been; but ignorance, ambition for the fancied honours of commissions, civil and military, and rank cowardice respecting the event of contending to blood for our rights, daily giving way to the better information abounding through all ranks of people, afford us the comfortable hope, that in a little time our House of Representatives shall emulate that of *Virginia*, in which a gentleman lately from thence says, there was not so much as a lukewarm member, much less a dissentient from the cause of his country.

We hear that the patriotic inhabitants of *Philadelphia* have generously voted to give the poor of this town fifteen hundred barrels of flour, five hundred of which, it is said, may be soon expected.

Digitized by Google

be restored. And for these ends, every measure compatible with the dignity and safety of *British* subjects we shall gladly adopt.

We assure your Excellency we shall make it our constant endeavour to preserve the peace and promote the welfare of the Province; and hereby we shall best advance the interest of our Sovereign.

In these times the Administration of Government must be peculiarly arduous and difficult; but yours we wish may be as easy as the nature of things will possibly admit, and the event happy; and that your public labours may be crowned with the noblest reward, the voluntary, disinterested applause of a whole free people.

Signed by one hundred and twenty-five persons.

HIS EXCELLENCY'S ANSWER.

GENTLEMEN: I thank you for the obliging expressions towards me, contained in your Address, and be assured it will always afford me sincere pleasure to be of use to the inhabitants of this town, or any individuals in the Province.

I feel, as well as you, the inconveniences that the inhabitants must suffer from shutting up the port of *Boston*; and should be glad they would co-operate with my endeavours to extricate themselves from them; but, without their assistance, I can take no step towards their relief; I am sorry that the people of that capital should have given such repeated provocations to the King and the *British* Nation, as to force them to take the present measures in support of their authority. *Great Britain* is equally desirous as yourselves of a happy union with this, as well as every other Colony, and inheriting the spirit of her ancestors, finds it necessary to support her rights, as the supreme head of her extended Empire. She strives not to check that spirit which you say you inherit from your fathers, but to inculcate that due obedience to the King, in his Parliament, which your fathers acknowledged.

Salem, June 18, 1774.

CAROLINE COUNTY (MARYLAND) RESOLUTIONS.

At a very full Meeting of respectable Inhabitants of *Caroline* County, at *Melvill's* Warehouse, on *Saturday*, the 18th day of *June*, 1774, by adjournment from *Wednesday*, the 8th of the same month.

CHARLES DICKINSON, Esq., in the *Chair*.

1st. *Resolved*, That the inhabitants of this county are by duty and inclination firmly attached to his most sacred Majesty King *George* the Third, to whom they owe all due obedience and allegiance.

2d. That it is the unanimous opinion of this meeting, that the *Boston* Port Act is principally grounded on the opposition made by the inhabitants of that town to the Tea Duty; that the said town of *Boston* is now suffering in the common cause of *British America*, and that it is the duty of every Colony thereof, to unite in the most effectual means to obtain a repeal of the late Act of Parliament for shutting up the port of *Boston*.

3d. That it is the unanimous opinion of this meeting, that if the Colonies come into a joint resolution to forbear all importations whatsoever from *Great Britain*, (except such articles as are absolutely necessary,) until the Acts of Parliament for shutting up the port of *Boston*, and for levying a duty on *America*, for the express purpose of raising a revenue, shall be repealed, it will be the means of preserving the liberties of *North America*.

Resolved, therefore, That the inhabitants of this county are disposed firmly to unite with the inhabitants of this Province and the other Colonies in *North America*, in an Association and agreement to forbear the importation of all manner of goods and merchandise from *Great Britain*, during the continuance of the said Acts of Parliament, (except such as may be judged proper to be excepted by a general Association,) and that all orders for importation (except for articles before excepted) ought to cease.

4th. That it is against the opinion of this meeting that the Colonies go into a general non-importation from, or non-exportation to *Great Brtiain*, but should both or either of these measures be adopted, they will acquiesce therein.

5th. That it is the unanimous opinion of this meeting, that the Courts of Justice be kept open; but should a non-exportation agreement be generally come into, in that case it is the opinion of this meeting that the Courts of Justice be shut up.

6th. That it is the opinion of the inhabitants of this county; that this Province ought to break off all trade and dealings with that Colony, Province, or town, which shall refuse or decline to come into similar resolutions with a majority of the Colonies.

7th. That it is the unanimous opinion of this meeting, that delegates be appointed from this Province to attend a General Congress of Delegates from the other Colonies, at such time and place as shall be agreed on, in order to settle and establish a general plan of conduct for the important purpose aforementioned.

8th. That *Thomas White*, *William Richardson*, *Isaac Bradly*, *Nathaniel Potter*, *Benson Stainton*, and *Thomas Goldsborough*, be a Committee to attend a general meeting at *Annapolis*. And that the same gentlemen, together with *Charles Dickinson*, *Richard Mason*, *Joshua Clark*, *Henry Dickinson*, Dr. *William Molleson*, *Charles Blair*, *William Haskins*, *Philip Fidernan*, *William Hopper*, the Reverend Mr. *Samuel Keene*, the Reverend Mr. *Philip Walker*, *Henry Casson*, and *Benedict Brice*, be a Committee of Correspondence to receive and answer all letters, and, on any emergency, to call a general meeting, and that any seven of the number have power to act.

9th. That this paper be considered as an instruction to the Deputies nominated for this county to meet at the City of *Annapolis* for the purpose of forming a general Association, in which they are not to come into any engagement whatever, but upon condition that the Colonies in general shall come into a similar measure.

10th. That a copy of these proceedings be published in the *Maryland Gazette*, to evince to the world the sense they entertain of the invasion of their constitutional rights and liberties. Signed per order,

HENRY DOWNS, Jun., *Clerk*.

CITY AND COUNTY OF PHILADELPHIA (PA.) RESOLUTIONS.

At a very large and respectable Meeting of the Freeholders and Freemen of the City and County of *Philadelphia*, in the Province of *Pennsylvania*, held on *Saturday*, *June* 18, 1774.

T. WILLING, and JOHN DICKINSON, Esqs., *Chairmen*.

Resolved, 1st. That the Act of Parliament for shutting up the port of *Boston*, is unconstitutional, oppressive to the inhabitants of that town, dangerous to the liberties of the *British* Colonies, and that, therefore, we consider our brethren at *Boston* as suffering in the common cause of *America*.

2d. That a Congress of Deputies from the several Colonies in *North America*, is the most probable and proper mode of procuring relief for our suffering brethren, obtaining redress of *American* grievances, securing our rights and liberties, and re-establishing peace and harmony between *Great Britain* and these Colonies, on a constitutional foundation.

3d. That a large and respectable Committee be immediately appointed for the City and County of *Philadelphia*, to correspond with the sister Colonies, and with the several counties in this Province, in order that all may unite in promoting and endeavouring to attain the great and valuable ends mentioned in the foregoing resolution.

4th. That the Committee nominated by this meeting shall consult together, and, on mature deliberation, determine, what is the most proper mode of collecting the sense of this Province, and appointing Deputies for the same to attend a general Congress; and having determined thereupon, shall take such measures, as by them shall be judged most expedient for procuring this Province to be represented at the said Congress, in the best manner that can be devised for promoting the public welfare.

5th. That the Committee be instructed immediately to set on foot a subscription for the relief of such poor inhabitants of the town of *Boston*, as may be deprived of the means of subsistence by the operation of the Act of Parliament, commonly styled the *Boston* Port Bill, the money

Digitized by Google

arising from such subscription to be laid out as the Committeee shall think will best answer the ends proposed.

6th. That the Committee consist of forty-four persons, viz: *John Dickinson, James Pemberton, Edward Pennington, John Nixon, Thomas Willing, George Clymer, Samuel Howell, Joseph Read, John Roberts,* (miller,) *Thomas Wharton,* Jun., *Charles Thomson, Jacob Barge, Thomas Barclay, William Rush, Robert Smith,* (carpenter,) *Thomas Fitzimons, George Roberts, Samuel Ervin, Thomas Mifflin, John Cox, George Gray, Robert Morris, Samuel Miles, John M. Nesbit, Peter Chevalier, William Moulder, Joseph Moulder, Anthony Morris,* Jun., *John Allen, Jeremiah Warder,* Jun., Reverend Dr. *William Smith, Paul Engle, Thomas Penrose, James Mease, Benjamin Marshall, Reuben Haines, John Bayard, Jonathan B. Smith, Thomas Wharton, Isaac Howell, Michael Hillegas, Adam Hubley, George Schloffer,* and *Christopher Ludwick,* to whose approved integrity, abilities, and sincere affection for the interest of this immense Empire, their constituents look up for the most propitious events.

The Speech of the Reverend WILLIAM SMITH, *D. D., Provost of the College at* PHILADELPHIA, *at the very numerous Meeting of the Freeholders and Freemen of that City and County, on the 18th of* JUNE, *previous to the election of the Committee of forty-four very respectable and truly patriotic citizens.*

GENTLEMEN: The occasion of this meeting has been fully explained to you, and sundry propositions read, which are now to be offered separately for your approbation or disapprobation. But before you proceed to business, it has been thought proper to submit a few things to your good judgment with respect to the order and decorum necessary to be observed in the discussion of every question.

It need not be repeated to you, that matters of the highest consequence to the happiness of this Province, nay, of all *British America,* depends upon your deliberations this day—perhaps nothing less than whether the breach with the country from which we descended shall be irreparably widened, or whether ways and means, upon constitutional ground, may not yet be devised, for closing that breach, and restoring that harmony from which, in our better days, *Great Britain* and her Colonies derived mutual strength and glory, and were exalted into an importance that, both in peace and war, made them the envy and terror of the neighbouring nations.

While subjects such as these are agitated before us, every thing that may inflame and mislead the passions should be cast far behind us.

A cause of such importance and magnitude, as that now under our deliberation, is not to be conducted to its true issue by any heated or hasty resolves, nor by any bitterness nor animosities among ourselves, nor even perhaps by too severe a recapitulation of past grievances; but requires the temperate and enlightened zeal of the patriot, the prudence and experience of the aged; the strength of mind and vigour of those who are in their prime of life; and, in short, the united wisdom and efforts of all, both high and low, joining hand in hand, and setting foot to foot upon the firm ground of reason and the Constitution.

Whenever party distinctions begin to operate we shall give cause of triumph to those who may be watchful as well as powerful to abridge us of our native rights. There ought to be no party, no contention here, but who shall be firmest and foremost in the common cause of *America.* Every man's sentiments should be freely heard and without prejudice. While we contend for liberty with others, let us not refuse liberty to each other.

Whatever vote is known to be now passed upon full deliberation, and by the unanimous voice of this great city and county, will not only be respected through all *America,* but will have such a weight as the proudest Minister in *England* may have reason to respect; but if it is known to be a divided vote, or adopted hastily on some angry day, it will only be injurious to our own cause.

What I have in charge to request of you is this—that if, on any point, we should have a difference of sentiments, every person may be allowed to speak his mind freely, and to conclude what he has to offer, without any such outward marks of approbation or disapprobation, as clapping or hissing: and that if any division should be necessary, (which it is hoped may not be case this day,) such division may be made in a manner desired by the Chairmen, and with all possible order and decorum.

CHESTER COUNTY (PENNSYLVANIA) RESOLUTIONS.

At a Meeting of a respectable body of the Freeholders, inhabitants of the County of *Chester,* on *Saturday,* the 18th of *June,* 1774, the following Resolutions were deliberately and unanimously agreed on, viz:

1. That it is an absolute right, inherent in every *English* subject, to have the free use, enjoyment, and disposal of all his property either by himself or Representatives; and that no other power on earth can legally divest him of it.

2. That we apprehend the Act of Parliament for shutting up the port of *Boston,* (until his Majesty's duties be duly collected, &c.,) is highly arbitrary and oppressive to the inhabitants of that town, and in its consequences may endanger the liberties of all the *British* Colonies in *America.*

3. That the two Bills mentioned in the last advices from *London* to be passing in Parliament, one changing the chartered Constitution of the Province of *Massachusetts Bay* into a military Government, and the other empowering the Governour, or Lieutenant Governour to send any person or persons to *England* to be tried for actions committed in that Colony, are subversive of every idea of liberty, and serve as a prelude to the fate of each chartered *British* Colony on this Continent.

4. That a Congress of Deputies from the said Colonies is the most probable and proper mode of procuring relief for our suffering brethren; obtaining redress, and preserving our natural rights and liberties, and the establishing peace and mutual confidence between the mother country and her Colonies on a constitutional foundation.

5. That we will concur and join with our brethren of the City and County of *Philadelphia* in desiring the Speaker of the honourable House of Representatives of this Province, to write to the several members of Assembly, requesting them to meet in the City of *Philadelphia* on any day not later than the first of *August* next, to take into their serious consideration our very alarming situation; to appoint Deputies to attend at a general Congress for the Colonies, at such time and place as shall be agreed on.

As the notice of this meeting was but short, it is agreed that a general meeting be fixed on *Saturday,* the 25th instant, at the dwelling house of *Jacob James,* at the sign of the *Turk's Head,* in *Goshen,* at one o'clock, P. M., in order to choose a Committee of Correspondence, and to resolve on such other modes or propositions as may be most likely to attain redress of those grievances that the Colonies now groan under; at which time and place all those who are entitled to vote for members of Assembly, and wish well to their posterity and *American* liberty, are requested to attend, and give their advice on this alarming crisis.

EXTRACT OF A LETTER FROM GOVERNOUR FRANKLIN TO THE EARL OF DARTMOUTH.

Burlington, June 18, 1774.

MY LORD: I have just received a copy of some resolves entered into at a meeting of a number of freeholders and inhabitants of the county of *Essex,* in this Province, on *Saturday* last, which I think it my duty to transmit to your Lordship. The meeting was occasioned it seems by an advertisement, requesting the attendance of the inhabitants on that day, and published in one of the *New-York* papers, and signed by two gentlemen of the law, who reside in that county. I have likewise had an application made to me by some of the members of the House of Representatives, to call a meeting of the General Assembly in *August* next, with which I have not, nor shall not comply, as there is no public business of the Province which can make such a meeting necessary. It seems now determined by several of the leading men, in most, if not all the counties in this Province, to endeavour to follow the example of the freeholders in *Essex.* Meetings of this nature, there are no means of preventing, where the chief part of the inhabitants incline to attend them. I as yet doubt, how-

Digitized by Google

ever, whether they will agree to the general non-importation from *Great Britain*, which has been recommended.—Their principal aim seems to be to bring about a Congress of Deputies from all the Colonies, as proposed by *Virginia;* and that that Congress should not only apply to his Majesty for the repeal of the *Boston* Port Act, but endeavour to fall upon measures for accommodating the present differences between the two countries, and preventing the like in future.

EXTRACT OF A LETTER RECEIVED AT PHILADELPHIA.

Fort Pitt, June 19, 1774.

The 16th instant, a friendly *Indian*, who had been reconnoitering the woods with Captain *M'Kee*, was fired upon by one of *Conolly's* militia, but luckily made his escape. The same day, Mr. *Richard Butler*, and Mr. *Alexander Blain*, two of the principal traders, arrived here from the *Shawanese* towns, with ten canoes loaded with peltry. They were escorted to this place by three of the *Shawanese*. All the rest of the traders are coming by land with near two hundred horses loaded with peltry, and are expected here in a few days.

Mr. *Butler* brought a speech from the *Shawanese*, of which Captain *M'Kee* desired him to acquaint *Conolly*, and likewise to apply to him for a protection for the *Shawanese*, who escorted our traders, which *Conolly* absolutely refused, saying, he could not speak to them, as he looked upon them as enemies.

Yesterday two *Delaware Indians* arrived at Colonel *Croghan's*, from *Newcomers* town, with an account that the traders had got as far as that town four days ago, with their horses and peltry on their way home. This morning *Conolly* sent out a party of forty armed men to Colonel *Croghan's* to cut off the three *Shawanese* who had so faithfully escorted our traders and their property to this place. The traders, with the assistance of Colonel *Croghan*, got the *Indians* put over *Alleghany* river; paid them a quantity of goods; delivered to them a speech, and parted in the greatest friendship. *Conolly's* party returned this evening, and both he and they are much enraged at being disappointed in the execution of their murderous purpose. He immediately put up advertisements threatening every person who shall either harbour, trade, or correspond with any of the *Shawanese* or *Mingoes* at this place, with the severest punishment.

I forgot to mention that Colonel *Croghan*, after being two days on his journey to *Virginia*, was turned back by the country people, who gathered about him, expressing their dissatisfaction at his leaving this place, and alleging that he was flying for fear of a war.

We have an account of *Logan's* being returned to the *Shawanese* towns; and that he took with him thirteen scalps. There has been no mischief done by the *Indians* in this fork of the river yet, which gives us the greatest reason to believe that the stroke is aimed at the *Virginians* only.

EXTRACT OF A LETTER RECEIVED AT NEW-YORK.

Boston, June 19, 1774.

On our return from *Salem*, our rejoicing was full on the interesting advices we received from all quarters. Those worthy members of society, the Tradesmen, we depend on under *God*, to form the resolutions of the other ranks of citizens in *Philadelphia* and *New-York*. They certainly carry all before them here. The yeomanry in our country towns are another effectual support.

A covenant is handing about among them, and signed by thousands, not to purchase any *British* manufactures imported after the 31st of *August* next. This will insure a non-importation in this Province, whether the merchants are pleased to come into it or not. However, there seems to be no disposition at all in the body of the trade here to counteract the minds of their countrymen.

The last has been an important week with us. The tools of power suspecting things were not going to their minds in the General Court, endeavoured to influence the city to come into some measures for the payment of the tea. They had cabal after cabal, and conceited they had extended their influence so far, that one of the most plausible of them in a meeting of the Tradesmen, held last *Wednesday*, ventured to recommend the measure to their consideration. Some smart altercations ensued, and it clearly appeared, that it was almost an unanimous sentiment to suffer the last extremities of oppression, rather than the least shadow of concession should be extorted from them. Still more averse were they to making any proposals to their oppressors.

On *Friday* came on the adjourned town meeting, which was attended by such numbers, that the Hall could not hold them, when to anticipate every pretence of a willingness in the people to pay for the tea, it was observed, that as that scheme had been much recommended both by speaking and writing, it was therefore requested, that if any gentleman had any thing to offer on the subject, he would speak freely, that a matter of such importance might be fairly discussed in the presence of the general body of the people. But not a man ventured to appear in defence of propositions fit only to be whispered in a conclave of addressers, composed of despicable or interested persons—though there were among them, a few persons deserving of better company, who had been unhappily drawn in to side with them.

Thus Administration, notwitstanding the terror of their fleets and armies already investing us, and hourly expected, have the mortification to find, that in neither the General Assembly of the Province, nor this general meeting of the capital, not so much as a single symptom of inclination appeared of complying with their demand, though enforced with a distressing blockade.

I was yesterday informed that our Attorney General, who is also Judge of the Admiralty for *Nova Scotia*, and a notable instrument of the *British* Administration, was a few days past at *Salem*, flattering the members on whom he could hope to make any impression with the advantages of making a concession, even the least, respecting the payment for the tea; and, it is said, that the Ministerial party are now talking of a private subscription for that purpose. If they choose to do so silly a thing, we cannot help it; but it certainly will be but a poor triumph to the Minister, if he may even be enabled to pretend that a few of his own tools have lent their names to cover his defeat.

I am credibly informed the soldiers desert in considerable numbers. Eighty have left the regiment at the Castle; and a schooner sent up into one of our rivers, has lost all her hands. Two soldiers of the new-comers, having gone off, the officers are in great perplexity how to proceed with them. They say, should they send privates after them, it would be sending the hatchet after the helve; and should they go themselves, and even come up with them, they might certainly expect a rescue.

TO THE INHABITANTS OF THE PROVINCE OF SOUTH CAROLINA.

Charlestown, June 20, 1774.

My dear Countrymen: I cannot but hope that the late Act for intimidating *America*, by the punishment of *Boston*, will open your eyes, and arouse you from your lethargy. It seems then that we are now to submit to every imposition of our fellow-subjects, however arbitrary and cruel, or we are to be dragooned into it. You find the Parliament, not contented with a claim to the right of taxing us without our consent, now rise higher in their demands, and assume the power of breaking all our Charters, giving and granting our wharfs and shore-lands, and, in short, they plainly claim the power of making the King absolute in *America*. I shall make a few strictures on the Act of Parliament, and leave you to judge whether there ever was an Act of so base and poisonous a nature, stolen by the vilest Ministry from the most abject Senate.

It begins by setting forth the cause of this strange and arbitrary measure, and what is it? Why, forsooth, because divers ill-affected persons had fomented and raised dangerous commotions and insurrections in the town of *Boston*, in which commotions and insurrections certain valuable cargoes of tea had been destroyed, &c., &c. It is not pretended—it could not be pretended, that the town of *Boston*, as such, was concerned in these riots—but some ill-minded persons; and what is the consequence? That grave and omnipotent body, instead of enabling his Majesty

Digitized by Google

to prosecute and bring to justice those ill-minded persons, proceed to pass an Act to ruin, if possible, a whole town, and with them, a whole Province; in the most cruel and unjust manner to distress and destroy not less than forty thousand people more than can be supposed to have had a hand in the riot. And not only them, but virtually to confiscate, not merely the wharfs and quays of *Boston*, but all the shore-lands round that great bay comprehended between *Nahant* and *Alderton* Points, so that the navigation, upon which multitudes out of the town of *Boston*, as well as in it, must subsist, is violently taken from them. It is the happiness of all *God's* creatures, that in him omnipotence and justice are joined; it is like to be the curse of *America* if the Parliament is allowed to be almighty; that it has neither justice nor mercy. If the Parliament is to have the absolute government of us, we have here a specimen of what we are to expect. If a few ill-minded persons were to take upon them to make water against the door of a custom house officer, or of a cellar where the tea is lodged, upon the same principle all in *Charlestown* might be laid in ashes.

But let us advert to the principle of the Act. By the first and second clauses of it, all the wharfs, quays, landings, and water lots of that great bay between *Nahant* and *Alderton* Points, which are the subsistence of many thousand people, are condemned, and little better than confiscated, as no goods are either to be landed upon them or shipped from them by any vessel down to the size of a common wherry; and thus under the penalty not merely of the forefeiture of the vessels and cargoes, with the horses, carriages, cattle, and every utensil concerned in carrying goods so landed, but of a fine, three times the value of such goods at the highest price of them, upon any person that shall so much as aid or abet; these fines not to be recovered in a common court of law, where you might have a chance for justice upon a trial by jury, but in a Court of Admiralty, that monster of oppression! where the King, who is to receive the fine, is both judge and jury. Upon which clauses I would only ask, when was the Parliament of *Great Britain* vested by the *Americans* with a right to their wharfs and landings? If the money in our pockets is really represented in Parliament, as the framers of the Stamp Act seemed to imagine, when did ever the *Americans* give one inch of their lands into the power of their fellow-subjects in *England?* Are our lands then—all our estates, nay, our peace, and life itself, to lie at the pleasure of any Minister who is knave enough to bribe an *English* Parliament.

As though this was not enough, and our Ocean itself must not be free to our ships, by the next clauses no ship or vessel of any size is to be permitted, upon any pretence, or any exigency, to come into the bay; no, not so much as to hover off and lie in the Ocean. A league of the sea is abridged, not suffered to be sailed upon by mariners; nay, vessels of any Nation coming there, though by accident or ignorance, (as no sufficient time is given to spread the intelligence,) are subjected to the caprice of any wretch who commands those worse than *Spanish guarda costas*, to be assigned to whatever port he thinks fit, and if not obeyed in six hours, to be forfeited, cargo and all.

Dip farther into this production of *Hell* and you find that not so much as a wood-boat can enter—not a market-boat can enter—not a market boat bring a few cabbages or bushels of corn to support sixty thousand people, but it must first enter at *Salem* (twenty miles the straightest way by land, but by sea a much greater distance) to obtain a permit, and even not then without an insolent officer and armed men on board. This seems designed to starve the town, or at least to raise the price of provisions, so as to force that capital of *America* to yield, and by that means to discourage all future struggles for liberty.

To force the officers on the station to be faithful and to deter any one of them who might otherwise listen to the native suggestions of an *English* heart, five hundred pounds sterling fine is imposed upon the one who shall so much as connive at the smallest breach of the Act.

It is impossible that by the first of *June* intelligence of this measure should have spread even through *America*, and yet, on that day, all charter parties are rendered void that have been made for that port, by which the freighters on many vessels must be ruined.

But to crown the whole, my countrymen, and to show you what treatment you are to expect by tame submission to that many-headed tyrant, this oppression is to be continued until all the demands of the *East India* Company are satisfied, and all the imaginary injuries received by the Commissioners in certain times past from the mob, are redressed. By whom? by the town of *Boston;* by the innocent as well as the riotous, and how? As a town they can do nothing, unless they tax every individual inhabitant. But when is it to be supposed that satisfaction is made? Why, when the Governour, who, by office, if not by inclination, is supposed to be a mere tool of arbitrary power, shall be brought to certify that it is done. But suppose this satisfaction is made, is all then over? No. They have been so kind, after this, as to subject the immense property of so many thousand people, not to the future adjudications of another Parliament: they supposed it possible that another Parliament might be shocked with horror with the crime; they supposed that the ancient *English* soul, but now fled to *America*, might have fortitude to stand it out for a time; they, therefore, put it out of the power of a future Parliament, by leaving it to the King. The Minister did not choose to put the delightful carnage out of his own hands; that Minister, who contemptuously refused satisfaction from the merchants at home, determined to keep the matter in his own power, thereby violating the first rights of *Englishmen*, by which our property should be sacred as well as our lives.

But have the Parliament been content, then, to throw the town of *Boston* wholly into the King's hands until satisfaction is made? No. To complete the massacre of *American* liberty, they have, in defiance of all law and justice, put it into the King's power to judge and determine, for ever hereafter, what use shall be made, or not be made, of those immense estates in water lots, which surround one of the most extensive bays in *America*. They have, in effect, given and granted to his Majesty all the wharfs and landings in *Boston*, and around the harbour, through all generations; for, if it must be wholly at the King's pleasure whether I shall make a wharf or landing on my land or not; or, if I do, whether I shall make any use of it, the nature of the property is wholly altered. Is that my land which I cannot improve as I please, or on which I am not allowed to land goods even that have paid the duty? Shall we be thus given, by our brethren, into the hands of the King, to do with our estates as he sees proper?

Compared to this Act, what are all the clauses of Parliamentary power heretofore made? The design of this is threefold. First, to establish a precedent of Parliamentary right even to dispose of our lands. Secondly, to promote a new wharf office for the support of a thousand more bloodsuckers in *America;* and, thirdly, to give the King power to punish, by these wretches, any wharf holder who shall hereafter prove patriotic, or have the honesty to espouse the cause of his oppressed country. Thus you find the property of thousands of *Americans*, not merely taxed by aliens, but effectually taken out of their hands, and every one of their grants by which the possessors now hold them, the waters, water courses, landings, and every other appurtenance, rendered null and void. No right is too sacred to be violated by a Minister who has a Parliament at his nod. What an aspect has this upon the landholders in *America?* What are you to expect from such a precedent as this? Have not the Parliament as good a right to pass an Act that rice and indigo shall be made only in such parts of this country as the King shall direct? For my part, I should not be surprised even to see an edict restricting the making of these articles to the Colony of *Georgia*, and imposing heavy fines upon those who should presume to make them here. And all this is done against the sanctity of a most solemn Charter, granted expressly to secure certain rights and privileges to a people not only beyond the power of Parliament, but beyond the power of the King himself, the Crown having pledged its faith, not to be recalled, never to violate those privileges. And now, when, upon the faith of such solemn agreement, a country is subdued, and cities built, an insolent Minister, taking affront at the opposition of a favourite scheme of oppression, shall, by a word, overset the whole, we are now threatened with the loss of all the Charters in *Ame-*

Digitized by Google

rica, if we do not submit. At this rate, what security have we of our lives, liberties, and all we hold dear? Was it ever known that the Parliament did give and grant the landed property of any country or town in *England* into the King's power for ever? No, this is what no Parliament ever thought it had a right to do, even in the country which it represents. But what they cannot do in *England*, they undertake to do here. Indeed, if we are to be governed by *English* Parliaments, we must expect that they will lay upon us what they would not venture to lay upon their own constituents. They have actually now voted away certain property of *Americans*, which they dare not do of the *English* themselves. No Minister could have the boldness to propose such a thing with the City of *London*.

This, ye base advocates for Parliamentary power in *America*, this is the blessed fruit of your doctrines. The matter now speaks for itself, and it is out of your power to disguise it. And now, whether supported by place or pension, or only formed to slavish principles by connection and interest, I call upon you to vindicate these proceedings. It has often been to me a wonder, that any set of men who breathe *American* air can find it in their hearts to wish *America* enslaved, and their children to grow up under chains; that any set of men, nourished by its bread, and drawn from the kennel of obscurity by *American* bounty, should advocate the cause of *American* thraldom. I have often been astonished that, in the midst of a free and spirited people, there should be found a wretch so insolent as to hold up his head in company and speak against the rights of an injured and oppressed country. These intestine enemies are more to be feared than the arms of *Britain* herself. Mark every man, my dear countrymen, who on this occasion slyly attempts to divide you, or weaken your zeal; withdraw your countenance and support from him; give it to those who merit it, and set him down as a traitor.

A CAROLINIAN.

Charlestown, S. C., June 20, 1774.

Letters from the Southern parts of *North Carolina* assure us, that the inhabitants there will go as far in defence of *American* liberty as can be expected; and recommend, if a Congress should be deemed the first step necessary to be taken, that subscriptions, or rather collections, be set on foot throughout the Continent, to raise and remit a sum of money to the community in *Boston*, for the relief of the most distressed of our suffering brethren there, who must stand in equal need of such assistance as if their town had been destroyed by fire. And we have the pleasure to learn, that the inhabitants of this Province generally, seem ready to contribute their mite as soon as proper persons are named to receive what their benevolent hearts shall induce them to offer.

FREDERICK COUNTY (MARYLAND) RESOLUTIONS.

At a Meeting of the Inhabitants of *Frederick* County, *Maryland*, held at the Court House in said County, on *Monday*, the 20th of *June*, 1774.

Mr. JOHN HANSON, *Chairman*.

1st. *Resolved*, That it is the opinion of this meeting that the town of *Boston* is now suffering in the common cause of *America*, and that it is the duty of every Colony in *America* to unite in the most effectual means to obtain a repeal of the late Act of Parliament for blocking up the harbour of *Boston*.

2d. That it is the opinion of a great majority of this meeting, that if the Colonies come into a joint resolution to stop all imports from, and exports to, *Great Britain* and the *West Indies*, till the Act of Parliament for blocking up the harbour of *Boston*, as well as every other Act oppressive to *American* liberty, be repealed, the same may be the means of preserving to *America* her rights, liberties, and privileges.

3d. That therefore this meeting will join in an Association with the several counties in this Province, and the principal Colonies in *America*, to put a stop to all exports to, and imports from, *Great Britain* and the *West Indies*, shipped after the 25th day of *July* next, or such other day as may be agreed on, until the said Act shall be repealed; and that such Association shall be upon oath.

4th. That we, the inhabitants of *Frederick* County, will not deal, or have any connections with that Colony, Province or town, which shall decline or refuse to come into similar resolutions with a majority of the Colonies.

5th. That no suit shall be commenced, after the stop shall be put to imports and exports, for the recovery of any debt due to any person whatsoever, unless the debtor be about to abscond, or, being applied to, shall refuse to give bond and security.

6th. That Messrs. *John Hanson*, *Thomas Price*, *George Scott*, *Benjamin Dulany*, *George Murdock*, *Philip Thomas*, *Alexander C. Hanson*, *Baker Johnson*, and *Andrew Scott*, be a Committee to attend the general Congress at *Annapolis*, and that those gentlemen, together with Messrs. *John Cary*, *Christopher Edelen*, *Conrad Grosh*, *Thomas Schley*, *Peter Hoffman*, and *Archibald Boyd*, be a Committee of Correspondence to receive and answer letters, and on any emergency to call a general meeting, and that any six shall have power to act.

Ordered, That these Resolves be immediately sent to *Annapolis*, that they may be printed in the *Maryland Gazette*. Signed by order,

ARCHIBALD BOYD, *Clerk of the Committee*.

JOHN DICKINSON TO JOSIAH QUINCY, JUN.

Fairhill, June 20, 1774.

DEAR SIR: I sincerely thank you for your kind letter, and the present attending it. This, without flattery, I think highly valuable, and it gives me inexpressible pleasure to find myself addressed in so friendly a manner by a gentleman I so heartily wish to call a friend.

As far as I have been able to collect the sense of the Colonies, they are very unanimous in the measure you mention of a Congress. You, and your worthy fellow-sufferers, would receive a glimpse of joy, amidst your distresses, to know with what sympathy the inhabitants of this Province consider your case. What never happened before, has happened now. The country people have so exact a knowledge of facts, and of the consequences attending the surrender of the points in question, that they are, if possible, more zealous than the citizens who lie in a direct line of information. Doubt not that every thing bears a most favourable aspect. Nothing can throw us into a pernicious confusion, but one Colony's breaking the line of opposition, by advancing too hastily before the rest. The one which dares to betray the common cause, by rushing forward, contrary to the maxims of discipline established by common sense, and the experience of ages, will inevitably and utterly perish.

May *God* Almighty bless you, and my beloved brethren of *Boston* and *Massachusetts Bay*. My heart is full. The time will come, I hope, when I may congratulate them on a more stable security of their liberty than they ever yet have enjoyed. I am, sir, with truth, your very affectionate and very humble servant,

JOHN DICKINSON.

J. Quincy, Jun.

P. S. Our country people appear to me to be very firm. They look to the last extremity with spirit. It is right they should, if they will submit their resentment to the guidance of reason.

Boston, June 20, 1774.

I have read with attention several pieces in the public papers, the authors of which seem to acknowledge the injustice and cruelty of the Act of Parliament, which immediately distresses *Boston*, and is evidently intended to enslave *America*; and they propose a submission to tyranny in order to be relieved from it, since, "On the side of the oppressor is power." This is certainly an important question, and deserves our most serious attention; and, after mature deliberation, many important reasons appear against paying for the tea, or any submission to the present tyranny.

1. The tea was sent here for the wicked purpose of enslaving the Colonies, and the people were under the necessity of destroying it to prevent the evils which were

Digitized by Google

intended by our enemies; therefore it was a just act of self-defence.

2. The *India* Company were criminal in sending their dutied tea to *America*, as they knew it tended to fix an unrighteous revenue, and enslave their *American* brethren; therefore, in reason and justice, they ought never to receive a farthing for their noxious tea, but are bound by the ties of justice and honour to make a compensation to the people here for the injury they have received from the Company by means of sending the tea. It is probable that *America* will suffer (unless a kind Providence should defeat the Ministerial design) millions by this injurious plan which the *India* Company have adopted, and according to the rules of equity they ought to make good the damage; and will any one say that this people ought to pay for the tea?

3. All the Colonies are now considered as one body politic, whose general liberty and interest is inseparable, and therefore no concessions to arbitrary power must be made, nor any important steps taken by one Colony without consulting the whole in Congress; and for this reason we ought to wait for the meeting of the Congress that we may be assisted by the joint wisdom of the Colonies.

4. As to the probability of obtaining relief, without a mean submission to tyranny, I apprehend it is very great, for the Act is such a flagrant violation of all the principles of justice and humanity, that every good man in the Nation will exert his influence to have this reproach wiped away as soon as possible. The Nation will be alarmed with the various calamities which this Act will bring upon them, by stopping their trade with *America*, and the measures that our States General may adopt. They will be alarmed with the apprehension of a *French* and *Spanish* war. And in this great shifting scene of political affairs, it cannot be supposed that *France*, who for many important reasons wants a free trade with *America*, will remain a silent spectator; she will doubtless think it a good opportunity to open her ports to the *Americans*, and endeavour by all means to gain their trade and friendship, and these considerations will induce *Britain* to do us justice.

AN AMERICAN.

EXTRACT OF A LETTER FROM CAVE CUMBERLAND, DATED JUNE 21, 1774.

I have had no accounts of my brother since he left *Fort Pitt*, nor is there any news or word of any of the traders of the *Shawanese* towns. What is come of them *God* only knows, but all accounts from that quarter is very bad. We have received accounts this day by express, that one Captain *McClure*, a *Virginian*, is killed, and another man deadly wounded by a party of *Indians*, which was out near *Redstone*. All the poor people who was settled over *Alleghany* Mountain, are either moved off, or gathered in large numbers, and making places of defence to secure themselves. All those misfortunes, and the lives and property of the unhappy people who are among them, are owing to the barbarous murder, no other name can I give it, committed by *Cresap* and one *Greathouse*, with their men, on a few *Indians* who resided on, or lived near, the mouth of *Yellow Creek*.

NORTHAMPTON COUNTY (PENN.) RESOLUTIONS.

At a Meeting of the Justices, the Gentlemen of the Bar, Grand Jury, and principal Inhabitants of the County of *Northampton*, held at *Easton*, on the 21st day of *June*, 1774.

GEORGE TAYLOR, Esquire, in the Chair.

It being considered that it was necessary for all the counties of this Province to join with their brethren of *Philadelphia* in expressing their sentiments upon the present interesting occasion, relative to the oppressive Acts of Parliament lately passed in *Great Britain*, tending to destroy the liberties of *North America*, it was unanimously resolved as follows:

1st. That the Act of Parliament for shutting up the port and harbour of *Boston*, is an Act of the highest oppression, and a violation of the liberties of *America*.

2d. That as we consider the inhabitants of the said town as suffering in the common cause of *American* freedom, we will assist them to obtain redress by every legal act in our power.

3d. That it is our opinion the most constitutional and effectual method for obtaining such redress is, by having a general Congress of Committees, to be composed and chosen out of the members of the different Assemblies of each Colony.

4th. That a Committee be formed in this county, consisting of six persons, namely, *William Edmunds*, *George Taylor*, *Lewis Gordon*, *John Okeley*, *Peter Kachlein*, and *Jacob Orndt*, Esquires, to correspond with our brethren in *Philadelphia*, and the other counties of this Province, and to co-operate with them in such measures as shall be judged most proper for the general good.

5th. That the Committee be desired to receive the subscriptions of such charitable persons in this county who shall incline to support the distressed and suffering inhabitants of the town of *Boston*. And, *Resolved*, That it is the duty of every inhabitant of this county to contribute, according to his circumstances, to relieve their suffering brethren. The moneys raised by such subscription to be disposed of for the use of the inhabitants of the said town of *Boston*, in such way as the Committee shall think fit.

6th. That *William Edmunds*, Esquire, the Representative in Assembly for this county, be required by his brethren of the Committee of Correspondence now appointed, to attend and meet the other Representatives of Assembly of this Province, in case the Speaker of the House shall think proper to call them together upon this deeply interesting and alarming occasion: and that it is the opinion of his constituents here, that he do give his attendance accordingly.

EXTRACT OF A LETTER FROM A GENTLEMAN IN ENGLAND TO ONE IN NEW-YORK, DATED JUNE 22, 1774.

The Colonies must be in some confusion on account of the measures taken by the Ministry and Parliament in *England*, with the town of *Boston*, to bring it to obedience; and if they succeed in their scheme there, the other principal places of trade must not think to escape the snare laid for them; for most certainly the one is but a prelude to the other. Therefore, I hope the prudent conduct of the Colonies, in conjunction with each other, will be able to defeat the machinations of their enemies, both here and among themselves. Bad as things are or may be with you, I seem to foresee worse times here. You are at a great distance from the source of mischief, but we are near it, and circumscribed within narrow bounds, an Island of small extent in comparison with the large Continent of *North America*. If you are persecuted in the city, you can flee to the country; but we, on this side, have no country to screen us from the oppressions of the great. Our only object for an asylum, is to flee to you on the other side of the *Atlantic* for shelter. Therefore make room for us; for the time is at no great distance when such a refuge will be wanting for as many as can find the means of transporting themselves. Another war, in my opinion, (not of mine only, but of many others,) will shake the foundation of this Kingdom; and the enormous debt hanging over it, must crush it whenever the public credit sinks, and will ruin many thousands of families, whose whole fortunes are vested in the funds, whence their subsistence flows; and when this source fails, what can such families do, but, in despair, seek one where it may be found, which for Protestants and *Englishmen* can only be with you? This Nation is already taxed to the utmost stretch of invention. Nor even now, in time of peace, has any one been eased, that was in time of the last war, except the land tax, which was then four, and is now only three shillings in the pound. The poor tax, in many places, is near double the land tax, and will be still heavier, if you, on your side, should come to an agreement for non-importation; thence the numbers of the poor must multiply greatly, and many families, now in easy circumstances by means of their industry, will be reduced to poverty. The landed interest, in most parts of *England*, have lately advanced their estates to near a third more than they were but a few years past; by means of which the occupiers

Digitized by Google

of those estates have, in more than a just proportion, advanced the produce thereof, which renders every article of provisions now a third dearer than it was no longer than since the late war, yet the price of labour has not been advanced. Therefore, judge how the poor here are able to subsist, if persons in better circumstances are not able to support themselves as formerly.

In *England* we have the show of liberty without the reality; the shadow without the substance. Our Parliament, for the most part, are creatures of the Ministry, who enable them to carry every thing before them, right or wrong, and are, by insensible degrees, leading the Nation into a state of slavery, which is not discerned by the bulk of the people, who seldom look further than the present time; but the more judicious look further, and can see that chains are forging for them, to be made use of at a proper period. When they have obliged you *Americans* to submit to the yoke prepared for you, a much heavier will soon after gall the necks of the people here. By the *Quebec* Bill, now passed, it is easy to be seen what Government is aiming at; nothing less than despotism. Upon the whole, there is reason to believe, that if any liberty for *Englishmen* is to remain, it must be in the *North American* Colonies, where, I hope, the inhabitants will have virtue enough to exert their utmost strength to secure it to themselves and their posterity. Let their reliance for the securing this blessing be on the Lord, in whom there is strength and wisdom, and by no means to place their dependance on an arm of flesh.

WESTMORELAND COUNTY (VIRGINIA) RESOLUTIONS.

At a respectable Meeting of the Freeholders and other Inhabitants of the County of *Westmoreland*, assembled, on due notice, at the Court House of the said County, on *Wednesday*, the 22d of *June*, 1774.

The Reverend Mr. THOMAS SMITH, *Moderator*.

Several papers, containing the Proceedings of the late House of Burgesses of this Colony, and the subsequent determinations of the late Representatives after the House was dissolved, together with extracts of several Resolves of the Provinces of *Massachusetts Bay*, *Maryland*, &c., being read, the meeting proceeded seriously to consider the present dangerous and truly alarming crisis, when ruin is threatened to the ancient constitutional rights of *North America*, and came to the following Resolves:

1st. That to be taxed solely in our Provincial Assemblies, by Representatives freely chosen by the people, is a right that *British* subjects in *America* are entitled to, from natural justice, from the *English* Constitution, from Charters, and from a confirmation of these by usage, since the first establishment of these Colonies.

2d. That an endeavour to force submission from one Colony to the payment of taxes not so imposed, is a dangerous attack on the liberty and property of *British America*, and renders it indispensably necessary that all should firmly unite to resist the common danger.

3d. It is the opinion of this meeting, that the town of *Boston*, in our sister Colony of *Massachusetts Bay*, is now suffering in the common cause of *North America*, by having its harbour blocked up, its commerce destroyed, and the property of many of its inhabitants violently taken from them, until they submit to taxes not imposed by their consent; and therefore this meeting resolve:

4th. That the inhabitants of this county will most cordially and firmly join with the other counties in this Colony, and the other Colonies on this Continent, or the majority of them, after a short day, hereafter to be agreed on, to stop all exports to *Great Britain* and the *West Indies*, and all imports from thence, until, as well the Act of Parliament, entitled "An Act to discontinue, in such manner and "for such time as are therein mentioned, the landing and "discharging, lading, and shipping of goods, wares, and mer-"chandise, at the town and within the harbour of *Boston*, in "the Province of *Massachusetts Bay*, in *North America*," as the several Acts laying duties on *America* for the purpose of raising a revenue, and all the Acts of the *British* Legislature made against our brothers of *Massachusetts Bay*, in consequence of their just opposition to the said Revenue Acts, are repealed; and it is the opinion of this meeting, that such a non-importing and non-exporting plan should be quickly entered upon, as well on the evident principle of self-preservation, as to relieve our suffering countrymen and fellow-subjects in *Boston*, and to restore between *Great Britain* and *America* that harmony so beneficial to the whole Empire, and so ardently desired by all *America*.

5th. It is the opinion of this meeting that the gentlemen of the law should not (as long as the non-exportation agreement subsists) bring any writ for the recovery of debt, or to push to a conclusion any such suit already brought, it being utterly inconsistent with a non-exportation plan that judgment should be given against those who are deprived of the means of paying.

6th. That so soon as the non-exportation agreement begins, we will, every man of us, keep our produce, whether tobacco, corn, wheat, or any thing else, unsold, on our own respective plantations, and not carry, or suffer them to be carried, to any public warehouse or landing place, except of grain; where the same be so done, an oath being first made that such grain is for the use of, or consumption of, this or any other Colony in *North America*, and not for exportation from the Continent whilst the said agreement subsists. And this is the more necessary to prevent a few designing persons from engrossing and buying up our tobacco, grain, &c., when they are low in value, in order to avail themselves of the very high price that those articles must bear when the ports are open, and foreign markets empty.

7th. This meeting do heartily concur with the late Representative body of this country, to disuse tea, and not purchase any other commodity of the *East Indies*, except saltpetre, until the grievences of *America* are redressed.

8th. We do most heartily concur in these preceding Resolves, and will, to the utmost of our power, take care that they are carried into execution; and that we will regard every man as infamous who now agree to, and shall hereafter make a breach of, all or any of them, subject however to such future alterations as shall be judged expedient, at a general meeting of Deputies from the several parts of this Colony, or a general Congress of all the Colonies.

9th. We do appoint *Richard Henry Lee*, and *Richard Lee*, Esquires, the late Representatives of this county, to attend the general meeting of Deputies from all the counties; and we desire that they do exert their best abilities to get these our earnest desires, for the security of public liberty, assented to.

10th. And as it may happen that the Assembly now called to meet on the 11th of *August*, may be prorogued to a future day, and many of the Deputies appointed to meet on the 1st of *August*, trusting to the certainty of meeting in Assembly on the 11th, may fail to attend on the first, by which means decisive injury may arise to the common cause of liberty, by the general sense of the country not being early known at this dangerous crisis of *American* freedom, we do, therefore, direct that our Deputies now chosen fail not to attend at *Williamsburg*, on the said 1st of *August*; and it is our earnest wish that the Deputies from other counties be directed to do the same, for the reasons above assigned.

11th. That the Clerk do forthwith transmit the proceedings of this day to the press, and request the Printers to publish them without delay.

By order of the meeting,

JAMES DAVENPORT, *Clerk*.

MARYLAND CONVENTION.

At a Meeting of the Committees appointed by the several Counties of the Province of *Maryland*, at the City of *Annapolis*, the 22d day of *June*, 1774, and continued by adjournment from day to day, till the 25th day of the same month; were present:

For ST. MARY'S *County*.—Colonel *Abraham Barnes*, Messrs. *Henry Greenfield Sothoron*, *Jeremiah Jordon*.

For KENT *County*.—Messrs. *William Ringgold*, *Thomas Ringgold*, *Joseph Nicholson*, Jun., *Thomas Smyth*, *Joseph Earle*.

For QUEEN ANNE'S *County*.—Messrs. *Turbut Wright*, *Richard Tilghman Earle*, *Solomon Wright*, *John Brown*, *Thomas Wright*.

Digitized by Google

For Prince George's *County*.—Messrs. *Robert Tyler, Joseph Sim, Joshua Beall, John Rogers, Addison Murdock, William Bowie, B. Hall*, son of *Francis, Osborn Sprigg*.

For Anne Arundel *County*, and the City of Annapolis.—*Charles Carroll*, Esquire, (barrister,) Messrs. *B. T. B. Worthington, Thomas Johnson*, Jun., *Samuel Chase, John Hall, William Paca, Matthias Hammond, Samuel Chew, John Weems, Thomas Dorsey, Rezin Hammond*.

For Baltimore *County* and Baltimore *Town*.—Captain *Charles Ridgely*, Messrs. *Thomas Cockey Deye, Walter Tolley*, Jun., *Robert Alexander, William Lux, Samuel Purviance*, Jun., *George Risteau*.

For Talbot *County*.—Messrs. *Matthew Tilghman, Edward Lloyd, Nicholas Thomas, R. Goldsborough*, 4th.

For Dorchester *County*.—Messrs. *Robert Goldsborough, William Ennalls, Henry Steel, John Ennalls, Rob't Harrison*, Col. *Henry Hooper*, Mr. *Matthew Brown*.

For Somerset *County*.—Messrs. *Peter Waters, John Waters, George Dashiell*.

For Charles *County*.—Messrs. *William Smallwood, Francis Ware, Josiah Hawkins, Joseph Hanson Harrison, Daniel Jenifer, John Dent, Thomas Stone*.

For Calvert *County*.—Messrs. *John Weems, Edward Reynolds, Benjamin Mackall*, (attorney.)

For Cecil *County*.—Messrs. *John Veazy*, Jun., *William Ward, Stephen Hyland*.

For Worcester *County*.—Messrs. *Peter Chaille, John Done, William Morris*.

For Frederick *County*.—Messrs. *Thomas Price, Alexander Contee Hanson, Baker Johnson, Andrew Scott, Philip Thomas, Thomas Sprigg Wootton, Henry Griffith, Evan Thomas, Richard Thomas, Richard Brooke, Thomas Cramphin*, Jun., *Allen Bowie*, Jun.

For Harford *County*.—Messrs. *Richard Dallum, John Love, Thomas Bond, John Paca, Benedict Edward Hall, Jacob Bond*.

For Caroline *County*.—Messrs. *Thomas White, William Richardson, Isaac Bradley, Nathaniel Potter, Thomas Goldsborough*.

Matthew Tilghman, Esq., in the *Chair*,
John Duckett, chose *Clerk*.

It being moved from the Chair to ascertain the manner of dividing upon questions, it was agreed that on any division each county have one vote, and that all questions be determined by a majority of counties.

The Letter and Vote of the town of *Boston*, several Letters and Papers from *Philadelphia* and *Virginia*, the Act of Parliament for blocking up the port and harbour of *Boston*, the Bill depending in Parliament subversive of the Charter of *Massachusetts Bay*, and that enabling the Governour to send supposed offenders from thence to another Colony, or *England*, for trial, were read, and after mature deliberation thereon:

1st. *Resolved*, That the said Act of Parliament, and Bills, if passed into Acts, are cruel and oppressive invasions of the natural rights of the people of the *Massachusetts Bay*, as men, and of their constitutional rights as *English* subjects; and that the said Act, if not repealed, and the said Bills, if passed into Acts, will lay a foundation for the utter destruction of *British America*, and, therefore, that the town of *Boston* and Province of *Massachusetts Bay*, are now suffering in the common cause of *America*.

2d. *Resolved*, That it is the duty of every Colony in *America* to unite in the most speedy and effectual means to obtain a repeal of the said Act, and also of the said Bills, if passed into Acts.

3d. *Resolved*, That it is the opinion of this Committee, that if the Colonies come into a joint resolution to stop all importations from, and exportations to, *Great Britain*, until the said Act, or Bills if passed into Acts, be repealed, the same will be the most speedy and effectual means to obtain a repeal of the said Act or Acts, and preserve *North America* and her liberties.

4th. *Resolved*, Notwithstanding the people of this Province will have many inconveniences and difficulties to encounter by breaking off their commercial intercourse with their mother country, and are deeply affected at the distress which will be thereby necessarily brought on many of their fellow-subjects in *Great Britain*, yet their affections and regard to an injured and oppressed sister Colony, their duty to themselves, their posterity, and their country, demand the sacrifice—and, therefore, that this Province will join in an Association with the other principal and neighbouring Colonies, to stop all exportations to, and importations from, *Great Britain*, until the said Act and Bills, if passed into Acts, be repealed; the non-importation and non-exportation to take place on such future day as may be agreed on by a general Congress of Deputies from the Colonies—the non-export of tobacco to depend and take place only on a similar agreement by *Virginia* and *North Carolina*, and to commence at such time as may be agreed on by the Deputies for this Province and the said Colonies of *Virginia* and *North Carolina*.

5th. *Resolved*, That the Deputies of this Province are authorized to agree to any restrictions upon exports to the *West Indies* which may be deemed necessary by a majority of the Colonies at the general Congress.

6th. *Resolved*, That the Deputies from this Province are authorized, in case the majority of the Colonies should think the importation of particular articles from *Great Britain* to be indispensably necessary for their respective Colonies, to admit and provide for the Province such articles as our circumstances shall necessarily require.

7th. *Resolved*, That it is the opinion of this Committee, that the merchants and others, venders of goods and merchandise within this Province, ought not to take advantage of the above Resolve for non-importation, but that they ought to sell their goods and merchandise that they have now, or may hereafter import, at the same rates they have been accustomed to do within one year last past; and that if any persons shall sell any goods which he now has, or hereafter may have, or may import, on any other terms than above expressed, no inhabitant of this Province ought, at any time thereafter, to deal with any such person, his agent, manager, factor, or storekeeper, for any commodity whatever.

8th. *Resolved, unanimously*, That a subscription be opened in the several counties of this Province, for an immediate collection for the relief of the distressed inhabitants of *Boston*, now cruelly deprived of the means of procuring subsistence for themselves and families, by the operation of the said Act for blocking up their harbour, and that the same be collected by the Committees of the respective counties, and shipped by them in such provisions as may be thought most useful.

9th. *Resolved, unanimously*, That this Committee embrace this public opportunity to testify their gratitude and most cordial thanks to the patrons and friends of liberty in *Great Britain* for their patriotic efforts to prevent the present calamity of *America*.

10th. *Resolved*, That *Matthew Tilghman, Thomas Johnson*, Jun., *Robert Goldsborough, William Paca*, and *Samuel Chase*, Esquires, or any two or more of them, be Deputies for this Province, to attend a general Congress of Deputies from the Colonies, at such time and place as may be agreed on, to effect one general plan of conduct, operating on the commercial connection of the Colonies with the mother country, for the relief of *Boston* and preservation of *American* liberty; and that the Deputies of this Province immediately correspond with *Virginia* and *Pennsylvania*, and through them with the other Colonies, to obtain a meeting of the general Congress, and to communicate, as the opinion of this Committee, that the 20th day of *September* next, will be the most convenient time, and the City of *Philadelphia* the most convenient place, for a meeting, which time and place, to prevent delay, they are directed to propose.

11th. *Resolved, unanimously*, That this Province will break off all trade and dealings with that Colony, Province, or town, which shall decline or refuse to come into the general plan which may be adopted by the Colonies.

12th. *Resolved*, That the Deputies for this Province upon their return, call together the Committees of the several counties, and lay before them the measures adopted by the general Congress.

Ordered, That copies of these Resolutions be transmitted to the Committee of Correspondence for the several Colonies, and be also published in the *Maryland Gazette*.

Per order, John Duckett,
Clerk of the Committee.

Digitized by Google

Philadelphia, June 22, 1774.

Of the several modes of appointing Deputies for a general Congress, their nomination by Representatives met in a Legislative capacity would, perhaps, be most generally approved.

If that mode cannot be pursued, the next most advisable, it appears to me, would be, for the freemen, qualified to vote for members of Assembly in the several Colonies, to choose a certain number of Delegates, who should compose a Provincial Convention in each Colony, and therein nominate some of their body, as Deputies to represent that Colony at a general Congress.

We are now entering upon a contest that may be continued for a long time; and we cannot be too early in giving all regularity and stability to our proceedings. The whole people are oppressed—they must relieve themselves: and therefore they must act. Nothing should be taken for granted, in a cause of such magnitude.—It is building on a sandy foundation. It is not to be presumed that the body of the people in any Colony will give their full and free assent to a single measure of their Representatives assembled as private men. Met in legislation, they form a constitutional body, and thence their proceedings derive their force. Ceasing to be that, their authority reverts to the people of which they are only a part. In emergencies demanding public exertions, a *supposed* or *implied* assent of the people is not an assent to be regarded or depended on. They must be represented actually—not "virtually." When they have chosen Representatives for the usual business of the Province; the law says, the acts of those Representatives are the acts of their constituents. When the law will not say this, is it to be inferred? And is the inference to be so extensive as to justify a conclusion of such vast consequence, that the constituents who appointed men for common affairs to be transacted in one way, freely and fully assent to their conduct in new affairs of the utmost importance, and transacted in another way? Why should such an influence be made? Where is the necessity for it? Cannot an appeal be made to the people? Their sentiments taken—be from themselves, and not guessed at? If they have not wisdom and virtue enough to become agents in promoting their own temporal salvation, it is in vain for others to attempt it.

The welfare of *America* depends on each Colony knowing what portions of this wisdom and virtue there are among us. Let us put the cause on its true bottom. If those freemen of counties, cities, boroughs, and townships, qualified to vote at usual elections, and residing in Colonies where the Assemblies met in Legislative capacities, cannot in time appoint Deputies, meet, and proceed respectively in the same mode that is practised in choosing Representatives for their Assemblies, to elect persons for the express purpose of forming Provincial Conventions, to consider on the present alarming situation of public affairs, and to concert the most effectual means for redressing grievances and re-establishing peace and harmony between *Great Britain* and these Colonies, on a constitutional foundation, the sentiments and resolutions of this Continent, from one end of it to the other will be perfectly known. Then a broad and strong foundation will be laid for future measures. Until these sentiments and resolutions are thus known, those who consult together have nothing firm under them. Does any man suspect the prudence of the public spirit of any counties, or other districts? That is one good reason for adopting this mode. Let the truth be known. Let the real friends of freemen and their country understand their countrymen. Let them not be deceived in an opinion that the unanimity of sentiments and force of resolutions are greater than they are. Let us not collect the sense of this country, and of that district by "virtual representations," and rely on their zeal by unproved supposition. If there are counties or districts, who choose to lessen the weight of our common country, by taking themselves out of the scale in which "the universal property, liberty, safety, happiness, and prosperity of *America*," are now weighing against the opposite scale of tyranny, let them instantly declare themselves. Such discoveries never can do less harm than at this time.

Upon the whole, the success of measures calculated for the relief of these Colonies, wholly depends upon the unanimity of the people. The people, therefore, should be consulted in the most particular manner that can be imagined. The result of that consultation will be the evidence to be relied on; and that evidence should be direct in point.

Besides other advantages arising from the plan proposed, this will be one very considerable: the Representatives for each county will naturally form a Standing Committee for that county, to correspond with the Standing Provincial Committee, appointed by the Provincial Convention, to act in their behalfs, as the Convention cannot be kept continually assembled. The business of the Provincial Committee, then, will be to correspond with the other Colonies, and with the County Committees. The County Committees may request every small district within the county, whether called township, hundred, &c., to choose one person to represent that township, hundred, &c.; and may convey intelligence to each of these persons by letters, or by stated meetings. Thus a most regular plan might be solidly established throughout this Continent, for communicating needful information to the individuals of the smallest districts in every county, (a point absolutely necessary,) and of receiving their sentiments; and both these offices would be performed by persons the most acceptable to them. Unless some such plan as this, is framed, it requires not the spirit of prophecy to foresee that the affairs of this Continent will inevitably be confusedly conducted, to an unfortunate issue.

LETTER FROM THE GENERAL ASSOCIATION OF CONGREGATIONAL MINISTERS IN CONNECTICUT, TO THE CLERGYMEN IN BOSTON.

Mansfield, June 22, 1774.

Reverend and dear Sirs: We, your brethren of the Colony of *Connecticut*, met by delegation from the several counties, in general Association at our annual meeting, cannot but feel deeply impressed with the present melancholy threatened situation of *America* in general, and the distressed state of the town of *Boston* in particular, suffering the severe resentment of the *British* Parliament, by which the subsistence of thousands is taken away. We readily embrace this opportunity to manifest our hearty sympathy with you in your present distresses. We consider you as suffering in the common cause of *America*—in the cause of civil liberty; which, if taken away, we fear would involve the ruin of religious liberty also. Gladly would we contribute every thing in our power for your encouragement and relief; however, our situation enables us to do little more than to express our sincere and affectionate concern; and with fervent addresses, to commend your cause, and the cause of *America*—the cause of liberty, and above all, the cause of religion, to the Father of Mercies, who can easily afford effectual relief—who has the hearts of all at his disposal, and can turn them as he pleases. We feel deeply sensible what a heavy load must lie upon the minds of the Ministers of *Boston*; enough to sink their spirits, unless armed with vigorous Christian fortitude and resolution. In hopes it may afford you some consolation, we assure you of our sincere condolence and unremitting prayers in your behalf; and that we shall, in every way suitable to our character and station, use our influence with the good people of this Colony to concur in every proper measure calculated to afford relief to *America* in general, and to the distressed town of *Boston* in particular.

We pray that the Ministers of *Boston* may be inspired by the great Head of the Church with wisdom sufficient for their direction in such a critical day as the present; and that *God* would give them and their people, firmness, unanimity, patience, prudence, and every virtue, which they need to support them under their heavy trials, and enable them to stand firm in the glorious cause of liberty, and express such a temper, and exhibit such an example, as shall be well pleasing to *God*, and recommend them to the favour and compassion of their fellow-men. We earnestly pray that *God* would humble us all under a deep sense of our numerous transgressions and criminal declensions; show us the absolute necessity of repentance and reformation; humble us under his mighty hand; and pour out a spirit of fervent supplication on you, on us, and all his people in this land; and we cannot but hope the

Digitized by Google

united prayers of *America* may obtain that audience in Heaven, which will ensure salvation to us.

Signed by order of the General Association,

BENJAMIN THROOP, *Moderator*.

To the Reverend *Charles Chauncy*, D. D., and the other Ministers of the town of *Boston*.

COPY OF AN ANSWER TO A LETTER FROM THE GENERAL ASSOCIATION IN CONNECTICUT, TO THE ASSOCIATED PASTORS IN BOSTON; PREPARED, BUT NOT SENT, THROUGH THE CONFUSION OF THE TIMES.

Boston, 1774.

REVEREND AND DEAR BRETHREN: Your very affectionate and obliging letter of *June* 24th, 1774, was communicated to us at a time when we greatly needed the encouragement and support of our Christian friends.

You justly suppose that when *Boston* is treated with such unprecedented cruelty, and involved in the deepest distress, a heavy load must lie upon the Ministers of Religion in that unhappy town. We have consoled ourselves with the thought, that we are suffering in the common cause of *America*—in the cause of civil liberty, with which religious liberty hath a very close connection. All circumstances seemed to make it evident that we were not mistaken in this view of things. It gives us the highest satisfaction to find that the sentiments of others are conformable to our own; especially to know that this is the opinion of so wise and venerable a body as the General Association of *Connecticut*.

We sincerely thank you for your tender sympathy with us under our sufferings, and the very kind and obliging manner in which you express it.

We present our particular acknowledgments for the great consolation you afford in the assurance you give us of your sincere condolence and unremitting prayers in our behalf; and that you will, in every way suitable to your character and station, use your influence with the good people of your Colony to concur in every proper measure calculated to afford relief to *America* in general, and to the distressed town of *Boston* in particular. We trust *God* hath heard your prayers, and the prayers of other friends to religion, and to *America*, and by his all-powerful influence, hath supported our brethren in this town, under their heavy trials, enabled them to stand firm in the glorious cause of liberty; and hath given some degree of that firmness, unanimity, patience, and prudence, which you so fervently implore for them in this critical day.

We owe much to our brethren in the other Colonies for the very generous assistance we have received. Such were the difficulties to which great numbers were reduced, by the almost total stagnation of our trade, that it must have been impossible for this town to have subsisted to this day, if the inhabitants had not been favoured with such kind and generous relief from abroad.

The Colony of *Connecticut* distinguished themselves not only by the largeness of their donations, but by the seasonableness of their supplies, which were received and applied for the purpose of supporting those who were suffering by means of the cruel Bill that shut up our port, while the other Colonies, by reason of their distance, were not able to afford such immediate help.

We think ourselves obliged on this occasion to testify, that your charities have been most faithfully applied to the purpose for which they were sent. The gentlemen who have undertaken this trust, are of the first character for probity and universal goodness. They generously employ a very great part of their time in this benevolent work, without the prospect of any reward but what ariseth from the pleasure of doing good, and of the approbation of their great Master and Lord.

While we think we have a right to complain to Heaven and Earth of the cruel oppression we are under, we ascribe righteousness to *God*. We deserve every thing from him, and he punishes us less than our iniquities deserve. We earnestly entreat the continuance of your addresses to Him who heareth prayer, that He would humble, pardon, and bless us.

Our own distresses by no means employ all our attention. We are more deeply affected with the general danger of our country, than with our own difficulties. We encourage ourselves in that glorious Being, who hath ever been the hope of his *Israel*, and the Saviour thereof in time of trouble, and who hath so often and so wonderfully appeared for this people. We are sinful and degenerate, but we trust there are many who have not forsaken *God*, and for whose sake he will not forsake us. If there had been ten righteous found in *Sodom*, the city had not been destroyed. And will not *God* have regard to the many thousands in this land, and who walk uprightly before him, and who continually implore his favour to their distressed country?

The surprising union of the Colonies at this day affords the strongest ground of encouragement; and their spirited measures cannot, according to a human view of things, fail of success sooner or later. We are sensible at the same time, that all depends on him who is the great Governour of the world. It is an inexhaustible source of comfort, that the Lord *God* omnipotent reigneth. To him we refer all, in full confidence that he will do all things well.

We devoutly wish you the presence of the great Head of the Church in all your labours for the honour of *God*, and the good of men, and are,

With the sincerest gratitude and respect, your brethren, &c.

DEAR SIR: According to your desire, I send you a copy of the Letter which was prepared in answer to that which was so kindly sent from the Association in *Connecticut*. It was owing to the forgetfulness of our dear brother *Howe*, that it was not finished and forwarded. It was read by most of the brethren; but as it was not formally voted, it may be not best to take notice of it as an answer to yours. You may use it as you think proper. I send it in compliance with your desire, and it will, at least, show that we are not wholly unmindful of the affectionate regard expressed to us, though we have not made the return we ought to have done. I am sir, your brother and servant, ANDREW ELLIOT.

ADDRESS OF THE JUSTICES OF THE COUNTY OF WORCESTER, IN MASSACHUSETTS, TO GOVERNOUR GAGE, PRESENTED JUNE 22, 1774.

To his Excellency THOMAS GAGE, *Captain-General and Governour-in-chief in and over the Province of* MASSACHUSETTS BAY, *in* NEW ENGLAND.

May it please your EXCELLENCY:

The Justices of the Court of General Sessions of the Peace, and Justices of the Inferior Court of Common Pleas, held at *Worcester*, within and for the County of *Worcester*, on the second *Tuesday* of *June*, 1774, beg leave, at our first session, after your safe arrival, to congratulate your Excellency thereon, and also on your appointment to the most important office of First Magistrate in this Province, in full confidence from the amiable character your Excellency has obtained in your other important departments in *America*, you will ever delight in promoting the good of this Government.

We find a peculiar difficulty in expressing the distress of our minds relating to the unhappy circumstances of this Province at this time, and can with sincerity say, that we have no doubt, from your well known character, you will do all that is within your power to extricate us out of our distresses, in every way consistent with the true interests of *Great Britain* and her Colonies, which we hold inseparable. And we do bear our testimony against all riots, combinations, and unwarrantable resolves, which we apprehend have been the unhappy occasion of many of our troubles; and as there are now circulating through this Province certain inflammatory pieces, signed by order of the Committee of Correspondence of the town of *Boston*; and in this county, by order of certain persons calling themselves a Committee of Correspondence of the town of *Worcester*, directed to the several towns in the county, stimulating the people to break off all connections with *Great Britain*, which havestill a tendency to alienate the affections of the people of this Province and county from the mother country, and create discord and confusion, we do assure your Excellency that we will do every thing in our power to discountenance such proceedings, and sup-

Digitized by Google

port the execution of the laws, and render your Excellency's administration successful and prosperous.

HIS EXCELLENCY'S ANSWER.

GENTLEMEN: I return you my most sincere and hearty thanks for your very affectionate and truly patriotic Address. Your disavowal of the malevolent labour of a desperate faction, who, by raising groundless fears and jealousies, and using every sort of artifice and fraud, endeavour to delude and intimidate the people, and create in them an aversion and enmity towards their brethren in *Great Britain*, is a proof that you hold sentiments the most friendly to your country.

May your designs to discountenance such proceedings meet with all the success that every real patriot must hope and wish for; and I will, at all times, be ready to advance so laudable a work, which alone can give peace and happiness to the Province, and restore the union so necessary to be cemented with the Kingdom of *Great Britain*.

Williamsburg. June 23, 1774.

By letters from *Fort Pitt*, (since rebuilt, called *Fort Dunmore*,) of the 7th instant, there is advice that two days before a family on the west side of the *Monongahela*, consisting of a man, woman, and six children, were killed and scalped by a party of *Indians*, with many circumstances of cruelty; and that a man has been killed near *Grave Creek*, on the *Ohio*. The day following another man was killed on the *Monongahela* by the *Indians*.

EXTRACT FROM THE PROCEEDINGS OF THE TOWN OF WINDHAM, IN CONNECTICUT.

June 23, 1774.

We cannot close this meeting without expressing our utmost abhorrence and detestation of those few in a devoted Province, styling themselves Ministers, Merchants, Barristers and Attorneys, who have, against the sense and opinion of this vast Continent, distinguished themselves in their late fawning, adulating Address to Governour *Hutchinson*, the scourge of the Province which gave him birth, and the pest of *America*. His principles and conduct, evidenced by his letters, and those under his approbation, are so replete with treason against his country, and with the meanest of self-exaltation, as cannot be palliated by art, nor disguised by subtlety.

We esteem those Addresses a high-handed insult on the town of *Boston*, and the Province of *Massachusetts Bay* in particular, and all the *American* Colonies in general. Those styled Merchants may plead their profound ignorance of the constitutional rights of *Englishmen*, as an excuse, in some degree. But for those who style themselves Barristers and Attorneys, they have either assumed a false character, or they must, in some measure, be acquainted with the constitutional rights of *Englishmen*, and those of their own Province. For them to present such an Address is a daring affront to common sense, a high insult on all others of the profession, and treason against law. And from that learned profession, who are supposed to be well acquainted with the *English* Constitution, and have the best means, and are under the greatest advantages to defend the rights of society, and who have been famed as the greatest supporters of *English* liberties, for any of them to make a sacrifice of their all to this Pagod of vanity and fulsome adulation, is mean, vile, and unpardonable, and cannot be accounted for upon any other principles but those of their master, who would sacrifice his country to be the independent head of a respectable Province, and the few leaders of this infamous law band, would, it seems, give their aid and support therein to obtain the first places in this new Kingdom. The addressing Clergy we leave to the reproaches of their own consciences, but lament to find they are the first in their ignominious homage to their idol.

RICHARD HENRY LEE TO SAMUEL ADAMS.

Chantilly, Va., June 23, 1774.

SIR: I did myself the pleasure of writing to you, from this place, before my departure for our Assembly, in *May* last, and again, from *Williamsburg*, immediately after our dissolution, enclosing the order for a fast, which produced that event; and an account of the subsequent conduct of the members after the political death inflicted on them. The day before we were dissolved I had prepared a set of resolutions, the two last of which were thus expressed:

"*Resolved*, That the blocking up, or the attempting to "block the harbour of *Boston*, until the people there shall "submit to the payment of the taxes imposed upon them "without the consent of their Representatives, is a most "violent and dangerous attempt to destroy the constitu-"tional liberty and rights of all *British America*.

"*Resolved*, That * * * * * * * * be appointed Depu-"ties from this House, to meet at * * * * * * * * * such "Deputies from the other Colonies as they shall appoint, "there to consider and determine on ways the most effect-"ual to stop the exports from *North America*, and for the "adoption of such other measures as may be most decisive "for securing the rights of *America* against the systematic "plan formed for their destruction."

I have not a remaining doubt that these resolutions would have been agreed to had they been proposed. I was prevented from offering them by many worthy members, who wished to have the public business first finished, and who were induced to believe, from many conversations they had heard, that there was no danger of a dissolution before it had happened. It seems Government were alarmed at the spirit which the order for a fast denoted, and, fearing the consequences, interposed a dissolution. The consequent conduct of the members was surely much too feeble, in opposition to that very dangerous and alarming degree to which despotism had advanced. So thinking, I did propose to the dissolved members the plan of a general Congress; but they made a distinction between their then state, and that when they were members of the House of Burgesses.

Most of the members, and myself among the rest, had left *Williamsburg* before your message from *Boston* had arrived. Twenty-five of them, however, were assembled to consider of that Message, and they determined to invite a general meeting of the whole body on the 1st of *August*, to consider the measure of stopping the exports and imports. Since that an *Indian* invasion of our frontier has compelled the calling a new Assembly, for which purpose, writs, returnable to the 11th *August*, are now out, at which time it is thought the House will meet; when, I think, there is no manner of doubt they will directly adopt the most effectual means in their power for obtaining a redress of grievances. In the mean time, the sense of some counties is taking, and two have already declared their desire to stop the commercial intercourse between *Great Britain* and the *West Indies*, and this Colony. It seems very clear to me that there will be a general agreement. Do you not think, that the first most essential step for our Assembly to take, will be an invitation to a general Congress, as speedily as the nature of things will admit, in order that our plan, whatever it may be, may be unanimous, and therefore effectual? I shall be in *Williamsburg* the 1st of *August*, and shall continue there until the meeting of Assembly on the 11th. It will be exceedingly agreeable to me to know your sentiments fully on this most important subject. I am sure it will be of real consequence to the cause of liberty that your Committee of Correspondence write fully your sentiments to ours at the same time. It will be well so to time the matter, as that your letters may be in *Williamsburg* before the 1st of *August*, at which time a meeting of the late Representatives will take place, notwithstanding the return of the writs to the 11th instant.

I hope the good people of *Boston* will not lose their spirits under their present heavy oppression, for they will certainly be supported by the other Colonies; and the cause for which they suffer is so glorious, and so deeply interesting to the present and future generations, that all *America* will owe, in a great measure, their political salvation to the present virtue of *Massachusetts Bay*.

I am, sir, with very singular regard, your most obedient and humble servant,

RICHARD HENRY LEE.

To *Samuel Adams*, Esquire, *Boston*.

Digitized by Google

SAMUEL ADAMS TO RICHARD HENRY LEE.

Boston, 1774.

SIR: I have lately been favoured with three letters from you, and must beg you to attribute my omitting to make due acknowledgments till this time, to a multiplicity of affairs to which I am obliged to give my constant attention. The unrighteous and oppressive Act of the *British* Parliament for shutting up this harbour, though executed with a rigour beyond the intent even of its framers, has hitherto failed, and will, I believe, continue to fail of the effect which the enemies of *America* flattered themselves it would have. The inhabitants still wear cheerful countenances; far from being in the least intimidated, they are resolved to undergo the greatest hardships, rather than submit in any instance to the tyrannical Act. They are daily encouraged to persevere by the intelligence they receive from their brethren, not of this Province only, but every other Colony, that they are considered as suffering in the common cause, and the resolution of all to support them in the conflict. Lord *North* had no expectation that we should be thus sustained; on the contrary, he trusted that *Boston* would be left to fall alone. He has therefore made no preparation for the effects of an union.

From the information I have had from intelligent persons in *England*, I verily believe the design was to seize some persons and send them home; but the steadiness and prudence of the people, and the unexpected union of the Colonies, evidenced by liberal contributions for our support, has disconcerted them, and they are at a loss to know how to proceed further. Four regiments are encamped on our Common, and more are expected; but I hope the people will by circumspect behaviour, prevent their taking occasion to act. The Port Bill is followed by two other Acts, one for regulating the Government of this Province, or rather totally to destroy our free Constitution, and substituting an absolute despotic one in its stead; the other for the more impartial administration of justice; or, as some term it, screening from punishment any soldier who shall murder an *American* for asserting his rights. A submission to these Acts will doubtless be required and expected; but whether General *Gage* will find it an easy thing to force the people to submit to so great and fundamental a change of Government, is a question I think worth his consideration. Will the people of *America* consider these measures as an attack on the Constitution of an individual Province, in which the rest are not interested, or will they view the model of Government prepared for us as a system for the whole Continent? Will they as unconcerned spectators, look on it to be designed only to lop off the exuberant branches of democracy in the Constitution of this Province, or as part of a plan to reduce them all to slavery. These are questions, in my opinion, of great importance, which I trust will be thoroughly weighed in a general Congress. May *God* inspire that intended body with wisdom and fortitude, and unite and prosper their counsels.

The people of this Province are thoroughly sensible of the necessity of breaking off all commercial connection with a country whose political Councils tend only to enslave them. They, however, consider the body of the Nation as kept in profound ignorance of the nature of the dispute between *Britain* and the Colonies, and are taught to believe that we are a perfidious and rebellious people. It is with reluctance they come into any resolutions, which must distress those who are not the objects of their resentments; but they are urged to it by motives of self-preservation; and are, therefore, signing an agreement in the several towns, not to consume any *British* manufactures, which shall be imported after the last day of *August* next, and that they may not be imposed upon; they are to require an oath of those of whom they purchase goods. It is the virtue of the yeomanry we are chiefly to depend upon. Our friends in *Maryland* talk of withholding the exportation of tobacco; this was hinted to us by the gentlemen of the late House of Burgesses of *Virginia*, who had been called together after the dissolution of the Assembly. This would be a measure greatly interesting to the mother country.

Should *America* hold up her own importance to the body of the Nation, and at the same time agree to one general Bill of Rights, the dispute might be settled on principles of freedom, and harmony be restored between *Great Britain* and the Colonies.

I am, with great regard, your friend and servant,

SAMUEL ADAMS.

Richard Henry Lee, Virginia.

Charlestown, S. C., June 24, 1774.

Many generous and charitable persons in this Colony, being desirous to send, and we the subscribers having been requested to receive, donations for the relief of our distressed brethren in *Boston*, now suffering for the common cause of *America*, under the late most cruel, arbitrary, and oppressive Act of the *British* Parliament, for the shutting up of that port—in order that so laudable, and at the same time necessary a mark of our real sympathy and union with our sister Colonies, may not appear to have the least slight shown to it: Give this public notice, that whatever shall be sent to us, or either of us, for that purpose, shall be faithfully, and as expeditiously as possible forwarded to the direction of gentlemen of known probity, public spirit, and honour in *Boston*, for the benefit of such poor persons whose unfortunate circumstances, occasioned by the operation of that unconstitutional Act, may be thought to stand in most need of immediate assistance.

DANIEL HORRY,	PAUL TRAPIER,
JAMES PARSONS,	WILLIAM ELLIOTT, of *Beaufort*,
WILLIAM WILLIAMSON,	JOHN NEUFVILLE,
MILES BREWTON,	CHARLES ELLIOTT,
LEVINUS CLARKSON,	CHARLES PINCKNEY,
THOMAS LYNCH,	CHRIST. GADSDEN.
THOMAS FERGUSON,	

N. B. Any rice that shall be sent to Mr. *Gadsden's* wharf, for the above purpose, shall be there landed, shipped, and (if occasion) stored without a farthing charge.

SPOTTSYLVANIA COUNTY (VIRGINIA) RESOLUTIONS.

We, the Freeholders and Inhabitants of the County of *Spottsylvania*, being assembled on this 24th day of *June*, to advise and consult with our late Representatives (agreeable to their invitation) on the present state of *British America*, and having taken under our most serious consideration several Acts of the Parliament of *Great Britain* made during the present reign, respecting *America*, particularly one Act wherein a duty on tea is made payable in *America*, for the purpose of raising a revenue, and three other Acts of the last session of the present Parliament, respecting the Province of *Massachusetts Bay*, are of opinion:

That the said several Acts of Parliament are unconstitutional, arbitrary, and unjust, manifestly calculated for the destruction of the rights of *America*, and the *British* Constitution in general, and ought to be opposed by all well-wishers, as well of the mother country as of the Colonies, whose interests are mutual, and ought ever to be considered as inseparable.

That the levies of Parliament are the free gift of the people, granted by their Representatives, who, as they must necessarily contribute thereto, and oftentimes in a manifold proportion, the Constitution presumes will not be over-lavish of the people's money.

That the Legislation of *Great Britain*, and all free Governments, is founded on the essential principle, that the Representatives must be affected by the laws of their making equally with their constituents.

That the Colonies, since their separation from *Great Britain* having no representation in the *British* Parliament, and having Parliaments of their own, under the authority of the same King, adequate to all purposes of legislation, the *British* Parliament can have no power of making laws for the government of the Colonies, but in such cases wherein the authority of the Colony Assembly does not extend.

Resolved, therefore, That we owe all due obedience to our most gracious Sovereign *George* the Third, lawful and rightful Sovereign of *Great Britain, France, Ireland*, and of this Colony of *Virginia*; that we will, with our lives and fortunes, support and maintain the honour of his

Digitized by Google

Crown, the happiness of his illustrious House, and prosperity of his Dominions in general; and that we will in our Assembly (whereof we boast our most gracious Sovereign as the head) recommend and advise all such laws as shall be necessary for the internal Government of this Colony, and for the advancement of his Majesty's glory in general, as the ability of his loyal subjects here will admit of.

Resolved, further, That we owe no obedience to any Act of the *British* Parliament that is, or shall be made, respecting the internal police of this Colony, and that we will oppose any such Acts with our lives and fortunes.

Resolved, That the said Acts of the *British* Parliament respecting the Province of the *Massachusetts Bay*, and the town of *Boston*, tending to enforce obedience to the aforesaid unconstitutional Act, imposing a duty upon tea, for raising a revenue in *America*, ought to be considered as an attempt against the rights and liberties of *America* in general, and that the same ought to be opposed by the people of this Colony.

Resolved, That the most effectual method of opposing the said several Acts of Parliament will be to break off all commercial connection with *Great Britain* till the said Acts shall be repealed. We, therefore, cordially approve the proposed meeting of the late House of Burgesses, on the 1st of *August* next, and authorize and request you, *George Stubblefield* and *Mann Page*, Esquires, our late Burgesses, to represent us, the freeholders and other inhabitants of this county, at such meeting, there to consult with the other Deputies of the several counties in this Colony, and adopt such measures as shall seem best to answer the general tendency of the foregoing Resolutions, hereby engaging, on our parts, to conform thereto, and support the same to the utmost of our power.

EXTRACTS OF LETTERS RECEIVED AT PHILADELPHIA, DATED PITTSBURGH, JUNE 24, 1774.

Since our last, of the 19th, *Conolly* sent out an armed party to waylay the road about six miles from town, who fell upon a party of carriers, abused them and searched their lading, among which they found one load of powder, sent up by Mr. *Joseph Spear*, for the use of the distressed inhabitants of this county, of which *Conolly's* party robbed them, and carried it to the fort. When the master carrier applied to *Conolly* for a receipt, he would give him none, but was beat and abused in a most cruel manner for asking it, by one *Aston*, who is a Captain of his appointment.

We have certain accounts that the three friendly *Indians*, who so faithfully escorted the traders and their party to this place, were waylaid on their return home, near the mouth of *Beaver Creek*, by one of the two parties which *Conolly* sent out in the night after them, and who fired upon them and shot one of the *Indians* through the body, and then run off, it is said, like brave fellows! The other two *Indians* assisted their wounded companion, and got off with him, without any further damage than the loss of part of the presents they had received from our traders for their fidelity. The party of *Conolly's* consisted of twelve men, and an officer. Yesterday Captain *McKee's* servant, one *William Herbert*, was shot dead by one of *Conolly's* centinels, as he went into the fort, through the sally-port; but we believe this to be an accident.

The principal inhabitants are harassed in a manner that cannot be borne. They are under the very worst kind of military Government. For surely there can be no law in *Virginia*, (supposing their laws to extend here,) which can empower any person whomsoever to seize upon the property of another and apply it to his own use without, or even against, the owner's consent. Yet this is done every day about *Pittsburgh*. Do they want provisions—it is only ordering out a party to shoot down the first they met with of any kind. It is true, if any owner appears, they are appraised, and he gets a certificate—but what is he better? He must take a journey of two hundred and fifty miles to *Staunton*, to get it allowed by Court, and he must take another of the same distance to get his money; and all this to a poor man for perhaps the only cow he has in the world, and on the milk of which an infant family is depending. Is not this sporting with people's property in a more wanton and cruel manner than is done in the most despotic Governments on earth? It would indeed be greater kindness not to mock them with the hopes of satisfaction.

BERGEN COUNTY (NEW-JERSEY) RESOLUTIONS.

At a Meeting of the Freeholders and Inhabitants of the County of *Bergen*, in the Province of *New-Jersey*, convened agreeable to advertisement, at the Court House of said County, on *Saturday*, the 25th of *June*, 1774.

PETER ZABRISKIE, Esquire, *Chairman*.

This meeting being deeply affected with the calamitous condition of the inhabitants of *Boston*, in the Province of *Massachusetts Bay*, in consequence of the late Act of Parliament for blocking up the port of *Boston*; and considering the alarming tendency of the Act of the *British* Parliament for the purpose of raising a revenue in *America*,

Do *Resolve*, 1st. That they think it their greatest happiness to live under the Government of the illustrious House of *Hanover*, and that they will stedfastly and uniformly bear true and faithful allegiance to his Majesty King *George* the Third, under the enjoyment of their constitutional rights and privileges.

2d. That we conceive it to be our indubitable privilege to be taxed only by our own consent, given by ourselves, or by our Representatives; and that we consider the late Acts of Parliament, declarative of their right to impose internal taxes on the subjects of *America*, as manifest encroachments on our national rights and privileges as *British* subjects, and as inconsistent with the idea of an *American* Assembly, or House of Representatives.

3d. That we will heartily unite with this Colony in choosing Delegates to attend at a general Congress from the several Provinces of *America*, in order to consult on and determine some effectual method to be pursued for obtaining a repeal of the said Acts of Parliament, which appears to us evidently calculated to destroy that mutual harmony and dependence between *Great Britain* and her Colonies, which are the basis and support of both.

And we do appoint *Theunis Dey*, *John Demarest*, *Peter Zabriskie*, *Cornelius Van Voarst*, and *John Zabriskie*, Junior, Esquires, to be a Committee for corresponding with the Committees of the other counties in this Province, and particularly to meet with the other County Committees at *New-Brunswick*, or such other place as shall be agreed on, in order to elect Delegates to attend the general Congress of Delegates of the *American* Colonies for the purposes aforesaid.

EXTRACT OF A LETTER FROM GOVERNOUR GAGE TO THE EARL OF DARTMOUTH.

Salem, 26th June, 1774.

MY LORD: The General Court met here on the 7th instant, and, after the enclosed Protest, proceeded to business, and sent me the enclosed Address. During the short sessions several private Bills, and a Tax Bill, were passed.

A Committee of the House sat for some days, keeping their business very secret; but, giving out, they were upon moderate and conciliating measures. They made their Report, I am informed, on the 17th instant, when the door was ordered to be locked; but their proceedings getting abroad, I sent the Secretary to dissolve them. They would not admit him, and he was obliged to do it by Proclamation on the outside of the door. I transmit your Lordship the Resolves they have passed.

The Council sent me the enclosed libel on my predecessors in this Government, in an Address; on which account I refused to receive it, sending them the reasons for my refusal, which I also send your Lordship. If the dissolution will be productive of good, or not, remains to be known; but the contrivers of all the mischief in the town of *Boston*, I am informed, are now spiriting up the people throughout the Province to resistance, as well to the Port Bill, as to three other Acts daily expected, rough draughts of which were printed here about the 4th instant; and the Speeches made upon them in the House of Commons, published in the newspapers. Sensible and well affected people have told me, they have no doubt that their intention is to try to raise the Province to arms; but

Digitized by Google

I hope they respect and fear too much; and, however prone their inclinations may be to so wicked a project, I trust they want power to effect it.

In *Boston* the greatest pains have been, and are taking, to oppose all measures tending to open the port, by flattering the people with assistance from the other Provinces, promises of collections, and presents to enable them to subsist, and the happy effects of a general Congress, which, they make no doubt, will force *Great Britain* into their own terms. On the other hand, several gentlemen, who, through fear of the tyranny under which they have lived, dared not to act or speak, encouraged now by the late resolutions of Government, have ventured to step forth, and are endeavouring to persuade the people to comply with the Act of Parliament, as the only means to save their town from ruin. Till they are pinched, and find they are deceived in their hopes of support, by presents and collections, the affair will probably rest in this situation; but the Act must certainly, sooner or later, work its own way.

They will not agree to non-importation either at *New-York* or *Philadelphia*, or even in this Province, though I believe a Congress, of some sort, may be obtained; but when or how it will be composed is yet at a distance, and, after all, *Boston* may get little more than fair words. I got the consent of Council to my nomination of Mr. Justice *Brown*, of the Inferiour Court of *Essex* County, to succeed the late Judge *Ropes*, as Judge of the Superiour Court, and he is appointed and sworn in accordingly.

The fourth and forty-third regiments encamped on *Boston* Common the 14th and 15th instant. The latter came into the harbour the 1st instant, but their tents having, by mistake, been put in the transports of the fourth regiment, they were obliged to wait for them. Their arrival has given spirits to the friends of Government, and we are looking out for the troops from *Ireland*; three companies, from thence, of the fifth regiment, are arrived, and the remainder may be daily expected.

Charlestown, S. C., June 27th, 1774.

They write from *Georgia* that the *Mortar*, a principal Head-man or Chief of the *Creek Indians*, had sent down three *Indians* to *Augusta* with a peace talk, which was delivered at Colonel *Barnard's*, requesting that the trade might again be opened. Mr. *Graham*, a trader, was attacked by some of the friends or relations of the *Mad Turkey*, lately murdered at *Augusta*, but by the assistance of some *Chickasaw Indians* which Mr. *Graham* had with him for his protection, they were prevented from doing any mischief. The last *Indian* trader that arrived from *Augusta* from the *Creek* Country says that *Emistisiquo*, and the other *Indians* who were lately at *Savannah*, had delivered their talk at the *Coweta* Town, and that thereupon the leader of the murdering gang, with one or two more, had left the place, whether through fear, or to do more mischief, is uncertain. Scouts are ordered out from every company of militia in and about *Augusta*, &c., to scour the woods, make discoveries, and give timely notice to the inhabitants to provide for their safety in case of danger.

The last accounts from the *Indian* country informs us that the *Creeks* had appointed a general meeting of all the chief men and warriors of their Nation, to be holden on the 24th of last month. They were greatly distressed by the trade with them being stopped; and it is expected that the result of their deliberations at the said meeting, will be to give such satisfaction for the late murders as has been demanded. At the same time, it is confidently asserted, that the *Cherokees* have engaged to join the *Creeks* in case of war.

At a Meeting of the Committee of Correspondence for *Norfolk* and *Portsmouth*, in *Virginia*, held at the Court House, on *Monday*, the 27th day of *June*, 1774.

Present, *Matthew Phripp, Samuel Kerr, James Taylor, William Harvey, Paul Loyal, Alexander Skinner.*

Voted, That the Freeholders and Inhabitants of the County and Borough of *Norfolk* be earnestly requested to attend at the Court House of the said county, on *Wednesday*, the 6th day of *July* next, at ten o'clock in the forenoon, that the late Burgesses may collect their sentiments previous to the meeting appointed to be held at *Williamsburg*, on the 1st day of *August* next.

WILLIAM DAVIS, *Clerk.*

As late Burgesses for *Norfolk* County and Borough, we heartily concur in sentiments with the Committee of Correspondence, and propose to attend at the time appointed.

THOMAS NEWTON, Jun.,
JAMES HOLT,
JOSEPH HUTCHINGS.

MORRIS COUNTY (NEW-JERSEY) RESOLUTIONS.

At a Meeting of a respectable body of the Freeholders and Inhabitants of the County of *Morris*, in the Province of East *New-Jersey*, at the Court House in *Morristown*, in the said County, on *Monday*, the 27th *June*, 1774.

JACOB FORD, Esquire, *Chairman.*

1st. *Resolved*, That *George* the Third is lawful and rightful King of *Great Britain* and all other his Dominions and countries, and that as part of his Dominions it is our duty not only to render unto him true faith and obedience, but also with our lives and fortunes to support and maintain the just dependence of these his Colonies upon the Crown of *Great Britain*.

2d. That it is our wish and desire, and we esteem it our greatest happiness and security to be governed by the laws of *Great Britain*, and that we will always cheerfully submit to them as far as can be done, consistently with the constitutional liberties and privileges of freeborn *Englishmen*.

3d. That the late Acts of Parliament for imposing taxes for the purpose of raising a revenue in *America*, are oppressive and arbitrary, calculated to disturb the minds and alienate the affections of the Colonists from the mother country; are replete with ruin to both, and consequently that the authors and promoters of said Acts, or of such doctrines of the right of taxing *America* being in the Parliament of *Great Britain*, are, and should be deemed enemies to our King and happy Constitution.

4th. That it is the opinion of this meeting, that the Act of Parliament, for shutting up the port of *Boston*, is unconstitutional, injurious in its principles to the general cause of *American* freedom, particularly oppressive to the inhabitants of that town, and that, therefore, the people of *Boston* are considered by us as suffering in the general cause of *America*.

5th. That unanimity and firmness in the Colonies are the most effectual means to relieve our suffering brethren at *Boston*, to avert the dangers justly to be apprehended from that alarming Act, commonly styled the *Boston* Port Bill, and to secure the invaded rights and privileges of *America*.

6th. That it is our opinion, that an agreement between the Colonies not to purchase or use any articles imported from *Great Britain* or from the *East Indies*, under such restrictions as may be agreed upon by the general Congress hereafter to be appointed by the Colonies, would be of service in procuring a repeal of those Acts.

7th. That we will most cheerfully join our brethren of the other counties in this Province, in promoting an union of the Colonies, by forming a general Congress of Deputies to be sent from each of the Colonies; and do now declare ourselves ready to send a Committee to meet with those from the other counties at such time and place as by them may be agreed upon, in order to elect proper persons to represent this Province in the said Congress.

8th. That it is the request of this meeting that the County Committees when met for the purposes aforesaid, do take into their serious consideration the propriety of setting on foot a subscription for the benefit of the sufferers at *Boston*, under the *Boston* Port Bill, above mentioned, and the money arising from such subscription to be laid out as the Committees so met shall think will best answer the ends proposed.

9th. That we will faithfully adhere to such regulations and restrictions as shall by the members of said Congress be agreed upon, and judged most expedient for avoiding the calamities, and procuring the benefits, intended in the foregoing resolves.

Digitized by Google

10th. It is our request that the Committee hereafter named, do correspond and consult with such other Committees as shall be appointed by the other counties in this Province, and particularly that they meet with the said County Committee, in order to elect and appoint Deputies to represent this Province in a general Congress.

11th. We do hereby desire the following gentlemen to accept of that important trust, and accordingly do appoint them our Committee for the purposes aforesaid: *Jacob Ford, William Windes, Abraham Ogden, William De Hart, Samuel Tuthill, Jonathan Stiles, John Carle, Philip V. Cortland, and Samuel Ogden*, Esquires.

EXTRACT OF A LETTER TO A GENTLEMAN IN NEW-YORK.

Huntington, (on Long Island,) June 27, 1774.

As the opinion of every part of this Colony is requisite to form a general idea of the dispositions of the people, I think it of some advantage to the cause, that the earliest intelligence should be communicated, have therefore enclosed the Resolves of this town, copied *verbatim* from the original now in my hands, signed by Mr. *Israel Wood*, President, chosen Moderator.

The profound attention of the people, on the business of the day being opened, and the unanimity that prevailed in the passing of these Resolves, indicate a serious attachment to the cause, and a firmness of resolution to support it; for I am credibly informed that there never was so numerous a meeting, and not a dissenting voice or hand to every single Resolve. *Tuesday* next is the day appointed for holding a General Committee of the county, at the County Hall, to open a correspondence with the *New-York* Committee, &c.

HUNTINGTON, (SUFFOLK CO., NEW-YORK) RESOLUTIONS.

At a General Town Meeting, on the 21st day of *June*, 1774, the Inhabitants of *Huntington* came into the following Resolutions:

1st. That every freeman's property is absolutely his own, and that no man has a right to take it from him without his consent, expressed either by himself or his Representative.

2d. That, therefore, all taxes and duties imposed on his Majesty's subjects in the *American* Colonies by the authority of Parliament, are wholly unconstitutional, and a plain violation of the most essential rights of *British* subjects.

3d. That the Act of Parliament lately passed for shutting up the port of *Boston*, or any other means or device, under colour or pretext of law, to compel them, or any other of his Majesty's *American* subjects, to submit to Parliamentary taxations, are subversive of their just and constitutional liberty.

4th. That we are of opinion that our brethren of *Boston* are now suffering in the common cause of *British America*.

5th. That, therefore, it is the indispensable duty of all the Colonies upon this Continent to unite in some effectual measures for the repeal of the said Act for shutting up the port of *Boston*, and every other Act of Parliament whereby they are taxed for raising a revenue.

6th. That it is the opinion of this meeting, the most effectual means for obtaining a speedy repeal of the said Acts will be to break off all commercial intercourse with *Great Britain*, *Ireland*, and the *English West India* Colonies.

7th. And we hereby declare ourselves ready to enter into these or such other measures as shall be agreed upon by a general Congress of all the Colonies; and we do recommend to the general Congress to take such measures as shall be most effectual to prevent such goods as are at present in *America*, from being raised to an extravagant price.

And, lastly, We do choose and appoint Colonel *Platt Conkling*, *John Sloss Hobart*, Esq., and Mr. *Thomas Wickes*, for a Committee for this town, to act in conjunction with the Committees of the other towns in the county as a General Committee for the county, to correspond with he Committee of *New-York*. Signed,

ISRAEL WOOD, *President*.

EXTRACT OF A LETTER FROM CAPTAIN JOHN CONOLLY TO A GENTLEMAN IN PHILADELPHIA.

Fort Pitt, June 27, 1774.

The inhabitants in general are fled from this place, and the country is in great confusion. I understand a party of *Shawanese* warriors were about to set out to annoy our settlements towards *Red Stone*, and I have detached one hundred active militia, under the command of good officers, to fall in with them if possible, and expect to hear of a skirmish between them every hour. I have sent down the appraisment of the King's boats, which I was obliged to tear up in the hurry to lash the pickets. You will observe the necessity of keeping some of the Royal *Irish* here, in order to protect so valuable a part of his Majesty's property.

PENNSYLVANIA COUNCIL

At a Council held at *Philadelphia*, on *Monday*, 27th of *June*, 1774,

Present: The Honourable *John Penn*, Esquire, Governour, *William Logan*, *James Tilghman*, *Richard Peters*, *Andrew Allen*, *Benjamin Chew*, *Edward Shippen*, Jun., *Thomas Cadwallader*, Esquires.

The Governour laid before the Board several Letters he received by different expresses from *Westmoreland*, all informing him of sundry murders committed on the frontiers of this Province by the *Indians*, and representing the great distress and confusion of the inhabitants of that country from the apprehensions of an *Indian* war; which being read and duly considered, it was the opinion and advice of the Board, that writs be issued for convening the Assembly on the 18th *July* next, which was done accordingly.

That a letter be wrote by the Governour to Sir *William Johnson*, acquainting him with the intelligence received of these hostile transactions and troubles, and to request his interposition with the *Six Nations* to use their influence and endeavours with the *Shawanese* and *Delawares* to prevent further hostilities on their part, and to assure them of the sincere intentions of this Government to continue their pacific dispositions towards all our *Indian* brethren. That a Letter be wrote to Lord *Dunmore*, on this subject, to complain of Dr. *Conolly's* oppressive and tyrannical conduct at *Pittsburgh*, and the dangerous tendency his military operations, &c., have to involve the Colonies in a general *Indian* war. That a letter be wrote to Captain *St. Clair*, advising him of the above measures; that the Governour approves of what has been done by him, and the inhabitants, for preventing the desertion of the people, and requesting him to use his endeavours to encourage the people to stand their ground; and Mr. *Tilghman*, Mr. *Allen*, and Mr. *Shippen*, are appointed a Committee to prepare draughts of the said letter.

It appearing, by the letters received, that the people in *Westmoreland* were in great necessity of ammunition, the Board advised the Governour to order a further supply immediately to be sent to them.

Mr. *Tilghman* and Mr. *Allen* laid before the Board a Report of their proceedings in *Virginia*, pursuant to the commission and instructions of the 7th of *May* last, given to them to treat with the Earl of *Dunmore*, Governour of that Province, concerning the several matters therein contained, together with copies of their several letters to his Lordship, and his original letters to them, which passed in the course of their negotiation at *Williamsburg*; all which were ordered to be entered on the minutes of Council, and follow in these words, viz:

The Report of *James Tilghman* and *Andrew Allen*, Commissioners appointed by the Honourable *John Penn*, Esquire, Governour of *Pennsylvania*, to treat with the Right Honourable the Earl of *Dunmore*, Governour of *Virginia*, on sundry public matters mentioned in the commision, and the Governour's instructions, bearing equal date therewith.

MAY IT PLEASE YOUR HONOUR: In pursuance of your Honour's commission, and your instructions attending it, we sat out on our journey on *Thursday* the 12th of *May*, 1774, and on *Thursday*, the 19th, we arrived at *Williams-*

Digitized by Google

burg and went to Lord *Dunmore's*. He was not then at home. We waited on him next morning to pay our respects, and to know when it would be agreeable to him to have our business laid before him. *Saturday* morning at ten o'clock was appointed to wait upon him on the occasion. We met him at his house, and informed him our business was to apply to him to join the Proprietaries of *Pennsylvania* in a petition to the Crown to appoint Commissioners to settle and run the lines of *Pennsylvania* to the westward, and in the mean time to agree with his Lordship upon some line of jurisdiction to remedy the inconveniences of the present clashing jurisdictions between *Virginia* and *Pennsylvania*, and to prevent them for the future. To the first he readily agreed, and said he had already written to Lord *Dartmouth* on the subject, pointing out the necessity of settling the boundaries, but he informed us that the Colony of *Virginia* would not bear any part of the expense. As to the other point, his Lordship answered that he should be glad if our propositions, relating to a line of jurisdiction, were stated in writing, that he might be the better able to consider them and give us an answer, and desired to have a sight of any draughts or papers we had which might illustrate the matter. This request we promised to comply with as soon as possible, and on *Monday* the 23d, at ten o'clock, we sent our written proposals, copies of which, and of the several other letters which passed from us to Lord *Dunmore* in the course of the negotiation, as also his original letters to us, are hereunto annexed, numbered in proper order, and to which we beg leave to refer, and request that they may be taken as part of our Report.

We have the honour to be, with great regard, your Honour's most obedient humble servants,

JAMES TILGHMAN,
ANDREW ALLEN.

To the Honourable *John Penn*, Esq.

Philadelphia, June 17, 1774.

—

JAMES TILGHMAN AND ANDREW ALLEN TO LORD DUNMORE.

No. 1.

Williamsburg, May 23, 1774.

MY LORD: In compliance with your Lordship's request we are now to state in writing our proposal of a line or lines, to ascertain, for the present, the jurisdictions of the Colonies of *Virginia* and *Pennsylvania*. And we would beg leave first to observe, that by the terms of the Royal grant, the Province of *Pennsylvania* is to extend five degrees of longitude from its eastern boundaries, which are the river *Delaware* and the twelve mile circle of *New-Castle*. And we do presume, that all the settlements to the westward, under grants from *Pennsylvania*, are within that extent. But in order to ascertain that matter, and to prevent for the future such disagreeable differences and disquiets as have of late unhappily subsisted between those Colonies by the clashing of their jurisdictions, we would propose that as accurate a survey as may serve the present purpose, be, with all convenient speed, taken by Surveyors to be appointed by the Governments of *Virginia* and *Pennsylvania*, of the courses of the river *Delaware*, from the mouth of *Christina Creek*, or near it, where the line run between *Maryland* and *Pennsylvania*, by Messrs. *Mason* and *Dixon*, intersects the said river, to that part of the said river which lies in the latitude of *Fort Pitt*, and as much further as may be needful for the present purpose. That the line of *Dixon* and *Mason* be continued to the end of five degrees of longitude from the river *Delaware*, and from the end of the said five degrees, a line or lines corresponding to the courses of the *Delaware*, be run to the river *Ohio*, as nearly as may be, at the distance of five degrees from the said river *Delaware* in every part. And that the said line of *Dixon* and *Mason*, continued from the western extent of *Maryland* to the end of five degrees of longitude from the *Delaware* and the said line or lines, similar to the courses of the *Delaware*, be taken, deemed and reputed to be lines of jurisdiction between the Colonies of *Virginia* and *Pennsylvania*, until the boundaries of *Pennsylvania* can be settled, and run, and marked by Royal authority; for which purpose your Lordship has been pleased to consent to a joint application with the Proprietaries of *Pennsylvania* to the Crown. That these lines of jurisdiction shall be established for the good purpose only of quieting the disturbances which at present subsist between the two Colonies, without any prejudice to the Crown, or the Proprietors of *Pennsylvania*, to the southward of the said line of *Dixon* and *Mason*, continued as far as the fortieth degree of north latitude, (all which land the Proprietaries of *Pennsylvania* claim,) until the limits of *Pennsylvania* can be finally settled as aforesaid.

And we would further propose to your Lordship, that until the said lines of jurisdiction can be run, the jurisdiction of *Virginia* be suspended at *Fort Pitt* and the country thereabouts, as the jurisdiction of *Pennsylvania* was unquestionably first extended and executed in that part of the country, as we think we can clearly satisfy your Lordship.

If these proposals, or the maps we send with them, should not be sufficiently clear and explicit, we shall be ready at any time to attend your Lordship in order to explain.

We have the honour to be your Lordship's most obedient and most humble servants,

JAMES TILGHMAN,
ANDREW ALLEN.

To his Excellency the Right Honourable the Earl of *Dunmore*, Governour and Commander-in-chief of the Colony and Dominion of *Virginia*.

—

LORD DUNMORE TO JAMES TILGHMAN AND ANDREW ALLEN.

No. 2.

Williamsburg, 24th May, 1774.

GENTLEMEN: Having considered your proposals of a boundary line or lines, to ascertain, for the present, the jurisdiction of the Colonies of *Virginia* and *Pennsylvania*, and the terms of the Royal grant, I am of opinion that the latter cannot admit of the construction which you give to them, or that it could possibly be the intent of the Crown that the western bounds of your Province should have the very inconvenient, and so difficult to be ascertained shape, as it would have, if, as you say, it were to correspond with the course of the river *Delaware*; but I think, from the words of the grant, rather that your western boundary should be determined by a meridian line at five degrees of longitude from the river *Delaware*, to be computed from that point upon it which is at the extent of the forty-second degree of latitude and the line drawn from that point to the aforesaid meridian, is your north bounds; and your south bounds should be a straight line westward from the circle drawn at twelve miles distance from *New-Castle*, northward and westward unto the beginning of the fortieth degree of latitude, until that straight line westward intersect the meridian above mentioned, which is the limits of longitude mentioned in the Royal grant, and no other, as it appears to me.

Conformably to this, I am willing to agree to a temporary line, that may serve to ascertain the jurisdiction of both Colonies, and quiet the disturbances which subsist, and prevent them in future; but if you are already determined not to depart from the proposals now given in to me, I must inform you that it will be in vain to treat any further upon the subject, as it would be utterly impossible for me, in compliance with my duty, to suspend the jurisdiction of *Virginia* at *Fort Pitt*, and the country thereabouts, which you make yourselves, following your own construction of the Royal grant, to be only five or six miles within your limits; and if that should not, but the other which I have given, be the true construction, then *Fort Pitt*, by the river *Delaware* running very much eastwardly towards your northern bounds, will probably be at least fifty miles without your limits, which would be a concession, I really think, too great for me to make, whether it be or not for you to ask.

I must also inform you, that I am clearly of opinion, that were it possible I could admit your own construction of the Royal grant, and your own surveys and observations, your ascertaining your claim under the former has been done too late, and your ascertaining your boundary by the latter has consequently been to no purpose; for if the lands described by the Royal grant, at the time of the grant being passed, were clearly within the undoubted limits of his Majesty's Dominions, which is also a question, yet still *Fort Pitt*, and the country thereabouts, for want of the

Digitized by Google

Proprietors of *Pennsylvania* supporting their claim, and ascertaining their boundary in due time, was suffered to be claimed and possessed by an enemy, from whom it was conquered by his Majesty's arms, and by whom it was confirmed to his Majesty in a treaty; consequently, therefore, no legal title, as it appears to me, can be set up to any of that territory, but under a grant of the Crown, subsequent to such possession, conquest, &c.

As to your idea of the jurisdiction of *Pennsylvania* having been first extended and exercised in that part of the country: it was indeed the jurisdiction of *Pennsylvania* having been extended and exercised, not only there where you have extended your claims, but even to a hundred miles beyond any that you have yet pretended to, that has given occasion to the inhabitants over whom your jurisdiction was exercised, and who think themselves, according to the general sense of *Virginia*, subject to the jurisdiction only of the latter, to apply to this Government for protection and redress, which this Government, in duty, could not refuse them, as far as its legal powers extend. But I am so far from thinking, as you suggest, that the jurisdiction of *Pennsylvania* having been first extended and exercised in that country, is a reason that should induce the Government of *Virginia* to suspend its jurisdiction there, that in my opinion the latter is entitled to some apology from the former for attempting a measure without the participation that ought to have the sanction of both, as his Majesty had not given his to it.

I mention not these circumstances for the purpose of engaging in a dispute with the Proprietors of *Pennsylvania*, or of throwing obstacles in the way of an accommodation which I am sensible it is the interest of both Colonies, and the duty of the Governours of them, to facilitate; but with the design of making it appear that I have not, upon very slight grounds, rejected proposals for settling the disputes and differences subsisting between the two Colonies, and which require no less than that every thing which is contended for (depending on such a variety of contingencies) on the part of *Pennsylvania*, should be given up on the part of *Virginia* immediately.

I cannot but think that you entertain an erroneous opinion of the boundaries of your Province, as described in the Royal grants, but even if not, that your proposals are unreasonable, and that the sincerity of your desire to settle all disputes between *Pennsylvania* and *Virginia* would appear less doubtful, if you had observed in your proposals an equitable regard to the pretensions of this Government, especially as nothing thereby can prejudice the legal title of your Government: therefore, unless you are authorized to agree to a plan that favours as much the sentiments of this, as of your own Government, I see no accommodation that can be entered into previous to his Majesty's decision, which I shall not fail to join my application for the obtaining as soon as possible.

I am, gentlemen, your most obedient humble servant,

DUNMORE.

James Tilghman and *Andrew Allen*, Esquires.

JAMES TILGHMAN AND ANDREW ALLEN TO LORD DUNMORE.

No. 3.

Williamsburg, May 25, 1774.

MY LORD: We are honoured with your Lordship's answer of yesterday, to our proposals of a boundary line or lines, to ascertain, for the present, the jurisdiction between the Colonies of *Virginia* and *Pennsylvania*, to which your Lordship will be pleased to indulge us in a reply which we are induced to make, from a persuasion that if we can be so happy as to support the principles upon which we founded our proposals, or to point out just objections to your Lordship's reasoning, we may still come to such an understanding as may answer the good purposes for which we waited on your Lordship. We thought the western boundary of *Pennsylvania*, when clearly understood, ought to be one of the lines of jurisdiction. Your Lordship is of the same sentiment, by offering to make what you conceive to be our western bounds, the line of jurisdiction, but you are pleased to differ with us in the construction of the grant. If we have a just apprehension of your Lordship's meaning, you suppose that a meridian line drawn from the end of five degrees of longitude from *Delaware*, at the beginning of the forty-third degree of latitude, ought to determine the western boundary of *Pennsylvania*. We are at a loss to conceive from what expression of the Charter your Lordship can collect that the western boundary of *Pennsylvania* should be a meridian line, or why that meridian should be drawn rather from the north than the south boundary of the Province. The Charter expresses that the Province shall extend five degrees of longitude from its eastern boundary. The eastern boundary is the *Delaware* in general; but if the western bounds are to be determined by a meridian line, the Province will extend in some parts more, and in others less than five degrees of longitude from its eastern boundary. This we conceive to be against the terms of the grant, which we are of opinion cannot be satisfied by any other than a line or lines corresponding with the courses of the *Delaware*, and this is the only construction we have ever heard made of that part of the Charter.

Your Lordship, after expressing a doubt, whether that part of the country now in dispute was within the King of *England's* Dominions, at the time of making the *Pennsylvania* grant, is pleased to contend "That, though it were "possible for you to admit our construction of the Royal "grant we contend for, should be within the limits of "*Pennsylvania*, according to such construction, yet *Fort* "*Pitt*, and the country thereabouts, for want of the Pro-"prietors of *Pennsylvania* supporting their claim, and as-"certaining their boundaries in due time, was suffered to be "claimed and possessed by an enemy, from whom it was "conquered by his Majesty's arms, and by whom it was "confirmed to his Majesty, in a treaty, and consequently, "that no legal title can be set up to any of that territory, "but under the grant of the Crown, subsequent to such "possession, conquest, &c."

Not to enter in a discussion of the facts of claim and possession by an enemy, and conquest by his Majesty's arms, and the enemy's confirmation, or the effect of them upon the right of his Majesty's subjects, which we think needless, we shall only observe, that your Lordship's argument militates equally against *Virginia*, as against *Pennsylvania*, since there has been no new grant that we know of subsequent to such possession, conquest, &c.; and that therefore, in our opinion, your Lordship ought not upon your own principles, to have extended the jurisdiction of *Virginia* to *Fort Pitt*, and the country thereabouts. Your Lordship seems to allow that there was a prior exercise of jurisdiction on the side of *Pennsylvania*, and you urge this as a reason of your interposition, and are pleased to think that *Virginia* is entitled to an apology from the Government of *Pennsylvania*, for thus exercising a jurisdiction, without the sanction of the Crown's participation. Were it undeniably true, that the Government of *Pennsylvania* had knowingly extended their jurisdiction beyond the limits of the Charter, we should be far from vindicating such a conduct. And we are certain, that if any of our officers have acted officially, beyond the known limits of the Province, they will be censured, rather than supported, by the Government. But, assured as we are, that *Fort Pitt* must be within our Charter limits, we cannot be induced to think that our Government were improper in exercising their jurisdiction there; and we are inclined to be of opinion, that if your Lordship, when an application was first made to you, to take that place under the Government of *Virginia*, had thought fit to have given the least intimation of your designs to the Governour of *Pennsylvania*, much of the disagreeable consequence which has followed, would probably have been prevented.

We are really concerned, to find that our conceptions of the extent of *Pennsylvania* are so very different, but we are not without hope, that your Lordship will, upon reconsidering the subject, be of opinion that your construction is liable to the objections we have made. And, although we are satisfied that we shall be supported in ours, yet we are not so tenacious of our first proposals, as to adhere strictly to them, while we have any hopes that a reasonable departure from them will produce so desirable an effect as the settlement of harmony and peace between the two Colonies. And for that valuable purpose, we shall be willing to recede so far from our Charter bounds, as to make the river *Monongahela*, from the line of *Dixon* and *Mason* downward, the western boundary of jurisdiction, which would at once settle our present disputes, without the great trouble and expense of running lines, or the inconvenience

Digitized by Google

of keeping the jurisdictions in suspense. This we assure your Lordship, is the farthest we can go in point of concession, and if your Lordship is determined to adhere to your proposal of a meridian line, or indeed to insist upon retaining the jurisdiction of *Fort Pitt*, or the lands to the eastward of the *Monongahela*, we can treat no farther. But, we cannot quit the subject, without expressing our concern that your Lordship should entertain a doubt of the sincerity of our desire to settle all disputes between *Virginia* and *Pennsylvania*, as we are not conscious of having done any thing that could give your Lordship so unfavourable an impression. And we beg leave to assure your Lordship, that nothing less than a most sincere wish and desire to restore peace and harmony, and to settle our disputes, with a due regard to the just pretensions of both Colonies, could have actuated our Government to send us hither, or could have induced us to undertake a journey of such length, and so very inconvenient to us. We think the proposals we have made, contain the most reasonable concessions, and it will give us real concern, should your Lordship's ideas be so different from ours, that the desired accommodation cannot be effected. We thank your Lordship for your ready consent to join our Proprietors in an application to the Crown to settle our bounds, and have the honour to be, with great regard, your Lordship's most obedient, and most humble servants, JAMES TILGHMAN,
ANDREW ALLEN.

His Excellency Lord *Dunmore*.

—

LORD DUNMORE TO JAMES TILGHMAN AND ANDREW ALLEN.

No. 4.

Williamsburg, May 26, 1774.

GENTLEMEN: I perceive you have fallen into the errour, that from my having alleged the reasons which induced me to think your first proposal improper for me to comply with, I would enter into a discussion at length, of all the points of the claim of the Proprietors of *Pennsylvania*, which I must assure you, was in no wise my design, nor can I by any means consent to. I must, nevertheless, repeat here, that I think, from the words of your grant, that a meridian line, (which is sufficiently described in my answer to your first proposal,) is the line that should determine your western boundary; and the reason very plain, that this meridian should be drawn rather from the north, than the south, because the grant directs that the survey shall begin at a point on the south part of the boundary, and proceed northward, as far as three and forty degrees of latitude, and it being usual, in like cases, always to proceed, consequently from thence, extend five degrees of longitude; and not return to the south point to draw it from thence, which cannot any way be inferred, no more than it can be supposed that it was inconsiderately intended the grant should extend five degrees of longitude from every part of the river *Delaware*, which would make a line so difficult if not impossible to trace upon the land.

That you should think the circumstances, which I cannot but be of opinion, must render the parchment boundary of *Pennsylvania*, whatever it were, insufficient now to determine the limits of the Province, needless to be considered, is a point which must be perfectly indifferent to me, for the reason I have given in the first part of this letter; but your idea is a mistaken one, but leads you to conclude that the same circumstances militate equally against *Virginia*, as against *Pennsylvania*; there being no less important a difference than that the one acts for the King, and the other against him. The jurisdiction of *Virginia* cannot be exercised over any country, but for the immediate benefit, as well as interest of his Majesty, to whom that jurisdiction secures the quitrents, and every advantage which his Majesty had proposed to draw from the granting of his unappropriated lands, but which, I presume, is not meant to be urged in vindication of the encroachments of *Pennsylvania*. But in the present instance, however, *Virginia* has interfered only, as you know before, in compliance with the request and formal petition of a numerous body of inhabitants, who, thinking themselves, from the general opinion, settled within the limits of this Government, applied to the authority thereof, to be protected against the usurped jurisdiction of *Pennsylvania*, which *Virginia* did not think itself at liberty to refuse but which it granted, nevertheless without the least design of refusing obedience to whatever decision his Majesty may be pleased to make thereupon, the tenor of which attempt, proceeding and determination, make another essential consideration, and which renders, I am inclined to believe, the case of *Virginia* in this dispute, impossible to be assimilated, as you would endeavour, to that of *Pennsylvania*.

Your interpretation of my first letter, to infer I have allowed there was a prior exercise of jurisdiction on the side of *Pennsylvania*, obliges me to recall to your view, the transaction in Governour *Dinwiddie's* time, and to inform you, if you are ignorant of it, of a requisition from General *Gage* to this Colony, as that to which, by the public opinion, the territory belonged, to appoint a Magistrate at *Fort Pitt*, where there then was none, and which Magistrate was accordingly appointed, which, while it proves the prior exercise of jurisdiction to have been, not on the side of *Pennsylvania*, but on that of *Virginia*, as these were acts of public notoriety, and undertaken under the authority of public exigence; they prove also, still more the impropriety of *Pennsylvania's* having exercised their jurisdiction at all, in that district, without other authority than their own opinion, and motive than their private advantage, and the title still stronger of this Government to an apology for it.

You proceed to intimate that you are certain if any of your officers have acted officially beyond the known limits of the Province. they will be censured, rather than supported; I really think I shall be justified in questioning this assertion; for, although much pains, as is pretended, have been taken to ascertain your boundary, it would seem very strange, I think impossible, that even this very boundary is immediately unknowingly exceeded, I am warranted to say, by near a hundred miles, and yet, I have not heard of the dispensation, even of that gentle punishment you mention, though we know of one of your officers being supported and justified, in terms not very decent, in a violent act, that has been the cause of whatever disturbances or disputes subsist between the two Colonies. Nor can I think, that if I had, upon application first made to me to take the country in dispute, under the Government of *Virginia*, intimated my design to the Governour of *Pennsylvania*, (which I rather believe you mention by way of recrimination) it would have had the effect you say, for there is surely as great a necessity for preventing all disagreeable consequences now, as there was then, and the pretensions of both parties were, I suppose, the same then, as now. And what were your proposals to reconcile them? Why in your first you propose that every thing in dispute shall be given up to *Pennsylvania*. And in your second, that *Virginia* shall be content, without having any thing given up to it—at least, I can find nothing given up by your proposal of the *Monongahela*, &c. What else therefore, can I conclude from both the proposals, but that no real intention is meant to avoid the great and reciprocal inconveniences of a doubtful boundary, which otherwise would, I conceive, as it was not intended to be final, have been in a manner that could justify this Government, in general with the people, for any departure from the conceived opinion of the limits of the Colony; and myself, in particular with his Majesty, for entering into any agreement that may eventually affect his right.

I join with you in concern that we should differ so widely in conception of the extent of *Pennsylvania*, as it affects *Virginia*, but must confess that your objections have not altered my opinion of the construction of your grant, notwithstanding you are so confident of being supported in yours. However, I am less anxious about the issue of these different opinions, than I am about the effects of them, in the mean time. Your proposals amounting in reality to nothing, could not possibly be complied with, and your resolution, with respect to *Fort Pitt*, (the jurisdiction over which place, I must tell you, at all events, will not be relinquished by this Government, without his Majesty's orders) puts an entire stop to further treaty, and makes me sincerely lament that you have put it out of my power to contribute to re-establish the peace and harmony of both Colonies, and to evince my good intentions as well towards the one, as the other.

I am, gentlemen, your most obedient and humble servant, DUNMORE.

James Tilghman and *Andrew Allen*, Esquires.

Digitized by Google

JAMES TILGHMAN AND ANDREW ALLEN TO LORD DUNMORE.

No. 5.

Williamsburg, May 27, 1774.

My Lord: Since your Lordship is determined, as you are pleased to say, at all events, not to relinquish your jurisdiction over *Fort Pitt*, a period is put to our treaty; and we can only, with your Lordship, lament the continuance of those reciprocal inconveniences of clashing and disputed jurisdictions, which we are conscious of having done every thing that could be reasonably expected of us to prevent. And we have only to add our thanks for the polite attention your Lordship has been pleased to show us, and the despatch you have given to our business. We intend to leave town to-morrow, but before our departure, we shall do ourselves the honour to wait on your Lordship, for your commands to the northward, where we shall be ready to render your Lordship any service in our power.

We have the honour to be, with great regard, your Lordship's most obedient and most humble servants,

James Tilghman,
Andrew Allen.

His Excellency the Earl of *Dunmore*.

Memorandum, Tuesday, June 28, 1774.

The Committee appointed to draw up the Letters, agreed on yesterday, laid their draughts before the Governour, which being approved by him, were fairly transcribed, and ordered to be despatched without delay. The said Letters follow in these words, viz:

Philadelphia, June 28, 1774.

Sir: By the repeated accounts which I am daily receiving from *Pittsburgh*, and other parts of our western frontier, there seems little room to doubt but the mutual hostilities which have unhappily taken place between some of the inhabitants of *Virginia*, and the Western *Indians*, particularly the *Shawanese*, will end in a general war, unless some prudent measures are speedily taken to prevent it.

The occasion of this unfortunate breach, as well as the particulars of the murders which have been committed on both sides, have no doubt been communicated to you by the deputy agent for *Indian* affairs at *Pittsburgh*. It will, therefore, be only necessary for me to inform you in general, that a great part of the settlers in our back country have fled from their habitations, and that the panic is daily increasing to such a degree that there is just reason to apprehend a total desertion of that country.

I have been induced, from a representation of the distresses of these people, to issue writs to call our Assembly, to meet at *Philadelphia*, on the 18th of next month, to enable me to afford them the necessary relief.

As it is of the utmost consequence that this affair should be properly represented to the *Six Nations*, and that they should, if possible, be induced to become mediators between us and the *Shawanese* and the *Delawares*, I must request you will take such measures as you shall think most proper to satisfy them that any injuries which the *Shawanese* may have received, and may consider as a provocation for the hostilities committed on their part, were by no means done by the orders or consent of this Government, but that on the contrary, we have been ever sincerely disposed to preserve peace and friendship with them, and are now very willing, notwithstanding what has happened, to listen to terms of accommodation, and to renew our friendship, and forget every thing that is past. Your interposition and influence in this matter may very possibly have the most salutary effects.

If a rupture can be prevented it appears to me it must be through the *Six Nations*; however, I submit the matter entirely to your consideration. And am, sir, with great regard, your most obedient and humble servant,

John Penn.

Sir *William Johnson*, Baronet.

GOVERNOUR PENN TO LORD DUNMORE.

Philadelphia, June 28, 1774.

My Lord: I am very unhappy to find myself under the necessity of writing to your Lordship on so disagreeable a subject as an *Indian* war, which is now like to become general, unless the Governments of *Virginia* and *Pennsylvania*, by some prudent and timely interposition, may happily prevent the further progress of hostilities, which have unhappily taken place. I have taken the best measures in my power to keep the settlements from breaking up, and have called the Assembly upon the occasion, in order that every proper step may be taken, either to compose the differences between his Majesty's subjects and the *Indians*, or to defend the frontiers, if pacific measures should fail.

I have so many complaints of the behaviour of Doctor *Conolly*, that I am obliged to wish your Lordship to make some inquiry into his conduct, which, if my information be true, is extremely oppressive and tyrannical, with respect to our people; and what is still worse, there is great reason to fear his military operations may have a dangerous tendency to involve the Colonies in general in an *Indian* war. He seizes upon the property of the people, without reserve, and treats the persons of our Magistrates with the utmost insolence and disrespect, and with menaces not only of imprisoning them, but even of pulling down their houses, and it is said, he has sent out, or is to send out, parties against the *Indians*, with orders to destroy all they meet with, whether friend or foe. These matters may be exaggerated, but I cannot doubt but that Mr. *Conolly* has afforded some grounds for these complaints; and although your Lordship has been pleased to claim the jurisdiction of *Pittsburgh*, and the country thereabouts, I would fain hope that you would not encourage Mr. *Conolly* in such exorbitances and outrages as are laid to his charge.

I have the honour to be your Lordship's most obedient humble servant, John Penn.

To the Right Honourable the Earl of *Dunmore*, Governour and Commander-in-chief of his Majesty's Province of *Virginia*.

GOVERNOUR PENN TO ARTHUR ST. CLAIR.

Philadelphia, June 28, 1774.

Sir: The accounts which you have transmitted of the temper of the *Indians*, and the murders they have already perpetrated, are truly alarming, and give every reason to apprehend that we shall not long be exempt from the calamities of a savage war. The desertion of that country in consequence of the panic which has seized the inhabitants, on this occasion, must be attended with the most mischievous effects, and prove ruinous to the immediate sufferers, and distressing to the Province in general. Every measure, therefore, should be attempted to stop the progress of this evil, and to induce those who have already gone off, to return to their habitations; and, I must rely on you to exert all your prudence and activity for this purpose. The steps which have been already taken appear to me very proper, and I have no doubt, but that you will continue your endeavours to restore the drooping spirits of the people, and inspire them with a resolution to stand their ground, at least till they are satisfied of the intentions of the *Indians* towards this Province. You may assure them that Government sensibly feels the distresses of their situation—that it will be attentive to their interests, and afford them every assistance and protection in its power to give. With this disposition, I have issued writs for convening the Assembly, on the 18th of next month; and shall immediately on their meeting, lay this matter before them, and have reason to expect that such measures will be adopted as may effectually enable the Government to extend to them a relief, adequate to its wishes, and their wants. In the mean time I shall give orders for such further supply of ammunition to be sent up as will be sufficient for the present occasion.

I have wrote to Sir *William Johnson*, informing him of the intelligence we had received of these transactions, and requesting his interposition with the *Six Nations*, to use their influence with the *Shawanese* and *Delawares*, to prevent further hostilities on their part, and to assure them of the sincere intentions of this Government to continue their pacific disposition towards all our *Indian* brethren. I have also wrote to Lord *Dunmore*, complaining of *Conolly's* outrageous and tyrannical behaviour at *Pittsburgh*, and representing the dangerous tendency his military operations

Digitized by Google

may have to involve the Colonies in a general *Indian* war. I am, sir, your most obedient humble servant,

JOHN PENN.

To *Arthur St. Clair*, Esquire, at *Ligonier*, in *Westmoreland* County.

P. S. My Commissioners who attended Lord *Dunmore*, could not induce him to come into any reasonable temporary line of jurisdiction, and therefore things must remain in the disagreeable situation of interfering jurisdictions. In this unhappy situation I am satisfied, you and the other Magistrates will act a prudent part. It is impossible in such a case to give particular directions. With respect to the keeping up the rangers you have raised for the security of the inhabitants, I shall recommend it to the Assembly to defray the expense that shall accrue in that necessary measure; and I cannot have the least doubt, that they will approve of what has been done on this occasion, as also the continuance of the same forces, until their sentiments can be known.

CORRESPONDENCE LAID BEFORE THE COUNCIL.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, May 29, 1774.

SIR: The panic that has struck this country, threatening an entire depopulation thereof, induced me a few days ago to make an excursion to *Pittsburgh* to see if it can be removed, and the desertion prevented.

The only probable remedy that offered was to afford the people the appearance of some protection. Accordingly Mr. *Smith*, Mr. *Mackay*, Mr. *Butler*, and some others of the inhabitants of *Pittsburgh*, with Colonel *Croghan* and myself, entered into an association for the immediate raising an hundred men, to be employed as a ranging company, to cover the inhabitants in case of danger, to which association several of the Magistrates and other inhabitants have acceded and in a very few days they will be on foot.

We have undertaken to maintain them for one month, at the rate of one shilling and six pence a man per diem; this we will cheerfully discharge, at the same time we flatter ourselves that your Honour will approve the measure, and that the Government will not only relieve private persons from the burthen, but take effectual measures for the safety of this frontier, and this I am desired by the people in general to request of your Honour.

I am, sir, your most obedient, most humble servant,

AR. ST. CLAIR.

JOHN MONTGOMERY TO GOVERNOUR PENN.

Carlisle, June 3, 1774.

HONOURABLE SIR: I am just returned from the back country. I was up at the place where Courts are held for *Westmoreland* County; I found the people there in great confusion and distress; many families returning to this side the mountains, others are about building of forts in order to make a stand, but they are in great want of ammunition and arms, and cannot get a sufficient supply in these parts. I wish some method would be taken to send a supply from *Philadelphia;* and unless they are speedily furnished with arms and ammunition they will be obliged to desert the country. There is a fine appearance of crops over the mountains, and could the people be protected in saving them, it would be of considerable advantage, in case we should be involved in an *Indian* war, and obliged to raise troops, to be able to support them with provisions in that country. Captain *St. Clair* has wrote your Honour a full state of affairs in the back country, whose letter I send by express from this place.

I am, honourable sir, your Honour's most obedient humble servant, JOHN MONTGOMERY.

To the Hon. *John Penn*, Esq., Governour and Commander-in-chief of the Province of *Pennsylvania*.

JOHN MONTGOMERY TO WILLIAM ALLEN, ESQ.

Carlisle, June 3, 1774.

HONOURABLE SIR: I have been lately over the mountains as far as *Westmoreland* Court House, about thirty miles this side of *Pittsburgh*. There is nothing to be seen but desolation and distress; hundreds of families are flying to the interior parts of the Province; those who would willingly make a stand are discouraged for want of ammunition and arms; which articles they cannot be supplied in only from *Philadelphia*, and I beg you would use your endeavours with those gentlemen who have the disposing of the public money, if there be any to send a supply of arms and ammunition.

It is a pity to lose that fine country; I believe there will be an *Indian* war, and therefore we ought to be prepared for it in time; I make no doubt but the Governour will call the Assembly in order to take proper measures for the protection of our back country. It is certain that a party of *Shawanese* are out on the frontiers, and it is the general opinion that they will strike some part of *Virginia*. There is one *Campbell* killed near *Newcomer's* Town, and it is feared that the traders in the *Shawanese* country are cut off. *White Eyes* is returned to *Fort Pitt*, and says that the *Delaware Indians* are well disposed, but the *Shawanese* are determined on war. Mr. *Croghan*, I find, has deserted the *Virginia* cause, although I have little dependance on him, yet he is capable of doing mischief; a number of the principal people over the mountains have agreed to raise one hundred men to range from *Fort Pitt* to *Ligonier*. The inhabitants of what is called the town of *Fort Pitt* is about to stockade it in, and to have no connection with Mr. *Conolly*. A fort is to be built at *Hanna's*, thirty miles this side *Pittsburgh*, one at Captain *Proctor's*, seven miles from *Hanna's*, and one at *Ligonier*, but the want of ammunition is a very great discouragement. There is a great number of men in that country, and I think were they properly encouraged would be able to make a stand. I flatter myself that you will exert yourself on this occasion.

I am, honourable sir, your very humble servant,

JOHN MONTGOMERY.

P. S. This and a letter for his Honour goes by express from this place. I hope his expenses will be paid by Government.

INDIAN INTELLIGENCE.

June 5, 1774.

Two messengers from the *Newcomer's* Town, arrived with an account that, five days ago, one *Conner*, a white man, who lives at the *Snake's* Town, upon *Muskingum*, had returned home from the place the traders were making their canoes, and informed that the traders were all safe to the number of twenty-five or thirty, and that the *Shawanese* had taken great pains in protecting them, and had sent them off with their peltry, with some of their young men, and some *Delawares*, to protect them upon their way up the river to *Pittsburgh*.

These messengers further say, that all their towns, as well as the *Shawanese*, are now quiet, and that their Chiefs have been strong enough to prevail over their rash and foolish men who wanted to take revenge upon the white people for their loss, except two small parties, consisting of thirteen men in the whole, who were friends to the *Indians* that suffered, and could not be restrained, though their Chiefs did every thing in their power to prevent them from the bad undertaking; that they hope that their brethren, the *English*, would not blame, or think that they countenance any evil that might be committed by those rash men, who have stole away from them to do mischief contrary to their Chiefs' desire, and were all chiefly *Mingoes* who have had the most friends killed; that one party has been out eleven days, and was to return in fifteen, and intended against that part of the river where their friends were put to death, or somewhere else upon *Virginia* below it. The above party have declared, as soon as they have taken revenge for their people, and returned, that they would then set down and listen to their Chiefs.

The above messengers say, that the day they left home a runner came from five *Cherokees* that were to be in the day following, upon business, and that the *Delawares* would inform us of it as soon as it was known. And that, also, they heard that one of the before mentioned parties who had gone to take revenge upon the white people, was returned, and had killed one man.

Digitized by Google

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Laurel Hill, June 7, 1774.

SIR: When I had last the honour to write to you, I acquainted you with a plan that had been fallen upon to raise some men for the defence of this country. The day before yesterday about forty marched from *Hanna's* Town to *Turtle Creek*, where they would be joined by another party. The number I do not exactly know, but it is intended that that post should be sixty men strong; and a number were, at the same time, engaged for the other necessary posts, so as that the whole will form a chain of rangers on our frontier. The subscribers requested me to take them under my direction, and in consequence I did give them orders which I will send to your Honour by the first opportunity—now I have not time to copy them; and, as I know the gentleman who carries this, I came here on purpose to see him, for should this matter go farther, he has connections in town that have weight with the House. Mr. *Croghan's* views I do not pretend to see, but this you may be assured of, he is at present a friend to this country, and if it depends on him we shall yet have no war; hitherto it has been my opinion we would have no war; I now begin to think otherwise; but my reasons for thinking so depend on such circumstances as can scarce be communicated. The most alarming one, however, is the retreat of the *Moravian* Minister. A great town of the *Delawares* has been, in some measure, civilized by these people, and spiritual guides in all countries have ways of knowing the intentions of their flocks; another is, that on *Sunday* last a Council was intended with the *Delawares* and *Six Nations* at Mr. *Croghan's*, but the day before they went off to prevent a party of *Shawanese*, as they say, from falling on the white people. A little time will show whether that was their design or not. Mr. *Jennings*, the late Sheriff of *Northampton*, who is now here, will, I believe, be in town. It is not improbable he knows more than he discovers to me. He is engaged in the *Indian* trade, and his partner is beloved by all the *Indians*. Your Honour will judge if you should see him.

I will not give your Honour any more trouble at present; and in truth I am so fatigued with riding that I doubt much if what I write is legible; but it is necessary your Honour should be acquainted with what is passing here, and I am not fond of sending expresses.

I am, sir, your Honour's most obedient and most humble servant, AR. ST. CLAIR.

P. S. In a very particular manner our soldiers are directed to avoid every occasion of dispute with the people in the service of *Virginia*.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, June 8, 1774.

SIR: Since I wrote to you yesterday I have received two letters from Mr. *Croghan*, which I now enclose. Though he seems to say that peace may be continued, I believe it is not his sentiments; and the circumstance of his going to *Williamsburg*, whatever design he may avow, is to be out of the way of danger; for he dare neither trust the white people nor the *Indians*.

We have a certain account of some mischief having been done up *Cheat* river. Eight or nine people are killed; but whether it is only designed as revenge, or is really the beginning of a war, we cannot yet judge; I shall, however, take the earliest opportunity to inform you of what passes, and am, sir, your most obedient and most humble servant, AR. ST. CLAIR.

Hon. *John Penn*, Esq.

GEORGE CROGHAN TO ARTHUR ST. CLAIR.

June 4, 1774.

SIR: The frequent reports brought from *Hanna's* Town, of two hundred men being raising there, has alarmed Captain *Conolly* very much, and though I told Mr. *Jo Campbell* the whole reason and intention was no more than to have a number of men to scout between the river *Ohio* and of inhabitants down to *Ligonier*, in order to prevent the flight of that part of said country; and in case of great necessity that those men would be offered to act with the *Virginians* for the general defence of the country.

Now, as both *Conolly* and *Campbell* know this measure is the only one to stay the people from flying, and see that the country will condemn *Conolly* and his officers for not pursuing the same measure, they want to make it appear in another light, and that the intention is to invade the rights of *Virginia*.

Now, the greatest caution and prudence is necessary, and I request that you will station those parties to scout back of the settlements between *Turtle Creek* and *Ligonier*, which was our intention of having them, and take care that no threats against *Virginia* be made use of by any person concerned, as, since Mr. *Jo Campbell* came up, I see the design is to create a fresh difference between Governour *Penn* and Lord *Dunmore*, which ought to be avoided with the greatest care. Since *Campbell* came up affidavits are taken of every information that is brought up, and spies employed; though when he was informed of the murders committed on the *Indians*, he never took any measures to apprehend them. He has made two attacks on me, by letters sent by a Sergeant and twelve men, which letters I answered, but would not gratify him to send them by his party.

The truth is, they found this difference likely to be made up by the *Indians*, and find that nothing but misrepresenting our measures, and drawing on a fresh dispute between the Government of *Pennsylvania* and *Virginia*, can keep this man in command; wherefore I have determined to go to *Williamsburg* myself, and represent the state of the country, as soon as I hear the event of our last messages to the *Indians*, by the Deputies, which I believe will be in five or six days, and I flatter myself entirely satisfactory to every well-wisher of the peace and tranquillity of his country.

Before I go you and I must have a meeting, that you may be able to inform the Governour what I am going about; but I would have you settle the scouting party so as to act with prudence, and give no cause for suspicion of any design against *Virginia*, before you come up.

I am, sir, your most humble servant,

GEORGE CROGHAN.

To *Arthur St. Clair*, Esq.

EXTRACT OF A LETTER FROM ALEXANDER M'KEE, ESQ., AGENT FOR INDIAN AFFAIRS AT FORT PITT, DATED JUNE 10, 1774.

You must, ere this, be acquainted with the critical situation of this country; the unhappy disturbances which have lately arose between the *Virginians* and the Natives, the event of which still continues doubtful whether matters will be brought to a general rupture or accommodation. Hostilities, however, have been committed on both sides, but at present there seems to be a cessation. Some wise interposition of Government is truly necessary, and would undoubtedly restore peace; without it it is impossible, and thousands of the inhabitants must be involved in misery and distress. But to do the *Indians* justice, they have given great proofs of their pacific disposition, and have acted with more moderation than those who ought to have been more rational, a few *Mingoes* and *Shawanese* excepted, who have been long refractory. There are more effectual means of chastising them for their insolence and perfidy, than by involving the *defenceless* country in a war, which there is too much reason to fear, at this time, will become general, and which must inevitably be the destruction of this country.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, June 12, 1774.

SIR: In my last letter I had the honour to inform you, that in consequence of the ranging company which had been raised here, there was reason to hope the people would return to their plantations and pursue their labours; and for some time, that is, a few days, it had that effect; but an idle report of *Indians* having been seen within the party, has drove them every one into some little fort or other, and many hundreds out of the country altogether. This has obliged me to call in the parties from where they were posted, and have stationed them, twenty men at the *Bullock Pens*, twenty men at *Turtle Creek*, thirty at *Hanna's* Town, twenty at *Proctor's*, and twenty at *Ligonier*: as these places are now the frontier towards the *Alleghany*,

Digitized by Google

all that great country betwixt the road and that river being totally abandoned, except by a few who are associated with the people who murdered the *Indians*, and are shut up in a small fort on *Connymach*, equally afraid of the *Indians* and officers of justice.

Nothing can be more surprising than the dread the people are under, and it is truly shameful that so great a body of people should have been driven from their possessions without even the appearance of an enemy; for certain it is, as yet, no attempt has been made on what is understood to be *Pennsylvania*, nor any other mischief done than the killing the family on *Whitelick Creek*, which I informed you of before, and which, from every circumstance, appears rather to have been private revenge than a national stroke. A fresh report of *Indians* being seen near *Hanna's* Town, and another party on *Braddock's* Road, set the people agoing again yesterday. I immediately took horse and rode up to inquire, and found it, if not totally groundless, at least very improbable; but it was impossible to persuade the people so, and I am certain I did not meet less than a hundred families, and I think two thousand head of cattle, in twenty miles riding.

The people in this valley still make a stand; but yesterday they all moved into this place, and I perceive are much in doubt what to do. Nothing in my power to prevent their leaving the country shall be omitted, but if they will go I suppose I must go with the stream. It is the strangest infatuation ever seized upon men; and if they go off now, as harvest will soon be on, they must undoubtedly perish by famine, for Spring crop there will be little or none.

By a letter from Mr. *Mackay*, of yesterday, I had a very extraordinary peace of intelligence, "that Lord *Dunmore* "had empowered Mr. *Conolly* to settle a line of jurisdic- "tion with the *Pennsylvania* Magistrates." This, it seems, he gives out himself, but it is too absurd to be believed. It would give much pleasure to the friends of Government in this part of the country, to hear that your Commissioners had succeeded in that business, as it seems to be the only thing that can restore us peace and good order.

A very little time will discover the intentions of the *Indians*, and if they should proceed to further hostilities, I will give you notice by express, if it appears to be necessary. I am, sir, your most obedient and most humble servant,

AR. ST. CLAIR.

P. S. I have just heard that Mr. *Conolly* has sent a party of militia down to *Wheeling*, with orders to fall on every *Indian* they meet, without respecting friend or foe.

DEVEREUX SMITH TO GOVERNOUR PENN.

Pittsburgh, June 12, 1774.

SIR: I acknowledge your Honour's favour of the 22d of *April*, which was forwarded to this place a few days ago from *Staunton*. Mr. *Mackay* waited on my Lord *Dunmore* at *Williamsburg*, and laid before him some facts relative to Dr. *Conolly's* conduct at this place, upon which his Lordship thought proper to enlarge us. Mr. *Mackay* wrote from *Staunton*, in order to acquaint your Honour thereof, but his letter was returned to this place at the same time I had the pleasure of receiving yours.

It gives me great satisfaction to find that you approve of our conduct, and should be happy to hear that those gentlemen that are gone to *Williamsburg* might settle with my Lord *Dunmore* to your satisfaction. I am much obliged by your Honour's kindness in directing Colonel *Wilson* to procure bail or credit for us. I have been extremely well treated by the gentlemen of *Virginia* during my confinement.

We are in a miserable situation here at present, owing to the appearance of an *Indian* war (which we think unavoidable) and the tyrannical treatment we met with from Dr. *Conolly*. I have wrote to Dr. *Smith*, and gave him as exact an account of the present state of this country as I am capable of, and shall always strive to render to this Province any services in my power.

I am, with respect, sir, your Honour's most obedient and humble servant,

DEVEREUX SMITH.

DEVEREUX SMITH TO DR. SMITH.

Pittsburgh, June 10, 1774.

SIR: I returned to this place the 11th of *May*, and found my family in the greatest confusion, owing to the appearance of an *Indian* war, and the tyrannical treatment they received from Doctor *Conolly* in my absence. Before I was illegally taken from my family the 10th of *April*, I understood from some of the *Shawanese* Chiefs, at a Council with Mr. *McKee*, the *Indian* Agent, under Sir *William Johnson*, that they were much dissatisfied at the rapid progress the *Virginians* had made down the *Ohio* in settling the lands below the purchase, viz: below *Sciota* river, which they looked upon as a great encroachment on their liberties and properties; they also expressed their surprise to see a number of armed men assembled at this place with their colours at different times, making a warlike appearance, and said, that after the first muster of the 25th of *January*, some of the militia fired on them at their camps near the mouth of the *Sawmill* Run.

These *Shawanese* Chiefs were sent for by Mr. *Croghan* last summer, and came here about the 25th of *December*, and remained here till the 1st of *April*; during which time they often complained to the inhabitants of this place, that Mr. *Croghan* had sent for them to do business, and kept them in great distress for want of provisions and clothing; upon which the inhabitants were at some expense supplying them during their stay, and when they were going home made a collection of goods for them, in order to send them off satisfied.

On the 15th of *April*, Mr. *William Butler* sent off a canoe loaded with goods for the *Shawanese* Towns, and on the 16th it was attacked about forty miles from here by three *Cherokee Indians*, who had waylaid them on the river bank. They killed one white man, and wounded another, and a third made his escape. They plundered the canoe of the most valuable part of the cargo and made off; but as they were *Cherokees*, we were sure they did this for sake of plunder alone, therefore thought no more of it than the loss. As Mr. *Butler* was under the necessity of sending people to assist in bringing his peltry from the *Shawanese* Towns, he sent off another canoe on the 24th of *April*, in care of two *Indians*, who were well known to be good men, and two white men. On the 27th, about ninety miles from here, they were fired upon from shore, and both the *Indians* were killed, by *Michael Cresap*, and a party he had with him; they also scalped the *Indians*. Mr. *Cresap* then immediately followed the above mentioned *Shawanese* Chiefs some small distance lower down, where they were encamped, and fired upon them, killed one and wounded two more. The *Indians* fled to the *Delaware* Towns, which were the nearest, and are greatly exasperated at this treatment, as they did not expect any such thing from the *English*. About that same time, a party, headed by one *Greathouse*, barbarously murdered and scalped nine *Indians* at the house of one *Baker*, near *Yellow Creek*, about fifty-five miles down the river. Owing to these cruelties committed by *Cresap* and *Greathouse*, the inhabitants of *Ruckoon* and *Wheeling* fled from that settlement, and are chiefly gone to *Virginia*. After *Cresap* had been guilty of these cruelties, he returned to *Maryland*, but has since came back with a party of men. *Cresap* wrote to *Conolly*, and Mr. *McKee*, threatening that if they did not give them security that the *Indians* would not do any mischief for six months, that he, *Cresap*, would immediately proceed to commit further hostilities against the *Indians*. On the 21st of *April*, *Conolly* wrote a letter to the inhabitants of *Wheeling*, telling them that he had been informed, by good authority, that the *Shawanese* were ill disposed towards white men, and that he, therefore, required and commanded them to hold themselves in readiness to repel any insults that might be offered by them. This letter fell into the hands of *Cresap*, and he says that it was in consequence of this letter, and the murder committed by the *Cherokees* on Mr. *Butler's* people, that he committed the hostilities above mentioned.

I am informed, that on the 6th day of *May*, Mr. *Croghan* sent Captain *White Eyes*, (one of the *Indian* Chiefs,) in company with some of our traders, to acquaint the *Shawanese* and *Delawares* that the outrages which had been committed by some of our ill disposed white people, were without the least countenance from Government. This *Indian* promised to use his best endeavours to accommodate matters, and returned the 24th of *May*, and brought with him ten white men, who had been protected by the

Digitized by Google

Delawares eight days, in their towns, and guarded safe to this place. He also brought a speech from the *Delawares*, from which we have great reason to believe they are not inclined for war. We also believe that they will endeavour to preserve the lives of the traders that are now amongst the *Shawanese*. He also brought from the *Shawanese* Chief (called the *Hardman*) an answer to a speech sent to them by Mr. *Croghan* upon this occasion, in which he signifies that the *Shawanese* are all warriors, and will not listen to us until they have satisfaction of us for what injuries they have received from the *Virginians*, &c.

White Eyes informs us that a *Mingo* man called *Logan*, (whose family had been murdered in the number,) had raised a party to cut down the *Shawanese* Town traders at the *Canoe* Bottom, on *Hockhocking Creek*, where they were pressing their peltry; but we have heard since that the *Shawanese* have taken them under their care until matters are further settled, but *God* knows what fate they have met with; we hope they are still alive, and if it be so they have a chance to come in, if the outrageous behaviour of the *Virginians* do not prevent them. The sixth of this month we had an account from *Muddy Creek*, (empties into the river *Monongahela*, near *Cheat* river,) that the *Indians* had killed and scalped one white man, his wife, and three children, and that three more of the same man's children were missing, and has since been confirmed. We suppose this to be *Logan's* party, and that they will do more mischief before they return. About the 20th of *May*, one *Campbell*, lately from *Lancaster*, was killed and scalped near *Newcomer's* Town, and one *Proctor*, at *Wheeling*, by a party of *Shawanese* and *Mingoes*.

The *Virginians* in this part of the country seem determined to make war with the *Indians* at any rate. The one half of this country is ruined to all intents and purposes, which, a few months ago, was in a flourishing way. *Conolly* has embodied upwards of one hundred men, and will have this fort in good order in a short time. He is gathering in all the provisions he can possibly get from the country, which, he says, will be paid for by the Government of *Virginia*. The militia here, by *Conolly's* orders, shoot down the cattle, sheep and hogs, belonging to the inhabitants, as they please; they also press horses, and take by force any part of our property they think proper, and tell us that they have authority so to do; therefore you may judge of our situation at present. Before I returned from *Virginia*, about the 5th day of *May*, Mr. *Conolly* sent an armed guard of men to my house, who attempted to take away a quantity of blankets and bags by force. Mr. *William Butler*, who lived at my house at that time, had a great dispute in defence of my property, and put them out with great difficulty, on which they complained to *Conolly*, who immediately despatched a party of twelve men to the house in order to put their villainous scheme in execution, on which my wife locked her doors. *Conolly* came at the same time, and began to abuse Mr. *Butler* and my wife. He also threatened to send Mr. *Butler* to *Virginia* in irons, and to take every farthing's worth of his property from him; damned my wife, telling her the same, and that he would let her know that he commanded here, &c., &c.

On the 27th day of *May*, Mr. *Mackay* and I rode out about seven miles from town, and on our return was met on the road by a man from Mrs. *Mackay*, who came to tell us that *Conolly* had sent a party of men to pull down Mr. *Mackay's* house. When we came home we found a guard of six armed men pulling down two outhouses in Mr. *Mackay's* back yard. He ordered them to desist, saying that he would defend his property at the risk of his life; upon which the men agreed to wait until we would talk to Mr. *Conolly* about the matter. We walked toward the fort with that intention, but was met by one *Aston*, (a Captain of *Conolly's*,) at the head of about thirty armed men, followed by *Conolly*. *Aston* approached, and in a blasphemous manner accosted Mr. *Mackay*, ordering the *Virginia* Sheriff to seize him; upon which the Sheriff, *Aston*, and several others, seized him in a *valiant* manner; *Aston*, presenting a rifle at Mr. *Mackay*, threatened to shoot him down, which some of the bystanders prevented. *Conolly* came up at the same time in a great rage, telling Mr. *Mackay* that he would send him to *Virginia* in irons. We endeavoured to expostulate with him, but all to no purpose, but told him that he would tear down his dwelling house, if he thought proper. He also accused Mr. *Mackay* with being refractory on many occasions, and a fomenter of sedition, &c., in opposition to the Colony of *Virginia*, and that he had encouraged his servants to abuse one of his men, who was then present, calling the man to prove what he asserted, but the man cleared Mr. *Mackay* and his servant, saying that it was a man of Mr. *Spear's* who had struck him. *Conolly* being there confuted before upwards of sixty persons, said it was all one, as it was one of the Magistrates' servants.

Aston attempted to run the muzzle of his gun at Mr. *Mackay's* face, but was prevented; in the mean time *Conolly* suffered a forsworn rascal (one *Reily*) to shake a stick at Mr. *Mackay*, and abuse him in an outrageous manner, without bringing him to an account for so doing. In this manner *Conolly* enforces all his laws.

The 7th of this inst., one *Christy* returned to this place from *Williamsburg*, and brought *Conolly* a packet from my Lord *Dunmore*; he also brought some late newspapers, in which we had an account of the House of Burgesses being dissolved by Lord *Dunmore*. It happened that Mr. *Mackay* told this news to a neighbour man, and that same evening *Conolly* came to his house, accompanied by one of his officers, and began to abuse him in a most blasphemous and outrageous manner, accusing him of being the cause of a meeting amongst his men, and alleged that he had asserted there was no provision made by the House of Burgesses for the payment of the men under his command. *Conolly* continued to threaten Mr. *Mackay* with confinement. He read a paragraph of a letter to us, in which Lord *Dunmore* acquaints him of the Commissioners of *Philadelphia* being at *Williamsburg*, and the proposals they made in regard of a temporary line were so extravagant that nothing could be done in it, but that he, *Conolly*, might settle a line at present with the Magistrates of this county, allowing it to be twelve, or at least ten miles east of this place. We told him that no Magistrate in this county could pretend to do any thing of the kind without instructions from the Government of *Pennsylvania*. At this time the Magistrates had raised a number of men in behalf of the Government for the protection of the frontiers, and to prevent the country from being entirely depopulated. About thirty of them were stationed at the *Bullock Pens*, seven miles east of this town. *Conolly* told us that he was determined to go, or send out the next day, with a party, to dispossess our men of that post, and if they did not behave themselves he would not suffer one *Pennsylvanian* to live on this side the *Laurel Hill*.

June 12. Mr. *Conolly* purposes to march from this place to-morrow with two hundred men to build a stockade fort at *Wheeling Creek*, and another near *Hockhocking Creek*; and says he will send parties, at the same time, against the *Shawanese* Towns; and I am of opinion that they will make no distinction betwixt *Shawanese* and *Delawares*, as they are determined to have a general war. Mr. *Croghan* has set off this morning to *Williamsburg*, as he says, to represent the state of this country to Lord *Dunmore* and Council, as also to acquaint them of Mr. *Conolly's* rash conduct at this place, which he seems to disapprove of. We are this day informed, that the three children before mentioned, that were missing near *Muddy Creek*, were found dead, and scalped, and two other men, in sight of a fort that is lately built on *Dunkard Creek*, up the river *Monongahela*, all supposed to be done by *Logan's* party. The inhabitants of the town are busily employed in stockading it round about, yet have no reason to expect any thing better than ruin and destruction.

Mr. *Mackay* wrote to Governour *Penn* from *Staunton*, the 5th of *May*, informing him of our enlargement. I also wrote to you, and Doctor *Smith*, at the same time, but these letters were since returned to us here by Colonel *Wilson*, as also the Governour's letter, which we have answered. I would be glad to hear the candid opinion of the Governour and Council concerning those extraordinary disturbances.

I am, sir, your most obliged humble servant,

DEVEREUX SMITH.

P. S. Please to present without delay the Governour's letter, which you have enclosed.

June 13. We have this morning received certain

Digitized by Google

accounts from *Ten Mile Creek*, (which empties into the *Monongahela* ten miles above *Red Stone Fort*,) that on the 11th inst. *Francis McClure* was killed, and one *Samuel Kincade* badly wounded. These men were heading a party of men in pursuit of *Logan*, *McClure* as Captain, and *Kincade* as Lieutenant; and owing to their bad conduct they advanced some considerable distance ahead of their men, and were discovered by *Logan*. When the party came up they found their Captain killed and Lieutenant wounded. Part of them staid to take care of the wounded man, and the rest pursued the *Indians*. It is said that one of *Logan's* men was wounded.

DEVEREUX SMITH.

The inhabitants of this country are about petitioning Governour *Penn* by this opportunity.

ÆNEAS MACKAY TO GOVERNOUR PENN.

Pittsburgh, June 14, 1774.

MAY IT PLEASE YOUR HONOUR: The deplorable state of affairs in this part of your Government, at this time, is truly distressing; we are robbed, insulted, and dragooned by *Conolly* and his militia in this place and its environs. All ranks share of his oppression and tyranny, but the weight of his resentment falls heaviest on me, because he imagines I oppose his unwarrantable measures most. On the 27th of last *May* he ordered a party of his militia to pull down and destroy a sheep house and stable of mine, in a violent and outrageous manner, and told me at the time, he would take the house I lived in, if he wanted it, and countenanced a perjured villain, a constable of ours, that deserted to him, before he was three months sworn in, of the name of *Reily*, to shake a stick at my nose, before his face, without reproof. This circumstance, together with some more of the Doctor's conduct, I have communicated to my Lord *Dunmore* by letter, but what effect that may have time only will show.

Mr. *Croghan*, who has been grossly abused by our Bashaw, lately is gone to *Williamsburg* to represent every part of his conduct to the Governour and Council, in its true light; although others doubt, I am very certain Mr. *Croghan* is earnest and sincere respecting that intention, for he joins the rest of the inhabitants in charging all our present calamity to the Doctor's account.

On the other hand, we do not know what day or hour we will be attacked by our savage and provoked enemy, the *Indians*, who have already massacred sixteen persons to our certain knowledge about and in the neighbourhood of *Ten Mile Creek*. Last *Saturday*, a party of the militia, consisting of one Captain, one Lieutenant, and forty Privates, were on their march to join *Conolly* at the mouth of *Wheeling*, where he intended to erect a stockade fort; when, on a sudden, they were attacked only by four *Indians*, who killed the Captain on the spot, and wounded the Lieutenant, and made their escape without being hurt, and the party after burying their Captain, returned with their wounded Lieutenant; so that *Conolly's* intended expedition is knocked in the head at this time.

I am your Honour's most humble and most obedient servant, ÆNEAS MACKAY.

To Governour *Penn*.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, June 16, 1774.

SIR: There is very little alteration in the affairs of this country since my last, which was a few day ago, only we have a certain account of two or more people being killed by the *Indians*, one Mr. *McClure* and *Kincade*, the person for whom you lately issued a special commission of the peace. They it seems, were leading a party of forty men to join Captain *Conolly* at *Wheeling*, and were attacked by four *Indians*, who made their escape without so much as being fired at.

Before this accident, Mr. *Conolly* had determined to march from *Fort Pitt*, (which he now calls *Fort Dunmore*) with three or four hundred men he had embodied for the purpose of chastising the *Shawanese*, and to erect forts at *Wheeling* and *Hockhocking* to overawe the *Indians*, and from thence to carry the war into their own country; of this, he was pleased to inform me by letter, and to desire I would act in concert with him. You may be assured sir, I shall be cautious of taking any step that may have the most distant tendency to draw this Province into an active share in the war they have had no hand in kindling; but I have since received accounts that the above murders instantly changed the plan, and Mr. *Conolly* remains in garrison. It is said some of his party discovered a very large body of *Indians* crossing the *Ohio*, below *Wheeling*; if that be true, as it is not improbable, we may expect soon to hear of much mischief being done, as there is not the least doubt of several small parties being out at this time. It is some satisfaction the *Indians* seem to discriminate between us and those who attacked them, and their revenge has fallen hitherto, on that side of the *Monongahela*, which they consider as *Virginia*; but least that should not continue, we are taking all possible care to prevent a heavy stroke falling upon the few people who are left in this country. Forts at different places, so as to be most convenient, are now nearly completed, which gives an appearance of security for the women and children, and with the ranging parties which have been drawn in to preserve the communication, has in a great degree, put a stop to the unreasonable panic that had seized them, but in all of them there is a great scarcity of ammunition, and several messengers have returned from below, without being able to purchase.

I am very anxious to know whether the ranging companies are agreeable to your Honour or not, both because the expense of continuing them, will be too heavy for the subscribers, and that I am every day pressed to increase them. This I have positively refused to do, until I receive your Honour's instructions, and I well know how averse our Assemblies have formerly been to engage in the defence of the frontiers, and if they are still of the same disposition, the circumstance of the white people being the aggressors, will afford them a topic to ring the changes on, and conceal their real sentiments.

Last night I received several petitions from several different parts of the country, which I have now the honour to transmit to you by Doctor *McKenzie*, from *Pittsburgh*. The disturbances of this country has ruined his business, but should the Province think of raising troops, he would be glad, I believe, to be employed. I can, sir, recommend him to your Honour as an expert surgeon, and gentlemanly man. He has served as a surgeon in the navy.

I was mistaken in saying that two people were killed on *Ten Mile Creek*. Mr. *McClure* was killed, and *Kincade* wounded; however, it would have been no great matter if he had been killed, as he had accepted a commission in the service of *Virginia*, so soon after the notice you had been pleased to take of him, at the request of his father-in-law, Colonel *Wilson*. I am afraid there are some more of our *Virginia* friends that do not play us fair, but it is not a time at present for purgation.

Unless you shall forbid me, I shall continue to write to you in this manner, whatever occurs, as it is the only way I have at present, to show your Honour, that I am, with the greatest respect, your Honour's most obedient, and most humble servant, AR. ST. CLAIR.

P. S. For any thing that has escaped me, I take the liberty to refer you to Doctor *McKenzie*.

The day before yesterday, I had a visit from Mr. *Ward*. He informed me Mr. *Croghan* set out for *Williamsburg*, the day before, to represent the distresses, he says, of the people of this country. At the same time, he informed me, that the *Delawares* had got notice of the murder of *Wipey*, and that Mr. *Croghan* had desired him to come to me on that occasion, that he advised that they should be spoke to, and some small present made to them as condolence, and to cover his bones, as they express it. I do not well know what to do. Such a present as some few of us would be willing to contribute for, might be thought unworthy of the Province, and such an one as might come up to my idea would be great presumption to offer. This however, is certain, the *Delawares* are still friendly, and it may perhaps, prevent a general war if they can be kept in temper.

I believe I shall go to *Fort Pitt* to-morrow, and will consider well of it.

Digitized by Google

WILLIAM THOMPSON TO GOVERNOUR PENN.

Cumberland County, June 19, 1774.

MAY IT PLEASE YOUR HONOUR: By *James Caveat*, Esquire, who is just come down from *Westmoreland*, there is a certain account of a number of people being killed by the *Indians*, on the west side of the *Monongahela* river. Mr. *Caveat* was on his way to *Philadelphia*, (believing the Assembly was setting,) to lay the indifferent situation of the people of *Westmoreland* before your Honour, and the Assembly, and to pray the aid of Government in said country, otherwise, it must be entirely evacuated.

They have at their own risk raised two hundred men, which are stationed in the best manner that number will admit of, to guard their frontier; but they are only raised for one month; and indeed these poor people are not able to pay that expense, much less are they in a condition to support troops for any length of time.

I took the earliest opportunity of acquainting the people over the hills of your friendship towards them, in procuring without loss of time, a quantity of arms and ammunition, which was now on the way up for their use, and also assured them that you would do every thing on your part for their preservation, and hoped the like disposition would be found in the Assembly if called on for assistance.

As that part of the country was entirely without ammunition, Mr. *Montgomery* and myself purchased and sent off, about ten days since, all the powder and lead we could get in *Carlisle*, which I expect is safe up before this.

It is said the *Indians* have fixed a boundary betwixt the *Virginians* and us, and say, that they will not kill or touch a *Pennsylvanian*. But it will be best not to trust them, and I am doubtful, a short time will show to the contrary.

I am, your Honour's most obedient, and very humble servant, WILLIAM THOMPSON.

To the Honourable *John Penn*, Esquire.

LORD DUNMORE TO CAPTAIN JOHN CONOLLY.

Williamsburg, June 20, 1774.

SIR: I have received your letter of the 8th instant, by express. I am sorry to hear of the murders committed by the *Indians*, but hope the prudent steps you have taken, will put a stop to further cruelties of that kind. I entirely approve of the measure you have taken of building a fort at *Wheeling*, and also of marching into the *Shawanese* Towns, if you think you have a sufficient force; and I desire you will keep a constant correspondence with Colonel *Andrew Lewis*, that you may co-operate in such measures as may be thought effectual. I hope you will prevail on the *Delawares*, and the well affected part of the *Mingoes*, to move off from the *Shawanese*.

It is highly necessary that you continue at *Fort Dunmore*, and I think therefore, that you could not do better than send Captain *William Crawford* with what men you can spare to join him, and to co-operate with Colonel *Lewis*, or to strike a stroke himself, if he thinks he can do it with safety. I know him to be prudent, active, and resolute, and therefore very fit to go on such an expedition, and if any thing of that kind can be effected, the sooner it is done the better. I refer you to my letter by Captain *Penticost*, by whom I sent you some blank commissions.

I would recommend it to all officers going out on parties to make as many prisoners as they can of women and children; and should you be so fortunate as to reduce those savages to sue for peace, I would not grant it to them on any terms, till they were effectually chastised for their insolence, and then on no terms, without bringing in six of their heads as hostages for their future good behaviour, and these to be relieved annually, and that they trade with us only for what they may want. I am, &c.,

DUNMORE.

To Captain *Conolly*.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, June 22, 1774.

SIR: In my last I informed you of Mr. *Croghan* setting out for *Williamsburg*, since which I had a letter from him from his own house. He therein informed me that he found the country so much alarmed at his going down, that he chose to return, and trust his business to letters, and desired to see me as soon as possible. Accordingly I set out for *Pittsburgh*, the 17th instant, and had the happiness to find two of the principal traders arrived there with a great quantity of peltry, and that they had been conducted there by some of the *Shawanese* Chiefs, and that the rest of the traders, with their horses and skins, were got as far as the *Newcomer's* Town, under the protection of another *Shawanese* party.

The traders inform us that they have met with no ill treatment from the *Shawanese*; but on the contrary, they were at the greatest pains to protect them from the *Mingoes*, who had suffered most from the white people, and who came to their towns several times with the intention to murder them. It seems they did not think it prudent to bring the *Shawanese* to *Pittsburgh*, but conducted them from some distance below that place, through the woods to Colonel *Croghan's*. Mr. *Conolly* ordered out a party of forty men to make them prisoners, as he says.

The people of the town were alarmed at seeing a party march out the rout they took, and suspected they were intended to attack a party of our people stationed at the *Bullock Pens*, about seven miles from thence, which it seems has some time been threatened, and acquainted me with what they feared. I immediately waited on Mr. *Conolly*, and insisted in direct terms, he should tell me if he had any such design. He assured me he had not, but that as the *Shawanese* had committed depredations on his Majesty's subjects, he had ordered out that party to make those prisoners who had escorted the traders; and that might have been his real intention; but I am convinced those who were to put it in execution would not have made prisoners. We put it out of their power to do either, by sending them over the river.

Your Honour will judge from this circumstance that the crew about *Fort Pitt*, (now *Fort Dunmore*,) are intent on a war, for were not that the case, honour, generosity, gratitude, every manly principle, must have prompted them to be kind, and afford protection to those poor savages, who had risked their own lives to preserve the lives and property of their fellow-subjects; but why need I mention this circumstance, one at least as strong is that *John Drinning*, who publicly acknowledged, or rather boasted, of having killed the *Indians*, with Mr. *Cresap*, is one of Mr. *Conolly's* Lieutenants, and is at the present time out some where with the command of a party to take scalps, from friends I suppose; a murderer, I am sure, will never meet an enemy on fair terms.

I mentioned something of a condolence in my last, and as the *Shawanese* were up, I suffered myself to be persuaded by Mr. *Croghan* to collect a small present of goods for that purpose, which was on *Sunday* morning to have been divided and sent to the three nations, the *Six Nations*, *Shawanese*, and *Delawares*; but Mr. *Conolly's* frolic prevented it that day. Next morning, the *Indians*, being some *Six Nations*, and some *Delawares*, were brought down to Mr. *Croghan's* and were shown the condolence, and acquainted that it was ordered for them by you, and that when their Chiefs arrived they would be spoke to, and the present delivered, and a messenger was sent after the *Shawanese* to acquaint them likewise. As the *Indians* themselves make a distinction betwixt us and our neighbours, it may perhaps be a means of keeping peace in our quarter at least. I hope your Honour will not be offended at my taking this upon myself. The value of the goods is but trifling, not exceeding thirty or forty pounds. I have inclosed a list of them, but the person from whom I got them neglected to affix the prices.

Whatever may be Mr. *Croghan's* real views, I am certain he is hearty in promising the general tranquillity of the country, indeed, he is indefatigable in endeavouring to make up the breaches, and does, I believe, see his mistake in opposing the interests of your Government; and I doubt not but a very little attention would render him as serviceable as ever. Real friendship you must not expect, for, by his interest alone he is regulated, yet he may be useful, as by and by you will probably want to make another purchase. I purposely gave him an opportunity of opening a correspondence with me, which he embraced, and from what I can see, he would be glad to be on better terms

Digitized by Google

with your officers than he has been; but this is only conjecture.

With this, your Honour will receive an extract from Mr. *McKee's* journal of all the transactions with the *Indians*, from the beginning of the troubles, as also another of Mr. *Conolly's* advertisements. I know not well what he means by it, but I believe his design is to distress the *Indian* trade.

It is true what I mentioned about the boundary. Mr. *Conolly* read me part of a letter from Lord *Dunmore* on the subject. He says the demands of the *Pennsylvanians* were so extravagant, that he could do nothing with them, but that he, (*Conolly*) may settle a line of jurisdiction with the Magistrates of *Westmoreland*, ten or twelve miles eastward of *Pittsburgh*, or a more convenient distance, and cautions him at the same time to give no just cause of offence to the Magistrates acting under the authority of this Province. I know not how the Magistrates were to settle lines.

I received your Honour's favour of the 7th instant, and am happy to inform you the panic is in some measure over. The ammunition not yet come to hand; but a quantity arrived from *Carlisle*, which eased the people's mind a little; but the damage done to the country by the desertion of the people, and the loss of the Spring crop, is very great, and if any thing should happen to interrupt the harvest, we must have an absolute famine—this I hope will not be the case.

I am most respectfully, your Honour's most obedient, and most humble servant, AR. ST. CLAIR.

P. S. *Logan* is returned with thirteen scalps and one prisoner, and says he will now listen to the Chiefs.

To Governour *Penn*.

—

JOHN CONOLLY'S ADVERTISEMENT.

Whereas, the *Shawanese* have perpetrated several murders upon the inhabitants of this county, which has involved this promising settlement in the most calamitous distress. And whereas, I have very good reason to believe that certain imprudent people continue to carry on a correspondence with, and supply the said enemies with dangerous commodities to the infinite prejudice of all his Majesty's subjects, and expressly contrary to an act of the Assembly, prohibiting such unwarrantable intercourse: These are therefore, in his Majesty's name, strictly to require and command all his Majesty's subjects to take notice hereof, and to deport themselves as the law directs, as they may be assured that a contrary conduct will draw on them the utmost severity thereof.

Given under my hand at *Fort Dunmore*, this 18th day of *June*, 1774. JOHN CONOLLY.

—

EXTRACT TAKEN FROM A JOURNAL OF INDIAN TRANSACTIONS.

May 1, 1774. Information having been given that sundry depredations had been committed upon several *Indian* parties going down the river from this place, by the white inhabitants settled upon the *Ohio*, near *Wheeling* and *Yellow Creek*, the following Message was despatched to King *Custologa*, Captains *White Eyes*, *Pipe*, and such other Chiefs as were most contiguous to this place.

"BRETHREN: We are under the necessity, from some disagreeable intelligence which we have just received, of calling upon your immediate attendance at this place, where we shall have some things of importance to communicate to you, which intimately concerns the welfare of us both; this will be sufficient we expect, to induce your speedy appearance here, as delays upon this occasion may be attended with the most dangerous consequences." (*A string of white wampum.*)

May 3. A meeting held at Colonel *Croghan's* house, at which was present, Captain *Conolly*, the Commandant of the militia, and several inhabitants of *Pittsburgh*, with *Goyasutha*, the *White Mingo*, and a deputation of the *Six Nation Indians*, who were here upon their way with Speeches from Sir *William Johnson* to the *Hurons* and *Wabash* Confederacy.

"BRETHREN: We are sorry to inform you that we have lately received accounts of some outrages being committed upon several of your people going down the *Ohio*, by some ill disposed white persons settled upon it; and we take the earliest opportunity of making you acquainted with what we have heard, in order to convince you that we discountenance so barbarous a breach of friendship with you, and we can assure you that it has not been done with the intent or knowledge of Government, and we make no doubt your brother, the Governour of *Virginia*, when he becomes fully acquainted with the circumstances of the unhappy loss you have sustained in so many of your people, that he and his wise men will fall upon the most salutary measures of doing you every justice that can be expected. In the mean time we have to recommend to you, in the most earnest manner, your affording every assistance in your power to accommodate this unfortunate breach which has happened, as you must be sensible that a general war between us must be attended with the greatest calamity on both sides." (*A belt of wampum.*)

After some time they returned for Answer:

"BRETHREN: (the *English*.) We have considered what you have said to us, and as the Chiefs of the *Delawares* are expected in this night, or to-morrow, we will consult with them, and then know what reply to make. But you may depend upon it, that we shall do every thing in our power to keep things quiet, which we make no doubt can be done, from the general peaceable disposition of our own people, provided you will be strong upon your parts, in preventing your rash people from commencing any further hostilities upon the *Indians*." (*A string of wampum.*)

May 4. Arrived Captains *White Eyes*, *Pipe*, and *Samuel Compass*, brother to one of the *Delaware Indians* lately murdered in the traders' canoe, with several other Chiefs and principal men of the *Delawares*. The same evening they proceeded to the *Six Nation* Village, at *Pine Creek*, in order to consult with the Chiefs there, and be informed of what had passed already between them and us.

May 5. At a Condolence held with the *Six Nations*, *Delawares*, *Shawanese*, *Munsies*, *Mohegans*, and *Twightwees*, who are the several Nations that have been sufferers in the late unfortunate disturbances,

PRESENT:

Captain *Conolly*, Commandant, and a number of other gentlemen.

SIX NATION INDIANS.—*Guyasutha*, *White Mingo*, and the *Six Nation* Deputies as before mentioned, with a number of other Chiefs, and principal men.

DELAWARES.—Captains *White Eyes*, *Pipe*, *Keykewenum*, and *Samuel Compass*, with a number of other *Indians* of that Nation.

BRETHREN: It was with the deepest concern that we informed you two days ago of the late unhappy death of some of your friends, and it adds much to our grief upon this occasion, when we consider that some of our rash inconsiderate people have been accessory thereto. We condole with you, and bewail the misfortunes you have suffered, and as a testimony of our sincerity, we deliver you these strings of wampum. (*A string to each Nation.*)

BRETHREN: We wipe the tears from your eyes, and remove the grief which this melancholy circumstance may have impressed upon your hearts, that you may be enabled to look upon your brethren the (*English*) with the same friendship as usual, aud listen to them with the like goodness of heart, as formerly, when no evil disturbed your minds. (*A string to each Nation.*)

BRETHREN: We now collect the bones of your deceased people, and wrap them up in those goods which we have prepared for that purpose, and we likewise inter them, that every remembrance of uneasiness upon this head, may be extinguished, and also buried in oblivion. (*Delivered a condolence present.*)

BRETHREN: We have now conformably to you custom, condoled with you in the usual manner upon such occasions; and we are to request some of your Chiefs present, who have the most influence with the distant tribes to proceed to them with the greatest expedition with what you have now heard, as it is highly necessary that we should be made acquainted without delay, with the result of their Councils upon the present circumstances of affairs, as well

Digitized by Google

as it may be useful for them to be informed of our sentiments thereupon; and that the stroke they have received, is not only contrary to the judgment of every wise man amongst us, but all authority, which consequently will be exerted to do them justice; therefore, these facts ought to have great weight in their determination at this time; and as a further proof of our uprightness towards them, two of the gentlemen here present will accompany you in the execution of this good work. (*A string of wampum.*)

Captain *Conolly* then addressed the *Indians* as follows:

"Brethren: I am very sorry to find that a dispute has happened between our people and yours, which has been attended with bad consequences to both parties. You ought to be certain, brothers, that our wise men had no act or part in what has happened, and that it was entirely owing to the folly and indiscretion of our young people, which you know, like your own young men, are unwilling to listen to good advice. As to the particulars of what has happened, we yet do not know; we are sure, however, that people are killed on both sides, but we hope as the dispute happened only between the young and foolish people, that it will not engage our wise men in a quarrel in which none of us had a part. It is, however, brothers, very unlucky that any difference should have happened between us at this time, as the great Headman of *Virginia* and all his wise people are just going to meet together to counsel about the settling in this country, bought from you the *Six Nations*; and to give orders to their young men, which may come to be your neighbours, to be kind and friendly towards you. And, likewise, I expect they will buy goods to clothe your old people and children, to brighten the chain of friendship between us, and to convince you that we will be as friendly towards you as your late neighbours from *Pennsylvania* were. And, therefore, I desire you, brothers, not to listen to what some lying people may tell you to the contrary, for although we are always ready to fight our enemies, yet we will show our true and steady friendship upon every occasion, when necessary. (*A string of wampum.*)

Captain *White Eyes*, on behalf of the *Indians* present, made the following Answer:

"Brethren: (the *English*,) We have heard with satisfaction the several Speeches you have now delivered to us, and we return you our sincere thanks for the friendship and concern you have been pleased to express for us upon this occasion; we cannot doubt of your uprightness towards us, and that the mischief done to us, has been done contrary to your intent and desire, which we believe has arose entirely from the evil-minded persons who have been the perpetrators of it; therefore it is incumbent upon us to aid you with our best assistance. As the great and good work of peace has been established between us, by the labour and pains of our greatest and wisest men, it ought not to be disturbed by the folly or imprudence of any rash people whatever, who, hereafter, refusing to pay due obedience to good advice, or offering to slip their hands from the chain of friendship, it will be our duty to chastise, should not those examples of violence before their eyes have this effect. Brethren, I will carry your Messages to the other Nations: they are intended for myself, as it is a business too serious to be trifled with, or boys to be employed on; it is the happiness of ourselves, our women and children, and every thing dear to us, that we are endeavouring to preserve. Therefore there can be no doubt that I shall speak my sentiments fully and truly to all Nations upon it." (*A large string of white wampum.*)

Guyasutha then returned Captain *White Eyes* thanks on behalf of the *Six Nations* present, and told him as he had delivered their sentiments fully in the foregoing Speech, it was needless for them to say any thing more upon the subject, but desire him to be strong in restoring the tranquillity of the country, and that one of his people should accompany him in this good undertaking.

May 9. A Speech delivered by several Chiefs, *Six Nations* and *Delawares*.

"Brother: (the Governour of *Virginia*,) No doubt you have been informed by the officer commanding at this place of the misfortunes which have lately happened in this country. And we now declare to you, as well as to all our brethren, (the *English*,) that we had no suspicion of so much mischief being done, as we have always on our parts made it our constant study to promote the peace subsisting between our brethren (the *English*) and us, and we also assure you that we still continue to preserve that chain of friendship; and we hope that such of you, our brethren, the white people, who are in authority, will do every thing in your powers to prevent your rash people from committing further hostilities upon us.

"Brother: We have to request you in a particular manner to be strong, and consider what may be best to be done with those flagrant offenders of our peace.

"As to us, we have the satisfaction to inform you, that we have received a message from the Lower Towns, informing us that all the *Indians* there remained quiet, and that they have submitted the loss they have sustained to the candour and justice of your wise people." (*A belt.*)

May 16. A Message delivered by five principal men of the *Delawares* from *Custaloga*.

"Brethren: (the *English*,) I have received your several messages since the outrages committed upon the *Indians*, and with respect to my people, I assure you, that we are perfectly well pleased with them. Our young men are following their employments as usual, relying entirely upon your sincerity and the hopes of your great men doing every thing in their power to redress the breach in our friendship; therefore, we have also to hope that what you have said to us upon this head comes from your hearts, and not with a design to amuse or deceive us, as we are upon our parts heartily disposed to preserve the strictest friendship with you." (*A string.*)

May 17. "Brother: (*Custaloga.*) We are glad to find by your Message, that you and your tribe are so well satified with our endeavours to reconcile the bad conduct of some rash, unthinking people, so injurious to the peace subsisting between you and us. The measures however, as well as concern, we have shown you upon this occasion, must be sufficient to convince you of the desire we have to live in amity with all our *Indian* brethren, and although the folly of a few individuals have given you some cause of complaint, yet the general conduct of your brethren, (the *English*) towards you must evince to you their sincerity as well as justice." (*A string.*)

May 21. Arrived, two messengers from *Newcomer's* Town, and delivered the following Speech in writing:

"Newcomer's Town, May 13, 1774.

"This day assembled in Council, King *Newcomer*, Captain *Kill Buck*, and *Thomas McKee*, together with several other chief men of the *Delawares*. They have received a Speech from *John Thompson* they did not approve of; and they now thought proper to acquaint their brothers at *Fort Pitt* of him, and would be very glad that our brothers would not take any notice of what he has to say to them, as he only speaks of himself, and there was none of us present; so we would be glad that our brothers of *Pennsylvania* and *Virginia* would not hear his speech. He tells us that he will speak to our brothers of *Pennsylvania*, that they should speak to the people of *Virginia*, and give them some physic to drink that will bring them to their senses again; this is what he has to say, but we hope that our brothers will not take any notice, or think any thing of it, as he cannot speak for us all."

"To our brothers Colonel Croghan, Captain McKee, and Captain Conolly."

Returned the following Answer:

"*May* 21. Brethren: (Chiefs of the *Delawares*,) We received your Speech of the 13th instant, by the two messengers you sent us, and we return you thanks for putting us on our guard against the bad man you have mentioned in it, (though he was known to us before,) and you may be assured that we shall not pay any regard to what he says to us, or to any other man that does not come with sufficient authority from you. Brethren, we desire you to be strong, and speak to your grand children, the *Shawanese*, and let them know, that any unruly conduct of theirs at this time will only produce more fatal consequences than has already happened, and that the number of people who yet desire to live and preserve the peace of this

Digitized by Google

country are far superior to those bad people who desire the contrary, so that if they study their real interest they will not delay to inform us of their sentiments, as they must be convinced that our whole country are now collected in bodies and waiting to hear from them. Brethren, we desire your young men may be informed, that we shall be glad to see them come here and trade as usual." (*A string.*)

May 25. *White Eyes*, after delivering the Condolence Speeches to the *Delawares* at the *Newcomer's* Town, received the following Answer, directed to their brethren, the *English*:

"Brethren: We are glad to receive your messages now delivered to us by Captain *White Eyes* upon the late disturbances which have happened between our young men, and we return you thanks for the speedy measures you have taken to speak to us upon it. We are entirely satisfied upon this account, and banish every thing which could give us uneasiness from our hearts, as you desire us, and we likewise request that you will do the same, that nothing may remain upon either side to discontent us." (*A string.*)

"Brethren: We have too great a regard for the ancient friendship established between you and us. and which has so long subsisted between our forefathers, to suffer the conduct of foolish men to have any bad effect upon it, or to weaken our good intentions in the least, so as to loosen our hands from the hold we have of it; therefore we do not look towards the evil that has been done, with any resentment in our minds, but with a desire to have it buried in oblivion, as well as every thing else which has an appearance of disturbing our future tranquillity. Be strong brethren, and think favourably of our peace as we do, and we shall be too powerful for any bad people, who are not inclined to listen to or preserve it as we do. Brethren, when our wise people concluded the peace which subsists between us, it was mutually agreed between them, that though probably we might lose people on both sides by the rashness or folly of bad men, that it ought not, nor should not, have any evil effect upon the amity settled by them, and this is still what we adhere to. Brethren, last of all we spoke to our grandchildren, the *Shawanese*, upon this head, and desired them to keep their young imprudent men from doing mischief, and this advice we have again given them at this time. (*A belt.*)

"Brethren: The road which you have cleared between you and us, we now, by this string of wampum, upon our parts, remove every obstacle that may impede our travelling it with satisfaction, and we desire that our young men may be permitted to continue their trade as usual. Those white people who are in our towns to the number of eleven, you will see in a few days, who are going to *Pittsburgh* under the protection of your brethren the *Delawares*, and as soon as matters wear a more favourable aspect we shall expect them to return to our towns." (*A string.*)

The *Shawanese* then delivered the following Answer to the Condolence Speeches and Message sent them:

"Brothers: (Captain *Conolly*, Mr. *McKee*, and Mr. *Croghan*,) We have received your Speeches by *White Eyes*, and as to what Mr. *Croghan* and Mr. *McKee* says, we look upon it all to be lies, and perhaps what you say may be lies also; but as it is the first time you have spoke to us, we listen to you and expect that what we may hear from you will be more confined to truth than what we usually hear from the white people. It is you who are frequently passing down and up the *Ohio*, and making settlements upon it, and as you have informed us that your wise people were met together to consult upon this matter, we desire you to be strong and consider it well.

"Brethren: We see you speak to us at the head of your warriors, who you have collected together at sundry places upon this river, where we understand they are building forts, and as you have requested us to listen to you, we will do it, but in the same manner that you appear to speak to us. Our people at the Lower Towns have no Chiefs amongst them, but are all warriors, and are also preparing themselves to be in readiness, that they may be better able to hear what you have to say.

"You tell us not to take any notice of what your people have done to us; we desire you likewise not to take any notice of what our young men may now be doing, and as no doubt you can command your warriors when you desire them to listen to you, we have reason to expect that ours will take the same advice when we require it, that is, when we have heard from the Governour of *Virginia*.

"Brethren: (of *Pennsylvania*,) It is some years ago since we had the satisfaction to see you at *Pittsburgh*, when you came there to renew the ancient friendship that subsisted between our forefathers; and it gave us great pleasure to assist you in the great work, when the path was opened between you and us, and we now tell you that your traders who have travelled it, shall return the same road in peace, and we desire our grandfathers, the *Delawares*, to be strong in conducting them safe to you." (*A string.*)

May 26. The *Indians* expressing a desire of hearing their brethren of *Pennsylvania* speak to them, Captain *St. Clair*, on behalf of that Province, addressed them as follows:

"Brothers: (*Six Nations* and *Delawares*,) We have heard your good Speeches, and I am come from your brother of *Pennsylvania* to thank you for the care and pains you have taken to preserve the general peace. We are determined to do all in our power to maintain the friendship that subsists between us and our brethren the *Six Nations* and *Delawares* entire; but as our people are alarmed at what has happened with the *Shawanese*, we recommend it to you to prevent your people from hunting amongst us for some time, as our people will not be able to distinguish betwixt them and others. We wish, and will endeavour to keep the path open to our brethren, and keep bright that chain of friendship betwixt us which was so long held fast by their and our forefathers.

"Signed, Ar. St. Clair."

The *Delawares* then returned thanks for the good opinion their brethren of *Pennsylvania* had expressed of them, and that their sentiments corresponded so nearly with their own, with respect to keeping whole their ancient friendship, and they called upon their uncles, the *Six Nations*, to be witness to their now declaring that they were determined to preserve it unshaken and unhurt from the attacks of bad people.

Guyasutha then told his nephews, the *Delawares*, that he was rejoiced to find them so determined upon supporting the good order and peace of the country. That they might always depend upon being backed by the *Six Nations* in so laudable a resolution, who were so strongly linked in friendship with the *English*, that it was not to be broken; therefore, what they had now heard from them was very agreeable.

May 26. A Speech delivered the *Delawares* upon receiving their answer to the Condolence Messages that had been sent them, and which was delivered by Captain *White Eyes*:

"Brothers: We are glad to find that our former friendship is not to be hurt by what has happened between our young people and yours, and as we have been very sorry for it, we now at your request, remove the trouble from our hearts, and desire that you may do the same, so that nothing but friendship may be thought of between us.

"Brothers: We are glad to find that you are so friendly and considerate as not to allow the rash actions of young foolish people to break in upon our former friendship, and as you desire it may be forget, we hope it will, and that we never have cause of future disturbance. You may be assured that we are strong on our parts to maintain the strictest friendship with our brethren the *Delawares*, and are sure that we will be able for any bad people that may want to interrupt it; what you observe as to the good understanding between us and you, we have an eye to, and think as you do, that the rashness of foolish young men should not interrupt. We thank you for the pains you have taken to speak to your grandchildren, the *Shawanese*, and for the advice you have given them. (*A string.*)

"Brothers: We have heard the *Shawanese* Answer to our Message by you, and we understand it; we are sorry that they should be so foolish as not to listen to reason; but since we think they will not, we must desire our brethren, the *Delawares*, to withdraw themselves from amongst them, that no evil may happen them by accident, which would give us great concern. We, likewise, once

Digitized by Google

more desire such of our brethren, the *Six Nations*, as may be amongst them to come away also, and listen to their own Chiefs as they have been often desired. We are sorry to think that the *Shawanese* want to destroy themselves, and be no longer a people; for if they attempt to kill any of us, for what has happened owing to bad young men, our warriors will fall upon them, and they must expect nothing but chastisement; therefore, I must desire you my brothers to remove yourselves from those bad people, that we may know our friends. They say that the traders among them shall return safe. I hope they speak true, as that may be a great means to prevent mischief. (*A belt.*)

"BRETHREN: We clearly see that the road between you and us is open if it were not for bad people, but we hope that will not prevent our intercourse with you as usual. We thank you for the mark of your friendship in bringing in our people, the traders, safe to us; and we promise when matters are better settled, they shall trade with you as formerly." (*A string.*)

Captain *White Eyes* then Replied:

"BRETHREN: We are very glad to hear what you have now said, and we find that you would willingly preserve the peace. We shall inform all the Nations in friendship with us of what has passed between us at this time, and in one month will be able to complete this design, and then we shall be able to distingnish those who are inclined to listen to our wise people and preserve the peace from those that choose to speak by their warriors; this will afford time for those who are inclined to remove themselves to their Chiefs, and give an opportunity to the warriors to speak to one another."

June 1. A party of *Moravian Indians* came in, with one of the missionaries residing amongst them and his family, with a quantity of peltry belonging to our traders.

Those *Indians* say that they were informed on their way hither, that a principal man of the *Delawares*, who had gone to the lower *Shawanese* Town after *White Eyes'* messages were delivered to the *Shawanese*, in order to hear news, has returned, and brought an account that the traders there were still alive, and that the *Shawanese* Chiefs there had spoke boldly in defence of them to the *Mingoes*, who were the only people constantly attempting to put them to death; but that the *Shawanese* had told the *Mingoes* that they had brought the traders amongst them, and were determined to protect them in their bosoms until they could return them safe home; and that if the *Mingoes* could not be satisfied without taking revenge upon the white people for the loss they had sustained, that they must look for it a greater distance than in their towns upon the people whom they had pledged their faith to preserve. Those *Indians* further say, that the chief disturbances amongst them appears to be only at a small village upon *Muskingum*, called *Waketummakie*, composed mostly of the friends of the people who have been killed. And that the *Mingoes*, as the greatest sufferers, are most enraged; however, that the party collected to strike the *Virginians* were not gone a few days ago, and that if they could not be prevented from their rash undertaking, that the *Newcomer*, Chief of the *Delawares*, was determined to send runners to apprise us of them, as they attempted to proceed to war.

June 5. Two messengers, from the *Newcomer*, arrived with an account that five days ago, one *Conner*, a white man, who lives at the *Snake's* Town upon *Muskingum*, had returned home from the place the traders were making their canoes, and informed them that the traders were all safe, to the number of twenty-seven or thirty, and that the *Shawanese* had taken great pains in protecting them, and was about sending them off with their peltry, with some of their young men, and some *Delawares*, to protect them upon their way up to *Pittsburgh*.

These messengers further say, that all the towns as well as the *Shawanese* are now quiet, and that their Chiefs have been able to prevail over their rash and foolish young men who wanted to take revenge on the white people for their loss, except two small parties consisting of thirteen men in the whole, who were friends of the *Indians* that suffered and could not be restrained, though their Chiefs did every thing in their power to prevent them from the bad undertaking; that they hoped their brethren the *English* would not blame them, or think that they countenanced any evil that might be committed by these rash men, who have stole away from them to do mischief contrary to their Chiefs' advice, and are chiefly all *Mingoes* who have had the most relations killed; that one party has been out eleven days, and was to return in fifteen, and intended against that part of the river where their friends were put to death, or somewhere else below that, upon *Virginia*. The above party having declared that as soon as they have taken revenge for their people, and returned home, that they would then sit down and listen to their Chiefs.

The above messengers also say that the day they left home a runner came in there from five *Cherokees* that were to be in the day following upon business, and that the *Delawares* would inform us of it as soon as it was known. And they also say that they heard that one of the before mentioned parties who had gone to take revenge upon the white people were returned, and had killed one man.

They then produced some belts of wampum, which had been delivered to them by Sir *William Johnson*, several years ago, desiring them to collect themselves together, and sit in the centre between their brethren the white people, *Six Nations*, and Western *Indians*, where they were required to hold fast by the middle of the chain of friendship, and that they were thereby empowered to speak strongly to any Nation who might attempt to disturb it.

Answer:

"BRETHREN: We return you thanks for the trouble you have taken to bring us the news we have now heard from you, and we esteem it as a proof of your sincerity and good inclination to preserve the peace of the country, as well as those belts you have laid before us, convinces us that you still bear in remembrance the former friendship that has been contracted with you. Be strong brethren in doing what you have been desired upon them; you have now an opportunity of exerting your good intentions that way, by speaking to those foolish people, who have not listened to the accommodation our wise people were endeavouring to make of the late unhappy disturbances, for you must be convinced that every mischief that may be committed at this time, is widening the breach, and of consequence involving us on both sides in greater difficulties. Therefore we have nothing more to say to you at present, than to recommend to you to follow the advice that has been sent to you by Captain *White Eyes*, which was to abstract yourselves from bad people who may be obstinate in pursuing their own destruction."

Answer to the Speech of the *Indians* of the *Six Nations* and *Delawares*, dated *Pittsburgh, May* 7, 1774.

"BROTHERS: I have been informed of the misfortunes that have lately happened in the neighbourhood of *Pittsburgh*, and have received your speech on the occasion; and I lament no less those that have befallen my brothers, the *Indians*, than those that have happened to my fellow-subjects, the *English*.

From the accounts I have received however, the *Indians* have been the aggressors, and thereby the occasion of the fatal consequences which have ensued. But as you my brethren say, that you always on your parts have made it your constant study to promote the peace subsisting between you and us, and still continue to preserve that chain of friendship, so I take this opportunity of assuring you that your brethren, the *Virginians*, do cordially love you, and hope always to live in peace, amity, and good correspondence with you. And to that end, if you can point out the offenders against our peace, we will on our parts omit nothing in our power to overtake the transgressors on our side with the punishment due to such crimes.

I rejoice at the information you give me of the good disposition of the *Indians* of the Lower Towns, and you may assure them that their complaints when they reach us shall be attended to with that candour and justice to which they submit them, and which is due to them. DUNMORE."

Williamsburg, May 29, 1774.

June 9. A Message sent with Lord *Dunmore's* Speech to the *Six Nations* and *Delawares*.

Digitized by Google

"BRETHREN: We herewith send you the head-man of *Virginia's* answer to your message of the 7th *May*, 1774, who is, you see, much concerned for the unlucky disputes which happened between us and you, and you must observe his speech is very friendly and good towards the *Six Nations* and *Delawares*.

"But, brethren, as the *Mingoes* and *Shawanese* have since struck us, notwithstanding our endeavours to restore friendship, we have now upon this account, again to desire your people to withdraw from amongst them that no injury may happen to you. Brothers, you will send the head-man of *Virginia's* speech to Captain *White Eyes*, and our brothers of the *Six Nations*, in order to show them that he is determined to hold fast by the ancient chain of friendship."

WILLIAM THOMPSON TO GOVERNOUR PENN.

Cumberland County, 22d June, 1774.

MAY IT PLEASE YOUR HONOUR: I have, by the bearer, Dr. *McKenzie*, received many letters from the people of *Westmoreland* County, informing me of one *McClure* being killed, and one *Kincade* being wounded, at *Ten Mile Creek*, the particulars of which the Doctor will acquaint you with. The people have requested I should lay their distresses before your Honour, and in their names pray your assistance in granting such support as may enable them to keep possession of the country, and say that if immediate relief is not sent them, all the country west of the *Alleghany* Mountains will be evacuated.

As the Doctor takes down a number of petitions, and I have wrote you a few days since concerning the difficulties of the back inhabitants, I shall trouble you no more at this time, and hope their alarming situation, and the expectation they have that I will assist them, as well with your Honour as in the Assembly, will excuse the liberties taken by your Honour's most obedient humble servant,

WILLIAM THOMPSON.

To the Honourable *John Penn*, Esq.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, June 26th, 1774.

SIR: I have the honour to transmit a memorial from the inhabitants of *Pittsburgh* to your Honour, with some remarks upon Mr. *Conolly's* conduct in support of it, which came to my hands a few minutes ago. It is most certain, sir, they are most injuriously treated. The only piece of news from above, since my last, is, that Mr. *Conolly* sent two parties down the river in pursuit of the *Shawanese* who escorted the traders, who intercepted them at *Beaver Creek*, fired on them, and wounded one, and then ran off in the most dastardly manner. What may be the consequence *God* knows, but it is well if the traders do not suffer yet; their horses and peltry are not yet arrived.

Mr. *McFarlane* has just arrived from *Virginia*, and reports that four companies are on their march to *Pittsburgh*. I think he must be mistaken, both as their militia law is expired, and that it is not an easy matter to conduct so large a body through an uninhabited country, where no magazines are established. Any occurrences worthy of your notice shall be intimated by every opportunity.

I am, sir, your Honour's most obedient and most humble servant, AR. ST. CLAIR.

MEMORIAL TO GOVERNOUR PENN FROM THE INHABITANTS OF PITTSBURGH.

Pittsburgh, June 25, 1774.

To the Honourable JOHN PENN, Esq., *Governour and joint Proprietor of the Province of* PENNSYLVANIA, &c.

The memorial of the subscribers, in behalf of themselves and the remaining few inhabitants of *Pittsburgh* who have adhered to the Government of *Pennsylvania*, humbly sheweth, That your memorialists have suffered in an unprecedented manner by the arbitrary proceedings of Doctor *Conolly*, since the commencement of his tyrannical Government at *Pittsburgh*. The principal facts we shall beg leave to lay before your Honour, as followeth: Soon after the return of the Magistrates of this place from *Staunton* jail in *Virginia*, Mr. *Conolly* being extremely enraged that Mr. *Mackay* should acquaint Lord *Dunmore* with his tyrannical behaviour, took all opportunities to affront and use Mr. *Mackay* ill, so that in a few days after he ordered Mr. *Mackay's* outhouses to be pulled down, and the materials to be carried to his garrison; and when Mr. *Mackay* complained of such oppressive measures, he was threatened by Doctor *Conolly* to be sent in irons to *Williamsburg*.

Mr. *William Butler*, (one of the subscribers,) and an eminent trader at this place, has been cruelly treated by Mr. *Conolly*, nay, was threatened to be shot down, for daring to refuse carrying arms at Mr. *Conolly's* militia array, &c. That your memorialists are of opinion that Mr. *Conolly* has taken all the pains in his power to foment the disturbance between us and the *Indians*, for several reasons, particularly when a number of the traders arrived here lately from the *Shawanese* Towns, escorted by three *Shawanese* Chiefs, who were sent to the care of Colonel *Croghan*, till a handsome present was made for them, by the traders for their fidelity, Doctor *Conolly* ordered out forty-one of his militia to take them at all events, and to send them to his guard house, which hellish plot being discovered, Mr. *Butler*, and some other friends, conveyed the *Indians* and their presents over the river, just as the guard surrounded Mr. *Croghan's* house, for which Mr. *Butler* has been severely threatened.

That a number of the subscribers, &c., have been very severely treated by Mr. *Conolly* for our adherence to the *Pennsylvania* Government, which, for brevity sake, must be omitted.

The premises considered, your memorialists most earnestly request your Honour will fall upon some speedy method to relieve our distresses, and to send us directions, as soon as possible, how to act on this very critical occasion.

For a further explanation of our distresses we beg leave to refer your Honour to the enclosed remarks, which are absolute facts.

Æneas Mackay,	Frederick Farry,	William Evans,
Devereux Smith,	Robert McCully,	William Amberson,
John Ormsby,	George McCully,	William Hamilton,
Richard Britter,	John Shannon,	James Smith,
William Butler,	Gabriel Walker,	John Irwin,
James O'Hara,	John Walker,	Robert Elliott,
James Fowler,	Benjamin Elliott,	Richard Carson,
Joseph Spear,	Alexander Wayne,	Joseph Carrel,
Andrew Robinson,	Ralph Nailer,	Stephen Groves.

REMARKS ON THE PROCEEDINGS OF DR. CONOLLY.

Pittsburgh, June 25th, 1774.

The distressed inhabitants of this place have just cause to charge their present calamity and dread of an *Indian* war entirely to the tyrannical and unprecedented conduct of Doctor *Conolly*, whose design, as we conceive, is to better his almost desperate circumstances upon the distress of the public, and the ruin of our fortunes, as will appear from the following facts:

1st. On the 25th day of *January* last, a number of disorderly persons assembled themselves here in consequence of his advertisements, (as militia,) who, when dispersing, wantonly and maliciously fired upon some friendly *Indians* in their huts on the *Indian* shore, which conduct, together with so unexpected an appearance of so many people in arms, at a time when they expected no hostile intentions on our part, greatly alarmed them, as appeared by a complaint made by them at a council with *Alexander McKee*, Esq., *Indian* Agent, and some of the inhabitants of this place, a few days after.

2d. *Michael Cresap*, in vindication of his own conduct, alleges, that it was in consequence of a circular letter from said *Conolly*, directed to the inhabitants on the *Ohio*, that he murdered the *Indians*, and that in a manner that savage ferocity could scarcely equal, and in cold blood, without the least provocation, amongst whom was some *Delawares* that had been employed by Mr. *William Butler* to carry goods and hands to the relief of his brother, who was at that time in the *Indian* country, all which property they have been deprived of to a considerable amount. Also, every part of said *Conolly's* conduct to our friendly *Indians* convinces us that he means to force them to a war, as he both refuses to protect, and endeavours to murder those, that, at the risk of their lives, came with our traders to pro-

Digitized by Google

tect them, and to deliver assurances of their friendship to the publick, which can be produced if required.

3d. A large body of armed men broke open Mr. *Mackay's* and Mr. *Smith's* back yard gates, and rescued the villain *Reily*, who was sworn constable for *Westmoreland* County at that time, and was confined for abusing said *Mackay* in his own house; five of those men presented their guns at Mr. *Mackay* and Mr. *Smith*. Also, one of the party struck at Mr. *Mackay* with his gun and broke it in pieces, while another presented his rifle through his parlour window, swearing that he would shoot down Mrs. *Mackay* if she did not immediately set open the doors of her house; upon which she fled, but was immediately assaulted by one *Aston* (a Captain of said *Conolly's* appointment) with a drawn sword, who stabbed her in the arm. Mr. *Spear* was also abused, and scratched, by said *Aston*, at the same time.

4th. Said *Conolly*, with an armed force of two hundred men, surrounded the Court House, &c.

5th. He sent *Æneas Mackay*, *Devereux Smith*, and *Andrew McFarlane*, Magistrates, under an armed guard, to *Staunton* jail, in *Virginia*, then proceeded to shoot down our cattle, sheep and hogs, taking, by force of arms, any part of our property he pleases; also, pressing our horses without applying for them, or rendering any satisfaction to the sufferers for so doing.

6th. He sent an armed guard to town to plunder the house of Mr. *Devereux Smith*, but was prevented by Mr. *William Butler* at the risk of his life.

7th. He, *Conolly*, with his whole force, came to the house of Mr. *Mackay*, broke open his gates, and pulled down a log stable and sheep house, threatening to pull down his dwelling house if he thought proper. He came again, accompanied by one of his officers, to Mr. *Mackay's*, and abused him in a blasphemous, outrageous manner, threatening to send him in irons to *Virginia* the next day.

8th. He sent an armed guard to town with a general search warrant to search every house in town without exception, for the effects of a man that died the evening before in their fort, that some of themselves had robbed his corpse off. In the course of their search they broke open a chest in a man's house that bears a good character here, and took out several articles, and at the same time insulted the owner.

9th. He sent a party who robbed Mr. *Joseph Spear's* carriers of one horse load of gunpowder, about six miles from town, which was sent by said *Spear* for the use of the inhabitants of this county, if necessity required. This robbery was committed by a party headed by the aforesaid *Aston*, who beat and insolently abused the person who had said powder in charge, when he demanded a receipt for the same.

These are but a few of the many distresses we labour under, and without protection and speedy redress cannot long support ourselves under such grievances, persecution and tyranny.

THE COMMITTEE OF CORRESPONDENCE OF PENNSYLVANIA TO THE COMMITTEE OF CORRESPONDENCE OF MASSACHUSETTS BAY.

Philadelphia, June 28, 1774.

GENTLEMEN: Your favour of the 28th ult., communicating to us, by order of your House, the Act of Parliament, "To discontinue, in such manner, and for such time, "as are therein mentioned, the landing and discharging, "lading and shipping, of goods, wares, and merchandise, "at the town, and within the harbour of *Boston*," &c., is now before us, and we shall take the earliest opportunity to lay it before the House of Representatives of this Province.

We cannot consider this measure in any other light than an additional proof of a resolution in the mother state to draw a revenue from the subject in *America* without his consent. And, on this principle, we conclude that every *British American* Colony will esteem themselves intimately concerned in it. Under this idea of the intention of Parliament, it certainly behooves us coolly and dispassionately to meditate on the consequences, and to leave no rational or probable means unessayed to avoid them, and to obtain that relief which our rights as *English* subjects entitle us to demand.

What those means ought to be, we think the several branches of the *American* Legislatures, in which the people are constitutionally represented, and who are vested with their whole powers, ought to determine. We, therefore, only presume to give you our private sentiments, which must ever be subject to the amendment and controul of the body, of which we are only members, when we again mix with them.

We hope, and earnestly recommend, that the great cause of *American* rights may be left to the management of the Representatives of the people in every Colony, as they alone are vested with a constitutional power of inquiring into, and redressing those grievances, under which the subject may at any time be oppressed. Until this measure shall be fairly attempted, and a failure shall ensue, we cannot conceive the present dispute between *Great Britain* and the Colonies, can, with any propriety or prudence, be assumed by any other person whatever, or that in other hands any good consequences can be rationally expected. And as we are in a state of society where order, reason, and policy, ought to prevail, every measure which can only serve to irritate, and not convince, every act of violence, or even the appearance of it, should be carefully avoided, as they cannot, under our present circumstances, obtain us that relief we desire, and have a right to expect; but, on the contrary, may involve all *America* in difficulties which no after-wisdom or prudence can surmount.

A Congress of Delegates, chosen either by the Representatives in Assembly, or by them in Convention, appears to us the first proper step to be taken. Nor are we dubious but that it may be happily effected in a short time, should calm and prudent measures be pursued to obtain it. In this Congress, composed of the Representatives, constitutionally chosen, of all concerned, and who would of course act with weight and authority, something might be produced, by their united wisdom, to ascertain our rights, and establish a political union between the two countries, with the assent of both, which would effectually secure to *Americans* their future rights and privileges. Any thing short of this will leave the Colonies in their present precarious state; disunited among themselves, unsettled in their rights, ignorant of their duties, and destitute of that connection with *Great Britain* which is indispensably necessary to the safety and happiness of both. We are, &c.,

JOSEPH GALLOWAY, *Speaker*.
SAMUEL RHOADS,
WILLIAM RODMAN,
ISAAC PEARSON,
Committee of Correspondence.*

To the Committee of Correspondence of the Province of the *Massachusetts Bay*.

P. S. The Assembly of this Province are summoned, by the Governour's writs, to meet on the 18th of next month.

* NEW-YORK, *July* 14, 1774.—The *Philadelphia* paper of *Monday* last contains a letter from *Joseph Galloway*, (who styles himself Speaker,) and three others, who call themselves the Committee of Correspondence in the Province of *Pennsylvania*, to the Committee of Correspondence of the Province of *Massachusetts Bay*.

It does not appear by what authority these gentlemen have taken upon themselves to act as a Committee of Correspondence for the Province on this affair. The papers give an account of a more numerous Committee, composed of men of very different characters. The style and substance of the letter itself, though such as might be expected from the author of a well known piece published some years ago, signed *Americanus*, (in favour of the Stamp Act, and arbitrary power,) is by no means consistent, in style or sentiment, with the letters and resolves of any of the other Colonies; but, on the contrary, has a manifest tendency to discourage the people from doing any thing to the purpose on the present emergency. It does not so much as imply a censure upon the tyrannical Acts of the *British* Parliament, nor deny their authority, nor propose any means of preventing their effect, but rather suggests a submission to them. It denies the power of the people to do any thing, and absurdly asserts, that the sole power is constitutionally vested in the Representatives chosen by the people for the ordinary General Assembly; as if the people had no right to choose Delegates for any other purpose, or as if those chosen for the ordinary business of Assemblies were without a special commission from the people, authorized to determine upon so extraordinary and important a case as this. In short, it appears that Mr. *Galloway*, and the three other signers, have officiously taken upon them to write this letter, without any due authority from the people of the Province, who will disown the whole of it, and authorize their true Committee to write a letter that will really be to the purpose.

Digitized by Google

Boston, June 27, 1774.

The present dispute seems confined to these two sentiments: either to pay, or not to pay for the tea. They are very opposite; therefore, without doubt, it will be a long time before we are united on this point. Those who are for paying, bring these arguments to support it: that "the tea belonged to private persons, consequently was "private property, and it is but an act of justice we should "pay for it, by which means our harbour will be opened, "and trade carried on as usual."

Be not deceived, my countrymen; examine well these principles before you endeavour to put them in execution. Our unhappiness in this case is, we do not look far enough—we skim the surface of this Ministerial manœuvre; but let us drop the plumb and endeavour to find out its sounding. Every one knows the fatal consequences of the *East India* Company's sending their teas into *America*. It appeared to be a Ministerial measure to secure the revenue and establish a monopoly. We were alarmed at the consequences, and received it as an attack upon our liberty. Frequent meetings were held to ward off this impending evil, but all to no purpose. Our Committees were treated with disdain, our very Assemblies were looked upon as riots. The people were reduced to this deplorable circumstance, either to submit to their ruin, or destroy it. Could *Americans* long halt between two opinions? No, they destroyed it. The affair goes over to *England*; we hear little about it until an Act of Parliament is passed to block up the port of *Boston*; and all for what? Because we destroyed this cargo of *India* tea. We hear not a word of any private company appearing in this whole transaction, not a mention of private property, but Government takes the matter up, and chastises us by an Act of Parliament. Ships and troops are sent out on Government expense, and the whole plan of resentment is Governmental.

Considering circumstances as they really are, and viewing all measures from beginning to end, can we with any propriety talk of private interest, or think of paying for it on those principles? As well might we pay for the expense of powder and ball used on the night of the 5th of *March* to destroy our fellow-inhabitants. Sending the tea was a Ministerial measure to establish the revenue plan, and happily for us we showed our resentment and nipped it in the bud. I cannot see, unless we give up the very point in question, viz: the right of taxation, the propriety of our paying for this tea. Their sending it was as much designed to establish the revenue, as the powder and ball used by the soldiers was designed to destroy. If designed to establish the revenue, our opposition to it was uniform, and we could not suffer it to be landed consistent with our declared sentiments. We have, in the course of this debate with *Great Britain*, paid for many things we did; destroying the Governour's house, making restitution to the Stamp Master, and many other officers, &c. We have been at great expenses in smaller matters; such as charges on re-shipping goods in the non-importation; all which we have paid, hoping to conciliate measures; but behold what have been their effect. We are loaded with fresh impositions; new plans are entered into, taking encouragement from our former charges, that we shall still continue to do so; therefore try the matter on, not doubting, if we destroy, the conscientious *Americans* will satisfy all who suffer, by a satisfactory payment. In this way peace cannot be established, but new measures will be for ever plotting to ruin and destroy us. Therefore, in conscience to the cause, the regard I have for the liberties of my country, and my aversion to all measures intended to destroy those liberties, I must declare against paying for the tea, though asked for on much more simple terms than required in the late Act, or without any restrictions of wharfs, &c., whatever. But what greatly astonishes me is, that the people who pretend to be friends to *American* liberty, should so strongly urge a payment, and comply with the terms of the Act.

No man who understands the nature of the *English* Constitution, can, with any degree of spirit, read over so arbitrary an edict; the blood of an *Englishman* must boil at every sentence. Magna Charta, that secures the property and person of the meanest beggar, is basely leaped over, and the people who pretend to the least shadow of liberty, must, so far from feeling any inclination to comply with it, rather starve than harbour such despicable notions. The properties of a people are taken from them, their wharfs or warehouses, which perhaps are their only support, are rendered useless, or, at best, lay at the will of some infamous man in power. Where, then, is our security? The day we pay for that tea, under the present restrictions, that very day we become slaves. Whatever may be our boasted liberties, we are slaves in the most extensive degree. No people are free, when any power can take from them any part of their property without their consent; much more that people, whose whole property lays at the mercy of a foreign edict. Consider, my countrymen, before you take any measures in the case, the liberties of *America* depend on the determination of this late Act. We are now, though reduced by the stoppage of commerce, freemen, but remember, and let it sink deep into your hearts, the day we comply with the stricture of that Act, we are slaves. Let this consideration stop you in the career of settling this important point. It is the cause of the whole; let not a few individuals pretend to settle a point that so nearly concerns the whole. Our brethren in *Virginia* view it in this light; they look upon it as an attack upon the liberties of all the Colonies. For the same power that destroys the liberties of one Colony, will destroy the whole.

Here some may stop and say, "We do not mean to "give up the rights of the Colonies; we doubt not, when "we have discharged the debt of the tea, and paid all offi-"cers their demands, his Majesty and his Privy Council "will pity our situation, and restore our wharfs, as usual." Dreadful, indeed, at this time of day! An *American's* property and liberty are become matters of indulgence, rather than right. It then lays entirely at his Majesty's and Privy Council's mercy, whether any freeholder shall enjoy the suffrages of his own estate. I hope these are not the real sentiments of these people, but only flights of confused ideas, which poverty and famine have raised. Such submissive sentiments cannot come from the hearts of friends to *American* liberties. I must assert that the Act passed for blocking up the port of *Boston* is a more violent attack upon the liberties of *America*, than any measure before taken by Administration, and the man who would comply with the terms of it, deserves to have his name erased from the catalogue of freemen, and become unworthy the character of an *American*. We do not pretend to hold our property on the fickle tenure of indulgencies of Parliament, but on the firm foundation of right. Neither can we tamely give our compliance to an edict, let it come from whence it will, that strikes at an essential pier of that foundation. But I will give full scope to this last argument: "They doubt not his Majesty will pity our situation, and restore our wharfs," &c. From whence have they received these strong hopes? I augur we shall find it a much more difficult case to get our wharfs restored by a speedy compliance, than our standing out in opposition. We cannot put our trust in Princes, neither in any son of man. It is hard trusting to some ruling men, and heaving ourselves entirely on their mercy. Before we have some certainty we must doubt it. If measures are pursued correspondent with their declared sentiments, we have great reason to doubt it. A certain noble Lord, I cannot think, would act so inconsistent with his own sentiments, as to give up the darling point of chastising a number of men, by rendering their property useless, when it is in his power so to do. For, remember, you heave yourselves on the mercy of those who made this Act, and all you now ask are matters of indulgence. Please not yourselves with such chimeras. When the rights of *Americans* hang on the friendly will of men now in power, farewell *American* liberty.

Let us examine the transactions of late years, and see if we can find any one action that will justify our favourable surmises. *Grenville*, flushed with the expectation of a large revenue from *America*, brought forward the Stamp Act. *America* united to oppose it, and it was repealed. Immediately they passed a Declaratory Act, whose intent needs no comments. About twelve months after came out the Revenue Act, and to this day continues in force. Petitions after Petitions were sent, but, far from granting a favourable ear, they were treated with contempt.

Digitized by Google

Troops and navies have been sent to force us into a compliance; every art has been used to intimidate us. Every one who is acquainted with the late transactions, must be convinced of a settled plan to enslave this country. What expectance, then, can we have on those who have endeavoured to effect this plan? Nothing, I doubt, but a fearful looking for of judgment. A speedy compliance with this Act seems parallel to the case with *Sampson* and the *Philistines*, who, after the enticing *Delilah*, had found where his strength lay, and clipped him of his lock, came upon him, bound the poor man neck and heels, and sent him to prison. So, when a certain noble Lord has found out how nearly affected we are with this plan, he will plume himself on our ready compliance, perhaps reduce us to the condition of prisoners, and draw new terms of reconciliation; construing, in their greatest latitude, the import of several clauses in the Act. Blocking up our harbour will ever be a rod suspended in the *British* Commons to chastise whatever opposition *Massachusetts*, or any other Province or Colony, may make to Parliamentary measures. Therefore, my countrymen, be not buoyed up with false notions, be not speedy in your doings, but wait patiently until we can hear from the other Colonies, and I doubt not we shall come into determinations effectually to frustrate this late Act. Be not terrified with the bugbear of your enemies, about troops being quartered in your houses, but convince the world that *Americans* fear nothing but slavery.

TOWN MEETING IN BOSTON.

At a Meeting of the Freeholders and other Inhabitants of the town of *Boston*, by adjournment, at Fanueil Hall, *June* 27th, 1774.

Mr. Samuel Adams, *Moderator*.

Upon a motion, *Voted*, That the Committee of Correspondence be directed to lay before the town the Letters wrote to the other Colonies, as well as those sent to the other towns in the Province, since the receipt of the *Boston* Port Bill.

The Hall not being sufficient to contain all the inhabitants assembled, the meeting was adjourned to the Old South Meeting House.

The town being again met, according to adjournment, a motion was made and passed, that all Letters received, as well as the Answers returned, be laid before the town and read.

After the Town Clerk had accordingly read a number of said letters, a motion was made that the said Vote be so far considered, as that the reading of all other letters previous to the Covenant sent into the country by the Committee of Correspondence, and the letters accompanying the same, be suspended for the present, and that the town proceed to the reading of the said Letter and Covenant, and any other letters that may be particularly called for. The said Covenant, and a number of letters, having been read, a motion was made that some censure be now passed by the town on the Committee of Correspondence, and that said Committee be annihilated.

Mr. *Adams*, the Moderator, then moved, that as the Committee of Correspondence for this town, of which he had the honour of being a member, was now to be considered, another Moderator might be chosen *pro tem*.

The Honourable *Thomas Cushing*, Esq., was accordingly chosen Moderator during that debate.

The motion for censuring and annihilating the Committee of Correspondence, was considered, and the gentlemen in favour of the motion patiently heard, but it being dark, and they declaring that they had further to offer, it was voted that the consideration thereof be referred to the next meeting, and the meeting was accordingly adjourned.

Tuesday, June 28th, ten o'clock: Met according to adjournment.

The motion for censuring and annihilating the Committee of Correspondence was again considered, and after long debates, the question was accordingly put, which passed in the negative by a vast majority.

It was then moved that the following Vote be passed, viz:

"That this town bear open testimony that they are abundantly satisfied of the upright intentions, and much approve the honest zeal of the Committee of Correspondence, and desire that they would persevere with their usual activity and firmness, continuing stedfast in the way of well doing."

And the question being put, passed in the affirmative by a vast majority.

The Committee on ways and means for employing the poor, acquainted the town that they had met, and had received very encouraging accounts of the readiness of their sister Colonies to assist us, and various proposals from sundry persons for employing the poor, upon which they were deliberating, but were not yet prepared to report, required farther time, which was allowed them.

Mr. *Adams* again in the Chair.

A motion made that this meeting be adjourned to *Tuesday*, the 19th of *July*, at ten o'clock, A. M., to meet at Fanueil Hall; and the meeting was adjourned accordingly.

Attest, William Cooper, *Town Clerk*.

Boston, June 29th, 1774.

Protest against the Proceedings of the Town Meeting in Boston, *on the 27th of* June, 1774.

Whereas at a meeting of the Freeholders and other Inhabitants of this town, held at Fanueil Hall, the 27th instant, and from thence adjourned to the South Meeting House, copies of certain circular letters, wrote by the Committee of Correspondence, so called, for this town, to the other towns in the Province, and other places on the Continent, and answers thereto from the several towns and Colonies, were read; likewise a certain circular letter, accompanied with a Solemn League and Covenant of a most dangerous nature and tendency, which hath been drawn up by the said Committee of Correspondence, copies whereof have been by them clandestinely dispersed through the Province, without the consent or knowledge of the town, and recommended to the people of the county to execute without loss of time, "least their enemies should defeat its purpose." These points being fully spoke to, with candour and moderation, by gentlemen of different sentiments, it was at length motioned and seconded, that the Committee of Correspondence be censured by the town, and dismissed from any further service in that capacity. After some discussion on the subject, and other letters produced and read, the question was put, and passed in the negative.

Wherefore, we, the dissentients, do now make this public and solemn Protest against the doings of the said Committee, as such, against the Solemn League and Covenant aforementioned, and against the proceedings of the town, so far as they have adopted the illegal proceedings of the said Committee of Correspondence, for the following reasons, viz:

First, because, with regard to the Solemn League and Covenant aforementioned, we look on it to be a base, wicked, and illegal measure, calculated to distress and ruin many merchants, shopkeepers, and others, in this metropolis, and affect the whole commercial interest of this Province; to put a check at once to our industry, by stopping the exportation of all the staple articles of our trade; such as oil, pot and pearl ash, flax seed, naval stores, lumber of all sorts, and likewise codfish, by way of *Spain* and *Portugal*, the proceeds of which go to *Great Britain* as remittances for goods. Also will put an end to a very valuable branch of trade to the Province of ship-builders; to create unhappy divisions in towns and in families; to open a door for the most wicked perjuries, and to introduce almost every species of evil that we have not yet felt, and cannot serve any good purpose.

Secondly, because that the Committee of Correspondence, in many of their letters, held forth principles, which, instead of extricating us from our difficulties, serve, in our opinions, still further to involve us, to which principles we cannot accede.

Thirdly, because that Committee of Correspondence, in some letters that were read from them to *New-York*, *Philadelphia*, and other places, particularly two to *New-York*, of the 28th and 30th *May*, have falsely, maliciously, and scandalously, vilified and abused the characters of many

Digitized by Google

of us, only for dissenting from them in opinion; a right which we shall claim so long as we hold any claim to freedom or liberty.

Benjamin Gridley,	Francis Greene,	Harrison Gray,
Benjamin Clark,	Nathaniel Coffin,	Joseph Greene,
William Taylor,	Ezekiel Goldthwait,	George Erving,
Gilbert Deblois,	Silvester Gardiner,	John Vassall,
John Taylor,	Byfield Lyde,	John Timmins,
Benjamin Green, Jr.,	Jonathan Simpson,	Benjamin Davis,
Thomas Knight,	George Bethune,	Benjamin Greene,
William Bowes,	Rufus Greene,	Stephen Greenleaf,
Peter Jobonnot,	William Coffin,	Isaac Winslow,
George Leonard,	Jeremiah Greene,	Richard Lechmere,
Thomas Apthrop,	James Boutineau,	Joshua Winslow,
James Selkrig,	Thomas Gray,	Daniel Hubbard,
David Greene,	Henry Lloyd,	John Erving, Jun.,
Lewis Deblois,	Samuel Fitch,	James Perkins,
James Asby,	William Coffin, 3d,	Isaac Winslow, Jun.,
John Inman,	Joseph Taylor,	Richard Smith,
Richard Sharwin,	Archibald McNeil,	John Atkinson,
Andrew Barclay,	Robert Jarvis,	Nathaniel Cary,
William Knutton,	James Hall,	Samuel H. Sparhawk,
William Perry,	John Berry.	Edward Foster,
David Mitchelson,	Hugh Tarbett,	Edward Cox,
Richard Hirons,	Abraham Ellison,	Thomas Aylwin,
Nathaniel Coffin, Jr.,	Patrick McMaster,	Ebenezer Bridgham,
Samuel Minott,	Joseph Wilson,	John Jarvis,
Archibald Wilson,	Frederick Roberts,	George Spooner,
Hawes Hatch,	John Agling,	William Blair,
William Codner,	Benjamin M. Holmes,	Harrison Gray, Jun.,
Edward King,	Henry Loddel,	James Anderson,
William Burton,	Jonathan Snelling,	Philip Dumaresq,
Hopestill Capen,	Theophilus Lillie,	John Cotton,
Gregory Townsend,	John Semple,	George Brindley,
Ziphion Thayer,	William Dickson,	Thomas Brindley,
Henry Lee,	Henry Laughton,	John Coffin,
Peter Hughes,	John Greenlaw,	Colborn Barrell,
Samuel Hughes,	John Winslow, Jun.,	James Forrest,
Benjamin Phillips,	Edward Stow,	William Apthrop,
Nathaniel Greenwood,	John White,	John Gore.
Job Wheelwright,	Nathaniel Hurd,	Adino Paddock,
John Burroughs, Jr.,	William Gazneau,	John Joy,
George Leesh,	Martin Gay,	Joseph Scott,
William Hunter,	John Haskins,	A. F. Phillips,
Samuel Greenwood,	William Jackson,	Samuel Rogers,
William Hutchins,	William McAlpine,	Joseph Greene.

PROVINCE OF MASSACHUSETTS BAY.

By the GOVERNOUR.—*A Proclamation for Discouraging certain illegal Combinations.*

Whereas certain persons, calling themselves a Committee of Correspondence for the town of *Boston*, have lately presumed to make, or cause to be made, a certain unlawful instrument, purporting to be a Solemn League and Covenant, intended to be signed by the inhabitants of this Province, whereby they are most solemnly to covenant and engage to suspend all commercial intercourse with the Island of *Great Britain*, until certain Acts of the *British* Parliament shall be repealed. And whereas printed copies of the said unlawful instrument have been transmitted by the aforesaid Committee of Correspondence, so called, to the several towns in this Province, accompanied with a scandalous, traiterous, and seditious letter, calculated to inflame the minds of the people, to disturb them with ill-grounded fears and jealousies, and to excite them to enter into an unwarrantable, hostile and traitorous combination, to distress the *British* Nation, by interrupting, obstructing and destroying her trade with the Colonies, contrary to their allegiance due to the King, and to the form and effect of divers statutes made for securing, encouraging, protecting and regulating the said trade, and destructive of the lawful authority of the *British* Parliament, and of the peace, good order and safety of the community. And whereas the inhabitants of this Province, not duly considering the high criminality and dangerous consequences to themselves, of such alarming and unprecedented combinations, may incautiously be attempted to join in the aforesaid unlawful League and Covenant, and thereby expose themselves to the fatal consequences of being considered as the declared and open enemies of the King, Parliament, and Kingdom of *Great Britain*.

In observance, therefore, of my duty to the King, in tenderness to the inhabitants of this Province, and to the end that none who may hereafter engage in such dangerous combinations, may plead, in excuse of their conduct, that they were ignorant of the crime in which they were involving themselves, I have thought fit to issue this Proclamation, hereby earnestly cautioning all persons whatsoever within this Province against signing the aforesaid, or a similar Covenant, or in any manner entering into, or being concerned in such unlawful, hostile and traitorous combinations, as they would avoid the pains and penalties due to such aggravated and dangerous offences.*

And I do hereby strictly enjoin and command all Magistrates and other officers within the several counties in this Province, that they take effectual care to apprehend and secure for trial all and every person who may hereafter presume to publish, or offer to others to be signed, or shall themselves sign the aforesaid, or a similar Covenant, or be in any wise aiding, abetting, advising, or assisting therein.

And the respective Sheriffs of the several counties within this Province, are hereby required to cause this Proclamation forthwith to be posted up in some publick place in each town, within their respective districts. Given under my hand, at *Salem*, the 29th day of *June*, 1774, in the fourteenth year of his Majesty's reign.

THOMAS GAGE.

By his Excellency's command, T. FLUCKER, *Secretary*.
GOD *save the King*.

RICHMOND COUNTY (VIRGINIA) RESOLUTIONS.

At a respectable Meeting of the Freeholders and Freemen of the County of *Richmond*, *Virginia*, after due notice to attend at the Court House of the said county, on *Wednesday*, the 29th of *June*, 1774, in order to give their sentiments to their late Representatives, invited to meet in *Williamsburg* on the first day of *August* next, to deliberate on matters of the utmost importance to this country, they, after making choice of the Reverend ISAAC WILLIAM GIBERNE as Moderator, came to the following Resolutions:

1st. That it is the undoubted right of the people of *British America* to be taxed only by their respective Provincial Assemblies, which right they claim from Charter, natural justice, and constant usage, ever since their first settlement in *America*; and that an attempt to force one Colony to pay a tax imposed by the *British* Legislature, where they had not, nor could have, any Representative, is a violent attack on their constitutional rights.

2d. They do respect the *Bostonians*, in their sister Colony of *Massachusetts Bay*, as suffering in the common cause of *British America*; and that the hostile attack now made on them by the Parliament of *Great Britain*, in blocking up their harbour, and violently taking away the property of many individuals, by preventing them the use of their wharfs, quays, &c., is an avowed intention to reduce all *America* to a state of slavery.

3d. It is the opinion of this meeting, that nothing will be more conducive to prevent such oppressions, than immediately to stop all imports from *Great Britain*, and at a short day, hereafter to be fixed, to stop all exports to *Great Britain* and the *West Indies*, until there is a total repeal of not only the Act called the *Boston* Port Act, but also of all the several Acts of the *British* Parliament laying taxes on the *Americans* for the purpose of raising a revenue, and those other Acts made against the rights of the people of *Massachusetts Bay*, on account of their virtuous opposition to the said Revenue Acts.

4th. It is also the opinion of this meeting, that immediately on the non-exportation plan taking place, the gentlemen of the bar shall not bring any suit for the recovery of any debts, or prosecute further any suit already brought, during the continuance of the former resolution, it being utterly inconsistent with such scheme for a man to be compelled to pay without the means wherewith he may pay.

* So far are the people of this Province from discovering the "high criminality" of "a certain instrument, purporting to be a "Solemn League and Covenant," that it has made more rapid progress through many towns, since *Thursday* last, than ever before. By what Act of the *British* Parliament, or clause in the Oath of Allegiance, are we inhibited from raising our own flax and wool, or encouraging our own manufactures in preference to those of any other country? If there be no Act of the *British* Parliament, or of the Province, against it, what are the "dangerous consequences" which we are told will ensue? A cool observer of the times cannot but smile to hear some connoisseurs say, that the trade of the Colonies is of no more importance to the mother country than a single thread in a whole piece; while others, with as high a tone, assure us, that to "suspend all commercial intercourse" with her, in one Province only, will "distress the *British* Nation." —BOSTON, *July* 4, 1774.

Digitized by Google

5th. This meeting do most heartily concur with their late Representatives in their resolve for the total disuse of tea; and do further Resolve, that they will not purchase any *East India* commodity whatsoever, except saltpetre, until they have their grievances fully redressed.

6th. They do declare they are ready to submit to any resolution that may be entered into either by the Deputies of the several counties in this Colony, at *Williamsburg*, or by the Congress of the several Colonies on the Continent, and intended these resolutions only as instructions to their Deputies, that they may know how to conduct themselves.

7th. It is Resolved, that so soon as the non-exportation agreement begins, we will, every man of us, keep our produce, whether wheat, tobacco, or corn, or any thing else, unsold on our respective plantations, and not carry, or suffer them to be carried, to any publick warehouse or landing place, except of grain; where the same be so done an oath being first made that such grain is for the use or consumption of any other Colony in *North America*, and not for exportation from the Continent, whilst the said agreement subsists. And this is the more necessary to prevent a few designing men from engrossing and buying up our tobacco, grain, &c., when they are low in value, in order to avail themselves of the very high prices that these articles must bear when the ports are open and foreign markets empty.

8th. This meeting do appoint *Robert Wormeley Carter* and *Francis L. Lee*, gentlemen, as their Deputies for the purposes aforesaid; and they do request that they fail not to attend in *Williamsburg* on the said first day of *August*, and that they do not trust to their meeting in Assembly on the 11th of the same month, as it is in the power of Government either to prorogue the Assembly to a future day, or dissolve the same, by which means the sense of the Colony may not be known.

Ordered, by the meeting, That these Resolves be forthwith transmitted to both the Printing Offices in *Williamsburg*, to be inserted in each Gazette.

LEROY PEACHEY, *Clerk*.

EXTRACT OF A LETTER FROM A GENTLEMAN IN LONDON.

London, June 30, 1774.

We are all in high expectation of the event of the late measures adopted respecting *Boston*, which carry with them rather the harsh and rigid aspect of power, than that of paternal affection, which wishes to reclaim while it chastises. The Crown has, for a long time past, been gaining power, at the expense of the liberties of the people, by a gradual system of corruption, which the people themselves have not virtue enough to counteract. But now the strides towards despotism are enormous. I wish the *Americans* may be able to fall on some prudent and effectual measures in the present important crisis. But I fear the greatest difficulty will be in the want of an union and confidence among themselves in the different Colonies, without which any expedients they may think proper to adopt will avail little.

PRINCE GEORGE'S COUNTY (VIRGINIA) RESOLUTIONS.

At a General Meeting of the Freeholders and Inhabitants of Prince *George's* County, *Virginia*, the following Resolves were proposed and unanimously agreed to:

Resolved, That we will, at all times whenever we are called upon for that purpose, maintain and defend, at the expense of our lives and fortunes, his Majesty's right and title to the Crown of *Great Britain*, and his Dominions in *America*, to whose royal person and Government we profess all due obedience and fidelity.

Resolved, That the right to impose taxes or duties to be paid by the inhabitants within this Dominion, for any purpose whatsoever, is peculiar and essential to the General Assembly, in whom the Legislative authority of the Colony is vested.

Resolved, That every attempt to impose such taxes or duties, by any other authority, is an arbitrary exertion of power, and an infringement of the constitutional rights and liberties of the Colony.

Resolved, That to impose a tax or duty upon tea by the *British* Parliament, in which the Commons of the *North American* Colonies can have no representation, to be paid upon importation by the inhabitants of the said Colonies, is an Act of power without right; is subversive of the liberties of the said Colonies; deprives them of their property without their own consent; and thereby reduces them to a state of slavery.

Resolved, That the late cruel, unjust, and sanguinary Acts of Parliament, to be executed by military force and ships of war, upon our sister Colony of the *Massachusetts Bay*, and town of *Boston*, is a strong evidence of the corrupt influence obtained by the *British* Ministry in Parliament, and a convincing proof of their fixed intention to deprive the Colonies of their constitutional rights and liberties.

Resolved, That the cause of the town of *Boston* is the common cause of all the *American* Colonies.

Resolved, That it is the duty and interest of all the *American* Colonies firmly to unite in an indissoluble union and association, to oppose, by every just and proper means, the infringement of their common rights and liberties.

Resolved, That a General Association between all the *American* Colonies, not to import from *Great Britain* any commodity whatsoever, except negroes, clothing, and tools, *Irish* linen, medicines, and paper, ought to be entered into, and not dissolved, until the just rights of the said Colonies are restored to them, and the cruel Acts of the *British* Parliament against the *Massachusetts Bay* and town of *Boston*, are repealed.

Resolved, That no friend to the rights and liberties of *America* ought to purchase any commodity whatsoever, except as is before excepted, which shall be imported from *Great Britain*, after the General Association shall be agreed upon.

Resolved, That every kind of luxury, dissipation and extravagance ought to be banished from amongst us.

Resolved, That manufactures ought to be encouraged, by opening subscriptions for that purpose, or by any other proper means.

Resolved, That the *African* trade is injurious to this Colony, obstructs the population of it by freemen, prevents manufacturers and other useful emigrants from *Europe* from settling amongst us, and occasions an annual increase of the balance of trade against this Colony.

Resolved, That the raising sheep, hemp, and flax, ought to be encouraged.

Resolved, That to be clothed in manufacturers fabricated in the Colonies ought to be considered as a badge and distinction of respect and true patriotism.

Resolved, That the dissolution of the General Assembly, by order of the *British* Ministry, whenever they enter upon the consideration of the rights and liberty of the subject against attempts to destroy them, is an evidence of the fixed intention of the said Ministry to reduce the Colonies to a state of slavery.

Resolved, That the people of this Colony, being by such dissolution deprived of a legal representation, ought to nominate and appoint for every county proper Deputies to meet upon the first day of *August*, in the City of *Williamsburg*, then and there to consult and agree upon the best and most proper means for carrying into execution these or any other resolutions which shall be judged more expedient for the purposes aforesaid.

Resolved, That *Richard Bland*, and *Peter Poythress*, Esquires, our late worthy Representatives, be, and they are hereby nominated and appointed Deputies, upon the part of the freeholders and inhabitants of this county, to meet such Deputies as shall be appointed by the other counties and corporations within this Colony, in the City of *Williamsburg*, upon the first day of *August* next, or at any other time or place for the purposes aforesaid.

Resolved, That at this important and alarming conjuncture it be earnestly recommended to the said Deputies, at the said General Convention, that they nominate and appoint fit and proper persons, upon the part of this Colony, to meet such Deputies, in a general Congress, as shall be appointed on the part of the other Continental Colonies in *America*, to consult and agree upon a firm and indissoluble union and association for preserving by the

Digitized by Google

best and most proper means, their common rights and liberties.

Resolved, That this Colony ought not to trade with any Colony which shall refuse to join in any union and association that shall be agreed upon, by the greater part of the other Colonies upon this Continent, for preserving their common rights and liberties.

Resolved, That the Clerk of this meeting transmit to the Printers of both Gazettes copies of these resolutions, with the earnest request of this county that the other counties and corporations within the Colony will appoint Deputies to meet at the time and place, and for the purposes aforesaid. THEODORICK BLAND,

Clerk of the Meeting,

THE BRITISH AMERICAN, NO. V.

Williamsburg, Virginia, June 30, 1774.

Friends, Fellow-citizens, and Countrymen:

It is not my intention to inflame your minds by pointing out the many privileges you have already lost, but to rouse you to a steady opposition to the measures now pursuing to deprive you of what few still remain. I shall, therefore, instead of entering minutely into every branch of the old *English* Constitution, whose sole object is, or rather was, political liberty, confine myself to that part of it which relates to legislation and taxation only. But in order to be thoroughly understood, it will be necessary to premise, that in ancient times, besides the palaces for the residence, there were particular funds and lands set apart, whose yearly profits supplied the domestic expenses and supported the splendour of the Kings of *England*. These were called the ancient demesne of the Crown, and were not only abundantly sufficient to answer those purposes, but sometimes enabled our Monarchs to repel, at their own private expense, any sudden or unforeseen hostile attacks upon the Kingdom. Thus the great Queen *Elizabeth*, (under whose reign our ancestors first emigrated,) instead of asking money of her Parliament, generally demanded reimbursement only for what she had actually advanced for the general good. And even these she often generously remitted to her subjects.

The Legislature of *England* consisted of three distinct branches. The first was the Monarch, whose ample hereditary revenues, enabling him to support the dignity of his rank, removed all temptation to oppress either of the other two, because, nobly provided for himself, he was under no necessity of asking any supplies from his Parliament but such as were necessary for the general good of the whole community. Independent of any power on earth for the support of himself and family, he was equally above the temptation of being corrupted himself, or of endeavouring to corrupt the Parliament.

The second consisted of the House of Lords, a body of men who, on account of their great wealth or merit, and generally both, were ennobled by the Monarch, and their titles and power, when once created, were hereditary, they were not only independent but were equally interested in preserving the legal prerogatives of the Crown, and the just privileges of the People: the prerogatives of the Crown, because as they derived their very existence from the Monarch, if his legal power was annihilated, theirs must necessarily be extinguished with it, as the stream will cease to flow when the fountain from whence it sprung is dried up. As hereditary guardians of the Realm it was equally their interest to preserve the privileges of the people, because however distinguished by rank or title, they themselves, as part of the community, must finally feel any oppression exercised by the Sovereign over their fellow-subjects.

The third branch of the Legislature consisted of the People at large, in which every native had a right to vote, for in those days it was thought unreasonable that the life, liberty, or property of a freeman should be affected by any law which he did not consent to, or at least which he had not a right to oppose.

But these tumultuous assemblies of the People being found from experience not only inconvenient but absolutely impracticable, as a majority of the whole Kingdom could never meet at any one place to deliberate upon the affairs of the Kingdom, it became customary for the inhabitants of different counties and large cities and towns to delegate the wisest of their neighbours to represent them in the Legislature, and to speak the sentiments of their electors on the general concerns of the Kingdom. These formed the House of Commons. In process of time this right of delegation was confined to those who had a freehold in lands, of a particular value, because, as I have observed in a former letter, the owners of the soil were not only supposed to be the best judges of what was for the benefit of the Kingdom, but because they were less liable to be corrupted to prejudice a country in which they themselves were permanently interested.

Happy had it been for *England* that this wise regulation had never been altered; and happier still if the right for voting for Representatives had been confined to freeholders of counties only, and not extended to towns and corporations, which, however populous and opulent formerly, are now scarce the shadow of what they were. But to return to my subject.

The Monarch was vested with the power of convening the other two bodies of the Legislature, of laying before them the state of the Kingdom with respect to foreign alliances, and of recommending to their consideration all things which he judged for the benefit of the Nation; and after having done this he retired and left them to deliberate and to form what resolutions they pleased, either upon the plans thus recommended or upon any others which they thought proper; and so far as related to legislation only, the Lords and Commons had an equal right of proposing and of altering and amending resolutions proposed by each other. The King had no power of altering and amending, but, by withholding his assent, might reject any resolution of the other two branches altogether.

To have invested him with a power of altering would have been dangerous to liberty; because, of all laws respecting the subject, the Lords, who were the representatives of the higher, and the Commons, who represented the lower ranks of the people, were the most proper judges, because they would share in the advantages and disadvantages of those laws. But as the King might receive the emoluments, but could not share in the inconveniences, if he had been allowed to have interfered in altering and amending such, the Nation might have been cruelly oppressed, for as all honours flowed from the Crown, a desire of acquiring those honours might have induced the Commons. Hope of enlarging those already conferred might have influenced the Lords to have shown such complaisance to the alterations of the Crown as would have been consistent with the good of the community. Wisdom, as well as delicacy, therefore, excluded the temptation. The King's right of rejecting altogether was a sufficient barrier against all encroachments on the rights of the Sovereign, since no resolutions had the force of laws till they received the concurrence of a majority of the Lords and Commons, and were approved of, and assented to, by the King.

Taxation was fixed upon a very different foundation. The House of Commons claimed and exercised the sole right of proposing taxes, of pointing out the ways and means, of levying supplies, and of framing the bills by the authority of which they were to be collected; and so extremely jealous were they of this privilege that they never would suffer either of the other branches of the Legislature to make the smallest alteration, either in the form or substance of a Supply Bill.

This exclusive privilege was founded upon very just grounds. The reasons I have already given in treating of legislation, are doubly cogent to restrain the King (who was to apply, or rather expend, the money raised,) from exercising any other power over a Money Bill than that of rejecting; to which may be added another, that the Representatives of a people must ever be more capable than their Prince of judging of the abilities of their constituents, and of knowing how much, and what species of their property they can spare to preserve the remainder. Nor are there wanting many and just reasons to exclude the Lords from interfering with this right exercised by the Commons. In the first place, the whole wealth of a Nation arises from the farmer, the grazier, the mechanick, and the trader; and as they are the very creators of money they ought to have the publick disposition of it, because they know its value, and have experienced the difficulty with which it is acquired.

Digitized by Google

On the other hand, the Lords possessed of immense wealth, transmitted to them by their ancestors, and born (if I may be allowed the expression) with silver spoons in their mouths, might be lavish of the national treasures, without duly considering with what anxiety, difficulties, and dangers the bulk of the people have acquired the small share of it they possess. Again, a supply granted to the Crown, which, with respct to the enormous fortunes of the nobility, would scarce deserve the name of liberality, might amount almost to a confiscation of the estates of the lower ranks of the people, and reduce thousands of their fellow-subjects to distress, poverty, and ruin. On the other hand, it is difficult to suppose that the Representatives of the labouring or trading part of the Nation, would, or could, be so extravagant in their supplies as to injure the estates of the nobility; and if such an unnatural case could exist, the House of Lords, by exercising their right of rejecting, would effectually ward off the blow. But if they had a power of even altering a Money Bill, they might model it in such a manner as to exonerate, in a great measure, their own estates, and lay the whole burthen upon the Commons, or at least it would be a constant source of feuds and dissensions between the two Houses, which would offer, to an enterprising Monarch, such opportunities of ingratiating himself occasionally with each as might endanger the Constitution.*

From this state of the *English* Constitution it is obvious to the most common observer, that if any one of its branches encroached upon the rights of another, it became the interest of the other two to unite in repelling the aggressor, since if either branches are annihilated, or even weakened, the other must necessarily fall a prey to the victor. If the Commons attacked the Lords, the Crown necessarily interposed its authority to support the injured rights of the nobility; for, if they succeeded in destroying the rights of the nobility, such an acquisition of power as would then devolve on them, would soon enable them to weaken, if not destroy, the prerogatives of the Crown. If the Lords encroached upon the privileges of the Commons, our history afforded too many instances of the dreadful consequences of the overgrown power of the Barons to suffer the King to be an idle spectator whilst his nobles, by crushing the Commons, would arrogate to themselves the power of petty Princes, and endanger the safety of the Kingdom with internal commotions. If the King attacked the privileges of either of the other branches, or either of the others encroached upon the prerogatives of the Crown, the third branch was too much interested in the dispute to stand neuter, but readily assisted the injured party, sensible that the only method of preserving the true equilibrium of Government was to suffer neither branch to oppress or even weaken the other.

* I have read other arguments against the House of Lords exercising a right of altering Money Bills, but, I confess, they were not to me so convincing as the above. For instance, one was, that the wealth of the Lords compared to that of the Commons of *England*, was but as a drop of water to the Ocean. Suppose this to be true, (though, by the by, it is a very large drop, and which, by their intermarriages with the rich heiresses of the Commons, is constantly increasing,) yet a single drop, when incorporated with, becomes as much a part of the Ocean as any other drop, and by the same parity of reasoning, the whole Ocean might drop by drop be excluded till it ceased to be even a rivulet. I am induced to make this remark from having read a similar argument in a late pamphlet of a Reverend author, who, after observing that each member of the House of Commons, when chosen, becomes the Representative of the whole Kingdom, he has the following note: "Surely the Nation might have expelled Mr. *Wilkes*, or have struck "his name out of the list of the Committee, had it been assembled, "or had it thought proper so to do. What then should hinder the "Deputies of the Nation from doing the same thing? And which "ought to prevail in this case, the Nation in general or the County of "*Middlesex?*" Let it be observed that if the whole body of the people had been assembled upon the National Councils, no such Committee could have existed; the case thus supposed is, therefore, a nonentity. But admitting it otherwise, even a Committee of the House of Commons cannot exclude any member of that Committee, but must apply to the House who constituted them a Committee to make such exclusion. That the House of Commons have a right, by expelling any member, to appeal to the people who sent him whether such member is unworthy to represent them, there can be no doubt, but if, after such an appeal, the people re-elect him, they are surely bound to receive him. In such an Assembly as the Reverend author speaks of, there can be no doubt but a majority of the whole Kingdom may exclude the inhabitants of the County of *Middlesex* from any share in the National Councils, but from that instant they cannot exercise a constitutional right, either of legislation or taxation, over the County of *Middlesex;* and just so great a power as a majority of the Nation can exercise over the inhabitants of a single county, a majority of the Representatives of the Nation may exercise over the Representatives of a single county. But the consequence must be the same in both cases.

Thus constituted, thus mutually interested, to support each other, the King, Lords, and Commons of *England*, formed the wisest system of legislation that ever did, or perhaps ever will, exist; for the three favourite forms of Government, viz: Monarchy, Aristocracy, and Democracy, possessed of their distinct powers, checked, tempered, and improved each other. Nor was this excellence confined to forms alone. The characteristick principles of Monarchy, Aristocracy, and Democracy, viz: honour, moderation, and virtue, were here so happily blended as totally to exclude fear, that despicable slave of despotism and arbitrary sway. The honour of Monarchy tempered the impetuosity of Democracy, the moderation of Aristocracy checked the ardent aspiring honour of Monarchy, and the virtue of Democracy restrained the one, impelled the other, and invigorated both. In short, no Constitution ever bid so fair for perpetual duration as that of *England*, and none ever half so well deserved it, since political liberty was its sole aim, and the general good of mankind the principal object of its attention. Had this happy state but recurred a little oftener to its first principles it would have remained the envy—the admiration of the whole world, and the delight of its most distant Dominions, till time shall be no more. But, alas! all human institutions are subject to decay; the very vitals of this amiable Constitution are wounded, the glorious fabrick already totters, and the time is approaching when it may be said of this beautiful *Byzantium:*

> "That down the precipice of fate she goes,
> And sinks in moments what in ages rose."

To trace the steps of this disorder, and point out what is likely to occasion this ever to be lamented misfortune, shall be the subject of my next.

I shall conclude this with a word of advice to my fellow-citizens of *Virginia:* Since my last the writs have issued for choosing your Representatives, returnable the 11th day of *August* next. Postpone your meeting in *Williamsburg* till that day, so short a delay will be attended with little inconvenience. If the Governour should then meet you in Assembly, you will have a constitutional opportunity of declaring the sentiments, and of vindicating the rights, of those you represent. But be not deceived. It is to be feared that the Governour will not, *cannot*, call the Assembly together till he receives letters from the Minister in *England*, and that it will be prorogued before the 11th of *August*. If it should, still let the new Representatives of the people meet at that time; though they cannot as a legislative, yet they may as a collective body, declare the sentiments of their constituents, and it is necessary, not only that our Sovereign, but that the *British* Parliament should know those sentiments as soon as possible, otherwise an artful Minister may impose upon them, and induce them to believe you have actually submitted to a measure which I am convinced you never will submit to, because you ought not.

EXTRACT OF A LETTER FROM LONDON, DATED JULY 1, 1774.

I am sorry to learn, by late letters from *Philadelphia*, that you are likely to have an *Indian* war, by the imprudence of some of the back inhabitants. I most sincerely wish that steps may be taken to prevent it; for you may be assured the people in power here wish for it. They say it will be the means of humbling and reducing the rebellious *Americans* to obedience. This they are determined to do, let the consequence be what it may. I am much grieved to hear that the unjust and tyrannical steps taken by Government here, against the *Massachusetts Bay*, are not, by the other Colonies, looked upon as an attack upon all *America*, but intended only against that Province. The policy of this country is to divide and conquer; and if the other Colonies sit quiet and suffer the people of *New England*, for want of their uniting and making it one common cause, to be reduced to the necessity of subscribing to such terms as Government here shall hold out to them, they will attack the other Colonies, and then farewell to the liberties of *America;* for the *Americans* will be soon as absolute slaves as the *Frenchmen*. The infamous *Quebeck* Bill, which establishes popery and arbitrary power through a country capable of maintaining more people than *England*, *France*, and *Spain*, is intended

Digitized by Google

to keep the old Colonies in awe; and people here in power make no secret of saying, that by keeping the *Canadian* militia well disciplined, they shall be able with them and the fleet, to keep the Colonies always in subjection. Would you believe, that out of all the Bishops, only the Bishop of *St. Asaph* had virtue enough to vote against this Bill? I hope we shall never suffer one of them to step his foot in *America*. Nothing can save *America* but their uniting and religiously entering into an agreement, and sacredly keeping it, not to import any goods from *Great Britain*, nor to export any goods either to *Great Britain* or the Islands, until justice is done them by this country, and their liberties settled on a firm and solid basis. This, in less than twelve months, would bring the people of this country to reason, and force them, contrary to their inclinations, to do the *Americans* justice; for they have no trade but what is against them, save to *Ireland* and *America*.

JAMES CITY COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders of *James City* County, on the first of *July*, 1774, at the house of Mr. *Isham Allen*, in order to consult with their late Representatives what measures were most necessary to ward off the impending evils which seem to threaten all *British America*, those matters being calmly and maturely entered into, the following Resolves were adopted:

Resolved, That we will not import any article whatever from *Great Britain*.

Resolved, That we will stop all exports to *Great Britain* after such a day as shall be appointed by the general meeting on the first of *August* next.

Resolved, That a subscription paper be handed about among the people of *James City* to raise money, corn, wheat, or any other commodity which may be most agreeable to the subscribers, for the relief of the people of *Boston*.

Resolved, That in order to testify our gratitude to our late worthy Representatives, and our entire approbation of their conduct in the late General Assembly, it is the unanimous opinion of this meeting that they be thanked for their former services, and that *Robert Carter Nicholas*, Esquire, be pleased to accept of a treat from the freeholders of the county on the day appointed for the election of Burgesses.

Portsmouth, New-Hampshire, July 1, 1774.

Last *Saturday*, *June* 25th, arrived here Captain *Brown*, in a mast ship, in eight weeks from *London*, and unluckily for this place, there were on board twenty-seven chests of that pernicious, destructive, troublesome commodity, called *tea*, which for a long time has, and still keeps the whole Continent in a ferment, the duty on which, operates in so violent a manner on the minds of the inhabitants, not only in the seaport towns, but the whole country in general, that it will require the most cooling medicines, and the best skill of the ablest political physicians, to prevent the body politic from going into convulsions. However, upon its being certified that there actually were twenty-seven chests of tea consigned to *Edward Parry*, Esquire, of this town, a meeting of the inhabitants of the town were immediately called, and a Special Committee chosen to wait upon Mr. *Parry*, the consignee, to know whether he would consent to certain proposals which were made to him; that the tea should not be sold here, but re-shipped; who, in a genteel manner gave them all the reasonable satisfaction they could desire, and a watch of twenty-five men were appointed by the town to watch two days and two nights, and the third day it was put on board another vessel, and sent out of this harbour with a fair wind, committed to the watery element, and hope in due time the owners will receive the nett proceeds, and for the future take care how they send any disagreeable commodity to this Province, with a duty thereon.

Every transaction was conducted with the greatest decency and good order possible, which could have done honour to any society. The whole being of one heart and one mind that the tea should go out of this port and barbour immediately, and not to be landed in this Province.

CONSTITUTIONAL AMERICAN POST OFFICE.

Baltimore, July 2, 1774.

William Goddard, Printer of the *Maryland Journal*, with great pleasure, acquaints the publick that his proposal for establishing an *American* Post Office on constitutional principles, hath been warmly and generously patronised by the friends of freedom in all the great commercial towns in the Eastern Colonies, where ample funds are already secured; Postmasters and riders engaged; and, indeed, every proper arrangement made for the reception of the Southern mails, which, it is expected, will soon be extended thither. As therefore the final success of the undertaking now depends on the publick spirit of the inhabitants of *Maryland* and *Virginia*, it is not doubted, from the recent evidence they have given of their noble zeal in the cause of liberty and their country, but they will cheerfully join in rescuing the channel of publick and private intelligence from the "horrid fangs of Ministerial dependents:" a measure indispensably necessary in the present alarming crisis of *American* affairs.*

The following Plan has been published and universally approved of at the Eastward:

PLAN FOR ESTABLISHING A NEW AMERICAN POST OFFICE.

The present *American* Post Office was first set up by a private gentleman in one of the Southern Colonies, and the Ministry of *Great Britain* finding that a revenue

* EXTRACT OF A LETTER TO LORD NORTH, LONDON, FEBRUARY 5, 1774.

My Lord: As an *American*, give me leave to assure your Lordship that I think the dismissing Dr. *Franklin*, from the Postmaster General in *North America*, at this particular crisis, one of the most fortunate events that could have happened for that county. It was that gentlemen that brought the Post Office in *America* to be of some consequence, and to yield something of a revenue to the mother country. The people there never liked the Institution, and only acquiesced in it out of their unbounded affection for the person that held the office, who had taken infinite pains to render it convenient to the several Colonies. But what will follow now, my Lord? I will tell you; the Post from *Philadelphia* to *Boston* is that alone which produces any profit worth mentioning; the others, taken together, do not more than maintain themselves; and between *Philadelphia* and *Boston* you may depend on it, the *Americans* will immediately set up a carrier of their own, which you, with all your brethren in power, together with Lord *Hillsborough's* abilities, cannot prevent, and thereby they will entirely starve your Post between those capital cities. And thus will happily end your boasted Post Office, so often given as a precedent for taxing the *Americans*.

EXTRACT OF A LETTER FROM A GENTLEMAN AT NEW-YORK TO HIS FRIEND IN BOSTON, DATED FEBRUARY 28, 1774.

Your steadiness and activity in the glorious cause of liberty has induced me to address you, without any apology, upon a very interesting matter, in which the cause of *American* freedom is deeply concerned; I mean the Post Office establishment, upon which every other unconstitutional Act has been grounded, as our tame submission to it has been constantly urged, by the enemies of our country, as a precedent against us; and as I am fully convinced of the propriety and eligibillity of opposing it at present, and we cannot fail of success if the opposition be made with a manly firmness. I am determined to give the bearer, Mr. *Goddard*, every aid in my power, towards the execution of his plan, which is so well calculated to save the cause of liberty, and relieve my country from such an arbitrary and unconstitutional Act of the *British* Legislature. I must therefore earnestly request that you will, provided your sentiments should coincide with mine, use all your influence in the town of *Boston*, and give him every assistance in your power, to forward so great and necessary an undertaking; and should we succeed in this attempt of abolishing the Post Office, of which I have not the least shadow of a doubt, I am convinced it will put an entire stop to their placing any further unconstitutional burdens upon us; especially when they find that we are determined to make reprisals upon every such occasion, and that they will be reduced to the unfortunate situation of the dog in the fable, who by greedily grasping at the shadow, lost the substance. As I am much indisposed at present, I cannot enlarge upon the subject, nor do I think any arguments necessary to convince you of the propriety of the measure, or to induce you, who have so constantly exerted yourself in the cause of liberty, to afford it your sanction and support.

Boston, *March* 17, 1774.—Last *Monday* arrived here Mr. *William Goddard*, Printer in *Philadelphia* and *Baltimore*. The cause of that gentleman's tour is interesting to all the Colonies, and we are happy to find that all of them through which he has come are thoroughly engaged in it.

Mr. *Goddard* has long been noted as the proprietor and employer of a very *free press*, and some four or five years ago he began to feel himself distinguished on that account, till at length the exactions of the King's post rider became so enormous, that they amounted to an entire prohibition of the continuance of his business in the City of *Philadelphia*,* *Maryland*, a great part of *Virginia*, *Pennsylvania*, and the *Jersies*, through which his paper had circulated, became inflamed at the insult; especially when it was known that Mr. *Goddard* had complained to the Postmaster, the sole arbiter in the case, and could not

* The sum of fifty-two pounds sterling, *Pennsylvania* currency, per annum, was demanded at the Post Office for the carriage of about three hundred and fifty newspapers, one hundred and thirty miles, payable in weekly payments, as the papers were delivered to the Posts.

Digitized by Google

might arise from it, procured an Act of Parliament in the ninth year of the reign of Queen *Anne*, to enable them to take into their own hands, and succeeding Administrations have ever since, taken upon them to regulate it—have committed the management of it to whom they pleased, and avail themselves of its income, now said to be at least £ 3,000 sterling per annum clear.

By this means a set of officers, Ministerial indeed, in their creation, direction, and dependence, are maintained in the Colonies, into whose hands all the social, commercial, and political intelligence of the Continent is necessarily committed; which at this time, every one must consider as dangerous in the extreme. It is not only our letters that are liable to be stopped and opened by a Ministerial mandate, and their contents construed into treasonable conspiracies, but our newspapers, those necessary and important alarms in time of publick danger, may be rendered of little consequence for want of circulation. Whenever it shall be thought proper to restrain the liberty of the press, or injure an individual, how easily may it be effected? A Postmaster General may dismiss a rider and substitute his hostler in his place, who may tax the newspapers to a prohibition; and when the master is remonstrated to upon the head, he may deny he has any concern in the matter, and tell the Printer he must make his terms with the Post.

As, therefore, the maintenance of this dangerous and unconstitutional precedent of taxation without our consent—as the parting with very considerable sums of our money to support officers of whom it seems to be expected that they should be inimical to our rights—as the great danger of the increase of such interest and its connections, added to the considerations above mentioned, must be alarming to a people thoroughly convinced of the fatal tendency of this Parliamentary establishment, it is therefore proposed:

1st. That subscriptions be opened for the establishment and maintenance of a Post Office, and for the necessary defence of Post Officers and Riders employed in the same.

2d. That the subscribers in each Colony shall annually appoint a Committee from among themselves, consisting of seven persons, whose business it shall be to appoint Postmasters in all places within their respective Provinces, where such offices have hitherto been kept, or may hereafter be judged necessary, and to regulate the postage of letters and packets, with the terms on which newspapers are to be carried; which regulations shall be printed and set up in each respective office.

3d. That the Postmasters shall contract with and take unto him, or them, by means of their offices; meaning and understanding this present instrument to be a deposite and security to the said Postmaster, to be recoverable by him, in whole or in proportion to the sums subscribed, and to make up the deficiencies, if any there appear, to a Committee of our body chosen to inspect accounts, after the whole amount of the moneys received for postage shall have been placed to our credit. In testimony, &c. &c.

obtain the shadow of a redress. Nearly the whole town of *Baltimore*, the first merchants and gentlemen in *Philadelphia*, assisted Mr. *Goddard* in establishing a rider between those two capitals, and have recommended the plan to all the Colonies. Mr. *Goddard* has received the greatest encouragement from every Colony through which he has passed, and all declare their readiness to come into the measure, provided it is adopted here. To be satisfied in this point a very respectable meeting of the principal gentlemen of the town was called, at which an unanimous resolution was come into to second our worthy brethren in the Southern Colonies, to the utmost of our power. Subscriptions will be immediately opened, and every measure taken to demonstrate that, in so glorious a motion for the recovery of *American* liberty, *Boston* will by no means fall short of the most sanguine expectations of her honest countrymen.

Mr. *Hutchinson's* declaration, that his Majesty (he should have said Ministry) highly disapproves of *Provincial Committees of Correspondence*, with the steps above mentioned, and many others, to be related in due season, are sufficient indications of the mind of Administration respecting a free communication of sentiment throughout these much injured communities; a junction of the whole is dreaded; and thanks to Heaven, the measures taken to prevent serve only to hasten it, beyond conception.

How unworthy of the wisdom and spirit of *Americans* would it be to bear any longer with the insolence of a tool who should impudently tell an assertor of the rights of his country that he could not expect the favours of Government in carrying his papers, while he was so free in defaming its measures? How naturally must such hauteur exasperate a people who consider the Post Office, in its present condition as a dangerous ursurpation—as the boasted precedent of all the innovations with which an abandoned Administration have presumed to vex the Colonies—as the stated course of intelligence and information on which our very existence as a free people depends, and on which the enemy depends, and on which the enemy of our rights can lay his hand whenever he pleases? And in consequence, how cheerfully will every well-wisher to his country lay hold on the present opportunity to recover a right of importance conceivable by few, simply considered by hardly any one in its consequences. One of these tremendous consequences is, "the creation of new offices, with new "fees, without consent of our Parliaments," and open violation of Magna Charta.

—

SALEM, *March* 29, 1774.—Yesterday evening came to town, Mr. *William Goddard*, Printer at *Philadelphia* and *Baltimore*. He has brought letters from the Committee of Correspondence at *Boston* to the Committee here, on the subject of establishing Post Offices and Post Riders on a new plan, independent of the unconstitutional laws of a *British* Parliament. We hear that a meeting on the affair will be held some time to-morrow, when there is no doubt that every well-wisher to his country will cheerfully lay hold of an opportunity to arrest the channel of public and private intelligence out of the hands of a power oponly inimical to its rights and liberties.

—

NEW-LONDON, *April* 4, 1774.—The following are the heads of a Subscription which was laid before the Committee of Correspondence at *Boston*:

Whereas, in our present struggles with the *British* Administration, it is of the last importance to have a free and safe communication throughout the whole extent of *English America*, a channel established by an Act of the *British* Parliament for the express purpose of raising a revenue here, and under the absolute controul of the *British* Minister, being both in principle and operation highly dangerous; and whereas, we are certified from several of the Southern Colonies that a *Post Office* has been erected in *Maryland* and *Pennsylvania*, on the principles of a voluntary subscription, and we have good reason to believe the salutary Institution will be generally adopted by all the intermediate Colonies, as well as those on both extremes; and whereas, the said Institution, if generally adopted, will defeat one Revenue Act, and obviate all its pernicious consequences, will unite all the friends of *America* in one common bond of alliance, and reduce the postage of letters one-third, as well as insure the transmission of interesting advice to the place of destination: We, the subscribers, do severally promise to pay to the Postmaster, who shall be hereafter appointed by a major vote of our body, the several sums annexed to our names, or to the successor in said office, to be by him, or them, employed in furnishing *post riders* to the several stages, we may agree upon and securing himself, or deputies, from any losses and damages that may accrue

PORTSMOUTH, *April* 15, 1774.—The establishment of a constitutional conveyance of intelligence, public and private, proposed by Mr. *William Goddard*, of *Philadelphia*, and so warmly seconded by our Southern brethren, appears, to the friends of freedom in this capital, as necessary and useful, as it is honourable, safe, and practicable. The letters brought by the above mentioned gentleman from the Southward, we find, have been received at *Boston*, &c., with that cordial satisfaction which brethren, united by common interest, and common danger, experience in finding each part of such combined interest generously sharing its full proportion of the common service; and the letter from the *Boston* Committee to that of this town, hath met with every possible mark of respectful attention.

At the last meeting of our Committee with the merchants, traders, and other inhabitants of this town, a subscription was unanimously agreed upon, similar to one already opened at *Boston;* and we doubt not, from the glorious beginning, but it will be soon filled up with the names of the principal inhabitants of all ranks, or their proxies. Mr. *Goddard* having been furnished with letters from the respective Committees of all the Southern Colonies, set out from hence on *Wednesday* last, via *Newburyport*, *Salem*, and *Marblehead*, after expressing the respectful and grateful sentiments he entertained of the patriotick spirit and urbanity of those to whom he had the pleasure of being introduced in this; and it is generally thought he will have such report to make of his doings, and their success, as will gratify every friend to the rights of *America*. Previous to Mr. *Goddard's* departure he transmitted his plan, with a number of letters, to the friends of liberty at *Casco Bay*.

We hear that the spirited inhabitants of *Newburyport* have warmly patronised the plan for establishing a *Constitutional Post Office* in *America*. At their last meeting on the business, they agreed to raise a fund sufficient to bring the mails from *Boston* to that place at least.

—

EXTRACT OF A LETTER FROM A GENTLEMAN IN PHILADELPHIA TO HIS CORRESPONDENT IN WILLIAMSBURG.—APRIL 21, 1774.

The vast noise and bustle which has lately appeared in almost all the papers relative to the Post Office in *America*, without doubt, has alarmed many people on this Continent, who would willingly adopt every prudent measure to redress themselves in so important a matter; and, indeed, I cannot conceive how the mother country can pretend to the profits arising from that Department, nor is it obvious to me, that the money produced therefrom can tend to the emolument of the Crown, as I have been credibly informed the chief part of it goes to the support of a set of harpies at home, who have, in a most unprecedented manner, pretended to claim thereto, and are upheld therein by every ministerial influence. Doubtless the Post Office, thus established, is an infringement upon the liberties of *America*, and no man can wish more fervently than myself for a total abolition of it upon so unjustifiable a footing. But when I reflect upon the consequences that will natually ensue in bringing this about, from a pretty thorough knowledge of the principles and character of the gentleman who *seems* most to interest himself in the affair, I cannot say I have very flattering ideas of its success. I believe, sir, you are entirely unacquainted with Mr. *Goddard*, who has been lately so much complimented, indeed you need no intimacy with him; hard is the lot of that man who has not one well-wisher. Mr. *Goddard* may have received his encomiums from two or three intimates, but, confident I am, he is not regarded even by those who once caressed and supported him. A private post is set up from this city to *Baltimore*, but the merchants here would not suffer Mr. *Goddard* to have the direction of it, notwithstanding his *early application* and *profusion* of *patriotism;* they have more prudently preferred Mr. *Bradford*.

—

BOSTON, *April* 21, 1774.—Yesterday arrived in this town from the Eastward, Mr. *William Goddard*, by whom letters are received from the Committees of Correspondence of *Portsmouth*, *Newbury*, *Newburyport*, *Salem*, &c., expressive of the hearty concurrence of the gentlemen of those towns with the proposal of erecting a Post Office, upon constitutional principles, throughout the Continent. Subscrip-

Digitized by Google

bonds, with sufficient securities, of suitable persons to perform the same duty as hath heretofore been performed by Post Riders, subject to the regulation and controul of the Committee.

4th That the several mails shall be under lock and key, and liable to the inspection of no person but the respective Postmasters to whom directed, who shall be under oath for the faithful discharge of the trust reposed in them.

5th. That a Postmaster General shall be annually chosen by the written votes of all the Provincial Committees, enclosed and sent to the Chairman of the *New-York* Committee, who, on receiving all the votes, and giving one month's publick notice in all the *New-York* papers, of the time and place appointed for that purpose, shall open them in Committee, in presence of all such subscribers as shall choose to attend, and declare the choice, which choice shall be immediately communicated to all the other Provincial Committees by a certificate under the hand of the said Chairman.

6th. That the Postmaster General shall be empowered to demand and receive the accounts from the several Postmasters throughout the Colonies connected with this Post Office, and shall adjust and liquidate the same, and by his order, transfer in just proportion, the surplusages of one office to make good the deficiencies of another, if any such should appear; and in case of a deficiency upon the whole, he shall have power to draw for the same on the several Committees in proportion to the amount of the subscriptions in their departments; and, at the year's end transmit to the said Committees a fair and just account of the whole Post Office under his inspection.

7th. That the several Postmasters shall charge * * * per cent. on all the monies received into their respective offices, for their services; and also, * * * per cent. for the use of the Postmaster General, which they shall remit to him quarterly, with their accounts.

8th. That whatever balances may remain in the hands of the several Postmasters, after all charges are paid, shall, by the direction of the subscribers in the Province or Provinces where such Postmasters reside, be appropriated to the enlargement of the present Institution within their respective Provinces.

tions are set on foot in each of them, and they have already succeeded beyond the most sanguine expectation in all.

The removal of Dr. *Franklin* from the Post Office had added fresh spirit to the promoters of this salutary plan, as several viewed an opposition to his interest, at a time when he had signally served the cause of *America*, as a very disagreeable object; but all reluctance from that quarter must now vanish, and all the friends of liberty rejoice that they have now an opportunity of taking up a gentleman, discarded by an unrighteous Ministry for the faithful discharge of his duty, and placing him above a dependence on their caprice, in the grateful arms of his applauding countrymen.

—

Boston, *May* 5, 1774.—We have the pleasure of assuring the public that the subscription for establishing a new *American* Post Office, was opened late on *Saturday* last, *April* 30th, and hath been patronised by the first gentlemen of character and fortune in town. The second gentleman to whom it was presented generously engaged fifty pounds, lawful money, and many others have done as handsomely in proportion to their circumstances. With this indubitable evidence of the disposition of *Bostonians*, added to the noble conduct of the patriotick inhabitants of *Portsmouth*, *Newburyport*, *Salem*, &c., Mr. *Goddard* will set out on his return homeward this week, rejoicing in the great success which has attended his endeavours to rescue the channel of publick and private intelligence from the horrid fangs of ministerial despotism.

—

New-York, *May* 19, 1774.—A report having been industriously propagated, that several of the principal merchants in *Philadelphia* had withdrawn their subscriptions from the Constitutional Post Office, you are desired to inform the publick, that the said report is entirely false, as appears by letter from thence on that subject.

It may not be improper, at this time, to mention, that the account which was invidiously inserted in some of the papers, that the Constitutional Post Rider between *Philadelphia* and *Baltimore* had absconded with a large sum of money entrusted to his care, was a misrepresentation. The person who absconded with the money was not the undertaker of that business, whose name is *Stinson*, a man of property and character, well known and respected in *Philadelphia*, but a villain he had the misfortune to hire, whose name is *Bryan*. And should he escape with his booty, there is no doubt but the friends of the institution will open a subscription for the indemnification of the master, who is known to be a man of integrity.

Accidents similar to the above have often happened to the Government Post Office, particularly one lately in *England*. But that office refuses to be accountable for money delivered to the riders.

New-York, *June* 2, 1774.—On *Saturday* last, Mr. *William Goddard* arrived here from *Boston*, with important despatches for all the Southern Colonies, for which he set out on *Monday* morning. The plan for establishing a Constitutional *American* Post Office, having met with the greatest success in all the great commercial towns in the Northern Colonies, it is not doubted, from the encouragement already given to the Southward, but the important design will, in a few weeks, be carried into complete execution.

—

London, *June* 16, 1774.—In the *Boston* papers of 2d *May*, is inserted a Plan for the establishment of the new *American* Post Office, in opposition to that established by Government. It is, however, supposed, that as soon as General *Gage* arrives he will stop the career of the new Post Riders, and their employers; for, by the ninth of Queen *Anne*, chapter 10th, section 17th, it is decreed, "that no person or persons, "body politick or corporate whatsoever, in *Great Britain*, *Ireland*, the "*West Indies*, or *America*, other than the Postmaster General, appointed by his Majesty, shall presume to take up, order, despatch, "convey, carry, re-carry, or deliver, any letter or letters, or set up or "employ any foot post, horse post, or packet-boat, on pain of forfeiting "five pounds *British* money for every several offence; and also the "sum of one hundred pounds of like *British* money, for every week "during the continuance of the offence." Ship-masters are also made liable to a penalty of five pounds *British* money, if they do not deliver their letters at the General Post Office.

—

EXTRACT OF A LETTER FROM PHILADELPHIA TO WILLIAMSBURG, DATED JULY 6, 1774.

I confess that no man wishes more for the establishment of a Constitutional Post Office in *America*, than myself; yet, as I anticipated in a former letter, Mr. *Goddard's* scheme seems to bear but an indifferent prospect of success. He returned here a few weeks ago. At *Boston*, and other parts of *New England*, he told them the *Philadelphians* had unanimously resolved to establish a Constitutional Post; and, for a confirmation of his assertion, a merchant at *Boston* wrote to a gentleman in this city. I am not acquainted with the contents of the answer, though I have great reason to conclude them unfavourable to Mr. *Goddard*. He attended a meeting of mechanicks here one night, pretending to have letters of consequence from *Boston*, *New-York*, &c., two or three of which were read, and gave some satisfaction; but the others, mentioning the regulation of the Post Office, they refused to read them through, observing *America* had enough upon her hands without meddling with the affairs of a Post Office. Mr. *Goddard* was much chagrined and vexed, and shortly after left the city.

—

Baltimore, *July* 16th, 1774.—The present Deputy Postmasters General of *North America*, are, it appears, in great distress, least their unconstitutional Institution, by which *America* hath been so long fleeced, should be annihilated by the publick spirit and consistent firmness of the people, who, since the infamous dismission of the worthy Dr. *Franklin*, and the hostile attack of the town and port of *Boston*, are unalterably determined to support a new Constitutional Post Office, "on the ruins of one that hath for its basis the slavery of *America*." To frustrate the endeavours of those who are now exerting themselves to bring about an event of this kind, and from a vain hope of reconciling the inhabitants of this place to their Parliamentary establishment, which levies a tax in the very heart of the Colonies, and is, in fact, more oppressive and arbitrary than the tea duty, the high and mighty Deputies in office, from their own free will and mere motion, without waiting to be most humbly petitioned, are now about employing an additional Post Rider to come hither weekly from *Philadelphia*; a measure, by the way, the town could not be indulged in, until these Generals began to tremble for the emoluments of their places. This instance, therefore, of their grace and favour, being so much out of season, will not, it is presumed, gain them much credit with a discerning people, especially as a new Post Office will shortly be opened in this, and every considerable commercial town from *Virginia* to *Casco Bay*, and riders, of the most unexceptionable character, be set going with the Provincial mails, when letters, &c., will be carried with the utmost safety, much cheaper than the Ministerial prices of a *Foxcroft* or a *Finlay*. Thus much it is thought necessary to mention at this time. On the return of a particular agent, who is just setting off for *Virginia*, the publick will have further intelligence of the state of the enterprise in question, which the friends of freedom and their country wish to see completed by the first of *September* next, that being the time appointed for the meeting of the grand Congress at *Philadelphia*; a body that cannot, with any degree of consistency or safety, entrust or encourage the tools of those who have forged our chains, and are striving to rule us with a rod of iron.

—

EXTRACT OF A LETTER RECEIVED AT WILLIAMSBURG, FROM BALTIMORE TOWN, IN MARYLAND, DATED JULY 25, 1774.

It is with inexpressible pleasure that I can, at this juncture, from indubitable authority, assure you, and the respectable people of *Virginia*, that a complete plan of establishing a new *American* Post Office, has been lately executed throughout the different Governments in *New England*. It has been liberally encouraged, and warmly patronised, by a very considerable number of our principal gentlemen; and no doubt seems now to remain of its soon being carried into execution all over the Continent. Indeed, under the present dreadful situation of our affairs, the great and general utility of such an establishment must be obvious to every one; for, if we consider the footing on which the present *American* Post Office is, we must hold it to be a specious, baneful, and unjust taxation; at least equally dangerous with any other that we have opposed. Mr. *William Goddard*, Printer, here, who has conducted this business hitherto, intends setting out for *Williamsburg* in a few days, that he may be present at the general meeting of your late House of Representatives, and to lay before your Committee of Correspondence the several approving and recommendatory letters he has received from other Committees on this subject; and if they give their sanction to this scheme, (of which I have little doubt, when we reflect upon the noble struggles in support of their country's freedom,) it will be immediately executed, in a manner, it is presumed, that will give general satisfaction, and rescue *American* correspondence out of the hands of our wicked and designing enemies.

—

Williamsburg, *August* 11, 1774.—Mr. *Goddard's* proposals and plan for establishing an *American* Post Office on constitutional principles, which appears, by Letters from the Committees of Correspondence, and principal gentlemen of many respectable Provinces and towns, to have met with the most generous patronage and warmest approbation, were agitated at the late Convention of the Representatives of this Colony, who justly considered the object Mr. *Goddard* is pursuing of great importance to *America*, highly worthy the attention of the general Congress, and, as such, particularly recommended it to the gentlemen appointed Delegates from this Colony.

Digitized by Google

EXTRACT OF A LETTER RECEIVED IN NEW-YORK, DATED BOSTON, JULY 3, 1774.

I arrived at this devoted town a few days ago; every thing here has a most melancholy appearance, except the countenances of the worthy inhabitants, which are as calm and serene as if they were in the height of their trade, though they are really distressed more than you can easily imagine; every method has been used for that purpose by those engines of tyranny, who have done almost every thing in their power, short of open hostilities, to intimidate and frighten them into compliance.

Their conduct upon this occasion is worthy of themselves; their patience, resolution, and firmness, under the present oppression, and the many insults they daily meet with from different quarters, is truly astonishing to their friends, and confounding to their enemies. It is highly mortifying to the Jacobites, Tories, and some of the military, to see the people here, in general, act with so much prudence, calmness, and at the same time determined resolution, never to submit to tyranny. This conduct entirely frustrates the wicked scheme of provoking the inhabitants to become the aggressors. Their unexampled patience and discretion, has reduced the director of this extraordinary expedition, to such a terrible dilemma, that I believe he hardly knows how to act. A non-consumption agreement has circulated through almost every county in this Province; and it is very generally signed, in some counties almost to a man. In this agreement they do in the most solemn manner engage not to purchase nor use any *British* manufactures that shall arrive after a certain time, I think the last of *August* next.

The Governour on hearing of the above, issued his Proclamation (without advice of the Council—a stretch of prerogative never before exercised in this Province) cautioning every person from signing the agreement, (which he calls a Solemn League and Covenant,) and commanding all Magistrates to prosecute any person who should attempt to sign it, calling it a traiterous combination, and the Committee who proposed it a set of traitors. But the Proclamation had an effect quite contrary to the design of it—many who did not before now intend to sign it—so that almost every measure taken by arbitrary power to subject the people here to slavery, has an effect directly opposite to the intention of the contrivers. A report prevails in town, that as soon as the soldiers are landed, six or seven of the leading men are to be taken up, and put on board of the man-of-war, to be sent home, or executed here; and that the Governour intends to erect his standard, and order the inhabitants to bring in their arms. Whether the report is true or not, I do not know, but some of the principal people here firmly believe it; and all the manœuvres for some days past, seem to indicate such an intention. For my part, I think it only intended to intimidate; but, if so, it will certainly be lost labour.

The train of artillery landed yesterday, and encamped on the Common, with the other two regiments that were there before. The fifth and thirty-eighth arrived last week, and are to be landed to-morrow. Admiral *Graves* in the *Preston*, of fifty guns, arrived on *Friday;* and next *Wednesday* Admiral *Montagu* sails for *England*—perhaps this is the ship intended to carry home the state-prisoners. *God* forbid that any such attempt should be made, as the consequences would certainly be very terrible.

EXTRACT OF A LETTER RECEIVED AT PHILADELPHIA, DATED CARLISLE, JULY 4, 1774.

Our last accounts from *Fort Pitt*, are very good in one sense: the traders are all arrived safe with their goods at that place, being escorted and protected by some *Shawanese Indians*, who were sent to Colonel *Croghan's*, as it was imagined they would not be safe at the Fort; the *Virginians* having a party of militia under arms at that place. *Conolly*, their Captain, as soon as he heard of the *Indians* being at *Croghan's*, sent forty of his men to take them prisoners, notwithstanding their kindness to our people; but the traders giving them notice of the design, they immediately went off; *Conolly's* party followed and overtook them, fired upon and wounded one of them; the other two took the wounded *Indian* off, and made their escape, and a day or two afterwards met a party of *Indians*, escorting another of the traders with his effects from the lakes. The escorting party of the *Indians* no sooner saw the wounded man, but they immediately ordered the skins to be unloaded, and held a Council what was best to be done. But the traders who had arrived at *Fort Pitt*, fearing some bad consequences might happen from the conduct of the party, which *Conolly* had sent out, immediately followed the *Indians*, and came up with them the day after they had met with the other party, and advised them to return to their own country; at the same time telling them, that *Pennsylvania* had no part in the mischief already done, and that the *Virginians* were entirely in fault.

We hear from *Virginia*, that a large body of men are going out against the *Indians* by order of Government; the rendezvous to be at the mouth of the *Great Kanhawa* river, and there to build forts and fortify themselves.

We are informed that young *Cresap*, who first began the quarrel with the *Indians*, and murdered a number of them in a cowardly manner, has received a letter of thanks from Lord *Dunmore*. From hence it appears that a scheming party in *Virginia* are making a tool of their Governour, to execute the plans formed by them for their private emolument, who being mostly land-jobbers, would wish to have those lands which were meant to be given to the officers in general.

ORANGE TOWN (NEW-YORK) RESOLUTIONS.

At a Meeting of the Freeholders and Inhabitants of *Orange* Town, and Province of *New-York*, on *Monday*, the 4th day of *July*, 1774, at the house of Mr. *Yoast Mabie*, in said town, the following Resolves were agreed upon and passed, viz:

1st. That we are and ever wish to be, true and loyal subjects to his Majesty *George* the Third, King of *Great Britain*,

2d. That we are most cordially disposed to support his Majesty, and defend his Crown and dignity, in every constitutional measure, as far as lies in our power.

3d. That however well disposed we are towards his Majesty, we cannot see the late Acts of Parliament imposing duties upon us, and the Act for shutting up the port of *Boston*, without declaring our abhorrence of measures so unconstitutional and big with destruction.

4th. That we are in duty bound to use every just and lawful measure, to obtain a repeal of Acts, not only destructive to us, but which of course must distress thousands in the mother country.

5th. That it is our unanimous opinion, that the stopping all exportation and importation to and from *Great Britain* and the *West Indies*, would be the most effectual method to obtain a speedy repeal.

6th. That it is our most ardent wish to see concord and harmony restored to *England* and her Colonies.

7th. That the following gentlemen, to wit: Colonel *Abraham Lent*, *John Haring*, Esquire, Mr. *Thomas Outwater*, Mr. *Gardiner Jones*, and *Peter T. Haring*, Esquire, be a Committee for this town, to correspond with the City of *New-York;* and to conclude and agree upon such measures as they shall judge necessary, in order to obtain a repeal of said Acts.

EXTRACT FROM LONDON, DATED JULY 4, 1774.

Private letters from *Boston* give us rather an unfavourable account of the state of that town, in a mercantile view. The generality of the faction have little trading intercourse with *England*, being mostly composed of men who are engaged in smuggling companies, or mechanicks; yet there are some merchants among them, but these merchants are mostly indebted in *England*, are violent party men, and attribute the non-payment of their debts to the three-penny duty on tea, and to the exercise of the just rights of the *British* Legislature over them; therefore, the merchants who either will not, or cannot make remittances, the smugglers the mechanicks, and those who are facinated with the extravagant notion of independency, all join to counteract the majority of the merchants, and the lovers of peace and good order. Seditious Committees have been appointed, who have endeavoured to influence the other Colonies to

Digitized by Google

shut up their ports, to ruin themselves, and to starve the *West Indies*, in order to enable the herd of faction at *Boston* to conquer ungrateful *England*. In this extraordinary scheme, the unsuccess of the *Boston* rebels has been adequate to the folly of the proposal.

Some of the other Colonies have publickly declared that they will not enter into any non-importation agreement with the people of *Boston*, because the faction of that town had most infamously deceived them in a former agreement of the same kind. What the *Boston* faction themselves have published concerning the Colonies of *Rhode Island* and *New-Hampshire* joining in their frantick scheme, is partly true. These Colonies have verbally joined the *Bostonians;* but, if we can credit private letters from *Boston* itself, it is not expected that those Colonies will observe in practice what they have promised in writing; and there are also letters in town from merchants, who constitute part of the faction (that is to say, the honest and the misled part, whose eyes are now partly opened,) and they declare amidst their asseverations of defending what they call their rights and privileges, that they will take proper care not to be cheated by their brother confederates, as they were in the last non-importation agreement. From this intelligence we may readily conceive that no consistent, permanent, or vigorous measures, will be adopted by the *Boston* rebels; for where there exists a suspicion in the minds of men acting together, of a want of faith among themselves, or, to speak in plainer terms, where one party of them expects to be cheated by the other, in such an association, unanimity cannot long subsist, more especially as their confederacy is fundamentally wrong and unwarrantable;—a house built upon a sandy foundation, and divided against itself, cannot stand.

Such are the contents of many letters from *Boston* by the two last vessels; and such advices have had a proper effect, or at least, it is supposed, will have, on the merchants here, as several vessels that were expected to sail in a few weeks for the *Massachusetts*, will either be obliged to remain here, or to sail in ballast. Private letters also mention, that some owners of vessels have laid up their ships on the supposition that the *English* merchants will not ship any goods till the faction has submitted, and till the blockade is withdrawn. Other letters hint that some who are called merchants have in contemplation a removal to the banks of the *Ohio* and the *Mississippi*, as in such remote regions they will have little chance of hearing from their friends in *England*. In general, the private accounts bear the complexion of the writers; some who wish for the opening of the port, are nevertheless, well pleased that such an effectual measure has been taken as the most seditious, now begin to feel their own littleness; and have also drawn upon themselves the reproaches of the more moderate. And as some of the heads of the faction have no concerns in lawful trade, the majority of the merchants complain much against them for involving the town in such distress. It is likewise said, that if the Act had been conditional, and if, upon their voting the compensation for the tea, its operation would have been prevented, that the money would have been instantly granted; for the real cause of all the rebellious insolence committed at *Boston* was, the continued assurances sent to *Boston* by their agent, that *Britain* was too enfeebled, and Administration too timorous, for to take any spirited measures to repress them. The fatal effects of listening to such insidious advices are now clearly seen by every person possessed of common sense.

The publick accounts, which the faction have published from their friends, (as they mistakenly call them) in *London*, give us the strongest evidence of the base falsehoods employed to mislead the ignorant people of *Boston*. Among these many pages of falsehoods, we shall only select one article, which is, "that when the regiments "were ordered to embark for *Boston*, many of the officers "resigned their commissions, refusing to be the instruments "of oppression." This may serve as a specimen of the encouragement which the factious miscreants here infuse into the *Bostonians* on purpose to seduce them. Another piece of admirable advice given them, by some knave here, is, "that as their port was to be blocked up, it would be "wise in them not to pay any of their debts to this "country." Thinking men now will not be surprised that there have been the most unjustifiable commotions and insurrections in *Boston*, as they find that the people whom the *Bostonians* confide in, and entrust with the management of their affairs here, have written their correspondents the *well established truth* of the officers resigning their commissions; and also sent them the honest advice not to pay their just debts!

TO THE INHABITANTS OF THE PROVINCE OF SOUTH-CAROLINA, ABOUT TO ASSEMBLE ON THE 6th OF JULY.

Charlestown, July 4, 1774.

GENTLEMEN: The hour is approaching, the determination of which will affect posterity to the remotest generation. An unparalleled stretch of arbitrary power has lately taken away the chartered privileges of a sister Colony, and granted to his Majesty the property of thousands against whom nothing had been proved. The same Ministerial tools who refused to admit the Letters of *Hutchinson* and *Oliver* to be evidence in support of the Assembly's Petition against them, have condemned a whole town unheard, on the sole evidence of their private Letters. The last evening of *May*, thousands of brave *Americans* lay down possessed of lands, wharfs, &c., confirmed by Royal Charters; the rising sun of the ensuing day beheld them stripped of all legal right to those possessions. The loyal sufferers supplicate our aid, to concert some general plan of conduct. An auspicious day will soon behold the numerous Sons of Liberty assemble at her call.

Give me leave to present to your view our happy situation before the year 1765. When money or troops were wanted, a requisition was made to our Assemblies, whose compliances in general did them great honour, particularly in the last war, when they were supposed to have contributed more than their quota.* A mutual confidence reigned between *British* subjects on both sides of the *Atlantick*. Taxation being mutually acknowledged to reside in the Deputies of each, and legislation in the Parliament of *Great Britain*. Within these few years, such is the encroaching nature of power, they began, for the first time, to lay taxes for the raising of a revenue. Hence the accursed Stamp Act, Declaratory Act, and the imposition of duties on paper, paints, glass, tea, &c. The *Americans*, determined to oppose the raising a revenue of them by Representatives they never chose, agreed to parry the Tea Act, by stopping the importation of it. The Ministry, unwilling thus to be baulked, request the aid of the *East India* Company. They, knowing the measure to be dangerous, because it was unjust, hesitate; but, after they were indemnified from all losses, they undertake to export large cargoes of tea, loaded with a duty for the raising a revenue, to be paid in our ports, with our money. In what light is the *East India* Company to be considered in this matter? As merchants trading here under the sanction of the law of nations, or as a banditti hired to attack our privileges? In what light could the *Americans* consider their commodity? As the sacred property of the honourable trader? No; but as an engine by which the enemies of *America* meant to subvert its privileges. Tea, so circumstanced, brought with such a design, so involved in the dispute, lost the sacred sanction of common property, and may figuratively be said to have changed its nature, and become an instrument of war. In this view of the matter, the *Bostonians* seem to have done no more than the spirited traveller who breaks the sword or pistol of a robber presented to the breast. Pardon the comparson, ye pensioned hirelings of power, though interest blinds your eyes, the free-born sons of *America* know, that, notwithstanding the vast *Atlantick* rolls between, a subject born in this Continent has a constitutional right to the same privileges as if he had received his first existence in the Island of *Great Britain;* and that, of consequence, no power on earth has any more right to demand his money,

* In the year 1690, *New England* alone furnished three thousand troops, and forty transports, against *Canada*. They sent six thousand men, under General *Hill*, for the same purpose, in Queen *Anne's* wars. In 1739, they raised four thousand men to serve against *Carthagena*. In 1746, they alone made a conquest of *Cape Breton*. In 1759, at the request of Admiral *Saunders*, sailing against *Quebeck*, they sent him a number of their best sailors, who served in the fleet during the remainder of the war. They also sent a large body of troops, under the command of General *Lyman*, to the *Havana*. All this they did willingly.

Digitized by Google

without his consent, than the assassin who robs on the highway. They also know, that *Great Britain* claims a right of obliging the Colonists to buy manufactures of none but *British* merchants; and that, of consequence, a duty laid on them for raising a revenue, is a* tax to all intents and purposes.

Figure to yourselves, my countrymen, the abject situation you are in. It is inconvenient to manufacture for yourselves; indeed *Great Britain* says you shall not, as in her prohibition of slitting mills, and the transporting of any *American* woollen manufactures whatsoever, or hats, by land or water, from one Colony to another, she also commands you to buy from her. How complete, then, is your slavery, if she has a right to lay taxes at pleasure on those articles of commerce, which she will neither permit you to make for yourselves, nor buy from any but herself? This short review of the dispute evinces the justice of our opposition to the payment of taxes on *British* manufactures. By tamely submitting to this usurped claim, you not only reduce yourselves to be tenants at will to the *British* House of Commons, but also lay a foundation for overturning the Constitution of *England* herself. Her excellent form of Government is supported on the tripple pillars of Kings, Lords, and Commons; either of these being defective or overgrown, the fabrick will at least totter, if not tumble. The *Americans*, in one century, will exceed the inhabitants of *England*. If, then, their property should be at the disposal of the House of Commons, they will grow too strong for the other branches of Legislature, and erect a Government of five hundred and fifty-eight tyrants in the place of the present admirably equipoised Constitution.

From what has been said, it appears, that the duty on tea is founded on the same principles with the Stamp Act, and ought to be opposed with equal firmness. *America*, through a long tract of two thousand miles, remonstrated against the precedent, and resolved that the tea should sooner be destroyed than landed. Hapless *Boston!* Not one whit more guilty than the other towns, thy fate was predetermined! Thou wert deliberately ensnared, that thou mightest be superlatively punished.† *Delenda est Carthago*, was the motto of thine enemies. Thou didst break the dagger that was pointed at the heart of *American* liberty, and therefore the property of the innocent, as well as the guilty, has been ravished from them, and their lives made to depend on those "whose tender mercies are cruelty."

Here let me pause, and ask, why is the attack made on only one Province, when all are equally guilty? Divide and destroy, is the only answer which can be given. Why are they punished so much beyond the demerit of the offence? To intimidate every *American* who would dare to dispute the omnipotence of Parliament. Why is the duty on tea so warmly supported, when it scarcely pays the cost of collecting?‡ Not for the trifling sum of three pence a pound, but to establish a precedent to tax us at pleasure. Yes, my countrymen, you may depend on it, a design is formed against your liberties; and that, one by one, you will be victims to Ministerial despotism, unless you unite in the most vigorous self-denying opposition. The exhausted treasury of *England* is unequal to the support of the increasing number of placemen and pensioners, and therefore they would fain augment their resources by plundering the fair possessions which your industrious forefathers have hewn out of the wilderness of uncultivated *America*. Golden showers have rained down on the abettors of these accursed schemes, and disgrace fallen on every honest man who opposed them. Witness the promotion of *Bernard*, *Oliver*, and the expectations of *Hutchinson*. Pardon me, illustrious *Franklin!* if I mention thy venerable name in the same unhallowed page which is stained with those of *Hutchinson* and *Bernard*. Though you disarmed the Heavens of her thunder, and taught the lightnings to play harmless around our heads, yet, because you opposed the subjugation of your native land, therefore you have been disgraced.

Suppose the *Bostonians* were wrong in destroying the tea; we should vigorously unite against the present measure, as that mode of punishment is a fatal precedent. If a few people, even if the whole town was guilty, will this justify the taking the Charter from the whole Colony? If restitution was to be made, is that a sufficient reason that the lands, wharfs, and property of thousands, should be given to the King for ever? If these Acts of Parliament are suffered to operate, landholders may consign the deeds by which they hold their property to the tallow chandlers and pastry cooks. If the security of property is the object, why is it not tried at common law? No, my countrymen, nothing less is designed than to beggar three or four worthy patriots of that town, new-model their Constitution, and establish a precedent for the enslaving this free country. Do you need arguments to prove that it is a common cause, and that we should all unite, heart and hand, in some vigorous measures of opposition? Surely no. Methinks I hear almost every one resolve, that tyranny and injustice should not enter in till the body of the last freeman lies in the breach. Sorry am I to hear, that some, insulting the misery of the *Bostonians*, ludicrously compare them to a fox, "who, having lost his tail, "largely inveighed against the use of tails, and persuaded "the other foxes to cut off theirs." Ye assassins of *America!* (for I cannot forbear,) who, though you have received your existence from her indulgence, trample on her rights! What name shall I give you? Ye are not men; for, is it manly to hug yourselves in wanton ease, unconcerned at the sufferings of your brethren, bleeding in the common cause! Ye are not brutes! for "the ox knoweth "his owner, and the ass his master's crib; but ye neither "know nor consider." The surly dog will lick the hand and fawn upon the man who gives him bread; but you, more ungrateful, join in the most unnatural opposition to that country, the bounty of which enables you to bask in the sunshine of prosperity. I trust, my countrymen, you have too much good sense to be influenced by such unfeeling wretches, and that neither ease nor interest will deter you from affording vigorous assistance to your injured brethren. At your proposed meeting, make the plan of operation as perfect as possible. Perhaps it is the last time you will be indulged the liberty of consulting together, on pain of being fired upon, by malicious men, privileged to murder. A Ministerial Parliament has made it unlawful for your neighbours to assemble; and many reasons make it highly probable that this is but act one of the begun tragedy of *American* liberty. I would, therefore, recommend to you the passing of some resolves on the late oppressive Acts of Parliament; the choosing of Deputies for a general Congress; the entering into solemn agreement not to import goods; (a very few articles excepted;) the appointment of Committees to procure subscriptions to this agreement, and to enforce the observance of it; and also to collect money for the suffering poor in *Boston* and amongst yourselves. These measures are hard; but unless we willingly impose them on ourselves, much harder are likely to be imposed by our unrighteous task-masters. I repeat it again, (for it cannot be too often insisted upon,) that all evils of this kind fly up, and kick the beam, when weighed against the consequences of our giving up the point. What though you should be obliged to wear the same garb your slaves hitherto have done, or though every fourth man, thrown out of business, should be supported by the liberal and wealthy. Better to remain in this state, calling the little we have our own, than to commit

* I reject the division of taxes into external and internal. Any duty laid to raise a revenue is properly a tax. What is commonly called an external tax, is no more than a regulation of trade; and though the revenue might be accidentally increased by such regulations, they are very different from duties laid expressly to raise money.

† Many things make this probable. Admiral *Montagu*, writing concerning the destruction of the tea, has these words: "During the "whole of the transaction, neither the Magistrates, owners, nor rev-"enue officers, ever called for my assistance; if they had, I could "easily have prevented the execution of the plan." Why did *Hutchinson* necessitate the destruction of the tea by the refusal of a pass? His letters complaining of their Charter; the clauses in the Bill designed to impoverish *Hancock*, *Rowe*, &c., and many other things, make it highly probable that the whole was a premeditated juggle between *Hutchinson* and the Ministry.

‡ The expense of the *American* Board of Commissioners is between four and five thousand pounds a year; and yet, says the Author of "The Regulations of the Colonies," the whole remittance from all the taxes in the Colonies before this establishment, at an average of thirty years, did not amount to one thousand nine hundred pounds a year. The smallness of this sum proves that these duties were regulations of trade; and the coeval existence of the new Revenue Laws, and the Board of Commissioners, make it obvious to every man that the trifling tax on tea is designed only to try our temper, and to prepare the way for much heavier.

Digitized by Google

treason against the Majesty of Heaven, by tamely acknowledging the claim of Parliament to dispose of your houses, lands, wharfs, money, and even your lives, at their discretion.

The inconveniencies of non-importation, however discouraging they may appear to the imagination of the timid, shrink into nothing when compared with those it will prevent. The planters are greatly in arrears to the merchants; a stoppage of importation would give them all an opportunity to extricate themselves from debt. The merchants would have time to settle their accounts, and be ready with the return of liberty to renew trade. We can live independent, as our country abounds with all things necessary for our support. Who that has the spirit of a man, but would rather forego the elegancies and luxuries of life, than entail slavery on his unborn posterity to the end of time? If gentlemen of influence lead the way, the honest industrious patriot will appear more graceful in sober homespun, than the gayest butterfly dressed in all his gaudy decorations. Nothing but custom makes the curl-pated beau a more agreeable sight with his powder and pomatum, than the tawney savage with his paint and bear's grease. Too long has luxury reigned amongst us, enervating our constitutions and shrinking the human race into pigmies. "Hysterick and hypochondriack diseases, "were formerly confined to the chambers of the great, are "now to be found in our kitchens and workshops." Our gray-headed fathers tell us, that, in the present generation, there is a sensible diminution of the strength and stature of their predecessors, "who nobly independent lived."

Let us, then, be content to eat, and drink, and wear, what our country can afford, at least till it is determined whether we are to work for ourselves, or the devouring bloodsuckers of another quarter of the globe. Thus circumstanced, a non-importation agreement will not only prove a means of restoring our liberty, but also be productive of many salutary purposes.

The number of people in *England* has been computed to be equal to seven millions, and that the cultivation of the land cannot employ more than every seventh man, the other six millions being supported by manufacturing. Writers on trade suppose that *America* consumes nearly one half of their wares, and, therefore, virtually supports almost three millions of the inhabitants of that Island. By a strict observance of a prudent non-importation agreement, we can reduce this number to a starving condition; and if non-exportation should also take place, it would lessen the revenue two millions sterling a year. Thus, *Hannibal* like, we can plant the war in our oppressor's country. Think with yourselves, my countrymen, how confidently you may expect redress, when you have the eloquence of three millions of such miserable subjects pleading in your behalf! A despotic Ministry has been deaf to your cries; but how can they be deaf to the cries of so many of their own subjects pinched with poverty and hunger? Will it suffice that Lord *North* should exhort them to patience till he subjugates three millions of free born *Americans*? Surely no. Something more than bare words and empty promises is necessary to satisfy the inexorable cravings of a hungry belly. In vain has *Chatham* plead, in vain has *Camden* exhausted the powers of language in demonstrating our right of exemption from Parliamentary taxation; but not in vain will these pinched millions plead. If we can subdue pride and luxury in ourselves, and withhold our commerce, in six months we can distress the *West Indies* and *Great Britain*, so that the cry of famine, re-echoed from thousands, rising in mobs, will oblige the Parliament to adopt other measures. These are the constitutional weapons with which we can fight the enemies of our Continent. Courage, then, my countrymen. Remember the success that crowned your opposition to the Stamp Act. Unanimity and perseverance, in our good cause, will make us invincible. Think of your ancestors who fled from tyranny and persecution to this uncultivated land, fearing less from savage beasts and savage men, than slavery, the worst of savages. By their industry this wilderness has blossomed as a rose. Will you tamely suffer your possessions, improved by their labour, and bought with their blood, to be wrested from you, and given to placemen and pensioners? Think of your posterity, and transmit to them the fair inheritance of liberty, handed down from your glorious progenitors. Kindle with the complicated idea, and, upon this trying occasion, sacrifice every private consideration to the publick good.

When I review the annals of the world, I am constrained to believe that great things await *America*. When Liberty was well nigh banished from every quarter of the globe, she found an asylum in this savage land. Learning, liberty, and every thing that ennobles the human mind, have constantly been travelling westward. I never can believe, that in this sacred land slavery shall be so soon permitted to erect her throne on the ruins of freedom. It is contrary to the analogy of things, which gradually have their rise, progress and declension. Be firm, be of one mind; abandon luxury and indolence, encourage industry and frugality. Choose your Deputies for a general Congress; solemnly enter into a non-importation agreement, and religiously adhere to it. Thus persevering, as sure as *God* is in Heaven you will obtain a speedy redress of all your grievances.

EXTRACT OF A LETTER FROM GOVERNOUR WENTWORTH TO THE EARL OF DARTMOUTH.

New-Hampshire, July 4, 1774.

On the 25th of *June*, at night, arrived here the *Grosvenor*, mast-ship, from *London*, with twenty-seven chests of bohea tea, consigned to a merchant in *Portsmouth*; sometime before the arrival of the ship, it was reported that a quantity of bohea tea was expected. Hereupon I took effectual precautious to counteract the universal disquiet of *America*, from contravening the Acts of Parliament in this instance, or destroying the property. By my desire the consignee wrote a letter to the master of the ship, with directions how to proceed on his arrival. This letter I gave to Captain *Cochran* of his Majesty's Castle *William* and *Mary*, who effected my orders in delivering it at sea. The 26th being *Sunday*, nothing was done. On the 27th the master and merchant went early to the Custom House, and entered the ship and cargo. At noon day the ship's boats came to the wharf with twenty-seven chests of tea; carts were prepared and the tea immediately carried to the Custom House and there stored before any people could assemble to obstruct it. The town, not suspecting any movement until my return from *Dover*, about ten miles off, where I purposely staid during this first operation to secure the event, which I foresaw would be carried quietly, by withdrawing suspicion, having confided my plan to proper Magistrates, who I knew would not be disappointed. In the afternoon a town meeting was convened upon the occasion. I came into town and passed on horseback through the concourse, who treated me with their usual kindness and respect. At the meeting, it was represented to the people, that the tea being now lodged in the Custom House, the question was totally changed; that nothing could be done, but by the consent of, and agreement with, the merchant. The meeting proceeded with coolness and temper beyond almost my hope. It was proposed that a Committee should be chosen and invested with powers to treat with the merchant. In this Committee of eleven, were many principal gentlemen, discreet men, who I knew detested every idea of violating property; men disposed to prevent mischiefs. The town also chose a guard of freeholders, to protect and defend the Custom House and the tea from any attempt or interruption, which being sincerely intended, was faithfully executed. On the 28th the consignee accepted and agreed to the proposals of the Committee, to export the tea to any market he chose, upon condition the town would re-ship and protect it while in the harbour. This they gladly acceded to, and the town upon adjournment confirmed the proceedings; accordingly the Committee and the consignee, together, were at the Custom House, where the duty was openly and regularly paid, and the tea again carted through the streets publickly in the day time, without noise, tumult or insult. About nine o'clock P. M., three overheated mariners (two of them strangers) endeavoured to excite a mob, to destroy the tea and vessel hired to export it. Whereupon I sent for Colonel *Fenton* who gathered a few gentlemen, repaired to the vessel, and with laudable spirit and prudence they

Digitized by Google

personally guarded both vessel and cargo in safety till the next morning. On the 29th, A. M., the Comptroller of the Customs informed me that these mariners had got drums, and were assembling thoughtless people to destroy the tea and sloop. At the same time I received a letter, No. 1, a copy herewith enclosed, from the consignee, desiring my aid and assistance to take possession of the sloop and cargo. Hereupon I directed the Sheriff instantly to summon the Council and every Magistrate and peace officer to meet me forthwith on the wharf, where the vessel lay, determining to disperse any riotous attempts, and order the vessel to the Castle; while I was going out on this my duty, a messenger came to tell me that some Magistrates and two of the Council, Mr. *Warner* and Mr. *Rindge*, who happened to be in the way, hearing the noise, had repaired to the place, and, with many other freeholders, silenced the drums, and prevailed on the people to disperse, without any outrage. At this time I received a second letter, No. 2, herewith, from the consignee, to the same purport as the first. I lost no time in writing an order to Captain *Cochran*, immediately to take possession, defend, protect, and safely deliver the said vessel and cargo to the merchant, or to his orders; and the Sheriff, *John Parker*, Esq., to take command of the Castle in his absence, as will appear fully by the enclosure, No. 3. In the evening, about half past six, observing the wind to be contrary, I despatched a second order to Captain *Cochran*, still to continue in the orders of the morning, as by the enclosure, No. 4. Those orders were directly carried into effect, with a prudence and firmness that does honour to both the officers. On the 30th the owner of the sloop, the master, and the supercargo, to whose care the consignee committed the tea, came on board, with proper Custom House clearances, and authority from the consignee. Captain *Cochran* examined the twenty-seven chests of tea, found them perfectly safe, and in good order, desired the three last mentioned persons to examine the same, which they did, and then received both vessel and cargo into their possession, and forthwith sailed for *Halifax*. Mr. *Parker*, the Sheriff, and Captain *Cochran*, returned to their respective duties, and have made return of their doings on my orders, as in the enclosures, No. 5 and 6. During these transactions, viz., on the evening of the 27th, and morning of the 28th, I told the Collector and Comptroller, also the consignee, that if they wanted any aid or assistance, or were apprehensive of danger, I was ready, whenever they would apply to me, and would not only issue orders, but would in person defend them; that I was confident the magistrates and freeholders would not desert me: but they would not apply, declaring they then apprehended no danger.

EXTRACT OF A LETTER FROM A VERY RESPECTABLE GENTLEMAN IN LONDON, TO A CORRESPONDENT IN PHILADELPHIA.

London, July 5, 1774.

The present state of political affairs furnishes nothing less disagreeable than my last informed. The *Quebec* Bill, we apprehend, will produce the most distressing jealousies among the Protestant inhabitants of that country, and indeed of all *America*. With us the staunchest friends to *Hanoverian* succession have not scrupled publickly to pronounce it the most daring stretch of the prerogative of the Crown, and the most sinful violation of the rights of a free people, that the annals of *Britain*, or any other Nation in the world, register. Enclosed you have the address and petition of the Lord Mayor, Alderman and Commons of this city to his Majesty, which is considered one of the grandest and most spirited addresses ever handed to a Throne, insomuch that many hundreds of them, elegantly framed and glazed, have been purchased as household pictures by the nobility, gentry, &c., to transmit to future ages the virtue, sincerity, and honest boldness of so respectable a body of men. The coin of prophecies is now become current here, and we have too much reason to fear, that some presage, of dreadful import, will, ere long, be realized. Very much, all, indeed, depends on the hardihood and publick virtue of the *Americans*. If the brave *Bostonians* maintain theirs, at this trying juncture, all will be well; for *their conduct* will furnish a criterion whereby to regulate Government here, in a judgment of the success of the iniquitous measures they purpose adopting throughout the Continent. It is strongly imagined that many presses, I mean printing presses, in the Colonies, are at present fettered in *golden chains*, sent over by the Ministry for that purpose. One or two to the Northward of you have been publickly mentioned, but as a little time must discover the truth or falsity of this suspicion, I shall forbear entering into particulars. The publick prints from your city, as well as those from *Virginia*, are in admired request with all ranks of people, except the tools of despotism; but should the Ministry succeed in the enterprises they have already undertaken, with respect to the Colonies, you will assuredly be robbed of that darling privilege the freedom of the press; for effecting which, a scheme, I am well informed, is now agitating in the Cabinet, upon a new plan, lately hatched by a certain Lord, whose name is always opposite to the sun in its meridian, and who has publickly declared, that he is determined strenuously to oppose the meridian of your glory in the Western world.

EXTRACT OF A LETTER FROM DEPUTY GOVERNOUR PENN TO THE EARL OF DARTMOUTH.

Philadelphia, July 5, 1774.

My Lord: In my last, of the 31st of *May*, I had the honour to inform your Lordship of my expectation that a petition would be presented to me for calling the Assembly. I have since received such a petition, and herewith transmit you a copy of it, as also of my answer. In consequence of my refusal to call the Assembly, there was a general meeting of the people of this city and county, which, I am informed, was not so full as might have been expected on such an occasion.

Their proceedings I am only acquainted with by the newspapers, one of which I send your Lordship, which contains the transactions of the day. The general temper of the people, as well here as in other parts of *America*, is very warm. They look upon the chastisement of the people of *Boston* to be purposely rigorous, and held up by way of intimidation to all *America*; and, in short, that *Boston* is suffering in the common cause. Their delinquency in destroying the *East India* Company's tea, is lost in the attention given to what is here called, the too severe punishment of shutting up the port, altering the Constitution, and making an Act, as they term it, screening the officers and soldiers shedding *American* blood. The plan which seems to be universally adopted is the procuring a general Congress, in order to state the rights, and represent the grievances of *America* to the Throne; and to agree upon such measures as may be thought most likely to relieve *Boston*, and restore harmony between *Great Britain* and the Colonies.

The measures generally talked of is the non-importation and non-exportation from and to *England*. Some are for making it general, and others for limiting it, but all for associating against the use of *East India* goods of every kind, except saltpetre and spices. In the mean time, as great numbers of people will be reduced to absolute indigence for want of their usual employment, collections are making here, and in all other parts of *America*, for their relief.

EXTRACT OF A LETTER FROM GOVERNOUR GAGE TO THE EARL OF DARTMOUTH.

Salem, July 5, 1774.

My Lord: Since my letter, No. 3, of the 26th ultimo, a number of the better sort of people attended a town meeting at *Boston*, with design to make a push to pay for the tea, and annihilate the Committee of Correspondence, but they were out voted by a great majority of the lower class. The minority drew up a Protest, which I transmit your Lordship from a newspaper.

The above Committee had sent a circular letter through the Province, accompanied with a paper called *a League and Covenant*, of so pernicious a tendency, that I judged it proper, without loss of time, to publish a Proclamation to prevent the ill effect of it as much as possible. I enclose your Lordship a copy of the Proclamation, together with printed copies of the letter and covenant, and also part of the newspaper, containing as much of the proceedings of

Digitized by Google

the above mentioned town meeting as the faction chose to publish, and a Protest of a number of gentlemen of the County of *Worcester*, against all riotous disorders, and seditious practices.

Your Lordship will perceive, that the Proclamation is not published with the advice of Council. There was no time to lose; I had a right to issue it without their consent, as I was confident I could not obtain it. I gave notice afterwards for a Council to assemble, intending to lay the letter and covenant before them; but, on the day appointed for the meeting, one who had been summoned did not appear, so that there was not enough to make up a quorum; some of those who attended gave me to understand that they should desire a General Council to be called before they entered upon such business.

I have done all in my power to spirit up every friend to Government, and the measures taken by Administration encourage many to speak and act publickly, in a manner they have not dared to do for a very long time past. Your Lordship will observe, that there is now an open opposition to the faction, carried on with a warmth and spirit unknown before, which it is highly proper and necessary to cherish and support by every means; and I hope it will not be very long before it produces very salutary effects. Your Lordship is acquainted with the usurpation and tyranny established here by edicts of town meetings, enforced by mobs, by assuming the sole use and power of the press, and influencing the pulpits; by nominating and intimidating of juries, and, in some instances, threatening the judges; and this usurpation has, by time, acquired a firmness that, I fear, is not to be annihilated at once, or by ordinary methods. A free and impartial course of justice, whereby delinquents can be brought to punishment, I apprehend to be the chief thing wanting; the terrour of mobs is over, and the press is becoming free.

Although I do not credit many reports and opinions sent me, yet I do not hold it prudent totally to disregard them; and, on that account, I have ordered the transports which brought the fourth regiment here, to proceed to the port of *New-York*, and wait their for further orders. I intend, if I see occasion for it, to bring a regiment here from thence; and the transports of the forty-third are kept in readiness to sail for *Halifax* on the same errand; these motions, I hear, give spirit to one side and have thrown a damp on the other.

I heard yesterday, that all the transports from *Ireland* had come in, except one of the fifth regiment, with Lord *Percy* on board, and she was seen a day or two past, so that I hope to find her in the harbour to-morrow, on my getting to *Boston*, where I propose to pass some days, finding that my presence there will be necessary.

I have, &c. THOMAS GAGE.

POSTSCRIPT.—*Boston*, 6th *July*.—I have the pleasure to acquaint your Lordship, that the last transport with Lord *Percy* on board, is arrived; as, also, the store-ship, with many officers belonging to the regiments in *America*.

T. G.

ADDRESS OF THE JUSTICES OF THE COUNTY OF PLYMOUTH, MASSACHUSETTS, TO GOVERNOUR GAGE, PRESENTED JULY 6, 1774.

To his Excellency the Honourable *Thomas Gage*, Captain-General and Commander-in-chief in and over the Province of *Massachusetts Bay*, in *New England*; Vice Admiral of the same, and Lieutenant-General of his Majesty's Forces in *North America*:

May it please your Excellency to accept the cordial congratulations of the Justices of the Courts of the General Sessions of the Peace, and Inferiour Court of Common Pleas, for the County of *Plymouth*, on your appointment to the high office of First Magistrate of this Province, and upon your safe arrival. And permit us to acknowledge our gratitude to our most gracious Sovereign, that he has been pleased to place at the head of our affairs a person in whom are centered all the qualifications necessary for the discharge of that important trust.

We are sensible that the unwearied endeavours of your immediate predecessor to support the dignity of Government, and to maintain peace and good order, were not attended with the desired success; and we fear that the various arts and stratagems of some designing persons (who persevere in their plan of subverting the Constitution) will, in some degree, perplex your Excellency's Administration. But we console ourselves with the consideration that your Excellency has not only inclination but also authority to check the clamours of the seditious, and to secure to us all our constitutional privileges.

Of late we have seen with serious concern the inhabitants of some of our towns,—influenced by certain persons calling themselves Committees of Correspondence, and we are sorry to say, encouraged by some whose business it is to preach the Gospel of Christ, and to inculcate principles of loyalty and obedience to the laws,) entering into a league which seems to us calculated to increase the displeasure of our Sovereign, to exasperate our parent country, and to interrupt and destroy the harmony of society. Against this league and covenant, and all such illegal combinations, their aiders and abettors, we do bear our testimony, and we assure your Excellency that we will endeavour, by every means in our power, to discountenance such proceedings; and we will exert ourselves that justice be duly administered, the laws kept inviolate, and good order maintained in this country.

THE GOVERNOUR'S ANSWER.

GENTLEMEN: This very loyal and affectionate Address claims my best thanks, and my warmest acknowledgments. I cannot but lament that so many people, by nature well inclined, should be so far led astray by the stratagems and artifices of designing persons, as to forget the duty and obedience they owe their King and country, and become blind to their interest and happiness; but when men, from whose mouths we ought to expect the doctrines of sound religion, peace, virtue, and morality, so shamefully pervert the duties of their sacred functions, as to employ themselves to ensnare the weak, and captivate the unweary to the commission of actions unworthy of faithful patriots and honest citizens, it is no wonder that ignorant people should be prevailed upon to do things which, if not deceived, they would detest and abhor.

That such an usurpation and almost total subversion of all legal Government should make confusion in the Province is not surprising; but you will be satisfied, that you have a gracious Monarch, who sees your distress, and who holds forth his hand to protect and defend his loyal subjects, and that I will take every step in my power to secure to you the peaceable enjoyment of all your constitutional privileges, and to give that free course to the laws, on which every state depends for its support, and without which no Government can subsist.

GOVERNOUR WENTWORTH TO THE EARL OF DARTMOUTH.

New-Hampshire, July 6, 1774.

MAY IT PLEASE YOUR LORDSHIP: Upon hearing the Committee of Correspondence, chosen by the late Assembly of this Province, had issued letters to those members to meet this day in the Representatives' Chamber, in *Portsmouth*, there to deliberate and act, particularly to choose Delegates for a general *American* Congress, and that some of the said persons were convened, I have considered it to be my duty to his Majesty to use my endeavours to disperse and separate so illegal and unwarrantable an attempt. I have, therefore, convened his Majesty's Council, ordered the Sheriff to attend me, and requiring their attendance on me, I went into the room, and immediately read the enclosed Speech to them; afterwards I directed the Sheriff to make open proclamation, for all persons to disperse and keep the King's peace, which was done before they had entered on any business, and I expect will be obeyed. As this letter must be forwarded by express sixty-six miles to *Boston*, and reach there to-night, in hopes to have conveyance by Admiral *Montagu*, what further may occur I shall take due care to transmit to your Lordship as soon as possible. All which is most humbly submitted, dutifully hoping your Lordship's favourable representation of my best zeal, unremitted diligence and fidelity, in discharge of my duty, may happily be honoured with his Majesty's approbation. I have the honour to be, with the most perfect respect, &c., J. WENTWORTH.

Digitized by Google

LIEUTENANT GOVERNOUR COLDEN TO THE EARL OF DARTMOUTH.

New-York, July 6, 1774.

In my letter of *June* 1st, I informed your Lordship that the people of this city had chosen a Committee of fifty-one persons to correspond with the sister Colonies on the present political affairs; that many of this Committee were of the most considerable merchants, and men of cool tempers, who would endeavour to avoid all extravagant and dangerous measures. They have had a continual struggle with those of a different disposition, and having for several weeks succeeded in suspending any resolutions, I was in hopes they would have maintained the only conduct which can excuse them. But accounts repeatedly coming to hand from different parts of the Continent, of the appointment of Deputies to meet in a general Congress, this measure was so strenuously pushed, that it was carried in the Committee of fifty-one on *Monday* last, and five persons were named for the Deputies from this Province; the persons named are, *James Duane*, and *John Jay*, two eminent lawyers, *Isaac Low*, *Philip Livingston*, and *John Alsop*, merchants. I am told that a violent effort was made in the Committee to have *John Morin Scott*, an eminent lawyer, and *Alexander McDougall*, named in the place of *Jay* and *Alsop*; it is said that the people are to be invited to meet on *Thursday*, to approve of the Deputies named by the Committee. These transactions are dangerous, my Lord, and illegal, but by what means shall Government prevent them? An attempt by the power of the Civil Magistrates would only show their weakness, and it is not easy to say upon what foundation a military aid should be called in; such a measure would involve us in troubles, which it is thought much more prudent to avoid; and to shun all extremes, while it is yet possible things may take a favourable turn. The purpose of the Congress, it is said, is to petition for a redress of grievances, and to consider of a plan for settling the controversy with *Great Britain*. But no instructions for the Deputies have yet appeared that I know of.

The present political zeal and phrenzy is almost entirely confined to the City of *New-York*, the people in the counties are no ways disposed to become active, or to bear any part in what is proposed by the citizens. I am told all the counties but one have declined an invitation sent to them from *New-York*, to appoint Committees of Correspondence. This Province is every where, my Lord, except in the City of *New-York*, perfectly quiet and in good order, and in *New-York* a much greater freedom of speech prevails now than has done heretofore. An opposition has been declared to the vile practice of exhibiting effigies, which I hope will prevent it for the future.

EXTRACT OF A LETTER TO A GENTLEMAN IN BOSTON.

Alexandria, Virginia, July 6, 1774.

The following subscription for the benefit and relief of those (the industrious poor of the town of *Boston*) who, by a late cruel Act of Parliament, are deprived of their daily labour and bread, to prevent the inhabitants sinking under the oppression, or migrating, to keep up that manly spirit which has made them dear to every *American*, though the envy of an arbitrary Parliament, is from the County of *Fairfax*, in this Colony, viz: two hundred and seventy-three pounds sterling, in specie, (equal to lawful) thirty-eight barrels of flour, and one hundred and fifty bushels of wheat. This subscription being but a few days on foot, we have not had an opportunity to present it to the country in general; a large sum will be given. Mr. *Henly* yesterday returned from *Dumfries*, after consulting the Committee of *Prince William* County, in which a subscription is going on generously; this day he sets out to consult the Committees of *Loudoun* and *Frederick* counties, in each of which a spirit, becoming generous and freeborn sons of liberty, are in the like manner testified. Indeed, all *Virginia* and *Maryland* are contributing for the relief of *Boston*. The subscription is to be laid out in corn and flour, to be shipped and consigned to the Hon. *James Bowdoin*, and *John Hancock*, Esqrs., Mr. *Samuel Adams*, *Isaac Smith*, Esq., and the gentlemen Committee of Correspondence in *Boston*, to be distributed in such manner as they shall think most proper, among the persons reduced to want and indigence, by means of the cruel and unjust Act of Parliament. We are in the expectation of our schooner *Nassau* every day, and shall load her with a cargo to be presented, as by the enclosed paper. Our Association was put off, as the people from the country could not attend, being in the midst of harvest, and bad weather, they would have lost much grain. But be assured *Virginia* and *Maryland* are determined to unite with the Colonies. Firmness and intrepidity is their character.

NORFOLK BOROUGH (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders, Merchants, Traders, and other Inhabitants of the County and Borough of *Norfolk*, held at the Court House, on *Wednesday*, the 6th of *July*, 1774.

THOMAS NEWTON, Jun., *Moderator*.

Resolved, That it is the opinion of this meeting, that the town of *Boston* is now suffering in the common cause of *America*, and that every Colony on the Continent is in duty bound to unite in the most effectual means to obtain a repeal of the late Act of Parliament for blocking up the harbour of *Boston*, which we deem a most tyrannick exercise of unlawful power.

Resolved, That it is the opinion of this meeting, that the Acts for altering the Constitution of the *Massachusetts Bay*, and for the suppression of riots and tumults, are most violent and dangerous infractions of the solemn chartered rights of these Colonies; utterly destructive of trials by the vicinage, and a very melancholy proof of the despotick spirit of the times.

Resolved, That our late Burgesses be hereby instructed to use their utmost endeavours at the ensuing Convention at *Williamsburg*, to procure a general Association against all importations and exportations (medicines excepted) to and from *Great Britain*, as the most effectual means to ensure redress; and that the said Association against importations may take place in as short a time as possible after the opening of the said Convention; also, that the Association against exportation may take place at so long a day as may give time for the discharge of *British* debts, leaving it to the discretion of the Convention to fix the day.

Resolved, That our late Burgesses be hereby instructed to procure a like Association against every such town, county, or Province, on this Continent, as may decline or refuse to adopt similar measures with the majority of the Colonies, within one month after the opening of the intended Congress of Deputies from the several Governments on the Continent.

Resolved, That our late Burgesses be hereby instructed to use their utmost endeavours, that the Deputies to be sent from this Colony to the intended Congress, be particularly instructed by the Convention, that, if necessary, the whole sum exacted by the *Boston* Port Bill, may be parcelled out into different quotas, to be raised by the publick spirited, charitable, and humane, in the several Colonies, according to the respective abilities and circumstances thereof; and that such moneys be paid to the several Colonies, into such hands as the people of *Boston* may direct.

Resolved, That our late Burgesses be hereby instructed to use their utmost endeavours, that subscriptions be opened in the several counties of this Colony for the relief of the starving distressed poor in the blockaded town of *Boston*.

Resolved, That our late Burgesses be hereby instructed to recommend *Annapolis* to the Convention as the proper place to be proposed to the other Colonies for the holding of the Congress; which we earnestly desire may be as soon as possible after the first day of *August*.

Resolved, That our late Burgesses be hereby instructed to use their endeavours that the Convention may particularly recommend it to the several counties, that large Committees of respectable men, fixed and settled inhabitants of their respective counties, be appointed to guard against, and take every lawful step to prevent, any breach of such agreements or Association as may be adopted.

Resolved, That it is the opinion of this meeting, that the measures determined on at the approaching Convention

Digitized by Google

ought to be observed by the whole Colony, as acts of a most solemn nature; and that it is the declared intention of this meeting, faithfully to adopt such Association as may then be agreed on.

Resolved, That the above Resolutions be printed for the inspection of all the freeholders of the county.

WILLIAM DAVIES, *Clerk*.

THE EARL OF DARTMOUTH TO DEPUTY GOVERNOUR PENN.

Whitehall, July 6, 1774.

SIR: I have received your letters of the 3d and 31st of *May*, and have laid them before the King, and I have the satisfaction to acquaint you that his Majesty is graciously pleased to acquiesce in the apology you make for having omitted to transmit to me an account of the proceedings at *Philadelphia* upon the arrival of the tea ship.

By the account contained in your letter of the 31st of *May*, of the reception given to the proposal that came from the town of *Boston*, there did not appear then to be any strong inclination to adopt it. What has since passed in *Virginia* may perhaps, as in other like instances, become an example to the neighbouring Colonies, and should this be the case it will be your duty to exert every power which the Constitution has placed into your hands to defeat any attempt to trample upon and insult the authority of this Kingdom. I am, sir, your most obedient and humble servant, DARTMOUTH.

Deputy Governour *Penn*.

THE EARL OF DARTMOUTH TO LIEUTENANT GOVERNOUR COLDEN.

Whitehall, July 6, 1774.

SIR: I have received your letters No. 1 and 2, and have laid them before the King.

As there is nothing in these letters which requires any particular instruction, I have only to express my wishes that his Majesty's subjects of *New-York* may not be led into any further rash and hasty proceedings, that may expose them to the just resentment of Parliament, and that persons of credit and character in the Colony will exert their influence to put a stop to that licentious spirit which has led to measures so disgraceful to the City of *New-York*.

Sir *William Johnson* having acquainted me that two *Seneca Indians* have been committed to the jail in *Tryon* County, as accomplices in the murder of four *Frenchmen* in the last year, his Majesty is graciously pleased, upon report to him of the circumstances of their case, to signify his pleasure that they be both set at liberty forthwith, and you will not fail to take the proper steps for that purpose.

It being under consideration to re-establish the Military Posts, either at *Crown Point* or *Ticonderoga*, or at both, it is the King's pleasure that the lands reserved by Sir *Jeffery Amherst* for the convenience and accommodation of these posts, be execpted out of any future sales or grants of lands whatsoever. I am, sir, your most obedient humble servant, DARTMOUTH.

Lieutenant Governour *Colden*.

THE BRITISH AMERICAN, NO. VI.

Williamsburg, Va., July 7, 1774.

Friends, Fellow-citizens, and Countrymen:

It is the general opinion, that the great defect in the present Constitution of *Britain* is the enormous power of the Crown. However singular I may be thought in so doing, I consider this as a vulgar errour; for the first stab given to the Constitution was the Crown's losing its independence on the other two branches of the Legislature. Queen *Elizabeth* transmitted the *English* Constitution, in its highest purity, to her successor, *James* the First; but he, equally a stranger to its true principles, his own interest, and the arts of Government, in his first Speeches to his Parliament, arrogated to himself powers he was not entitled to, and soon after indiscreetly lavished away those which would have rendered the others he claimed unnecessary; for, by alienating a great part of the ancient revenues of the Crown in ill-placed, unnecessary, and extravagant grants to its favourites, tools and parasites, he made himself dependent, in some measure, for the very support of his household, upon the other two branches of the Legislature, at the very time he alarmed them to unite against him, by arbitrary and impotent threats of governing absolutely; and then, to increase that weight his own folly had lessened, and to replenish his coffers, he had recourse to the last expedient of weakened majesty, that of creating a number of Peers, which, though it put off the evil day, increased the disorder of the state. His successor, *Charles* the First, nurtured in the principles of his father, pursued the same plan of lessening his hereditary revenues, and of provoking those upon whom he was dependent, till they would no longer support him; and then, by endeavouring to carry into execution those measures his father had threatened only, he fell a sacrifice to the errours of education. Monarchy, and nobility its attendant, being thus extinguished, when it was restored in the person of *Charles* the Second, was it surprising that the Nation, still bleeding at the wounds it had received from the usurpations of the Crown, contented itself with restoring it to those prerogatives only it possessed at its fall, without adding the independent hereditary revenue, which its two preceding Kings had indiscreetly alienated? Untaught by his own misfortunes, and the fate of his father, *Charles* the Second adopted the plan of Government pursued by his House; only, as he was sagacious enough to see he could not force, he endeavoured to corrupt the Nation to submit to despotick sway; and in so doing dissipated so great a part of what few ancient demesnes of the Crown his ancestors had left, that his brother *James* was reduced to the necessity of giving up the hereditary despotick notions of his family, or of recurring to force. He chose the latter, and by that means was obliged to abandon his Crown, but left the Constitution with a stab in its vitals, which has been festering ever since; for, at the accession of his glorious successor, though the Nation recurred to many of its first principles, it had suffered too much from its four preceding Kings to think of restoring the ancient independence of the Crown. Succeeding Monarchs, therefore, in order to preserve any kind of weight in the state, were reduced to the necessity of corrupting the people, by creating lucrative offices, granting pensions, and increasing the number of Peers; this, though it increased the power of the Minister, really weakened that of his master.

The great increase of manufactures, arising from the settlement of *America*, by drawing the inhabitants to the sea ports and other towns more conveniently situated for carrying them on, in a great measure depopulated the ancient boroughs of the Kingdom, so that the entire property of many of them were purchased up by the nobility, who, by that means, acquired a right of naming their Representatives in Parliament; the electors of others were so reduced in their numbers and circumstances, that it became easy for the wealthy, with a majority of their voices, to purchase seats in the House of Commons, and, by treating with the Prime Minister for some of the newly created lucrative offices, they were generally reimbursed the purchase money.

Thus the spirit of traffick extended itself to all ranks of people, and, as it too often happens in commercial nations, all those things which ought to have been the reward of merit were given only for money, and the people universally corrupted by the dint of it, grew indifferent to publick concerns; the electors and elected, passionately fond of lucre, grew careless of the Government, and every thing belonging to it, and waited quietly for their salaries. As soon as it became obvious that wealth would purchase a majority of the seats of the Representatives of the people, Sir *Robert Walpole* endeavoured to apply the national wealth to that purpose, and succeeded to admiration in it for a long time, but, too open in the practice of corruption, he overshot his mark, and pointed out to the wealthy, that, by uniting together, they could wrest the power, even of appointing his own Minister, and other servants, out of the hands of their Sovereign, and by that means arrogate to themselves not only the persons who shall fill all lucrative offices, but of directing the whole concerns of the Nation. The nobles who possessed boroughs, and the wealthy Commons who could purchase them, united cordially in this scheme, and, inviting some of their ablest dependants to join them, soon carried all before them, destroyed that

Digitized by Google

beautiful system of legislation I described in my last, and set up an absolute aristocracy in its place.*

Had Mr. *Pitt* directed the reigns of Government a few years after the conclusion of the war, if his talents in the arts of peace had been equal to his abilities in carrying on a war, or (if I may be allowed the metaphor) could he have been as wise in taking every advantage of wind and tide, as he was skilful in avoiding rocks and quicksands in a storm, (and the noble stop he put to corruption during his administration give us strong reason to think he would,) Providence, at that period, pointed out to a wise and upright Minister the means of placing the natural, the necessary independence of the Kings of *England*, upon a permanent foundation. But the Minister who succeeded that great man was too intent upon enriching his countrymen to serve his Prince, and, more like a pedlar than a statesman, sold an inheritance of his master (which would have restored him to a King of *England's* ancient weight in the national councils) for a mess of pottage; and the present Minister is at this instant either unthinkingly or diabolically pursuing the same infernal plan. Was our Sovereign, even now, to place a little more confidence in his *American* subjects, there are many amongst them whose knowledge of their country would enable, and whose affectionate loyalty to him would impel, them to point out constitutional modes of placing him in a very different situation from what a corrupt, selfish *British* aristocracy wish to see; for, however humiliating the reflection may be to a *Briton*, it is the virtue of *America* only that can preserve *Great Britain* from becoming the prey of the most despotick aristocracy that ever yet was erected, which will be the more firmly established, because, by retaining the ancient forms of the Constitution, it will not easily alarm the Nation to rouse, and to recur to its first principles, whilst the aristocracy posted in both Houses of Parliament, possessed of a large majority in the House of Commons, of a superiour influence in the House of Lords, and of an absolute command over all the powers of monarchy, with swarms of placemen and pensioned authors to trumpet forth their praises without doors, bears down all before it with such irresistible impetuosity, that I should not be surprised if, after the next general election,† it should pursue its late victory over the County of *Middlesex*, nominate the Representatives of every shire in *Britain*, and utterly exclude from the House of Commons every member that should dare to arraign its conduct, if it should rapaciously seize the remaining wealth of the *East India*, and every other trading Company, and oblige every merchant and shop-keeper in *Britain* to account with its officers for whatever share of the profits of their trade it should think proper to demand. In short, nothing can put a stop to its carrying into execution every act of despotism it shall attempt, but the check it is likely to receive from the opposition of *America*.

It is not, therefore, the interest of the people of *Great Britain* that *America* should surrender up her liberties, and submit to the jurisdiction of this arbitrary, self-created aristocracy, though assuming the specious name of a *British* Parliament. But before I enter upon the measures necessary to be taken to ward off the blow aimed at *American* liberty, I shall consider the connections between *Great Britain* and her Colonies, in order to consider how far those Colonies may legally and constitutionally oppose the acts of a *British* Parliament.

As the laws of every country are made for the benefit of its inhabitants, and the privileges, the advantages and protection they expect to receive from those laws, are the considerations which induce a submission to them, any one, or any number of those inhabitants, may, by a voluntary banishment, and by renouncing the protection, with all other advantages of the laws, withdraw themselves from the subjection of the country in which they were accidentally born, if they find it for their interest so to do. And even admitting that, like vegetables, they cannot remove from the spot that produced them without the consent of the state, no man will deny that any subject of *England* formerly might, and that any subject of *Great Britain* may now, with the leave of their Sovereign, quit that Kingdom, and settle in any foreign Dominion; that our ancestors, therefore, when they, with the leave of Queen *Elizabeth*, and of King *James* the First, left *England* and discovered *America*, if they had been so disposed, might have incorporated themselves with the native inhabitants, laid aside all thoughts of returning, and dropped all correspondence with *England*, is undeniable; and if they had done so, in all human probability, neither their former Sovereign, or his Parliament, would have ever given themselves the trouble of inquiring what was become of them.* And as they had a right to incorporate themselves with the natives, so, with respect to *England*, they had an equal right, at their own private risk and expense, to acquire, by purchase or conquest, from nations not in alliance with *England*, a settlement for themselves and their posterity, totally independent of *England*; for as they were no longer under her protection, they no longer were under subjection, and, therefore, might have provided for their own safety by any laws they thought proper. But, instead of doing this, a natural fondness for their native country, a predilection for her laws, an admiration of the most beautiful system of Government in the world, and the hopes of protection, induced them to wish to remain connected with *England*. But how? As partakers of her Constitution, by acknowledging allegiance to her King; as friends to their brethren, by reciprocal acts of kindness; but not as slaves to their fellow-subjects, by a humiliating, servile subjection to a *British* Parliament, in which, from their situation, they neither were, or could be represented.

With these views they generously offered to let *England* partake of the advantages of these conquests, in consideration of securing to themselves the rights of *Englishmen* in their new settlements, (not made at the expense of the Nation, as hath been falsely suggested, but) discovered at the risk, and acquired by the blood and treasure of private adventurers, who, having left their native country with the consent of their Sovereign, now returned to him, not as repenting prodigals begging to be received and forgiven, but as generous conquerors, offering to make him Sovereign of a new world upon reasonable and equitable conditions.

Is it to be wondered at, that, thus circumstanced, he acceded to their terms? Or, had the *British* Parliament any right to complain of the Charters granted to them, by which the Colonies have always enjoyed a supreme Legislature of their own, and have always claimed an exemption from the jurisdiction of a *British* Parliament. But even suppose that the territories of *America* (though conquered by private adventurers) became subject to *Great Britain*, because those adventurers were *English* subjects, still it by no means follows that those territories were dependent upon the *British* Parliament; and as this is proved to a demonstration by a late ingenious author, I shall not injure him so far as to repeat his arguments, but conclude this Letter with requesting the printer to republish the following Extract of his work. †

CULPEPPER COUNTY, (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders and other Inhabitants of the County of *Culpepper*, in *Virginia*, assembled on due notice, at the Court House of the said County, on *Thursday*, the 7th of *July*, 1774, to consider of the most effectual method to preserve the rights and liberties of *America*:

HENRY PENDLETON, Esq., *Moderator*.

Resolved, That we will, whenever we are called upon for that purpose, maintain and defend his Majesty's right and title to the Crown of *Great Britain*, and all other

* If any one doubts that the *British* Constitution is now purely aristocratical, let him attentively read the history of *England*, and the debates of Parliament, from the decision of the *Chippenham* election to the present time, and carefully compare facts with the characteristick attendants of a corrupt aristocracy, which, by being destitute of its principles of moderation, is become despotick, and he will no longer withhold his assent to the above position.

† For the distemper of the state is too far advanced to hope for any relief from a new election. The Representatives, indeed, may be changed by a nabob's outbidding an Alderman; but the only real difference will be, the nabob becomes one of the aristocracy, and the Alderman is excluded, or, in other words, the master may be changed, but the slavery will remain.

* For it is observable that each Colony was suffered to struggle with every difficulty in their new settlements, unprotected, unassisted, and even unnoticed by the Crown itself, from twenty to fifty years, and even then the Royal care was no further extended towards them than to send over Governours to pillage, insult and oppress them.

[† See Letter to *Lord North*, Folio 337–340.]

Digitized by Google

his Dominions thereunto belonging, to whose royal person and Government we profess all due obedience and fidelity.

Resolved, That the right to impose taxes or duties, to be paid by the inhabitants of this Colony for any purpose whatsoever, is peculiar and essential to the General Assembly, in whom the Legislative authority is vested.

Resolved, That every attempt to impose taxes or duties by any other authority is an arbitrary exertion of power, and an infringement of the constitutional and just rights and liberties of the Colony, and that we will at all times, at the risk of our lives and fortunes, oppose any Act imposing such taxes or duties, unless we are legally represented; and that the Act of the *British* Parliament imposing a duty on tea to be paid by the inhabitants of the Colonies upon importation, is evidently designed to fix on the *Americans* those chains forged for them by a corrupt Ministry.

Resolved, That the late cruel and unjust Acts of Parliament, to be executed by force upon our sister Colony of the *Massachusetts Bay* and town of *Boston*, is a convincing proof of the unjust and corrupt influence obtained by the *British* Ministry in Parliament, and a fixed determination to deprive the Colonies of their constitutional and just rights and liberties.

Resolved, That the town of *Boston* is now suffering in the common cause of the *American* Colonies.

Resolved, That an Association between all the *American* Colonies not to import from *Great Britain*, or buy any goods or commodities whatsoever, except negroes, cloaths, salt, saltpetre, powder, lead, nails, and paper, ought to be entered into, and by no means dissolved, until the rights and liberties of the Colonies are restored to them, and the tyrannical Acts of Parliament against *Boston* are repealed.

Resolved, That it is our opinion that no friend to the rights and liberties of *America* ought to purchase any goods whatsoever, which shall be imported from *Great Britain*, after a General Association shall be agreed on, except such as are before excepted.

Resolved, That every kind of luxury, dissipation, and extravagance, ought to be banished from amongst us.

Resolved, That the raising sheep, hemp, flax, and cotton, ought to be encouraged; likewise all kinds of manufactures, by subscriptions, or any other proper means.

Resolved, That the importing slaves and convict servants, is injurious to this Colony, as it obstructs the population of it with freemen and useful manufacturers, and that we will not buy any such slave or convict servant hereafter to be imported.

Resolved, That every county in this Colony ought to appoint Deputies to meet upon the first day of *August*, in the City of *Williamsburg*, then and there to consult upon the most proper means for carrying these or any other resolutions which shall be judged more expedient for obtaining peace and tranquillity in *America* into execution.

Resolved, That *Henry Pendleton*, and *Henry Field*, Junior, Esquires, be appointed upon the part of the freeholders and inhabitants of this county, to meet and consult with such Deputies as shall be appointed by the other counties.

Resolved, That the Clerk transmit these Resolves to the press, and request the Printer to publish them without delay. By order of the Meeting,

JOHN JAMESON, *Clerk*.

By his Excellency the Right Honourable JOHN *Earl of* DUNMORE, *his Majesty's Lieutenant and Governour-General of the Colony and Dominion of* VIRGINIA, *and Vice Admiral of the same:*

A PROCLAMATION.—VIRGINIA, *to wit:*

Whereas the General Assembly is summoned to meet on *Thursday*, the 11th of next month, but I find no urgent occasion for their meeting at that time, I have therefore thought fit, by this Proclamation, in his Majesty's name, farther to prorogue the said Assembly to the first *Thursday* in *November* next.

Given under my hand, and the seal of the Colony, at *Williamsburg*, this 8th day of *July*, in the fourteenth year of his Majesty's reign. DUNMORE.

GOD *save the King*.

EXTRACT OF A LETTER RECEIVED IN BOSTON, FROM GOVERNOUR HUTCHINSON, DATED LONDON, JULY 8, 1774.

Let the tea be paid for, by, or in behalf of the town, as soon as may be; and I hope you will do as much to promote this as possible. I find myself every where to have more weight than I could expect, and the prospect of your speedy relief to be fairer every day: if finally obtained, I shall think it one of the most happy circumstances of my life.

HUNTERDON COUNTY (NEW JERSEY) RESOLUTIONS.

The Freeholders and Inhabitants of *Hunterdon* County, in the Province of *New-Jersey*, convened by advertisement, at the house of *John Ringo*, in *Amwell*, in said County, on *Friday*, the 8th *July*, 1774, SAMUEL TUCKER, Esq., in the *Chair*, came into the following Resolutions, without a dissenting voice, viz:

1. We do most expressly declare, recognise and acknowledge his Majesty King *George* the Third, to be the lawful and rightful King of *Great Britain*, and of all other his Dominions, and that it is the indispensable duty of this Colony, under the enjoyment of our constitutional privileges and immunities, as being a part of his Majesty's Dominions, always to bear faithful and true allegiance to his Majesty, and him to defend to the utmost of our power, against all attempts upon his person, crown, and dignity.

2. That it is the undoubted hereditary right of an *English* subject to give and grant what is absolutely his own, either by himself or his Representative; and that the only lawful Representatives of the freemen of this Colony are the persons they elect to serve as members of the General Assembly thereof.

3. That any Act of Parliament for the apprehending and carrying persons into another Colony, or to *Great Britain*, to be tried for any crime, alleged to be committed within this Colony, or subjecting them to be tried by Commissioners, or any Court constituted by Act of Parliament or otherwise, within this Colony, in a summary way, without a jury of the vicinage, is unconstitutional, and subversive of the rights and liberties of the free subjects of this Colony.

4. That it is our indispensable duty, which we owe to our King, our country, ourselves, and our posterity, by all lawful ways and means in our power, to maintain, defend and preserve our loyalty, rights and liberties, and to transmit them inviolate to the latest generations; and that it is our fixed, determined and unalterable resolution faithfully to discharge this our bounden duty.

5. That it is our unanimous opinion, that it would conduce to the restoration of the liberties of *America* should the Colonies enter into a joint agreement not to purchase or use any articles of *British* manufacture, nor any commodities imported from the *East Indies*, under such restrictions as may be agreed on by a general Congress of Delegates from all the Colonies, hereafter to be appointed.

6. That as the town of *Boston* is now suffering in the common cause of *American* freedom, it is the opinion of this meeting, that subscriptions be hereafter opened in every town in this county, and the money subscribed to be applied towards the relief of the suffering poor in said town of *Boston*, until they may be relieved, by being restored to their just rights and privileges.

7. That this county will appoint a Committee to meet the Committees of the several counties of this Colony, at such time and place as may be agreed on, in order to elect and appoint Delegates to represent this Colony at the general Congress, whose resolutions and determinations we will most strictly adhere to, and abide by. And we do hereby unanimously request the following gentlemen to accept of that trust, and do accordingly appoint them our Committee for the purpose aforesaid, viz: *Samuel Tucker*, *John Mehelm*, *John Hart*, *Isaac Smith*, *Charles Coxe*, *Joachim Griggs*, *Benjamin Brearly*, *Abraham Hunt*, and *John Emley*.

As we apprehend *New-Brunswick* is not so convenient to the members of the lower counties, and that all the counties will hardly have sufficient time to appoint their Committees, by the 21st of *July*, with submission, we would propose *Princeton*, as most central, to be the place,

Digitized by Google

and *Thursday*, the 11th of *August*, the time of meeting of the several Committees. THOMAS SHELTON,
Committee Clerk.

EXTRACT OF A LETTER RECEIVED IN NEW-YORK.

Charlestown, S. C., July 8, 1774.

On the 6th instant, according to proper notices dispersed all over the Province, began at *Charlestown* our general meeting of Delegates from all the counties, for agreeing upon general Resolutions, and for the appointment of Deputies to represent and act for us at the general Congress.

This meeting was perhaps one of the most respectable ever held in *America*, and continued with very little intermission till this afternoon, when the business was concluded with the enclosed Resolutions. Do not be surprised at not seeing any non-importation or exportation resolves. We had such, but gave them up, to succeed in the allowing full powers to our Deputies, which was gaining a grand point. They were chosen by ballot, which kept us up till after midnight. At this election, the Merchants appeared with us for the first time; but miscarried in their choice. The voters names were all taken down. They have, by voting in the appointment of Deputies so fully empowered, acceded to non-importation or exportation, if the Congress should adopt those measures. The people, nevertheless, were so uneasy for agreements to be entered into, that it was at last declared, on the part of the Trade, that they would (of their own motion) countermand their orders, and would not import while the present troubles continue.

Captain *Hunt* has behaved so exceeding clever upon the present occasion, by staying three days for the result of our meeting, and for our letters, that he this day received publick thanks in our full meeting. His stay has given me this opportunity of subscribing myself, &c., &c.

SOUTH CAROLINA RESOLUTIONS.

Resolutions unanimously entered into by the Inhabitants of *South Carolina*, at a General Meeting held at *Charlestown*, in said Colony, on *Wednesday*, *Thursday*, and *Friday*, the 6th, 7th, and 8th days of *July*, 1774:

Resolved, That his Majesty's subjects in *North America* owe the same allegiance to the Crown of *Great Britain* that is due from his subjects born in *Great Britain*.

Resolved, That his Majesty's subjects in *America* are entitled to all the inherent rights and liberties of his natural born subjects within the Kingdom of *Great Britain*.

Resolved, That it is repugnant to the rights of the people, that any taxes should be imposed on them, unless with their own consent, given personally or by their Representatives.

Resolved, That it is a fundamental right which his Majesty's liege subjects are entitled to, that no man should suffer in his person or property without a fair trial, and judgment given by his peers, or by the laws of the land.

Resolved, That all trials of treason, misprision of treason, or for any felony or crime whatever, committed and done in this his Majesty's Colony, by any person or persons residing therein, ought of right to be had and conducted in his Majesty's Courts held within the said Colony, according to the fixed and known course of proceeding; and that the seizing any person or persons residing in this Colony, suspected of any crime whatever, committed therein, and sending such person or persons to places beyond the sea to be tried, is oppressive and illegal, and highly derogatory to the rights of *British* subjects; as thereby the inestimable privilege of being tried by a jury from the vicinage, as well as the benefit of summoning and procuring witnesses on such trial, will be taken away from the party accused.

Resolved, That the statute made in the thirty-fifth year of *Henry* the Eighth, chapter two, entitled, "An Act for "the trial of treasons committed out of the King's Domin-"ions," does not extend, and cannot, but by an arbitrary and cruel construction, be construed to extend to treasons, misprisions of treasons, or concealment of treasons committed in any of his Majesty's *American* Colonies, where there is sufficient provisions by the law of the land for the impartial trial of all such persons as are charged with, and for the due punishment of those offences.

Resolved, That the late Act for shutting up the port of *Boston*, and the two Bills relative to *Boston*, which by the last accounts from *Great Britain*, had been brought into Parliament, there read and committed, are of the most alarming nature to all his Majesty's subjects in *America*—are calculated to deprive many thousands *Americans* of their rights, properties, and privileges, in a most cruel, oppressive, and unconstitutional manner—are most dangerous precedents; and though levelled immediately at the people of *Boston*, very manifestly and glaringly show if the inhabitants of that town are intimidated into a mean submission to said Acts, that the like are designed for all the Colonies; when, not even the shadow of liberty to his person, or security of his property, will be left to any of his subjects residing on the *American* Continent.

Resolved, Therefore, that not only the dictates of humanity, but the soundest principles of true policy and self-preservation, make it absolutely necessary for the inhabitants of all the Colonies in *America* to assist and support the people of *Boston* by all lawful ways in their power, and especially, to leave no justifiable means untried to procure a repeal of those Acts immediately relative to them, also of all others affecting the constitutional rights and liberties of *America* in general, as the best means to effect this desirable end.

Resolved, That *Henry Middleton*, *John Rutledge*, *Christopher Gadsden*, *Thomas Lynch*, and *Edward Rutledge*, Esquires, be, and they are hereby nominated and appointed Deputies on the part and behalf of this Colony, to meet the Deputies of the several Colonies of *North America*, in general Congress, the first *Monday* of *September* next, at *Philadelphia*, or at any other time or place that may be generally agreed upon; there to consider the Act lately passed, and Bills depending in Parliament, with regard to the port of *Boston*, and Province of *Massachusetts Bay*, which Act and Bills, in the precedent and consequences, affect the whole Continent; also the grievances under which *America* labours by reason of the several Acts of Parliament that imposes taxes or duties for raising a revenue, and lay unnecessary restraints and burthens on trade; and of the Statutes, Parliamentary Acts, and Royal Instructions, which make any invidious distinction between his Majesty's subjects in *Great Britain* and *America*—with full power and authority, in behalf of us and our constituents, to concert, agree to, and effectually prosecute such legal measures, (by which we for ourselves and them, most solemnly engage to abide) as in the opinion of the said Deputies, and of the Deputies so to be assembled, shall be most likely to obtain a repeal of the said Acts, and a redress of those grievances.

Resolved, That we will agree to pay the expenses of those gentlemen who may be fixed upon to be sent upon this business.

Resolved, That while the oppressive Acts relative to *Boston* are enforced, we will cheerfully from time to time, contribute towards the relief of such poor persons there, whose unfortunate circumstances, occasioned by the operation of those Acts, may be thought to stand in need of most assistance.

Resolved, That we will, by all means in our power, endeavour to preserve harmony and union amongst all the Colonies.

Resolved, That a Committee of ninety-nine persons be now appointed to act as a General Committee to correspond with the Committees of the other Colonies; and do all matters and things necessary to carry these Resolutions into execution; and that any twenty-one of them together may proceed to business—their power to continue till the next general meeting; and in case of the death, departure from the Province, or refusal to act, of any or either of them, the parish or district for which such person dying, removing, or refusing to act, was chosen, shall fill up the vacancy.

Names of the Committee then chosen for *Charlestown*: *Miles Brewton*, Esquire, *George Abbott Hall*, *John Edwards*, Esquire, *Charles Atkins*, *John Dawson*, *Thomas Shirley*, *John Neufville*, *John Smyth*, *Alexander Gillon*, *Peter Bacot*, *Gideon Dupont*, Esquire, *Roger Smith*, Esquire, Major *William Savage*, *Thomas Corbett*, *David Deas*, Esquire, Colonel *Charles Pinckney*, Messrs.

Digitized by Google

Peter Timothy, Daniel Cannon, Bernard Beekman, Theodore Trezvant, John Fullerton, Joseph Verree, William Trusler, William Johnson. Anthony Toomer, Timothy Crosby, John Berwick, Joshua Lockwood, James Brown, and *Edward Weyman*; and sixty-nine for the several Parishes of this Province.

ESSEX COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders and other Inhabitants of *Essex* County, *Virginia*, at the Court House thereof, on *Saturday*, the 9th of *July*, 1774, seriously to consider the present dangers which threaten ruin to *American* liberty:

Mr. JOHN UPSHAW, being chosen *Moderator*,

The following Resolves were proposed, and unanimously agreed to:

1st. *Resolved*, That we will at all times and upon all occasions bear true and faithful allegiance to his Majesty King *George* the Third, and that, as freemen, we always have been, and ever shall be, willing constitutionally to give and grant liberally our property for the support of his crown and dignity, and the preservation of our parent state, but that we can never consent to part with it on any other terms.

2d. *Resolved*, That the Legislature of this Colony, for the purpose of internal taxation, is distinct from that of *Britain*, founded upon the principles of the *British* Constitution, and equal in all respects to the purposes of legislation and taxation within this Colony.

3d. *Resolved*, That the people of this Colony, in particular, and of *America* in general, have a clear and absolute right to dispose of their property by their own consent, expressed by themselves or by their Representatives in Assembly, and any attempt to tax or take their money from them in any other manner, and all other acts tending to enforce submission to them, is an exertion of power contrary to natural justice, subversive of the *English* Constitution, destructive of our Charters, and oppressive.

4th. *Resolved*, That the town of *Boston*, in our sister Colony of *Massachusetts Bay*, is now suffering in the common cause of *North America*, for their just opposition to such Acts, and it is indispensably necessary that all the Colonies should firmly unite in defence of our common rights.

5th. *Resolved*, That it is the opinion of this meeting, that an agreement to stop all exports to, and imports from *Great Britain* and the *West Indies*, firmly entered into and religiously complied with, will, at all times, prove a safe and infallible means of securing us against the evils of any unconstitutional and tyrannical Acts of Parliament, and may be adopted upon the principles of self-preservation, the great law of nature.

6th. *Resolved*, That the inhabitants of this county will firmly join with the other counties of this Colony, and the other Colonies on this Continent, or a majority of them, to stop all exports to, and imports from *Great Britain* and the *West Indies*, and all other parts of the world, except the Colonies of *North America*, if such a measure shall be deemed expedient by the Deputies at the general Congress, and that whatever agreement the Congress shall come to for the advancing the common cause of *North America*, relating to exports, imports, or otherwise, ought to be considered as binding as any act of the Legislature; and that we will use our utmost endeavours to support and maintain such general agreement at the expense of our lives and fortunes.

7th. *Resolved*, That it is the opinion of this meeting, that the several Courts in this Colony ought not to proceed to the forwarding or trial of civil causes until our exports are opened.

8th. *Resolved*, That it is the opinion of this meeting, that the *East India* Company, having a design to monopolize a great part of the *American* trade to the injury of the other merchants of *Britain* trading to *America*, and knowing well the fatal consequences that must have resulted from their fixing a precedent for future taxes, by importing tea into the Colonies, became the willing instrument of the Ministry to destroy *American* liberty, and deserve the loss they have sustained.

9th. *Resolved*, That we do most heartily concur with our late worthy Representatives in their resolve for the disuse of tea; and that we will not hereafter purchase any *East India* commodities whatsoever.

10th. *Resolved*, That the spirited conduct of the town of *Boston* hath been serviceable to the cause of freedom, (all other methods having failed,) and that no reparation ought to be made to the *East India* Company, or other assistants, for any injury they have sustained, unless it be the express condition on which all our grievances shall be removed.

11th. *Resolved*, That it is the opinion of this meeting, that any general censure upon the conduct of the town of *Boston* respecting the tea, without allowing to them the motives of resistance upon the principles of publick virtue and necessity, is inimical to *American* liberty; and we are persuaded that none but Ministerial hirelings, and professed enemies of *American* freedom, will adopt a language so impolitick, which manifestly tends to create a disunion of sentiments, at this time fatal to *America*.

12th. *Resolved*, That the Parliament have no right to pass an Act to remove our persons to *Great Britain*, or any other place whatsoever, to be tried for any offence, and that we are determined not to submit thereto.

13th. *Resolved*, That it is the opinion of this meeting that no merchant in this, or any other Colony on this Continent, shall advance the goods now on hand higher than they are at present, or have been for some time, and that the merchants in the several counties sign an agreement to that effect.

14th. *Resolved*, That a subscription be set on foot for raising provisions for the poor of *Boston* who now suffer by the blocking up of their port, and that *Robert Beverly*, *John Lee*, and *Muscoe Garnett*, in *Saint Anne's* Parish, and *Archibald Ritchie* and *John Upshaw*, in the upper part of *Southfarnham* Parish, and *Meriwether Smith* and *James Edmondson*, in the lower part thereof, take in subscriptions for that purpose; who are to consign what may be raised to some proper persons to be distributed; and the before mentioned gentlemen are empowered to charter a vessel to send it to *Boston*.

15th. *Resolved*, That this meeting have the deepest sense of the injuries in which the merchants and manufacturers of *Great Britain* must necessarily be involved by a non-importation resolution, they having placed an almost unlimited confidence in us for a series of years, and by that means have the greatest part of their fortunes lodged in our hands, and that nothing but the desire of preserving our rights and liberties could induce us to adopt a measure big with such melancholy consequences.

16th. *Resolved*, That *James Edmondson* and *William Roane*, Esquires, the late Representatives of this county, be, and they are hereby appointed Deputies to represent us at the general meeting of Deputies for the several counties in this Colony, on the first day of *August*, in *Williamsburg*; and we desire that they will exert their best abilities for the security of our constitutional rights and liberties, and to appoint Deputies to meet at the general Congress the Deputies of the other Colonies on this Continent.

17th. *Resolved*, That the Clerk transmit the foregoing proceedings to the Printers to be published in their Gazette.

WILLIAM YOUNG, *Clerk of the Meeting*.

FAUQUIER COUNTY (VIRGINIA) RESOLUTIONS.

At a General Meeting of the Freeholders of the County of *Fauquier*, in *Virginia*, on the 9th of *July*, 1774, at the Court House of the said County:

Mr. WHARTON RANSDELL, being chosen *Moderator*,

The following Resolutions were unanimously agreed to:

Resolved, That it is an undoubted right of *British* subjects, and without which freedom cannot exist, to be taxed only by their own free consent, either personally given, or by their Representatives legally assembled.

Resolved, That as the *British* subjects in *America* are not, and from their situation cannot ever be, represented in the *British* Parliament, any Act of Parliament laying a tax on them is subversive of their natural rights, and contrary to the first principles of our free Constitution.

Digitized by Google

Resolved, That the Act of Parliament laying a duty on tea, &c., exported from *Great Britain* to these Colonies, for the avowed purpose of raising a revenue in *America*, will, if submitted to, fix a precedent, whereby the Parliamentary claim of taxing *America* may be established, arbitrary power introduced, and the liberty of the *British* Colonies laid at the feet of a despotick and execrable Minister.

Resolved, That the hostile invasion of the town and port of *Boston*, in *New England*, is a dangerous attack on the liberty of the *British* Colonies in *America* in general, strongly tending to dissolution of Government, and totally to alienate the affection of the Colonies from the mother country; and as our humble Petitions, Memorials, and Remonstrances, have hitherto failed to procure us that redress which the oppressions we suffer, and the justice of our cause entitles us to,

Resolved, And it is the unanimous opinion of this meeting, that till the said Act of Parliament shall be repealed, and till the ships of war and troops be withdrawn from the said town of *Boston*, and the rights and freedom of the same be restored, all exports whatsoever from this Colony to *Great Britain*, and imports from thence be stopped, and that the Courts of Justice ought to decline the trial of civil causes, except attachments, where the attached goods are perishable, and motions against the Collectors and Sheriffs for money actually in their hands.

Resolved, That any person who, contrary to the general sense of the country, expressed by their late Representatives, shall purchase, vend, or make use of tea, till such time as the Act of Parliament laying a duty on that article for the purpose of raising a revenue in *America*, shall be repealed, shall be deemed an enemy to *American* liberty, and the common rights of mankind, and ought to be publickly stigmatised as such.

Resolved, That the town of *Boston* aforesaid, is now suffering in the common cause of *American* liberty, and ought to be supplied with such articles as are necessary for their support by the voluntary contribution of the Colonies in general.

Resolved, That these our sentiments be, by the Moderator of this meeting, delivered to our late Representatives, who, notwithstanding they were, by the sudden intervention of the Executive power of this Colony, deprived of their legislative capacity, are still possessed of our confidence, and desired to appear at the general meeting, at *Williamsburg*, on the 1st day of *August* next; and that they be assured, in the most solemn manner, of our hearty concurrence in, and firm support of, all such measures as by a majority of the late Representatives of this Colony, then and there to be convened, shall be thought proper and necessary for the security of our liberty, the improvement of our manufactures, and to procure a redress of *American* grievances.

PETER GRANT, *Clerk*.

NANSEMOND COUNTY (VIRGINIA) RESOLUTIONS.

At a General Meeting of the Freeholders and Inhabitants of the County of *Nansemond*, on the 11th day of *July*, 1774, the following Resolutions were proposed and unanimously agreed to:

Resolved, That we will at all times, whenever we are called upon for that purpose, maintain and defend, at the expense of our lives and fortunes, his Majesty's right and title to the Crown of *Great Britain* and his Dominions in *America*, to whose royal person and Government we profess all due obedience and fidelity.

Resolved, That the right to impose taxes or duties to be paid by the inhabitants within this Dominion, for any purpose whatsoever, is peculiar and essential to the General Assembly, in whom the Legislative authority of the Colony is vested.

Resolved, That every attempt to impose such taxes or duties by any other authority is an arbitrary exertion of power, and an infringement of the constitutional rights and liberties of the Colony.

Resolved, That to impose a tax or duty upon tea by the *British* Parliament, in which the Commons of the *North American* Colonies can have no representation, to be paid upon importation by the inhabitants of the said Colonies, is an act of power without right, is subversive of the liberties of the said Colonies, deprives them of their property without their consent, and thereby reduces them to a state of slavery.

Resolved, That the late cruel, unjust, and sanguinary Acts of Parliament, to be executed by military force and ships of war upon our sister Colony of *Massachusetts Bay* and town of *Boston*, is a strong evidence of the corrupt influence obtained by the *British* Ministry in Parliament, and a convincing proof of their fixed intention to deprive the Colonies of their constitutional rights and liberties.

Resolved, That the cause of the town of *Boston* is the common cause of all the *American* Colonies.

Resolved, That it is the duty and interest of all the *American* Colonies firmly to unite in an indissoluble union and association, to oppose, by every just and proper means the infringement of their common rights and liberties.

Resolved, That a general Association between all the *American* Colonies not to import from *Great Britain* any commodity whatsoever, ought to be entered into, and not dissolved until the just rights of the said Colonies are restored to them, and the cruel Acts of the *British* Parliament against the *Massachusetts Bay* and town of *Boston*, are repealed.

Resolved, That no friend of the rights and liberties of *America* ought to purchase any commodity whatsoever which shall be imported from *Great Britain*, after a certain time hereafter to be limited by the Congress, which is shortly expected to meet, nor ought such to have any kind of dealing or connection with any merchant who shall refuse to agree to the measures hereafter to be adopted by said Congress.

Resolved, That every kind of luxury, dissipation, and extravagance, ought to be banished from amongst us.

Resolved, That manufactures ought to be encouraged, by opening subscriptions for that purpose, or by any other proper means.

Resolved, That the *African* trade is injurious to this Colony, obstructs the population of it by freemen, prevents manufacturers and other useful emigrants from *Europe* from settling among us, and occasions an annual increase of the balance of trade against this Colony.

Resolved, That the raising sheep, hemp, and flax, ought to be encouraged.

Resolved, That to be clothed in manufactures fabricated in this Colony ought to be considered as a badge and distinction of respect and true patriotism.

Resolved, That the dissolution of the General Assembly by order of the *British* Ministry, whenever they enter upon the consideration of the rights and liberties of the subject, against attempts to destroy them, is an evidence of the fixed intention of the said Ministry to reduce the Colonies to a state of slavery.

Resolved, That the people of this Colony, being by such dissolution, deprived of a legal representation, ought to nominate and appoint, for every county, proper Deputies to meet upon the 1st day of *August*, in the City of *Williamsburg*, then and there to consult and agree upon the best and most proper means for carrying into execution these, or any other Resolutions, which shall be judged more expedient for the purposes aforesaid.

Resolved, That *Lemuel Riddick* and *Benjamin Baker*, Esquires, our late Representatives be, and they are hereby, nominated and appointed Deputies upon the part of the freeholders and inhabitants of this county, to meet such Deputies as shall be appointed by the other counties and corporations within this Colony, in the City of *Williamsburg*, upon the 1st day of *August* next, or at any other time or place, for the purposes aforesaid.

Resolved, That at this important and alarming conjuncture it be earnestly recommended to the said Deputies, at the said General Convention, that they nominate and appoint fit and proper persons, upon the part of this Colony, to meet such Deputies, in a general Congress, as shall be appointed upon the part of the other Continental Colonies in *America*, to consult and agree upon a firm and indissoluble union and association, for preserving, by the best and most proper means, their common rights and liberties.

Resolved, That this Colony ought not to trade with any Colony which shall refuse to join in any union and association that shall be agreed upon by the greater part of the

Digitized by Google

Colonies upon this Continent, for preserving their common rights and liberties.

Resolved, That a copy of these Resolutions be transmitted to each of the Printers of both the Gazettes, with the earnest request of this county that the other counties and corporations within this Colony will appoint Deputies to meet at the time and place, and for the purposes aforesaid.

EXTRACT OF A LETTER RECEIVED IN BOSTON, DATED CHARLESTOWN, S. C., JULY 11, 1774.

In consequence of the advertisements lately published by the General Committee, and other proper means used to obtain the sense of the whole Colony on the present alarming state of *American* affairs, on *Wednesday* last, the 6th instant, the largest body of the most respectable inhabitants that has ever been seen together upon any publick occasion here, or perhaps any where in *America*, (for gentlemen of the greatest property and character, animated with an ardent zeal to relieve their suffering brethren, and to preserve their own freedom and the birth-rights of their posterity, notwithstanding the extreme inconvenience of the season, from even the remotest parts of the country attended) met at the Exchange, in this town, in order to "consider of the Papers, Letters, and Resolutions that "had been transmitted to the said Committee from the "Northern Colonies; and also of the steps necessary to be "pursued in union with the inhabitants of our sister Colo-"nies on this Continent, to avert the dangers impending "over *American* liberties in general, by the late hostile "Act of Parliament against *Boston*, and other arbitrary "measures of the *British* Ministry," and, after choosing the Honourable Colonel *Powell*, (who had presided at all the former general meetings) for their Chairman, and the same Secretary as had hitherto served, continued in solemn deliberation upon these important matters, on that and the two succeeding days, during which the following Resolves were unanimously entered into.* [*See Folio* 525.]

It was further unanimously resolved, that copies of all the foregoing Resolutions be transmitted to every Colony on this Continent, from *Canada* to *West Florida*, accompanied with a letter to each respectively, signed by the Chairman, inviting them to unite with us; and that as Captain *Hunt* had voluntarily detained his vessel for some days on purpose to carry an account of the transactions of the present meeting to *New-York*, copies of the whole should be delivered to him, together with the thanks of the meeting, which he received accordingly. The thanks of the meeting were also given to Colonel *Powell*, the Honourable *Rawlins Lowndes*, and the Secretary, after which the general meeting was dissolved.

Upon the ninth Resolve, (for naming the five Deputies) three several questions were put, viz: 1st. Whether the appointment of Deputies was a necessary measure? 2d. Whether they should be invested with the full powers therein expressed? 3d. Whether the number of Deputies should be five? All which passing unanimously in the affirmative, it was proposed and agreed to unanimously, that the Deputies should be chosen by ballot, and that every free white person residing in the Province should be entitled to vote. That the poll should be opened at two o'clock, and close at six. A balloting box was accordingly provided; the votes were received, and at midnight, in presence of several hundred spectators, the election was declared in favour of the gentlemen whose names are inserted in the Resolution.

And that Lord *North* may not be misinformed in the case, as he had been in most others, by being told that this was the meeting of a rabble, and the election of a mob, we shall take the liberty here to subjoin a list of the members of our present honourable Commons House of Assembly, all of whom voted except five, who were by sickness or accident prevented from attending. Besides these there were at least as many gentlemen who had been Representatives of the people in former Assemblies, who voted on this occasion.

In the course of the debates during these important

* The 6th day of *July* now arrived; and *Charlestown* was filled with people from the country. One hundred and four Deputies represented all parts of the Colony, except *Grenville* County, *St. John's Colleton* County, and *Christ* Church Parish. These districts sent no Deputies; and, in behalf of *Charlestown*, the General Committee joined the Deputies from the country. The meeting was held under the Exchange, on the 6th of *July*, 1774, and a crowded meeting it was. At nine o'clock in the morning, Colonel *George Gabriel Powell* took the Chair, and it was carried the votes should be given by each person present, and not by parishes. It was also further determined, that whoever came there might give his vote. The business of the day then opened, with reading the communications from the Northern Colonies. They then proceeded to consider certain resolutions touching *American* rights and grievances. These being agreed to, declared, That his Majesty's subjects in *North America* owe the same allegiance to the Crown of *Great Britain*, as is due from his subjects born within that Kingdom. That the King's subjects in *America* are entitled to all the inherent rights and liberties enjoyed by natural born subjects within the Kingdom of *Great Britain*. That taxes should not be imposed on the people, but by their own consent, given personally, or by their Representatives. That all trials, for any crime whatever, committed and done in the Colony, ought to be had and conducted within the Colony, according to the fixed and known course of proceeding. That the statute of thirty-fifth of *Henry* the Eighth, chapter 2d, entitled "An Act for the trial of treasons committed out of the King's Dominions," does not, and cannot, extend to any crimes committed in any of his Majesty's *American* Colonies. That the three late Acts of Parliament, relative to *Boston*, are of a most alarming nature to all his Majesty's subjects in *America*; and although levelled at the people of *Boston*, they glaringly show, if the inhabitant of that town are intimidated into a mean submission to those Acts, the like are designed for all the Colonies, when not even the shadow of liberty to his person, or of security to his property, will be left to any of his Majesty's subjects residing on the *American* Continent. Wherefore, every justifiable means ought to be tried to procure a repeal of those Acts, immediately relative to *Boston*; and, also, of all others affecting the constitutional rights and liberties of *America* in general.

To effect these great points, two measures were proposed: to adopt the *Boston* vote of the 13th of *May*—and to send Deputies to a general Congress. Upon these subjects, there was great dissimilarity of opinion. All parties agreed on the proposition of sending Deputies; but the *Boston* vote did not meet so universal a support. This last measure was, therefore, first taken up and considered.

In favour of the *Boston* vote it was urged, that *American* lives and property were exposed to be taken at the mandate of a *British* Minister; that the men would be exposed to slavery; their wives and daughters to the outrages of a soldiery. To avert these dangers something vigorous was to be done; something that might shake even Majesty itself. That a measure of non-exportation and non-importation seemed above all others best calculated to force a repeal of the late Acts. It was a constitutional measure, for what power had a right to compel the people to grow, export, and sell commodities of any kind; or to purchase, or import commodities from any state? That such a measure taking place in *America* would ruin the *British* trade to those Dominions; and thereby shake the firmness of Parliament. That should the measure be not adopted, the Colonies, by their importations, would preserve to the *British* manufacturers that support which they had been accustomed to receive from the *American* trade, whereby they would be supine and not join the *American* demand for a repeal. In addition to this, the remittances from the Colonies would enable the people of *England* to employ those means to assist them in enslaving the Colonies; whereas, being withholden, the national credit of *Great Britain* would be shaken, and the measures of Administration be infinitely embarrassed.

To these arguments it was answered, that such a measure ought not to take place until all others had failed of success; for its operation would be violent, both among ourselves and the people of *England*. That thousands in this Colony would be ruined by it. That the people of the interiour were averse to so harsh a measure; neither was it certain whether united *America* would approve and support it. That nothing less than unanimity among all the Colonies, in executing one general plan of conduct, could affect measures in *Great Britain*; and as the general opinion seemed to point to a general Congress, so only, in that Congress, could such a plan of conduct be formed and agreed upon.

By similar arguments the matter was warmly contested; when, without forming any determination, the subject was dropped, and the meeting turned their attention to consider the proposal of sending Deputies to the intended Congress. Here another cause of warm debate arose, as to the number of Deputies who should be appointed, and the powers with which they should be invested; and, without coming to any conclusion on these points, the meeting adjourned to an hour in the afternoon.

In the afternoon the meeting again convened to determine on the points they were considering, and by a majority of eleven, it was carried that there should be five Deputies, and that they should have unlimited power; but that these points should still be subject to the vote of the meeting.

On the 7th of *July* the meeting was again holden, and the measures of non-exportation and non-importation were again warmly debated. And it was urged, that before the measure should be adopted, the general Congress ought to send a deputation with a petition and remonstrance to the Throne; and if, after that, *America* remained unredressed, it would be time enough to break off all commerce with *Great Britain*. The vote was now taken on the subject, and the proposition of non-exportation and non-importation was rejected. It was then resolved, that five Deputies should, by ballot, be elected on the part and behalf of this Colony, to meet the Deputies of the other Colonies of *North America* in general Congress, the first *Monday* in *September* next, at *Philadelphia*, or at any other time or place that may be generally agreed on, with full power and authority in behalf of them, and their constituents, to concert, agree to, and effectually prosecute such legal measures as, in the opinion of those Deputies, and of the Deputies of the other Colonies, should be most likely to obtain a repeal of the late Acts of Parliament, and a redress of *American* grievances.

A poll was now opened to all persons, and at midnight it appeared that *Henry Middleton*, *John Rutledge*, *Thomas Lynch*, *Christopher Gadsden*, and *Edward Rutledge*, were chosen Deputies to represent this Colony in General Congress.

Digitized by Google

transactions (for every point underwent the fullest discussion) the greatest unanimity appeared; each one considered his neighbour as a free-born *American*, and overlooked all distinctions. As in the deluge of old, the wolf and the lamb swam together, so the sense of our common danger extinguished all private considerations. The set of advocates for the present misguided Administration, whose chains had often been heard to clatter in private companies, were all struck dumb, and kept aloof from the publick debates. The Colony was ready to go into resolutions of non-importation if it had been found absolutely necessary, but it was thought most proper to invest our Deputies with absolute power, to agree with the other members of a Congress in any measures; that so they might take place from one end of this extensive Continent to the other, on one and the same day. And several of the principal merchants made a publick declaration in behalf of the rest, that, in order to quiet the minds of the people, they were ready and willing to enter into any agreement, not only to desist importing *British* or *East India* goods, wines, and slaves, but also to countermand all orders already sent, till the event of the Congress should be known; which declaration was received with a loud and general plaudit.

Rejoice ye friends of Freedom in *Georgia!* and hasten to do likewise. Be comforted ye oppressed *Bostonians!* and exult ye Northern votaries of Liberty! that the sacred rays of Freedom, which used to beam from you on us, are now reverberated, with double efficacy, back upon yourselves from your weaker sister *Carolina*, who stands foremost in a resolution to sacrifice her *all* in your defence. And tremble, ye minions of Slavery! a blow will soon be struck, if you urge us to that extremity, which will convince you, that one soul animates three millions of brave *Americans*, though extended over a long tract of two thousand miles. Ye vainly thought we were a rope of sand; but, you will find, unless we are put on the same footing with *Englishmen*, before nine months, millions of people, who depend on *America* for their daily bread, will curse you with their dying groans.

During the debate this day, touching the powers of the Deputies, it was strongly contended their powers should be limited. To this purpose, among other arguments, it was urged by Mr. *Rawlins Lowndes*, who was then Speaker of the Commons House of Assembly, that it was well known the Northern Colonies in general totally denied the superintending power of Parliament, a doctrine which no one here admitted. And, unless the Deputies from this Colony appeared in Congress with limited powers, being outnumbered by the Northern Deputies, they, and consequently their constituents, would be bound by votes upon points which they at present absolutely denied. But, to obviate this danger, the resolution vesting the Deputies with power was so worded that no vote in Congress could bind this Colony, but such as was agreeable to the opinions of our Deputies. This sentiment from Mr. *Lowndes* is here brought into view as being from a gentleman of prudence and consideration; and who, at that time, declared the prevailing opinion of the Colony. It will also serve as a point in publick opinion for tracing the rapidity with which the Colony, in a few months after, adopted the contrary idea.

Antecedent to the meeting of the people, the Chamber of Commerce had resolved not to accede to any measure of non-exportation or non-importation; they, therefore, dreaded nothing so much as that such a measure should take place in Congress. Hence they aimed that such men should be elected Deputies as were against the adoption of that measure. They wished that Mr. *Middleton*, Mr. *Lowndes*, Colonel *Charles Pinckney*, Mr. *Brewton*, and Mr. *John Rutledge*, might be chosen. To contribute their endeavours to this end the merchants assembled, and in a body went to the poll; they also sent for their clerks to come and vote. The zeal of the merchants in this transaction blinded their prudence, as they did not observe, that by their appearing in a body the opposite party would take the alarm; and that by voting for Deputies they would be bound by the conduct of such as might be chosen. The meeting accordingly took the alarm, and many of them ran to all parts of the town to collect people, and bring them to the poll; in consequence of which the merchants were defeated, and, except two gentlemen, other Deputies than those they supported were chosen.

On the 8th of *July* the meeting again assembled. They now resolved, that a Committee of ninety-nine persons be appointed to act as a General Committee, and who should continue in authority until the next general meeting. This Committee had power to correspond with the Committees of the other Colonies, and to do all other matters and things necessary for carrying the Resolutions of the general meeting into execution; a form of words which virtually vested the Committee with unlimited powers during their existence. The general meeting now proceeded to nominate the members of the General Committee. They named fifteen Merchants and fifteen Mechanicks, to represent *Charlestown*, and sixty-nine Planters to represent the other parts of the Province. This proceeding was rather unconstitutional, as the different districts and parishes did not choose the sixty-nine Planters who were to represent them. They, however, acquiesced in the nomination, being sensible it proceeded from the best intentions, and the urgency of the occasion. And now, the general meeting having sat for three days, and brought those matters to a conclusion for which they had been convened, Colonel *Powell* prepared minutes of the proceedings against a future occasion, and, agreeably to the wishes of the general meeting, dissolved the same.—*Drayton.*

Three of the present Deputies appointed to represent this Colony in a general Congress, to be soon held at the northward, viz: *Christopher Gadsden*, *Thomas Lynch*, and *John Rutledge*, Esquires, were our Deputies at the former Congress.

Friday evening the new General Committee met, and chose Colonel *Charles Pinckney*, (one of the Representatives for the Parish of *St. Philip, Charlestown*,) for their Chairman, and *Peter Timothy* for their Secretary. The said Committee also met this day, when they agreed to have stated meetings, and to sit again on *Wednesday*, the 20th instant, at six o'clock in the evening, at the house of Mr. *Charles Ramage*, and on every other *Wednesday* after, at the same hour and place.

Copies of the Resolutions of the late general meetings, accompanied with a Circular Letter, have already been despatched to every Colony on this Continent, from *Canada* to *Georgia* inclusive.

Three hundred a fifty more barrels of rice are now ready to be shipped, as soon as a proper vessel can be procured to carry it for the relief of the poor sufferers in *Boston*.

MILES BREWTON TO JOSIAH QUINCY, JR.

Charlestown, S. C., July 12. 1774.

DEAR SIR: I this day received your polite favour of the 29th of *May*, and can only say I wish it had been in my power to show more civility to a gentlemen I so much esteem as I do Mr. *Quincy*. You have my best thanks for your pamphlet. Too many cannot step forth at this alarming crisis, in defence of the much injured rights of *America;* and those that do, should, and no doubt have, the united thanks of the friends of *America*.

Your situation at this time is truly hazardous and alarming, but you will not fall for want of friends, because all *British America* are your friends. For *God's* sake be firm and discreet, at this time. The good people of this Colony have sent for your port one sloop load of rice, and we shall send more soon.

The 6th, 7th, and 8th instant, we had the greatest Assembly of the inhabitants of this Colony I ever saw. After much debate it was determined that *Henry Middleton*, *John Rutledge*, *Thomas Lynch*, *Christopher Gadsden*, and *Edward Rutledge*, should, on the 1st of *September*, meet the general Congress at *Philadelphia*. Their powers are unlimited, and I hope the other Colonies will do the same, and place entire confidence in their Deputies; they can do nothing effectual without such powers. I should suppose the first step taken by Congress would be to remonstrate, and petition King, Lords, and Commons. Our grievances should be all stated in the way of a Bill of Rights, and some of the Deputies should go to *England* with the petition. If redress does not come, then all to enter into a non-import and non-export agreement. I think this seems to be the sense of almost all the Colonies.

Our fears are only about you: that you may despond and give up; for I am sorry to see you have so many adders in your own bosom, who may sting you to death. We have our share also of internal foes. Pity it was that *Hutchinson* should have gone home with so many good names to petitions; it will do you no good, but much harm I fear.

I beg to hear as often from you as business permits. It is not trifling to write or speak upon publick affairs at this time of imminent danger. Politicks should be the theme of the day; and our dreams at night should be of the hapless situation of our country. However, bad as it is, if *Boston* does but persevere, and be prudent, her sisters and neighbours will work out her salvation, without taking the musket. Unanimity must be our leading star.

I am, with great regard, your most obedient and obliged servant, MILES BREWTON.

J. Quincy, Jun.

Boston, July 11, 1774.

At a Town Meeting at *Portsmouth*, last week, eleven persons were appointed as "a Committee of Inspection, to "examine and find out if any more tea is imported there, "and upon discovery, to give the earliest notice to the "Town."

Digitized by Google

We learn from *Portsmouth*, that one day last week, the Members of their late House of Representatives meet at the State House in that place, in order to choose Delegates for the general Congress; but before they had time to proceed to business, his Excellency Governour *Wentworth*, attended by the Sheriff, came to them, when the former read a Proclamation, requiring them to disperse, and the latter the Riot Act; upon which they adjourned to a Tavern, and agreed that letters be sent to their respective towns, to appoint a person out of each, to meet together and join in the choice of Delegates for that Government for the Congress proposed.

NEW-KENT COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders and Inhabitants of the County of *New-Kent*, at the Court House of the said County, on *Tuesday*, the 12th day of *July*, 1774:

THOMAS ADAMS, Esq., chosen *Moderator*, and
WILLIAM CLAYTON, Esquire, *Clerk*.

The present state of *America* being seriously and duly considered, the following Resolutions were proposed and agreed to as an Instruction to our Deputies hereafter named:

Resolved, That our Sovereign Lord, King *George* the Third, is lawful and rightful King of *Great Britain* and all his Dominions in *America*, to whose royal person and Government we profess all due subjection, obedience, and fidelity; and that we will at all times defend and protect the just rights of his Majesty with our lives and fortunes.

Resolved, That the inhabitants of the *British* Colonies in *America* are entitled to all the rights, liberties, and privileges, of free born *English* subjects.

Resolved, That the right to impose taxes, or duties, to be paid by the inhabitants of this Dominion, for any purpose whatever is peculiar and essential to the General Assembly, in whom the legislative authority of the Colony is placed, and that taxation and representation are inseparable.

Resolved, That a trial by a jury of the vicinage is the glory of the *English* law, and the best security for the life, liberty, and property, of the subject, and is the undoubted birth-right of all his Majesty's free born *American* subjects.

Resolved, That the several Acts and Resolutions of the Parliament of *Great Britain*, made during his present Majesty's reign, imposing taxes on the inhabitants of *America*, for the express purpose of raising a revenue, and for altering the nature or punishment of offences committed in *America*, or the method of trial of such offences, are unconstitutional, arbitrary, and unjust, and destructive of the rights of *America*, and that we are not bound to yield obedience to any such Acts.

Resolved, That the late cruel, unjust, and sanguinary Acts of Parliament, to be executed by military force and ships of war, upon our sister Colony of the *Massachusetts Bay* and town of *Boston*, is a strong evidence of the corrupt influence obtained by the *British* Ministry in Parliament, and a convincing proof of their fixed intention to deprive the Colonies of their constitutional rights and liberties.

Resolved, That the cause of the town of *Boston* is the common cause of all the *American* Colonies.

Resolved, That it is the duty and interest of all the *American* Colonies firmly to unite in an indissoluble union and association, to oppose, by every just and proper means, the infringement of their rights and liberties.

Resolved, That we do heartly approve of the Resolutions and Proceedings of our several late Assemblies for asserting and supporting the just rights and liberties of *America*, from their patriotick Resolves in 1765 to this time.

Resolved, That we will most firmly unite with the other counties in this Colony in such measures as shall be approved of by a majority, as the best and most proper method of preserving our rights and liberties, and opposing the said unconstitutional Acts of Parliament.

Resolved, That the most effectual method of opposing the said several Acts of Parliament will be to break off all commercial intercourse with *Great Britain* until the said Acts shall be repealed.

Resolved, That the several counties within this Colony ought to nominate and appoint for every county, proper Deputies, to meet upon the first day of *August* next, in the City of *Williamsburg*, then and there to consult and agree upon the best and most proper means for carrying into execution these or any other Resolutions which shall be best calculated to answer the purposes aforesaid.

Resolved, That it be earnestly recommended to the Deputies of the said General Convention to nominate and appoint fit and proper persons on behalf of this Colony to meet such Deputies as shall be appointed by the other Colonies in General Congress, to consult and agree upon a firm and indissoluble union and association for preserving, by the best and most proper means, their common rights and liberties.

Resolved, That *Burwell Basset*, and *Bartholomew Dandridge*, Esquires, our late and present worthy Representatives, be and they are hereby nominated and appointed Deputies, on the part and behalf of the freeholders and inhabitants of this county, to meet such Deputies as shall be appointed by the other counties within this Colony, in the City of *Williamsburg*, on the first day of *August* next, or at any other time or place for the purpose aforesaid.

Resolved, further, That our said Deputies agree to join in any proper means that shall be adopted for the immediate relief of the present necessities of the inhabitants of the town of *Boston*.

Resolved, That the Clerk transmit the foregoing Resolutions and Instructions to the Printer, to be published.

WILLIAM CLAYTON, *Clerk of the Meeting*.

EXTRACT OF A LETTER FROM THE HONOURABLE GOVERNOUR WENTWORTH, TO THE EARL OF DARTMOUTH, DATED NEW-HAMPSHIRE, JULY 13, 1774.

The Convention mentioned in my despatch, No. 63, immediately dispersed without attempting to enter into any measures. Those gentlemen with some others dined at a tavern, and there in private agreed to recommend to the several Parishes in the Province, that they choose persons to meet at *Exeter* on the 21st instant, for the purpose of appointing Delegates to attend, and be part of an *American* Congress, intended to assemble the 1st of *September* next, in *Pennsylvania* or *New-Jersey*. The towns were desired to collect voluntarily, and send by their agents to *Exeter*, certain sums of money in proportion to their Province tax, amounting to three hundred pounds sterling, to pay the Delegates. It was also recommended to the Parishes, that the 14th instant be observed as a day of fasting and prayer. It is yet uncertain how far these requisitions will be complied with, but I am apt to believe the spirit of enthusiasm, which generally prevails through the Colonies, will create an obedience that reason or religion would fail to procure.

Williamsburg, Va., July 14, 1774.

An express which arrived last *Sunday* from the frontiers, brought letters to his Excellency the Governour from the County Lieutenants of *Augusta*, *Botetourt*, and *Fincastle*, which advise that skulking parties of *Indians* (supposed to be *Shawanese* and *Delawares*) had been discovered lately among the settlements, some of them venturing within twenty-five miles of *Botetourt* Court House. Upon receiving this intelligence, we hear that his Excellency has directed the militia of those counties to be draughted out, in order to compose a body of men sufficient to go against the *Indian* towns, and drive off, or extirpate the bloodthirsty and savage inhabitants. By the same express, we learn that there have been two skirmishes between our people and the *Indians*, one of which happened at the head of the *Monongahela*, wherein three *Indians* were killed, and Captain *Wilson*, who commanded the party against them, received a shot in his body, but it was hoped would not prove mortal. The other skirmish was on the head of *Greenbrier*, in which the Lieutenant of the party was wounded, and one man killed; none of the *Indians* fell.

His Excellency left this city, on the 10th instant, in order to take a view of the situation of the frontiers of this Colony. It seems his Lordship intends to settle matters

Digitized by Google

amicably with the *Indians*, if possible, and purposes to have conferences with the different Nations, to find out the cause of the late disturbance.*

CHESTERFIELD COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders and others, Inhabitants of the County of *Chesterfield*, at the Court House of the said County, on *Thursday*, the 14th of *July*, 1774, to take into consideration the present very alarming situation of this Colony:

The Reverend ARCHIBALD M'ROBERT being unanimously chosen *Moderator*,

Resolved, nemine contradicente, That we are ready and willing, at the expense of our lives and fortunes, to defend and maintain his Majesty's right and title to the Crown of *Great Britain*, and his *American* Dominions, against all his enemies, and we do profess all just obedience and fidelity to his sacred person and Government.

Resolved, That the sole right of making laws for the Government of this his Majesty's ancient Colony and Dominion of *Virginia*, and for raising and levying taxes on the inhabitants thereof, ought to be, and is vested in the General Assembly of the said Colony, and cannot be executed by any other power without danger to our liberties; subject, nevertheless, as of custom has been, to his Majesty's approbation.

Resolved, That every other of his Majesty's Dominions in *America*, ought to be, and of right is entitled to, the same privileges as this Colony.

Resolved, That the present demand of money as a duty upon tea imported into this, or any other Colony in *America*, under the authority of the *British* Parliament, "for the sole purpose of raising a revenue in *America*," without the consent of our Representatives, is arbitrary and unjust, a subversion of the ancient and constitutional mode of levying money upon *British* subjects, and evidently calculated to fix a precedent for future demands of the same nature, and by that means to reduce the Colonies to a state of slavery, and that all persons aiding in the execution of such laws be considered as enemies to the freedom of *British* subjects.

Resolved, That the Act of the *British* Parliament for depriving the inhabitants of the town of *Boston*, in our sister Colony of the *Massachusetts Bay*, of their lawful trade, as also the Bills brought into the House of Commons of *Great Britain*, one of which Bills is entitled, "A Bill for the impartial administration of justice in the "cases of persons questioned for any act done by them "in the execution of the law, or for the suppression of "riots or tumults in the Province of the *Massachusetts* "*Bay*, in *New England*," are unjust, arbitrary, and unconstitutional; and although levelled particularly against one of our first Colonies, yet ought to be resented with the same indignation by this, and every Colony, as if all of them were included in the said Act and Bills.

Resolved, That an extensive Association ought to be entered into, and that no goods or commodities of any kind whatsoever ought to be imported from *Great Britain* into this Colony after the first day of *August* next, except medicines, paper, books, needles, cotton, wool, and clothiers' cards, steel, gunpowder, *German* oznabrigs, hempen rolls, negro cotton and plains, *Dutch* blankets, saltpetre, and implements necessary for the manufacturing of woollens and linen; and that all and every person who has sent orders to *Great Britain* for any articles except such as are already excepted, ought to embrace the first opportunity to countermand such orders.

Resolved, That any inhabitant of this Colony who shall import any article not allowed by this Association, or purchase from any other person who shall import such article, except already ordered, shall be deemed a betrayer of the liberties of his country; and that we will not hold friendship, or have any connection with such offending person.

Resolved, That every kind of luxury, extravagance and dissipation, should now, and at all times, be carefully discouraged, and that an extensive plan of establishing manufactories amongst the inhabitants of this, and the other Colonies in *North America*, should immediately be adopted as the only possible means of avoiding that dependent commercial connection which hath hitherto subsisted between the Colonies and *Great Britain*, which hath induced an arbitrary and designing Administration to attempt the total destruction of our rights and liberties; and that to carry the same more effectually into execution, subscriptions be opened for that purpose under proper regulations.

Resolved, That to dissolve the General Assembly of the Colony setting for the despatch of publick business, "because they enter into a consideration of the grievances "under which they labour, and nobly assert their right "to freedom," is arbitrary and oppressive, a manifest proof of a fixed intention to destroy the ancient constitutional legislative authority in the Colony, and directly contradictory to the spirit of the acknowledgments made in favour of the rights of a *British* people.

Resolved, That this Colony ought not to hold any commercial intercourse with any of the Colonies in *North America* that shall refuse to adopt proper measures for procuring a redress of our grievances.

Resolved, That the town of *Boston* is now suffering in the cause of *American* liberty; that her safety and protection is, and ought to be, the common cause of the other Colonies; and that their relief ought to be attempted by all proper and constitutional ways and means in our power.

Resolved, That we do most heartily concur with the late Representatives of this Colony in their sentiments delivered at the meeting held in *Williamsburg* after the dissolution of the last Assembly. We return them our warmest thanks for their spirited conduct on that and every other occasion, and entreat their steady and determined attention to the same principles, at the meeting to be held on the first day of *August* next in the City of *Williamsburg*.

Resolved, That *Archibald Cary* and *Benjamin Watkins*, our late worthy Representatives, together with the Representatives to be chosen for this county in the next Assembly, be, and they are hereby appointed Deputies on the part of the freeholders and inhabitants of this county, to meet such Deputies as shall be appointed by the other counties and corporations in this Colony, in the City of *Williamsburg*, on the first day of *August* next, to take under their consideration the several grievances under which this, and the other *American* Colonies, are at present labouring, to concert and deliberate upon proper ways and means to procure redress of those grievances, and that they, together with such Deputies as shall be then and there assembled, do nominate proper persons on the part of this Colony, to meet such Deputies as shall be appointed upon the part of the other Continental Colonies in a general Congress, to consult and agree upon a firm and indissoluble union and association for preserving, by the best and most proper means, their common rights and liberties.

Resolved, That the Clerk of this meeting transmit to the Printers of both Gazettes copies of these Resolutions, with the earnest request of this county that the other counties and corporations within the Colony will appoint Deputies to meet at the time and place, and for the purposes aforesaid. JERMAN BAKER, *Clerk to Meeting*.

GLOUCESTER COUNTY (VIRGINIA) RESOLUTIONS.

At a general and full Meeting of the Inhabitants of the County of *Gloucester*, at the Court House of the said

**Fredericksburg, July* 17, 1774.—His Excellency the Earl of *Dunmore*, arrived here in perfect health on *Friday* evening, the 15th, and this morning, at eight o'clock, set out on his way to the back country.

His Lordship's care for the poor inhabitants that are settled in the frontier counties, which are now exposed to the horrours of an *Indian* war, partly induces him to take this journey; hoping that he may, after getting acquainted with the situation of affairs in that country, be able to give such directions as will in some measure secure them and their families from the cruelties of the Savages, who have already done a good deal of damage. The skulking parties that have hitherto been discovered, do not consist of many in a body; and it is thought they intend some grand stroke soon, as they have been seen pretty low down in the settlements, in small parties, of five and six, and sometimes not more than three and four together, without doing any mischief; from which it is judged their business was to make themselves acquainted with the country, and find out the settlements, so that they may, at any time, bring in a party sufficient to destroy them at once, and retreat before any body of men could be collected to go against them.

Digitized by Google

County, after due notice, on *Thursday*, the 14th of *July*, 1774,

JAMES HUBBARD, Esquire, Judge of the said County Court, being unanimously chosen *Moderator*,

They came to the following Resolves:

Resolved, That we will ever maintain and defend his Majesty's right and title to the Crown of *Great Britain*, and his Dominions in *America*, to whose royal person we profess the firmest attachment.

Resolved, That it is the opinion of this meeting, that taxation and representation are inseparable; and that as we are not, and, from the nature of things, cannot be, represented in the *British* Parliament, every attempt of that body to impose internal taxes on *America*, is arbitrary, unconstitutional and oppressive.

Resolved, That the Act for blocking up the harbour of *Boston*, and other purposes therein mentioned, is cruel and unjust, and a convincing proof of the fixed intention of Parliament to deprive *America* of their constitutional rights and liberties.

Resolved, That the cause of *Boston* is the common cause of all *America*, and that we will firmly unite with the other counties in this Colony, and the other Colonies on this Continent, in every measure that may be thought necessary on this alarming occasion.

Resolved, That we do most heartily concur with our late Representatives in their resolve of the total disuse of tea, and do farther resolve against the use of any *East India* commodity whatsoever, except saltpetre.

Resolved, That we will not import, or purchase when imported, any merchandise or commodities from *Great Britain*; and that, at a short day hereafter to be fixed, we will stop all exports to *Great Britain*, until there is a total repeal of the *Boston* Port Act, all the several Acts imposing taxes on *America*, for the purpose of raising a revenue, and those other Acts made particularly against our brethren of the *Massachusetts Bay*, on account of their noble opposition to the late Revenue Acts.

Resolved, That should our sister Colonies of *Maryland* and *North Carolina* determine not to export their tobacco to *Great Britain*, we will be far from availing ourselves of their patriotick resolution, by continuing to export ours.

Resolved, That we will submit to any resolutions that may be entered into either by the Deputies of the several counties in this Colony at *Williamsburg*, or by the general Congress of the Colonies on the Continent.

Resolved, That we will not deal with any person or persons in this county who will not sign this Association, and strictly and literally conform to every distinct article thereof; nor with any other person or persons who will not sign, and strictly conform, to the particular resolves of their respective counties, but will for ever despise and detest them as enemies to *American* liberty.

Resolved, That it is the opinion of this meeting, that immediately upon the non-exportation plan taking place, neither the gentlemen of the bar, nor any other person, ought to bring any suit for the recovery of any debt, or prosecute farther any suit already brought, during the continuance of these resolutions, it being utterly inconsistent with such scheme for any man to be compelled to pay without the means wherewith he may pay.

Resolved, That we do most cordially approve of the intended meeting of the late Burgesses on the first of *August* next, at *Williamsburg*, and do depute *Thomas Whiting*, and *Lewis Burwell*, Esquires, our late worthy Representatives, to consult with the Deputies of the several counties of this Colony, and to adopt such measures as are agreeable to the foregoing resolutions, hereby engaging, on our parts, to conform thereto, and to support the same to the utmost of our power.

Resolved, That the Clerk of this meeting transmit to the Printers of both Gazettes, copies of the above Resolves, with the request of the county to insert them in their papers.

JASPER CLAYTON, *Clerk*.

CAROLINE COUNTY (VIRGINIA) RESOLUTIONS.

At a General Meeting of the Freeholders and Inhabitants of the County of *Caroline*, at the Court House, on *Thursday*, the 14th day of *July*, 1774, assembled for the purpose of deliberating and giving their sentiments upon the present state of affairs in *America*, and what ought to be done at this most alarming crisis, the following points were agitated and agreed to as the opinion of this county:

That the design of our Meeting may not be misinterpreted, we think it proper to declare, what would otherwise be unnecessary, that we will preserve all due obedience and fidelity to the royal person and Government of his sacred Majesty, King *George* the Third; and that we will at all times when called on for that purpose, maintain and defend, at the expense of our lives and fortunes, his Majesty's right and title to the Crown of *Great Britain*, and his Dominions in *America*.

That a firm union and mutual intercourse, and reciprocation of interests and affections between *Great Britain* and her Colonies is desirable and beneficial to both; and that whoever shall go about to dissolve that union, by attempting to deprive the Colonists of their just rights on the one hand, or to effect their independence on the other, ought ever to be considered as a common enemy to the whole community.

That for *Americans* to be exempted from every kind of taxation, except by the consent of their own Representatives in their several Provincial Assemblies, to be heard in their defence when accused of crimes, and tried by their peers, are rights they derive from natural justice, the *British* Constitution, (to which they are equally entitled with their fellow-subjects in *Great Britain*,) and from constant usage, so long as the true principles of the Constitution have been suffered to direct the publick councils.

That the *British* Parliament in their several Acts for imposing a duty upon tea, to be paid in *America*; for blocking up the harbour and stopping the commerce of the town of *Boston* in the *Massachusetts Bay*, for supposed offences, with which they were charged and condemned unheard; for altering the form of that Government established by Charter and long usage; and for empowering his Majesty to order persons charged with certain offences committed in *America* to be carried to *Great Britain* and there tried, have been influenced by evil counsellors to depart from the true principles of the Constitution, and to violate the most sacred and important rights of *America*, from which they can never depart; that those Acts, whether intended to operate only in one Province, or generally in all, ought to be considered as the common cause; and that a firm and indissoluble union and association of the whole ought to be formed to oppose their operation by every just and proper means; to effect which, we think the sending Deputies from each Province to meet in a general Congress, will be a very proper measure, and we desire our Delegates may unite with others in the General Meeting for this Colony in electing such Deputies.

That tea being the subject of the tax complained of, and the *East India* Company having acted ungenerously in sending great quantities of it to *America*, to fix the precedent of taxation, though desired to forbear, we most cordially concur with the late Representatives of this Colony to disuse tea, and not to purchase any *East India* commodities from henceforth, until the just rights of *America* be restored.

That a General Association between all the *American* Colonies not to import from *Great Britain* any commodity whatsoever ought to be entered into and not dissolved till the just rights of the Colonies are restored to them, and the cruel Acts of the *British* Parliament against the *Massachusetts Bay* and town of *Boston* are repealed.

That it is the undoubted privilege and indispensable duty of the Representatives of the people of this Colony, when met in General Assembly, to deliberate freely upon all invasions of the rights, liberties, or properties of their constituents, and consider of the proper means of redress; and therefore, that the interposition of the Executive power here, by mandate from the Ministry to dissolve the Assembly whenever they complain of attempts to destroy those rights, tends to deprive us of all benefit from a Legislature, and is an evidence of the fixed intention of the Ministry to reduce the Colonies to a state of slavery.

Digitized by Google

That in this distressed situation of our affairs, all luxury, dissipation, and extravagance, ought to be banished from among us, and every kind of manufacture, industry, and economy encouraged.

That the *African* trade is injurious to this Colony, obstructs our population by freemen, manufacturers, and others, who would emigrate from *Europe* and settle here, and occasions an annual balance of trade against the country, and therefore that the purchase of all imported slaves ought to be associated against.

Though we are happily allowed to proceed to the choice of new Representatives, yet as the return of the writs is made to the 11th of *August*, and there is reason to doubt the Assembly may not be held at that time, we think it highly expedient there should be a meeting at *Williamsburg* on the first of *August*, as appointed, to consider fully of the several matters herein before mentioned, and appoint *Edmund Pendleton* and *James Taylor*, Esquires, Deputies on our parts, to meet such as shall be named for other Counties and Corporations, at *Williamsburg*, or such other place as may be agreed on, on the day aforesaid, or any other time, to deliberate freely, and agree to the above Resolutions, or any other that may be judged more expedient for the general purpose intended.

WILLIAM NELSON, *Clerk.*

THE BRITISH AMERICAN, NO. VII.

Williamsburg, Va., July 14, 1774.

Friends, Fellow-citizens, and Countrymen:

The true state of your case is now fully before you, and the questions naturally resulting from it, for your determination are:

1*st. Question*, Will you acknowledge that the *British* Parliament have a right to make laws to bind you? Or will you, from a dread of the consequences of an opposition, submit to those laws?

2*d. Question*, If you are determined not to submit, what mode of opposition, will you adopt as the most rational and effectual to shake off the jurisdiction usurped over you?

These questions require the coolest attention, and the most deliberate wisdom to determine on, a steady and unshaken intrepidity to carry the resolutions you form on them into execution—resolutions which will, in all human probability, preserve or sink the greatest Empire in the world, and extend happiness or misery to myriads of millions yet unborn. With regard to the first question, if you really think that the *British* Parliament have a right to make any laws whatsoever to bind you, give up the matter, and submit to slavery at once; for the distinction between the right of taxation and that of regulating trade is merely nominal and not worth contending for, since a regulation of trade can as easily restrain you from manufacturing the smallest article for your own use, as it hath already prevented you from erecting slitting mills; can as easily strip you of every shilling of your property as it hath already rendered useless the whole property of the town of *Boston*; can deprive you of your liberty by subjecting you to new modes of trial, and erecting Courts of Admiralty, invested with powers unknown to the Constitution, and can sacrifice your lives, by marking you out for slaughter to a licentious soldiery, who are to be rescued from the justice of the country offended, and to be carried to *England*, with a certainty of being screened, and with a hope, if not with a promise, of being rewarded for the murthers they are to commit in *America*.

But still if your ancestors unthinkingly placed you in this deplorable situation, and by settling in *America* have debased you so low as that you are become the slaves of your brethren in *Britain*; if the King, at the head of his respective *American* Assemblies, no longer constitutes the Supreme Legislature of the Colonies; if you are subject to two Supreme Legislatures; if the King may, at the head of the *British* Parliament, abrogate laws, which, as the head of his *American* Parliament, he hath assented to; revoke Charters more solemnly granted than those of Magna Charter to *Britain*; deprive his *American* subjects of that property, which, under the faith of those Charters, they have expended their best blood and treasure in acquiring; and if, to conclude all, you are to consider yourselves as dependent upon the *British* Parliament, and have hitherto only dreamed of liberties which you had no right to enjoy; why then, my countrymen, let us patiently acquiesce in our unhappy lot, let us deprecate the wrath of the *British* aristocracy by instant submission, and seriously and solemnly implore the *God* of all Mercies to inspire the minds of our lords and masters with some slight sentiments of moderation, some little degree of tenderness and compassion, towards those who were once their equals, are still their brethren, and are not conscious of having merited the base, the abject, the humiliating state, they are reduced to, or the rigorous treatment they are now suffering.

But it may be said, that though convinced that you have justice on your side, and though sensible that the jurisdiction claimed by the *British* Parliament over you is an unjust and arbitrary usurpation of the strong over the weak, yet you are not ripe for opposition; that, too feeble to resist the power of *Britain*, and to assert your title to freedom, you can at present only protest against the oppression, but must leave it to your growing prosperity to enforce those rights, which you can only claim. If these sentiments, my countrymen, prevail amongst you, if in order to avoid slight, temporary evils, and imaginary consequences, you are determined only to make an imaginary shew of resistance, and if that will not induce the *British* Parliament to withdraw her claim, to submit to that claim, and acknowledge the supremacy they contend for, let your submission be made immediately. With a good grace express contrition for your former obstinacy, humbly entreat forgiveness for what you have already done, promise implicit obedience for the future, and, if determined to submit to slavery at last, be careful how you exasperate your masters with the semblance of an opposition you do not intend to persist in; for I will venture to prophecy, that if *America* is not now ripe for asserting her just rights, she will be rotten before she is so.

The arbitrary laws which will be imposed upon you immediately upon your submission, the swarms of placemen and pensioners which you will be obliged to pay to enforce those laws, and the rigour with which they will be executed, by suppressing every idea of patriotism, before it can shoot up to maturity, and by stifling it in its cradle, every dawn of virtue will effectually restrain posterity from even wishing to emerge from that state of slavery which, by being habituated to from their infancy, will at length become familiar to them.

Be not deceived by imagining, that the submission of *Boston* to the three Acts of Parliament lately passed, arbitrary and humiliating as they are, is the ultimate end of the *British* aristocracy. No, it is only a part of the general plan they have formed for enslaving all *America*, by attacking each Colony singly; for as every Colony have refused to submit to the duty imposed upon tea, they will all, one after another, feel the resentment of, and be called upon for, the same submission to Parliament, if you do not cordially unite in supporting the first sufferer. And here permit me to address myself in a particular manner to such of my countrymen whose own industry, or the frugality of their ancestors, have blessed them with immense wealth. I confess your situations are truly alarming, for as you have more to lose, so you have more to fear than those of your fellow-subjects to whom Providence hath been less liberal of the goods of fortune. In as happy a state as your most sanguine wishes could have placed you, with a reasonable expectation of providing for a family deservedly dear to you, and of transmitting to your posterity those blessings of fortune, which, by tasting yourselves, you have experienced the value of, you wish not for a change. Satisfied that with your ample estates, you can ward off the evils of the most arbitrary Government, and, that though much may be taken from you unjustly, still there will remain abundantly sufficient to supply you with all the necessaries, with all the elegancies of life; whereas, on the other hand, even a slight commotion may expose part of your wealth to the ravages of the populace, or the plunder of a licentious army, and if you are unfortunate enough to choose the weaker party, however innate virtue may have directed your choice, you are sure to lose the whole, and, in your old age perhaps, be reduced

Digitized by Google

to poverty, aggravated with the corroding reflections on the enjoyments you once possessed. You therefore endeavour to dissuade every struggle for liberty, and if you cannot accomplish this, you sagely determine, by observing a strict neutrality, to avoid giving the slightest ground of offence to either party; and this you think a *prudent* method of preserving the blessings you at present enjoy.

When *Cæsar*, *Pompey*, and *Crassus*, (says a celebrated writer) were making large strides towards overturning the Constitution of *Rome*, the people were divided into two factions; the middle ranks, who are always the most wise and virtuous people in a state, opposed; the populace supported them; whilst the wealthy, who if they had thrown their weight into the scale, might have restrained the errours of the populace, and checked the ruinous designs of the triumvirate, observed a strict neutrality; foolishly imagining by doing so that their houses, their fish-pounds, their parks, their villas, and their gardens, would remain untouched when the laws of their country were abolished; instead of which, those safest fences of every man's property were no sooner broke down, by overturning the Constitution, than in the second triumvirate of *Augustus*, *Anthony*, and *Lepidus*, they found themselves foremost in the list of proscriptions, and a confiscation of that wealth (which they vainly imagined would have secured to them all the enjoyments of life) marked them for destruction, and deprived them of life itself; leaving to those of their rank in succeeding Empires this useful lesson, that the surest means of securing wealth in every country is to unite firmly in opposing every attempt to overturn the laws, and that the greater opulence they possess the more they are interested in preserving the liberty of the state they belong to; because upon all occasions of this kind the old maxim, That he that is not for us is against us, prevails so far as to subject the wealthy neutrals to the confiscations of which ever party gains the superiority.

Can you suppose you sordid sons of Avarice, that three millions of people will surrender their liberties without a single struggle? Or if they should, when the *British* aristocracy have beat down every barrier of property in *America*, do you really imagine that your fertile fields will escape their rapacious hands? Or that they will not find or make some pretext for sacrificing the present owner, to gratify their interested views, by dividing his spoils amongst them? If these are your sentiments, pursue the delusion, and experience the consequence. But if, on the other hand, my countrymen, all ranks of you are convinced that it is not only dangerous but absurd to subject yourselves to a double taxation, and to two supreme Legislatures; if you think that your Sovereign ought to be considered as supreme Ruler of the whole Empire, providing for the welfare of his subjects within the Realm, at the head of his *British* Parliament, and of those without, at the head of his *American* Assemblies, by laws adapted to the local situation, and suited to the emergencies of each, and by that negative with which he is invested by the Constitution, restrain the different states of his extensive Dominions from enacting laws to destroy the freedom or to prejudice the interest of each other; if you are satisfied that the independence of *America* upon the *British* Parliament is essentially necessary to check the growing power of aristocracy in *Great Britain*, and to restore your Sovereign to that weight in the National Councils which he ought to possess; if you still retain a just sense of your best birth-right, *that of being governed only by such laws as you or your ancestors have or had a share in framing;* if you deem it incompatible with every idea of liberty to trust the legislative power with men you have not chosen, and who, from their situation, will reap the advantages, but cannot share in the inconveniences of the laws they make to oppress you; if you look upon slavery as the greatest evil that can possibly befall you in this world; and if reposing your trust in the Supreme Being, to assist a just cause, you are determined to unite firmly in asserting your native rights, coolly consider the second question: "What mode of proceeding "will you adopt as the most rational and effectual to shake "off the jurisdiction usurped over you?"

Three plans have been proposed to you:

1st *Plan*. That all the Colonies in *America*, except *New England*, shall agree to pay for the tea destroyed by the people of *Boston* upon the repeal of the duty imposed upon that article to be paid in *America*, and upon the repeal of the Act for shutting up the port of *Boston*.

2d *Plan*. That you should immediately stop all exports and imports to and from *Great Britain* and the Islands, till the Tea and *Boston* Acts are repealed.

3d *Plan*. That you shall absolutely determine, at once, that you will not in future submit to any Act of the *British* Parliament, made to be executed in the Colonies since the fourth of *James* the First; that if any Judge of any Court whatsoever, shall presume to pronounce any judgment to enforce such Acts of Parliament, he shall incur the resentment of an injured people, and be treated as an enemy to *America;* that the judgment so pronounced by him shall be absolutely void; that the person injured by such judgment shall by force repel the execution of such judgment, and that you will, at the risk of your lives and fortunes, support him in repelling such execution.

A moments reflection will convince you, that to pursue the first plan proposed may be productive of evil, but cannot possibly be attended with any good consequences. Is it reasonable to imagine that the *East India* Company intended to erect a number of booths or little grocers' shops in *America*, for the convenience of retailing their tea by the ounce? For if they only intended to deal in the wholesale way, by supplying the different stores in *America*, that they not only might, but actually have done, for many years from their warehouses in *Great Britain;* it is therefore generally supposed that the project of the *East India* Company's sending ship loads of tea to *America* was concerted between the Minister and them, to establish a glaring precedent of your having submitted to an internal tax, imposed upon you by the *British* Parliament, for the sole purpose of raising a revenue, or, in case of resistance, to furnish a plausible pretext for dragooning you into obedience. If this was really the case, that Company (as tools of arbitrary power) have suffered no more than they deserved, and to indemnify their losses would only be to invite fresh injuries of the same kind. Again, as their consignees had trifled with the people of *Boston* till they became liable for the duty, they would add that duty to the price of their tea; and if the Minister can extract the duty, and the *East India* Company receive the price, whether the tea is destroyed by the populace of one Colony, and paid for by the Assemblies of the others, or whether it is purchased and consumed in the regular course of business, will be a matter of no greater concern, either to the Minister or to the Company, than that, in the first case, it will, by becoming the avowed act of different Assemblies, be a more dangerous precedent than that of private consumption, which might be supposed to proceed from the want of virtue in a few individuals. But even supposing that the *East India* Company were in no combination with the Minister to enslave you, and that, convinced of the danger of sporting with the liberties of their fellow-subjects, they are determined to relinquish their project of sending tea to *America*, still the plan proposed cannot be attended with any good consequences.

The *British* aristocracy have already proceeded to great lengths in endeavouring to enforce implicit obedience from the Colonies to be diverted from their despotick views, with any trifling concessions you can make, or any timid measures you can pursue. The language they now use is, that the honour of Parliament is at stake, and nothing but an implicit submission to its authority, and an absolute surrender of your liberties, will preserve that honour, or, in the words of their insolent demagogue, *America* is not even to be heard till she prostrates herself at their feet; and the two Acts of Parliament, altering the Charter of *New England*, abrogating the rights solemnly granted by it, and instituting new modes of trial to encourage the *British* soldiers to murther the inhabitants of *America* in general, leave you no room to doubt of their hostile intentions.

Timid or temporizing measures will answer no other end than to swell their pride, heighten their arrogance, and increase their contempt of you. The first plan proposed cannot, therefore, be effectual to relieve us.

In my next I shall consider whether the second can be adopted with greater propriety.

Digitized by Google

PENNSYLVANIA COUNCIL.

At a Council held at *Philadelphia*, on *Thursday*, *July* 14, 1774:

Present, the Honourable *John Penn*, Esq., Governour, *Rich. Peters*, *Benj. Chew*, and *James Tilghman*, Esqrs.

The Governour laid before the Board several late Letters from *Arthur St. Clair*, Esq., at *Ligonier*, containing very favourable accounts of the disposition and temper of the *Indians*, as also an Extract of Mr. *Alexander M'Kee*, the Deputy *Indian* Agent's Journal, of all the transactions with the *Indians* at *Pittsburgh*, since the first of *May* last.

The Governour then acquainted the Board, that the Assembly being to meet, by summons, on *Monday* next, on occasion of the late *Indian* disturbances, he thought it would be necessary that a Message should be prepared to be sent them immediately on their meeting. Whereupon, Mr. *Chew*, Mr. *Tilghman*, and Mr. *Shippen*, were appointed a Committee to prepare a draught of the same.

CORRESPONDENCE LAID BEFORE THE COUNCIL.

At a Meeting held with the *Indians* at *Pittsburgh*, the 29th of *June*, 1774:

Present, Captain *Aston*, Major *McCullock*, Captain *Crawford*, Mr. *Valen. Crawford*, Captain *Nevill*, Mr. *Edward Cook*, Mr. *John Stevenson*, Captain *Hogeland*, Mr. *David Shepherd*, Rev. Mr. *Whiteaker*, Mr. *Joseph Wells*, Mr. *James Innis*, Mr. *Æneas Mackay*, Mr. *Joseph Simons*; with a number of the Inhabitants and Traders.

Indians—Captain *White Eyes*, *Weyandahila*, Captain *Johnny*; with sundry other young men.

Captain *White Eyes* first informed us that he was returned from transacting the business which he had been sent upon by his brethren, the *English*, and that he now had the satisfaction to tell us that he had succeeded in his negotiations with all those tribes of the several Nations of *Indians* whom he had since seen and conferred with upon the unhappy disturbances which unfortunately arose this Spring between the foolish people of both parties; and that he had found all Nations fully disposed to adhere to their ancient friendship, and the advice of their wise men.

Here he delivered a paper from the Chiefs of the *Delawares*, containing as follows:

"New Comer's Town, June 21st, 1774.

"Brothers: When the late unhappy disturbances happened, you desired us to be strong, and to speak to the other tribes of the *Indians* to hold fast the chain of friendship subsisting between the *English* and them. I now inform you that we sent for our uncles, the *Wyandots*, and our grandchildren, the *Shawanese*, and also the *Cherokees*, and we have desired them to be strong, and to inform all other Nations, and hold fast the chain which our grandfathers made, and you may depend our King still continues to go on in that good work.

"As things now seem to have a good prospect, and peace likely to be restored again, Brothers, we desire you to be strong, and also on your parts to hold fast the chain of friendship, as you may remember when it was made it was agreed that even the loss of ten men's lives on any side should not weaken it. If, for the future, we are all strong and brighten the chain of friendship, our foolish young men will not have it in their power to disturb it. We cannot inform you any more of our grandchildren the *Shawanese*, than that they are gone home, and intend soon going to *Fort Pitt*, to hear of the disturbances which have happened between your foolish people and theirs, when you will then hear from their own mouths what they have to say.

"Brothers: As things now seem to be easy, and all the Nations have now agreed to hold fast the chain of friendship, and make their young men sit quiet, we desire you to consider of what you have to say when our grandchildren the *Shawanese* come to speak to you. The head men of the *Shawanese* are gone to *Wagetomica*, and intend to send their King up to *Fort Pitt*, that he may himself hear what his brothers the *English* have to say.

"King New Comer, Neolige,
"White Eyes, Killbuck,
"Thomas McKee, William Anderson,
"Epaloined, Simon Girty.

"To *Geo. Croghan*, *Alex. McKee*, and *J. Conolly*, Esqrs."

White Eyes again addressed the People:

"Brethren: It was with pleasure I heard you when you first desired me not to look towards the mischief that had been committed by foolish men, and I looked upon it as a convincing proof of your desire to preserve that chain of friendship which has so long subsisted between us. Be strong, brethren, and let us both be strong in continuing so to do, and not only overlook the indiscretion and folly of our rash inconsiderate men, but take pity of them, that our young people, as they grow up, may hereafter enjoy the blessings of that peace and friendship established between us; and to this end let us call to our remembrance the amity made by our forefathers and their wise people, which is no doubt still impressed upon the hearts of our great men, to whom let us apply to reconcile our uneasiness, as this is the sure way to prevent our friendship from being destroyed, or contracting rust. Therefore, brethren, let us rely upon them for our future welfare. Every thing is so far now settled upon our parts, that it only requires a meeting of our prudent men to restore that peace and tranquillity to our country we so much wish for. Brethren, we desire that no imprudent action may now destroy the agreeable prospect of this desirable event. (*A Belt.*)

"I have to inform you that the Chiefs of all Nations still continue to hold by that chain of friendship which has been put into their hands by Sir *William Johnson*, in the name of their father, the King of *Great Britain*, and that it was only the actions of a few individuals, contrary to their Chiefs' intentions, that had bred this confusion amongst them; who have, in the violence of their grief and passion, taken revenge for the loss of their friends; but the Chiefs of all Nations assured me, that as soon as those bad people, who were yet scattered amongst them, were in their power, they would secure them from doing further evil, and that those they have seen are sorry for what they have done, begging the pity of their Chiefs, and I have reason to expect that you will see them shortly upon this occasion."

A true copy, Alexander McKee.

JOHN MONTGOMERY TO GOVERNOUR PENN.

Carlisle, June 30, 1774.

Sir, may it please your Honour: I received your two letters, as also the arms, ammunition, &c., for the use of the back inhabitants, which I have forwarded to Captain *St. Clair*; shall settle for the carriage when I go down in *September* next; our accounts from *Fort Pitt* are favourable. The traders who were at the Lower Towns are on their way to (and some of them are arrived at) *Pittsburgh*, with all their property. They are guarded by a number of *Shawanese* and *Delawares*. The *Mingoes* attempted to cut off the traders at the *Canoe* place, but were prevented by the *Shawanese*, who told the *Mingoes* that the traders were under their protection, and if they struck them they would resent it and punish them for it. The *Shawanese* seem well disposed and inclinable for peace, and will continue so unless provoked by the *Virginians*. The *Delawares* are all for peace. *Logan's* party was returned, and had thirteen scalps and one prisoner. *Logan* says he is now satisfied for the loss of his relations, and will sit still until he hears what the Long Knife (the *Virginians*) will say. I am in hopes that the storm will blow over, and that peace and tranquillity will be restored to the back inhabitants.

I am, honourable sir, your Honour's most obedient and humble servant, John Montgomery.

To the Honourable *John Penn*, Governour and Commander-in-chief of the Province of *Pennsylvania*.

RICHARD LEE, PRESIDENT OF THE MARYLAND COUNCIL, TO GOVERNOUR PENN.

Maryland, 2d July, 1774.

Sir: The enclosed depositions will show that some disorders have happened, and the subject which has been the occasion of them. The Proprietary of this Province being a minor, is under the care of guardians, deriving their authority from the appointment of the Lord High Chancellor of *England*, and is under the especial protection of his Lordship; and as the guardians have declined doing any act

Digitized by Google

merely in their capacity of guardians, by which the right or estate of their ward may be affected, I presume no person in *Maryland* can think it proper for *him* to do such an act.

Whether it may not be expedient to suspend the execution of any measure which may be the occasion of disturbing the peace, I must refer to your prudent consideration. Conceiving it to be my duty, I shall, by the first opportunity, transmit to the guardians an account of what has happened, and of the occasion of it. And have the honour to be, with great regard, sir, your most obedient servant, RICHARD LEE.

The Honourable *John Penn*, Esq.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, July 4, 1774.

SIR: I have the honour to enclose you the last piece of *Indian* intelligence, which came by Captain *White Eyes*, a few days ago, and am very happy that affairs have so peaceable an aspect; yet I cannot but express my fears that it will soon be interrupted, as a large body of *Virginians* are certainly in motion. Colonel *Henry Lewis* is ordered to the mouth of *Kenhawa* to build a fort there, and Major *McDonald*, with about five hundred men, is to march up *Braddock's* Road, and down to *Wheeling*, to build another there, and *Cresap*, with three others, are appointed to raise ranging companies. With such officers as *Cresap* no good can be expected; so that it is very doubtful but all attempts to preserve the tranquillity of the country will be fruitless.

The men that have been raised here we have thought proper to continue another month, as the harvest will by that time be over. They have orders to assist and protect the people in the different quarters where they are posted, and I hope by that means it will be secured. The arms and ammunition are not yet arrived, but I hear they will reach this place to-morrow or next day.

I have the honour to be, sir, your most obedient humble servant, AR. ST. CLAIR.

P. S. Last week Mr. *Conolly* issued an order to prevent any skins being removed from *Pittsburgh* till they paid a duty, as in *Virginia*. There has been some appearance of the old seed of the *Black Boys*. A number of people had assembled to stop Mr. *Simons's* goods, but I had got notice of it, and sent a party to protect them, and have issued warrants against them; their ringleader will certainly be taken this day.

ÆNEAS MACKAY, JOSEPH SPEAR, AND DEVEREUX SMITH, TO JOSEPH SHIPPEN, JUN.

Pittsburgh, July 8th, 1774.

SIR: Since our memorial to his Honour, the Governour, of the 25th of *June*, accompanied by some notes, there has several occurrences of so extraordinary a nature happened, that we hope no apology is necessary for giving you this trouble. The traders who were coming by land are all come in safe. Captain *White Eyes* is returned, with the strongest assurances of friendship from the *Shawanese*, *Delawares*, *Wyandots* and *Cherokees*, with whom he had been treating on our behalf. Upon his return he found his house broken open by the *Virginians*, and about thirty pounds worth of his property taken, which was divided and sold by the robbers at one *Froman's Fort*, on *Chartin's Creek*.

Doctor *Conolly* continues to exercise his authority as usual. Our persons are daily insulted, our property forcibly taken, and even our lives threatened. We had a remarkable instance of this on the first instant. A horse, the property of Messrs. *Richard* and *William Butler*, having been taken by a vagrant fellow at this place, was secreted by him in the town, which, when Messrs. *Butlers* were informed of, they went and took their horse, but not without obstinate resistance on the side of the thief, who, in their own defence, they were obliged to strike; upon which the fellow applied to Doctor *Conolly*, who sent a sergeant to *Richard Butler*, commanding him to appear immediately in the garrison; but Mr. *Butler* refused to go, and denied Doctor *Conolly's* authority; whereupon a certain Captain *Aston* was sent for them, with a party from the fort, and orders to break their house and take them at all events. Messrs. *Butlers*, after much debate, and repeated threats from Captain *Aston*, at the entreaty of their friends, consented to go down to the garrison; and when they demanded the cause of such treatment were answered that they must go immediately to jail, but they were afterwards allowed to give bail for their appearance at *August* Court. The same day Mr. *Conolly* informed them, and the other traders, they must pay him a duty of four pence per skin before they could remove one from this place, and immediately ordered the roads to be stopped, which was accordingly done, and a number of horses belonging to Mr. *Blaine* and others, were seized and brought back. A few days ago, one of the traders who went to meet his people, and some *Indians* that were bringing his peltry from *Newcomer's* Town, was, upon his return, waylaid by about forty *Virginians*, who took him, three of his men, and five *Delaware* men, prisoners, telling him they would for the future treat as savages and enemies every trader that they should find in the woods. About this time two *Delaware* men, who had come from the towns up to assist some of the traders with their horses, were pursued by a party of *Virginians* to Mr. *Smith's* house, where they flew for protection. The party followed them to the door, demanded entrance, and swore they would burn the house if they were refused. The *Indians*, notwithstanding, were kept in the house till night, and then dismissed in safety.

Mr. *Wm. Butler*, being insulted by a worthless drunken fellow, was under the necessity of chastising his insolence. Whereupon Mr. *Conolly* issued a King's warrant for him, and his Sheriff came to Mr. *Smith's*, where Mr. *Butler* then was, between eight and nine o'clock at night, and after an unsuccessful attempt to take Mr. *Butler*, ran out and called a guard that was waiting for that purpose, who immediately surrounded the house, remained there till after nine o'clock, and then dispersed. The *Virginians*, from their conduct, appear determined on a war. Colonel *Lewis* is supposed to be at the *Kenhawas* with fifteen hundred men, and several parties have gone from this place to join him. Major *McDonald*, Mr. *Cresap*, and others, are expected here shortly, who, it is said, are going down the river to build forts and station men at different places.

We have no room to doubt that Doctor *Conolly* has, by order of Lord *Dunmore*, sent a Speech to the *Shawanese*, importing that *Logan* and his party be immediately delivered up, with the three prisoners that he has taken, and some other *Shawanese* that are supposed to have committed a murder last winter. That on a refusal they (the *Virginians*) are determined to proceed against them with vigour, and will show them no mercy. Doctor *Conolly* has expresses constantly on the road between this and *Williamsburg*, whereby he has been able to impose on his Lordship the flagrant misrepresentations of *Indian* affairs that appear in the *Williamsburg* paper of the 9th of *June*, which has been publickly confuted at this place by several persons well acquainted with the present state and sentiments of the different Nations.

We hope that it is not necessary to say any more to convince you how unhappily we are at present circumstanced, not only from the prospect of an *Indian* war, which the *Virginians* appear determined to bring upon us, but from the apprehension of further insults from Doctor *Conolly's* extraordinary conduct, of which we have given several specimens, and which, without the interposition of Government, we shall not be long able to support.

We are, sir, with profound respect, your humble servants,

ÆNEAS MACKAY,
JOSEPH SPEAR,
DEVEREUX SMITH.

To *Joseph Shippen*, Jun., Esq., Secretary to his Honour the Governour.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Hanna's Town, July 12, 1774.

SIR: On *Friday* last I was honoured with your letter of the 28th ult., and I have now the satisfaction to acquaint you that the panick seems entirely over, and that numbers of people are returning daily.

It must be very grateful to every person concerned, as it is in a very particular manner to me, that their endeavours

Digitized by Google

on this occasion has met with so full approbation from your Honour, and will most certainly induce them to exert themselves on future ones. I had yesterday an opportunity to acquaint them, as also a very respectable body of people who were assembled here in consequence of a letter from the Committee of *Philadelphia*, of your determination to afford them every necessary assistance and protection. I read to them that part of your Honour's letter, and they received it with great satisfaction and thankfulness.

I shall probably have occasion to write you again to-morrow, as I had, yesterday, a letter from Mr. *Croghan*, desiring a conference on matters of great importance to the Province, which he would not trust in writing. I believe, however, it is a proposal to open some trading place; that is, to form a town some where up the *Alleghany*, as the trading people must leave *Pittsburgh*. *Henkston*, with about eighteen men in arms, paid us a visit at Court last week, and I am very sorry to say got leave to go away again, though there was a force sufficient to secure two such parties, at the Sheriff's direction. I had got intelligence that they were to be there, and expected to be joined by a party of *Cresap's* people, for which reason the ranging party that were within reach had been drawn in, but none of the *Virginians* appeared. It is said a commission has been sent him from *Virginia*; certain it is he is enlisting men for that service.

I believe there was something else I ought to have informed you of, but I am surrounded by a crowd of people, which has put it out of my head.

I have the honour to be, sir, your Honour's most obedient and most humble servant,

ARTHUR ST. CLAIR.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, July 17, 1774.

SIR: The business Mr. *Croghan* had to communicate was this, that the *Virginians* are determined to put a stop to the *Indian* trade with this Province, and that Messrs. *Simons*, *Campbell* and *Conolly*, have obtained an exclusive privilege of carrying it on on the frontiers of *Virginia*. He recommends the laying out a town up the *Alleghany* at the *Kittaning*, to which the traders might retire, as they will certainly be obliged to abandon *Pittsburgh*, and from which the trade might be carried on to as much advantage as the distance from thence to *Kaskaskies* is much the same as from *Pittsburgh*, and a very good road. He further recommends the building a small stockade there to afford them protection in case of a war. The *Indians* will certainly quit *Pittsburgh*, as it is at the risk of their lives they come there, to which I was an eye-witness. *Croghan* further says, unless somebody is sent up by the Government to speak to the *Indians* very soon, that we shall see no more of them, and that the *Delawares*, who are still friendly, will be debauched.

I beg you to excuse this incoherent scrawl, as I am obliged to be held up whilst I write it.

I am, sir, your very humble and most obedient servant,

AR. ST. CLAIR.

P. S. *Henkston* has left the country.

Savannah, Georgia, July 14, 1774.

The critical situation to which the *British* Colonies in *America* are likely to be reduced, from the alarming and arbitrary impositions of the late Acts of the *British* Parliament, respecting the town of *Boston*, as well as the Acts that at present extend to the raising of a perpetual revenue, without the consent of the people or their Representatives, is considered as an object extremely important at this critical juncture, and particularly calculated to deprive the *American* subjects of their constitutional rights and liberties, as a part of the *British* Empire.

It is therefore requested, that all persons within the limits of this Province do attend at the Liberty Pole at *Fondee's* Tavern, in *Savannah*, on *Wednesday*, the 27th instant, in order that the said matters may be taken under consideration; and such other constitutional measures pursued as may then appear to be most eligible.

NOBLE W. JONES, JOHN HOUSTON,
ARCHIBALD BULLOCH, GEORGE WALTON.

New-York, July 14, 1774.

We hear from *Albany*, that all the Chiefs and Head Warriors of the *Six Nations* are now on their way to Sir *William Johnson's*, to hold Congress on the alarming news they received of the murders committed by *Cresap* and others, his associates, in *Ohio*; that a considerable number are already assembled at *Johnson's* Hall, and it is expected the whole will amount to six or seven hundred; and that notwithstanding the disorders which the unprovoked barbarity of *Cresap* and others have occasioned to the Southward, there is reason to hope that, through the endeavours of Sir *William*, the fidelity of the *Six Nations* will be preserved, and the Northern frontiers secured from the dangers and distress now experienced on the frontiers of *Virginia*, &c. It is, however, earnestly wished by all persons concerned in new settlements or trade, that nothing may, in the interim, happen to defeat their sanguine expectations from the intended Congress.

HENRICO COUNTY (VIRGINIA) INSTRUCTIONS TO THEIR DELEGATES.

At a Meeting of the Loyal and Patriotick People of the County of *Henrico*, in *Virginia*, at the Court House, on the 15th of *July*, the following Address to their late worthy Representatives was agreed on, and signed by a great number of Freeholders:

To RICHARD ADAMS *and* SAMUEL DUVAL, *Esqrs.*:

We, the subscribers, freeholders of the County of *Henrico*, assembled for the purpose of deliberating on the present posture of publick affairs, return you our thanks for the part you acted in the late Assembly as our Burgesses.

When we reflect on the alarming and critical situation of things respecting the mother country, our minds are filled with the most anxious concern. The Acts of the *British* Parliament, made for punishing the inhabitants of *Massachusetts Bay*, are repugnant to the first principles of justice; and if they are suffered to have a full operation, will not only crush our sister Colony, and involve the guilty and innocent in one common ruin, but will stand as a fatal precedent to future times for adopting the same fatal measures towards this and every other *British* Colony. We have, therefore, passed this determination, and shall conduct ourselves conformably, that the cause of the Colony of *Massachusetts Bay* in general, and of the town of *Boston* in particular, is the cause of this and every Colony in *North America*.

We hope, gentlemen, that the exceeding importance of the present crisis will plead our excuse for giving you our sentiments touching that conduct which we wish you to observe in the ensuing Congress on the first day of *August* next at *Williamsburg*, to which we depute you to act on our behalf.

With grief and astonishment we behold *Great Britain* adopting a mode of Government towards her Colonies totally incompatible with our safety and happiness. We cannot submit to be taxed by her Parliament. We cannot sit still and see the harbour of *Boston* blocked up by an armed force. We cannot behold, without indignation, the charter rights of a sister Colony violated, or the form of its Government changed by an Act of Parliament, as derogatory to the honour of the mother country, as it is repugnant to justice. And lastly, we will not suffer our fellow-subjects to be seized and transported beyond sea to be tried for supposed offences committed here. If these things are suffered to be reduced to practice, we shall account ourselves the most miserable of men, unworthy the name of freemen; we shall not wonder if, in future, we are treated as slaves.

We therefore most solemnly charge and conjure you to use your best endeavours to save us from these calamities. We earnestly entreat you for your utmost exertion to procure, by all possible ways and means, a total repeal of the late oppressive and detestable Acts of Parliament. We heartily trust you will concur in such measures as the said Congress shall judge most efficacious to preserve our ancient rights; for be assured, gentlemen, that nothing shall ever induce from us a submission to tyranny, and that we resolve, once for all, to live and die freemen.

In order to effect those desirable ends, we give it as our opinion, that the most effectual method of opposing the

Digitized by Google

said several Acts of Parliament, will be, that a General Association between all the *American* Colonies, ought immediately be entered into, not to import from *Great Britain* any commodity whatsoever, except such articles as the general Congress shall judge necessary, until the just rights of the Colonies are restored to them; and the cruel Acts of the *British* Parliament against the Colony of *Massachusetts Bay* and town of *Boston* are repealed.

A love of justice, and the tender regard we have for our friends the merchants and manufacturers of *Great Britain*, to whom we are indebted, and who must, of course, suffer in the common cause, prevents our recommending the stopping our exports at this time; but at a future day we will heartily concur with the other counties of this Colony to stop all exports as well as imports, to and from *Great Britain*, unless what we have already recommended to you shall be found effectual.

We most cordially recommend that no time be lost in administering every comfort and aid to our distressed brethren of *Boston*, that their unhappy state may require, and may comport with our situation to afford.

We further recommend to you, that you will, in conjunction with the Deputies from the different counties of this Colony, chuse fit and proper persons on the part of this Colony, to meet the Deputies from the other Colonies in a general Congress, at such convenient time and place as shall be agreed on, then and there to advise and consult upon such measures, as, under circumstances of things at that time, they shall deem expedient.

We strictly charge and enjoin, that at all times, and on all occasions, which may present, you testify our zeal for his Majesty's person and Government, and that we are ready and willing, with our lives and fortunes, to support his rights to the Crown of *Great Britain* and all its dependencies.

MIDDLESEX COUNTY (VIRGINIA) RESOLUTIONS.

After the Freeholders of the County of *Middlesex* had proceeded in the most decent and orderly manner to the election of Representatives for the county, on the 15th of *July*, they were summoned to meet at the Court House, to take into their consideration the present state of the Colony, and *America* in general; and upon mature deliberation, many of the most respectable of the Freeholders and Inhabitants of the county being present, they entered into the following Resolutions:

Resolved, That it is the opinion of this meeting that all allegiance is due to the person and character of the King of *Great Britain*; and that we acknowledge a constitutional dependence on the Parliament, conceiving it not incompatible with the condition of Colonists to submit to commercial regulations in consequence of the protection that is given to our trade by the superintendence of the mother country; but we apprehend there is a clear distinction between regulations of trade and taxation, and in no degree admit the latter under the colourable denomination of the former, well knowing that the nature of things is not alterable by the changes of terms.

Resolved, That representation and taxation are inseparably connected by the essential principles of the *British* Constitution; and that every attempt of superiour power to levy money on the *British Americans*, otherwise than by the consent of their Representatives, delivered in Assembly, is an infraction of that Constitution, a violation of the rights of freemen, and a subversion of property.

Resolved, That the Act imposing a duty on tea, for the avowed purpose of revenue, is a tax; and that every opposition should be expressed that may move to the repeal of the said Act, or that may render its operation inefficacious.

Resolved, That the late Act of Parliament suspending the trade and shutting up the port of the town of *Boston*, is an alarming circumstance to the Colonies in general, in as much as it marks out a settled plan in the *British* Parliament to enforce submission to their power of taxation.

Resolved, That we do not approve of the conduct of the people of *Boston* in destroying the tea belonging to the *East India* Company; and notwithstanding the tax on tea must be esteemed a violent infringement of one of the fundamental privileges of loyal and free subjects; yet we apprehend violence cannot justify violence: reason and policy reclaim against it. A desistance from the consumption of tea, and a confidence in the virtue of our countrymen, whose sense of the spirit of the law will no doubt induce a total disuse of it, are much more eligible means, and more probably will work a repeal of the Act, than disorders, outrages, and tumults.

Resolved, As the Records and reiterated Resolutions of the House of Burgesses will testify to posterity, our idea on this long agitated and contested question of the supremacy of the Parliament to tax the Colonies, that it be the opinion of this meeting that our Representatives should oppose, and they are hereby instructed to oppose, all measures that will bring on an abrupt dissolution, whereby the business of the country will be impeded; a savage enemy ravaging our frontiers; the publick creditors unpaid; a stagnation of justice, by reason of the lapse of the Fee Bill; the Courts of Law occluded; every thing that is held sacred in civil society confounded; the just creditor deprived of property; and the dishonest debtor triumphant; these are the bitter fruits of the late dissolution.

Resolved, That an unlimited non-exportation and non-importation scheme is impracticable; and were it not so, would be irreconcilable with every principle of justice and honesty, injurious to the commerce, and fatal to the credit of this Colony.

Resolved, That an Association be forwarded, to prohibit the importation of all unnecessary and luxurious articles of *British* manufacture, and (except saltpetre and spices,) all kinds of *East India* commodities.

DINWIDDIE COUNTY (VIRGINIA) DECLARATION.

At a General Meeting of the Inhabitants of the County of *Dinwiddie*, at the Court House, on *Friday*, the 15th of *July*, in consequence of previous notice from their late Representatives, and an intimation of their desire to be advised and instructed relative to the differences now unhappily subsisting between *Great Britain* and her Colonies, after mature deliberation on this most interesting subject, they unanimously came to the following declaration of their sentiments, which are intended to manifest to the world the principles by which they are actuated in a dispute so important, as that they conceive on its decision, depends the political existence of all *America*:

We, the inhabitants of the County of *Dinwiddie*, do entertain the most cordial and unfeigned affection and loyalty for his Majesty's person and Government, which, together with his right to the Crown of *Great Britain* and its dependencies, we will at all times defend and support, at the risk of our lives and fortunes; and under so true a conviction of the firmest allegiance, we think ourselves entitled, as a constitutional right, to protection from the Sovereign to whom we have been ever attached by the strongest ties of duty and inclination. But however happy we may consider ourselves under the auspices of the Supreme Magistrate, we cannot help being apprehensive of the ill effects which may flow from some recent and dangerous innovations, imagined and contrived in the House of Commons, against those rights to which the *Americans* have a just and constitutional claim in common with his Majesty's subjects of *Great Britain*. Amongst these instances of oppression, we cannot omit the Parliament's retention of a duty on tea, accompanied by an Act declaratory of their right in the fullest manner to tax *America*, thereby asserting in other terms, their claim to whatever property the *Americans* may by their labour acquire, which, if submitted to, would reduce us to a degree of servility unexampled but in a state of despotism; and yet, inconsistent as this plan of substituting *power* for *right* may appear with the noble and liberal spirit of the *British* Government, it has been adopted for some time by Administration, and pursued with a perseverance that becomes truly alarming. A late and striking proof of which we have to lament in the unprecedented Acts of Parliament for cutting off the people of *Boston* from every privilege valued by freemen, and subjecting them to hardships unknown but in arbitrary Governments. In pursuance of which Acts their town and harbour are blocked up; all commerce interdicted; and articles merely essential to life imported, and as a matter of favour, and an inducement to

Digitized by Google

submission, a part of their property may be held at the King's pleasure, on the humiliating condition of their living in obedience to such laws. To aggravate these evils, should atrocious murder be committed in enforcing the execution of any of these Acts, the civil power is forbid to punish, but the criminal is to be sent to *Great Britain* for trial, or to any Colony at the will of the Governour; if to the former, the distance will operate to his acquittal for want of testimony; if the latter method is adopted, it is equally a subversion of the legal form of trial. This proves in what estimation our lives are held with a *British* Parliament, as the first law shows in what light they consider our property.

Upon these distressful circumstances, we sincerely sympathize with our fellow-subjects of *Boston*, and will concur with them and the rest of the Colonies in any measures that may be conducive to a repeal of laws so destructive to our common rights and liberty.

And though we do not pretend to justify the outrage committed by the people of *Boston* in destroying the private property of the *East India* Company, to which they might have been impelled by an apparent intention in the Parliament of fixing on them a precedent of arbitrary taxation; yet we cannot see the good policy or right reason that could dictate the depriving a whole people of their rights for a trespass committed by a few, when the civil laws of the community were amply provident of redress for the injury.

The result of our opinion upon these violent measures is, that we do protest against every Law or Act of the *British* Legislature that shall authorize the imposition of taxes on the *Americans* without their consent, which cannot be had in Parliament as they have no representation, nor ought not to have in that body from local circumstances, and other considerations; and because it is the proper, exclusive, and indefeisible right of every free state, especially under the *British* form of Government, to be taxed only by themselves or their Representatives.

We further declare, that upon all occasions where requisitions shall be made to us by the Crown, for aid in support of his Majesty's just rights, or those of Government, we will most cheerfully comply with them to the utmost of our ability; but we cannot think a *British* Parliament fit judges of the mode by which, or the degree in which, we ought to be taxed.

And whereas a Convention of the late Representatives of this Colony was judged expedient, and was appointed after their dissolution to be held the first day of *August* next, at *Williamsburg*, there to consult upon the most plausible means of avoiding the dangerous precedents of acts of power now intended to be established against us. To promote on our part this laudable design, we do appoint our late Representatives, *Robert Bolling* and *John Banister*, Esquires, Deputies, to act for us on this important occasion, recommending it to them to concert with the Deputies from the other counties a firm and prudent plan of opposition to every invasion of our rights, and particularly to those Acts of Parliament we have pointed out. Confiding in their vigilance and attention, we wish them in their endeavours the success that so good a cause merits.

MIDDLESEX COUNTY (NEW-JERSEY) RESOLUTIONS.

According to notice, which had been given to the Freeholders and Inhabitants of the County of *Middlesex*, *New-Jersey*, a great number from every quarter of the county met at the Court House in *New-Brunswick*, on *Friday*, the 15th day of *July*, 1774, at 2 o'clock, and chose *John Moores*, Esq., to the *Chair*; but as the Court House could not contain half the number, the meeting adjourned to the Presbyterian Meeting House; where, after some deliberation upon the dangerous situation of the publick affairs in *America*, the meeting unanimously Resolved as follows, viz:

Resolve 1st. That the members of this meeting, their fellow-subjects in this Province, and they are persuaded the inhabitants of *America* in general, are firm and unshaken in their allegiance to his Majesty King *George* the Third. That they have ever demonstrated their readiness to support his Majesty's Government over them, and also to grant aids to his Majesty, on any emergency, by their own Representatives, to the utmost of their power.

2d. That all other modes of taxation, in the Colonies, by a *British* Parliament, under whatever name or form attempted to be introduced, is not only arbitrary and oppressive, but has a direct tendency to alienate the affections of the Colonies from the parent country; to widen the breach already made by Ministerial influence, which it is earnestly wished may speedily be healed, and a permanent union re-established, on a solid constitutional foundation.

3d. That the unexampled distresses brought on the Colony of *Massachusetts Bay*, particularly that of blocking up the port of *Boston*, and depriving them of all trade and commerce, in virtue of an Act or Acts of Parliament, is a cruel oppression, in which all the Colonies are intimately concerned; tending by a numerous train of consequences, to fasten on them the chains of vassalage and slavery; or lay prostrate at the feet of an unjustly incensed Ministry the inhabitants of this wide extended country, who would triumph over their liberties, sport with their lives, and claim their properties at will.

4th. We concur in the general opinion of our brethren, that the Congress of Deputies from the several Colonies, should present a dutiful Address to his Majesty, praying for a general redress of the grievances complained of.

5th. We are of opinion (which we submit to be considered in the general Congress) that a general stop of all imports and exports of merchandises, especially to *Great Britain*, by all the Colonies, is the only probable, if not the only possible measure, to preserve the liberties of this country, at present in such imminent danger of being annihilated.

6th. That an immediate subscription be set on foot, throughout this country, towards the relief of the suffering families in the town of *Boston*. For which purpose sundry gentlemen in the different townships and precincts of the county, are named and appointed to take in the same, and to make return of such subscriptions and collections to *James Wilson*, Esq., by the 1st day of *September* next, in order that such collections may be sent to *Boston* as early as possible.

7th. We agree with our brethren of all the counties in this Province, in the method of choosing Committees of Correspondence, and also that such Committees from the several counties do meet, at a place convenient, by them to be agreed on, and when so met to elect proper persons to represent this Colony in the proposed Congress, for which purpose the following gentlemen, viz: *John Moores*, *John Wetherill*, *John Johnson*, *Michael Field*, *William Pecke*, *James Wilson*, *John Combs*, Jun., *Jonathan Balding*, *William Smith*, *John Dennis*, and *Rune Runyon*, Esqrs., are requested to be, and are hereby appointed, a standing Committee of Correspondence, and that any five of them are a sufficient number to act. Signed by order of the meeting, JOHN MOORES, *Chairman*.

Immediately after the meeting, the members of the County Committee present met, and agreed to meet the Committees from the other counties, at *New-Brunswick*, on *Thursday*, the 21st of *July*, instant.

New-London, July 15, 1774.

The Honourable Committee of Correspondence for the Colony of *Connecticut*, met at this town on *Wednesday*, the 13th instant, and by virtue of authority from the Honourable Lower House of Assembly, in *May* last, for that purpose, nominated the Honourable *Eliphalet Dyer*, and *William Samuel Johnson*, *Erastus Wolcott*, *Silas Deane*, and *Richard Law*, Esqrs.,* that is to say, any three of them, on behalf of this Colony, to attend the general Congress of Commissioners, of the *English American* Colonies, proposed to be holden at *Philadelphia*, on the 1st of *September* next; with them to consult and advise on proper measures to promote the general good and welfare of the

* HARTFORD, *July* 23.—The Honourable *William Samuel Johnson*, Major *Erastus Wolcott*, and *Richard Law*, Esq., chosen by the honourable Committee of Correspondence for that Colony, at their late meeting in *New-London*, to meet the Delegates from the other Colonies in general Congress, at *Philadelphia*, having declined that service. The Committee have agreed to meet in this town, on *Wednesday*, the third of *August* next, to appoint three other gentlemen in their stead.

August 3.—The following gentlemen were appointed at *Hartford*, viz: the Hon. *Roger Sherman*, Esq., and Capt. *Joseph Trumbull*; one of which gentlemen, with the Hon. *Eliphalet Dyer*, Esq., and *Silas Deane*, Esq., who were appointed at the former meeting, are to represent the Colony of *Connecticut* at the general Congress.

Digitized by Google

whole, and for obtaining a redress of the grievances under which we labour. Being a matter of great expectancy, a number of gentlemen from the neighbouring towns attended. About four o'clock, P. M., the gentlemen Committee declared to the expecting people their choice; upon which a royal salute was fired from our battery, and also a salute from the shipping in the harbour. Decency, good order, and loyalty, were conspicuous in all ranks and degrees of the people.

By his Excellency the Honourable THOMAS GAGE, *General and Commander-in-Chief of all his Majesty's Forces in* NORTH AMERICA, *&c., &c., &c.*

A PROCLAMATION.

Whereas some Soldiers have deserted his Majesty's service, belonging to the Regiments late arrived from *Great Britain* and *Ireland*. This is to give notice, all soldiers who deserted from said Corps previous to the tenth day of this instant, month of *July*, shall receive their pardons upon surrendering themselves before or on the tenth day of *August* next ensuing; and on failure of so doing, they are not to expect mercy.

Given under my hand at Head Quarters at *Boston*, this fifteenth day of *July*, one thousand seven hundred and seventy-four. THOMAS GAGE.

By his Excellency's command,

GAB. MATURIN, *Secretary*.

Massachusetts Bay.

PENNSYLVANIA CONVENTION.

At a Provincial Meeting of Deputies chosen by the several Counties, in *Pennsylvania*, held at *Philadelphia*, *Friday*, *July* 15, 1774, and continued by adjournments from day to-day, Present:

For the City and County of PHILADELPHIA.—*Thomas Willing, John Dickinson, Peter Chevalier, Edward Pennington, Thomas Wharton, John Cox, Joseph Read, Thomas Wharton*, Jun., *Samuel Erwin, Thomas Fitzsimmons*, Doctor *William Smith, Isaac Howell, Adam Hubley, George Schlosser, Samuel Miles, Thomas Mifflin, Christopher Ludwick, Joseph Moulder, Anthony Morris*, Jun., *George Gray, John Nixon, Jacob Barge, Thomas Penrose, John M. Nesbit, Jonathan B. Smith, James Mease, Thomas Barclay, Benjamin Marshall, Samuel Howell, William Moulder, John Roberts, John Bayard, William Rush, Charles Thomson.*

BUCKS.—*John Kidd, Henry Wynkoop, Joseph Kirkbride, John Wilkinson, James Wallace.*

CHESTER.—*Francis Richardson, Elisha Price, John Hart, Anthony Waine, Hugh Lloyd, John Sellers, Francis Johnson, Richard Reiley.*

LANCASTER.—*George Ross, James Webb, Joseph Ferree, Matthias Slough, Emanuel Carpenter, William Atlee, Alexander Lowry, Moses Erwin.*

YORK.—*James Smith, Jos. Donaldson, Thos. Hartley.*

CUMBERLAND.—*James Wilson, Robert Magaw, William Irvine.*

BERKS.—*Edward Biddle, Daniel Broadhead, Jonathan Potts, Thomas Dundas, Christopher Schultz.*

NORTHAMPTON.—*William Edmunds, Peter Kechlein, John Okeley, Jacob Arndt.*

NORTHUMBERLAND.—*William Scull, Samuel Hunter.*

BEDFORD.—*George Woods.*

WESTMORELAND.—*Robert Hannah, James Cavett.*

THOMAS WILLING, *Chairman*,
CHARLES THOMSON, *Clerk*.

Agreed, That in case of any difference in sentiment, the question be determined by the Deputies voting by counties.

The Letters from *Boston* of the 13th of *May* were then read, and a short account given of the steps taken in consequence thereof, and the measures now pursuing in this and the neighbouring Provinces. After which the following Resolves were passed:

Unanimously, 1. That we acknowledge ourselves, and the inhabitants of this Province, liege subjects of his Majesty King *George* the Third, to whom they and we owe and will bear true and faithful allegiance.

Unanimously, 2. That as the idea of an unconstitutional independence on the parent state is utterly abhorrent to our principles, we owe the unhappy differences between *Great Britain* and the Colonies with the deepest distress and anxiety of mind, as fruitless to her, grievous to us, and destructive of the best interests of both.

Unanimously, 3. That it is, therefore, our ardent desire, that our ancient harmony with the mother country should be restored, and a perpetual love and union subsist between us, on the principles of the Constitution, and an interchange of good offices, without the least infraction of our mutual rights.

Unanimously, 4. That the inhabitants of these Colonies are entitled to the same rights and liberties within these Colonies, that the subjects born in *England* are entitled to within that Realm.

Unanimously, 5. That the power assumed by the Parliament of *Great Britain* to bind the people of these Colonies, "by statutes, in all cases whatsoever," is unconstitutional, and, therefore, the source of these unhappy differences.

Unanimously, 6. That the Act of Parliament for shutting up the port of *Boston*, is unconstitutional, oppressive to the inhabitants of that town, dangerous to the liberties of the *British* Colonies; and, therefore, that we consider our brethren at *Boston* as suffering in the common cause of these Colonies.

Unanimously, 7. That the Bill for altering the administration of justice in certain criminal cases within the Province of *Massachusetts Bay*, if passed into an Act of Parliament, will be as unconstitutional, oppressive and dangerous, as the Act above mentioned.

Unanimously, 8. That the Bill for changing the Constitution of the Province of *Massachusetts Bay*, established by Charter, and enjoyed since the grant of that Charter, if passed into an Act of Parliament, will be unconstitutional, and dangerous in its consequences to the *American* Colonies.

Unanimously, 9. That there is an absolute necessity that a Congress of Deputies from the several Colonies be immediately assembled, to consult together, and form a general plan of conduct to be observed by all the Colonies, for the purposes of procuring relief for our suffering brethren, obtaining redress of our grievances, preventing future dissensions, firmly establishing our rights, and restoring harmony between *Great Britain* and her Colonies on a constitutional foundation.

Unanimously, 10. That, although a suspension of the commerce of this large trading Province, with *Great Britain*, would greatly distress multitudes of our industrious inhabitants, yet that sacrifice, and a much greater, we are ready to offer for the preservation of our liberties; but, in tenderness to the people of *Great Britain*, as well as of this country, and in hopes that our just remonstrances will, at length, reach the ears of our gracious Sovereign, and be no longer treated with contempt by any of our fellow-subjects in *England*, it is our earnest desire that the Congress should first try the gentler mode of stating our grievances, and making a firm and decent claim of redress.

11. *Resolved, by a great majority*, That yet, notwithstanding, as an unanimity of counsels and measures is indispensably necessary for the common welfare, if the Congress shall judge agreements of non-importation and non-exportation expedient, the people of this Province will join with the other principal and neighbouring Colonies, in such an Association of non-importation from, and non-exportation to, *Great Britain*, as shall be agreed on at the Congress.

12. *Resolved, by a majority*, That if any proceedings of the Parliament, of which notice shall be received, on this Continent, before or at the general Congress, shall render it necessary, in the opinion of that Congress, for the Colonies to take farther steps than are mentioned in the eleventh Resolve; in such case, the inhabitants of this Province shall adopt such farther steps, and do all in their power to carry them into execution.

Unanimously, 13. That the venders of merchandise of every kind, within this Province, ought not to take advantage of the Resolves relating to non-importation, in this Province, or elsewhere; but that they ought to sell their merchandise, which they now have, or may hereafter import, at the same rates they have been accustomed to do within three months last past.

Unanimously, 14. That the people of this Province

Digitized by Google

will break off all trade, commerce, and dealing, and will have no trade, commerce, or dealing of any kind, with any Colony on this Continent, or with any city or town in such Colony, or with any individual in any such Colony, city, or town, which shall refuse, decline, or neglect to adopt, and carry into execution, such general plan as shall be agreed to in Congress.

Unanimously, 15. That it is the duty of every member of this Committee to promote, as much as he can, the subscription set on foot, in the several counties of this Province, for the relief of the distressed inhabitants of *Boston*.

Unanimously, 16. That this Committee give instructions on the present situation of publick affairs to their Representatives, who are to meet next week in Assembly, and request them to appoint a proper number of persons to attend a Congress of Deputies from the several Colonies, at such time and place as may be agreed on, to effect one general plan of conduct for attaining the great and important ends mentioned in the ninth Resolve.

Saturday, July 16, 1774.

The Committee for the Province of *Pennsylvania* met according to adjournment.

John Dickinson, Doctor *William Smith*, *Joseph Read*, *John Kidd*, *Elisha Price*, *William Atlee*, *James Smith*, *James Wilson*, *Daniel Broadhead*, *John Okeley* and *William Scull*, are appointed to prepare and bring in a draught of Instructions.

Monday, *July* 18.*—The Committee appointed to bring in Instructions, reported, that they had made a draught, which they laid upon the table.

Moved, That they be read, which was done.

Tuesday, *July* 19.—Upon a motion made and seconded, agreed, that the draught of Instructions brought in by the Committee, and which were read, be re-committed to the same Committee.

Wednesday, *July* 20.—The Committee having brought in a draught of Instructions, the same were debated, amended, and agreed to.

Thursday, *July* 21.—The Instructions were signed by the Chairman. The Committee, in a body, waited on the Assembly then sitting, and presented the same.

It having been moved, that the Essay of the Instructions first proposed to be given to the Honourable Assembly of *Pennsylvania*, by the Provincial Committee assembled at *Philadelphia*, the 18th instant, might be abridged, leaving out the Argumentative part, so as to be more proper for instructions, the same was agreed to; but resolved, at the same time, that the whole work ought to be published, as highly deserving the perusal and serious consideration of every friend of liberty within these Colonies.

Agreed, *unanimously*, That the thanks† of this Committee be given from the Chair to *John Dickinson*, Esquire, for the great assistance they have derived from the laudable application of his eminent abilities to the service of his country in the above performance.

Extract from the Minutes,
CHARLES THOMSON, *Clerk of the Committee*.

* The Committees of the counties having been invited, by the Committee for the City and County of *Philadelphia*, to meet them at *Philadelphia* on the 15th of *July*, this Committee thought it their duty to make some preparation in the business, that was to be laid before the Provincial Committee by them. On the 4th of *July* they appointed a Committee for this purpose; and this measure enabled those appointed by the Provincial Committee to bring in a draught so soon.

† Mr. *Dickinson* being absent this day, on account of the funeral of a relation, the next day the Chairman, in a very obliging manner, delivered to him from the Chair the thanks of the Committee; to which he replied:

"Mr. CHAIRMAN: I heartily thank this respectable Assembly for "the honour they have conferred upon me, but want words to express "the sense I feel of their kindness. The mere accidents of meeting "with particular books, and conversing with particular men, led me "into the train of sentiments which the Committee are pleased to "think just; and others, with the like opportunities of information, "would much better have deserved to receive the thanks they now "generously give. I consider the approbation of this company as an "evidence that they entertain a favourable opinion of my good inten- "tions, and as an encouragement for all to apply themselves, in these "unhappy times, to the service of the publick, since even small "endeavours to promote that service, can find a very valuable reward. "I will try, during the remainder of my life, to remember my duty to "our common country, and, if it be possible, to render myself worthy "of the honour for which I now stand so deeply indebted.

"I thank you, sir, for the polite and affectionate manner in which "you have communicated the sense of the Committee to me."

INSTRUCTIONS

From the Committee to the Representatives in Assembly met.

GENTLEMEN: The dissensions between *Great Britain* and her Colonies on this Continent, commencing about ten years ago, since continually increasing, and at length grown to such an excess as to involve the latter in deep distress and danger, have excited the good people of this Province to take into their serious consideration the present situation of publick affairs.

The inhabitants of the several counties qualified to vote at elections, being assembled on due notice, have appointed us their Deputies; and in consequence thereof, we being in Provincial Committee met, esteem it our indispensable duty, in pursuance of the trust reposed in us, to give you such Instructions, as, at this important period, appear to us to be proper.

We, speaking in their names and our own, acknowledge ourselves liege subjects of his Majesty King *George* the Third, to whom "we will be faithful and bear true allegiance."

Our judgments and affections attach us, with inviolable loyalty, to his Majesty's person, family, and Government.

We acknowledge the prerogatives of the Sovereign, among which are included the great powers of making peace and war, treaties, leagues and alliances, binding us—of appointing all officers, except in cases where other provision is made, by grants from the Crown, or laws approved by the Crown—of confirming or annulling every Act of our Assembly within the allowed time—and of hearing and determining finally, in Council, appeals from our Courts of Justice. "The prerogatives are limited," *as a learned judge observes, "by bounds so certain and notorious, that "it is impossible to exceed them, without the consent of "the people on the one hand, or without, on the other, a "violation of that original contract,† which, in all states

* 1. *Blackstone*, 237.

† And though we are strangers to the original of most states, yet we must not imagine that what has been here said, concerning the manner in which civil societies are formed, is an arbitrary fiction. For since it is certain, that all civil societies had a beginning, it is impossible to conceive, how the members, of which they are composed, could unite to live together dependent on a supreme authority, without supposing the covenants above mentioned.—BURLAMAQUI'S *Princ. of Pol. Law*, *vol.* 2. *p.* 29.

And in fact, upon considering the primitive state of man, it appears most certain, that the appellations of sovereigns and subjects, masters and slaves, are unknown to nature. Nature has made us all of the same species, all equal, all free and independent of each other; and was willing that those, on whom she has bestowed the same faculties, should have all the same rights. It is therefore beyond all doubt that in this primitive state of nature, no man has of himself an original right of commanding others, or any title to sovereignty.

There is none but *God* alone that has of himself, and in consequence of his nature and perfections, a natural, essential, and inherent right of giving laws to mankind, and of exercising an absolute sovereignty over them. The case is otherwise between man and man; they are of their own nature as independent of one another, as they are dependent on *God*. This liberty and independence is therefore a right naturally belonging to man, of which it would be unjust to deprive him against his will.—*Id. p.* 38.

There is a beautiful passage of *Cicero's* to this purpose:*—"Nothing is more agreeable to the Supreme Deity, that governs this universe, than civil societies lawfully established."

When therefore we give to Sovereigns the title of *God's* vicegerents upon earth, this does not imply that they derive their authority immediately from *God*, but it signifies only, that by means of the power lodged in their hands, and with which the people have invested them, they maintain, agreeable to the views of the Deity, both order and peace, and thus procure the happiness of mankind.—*Id. p.* 40.

But it will be here objected, that the scripture itself says, that every man ought to be subject to the supreme powers, because they are established by *God*.† I answer, with *Grotius*, that men have established civil societies, not in consequence of a divine ordinance, but of their voluntary motion, induced to it by the experience they had had of the incapacity which separate families were under, of defending themselves against the insults and attacks of human violence. From thence (he adds) arises the civil power, which *St. Peter*, for this reason, calls a human power,‡ though in other parts of scripture it bears the name of a divine institution,‖ because *God* has approved of it as an establishment useful to mankind.§

All the other arguments, in favour of the opinion we have been here refuting, do not even deserve our notice. In general, it may be observed, that never were more wretched reasons produced than upon this subject, as the reader may be easily convinced by reading *Puffendorf* on the law of Nature and Nations, who, in the chapter corresponding to this, gives these arguments at length, and completely refutes them,¶ *Id. p.* 42, 43.

* Nihil est illi principi Deo, qui omnem hunc mundum regit, quod quidem in terris fiat acceptius, quam consilia coetusque hominum jure sociati, quæ civitates appellantur.—*Somn. Scip. c.* 3.

† Rom. xiii. ‡ 1 Ep. c. 2. v. 13. ‖ Rom. xiii. 1.

§ *Grotius* of the right of War and Peace, book I. c. 4. sec. 7, 12. No. 3.

¶ See the law of Nature and Nations, book VII. c. 3.

Digitized by Google

"impliedly, and in ours most expressly, subsists between "the Prince and Subject.—For these prerogatives are "vested in the Crown for the support of society, and do "not intrench any farther on our natural liberties, than is "expedient for the maintenance of our civil."

But it is our misfortune, that we are compelled loudly to call your attention to the consideration of another power, totally different in kind—limited, as it is alleged, by no "bounds," and *"wearing a most dreadful aspect," with regard to *America*. We mean the power claimed by Parliament, of right, to bind the people of these Colonies by statutes, "*in all cases whatsoever*"—a power, as we are not, and from local circumstances, cannot be represented there, utterly subversive of our natural and civil liberties—past events and reason convincing us, that there never existed, and never can exist, a state thus subordinate to another, and yet retaining the slightest portion of freedom or happiness.

The import of the words above quoted needs no descant; for the wit of man, as we apprehend, cannot possibly form a more clear, concise, and comprehensive definition and sentence of slavery, than these expressions contain.

This power claimed by *Great Britain*, and the late attempts to exercise it over these Colonies, present to our view two events, one of which must inevitably take place, if she shall continue to insist on her pretensions. Either, the Colonists will sink from the rank of freemen into the class of slaves, overwhelmed with all the miseries and vices, proved by the history of mankind to be inseparably annexed to that deplorable condition: Or, if they have sense and virtue enough to exert themselves in striving to avoid this perdition, they must be involved in an opposition dreadful even in contemplation.

Honour, justice, and humanity, call upon us to hold, and to transmit to our posterity, that liberty which we received from our ancestors. It is not our duty to leave wealth to our children: But it is our duty to leave liberty to them. No infamy, iniquity, or cruelty, can exceed our own, if we, born and educated in a country of freedom, entitled to its blessings, and knowing their value, pusillanimously deserting the post assigned us by Divine Providence, surrender succeeding generations to a condition of wretchedness, from which no human efforts, in all probability, will be sufficient to extricate them; the experience of all states mournfully demonstrating to us, that when arbitrary power has been established over them, even the wisest and bravest Nations, that ever flourished, have in a few years, degenerated into abject and wretched vassals.

So alarming are the measures already taken for laying the foundation of a despotick authority of *Great Britain* over us, and with such artful and incessant vigilance is the plan prosecuted, that unless the present generation can interrupt the work while it is going forward, can it be imagined that our children, debilitated by our imprudence and supineness, will be able to overthrow it, when completed? Populous and powerful as these Colonies may grow, they will still find arbitrary domination not only strengthening with their strength, but exceeding, in the swiftness of its progression, as it ever has done, all the artless advantages that can accrue to the governed. These advance with a regularity, which the divine Author of our existence has impressed on the laudable pursuits of his creatures: But despotism,† unchecked and unbounded by any laws—never satisfied with what has been done, while any thing remains to be done for the accomplishment of its purposes—confiding and capable of confiding, only in the annihilation of all opposition—holds its course with such unabating and destructive rapidity, that the world has become its prey, and at this day, *Great Britain* and her Dominions excepted, there is scarce a spot on the globe inhabited by civilized Nations, where the vestiges of freedom are to be observed.

To us, therefore, it appears, at this alarming period, our duty to *God*, to our country, to ourselves, and to our posterity, to exert our utmost ability in promoting and establishing harmony between *Great Britain* and these Colonies, on a constitutional foundation.

For attaining this great and desirable end, we request you to appoint a proper number of persons to attend a Congress of Deputies from the several Colonies, appointed, or to be appointed, by the Representatives of the people of the Colonies respectively in Assembly, or Convention, or by Delegates chosen by the counties generally in the respective Colonies, and met in Provincial Committee, at such time and place as shall be generally agreed on; and that the Deputies from this Province may be induced and encouraged to concur in such measures as may be devised for the common welfare, we think it proper particularly to inform you how far we apprehend they will be supported in their conduct by their constituents.

[*In this place was inserted the Argumentative part, which is here inserted at the end of the Instructions.*]

The assumed Parliamentary power of internal legislation, and the power of regulating trade, as of late exercised, and designed to be exercised, we are thoroughly convinced will prove unfailing and plentiful sources of dissensions to our mother country and these Colonies, unless some expedients can be adopted to render her secure of receiving from us every emolument that can in justice and reason be expected, and us secure in our lives, properties, and an equitable share of commerce.

Mournfully revolving in our minds the calamities, that, arising from these dissensions, will most probably fall on us and our children, we will now lay before you the particular points we request of you to procure, if possible, to be finally decided; and the measures that appear to us most likely to produce such a desirable period of our distresses and dangers. We therefore desire of you:

First. That the Deputies you appoint may be instructed by you strenuously to exert themselves, at the ensuing Congress, to obtain a renunciation, on the part of *Great Britain*, of all powers under the statute of the thirty-fifth of *Henry* the Eighth, chapter the second, of all powers of internal legislation—of imposing taxes or duties, internal or external—and of regulating trade, except with respect to any new articles of commerce, which the Colonies may hereafter raise, as silk, wine, &c., reserving a right to carry these from one Colony to another—a repeal of all statutes for quartering troops in the Colonies, or subjecting them to any expense on account of such troops—of all statutes imposing duties to be paid in the Colonies, that were passed at the accession of his present Majesty, or before this time, which ever period shall be judged most advisable—of the statutes giving the Courts of Admiralty in the Colonies greater power than Courts of Admiralty have in *England*—of the statutes of the fifth of *George* the Second, chapter the twenty-second, and of the twenty-third of *George* the Second, chapter the twenty-ninth—of the statute for shutting up the port of *Boston*—and of every other statute particularly affecting the Province of *Massachusetts Bay*, passed in the last session of Parliament.

In case of obtaining these terms, it is our opinion that it will be reasonable for the Colonies to engage their obedience to the Acts of Parliament, commonly called the Acts of Navigation, and to every other Act of Parliament declared to have force at this time in these Colonies, other than those above mentioned, and to confirm such statutes by Acts of the several Assemblies. It is also our opinion, that taking example from our mother country, in abolishing the "courts of wards and liveries, tenures in capite, and by knight's service and purveyance," it will be reasonable for the Colonies, in case of obtaining the terms before-men-

* 1. *Blackstone*, 270.

† As virtue is necessary in a Republic, and in a Monarchy honour, so fear is necessary in a Despotick Government; with regard to virtue, there is no occasion for it, and honour would be extremely dangerous.

Here the immense power of the Prince is devolved entirely upon those to whom he is pleased to intrust it. Persons capable of setting a value upon themselves would be likely to create revolutions. Fear must therefore depress their spirits, and extinguish even the least sense of ambition.—MONT. *Spir. of Laws, vol.* 1. *book* III. *ch.* 9. *An idea of despotick power.*

When the savages of *Louisiana* are desirous of fruit, they cut the tree to the root, and gather the fruit.* This is an emblem of despotick Government.—*Id. book* V. *ch.* 13.

The principle of despotick Government is fear; but a timid, ignorant, and faint-spirited people have no occasion for a great number of laws.

Every thing ought to depend here on two or three ideas; therefore there is no necessity that any new notions should be added. When we want to break a horse we take care not to let him change his master, his lesson, or his pace. Thus an impression is made on his brain by two or three motions, and no more.—*Id. book* V. *ch.* 14.

* Edifying Letters, 11 coll. p. 315.

Digitized by Google

tioned, to settle a certain annual revenue on his Majesty, his heirs and successors, subject to the controul of Parliament, and to satisfy all damages done to the *East India* Company.

This our idea of settling a revenue arises from a sense of duty to our Sovereign, and of esteem for our mother country. We know and have felt the benefits of a subordinate connexion with her. We neither are so stupid as to be ignorant of them; nor so unjust as to deny them. We have also experienced the pleasures of gratitude and love, as well as advantages from that connection. The impressions are not yet erased. We consider her circumstances with tender concern. We have not been wanting, when constitutionally called upon, to assist her to the utmost of our abilities; insomuch that she has judged it reasonable to make us recompenses for our overstrained exertions; and we now think we ought to contribute more than we do to the alleviation of her burthens.

Whatever may be said of these proposals on either side of the *Atlantic*, this is not a time either for timidity or rashness. We perfectly know that the great cause now agitated, is to be conducted to a happy conclusion only by that well tempered composition of counsels, which firmness, prudence, loyalty to our Sovereign, respect to our parent state, and affection to our native country, united, must form.

By such a compact, *Great Britain* will secure every benefit that the Parliamentary wisdom of ages has thought proper to attach to her. From her alone we shall continue to receive manufactures. To her alone we shall continue to carry the vast multitude of enumerated articles of commerce, the exportation of which her policy has thought fit to confine to herself. With such parts of the world only as she has appointed us to deal, we shall continue to deal; and such commodities only as she has permitted us to bring from them, we shall continue to bring. The Executive and controlling powers of the Crown will retain their present full force and operation. We shall contentedly labour for her as affectionate friends, in time of tranquillity, and cheerfully spend for her as dutiful children, our treasure and our blood, in time of war. She will receive a certain income* from us, without the trouble or expense of collecting it—without being constantly disturbed by complaints of grievances which she cannot justify, and will not redress. In case of war, or in any emergency of distress to her, we shall also be ready and willing to contribute all aids within our power; and we solemnly declare, that on such occasions, if we or our posterity shall refuse, neglect, or decline, thus to contribute, it will be a mean and manifest violation of a plain duty, and a weak and wicked desertion of the true interests of this Province, which ever have been, and must be, bound up in the prosperity of our mother country. Our union, founded on mutual compacts and mutual benefits, will be indissoluble, at least more firm, than an union perpetually disturbed by disputed rights and retorted injuries.

Secondly. If all the terms above mentioned cannot be obtained, it is our opinion that the measures adopted by the Congress for our relief, should never be relinquished or intermitted, until those relating to the troops; internal legislation; imposition of taxes or duties hereafter; the thirty-fifth of *Henry* the Eighth, chapter the second; the extension of Admiralty Courts; the port of *Boston* and Province of *Massachusetts Bay*, are obtained. Every modification or qualification of these points, in our judgment, should be inadmissible. To obtain them, we think it may be prudent to settle some revenue as above mentioned, and to satisfy the *East India* Company.

Thirdly. If neither of these plans should be agreed to in Congress, but some other of a similar nature shall be framed, though on the terms of a revenue, and satisfaction to the *East India* Company; and though it shall be agreed by the Congress to admit no modification or qualification in the terms they shall insist on, we desire your Deputies may be instructed to concur with the other Deputies in it; and we will accede to and carry it into execution as far as we can.

Fourthly. As to the regulation of trade, we are of opinion, that by making some few amendments, the commerce of the Colonies might be settled on a firm establishment, advantageous to *Great Britain* and them, requiring and subject to no future alterations, without mutual consent. We desire to have this point considered by the Congress, and such measures taken as they may judge proper.

In order to obtain redress of our common grievances, we observe a general inclination among the Colonies of enter-

* The train of officers employed by *Great Britain*, consume a very large part of what she takes from us. She therefore increases our distresses to make up for that consumption. They will hereafter grow more and more oppressive; we more and more uneasy; she more and more disturbed. We could raise the same sum in a much more easy, equal, and cheap manner, than she can do. The attention of small States extends much more efficaciously and beneficially to every part of the Territories, than that of the administration of a vast Empire. The Representatives in Assembly, who are taxed when the People are taxed, and accountable to them, will have double motives to take care that the raising and expending money is managed in the best way. The House of Commons would not bear to examine every particular relating to the just taxation of every county on this Continent, and to settle all the accounts fairly. If they could go through the immense labour, it would be impossible for them to do any other business. In short, by not doing it, they would be unjust; by doing it, they would be useless. Equity and reason demonstrates that such a power belongs not to them. We have had some remarkable instances on this Continent, some few years ago, of the Crown being, according to all the forms of business, charged with articles that never went to the use of the Crown. These were perquisites; and who could be so puritanical as to blame the civil word? It is said our barracks cost about eight thousand pounds of this money; and that the barracks at another place, not deserving a comparison with ours, cost forty thousand pounds sterling. We built our own ourselves, and were as saving and careful as we could be, it may be supposed. If money is raised upon us by Parliament; of one thousand pounds taken out of our pockets, not one hundred, in all probability, will be usefully applied to the service of the Crown. Deficiencies will ensue—they must be supplied; other Acts are made—still others, till our* "unrepresented blades of grass," too frequently and closely cut down and exposed to the burning heat of an unsetting sun, ever "in its meridian," perish to their deepest roots.

"There is not upon earth" says the excellent *Gordon*, "a Nation, "which, having had unaccountable Magistrates, has not felt them to "be crying and consuming mischiefs. In truth, where they are most "limited, it has been often as much as a whole People could do to re-"strain them to their trust, and to keep them from violence; and such "frequently has been their propensity to be lawless, that nothing but "a violent death could cure them of their violence. This evil has its "root in human nature; men will never think they have enough, "whilst they can take more; nor be content with a part, when they "can seize the whole.†"

"That the business of most Kingdoms has been ill managed, pro-"ceeds from this; it imports the lower rank of men only, and the People "(whose cries seldom reach the Prince till it is too late, and till all is "past remedy) that matters should be frugally ordered, because taxes "must arise from their sweat and labour. But the great ones, who "heretofore have had the Prince's ear and favour, or who hoped to have "him in their possession, were swayed by another sort of interest; "they like profusion, as having had a prospect to be gainers by it, they "can easily set their account even with the state; a small charge "upon their land is more than balanced by a great place, or a large "pension."*

See the Lord Keeper *North's* account of abuses in the conduct and disposal of the publick money, in the time of King *Charles* the Second.† Those who, in our times, are the conductors of the same kind of dirty work, may compare the modern ingenious ways and means with those of their worthy predecessors.

Among others, pretended want of money in the Treasury, in order to have a pretence for giving an exorbitant price for necessaries. Lending the Crown at eight per cent., money which was raised at five and six. Paying with the publick money, pretending it to be private, and taking interest. Depreciating the publick debts and funds; buying them of the holders at half their worth, and afterwards, by interest, getting them paid in full. Pretending to give up all power in recommending to places for a consideration, and then insisting on recommending still; and so getting both ways. Rolling over losses upon the Crown or publick, while the gain was to sink into private pockets. A father stopping a large sum in his own hand, which was to have been paid the publick creditors. Before he can be brought to account he dies; the money sinks into the pocket of his heir; he obtains a pardon of all his father's debts. Gross frauds in office found out; then new officers and salaries set up as checks. The new prove as great knaves as the old, and form a scheme of collusion and mutual understanding. But the publick pays for all, and the power of the Court is strengthened. An old placeman begs leave to sell; pockets the money, and by and by, through interest, gets a new place gratis. Extravagant men squander their own money in their publick employments of Ambassadors, Governours, &c., and charge the publick with more than they really spent; while what they really spent was ten times more than necessary. The business of old offices transferred to new; but the profits of the old still kept up, though become sinecures. An old servant of the publick retires upon a pension; he who succeeds him, by interest, gets it continued to him. Another gets an addition to his salary, and then sells his place for a great deal more than it cost him, and so an additional load is laid on the publick; for the addition must be continued, because the place was bought. An annual sum is granted by the publick for a publick use, as keeping up a harbour, or the like; a private man, by interest, gets a grant of the job; the publick concern is neglected, and the publick pocket picked. Crown lands perpetually begged and given away to strengthen the Court interest. The Crown constantly kept in debt, and Parliament solicited to pay those debts occasioned by the voracity of the Court. Commanders of fleets order a superfluous quantity of stores; by collusion between them and the store-masters, this superfluous quantity is sold again to the King, and the money sunk in their pockets. Sometimes the store-masters gave

* Speech of Lord *Camden*. † *Cato's* Lett. 111, 78.

* *Daven.* 11, 262. † *Dalrymp.* Mem. 11, 84.

Digitized by Google

ing into agreements of non-importation and non-exportation. We are fully convinced that such agreements would withhold very large supplies from *Great Britain;* and no words can describe our contempt and abhorrence of those Colonists, if any such there are, who, from a sordid and ill-judged attachment to their own immediate profit, would pursue that to the injury of their country, in this great struggle for all the blessings of liberty. It would appear to us a most wasteful frugality, that would lose every important possession, by too strict an attention to small things, and lose also even these at the last. For our part, we will cheerfully make any sacrifice, when necessary, to preserve the freedom of our country. But other considerations have weight with us. We wish every mark of respect to be paid to his Majesty's Administration. We have been taught from our youth to entertain tender and brotherly affections for our fellow-subjects at home. The interruption of our commerce must distress great numbers of them. This we earnestly desire to avoid. We therefore request, that the Deputies you shall appoint, may be instructed to exert themselves at the Congress, to induce the Members of it to consent to make a full and precise state of grievances, and a decent yet firm claim of redress, and to wait the event before any other step is taken. It is our opinion that persons should be appointed and sent home to present this state and claim at the Court of *Great Britain.*

If the Congress should choose to form agreements of non-importation and non-exportation immediately, we desire the Deputies from this Province will endeavour to have them so formed as to be binding upon all; and that they may be permanent, should the publick interest require it. They cannot be efficacious unless they can be permanent; and it appears to us that there will be a danger of their being infringed, if they are not formed with great caution and deliberation. We have determined, in the present situation of publick affairs, to consent to a stoppage of our commerce with *Great Britain* only; but in case any proceedings of the Parliament, of which notice shall be received on this Continent, before or at the Congress, shall render it necessary, in the opinion of the Congress, to take further steps, the inhabitants of this Province will adopt such steps, and do all in their power to carry them into execution.

This extensive power we commit to the Congress, for the sake of preserving that unanimity of counsel and conduct that alone can work out the salvation of these Colonies, with a strong hope and trust that they will not draw this Province into any measure judged by us, who must be better acquainted with its state than strangers, highly inexpedient. Of this kind we know any other stoppage of trade, but of that with *Great Britain*, will be. Even this step we should be extremely afflicted to see taken by the Congress, before the other mode above pointed out is tried. But should it be taken, we apprehend that a plan of restrictions may be so framed, agreeable to the respective circumstances of the several Colonies, as to render *Great Britain* sensible of the imprudence of her counsels, and yet leave them a necessary commerce. And here, it may not be improper to take notice, that if redress of our grievances cannot be wholly obtained, the extent or continuance of our restrictions may, in some sort, be proportioned to the rights we are contending for, and the degree of relief afforded us. This mode will render our opposition as perpetual as our oppression, and will be a continual claim and assertion of our rights. We cannot express the anxiety with which we wish the consideration of these points to be recommended to you. We are persuaded, that if these Colonies fail of unanimity or prudence, in forming their resolutions, or of fidelity in observing them, the opposition by non-importation and non-exportation agreements, will be ineffectual; and then we shall have only the alternative of a more dangerous contention, or of a tame submission.

Upon the whole, we shall repose the highest confidence in the wisdom and integrity of the ensuing Congress. And though we have, for the satisfaction of the good people of this Province, who have chosen us for this express purpose, offered to you such instructions as have appeared expedient to us; yet, it is not our meaning, that by these, or by any you may think proper to give them, the Deputies appointed by you should be restrained from agreeing to any measures that shall be approved by the Congress. We should be glad the Deputies chosen by you, could, by their influence, procure our opinions hereby communicated to you to be as nearly adhered to as may be possible. But to avoid difficulties, we desire that they may be instructed by you to agree to any measures that shall be approved by the Congress, the inhabitants of this Province having resolved to adopt and carry them into execution.

Lastly. We desire the Deputies from this Province may endeavour to procure an adjournment of the Congress to such a day as they shall judge proper, and the appointment of a Standing Committee.

Agreed, That *John Dickinson*, *Joseph Read*, and *Charles Thomson*, be a Committee to write to the neighbouring Colonies, and communicate to them the Resolves and Instructions.

Agreed, That the Committee for the City and County of *Philadelphia*, or any fifteen of them, be a Committee of Correspondence for the General Committee of this Province. Extract from the Minutes,

CHARLES THOMSON, *Clerk Com.*

ARGUMENTATIVE PART OF THE PRECEDING INSTRUCTIONS.

The authority of Parliament has within these few years been a question much agitated; and great difficulty, we understand, has occurred, in tracing the line between the rights of the mother country and those of the Colonies. The modern doctrine of the former is indeed truly remarkable; for though it points out what are not our rights, yet we can never learn from it, what are our rights. As for example—*Great Britain* claims a right to take away nine-tenths of our estates—have we a right to the remaining tenth? No. To say we have, is a "traitorous" position, denying her Supreme Legislature. So far from having property, according to these late found novels, we are ourselves a property.

We pretend not to any considerable share of learning; but, thanks be to divine goodness, common sense, experience, and some acquaintance with the Constitution, teach us a few salutary truths on this important subject.

Whatever difficulty may occur in tracing the line, yet we contend, that by the laws of *God*, and by the laws of the Constitution, a line there must be, beyond which her

receipts for more than was received into the King's stores, and the money was divided among the plunderers. The King's works done by the day, whereas it would have been cheaper by the great. Money pretended to be coined gratis; lists of large sums newly coined produced; but the contrivance was to make the pieces unequal, and then the too heavy pieces were carried back to the Mint, and the profits sunk in private pockets, &c.

Secret service is a huge cloak thrown over an immense scene of corruption; and under this cloak we must not peep. Our Court men tell us there must be large sums expended in this way, and those sums cannot be accounted for; because the services done by them must never be known. But we find, that the Commons, Anno Domini 1708, addressed Queen *Anne* for accounts of pensions paid for secret service to Members of Parliament, or to any persons in trust for them; and that "the Queen ordered said account to be laid before the House."*

Contracts are a great fund of Ministerial influence. It is well known that our Ministry do not accept the most reasonable offer; but the offer which is made by those who have the greatest Parliamentary interest; and that in war time, every man who furnishes for the Government is enriched. In *France*, the contrary, which shows that we manage our publick money much worse than the *French* Ministry do theirs. In the late war it is notorious that several of our Purveyors and Commissaries got estates sufficient to set them up for Earls and Dukes. But as *Burnet* † says, "the regard that is shewn to Members "of Parliament among us, causes that few abuses can be inquired into "or discovered."—POL. DISQ. *b.* v. *p.* 274, 277.

What redress could a poor, plundered, unrepresented Colony obtain against a *Verres*, supported by a strong Parliamentary influence. We know what several Governours of *Minorca* have dared to do. A Governour of *Gibraltar* has ventured to oppress even the garrison of that important place. The very drudgery of examining accounts would probably secure him. If cast, the injuries could not be recompensed. A successor might prove as bad—"*Victrix Provincia plorat.*"

It has been said in *Great Britain*, that Lord *Chatham*, Lord *Camden*, and some other great men, have taught the Colonies to despise her authority. But it is as little true as the multitude of invectives vented against the Colonies. The constant practice in these publications, is to confound facts and dates, and then to rave. It should be remembered, that the opposition in *America* to the Stamp Act, was fully formed, and the Congress held at *New-York*, before it was known on this Continent that our cause was espoused by any man of note at home. We should be glad to count such venerable names in the list of our friends. They are the true friends of our mother country, as well as of this; and ages unborn will bless their memory. But if every man in *Great Britain* is carried by the stream of prejudices into sentiments hostile to our freedom, that freedom will not be the less esteemed, or the sooner relinquished by *Americans.*

* Deb. Com. iv. 119. † Hist. Own Times, iii. 279.

Digitized by Google

authority cannot extend. For all these laws are * "grounded on reason, full of justice, † and true equity," mild, and calculated to promote the freedom and welfare of men. These objects never can be attained by abolishing every restriction on the part of the Governours, and extinguishing every right on the part of the governed.

Suppose it be allowed, that the line is not expressly drawn, is it thence to be concluded there is no implied line? No *English* Lawyer, we presume, will venture to make the bold assertion. "The King may reject what bills, "may make what treaties, may coin what money, may "create what Peers, and may pardon what offences he "pleases."‡ But is his prerogative respecting these branches of it, unlimited? By no means. The words following those next above quoted from the "Commentaries on the Laws of *England*," are—"unless where the "Constitution hath expressly, or by evident consequence, "laid down some exception or boundary; declaring, that "thus far the prerogative shall go, and no farther." There are "some boundaries then," besides the "express exceptions;" and according to the strong expression here used, "the Constitution declares there are." What "evident consequence" forms those "boundaries?"

The happiness of the people is the end, and, if the term is allowable, we would call it the body of the Constitution. Freedom is the spirit or soul. As the soul, speaking of nature, has a right to prevent or relieve, if it can, any mischief to the body of the individual, and to keep it in the best health; so the soul, speaking of the Constitution, has a right to prevent or relieve, any mischief to the body of the society, and to keep that in the best health. The "evident consequence" mentioned, must mean a tendency to injure this health, that is, to diminish the happiness of the people—or it must mean nothing. If, therefore, the Constitution "declares by evident consequence;" that a tendency to diminish the happiness of the people, is a proof, that power exceeds a "boundary," beyond which it ought not to "go;" the matter is brought to this single point, whether taking our money from us without our consent, depriving us of trial by jury, changing Constitutions of Government, and abolishing the privilege of the writ of *habeas corpus*, by seizing and carrying ‖ us to *England*, have not a greater tendency to diminish our happiness, than any enormities a King can commit under pretence of prerogative, can have to diminish the happiness of the subjects in *England*. To come to a decision upon this point, no long time need be required. To make this comparison, is stating the claim of Parliament in the most favourable light: for it puts the assumed power of Parliament, to do, "in all cases whatsoever," what they please, upon the same footing with the acknowledged power of the King, "to make what Peers—pardon what offences, &c., he pleases." But in this light that power is not entitled to be viewed. Such is the wisdom of the *English* Constitution, that it "declares" the King may transgress a "boundary laid down by evident consequence," even by using the power with which he is expressly vested by the Constitution, in doing those very acts which he is expressly trusted by the Constitution to do—as by creating too many or improper persons, Peers; or by pardoning too many or too great offences, &c. But has the Constitution of *England* expressly "declared," that the Parliament of *Great Britain* may take away the money of *English* Colonists without their consent, and deprive them of trial by jury, &c? It cannot be pretended. True it is, that it has been solemnly declared by Parliament, that Parliament has such a power. But that declaration leaves the point just as it was before: for if Parliament had not the power before, the declaration could not give it. Indeed if Parliament is really "omnipotent,"* that power is just and constitutional. We further observe that the Constitution has not expressly drawn the line beyond which, if a King shall "go," resistance becomes lawful. The learned author of those Commentaries, that, notwithstanding some human frailties, do him so much honour, has thought proper, when treating of this subject, to point out the "precedent" of the Revolution, as fixing the line. We would not venture any reflection on so great a man. It may not become us. Nor can we be provoked by his expressions concerning Colonists; because they perhaps contain his real, though hasty sentiments. Surely, it was not his intention to condemn those excellent men, who casting every tender consideration behind them, nobly presented themselves against the tyranny of the unfortunate and misguided *Charles's* reign; those men whom the House of Commons, even after the Restoration, would not suffer to be censured.

We are sensible of the objection that may be made, as to drawing a line between rights on each side, and the case of a plain violation of rights. We think it not material. Circumstances have actually produced, and may again produce this question: What conduct of a Prince renders resistance lawful? *James* the Second, and his father, violated express rights of their subjects, by doing what their own express rights gave them no title to do, as by raising money, and levying troops without consent of Parliament. It is not even settled, what violation of those will justify resistance. But may not some future Prince, confining himself to the exercise of his own express rights, such as have been mentioned, act in a manner, that will be a transgression of a "boundary" laid down by "evident consequence," the "Constitution declaring he should go no further?" May not this exercise of these his express rights, be so far extended, as to introduce universal confusion and a subversion of the ends of Government? The whole may be oppressive, and yet any single instance legal. The cases may be improbable; but we have seen and now feel events once as little expected. Is it not possible, that one of these cases may happen; if it does, has the Constitution expressly drawn a line, beyond which resistance becomes lawful? It has not. But it may be said, a King cannot arm against his subjects—he cannot raise money without consent of Parliament. This is the constitutional check upon him. If he should, it would be a violation of their express rights. If their purses are shut his power shrinks. True. Unhappy Colonists! Our money may be taken from us—and standing armies established over us, without our consent—every expressly declared constitutional check dissolved, and the modes of opposition for relief so contracted, as to leave us only the miserable alternative of supplication or violence. And these it seems, are the liberties of *Americans*. Because the Constitution has not "expressly declared" the line between the rights of the mother country and those of her

* *Parl. Deb.* 7, 409. "What of that? Shall not we give judgment, because it is not adjudged in the books before? We will "give judgment according to reason, and if there be no reason in the "books, I will not regard them."—*Speech of* ANDERSON, *Lord Chief Justice of the Queen's Bench, in the reign of* ELIZABETH.—GOULDSB. *Rep.* 96 *edit.*, 1653.

† "It seems to me, that the natural justice, which is a duty of man, ought to be styled the parent and nourisher of every other virtue: and assuredly without this habit, a man can neither moderate his desires, nor be brave, nor wise. For, it is a harmony and peace of the whole soul; with a full concert of words and actions: and the dominion of such a habit may be rendered more conspicuous, if we examine the other habits of virtue. For the good of these is private, respecting the individual; but the good of natural justice respects whole systems, and throughout the universe."

"In the celestial system of the world, as it marshals out the universal rule of things, which are thus decreed by *God;* it is providence, and harmony, and right. In a civil state, it is justly called peace and good order. In a domestic state, it is the like mindedness of husband and wife towards each other; the good will of subordinate members. In the body, it is health and symmetry of parts, which are principal things, and much beloved by every living creature. In the soul, it is wisdom; that wisdom which ariseth amongst men, from the knowledge of causes, and from natural justice.

"Since therefore, this habit doth thus instruct, and preserve, the whole and every part; rendering all the same, in heart, and in tongue, why may it not be saluted by the universal voice, the parent and nourisher of every virtue?"—POL. PYTH. LUC. *apud.* STOBÆUM, *p.* 105, *edit. Tiguri*, 1559.

‡ 1 *Blackst.* Com. 250.

‖ "Of great importance to the publick is the preservation of this personal liberty: for if once it were left in the power of any, the highest Magistrate, to imprison arbitrarily whomever he or his officers thought proper, (as in *France* it is daily practised by the Crown) there would soon be an end of all other rights and immunities."—"A natural and regular consequence of this personal liberty is, that every *Englishman* may claim a right to abide in his own country so long as he pleases, and not to be driven from it unless by the sentence of law. Exile or transportation is a punishment unknown to the common law." "The King cannot constitute a man Lord Lieutenant of *Ireland* against his will, nor make him a foreign ambassador. For this might in reality be no more than an honourable exile."—1 *Blackstone*, 135 to 138.

"These precedents collected by the reverend and learned Judge, Chief Justice *Anderson*, and all written with his own hand, do fully resolve for the maintenance of the ancient and fundamental point of liberty of the person, to be regained by *habeas corpus*, when any one is imprisoned."—*Parl. Hist.* 7. 418.

* 1 *Blackstone*, 161.

Digitized by Google

Colonists, therefore, the latter have no rights. A logick, equally edifying to the heads and hearts of men of sense and humanity.

We assert, a line there must be, and shall now proceed with great deference to the judgment of others, to trace that line, according to the ideas we entertain: and it is with satisfaction we can say, that the records, statutes, law books, and most approved writers of our mother country, those "dead but most faithful Counsellors," as Sir *Edward Coke* calls them, "who cannot be daunted by fear, nor "muzzled by affection, reward, or hope of preferment, and "therefore may safely be believed," confirm the principles we maintain.

Liberty, life, or property, can with no consistency of words or ideas, be termed a right of the possessors, while others have a right of taking them away at pleasure. The most distinguished authors that have written on Government, declare it to be instituted for the benefit of the people; and that it never will have this tendency, where it is unlimited." Even conquest* itself is held not to destroy all the rights of the conquered. Such is the merciful reverence judged by the best and wisest men to be due to human nature, and frequently observed even by conquerors themselves.

In fine, a power of Government, in its nature tending to the misery of the people, as a power that is unlimited, or in other words, a power in which the people have no share*

* "But in order to say something more particular concerning this subject, let us observe that the natural state of Nations in respect to each other, is that of society and peace. This society is likewise a state of equality and independence, which establishes a parity of right between them; and engages them to have the same regard and respect for one another. Hence the general principle of the law of Nations is nothing more than the general law of sociability, which obliges all Nations that have any intercourse with one another, to practise those duties to which individuals are naturally subject.

"These remarks may serve to give us a just idea of that art, so necessary to the directors of states, and distinguished commonly by the name of polity. Polity considered with regard to foreign states, is that ability and address by which a Sovereign provides for the preservation, safety, prosperity, and glory of the Nation he governs, by respecting the laws of justice and humanity; that is, without doing any injury to other states, but rather by procuring their advantage, as much as in reason can be expected. Thus the polity of Sovereigns is the same as prudence among private people; and as we condemn in the latter any art or cunning that makes them pursue their own advantage to the prejudice of others, so the like art would be censurable in Princes, were they bent upon procuring the advantage of their own people by injuring other Nations. The reason of state, so often alleged to justify the proceedings or enterprises of Princes, cannot really be admitted for this end; but in as much as it is reconcileable with the common interest of Nations, or which amounts to the same thing, with the unalterable rules of sincerity, justice, and humanity."

"*Grotius* indeed acknowledges that the law of nature is common to all Nations; yet he establishes a positive law of Nations contradistinct from the law of nature; and reduces this law of Nations to a sort of human law, which has acquired a power of obliging in consequence of the will and consent of all or of a great many Nations.* He adds, that the maxims of this law of Nations are proved by the perpetual practice of people, and the testimony of historians.

"But it has been justly observed that this pretended law of Nations, contradistinct from the law of nature, and invested nevertheless with a force of obliging, whether people consent to it or not, is a supposition destitute of all foundation.†

"1. For all Nations are with regard to one another in a natural independence and equality. If there be therefore any common law between them, it must proceed from *God*, their common Sovereign.

"2. As for what relates to customs established by an express or tacit consent among Nations, these customs are neither of themselves nor universally, nor always obligatory. For from this only, that several Nations have acted towards one another for a long time after a particular manner in particular cases, it does not follow that they have laid themselves under a necessity of acting always in the same manner for the time to come, and much less that other Nations are obliged to conform to these customs.

"3. Again, these customs are so much the less capable of being an obligatory rule of themselves, as they may happen to be bad or unjust. The profession of a corsair, or pirate, was, by a kind of consent, esteemed a long while as lawful, between Nations that were not united by alliance or treaty. It seems likewise, that some Nations allowed themselves the use of poisoned arms in time of war.‡ Shall we say that these are customs authorized by the law of Nations, and really obligatory in respect to different people? Or shall we not rather consider them as barbarous practices; practices from which every just and well governed Nation ought to refrain. We cannot therefore avoid appealing always to the law of nature, the only one that is really universal, whenever we want to judge whether the customs established between Nations have any obligatory effect.

"4. All that can be said on this subject is, that when customs of an innocent nature are introduced among Nations, each of them is reasonably supposed to submit to those customs, as long as they have not made any declaration to the contrary. This is all the force or effect that can be given to received customs; but a very different effect from that of a law properly so called."—BURLAMAQ. *Princ. of Nat. Law*, 1 *vol. p.* 196—199.

"But I will conclude with that which I find reported by Sir *John Davis*, who was the King's sergeant; and so, by the duty of his place would no doubt maintain, to the uttermost of his power, the King's prerogative royal; and yet it was by him thus said, in those Reports of his upon the case of tanistry customs: 'That the Kings of *Eng*-'*land* always had a monarchy royal, and not a monarchy signoral; 'where, under the first,' saith he, 'the subjects are free men, and have 'property in their goods, and freehold and inheritance in their lands; 'but, under the latter, they are as villains and slaves, and have pro-'perty in nothing. And therefore, saith he, when a royal Monarch 'makes a new conquest, yet, if he receives any of the Nation's ancient 'inhabitants into his protection, they, and their heirs after them, 'shall enjoy their lands and liberties according to the laws.' And there he voucheth this precedent and judgment following, given before *William* the Conqueror himself, viz:

'That one *Sherborn*, at the time of the conquest, being owner of a 'Castle and lands in *Norfolk*, the Conqueror gave the same to one '*Warren*, a *Norman*; and *Sherborn* dying, the heir claiming the same 'by descent according to the law, it was, before the Conqueror 'himself, adjudged for the heir, and that the gift thereof by the Conqueror was void."*—*Parl. Debates*, 7 *vol. p.* 384.

See also *Puffendorf's* Law of Nature and Nations, b. 3, ch. 8, and b. 8, ch. 6.

It is held by the best writers, that a conqueror, in a just war, acquires not a right to the property of those of the subdued country, who opposed him not, nor of the posterity of those who did: nor can the pretence of obtaining satisfaction for the charges and damages of the war justify such a claim.

* "In a free state, every man who is supposed a free agent, ought to be, in some measure, his own Governour, and therefore, a branch, at least, of the Legislative power ought to reside in the whole body of the people. And this power, when the territories of the state are small and its citizens easily known, should be expressed by the people in their aggregate or collective capacity, as was wisely ordained in the petty Republicks of *Greece*, and the first rudiments of the *Roman* State. But this will be highly inconvenient when the publick territory is extended to any considerable degree, and the number of citizens is increased. In so large a state as ours, it is therefore very wisely contrived that the people should do that by their Representatives, which it is impracticable to perform in person."—1 *Blackstone*, 158, 159.

The above quoted words are sufficient of themselves to refute the notion of "virtual representation" of *Americans* in Parliament.

As to the argument drawn from similitude between the case of those in *England*, not qualified to vote by their property, though possessed of a considerable share, as proprietors of the funds—the *East India* Company—merchants—manufacturers, &c., and the case of Colonists, the true answer is, that there is no resemblance whatever between the cases. A few propositions will prove it; but it may be proper to premise—First, If representation was intended by the Constitution of *England*, a complete representation was intended; for the reason of having any, requires having a complete one, as being the best. Second, If a complete representation was intended by the Constitution, every defect in the representation is against the intention of the Constitution. Third, If a respectable part of the people in *England* is not represented, it is a defect. Fourth, If therefore, the intention of the Constitution is to be regarded as the Constitution, it involves a plain absurdity, to infer a greater defect being constitutional, from a smaller defect which is unconstitutional. Fifth, The intention of the Constitution must be regarded—and practices inconsistent with its design must be amended by it, if the happiness which it means to promote and secure, is to be regarded. Sixth, If there is not such a representation in *England*, as the Constitution requires there ought to be. As to the resemblance above supposed. First, If many inhabitants of *England* have not a right to vote in the choice of members of the House of Commons, there are many who have. Second, Not one inhabitant of the Colonies has that right. Third, Some representation is better than none, though a complete one cannot be obtained. The first is a defect of mode, the latter an extinction of the substance. There is, to a nice observer of nature, a perceptible difference between a deformed man and a dead man. Fourth, Proprietors of the funds, &c., though they have no right to such vote, as proprietors, &c., may yet have it under another character as freeholders, &c. Fifth, When acting as freeholders, &c., they may take care of their interests as proprietors, &c. for—Sixth, Their being proprietors, &c., does not disqualify them from acquiring and enjoying a right to such vote by becoming freeholders, &c., but Seventh, By acquiring and enjoying a right to such vote, the Colonists must cease to be inhabitants of the Colonies. Eighth, Their being inhabitants of the Colonies, therefore, disqualifies them from acquiring and enjoying the right to such vote. Ninth, If those not entitled to such vote in *England* were not bound by statutes made there, they would not be bound by statutes, nor taxed at all, though possessed of great property—but Tenth, The Colonists are bound and taxed by the Acts of their Assemblies. Eleventh, Even those not entitled to such vote in *England*, and incapable of obtaining it, have this protection, that Representatives and their electors are bound by the laws made, as well as the rest of the people—and the connections between the Representatives, their electors, and the rest of the people, all living together in the same Kingdom, are so many and so intimate, that even the actually unrepresented cannot be affected unless the Representatives and their electors are affected also. Twelfth, Totally different is the condition of Colonists, if bound by statutes generally.—By the Acts of Parliament for raising a Revenue in *America*, the Commons use the words, "give and grant." Can men give and grant what they have not? Did any of those acts take a single penny out of the pocket of a single giver and grantor? No. So far from it, that if there is any truth in the proverb, And money saved is money got, these "*dona ferentes*" gentlemen put money into their pockets by their† "loyal and dutiful" generosity. Every individual of them acquired by bestowing. Pretensions thus to give, are such contradictions to fact and sense, that in making them, a sanction of injustice is sought from a principle of the Constitution, and in describing them, a solecism in speech becomes a proper expression. It

* See *Grotius*, rights of War and Peace; Preliminary Discourse, sec. 18. and book 1. chap. 1. sec. 14.

† See *Puffendorf*, Law of Nature and Nations, book 2. chap. 3. sec. 23.

‡ See *Virgil*, *Æneid*, book 10, verse 139, with the fifteenth note of the Abbe des *Fontaines*.

* See *Davis's* Reports, *Lond.* 1628, p. 41.

† Preambles to Statutes for raising a revenue in *America*.

Digitized by Google

is proved to be, by reason and the experience of all ages and countries, cannot be a rightful or legal power. For, as an excellent Bishop of the Church of *England* argues,* "the ends of Government cannot be answered by a total "dissolution of all happiness at present, and of all hopes "for the future."

The just inference therefore from these premises would be an exclusion of any power of Parliament over these Colonies, rather than the admission of an unbounded power.

We well know that the Colonists are charged by many persons in *Great Britain* with attempting to obtain such an exclusion and a total independence on her. As well we know the accusation to be utterly false. We are become criminal in the sight of such persons, by refusing to be guilty of the highest crime against ourselves and our posterity. *Nolumus leges Angliæ mutari.* This is the rebellion with which we are stigmatised. We have committed the like offence, that was objected by the polite and humane *Fimbria* against a *rude* Senator of his time. "We have *dis-* "*respectfully* refused to receive the whole weapon into our "body." We could not do it and live. But that must be acknowledged to be a poor excuse, equally inconsistent with good breeding and the Supreme Legislature of *Great Britain.*

For these ten years past we have been incessantly † attacked. Hard is our fate, when to escape the character of rebels, we must be degraded into that of slaves: as if there was no medium between the two extremes of anarchy and despotism, where innocence and freedom could find repose and safety.

Why should we be exhibited to mankind as a people, adjudged by Parliament unworthy of freedom? The thought alone is insupportable. Even those unhappy persons, who have had the misfortune of being born under the yoke of bondage imposed by the cruel laws, if they may be called laws, of the land where they received their birth, no sooner breathe the air of *England*, though they touch her shores only by accident,* than they instantly become freemen. Strange contradiction! † The same Kingdom at the same time, the asylum and the bane of Liberty.

To return to the charge against us, we can safely appeal to that Being, from whom no thought can be concealed, that our warmest wish and utmost ambition is, that we and our posterity may ever remain subordinate to, and dependent upon, our parent state. This submission our reason approves, our affection dictates, our duty commands, and our interest enforces.

If this submission indeed implies a dissolution of our Constitution, and a renunciation of our liberty, we should be unworthy of our relation to her, if we should not frankly declare, that we regard it with ‡ horrour; and every true *Englishman* will applaud this just distinction and candid declaration. Our defence necessarily touches chords in unison with the fibres of his honest heart. They must vibrate in sympathetick tones. If we, his kindred, should be base enough to promise the humiliating subjection he could not believe us. We should suffer all the infamy of the engagement without finding the benefit expected from being thought as contemptible as we should undertake to be.

But this submission implies not such insupportable evils; and our amazement is inexpressible when we consider the gradual increase of these Colonies, from their slender beginnings in the last century to their late flourishing condition, and how prodigiously, since their settlement our parent state has advanced in wealth, force, and influence, till she is become the first power on the sea, and the envy of the world—that these our better days should not strike conviction into every mind, that the freedom and happiness of the Colonists are not inconsistent with her authority and prosperity.

must be acknowledged however, that the Commons are more than sound divines, for they improve upon the text,* and "count their loss for gain."

Statutes might grind us, while not an elector in *England* would know or regard our sufferings—if acquainted with them, he might think the statutes inflicting them, just and political. An open avowal has been made in Parliament that it is † "the indispensable duty of "Parliament to tax the Colonies in order to ease the gentry and people "of *Great Britain.*" Let not *Americans* ever forget the lordly words! To understand them fully, we should consider—

Our dispute includes not only the present taxes laid upon us. The universal property of *England* was interested in Mr. *Hampden's* suit, about a few shillings. If the Crown had a right to those shillings, it had a right to every shilling of every man in the Kingdom. *Great Britain* is about one hundred and forty millions of pounds sterling in debt. If she can pay any part of that debt by taxing us, she may pay the whole by taxing us, if we can raise the money. If we cannot, yet as we are upbraided continually in pamphlets and papers with the richness of our houses, our furniture, our equipage, or tables, and our dress, she may be made to think we abound too much in these conveniences. If we are reduced to the condition of *French* peasants, it is no matter. We belong to the people of *Great Britain:* and all *British* subjects, but *Americans*, may do what they please with their own. "It is her indispensable duty, say their Lordships, to ease herself by taxing us;" and surely there is virtue enough left in the *British* Parliament, notwithstanding all the dreadful intelligence *British* writers send us over, to perform that "duty," exactly. But this is not all. There are certain wicked *Frenchmen* and *Spaniards*, that in every period of twenty or thirty years oblige *Great Britain* to add thirty or forty millions to her debt. Upon an average, since the Revolution, she runs annually in debt about a million and a half. Can it be expected her Ministers will be kinder to us than they have been to her? where will the demand upon us, where will our wretchedness stop, if we have not resolution enough to defend ourselves?

A statute intended to have force on the people of *Great Britain*, is the case of a state acting upon itself. A statute intended to have force on the people of *America*, is the case of one state acting upon another. The people of *Great Britain*, who in the first case are subject to the statute—in the second, are the absolute sovereigns who impose it on others.

"Virtual representation" then, as applied to Colonists, is, to borrow expressions of the excellent Archbishop *Tillotson*, on another occasion, altering only two words—"An absurdity of that monstrous and "massy weight, that no human authority or wit are able to support it. "It will 'make the very pillars of St.' *Stephens* "crack, and require "more volumes to make it good than would fill" *Westminster* Hall.

Yet this most despicable notion has been the pretence for our fellow-subjects ‡ clapping muskets to our breasts, and taking our money out of our pockets.

* *Somerset's* case.

† To this contradiction, the following may be added—Her policy at once to keep peace with her natural enemies, and to provoke her natural friends, whose assistance one day—and that day seems to be approaching—in the vicissitudes of human affairs, great as she is, she may want; her interest, as she thinks, to protect and to oppress Protestant countries—to abhor a large standing army and yet voluntarily to put herself under the absolute necessity of perpetuating an immensely large one, to govern the many millions of slaves she expects soon to have on this vast Continent. Two of the shrewdest, though not best Emperors, that ever lived, *Augustus* and *Tiberius*, prohibited every man of distinction from setting his foot in *Egypt*,* because of the importance of that Province to *Rome*. But *Great Britain*, as if these numerous Provinces, much more remote from her than *Egypt* from *Rome*, were of little consequence, willingly obliges herself to trust a mighty armed power into the hands of a subject, in these Colonies, the tempting interest of which subject, and of the people, may engage them to unite in establishing an independent Empire, on her own model. *Great Britain* ought not to forget that *Rome* was ruined by keeping standing armies in her Provinces.

‡ The *Privernates* had revolted from the *Romans*, but were reduced. The question was what judgment should be given against them? This is *Livy's* account of the affair, it the twenty-first chapter of his eighth book:

"Quum ipsa per se res anceps esset, prout cujusque ingenium erat, atrociùs mitiùsve suadentibus; tum incertiora omnia unus ex Privernatibus legatis fecit, magis conditionis, in qua natus esset, quàm præsentis necessitas, memor: qui, interrogatus à quodam tristioris sententiæ auctore, quam pœnam meritos *Privernates* censeret? eam, inquit, quam merentur, qui se libertate dignos censent: cujus quum feroci responso infestiores factos videret consul eos, qui antè Privernatium causam impugnabant; ut ipse benignâ interrogatione mitius responsum eliceret, Quid, si pœnam, inquit, remittimus vobis, qualem nos pacem vobiscum habituros speremus? Si bonam dederitis, inquit, et fidam et perpetuam: si malam, haud diuturnam. Tum verò minari, nec id ambiguè, Privernatem quidam, et illis vocibus ad reballandum incitari pacatos populos, pars melior senatûs ad meliora responsum trahere, et dicere, Viri, et liberi, vocem auditam, an credi posse, ullum populum, aut hominem denique, in ea conditione, cujus eum pœniteat, diutùs, quàm necesse sit, mansurum? Ibi pacem esse fidam, ubi voluntarii pacati sint: neque eo loco, ubi servitutem esse velint, fidem sperandam esse. In hanc sententiam maximè consul ipse inclinavit animos, identidem ad principes sententiarum consulares, uti exaudiri posset à pluribus, dicendo, Eos demum, qui nihil, præterquam de libertate, cogitent, dignos esse, qui *Romani* fiant. Itaque et in senatu causam obtinuere, et ex auctoritate Patrum latum ad populum est, ut Privernatibus civitas dabitur."

* *Philippians*, iii. 7.

† These words are extracted from the Protest of the Lords on the repeal of the *American* Stamp Act—sec. 6.—Sixty-one Lords were against the repeal, thirty-three of them signed the Protest.

‡ "Win their hearts, and you may soon have their hands and purses," was the advice of old Lord *Burleigh* to Queen *Elizabeth*. She was wise enough to take it. The world knows the consequences.

* *Hoadly's* Disc. on Government.

† 4 Geo. 3, ch. 15. 4 Geo. 3, ch. 34. 5 Geo. 3, ch. 12. 5 Geo. 3, ch. 45. 6 Geo. 3, ch. 12. 6 Geo. 3, ch. 52. 7 Geo. 3, ch. 41. 7 Geo 3. ch. 46. 7 Geo. 3, ch. 59. 8 Geo. 3, ch. 22. The Resolves that Colonists may be tried in *England* under the thirty-fifth *Henry* the Eighth. The blockade of *Boston*—the *Rhode-Island* Court, &c. The statutes since the eighth year of this reign, relating to the Colonies, follow one another much in the same quick manner as before: but they could not be collected. Many of the statutes here mentioned, particularly those relating to the Admiralty Courts and the Commissioners of the Customs, are connected with a multitude of other statutes, by being compared with which the artifices will appear, that gradually departing from the laws of *England*, have at length invested these Courts and Commissioners with such new, unreasonable, unconstitutional, and dangerous powers.

* Tac.

Digitized by Google

The experience of more than one hundred years will surely be deemed, by wise men, to have some weight in the scale of evidence to support our opinion. We might justly ask of her, why we are not permitted to go on as we have been used to do since our existence, conferring mutual benefits, thereby strengthening each other, more and more, discovering the reciprocal advantages of our connection, and daily cultivating affections encouraged by those advantages?

What unknown offences have we committed against her within these ten years, to provoke such an unexampled change in her conduct towards us? In the last war she acknowledged us repeatedly to be faithful, dutiful, zealous, and useful in her cause. Is it criminal in us that our numbers, by the favour of Divine Providence, have greatly increased? That the poor choose to fly from their native countries in *Europe* to this Continent? Or, that we have so much improved these woods, that if we can be forced into an unsuccessful resistance, avarice itself might be satiated with our forfeitures?

It cannot with truth be urged, that projects of innovation have commenced with us. Facts and their dates prove the contrary.* Not a disturbance has happened on any part of this Continent, but in consequence of some immediate preceding provocation.

To what purpose? The charge of our affecting one great or many small Republicks, must appear as contemptible a madness to her, as it does to us. Divided as we are into many Provinces,† and incapable of union, except against a common danger, she knew, that we could not think of embarking our treasures of tranquillity and liberty, on an ocean of blood, in a wandering expedition to some *Utopian* port. The history of mankind, from the remotest antiquity, furnishes not a single instance of a people consisting of husbandmen and merchants, voluntarily engaging

* "The winds lift up the waves,"—said a wise man—yet we read of a weak man who scourged waves, but he had not raised them. To excite commotions, and then to scourge for being excited, is an addition to the wildness of a *Xerxes*, reserved more particularly to distinguish the present age, already sufficiently illustrious by the injuries offered to the rights of human nature.

† The genius of a *Beccaria* suggested to him the condition of a large Empire verging into servitude—the only plan for saving it—and the difficulty of executing that plan. "An overgrown Republick" says he, and such a limited Monarchy as that of *Great Britain* with such an extent of Dominions, may well be called "an overgrown Republick," "can only be saved from despotism by subdividing it into "a number of confederate Republicks. But how is this practicable? "By a despotick dictator, who with the courage of *Sylla*, has as much "genius for building up as that *Roman* had for pulling down. If he "be an ambitious man, his reward will be immortal glory; if a phy-"losopher, the blessings of his fellow-citizens will sufficiently console "him for the loss of authority, though he should not be insensible to "their ingratitude."

What was argument in *Italy*, is reality to *Great Britain*, with this additional circumstance in her favour, that she must always continue, if she wisely conducts her affairs, though less than all, yet greater than any. The immense advantages of such a situation are worthy the closest attention of every *Briton*. To a man, who has considered them with that attention, perhaps it will not appear too bold to aver, that, if an archangel had planned the connection between *Great Britain* and her Colonies, he could not have fixed it on a more lasting and beneficial foundation, unless he could have changed human nature. A mighty naval power at the head of the whole—that power, a parent state, with all the endearing sentiments attending the relationship, that never could disoblige, but with design—the dependent states much more apt to have feuds among themselves—she the umpire and controller—those states producing every article necessary to her greatness—their interest, that she should continue free and flourishing—their ability to throw a considerable weight into the scale, should her Government get unduly poised—she and those states Protestant—are some of the circumstances, that, delineated by the masterly hand of a *Beccaria*, would exhibit a plan vindicating the ways of Heaven, and demonstrating that humanity and policy are nearly related. An *Alexander*, a *Cæsar*, a *Charles*, a *Lewis*, and others, have fought through fields of blood for universal empire. *Great Britain* has a certainty, by population and commerce alone, of attaining to the most astonishing and well founded power the world ever saw. The circumstances of her situation are new and striking. Heaven has offered to her glory and prosperity without measure. Her wise Ministers disdain to accept them, and prefer "a pepper-corn."*

So directly opposite to the interest of *Great Britain* has the conduct of Administration been for some time past, that it may safely be affirmed, that, if their view was to establish arbitrary power over *Great Britain*, schemes more dangerous could not have been laid. To profess this purpose would ensure a defeat. Any man, who had such a design, would first take the opportunity of peace to set one part of the subject against the other. This might be done in the following manner:

Let every session of Parliament produce a fresh injury. Give no rest, or hope of rest. Let insult added to insult fill up the vacancies between the sessions. Tease and persecute into opposition. Then let Ministers themselves rejoice in the freedom of the press. Let every action of the oppressed be exaggerated. Let innumerable false invectives be vented in pamphlets and newspapers. Let all the provocations and excuses be concealed from publick sight as much as possible. Load the devoted with the terms of traitors and rebels. Nearly in this way *Scotland* was treated by the arbitrary Ministry of *Charles* the First. But the Parliament and people of *England* had common sense and virtue. The base deception could not pass upon them. They saw the snare laid for them, and resented it so deeply, that an army of *Englishmen* fled before an army of *Scotchmen* at *Newburn*. For once it was glorious to fly. But it required *English* heads and *English* hearts to understand and to act the part.

Thus the Colonies have been treated. At last a civil war may be worked up. It should be considered, as Lord *Mansfield* expresses it, whether "the play is worth the candle." In such a war, every victory will be a defeat. If the Colonies are subdued, vast sums must be raised, and a prodigious army must be supported, to keep them in subjection. *Great Britain* must feel the weight of that influence, added to the power of the Crown. The Colonies are increasing. Who can compute the extent and effect of such an influence?* Undone by her victories, she must resign her *liberty*, or some *future monarch with her Colonies*, unless she first loses them in another way. If she is unfortunate, publick calamities may make great changes. Such changes seem to be intended by some men. *Great Britain* has been led into the *Rubicon*. She has not yet passed it. We consider the hostilities already practised, as the manœuvres of a Ministerial war. We know the machinations formed against us, and the favourite publications industriously spread abroad, to excite a jealousy of us among our *British* brethren. We know how acceptable to many an earthquake would be to "sink some of the Colonies in the ocean;" and how pleasing to employ the rest "in raising staple commodities;" that we are thought "too numerous," and how much it would be judged by some for the interest of *Great Britain* if a pestilence should sweep off a million and a half of us. These wonderful lucubrations have not escaped us. But here we are, by Divine Providence, three millions of souls. What can be done with us? If we were to be considered only as † Protestant allies, we ought to be esteemed by a wise people. Such a people certainly would not be careful to disunite us from their interest—to make us foes when they might have us friends. Some states have thought it true policy to grant greater indulgencies to remote dominions, than were enjoyed by themselves; and this policy has been much applauded. The enjoyment of valuable privileges by inferiour states, under the protection of a superiour, is the strongest bond of dependence. Why should we prefer a dependence on *Great Britain* to a dependence on *France*, if we enjoy less freedom under the former, than we may under the latter? "*Firmissimum imperium, quo obedientes gaudent*," or, as Lord Chief Justice *Coke* expresses it, in his comment on the 25th of *Edward* the Third, "The state of a King standeth more assured by the "love and favour of the subject, than by the dread and fear of laws," &c.‡ Ought *Great Britain* to despise the advantages she actually

* Mr. *Nugent's* Speech.

* "But, on the other hand, it is to be considered, that every Prince, in the first Parliament after his accession, has, by long usage, a truly royal addition to his hereditary revenue settled upon him for his life; and has never any occasion to apply to Parliament for supplies, but upon some publick necessity of the whole Realm. This restores to him that constitutional independence which at his first accession seems, it must be owned, to be wanting. And then, with regard to power, we may find, perhaps, that the hands of Government are at least sufficiently strengthened; and that an *English* Monarch is now in no danger of being overborne by either the nobility or the people. The instruments of power are not perhaps so open and avowed as they formerly were, and therefore are the less liable to jealous and invidious reflections; but they are not the weaker upon that account. In short, our national debt and taxes (besides the inconveniences before mentioned) have also, in their natural consequences, thrown such a weight of power into the Executive scale of Government, as we cannot think was intended by our patriot ancestors; who gloriously struggled for the abolition of the then formidable parts of the prerogative, and by an unaccountable want of foresight established this system in their stead. The entire collection and management of so vast a revenue being placed in the hands of the Crown, have given rise to such a multitude of new officers, created by, and removeable at the Royal pleasure, that they have extended the influence of Government to every corner of the Nation. Witness the Commissioners, and the multitude of dependents on the Customs, in every port of the Kingdom; the Commissioners of Excise, and their numerous subalterns, in every inland district; the Postmasters, and their servants, planted in every town, and upon every publick road; the Commissioners of the Stamps, and their distributors, which are full as scattered and full as numerous; the officers of the Salt Duty, which, though a species of excise, and conducted in the same manner, are yet made a distinct corps from the ordinary managers of that revenue; the Surveyors of Houses and Windows; the Receivers of the Land Tax; the Managers of Lotteries, and the Commissioners of Hackney Coaches; all which are either mediately or immediately appointed by the Crown, and removeable at pleasure without any reason assigned. These, it requires but little penetration to see, must give that power, on which they depend for subsistence, an influence most amazingly extensive. To this may be added the frequent opportunities of conferring particular obligations, by preference in loans, subscriptions, tickets, remittances, and other money transactions, which will greatly increase this influence; and that over those persons whose attachment, on account of their wealth, is frequently the most desirable. All this is the natural, though perhaps the unforeseen, consequence of erecting our funds of credit, and to support them establishing our present perpetual taxes; the whole of which is entirely new since the Restoration in 1660; and by far the greatest part since the Revolution in 1688. And the same may be said with regard to the officers in our numerous army, and the places which the army has created. All which put together gives the Executive power so persuasive an energy with respect to the persons themselves, and so prevailing an interest with their friends and families, as will amply make amends for the loss of external prerogative.

"But, though this profusion of offices should have no effect on individuals, there is still another newly-acquired branch of power; and that is, not the influence only, but the force of a disciplined army; paid, indeed, ultimately by the people, but immediately by the Crown; raised by the Crown, officered by the Crown, commanded by the Crown. They are kept on foot, it is true, only from year to year, and that by the power of Parliament; but during that year they must, by the nature of our Constitution, if raised at all, be at the absolute disposal of the Crown. And there need but few words to demonstrate how great a trust is thereby reposed in the Prince by his people. A trust that is more than equivalent to a thousand little troublesome prerogatives.

"Add to all this, that, besides the civil list, the immense revenue of almost seven millions sterling, which is annually paid to the creditors of the publick, or carried to the sinking fund, is first deposited in the Royal Exchequer, and thence issued out to the respective offices of payment. This revenue the people can never refuse to raise, because it is made perpetual by Act of Parliament; which also, when considered, will appear to be a trust of great delicacy and high importance."—1 *Blackstone's* Com. b. 1, ch. 8, p. 334—336.

† *Great Britain* put herself to a very considerable expense last war in defence of *Portugal*, because that Kingdom was her ally, and she derived great advantages from an intercourse with her. But what are those advantages, or the affections arising from them, when compared to the advantages and affections that connect these Colonies with *Great Britain?* Words cannot express the surprise, that men free from passion must feel on considering her impolicy in labouring to disjoin from herself the only true friends she has in the world. If her Ministers were pensioners of *France* and *Spain*, they could not pursue measures more pleasing and advantageous to those Kingdoms.

‡ "During all our happy days of concord, partly from our national moderation, and "partly from the wisdom, and sometimes perhaps from the carelessness of our Ministers, "they have been trusted, in a good measure, with the entire management of their "affairs; and the success they have met with ought to be to us an ever-memorable proof, "that the true art of Government consists in not governing too much. And why should "friendship, and gratitude, and long attachments, which inspire all the relish and sweet-"ness of private life, be supposed to be of no weight in the intercourse between great "communities? These are principles of human nature, which act with much greater "certainty on numbers than on individuals. If properly cultivated they may to us be "productive of the noblest benefits; and, at all events, will neither lessen the extent of "our power, nor shorten the duration of it."—*Bishop of St. Asaph's Sermon*, p. 13.

Digitized by Google

in such a phrenzy of ambition. No! Our highest pride and glory has been, with humble unsuspecting duty* to labour in contributing to elevate her to that exalted station she holds among the Nations of the earth, and which, we still ardently desire and pray she may hold, with fresh accessions of fame and prosperity, till time shall be no more.

These being our sentiments, and, we are fully convinced, the sentiments of our brethren throughout the Colonies, with unspeakable affliction, we find ourselves obliged to oppose that system of dominion over us, arising from counsels pernicious both to our parent and her children—to strive, if it be possible, to close the breaches made in our former concord, and stop the sources of future animosities. And may *God* Almighty, who delights in the titles of just and merciful, incline the hearts of all parties to that equitable and benevolent temper, which is necessary solidly to establish peace and harmony in the place of confusion and dissension.

The legislative authority claimed by Parliament over these Colonies, consists of two heads: first, a general power of internal legislation; and, secondly, a power of regulating our trade; both, she contends, are unlimited. Under the first may be included, among other powers, those of forbidding us to † worship our Creator in the manner we think most acceptable to him—imposing taxes on us—collecting them by their own officers—enforcing the collection by Admiralty Courts, or Courts Martial—abolishing trials by jury—establishing a standing army ‡ among us in time of peace, without consent of our Assemblies—paying them with our money—seizing our young men * for recruits—changing Constitutions of Government †—stopping the press—declaring any action, even a meeting of the smallest number, to consider of peaceable modes to obtain redress of grievances ‡ high treason—taking Colonists to *Great Britain* to be tried ||—exempting "murderers" § of Colonists from punishment, by carrying them to *England*, to answer indictments found in the Colonies ¶—shutting up our ports—prohibiting us from slitting** iron to build our houses, making†† hats to cover our heads, or clothing to cover the rest of our bodies, &c.‡‡

receives with safety from us, because, by the adoption of *Spanish* maxims, she might with danger extort more?

It is the duty of every Colonist to oppose such maxims. They threaten ruin to our mother country and to us. We should be guilty of treason against our Sovereign and the majesty of the people of *England*, if we did not oppose them. *England* must be saved in *America*. Hereafter, she will rejoice that we have resisted, and thank us for having offended her. Her wisdom will in a short time discover the artifices that have been used by her worst enemies to inflame her against her dutiful children; that she has supported not her own cause, but the cause of an Administration; and will clearly distinguish which will most conduce to her benefit, safety, and glory, well treated and affectionate Colonies, or millions of slaves, an unnatural increase of her standing forces, and an addition to the influence of the Crown, defying all calculation.

* It has been suggested, "that subjects sometimes err, by not believing that Princes mean as well as they do." But the instances are numerous where princes and their courtiers err, by not believing that subjects mean as well as they do.

† See *Canada* Bill.

‡ The army under the command of General *Gage*, in the Province of *Massachusetts Bay* alone, amounts to several thousand men, kept there without consent of their Assembly, and to be augmented as the General shall think proper.

"I must own, sir, I can see but one reason for raising at this present juncture, this additional number of troops, and that is to strengthen the hands of the Minister against the next election, by giving him the power of disposing of commissions to the sons, brothers, nephews, cousins, and friends of such as have interest in boroughs, into some of which, perhaps, troops may be sent to procure the free election of their members, in imitation of the late *Czarina* sending her troops into *Poland* to secure the free election of a King.

"But still there is one thing more fatal than all I have yet named, that must be the consequence of so great a body of troops being kept on foot in *England*, and will be the finishing stroke to all our liberties. For, as the towns in *England* will not be able much longer to contain quarters for them, most of those who keep publick houses being near ruined by soldiers billetted on them; so, on pretence of the necessity of it, barracks will be built for quartering them, which will be as so many fortresses with strong garrisons in them, erected in all parts of *England*, which can tend to nothing, but by degrees to subdue and enslave the Kingdom.

"But if ever this scheme should be attempted, it will be incumbent on every *Englishman* to endeavour to prevent it by all methods, and as it would be the last stand that could be ever made for our liberties, rather than suffer it to be put in execution, it would be our duty to draw our swords, and never put them up till our liberties were secured, and the authors of our intended slavery brought to condign punishment. I hope I shall be forgiven, if, during the debates, I shall take the liberty of speaking again; for I am determined to fight, inch by inch, every proposition that tends, as I think this does, to the enslaving my country."—*Lord Viscount* GAGE's *Speech* in 1739. *Parl. Deb. Book* 11*th*. *p*. 388. *See* MONTESQ. *on Standing Armies*.

A Minister declared in the House of Commons, that he "should always consider it as a part of the Constitution, that the military should act under the civil authority." But, by order, the Commander-in-chief of the forces has precedence of a Governour, in the Province under his government. By his Majesty's order, transmitted in a letter dated the 9th of *February*, 1765, from the Secretary of State to the Commander-in-chief, it is declared, "that the orders of the Commander-in-chief, and under him, of the Brigadiers General, commanding in the Northern and Southern Departments, in all military affairs, shall be supreme, and must be obeyed by the troops as such, in all the Civil Governments in *America*. That in cases where no specifick orders have been given by the Commander-in-chief, or by the Brigadier General commanding in the District, the Civil Governour in Council, and where no Council there subsists, the Civil Governour may, for the benefit of his Government, give orders for the marching of troops, the disposition of them for making and marching detachments, escorts, and such purely military services within his Government, to the commanding officer of the troops, who is to give proper order for carrying the same into execution, provided they are not contradictory to, or incompatible with, any order he may have received from the Commander-in-chief, or the Brigadier General of the District."

In *May*, 1769, the House of Representatives for *Massachusetts Bay*, requested Governour *Bernard* "to give the necessary and effectual orders for the removal of the forces, by sea and land, out of the port of *Boston*, and from the gate of the city, during the session of the said Assembly." To which he answered: "Gentlemen: I have no authority over his Majesty's ships in this port, or his troops within this town; nor can I give any orders for their removal.

"*May* 31, 1769. FRA. BERNARD."

Thus, our Governours, the Captains General, and Commanders-in-chief, representing the Sovereign, and known to the Constitution of these Colonies, are deprived of their legal authority, in time of peace, by an order; and a perpetual dictatorial power established over us. To accomplish this great purpose, it was thought proper, during the last war, to change the mode of granting military commissions, and to pass that to the General in *America*, under the great seal. It is not known whether this uncommon formality has been observed with regard to the Major Generals of the respective "Districts."

* The *Germans* have been justly celebrated in different ages, for sagacity in promoting the arts, and for martial spirit; yet, how unhappy have they been made in a short period of time, by that single engine of arbitrary power, a standing army. Their distress was wrought up to such a degree, that thousands and tens of thousands relinquished their native country, and fled to the wildernesses of *America*. It was a way of thinking and acting that became them. For *Germans* may truly be called the fathers of *Englishmen*. From *Germany* came their ancestors, and the first principles of the Constitution. *Germans*, therefore, seem to be more justly entitled than other foreigners to the blessings of that Constitution. To enjoy them in this free country as it then was, they came here; but now unfortunately find arbitrary Government and a standing army pursuing them even into these woods. Numbers of them now in these Provinces have served in the armies of the several Princes in *Germany*, and know well, that one reason with their rulers for putting swords into their hands, was to cut the throats of their own fathers, brothers, and relations, who should attempt to relieve themselves from any part of their miseries. Their former Sovereigns are now completing, it is said, the cruel tragedy of tyranny. They will not suffer those they have made wretched, to seek for a more tolerable existence in some other part of the globe. It is their duty, say these unfeeling Princes, "to be unhappy, and to renounce all hopes of relief." They are prohibited from leaving their country. Those who have already escaped into these Colonies, remember what they and their parents suffered in *Germany*. The old tell the stories of their oppressions to the younger; and however improbable it may appear on the other side of the *Atlantic*, it is asserted by persons well acquainted with this people, that they have very little inclination to suffer the same cruelties again in *America*.

† Bill for changing the Constitution of *Massachusetts Bay*.

‡ General *Gage's* Proclamation, dated *June* 29, 1774.

|| Resolves in the House of Lords, on thirty-fifth *Henry* the Eighth, chapter 2.

§ Bill for the Administration of Justice, &c.

¶ *Boston* Act. ** Twenty-third *George* the Second, chapter 29.

†† Fifth *George* the Second, chapter 21.

‡‡ If *Great Britain* has a constitutional power to prohibit us from slitting iron as she has done, she has a constitutional power, that is, a right, to prohibit us from raising grain for our food; for the principle that supports one law, will the other. What a vast demand must be made on her for this article, and how firmly would her dominion be established, if we depended wholly on her for our daily bread? Her modern writers consider Colonists as slaves of *Great Britain*, shut up in a large work-house, constantly kept at labour in procuring such materials as she prescribes, and wearing such clothes as she sends. Should she ever adopt the measure above mentioned, and, on our complaints of grievances, withhold food from us; what then? Why, then, on her principle, it would be right to be starved. To say in such case we should have any other right, would be a "traitorous and rebellious denial of the Supreme Legislature of *Great Britain*:" for she "has power of right to bind us by statutes in all cases whatsoever."

Let not any person object that the supposition of such a case is the suggestion of fancy. The *Carthagenians*, those masters in the sublime politicks of commerce—politicks that have produced so many dreadful scenes upon earth, forbade the *Sardinians* to raise corn, in order to keep them in due subjection. The *East Indies*, *St. Vincents*, the proceedings at *Rhode-Island*, and the *Boston* Act, &c., give rise to many alarming apprehensions in *America*. There are few men on this Continent would be as much surprised at that measure, as at some late measures. The beginning justifies any apprehensions. Power debauches the affections. The improbability of cases happening, is no

* 1 *Blackstone*, p. 147.

Digitized by Google

In our Provincial Legislatures, the best judges in all cases what suits us—founded on the immutable and unalienable rights of human nature, the first principles of the Constitution, and charters and grants made by the Crown, at periods when the power of making them was universally acknowledged by the parent state, a power since frequently recognised by her, subject to the controul of the Crown, as by law established, is vested the exclusive right of internal legislation.

Such a right vested in Parliament, would place us exactly in the same situation, the people of *Great Britain* would have been reduced to, had *James* the First and his family succeeded in their scheme of arbitrary power. Changing the word *Stuarts* for Parliament, and *Britons*

answer in such important considerations. The laudable spirit of commerce may be inflamed into rapacity and cruelty in a Nation, as well as in an individual. We must regard the power claimed by *Great Britain*, not solely her will or contingencies depending on that will. If she affixes no limits to her power, why should we affix any to its effects? "I know," says Mr. *Hoadly*, "it is next to impossible that "any such case should happen; but if such things be said, and such "cases, in effect, be put, it is necessary to speak upon the supposition "of such cases. And methinks it is but a narrow-spirited proceeding "in us to go just no farther in our notions, than a compliance with "our own present condition forceth us; to exclude from our regard "the condition of all other Nations, and all cases, but just that which "hath happened last of all in our own."

That the plan of governing us by withholding necessaries of life has been considered, and in what light Colonies are viewed at home, the following extracts will partly shew:

"It appears that the original and grand evil attending them, was the settlement of so considerable a part in a climate incapable of yielding the commodities wanting in *Britain*.

"These Northern Colonies, long after their disadvantageous nature was known, were continually increased by fresh migrations from *Europe;* which, as I before observed, ought totally to have been prevented, and such migrations have been encouraged only to the beneficial Colonies.

"Since the late war, *Britain* laid the trade of the Colonies under some very strict regulations, which certainly cut off many inlets by which they formerly received much *Spanish* and *Portuguese* coin. The principle upon which such regulations were formed, of securing to the mother country alone all matters of commerce, I have already attempted to prove just and necessary.

"When once their supernumeraries are become manufacturers, it will require more than *British* policy to convert them into planters.

"I must think this point of such great importance, as to extend probably to the annihilation of manufactures in our Colonies. To conclude, it is in the proposed settlement on the *Ohio* we must first look for hemp and flax; as such great numbers of the old *American* farmers have removed and settled there, which may, in those fertile tracts, be cultivated in such abundance as to enable us to undersell all the world, as well as supply our own consumption. It is on those high, dry, and healthy lands, that vineyards will be cultivated to the best advantage, as many of those hills contain quarries of stone, and not in the unhealthy sea-coasts of our present Colonies. To these we should bring the settlers from *Europe*, or, at least, suffer none to go north of *New-York;* by which means our numbers would increase in those parts where it is our interest they should increase; and the report of the settlers from the new Colony on the *Ohio*, would be a constant drain of people from our unprofitable Northern ones; by which means, they would, in future times, as well as the present, be prevented from extending their manufactures.

"What I shall therefore venture to propose, is, that the Government, through the means of a few merchants acquainted with the *American* trade, that can be tolerably depended upon, should establish factors at *Boston*, *Philadelphia*, *New-York*, and a few other ports, for the sale of such cargoes of *British* manufactures as should be consigned to them; and to consist of such particularly as were most manufactured in the Province, with directions immediately and continually to undersell all such Colony manufactures. By this means, the operation of the succeeding measures, from the number of hands rendered idle, would be so much easier to be executed.

"The ships which carried out such cargoes should be large bulky ones, of eight, nine hundred, and one thousand tons burden, for the sake of bringing large quantities of deals, &c., back, at a less proportionate expense; and, previous to their arrival in *America*, cargoes of these should be ready for them. The Colonists should be engaged to work their iron mines, and get the product ready in bars, &c., and vast quantities of deals and squared timber ready for loading the ships. All which, on the certain and immediate prospect of a sale, would easily be effected; as it is well known they have, more than once, proved to the Legislature that they could supply all *Europe* with these articles, had they but the demand.

"But I laid it down as a rule to proceed upon, that trade, fishing, and manufacturing, were put an entire stop to among the Colonies.

"If the Sugar Islands contained ten millions of people, as destitute of necessaries as they are at present, *Britain* would be as sure of their allegiance as she is at present, provided no Power more formidable than herself at sea arose for their protection.

"The first dependence of our Colonies, as well as all their People, is, to change the terms a little upon corn worked into bread, and iron wrought into implements; or, in other words, it is upon necessary agriculture and necessary manufactures: for a people who do not possess these, to think of throwing off the yoke of another who supplies them with them, is an absurd idea. This is precisely the case with our Sugar Islands. Let us suppose the Continental Colonies to be as happy in the necessary agriculture, as they really are, but to be absolutely without manufactures, could they throw off their allegiance to *Britain*, be their numbers what they would? No, certainly; for that is nothing more than supposing they should throw off their allegiance to hoes and spades, and coats and shoes, which is absurd to imagine. Can any one imagine that a rebellion can be carried on among a people, when the greatest success must be attended with the loss of half the necessaries of life!

"The following, among other effects, relative to this point, would be the consequence of the plan sketched out in the preceding section:

"The people would depend on *Britain* for those necessaries of life which result from manufactures.

"The cultivation of staples would be more profitable to them than any other employment whatever.

"The sale of those staples would depend on *Britain*.

"The people would all be spread over an immense country as planters; none of them collected in towns.*

"To which circumstances I shall add, in respect to *Britain's* further policy,

"That she should abide by the boundaries fixed already to the old Colonies, that of the rivers' heads; and all further settling to be in new Colonies, wherever they were traced.

"That she should keep the inland navigation of the Continent; that is, of all the great lakes and navigable rivers, to herself, and not suffer any sets of men to navigate them, and thereby communicate from one part of the Continent to another.

"That she should never suffer any Provincial troops or militia to be raised, but reserve entirely to herself the defence of the frontiers.†

"That she should throw what obstacles she could, upon all plans of communication from Colony to Colony, or conveniences of speedy removals from place to place.

"That in proportion as any Colony declined in staples, and threatened not to be able to produce a sufficiency of them, the inhabitants should receive such encouragement to leave it, as more than to drain its natural increase unless new staples were discovered for it.

"This is now the case with those I have distinguished by the title of the Northern Colonies; insomuch that *Nova-Scotia*, *Canada*, *New England*, *New-York*, *New-Jersey*, and *Pennsylvania*, would be nearly of as much benefit to this country buried in the ocean as they are at present."—*Political Essays*.

The conduct of Administration corresponds exactly with the sentiments of this modern writer, and with the measures pursued by *Philip* the Second of *Spain* against the Low Countries. The reasons given by one in Administration for attacking the Colonies, seem to be copied (with some small alterations on account of religion) from the famous advice of the unfeeling Duke of *Alva*, that "specie retinendæ dignitatis," cost his master his glory, his happiness, and his Provinces—and sunk his country into distresses, from which she is not yet recovered. "At vero dux Albanus arma et ultionem, contendebat, unicum læsæ "auctoritati principis remedium. Quippe ceteris artibus ac diuturna "facilitate nihil aliud effectum, quam ut regi obedientia, rebellibus "timor adimeretur. Postulasse principio Belgas, ut Hispanus è provin-"cia miles excederet: id scilicet unum deesse constantes ad quietem "populorum. Num propterea, impetrata externorum missione quie-"visse? An potius et confidentius efflagitasse, ut—clavo deturbaretur "Granvellanus. At unius forte naufragio complacatos fuisse ventos.—"Quin immo ut licentia crescit facilius—homines à nostra facilitate "securi—libellis deridiculis, flagitiosis conspirationibus—improbis pa-"lam carminibus—minis—precibus armatis—extorserent quod aver-"ent—obstinatis inverecunde legationibus Hispaniam fatigarent—Hic "quoque visum clementiæ principis aliqua indigna poscentibus indul-"gere. Enim vero quid ex illa indulgentia relatum, nisi ut votorum "ubique compotes, non parendo: subditos sese obliviscerentur, obse-"quium dediscerent, atque exuta principis reverentia, communicata "provinciarum defectione, tanquam culpæ societate tutiores, humana "omnia contrectatæ semel libertati post haberent. Nunc vero non "unius civitatis, sed provinciarum consensu peccatum esse in regem. "Nec quia rebelles in præsentia conquiescant, minus ferociæ animis "inesse, resumpturos utique vires, ubi metum ultionis abjecerint. Sic "ille pronus ad asperiora, disserebat."—*Strada* de bello *Belgico*, lib. 6.

It is evident, that the *British* Ministers have diligently studied *Strada*, and the other authors who have transmitted to posterity the pleasing and instructive annals of *Philippick* policy, as every measure they have taken, is founded on a precedent set by that celebrated school of humanity.

Alva is the favourite master—on his conduct they keep their eyes steadily and reverently fixed, and it may truly be said—they follow him with no unequal steps. Great, good, and wise men! whom some future *Puffendorf* or *Temple* will duly celebrate.

"In 1564, *Granville* was removed from the Council, to appease the people. Their joy was short-lived; for as the same measures were pursued, it began to be said publickly, that though his body was removed from, his spirit still influenced, the Council. Upon application for a relaxation of the edicts, it was said, that moderation had only made matters worse, and the observation of them was again enjoined upon more severe penalties than before.

"At length an Association was entered into, for mutually defending each other. This being signed by above four hundred persons of quality, who all protested, that they meant nothing but the honour of *God*, the glory of the King, and the good of their country, they met and petitioned, that the Proclamation might be revoked: but the King would consent to no mitigation. Good advice was given to him. But the Duke *D'Alva's* violent Council, who proposed the entire abolishment of the liberties of the Provinces,‡ was most pleasing, and followed. The cruel Duke was sent into the Low Countries with a powerful army. The Counts *D'Egmont* and *Horn* were immediately seized, on a pretence that they had, underhand, spirited up the people's disaffection. They were afterwards executed. All who had signed the Association or Petition were declared guilty of § high treason, and answerable for what had happened. A Council, called, from its cruel proceedings, ‖ the Council of Blood, was erected for trying the accused, from which there was no appeal. (Note well) *Alva* himself tried the

* "This point which is of infinite importance, would pretty fully be occasioned by other parts of the plan. But, to ensure so great a point, no new towns should be suffered, nor even villages; than which nothing could be easier to manage; nor would they be any where necessary but by the magazines of naval stores for loading ships. All possible decrease of numbers in the cities already in being, should be effected. So systematically absurd is it to found towns and cities, as *Britain* has hitherto constantly done, in all the Colonies she has formed."

† "Specie tuendi finium, jugum liberis provinciis meditatur."—*Strada, lib.* 2.

‡ "Lay them at my feet." § See General *Gage's* Proclamation.

‖ Resolutions in Parliament for trying Colonists in *England*. *Rhode-Island* Court. Late Acts for *Massachusetts Bay*.

Digitized by Google

for *Americans*, the arguments of the illustrious patriots of those times, to whose virtues their descendants owe every blessing they now enjoy, apply with inexpressible force and appositeness, in maintenance of our cause, and in refutation of the pretensions set up by their too forgetful posterity, over their unhappy Colonists. Confiding in the undeniable truth of this single position, that, "to live by one man's* will, became the cause of all men's misery," they generously suffered. And the worthy Bishop before mentioned, who, for strenuously asserting the principles of the Revolution, received the unusual honour of being recommended by a House of Commons to the Sovereign for preferment, has justly observed, that "misery is the same whether it comes from the hands of many or of one."

"It could not appear tolerable to him (meaning Mr. "*Hooker*, author of the Ecclesiastical Policy) to lodge in "the Governours of any Society an unlimited authority, to "annul and alter the Constitution of the Government, as "they should see fit, and to leave to the governed the "privilege only of absolute subjection in all such altera-"tions;"† or, to use the Parliamentary phrase, "in all cases whatsoever."

From what source can *Great Britain* derive a single reason to support her claim to such an enormous power? That it is consistent with the laws of nature, no reasonable man will pretend. That it contradicts the precepts of Christianity, is evident. For she strives to force upon us

accused in their own country, where their friends and witnesses might attend them; where the pains of death itself might be mitigated, by seeing with their dying eyes, that they expired beloved and lamented. Here, the disciples exceed their tutor. This is too great a consolation to be indulged to a Colonist. He must be carried three thousand miles across the ocean—that he may not only die, but be insulted in his last moments, with the mockery of a trial, where the clearest innocence stands no chance of acquittal, and with the formality of a sentence founded on a statute past before the Colonies existed. On the approach of the army, the Prince of *Orange* and other Lords fled; and being summoned to appear before the Council, in default thereof, were condemned, and their estates confiscated. *Alva* treated all, the innocent and guilty, with such rigour, that it gave rise to the following saying of a *Spanish* officer—"*Hæretici* fraxerunt templa; boni nihil faxerunt contra; ergo omnes debent patibulari."—PUFFENDORF's *Introduction—Art.* "SPAIN" *and* "*the* UNITED PROVINCES."

Sir *William Temple's* account of the disturbances in the Low Countries agrees exactly with the foregoing extracted out of *Puffendorf*, by which it will appear with what a surprising exactness of resemblance the affairs of the Colonies have been carried on by Administration.

"The war with *France* being concluded, it was resolved to keep up the troops in these Provinces, and that the states should support them, which by a long course of war, was grown customary. When *Philip* would have put *Spanish* garrisons into some of their towns, and for the sake of their admitting them quietly, gave the command to the Prince of *Orange* and Court *Egmont*, they told him plainly, that all the brave stands they had made against the power of *France*, availed them but little, if they must at last be enslaved by another foreign Power."—*Puffendorf.*

"The hatred of the people, the insolence of the troops, with the charge of their support, made them looked upon by the inhabitants in general, as the instruments of their oppression and slavery, and not of their defence, when a general peace had left them no enemies: And therefore the states began here their complaints, with a general consent and passion of all the nobles, as well as towns and country. And upon the delays that were contrived, or fell in, the states first refused to raise any more moneys, either for the *Spaniards'* pay, or their own standing troops; and the people ran into so great despair, that in *Zealand* they absolutely gave over the working at their dikes, suffering the sea to gain every tide upon the country, and resolving, as they said, rather to be devoured by that element than by the *Spanish* soldiers; so that at last the King consented to their removal. Another grievance was the appointment of new judges* and those absolutely depending on the King, &c"

"*Granville* strained up to the highest his master's authority and the execution of his commands, while the Provinces were resolute to protect the liberties of their country, against the admission of this new and arbitrary judicature, unknown to all ancient laws and customs of their country. The King at last consented to *Granville's* recess. Then all noise of discontent and tumult was appeased. But quickly after the same Councils were resumed. The disturbances then grew greater than before. But by the prudence and moderation of the Duchess of *Parma*, the Governess, the whole estate of the Provinces was restored to its former peace. This Duchess, and the Duke of *Feria*, one of the chief Ministers in *Spain*, thought and advised, that the then present peace of the Provinces ought not to be invaded by new occasions, nor the royal authority lessened, by the King being made a party in a war upon his subjects. But the King was immoveable; he despatched *Alva* into the Low Country at the head of ten thousand veteran *Spanish* and *Italian* troops, under the command of the best officers, which the wars of *Charles* the Fifth, or *Philip* the Second, had bred up in *Europe;* which, with two thousand more in the Provinces, under the command of so old and renowned a General as the Duke of *Alva*, made up a force, which nothing in the Low Countries could look in the face with other eyes than of astonishment, submission, or despair. This power was for the assistance of the Governess, the execution of the laws, the suppressing and punishing all who had been authors or fomentors of the late disturbances.† On his arrival the Governess having obtained leave of the King, retired out of the Province. The Duke of *Alva* was invested in the Government with powers never before given to any Governour. A Council, called the Council of Blood,‡ was erected for the trial of all crimes committed against the King's authority. The towns stomached the breach of their Charters, the people of their liberties, the knights of the golden fleece the Charters of their order, by these new and odious courts of judicature; all complain of the disuse of the states,‖ of the introduction of armies, but all in vain. The King was constant to what he had determined. *Alva* was in his nature cruel and inexorable. The new army was fierce and brave, and desirous of nothing so much as a rebellion in the country. The people were enraged, but awed and unheaded. All was seizure and process;—confiscation and imprisonment;—blood and horrour;—insolence and dejection;—punishments executed, and meditated revenge. The smaller branches were lopt off apace; the great ones were longer a hewing down. Counts *Egmont* and *Horn* lasted several months; but at length, in spite of all their services to *Charles* the Fifth and to *Philip*, as well as of their new merits in quieting of the Provinces, and of so great supplications and intercessions as were made in their favour, both in *Spain* and *Flanders*, they were publickly beheaded at *Brussels*, which seemed to break all patience in the people; and by their end to give those commotions a

* Admiralty Courts. *Rhode-Island* Court, for enforcing the statute of thirty-fifth *Henry* the Eighth. Act for regulating the Government of *Massachusetts Bay.* Act for Administration of Justice, &c.

† See Speeches in Parliament, and Preambles to the late Acts. ‡ See note in Page 75.

‖ Frequent dissolution of Assemblies—and their total uselessness, if Parliament taxes us.

beginning, which cost *Europe* so much blood, and *Spain* a great part of the Low Country Provinces. The war begun, *Alva* had at first great success. Moved with no rumours, terrified with no threats from a broken and unarmed people, and thinking no measures or forms were any more necessary to be observed in the Provinces, he pretends greater sums are necessary for the pay and reward of his victorious troops than were annually granted upon the King's request by the states of the Provinces: (*Note.* Here our Ministers have again improved upon *Philip's*; for they have taxed us, without making requests.)* And therefore demands a general tax of the hundreth part of every man's estate, to be raised at once: and for the future, the twentieth of all immoveable, and the eighteenth of all that was sold. The states with much reluctancy consent to the first, as a thing that ended at once. They petition the King, but without redress; draw out the year in contests, sometimes stomachful, sometimes humble with the Governour: till the Duke, impatient of delay, causes the edict without consent of the states, to be published. The people refuse to pay; the soldiers begin to levy by force; the townsmen all shut up their shops; the people in the country forbear the market; so as not so much as bread and meat is to be bought in the town. The Duke is enraged; calls the soldiers to arms; and commands several of the inhabitants, who refused the payments, to be hanged that very night upon their sign posts; which moves not the obstinacy of the people. And now the officers and the guards are ready to begin the executions, when news comes to town of the taking of the *Briel*, by the *Gueses*,† and of the expectation that had given of a sudden revolt in the Province of *Holland*.

"This unexpected blow struck the Duke of *Alva*, and foreseeing the consequences of it, because he knew the stubble was dry, and now he found the fire was fallen in, he thought it an ill time to make an end of the tragedy in *Brabant*, whilst a new scene was opened in *Holland;* and so giving over for the present his taxes and executions, applies his thoughts to the suppression of this new enemy that broke in upon him from the sea. And now began that great commotion in the Low Countries, which never ended but in the loss of those Provinces, when the death of the Royal Government gave life to a new Commonwealth."—*Observat. upon the United Provinces of the* NETHERLANDS, *by Sir* WILLIAM TEMPLE.

Philip and his junto of Cabinet Ministers thought themselves no doubt very wise, and politick as so many *Machiavels*. But what says, and will say mankind as long as the memory of those events is preserved? That their counsels were despicable, their motives detestable, and their minds like those described by the Bishop of *Lerida*, that exactly resembled the horns of the cows in his country—little, "hard and crooked."

* *Hooker.* "For a man to be tenant at will of his liberty, I can never agree to it. It is a tenure not to be found in all *Littleton*."—*Speech of Sir* EDWARD COKE.

"*Etiam si dominus non sit molestus, tamen miserrimum est, posse si velit.*"—CICERO.

——————"The free
Know no gentle tyranny."—ROWE.

† *Hoadly's* Discourse on Government.

* Another advantage the *British* Ministers have over the *Spanish* in depth of policy, is very remarkable. *Spain* was a great Empire. The Low Countries a mere speck, compared with it. *Spain* was not a maritime state that depended upon them for the supply of her revenue. Had they been sunk in the sea, she would scarcely have felt the loss. Her prospect of success was almost certain. *France*, her then inveterate enemy, exhausted by a civil war and divided into two powerful parties. Every circumstance is directly the reverse to *Great Britain* in her present contest with the Colonies. "Siquidem "verissimum est, ignem tectis injiceere, et injecto spatium modumque statuere, non esse "in ejusdem manu."—*Strada*, lib. 7.

† *Beggars.*—They were called so in contempt, when they petitioned. The people thereupon assumed that name, perhaps to keep up the memory of an insult occasioned by their loyalty.

The whole country of the seven United Provinces is not as large as one half of *Pennsylvania;* and when they began their contest with *Philip* the Second, for their liberty, contained about as many inhabitants as are now in the Province of *Massachusetts Bay. Philip's* Empire then comprehended in *Europe*, all *Spain* and *Portugal*, the two *Sicilies*, and such Provinces of the Low Countries as adhered to him—many Islands of importance in the *Mediterranean*—the *Milanese* and many other very valuable territories in *Italy* and elsewhere.—In *Africa* and *Asia*, all the Dominions belonging to *Spain* and *Portugal*—in *America* the immense countries subject to those two Kingdoms, with all their treasures and yet unexhausted mines, and the *Spanish West Indies* His armies were numerous and veteran, excellently officered, and commanded by the most renowned Generals. So great was their force, that during the wars in the Low Countries, his Commander-in-chief, the Prince of *Parma*, marched twice into *France*, and obliged that great General and glorious King, *Henry* the Fourth, to raise at one time the siege at *Paris*, and at another, that of *Roan*. So considerable was the naval power of *Philip*, that in the midst of the same wars, he fitted out his dreadful Armada to invade *England*. Yet seven little Provinces, or countries, as we should call them, inspired by one generous resolution "To die free, rather than to live slaves," not only baffled, but brought down into the dust, that enormous power, that had contended for universal Empire, and for half a century was the terrour of the world. Such an amazing change indeed took place, that those Provinces afterwards actually protected *Spain* against the power of *France*.

Digitized by Google

terms, which she would judge to be intolerably severe and cruel, if imposed on herself. "Virtual representation" is too ridiculous to be regarded. The necessity of a supreme sovereign Legislature, internally superintending the whole Empire, is a notion equally unjust and dangerous. "The "pretence" says Mr. Justice *Blackstone*, speaking of *James* the First's reign, "for which arbitrary measures was "no other than the tyrant's plea of the necessity of un-"limited powers, works of evident utility to the* publick, "the supreme reason above all reasons, which is the sal-"vation of the King's lands and people." This was not the doctrine of *James* only. His son unhappily inherited it from him. On this flimsy foundation was built the claim of ship money, &c. Nor were there wanting men, who could argue, from the Courtly text, that Parliaments were too stupid or too factious, to grant money to the Crown, when it was their interest and their duty to do so. This argument, however, was fully refuted, and slept above a century in proper contempt, till the posterity of those who had overthrown it, thought fit to revive the exploded absurdity. Trifling as the pretence was, yet it might much more properly be urged in favour of a single person, than of a multitude. The counsels of a Monarch may be more secret. His measures more quick. In passing an Act of Parliament for all the Colonies, as many men are consulted, if not more, than need be consulted, in obtaining the assent of every Legislature on the Continent. If it is a good argument for Parliaments, it is a better against them. It therefore proves nothing but its own futility. The supposed advantages of such a power could never be attained but by the destruction of † real benefits, evidenced by facts to exist without it. The *Swiss* Cantons, and the United Provinces, are combinations of independent states. The voice of each must be given. The instance of these Colonies may be added: for stating the case, that no act of internal legislation over them had ever been passed by *Great Britain*, her wisest statesmen would be perplexed to show, that she or the Colonies would have been less flourishing than they now are. What benefits such a power may produce hereafter, time will discover. But the Colonies are not dependent on *Great Britain*, it is said, if she has not a supreme unlimited Legislature over them. "I would ask these loyal subjects of the King," says the author of a celebrated invective against us. ‡ "what King it is they profess themselves to be the loyal "subjects of? It cannot be his present most gracious Ma-"jesty, *George* the Third, King of *Great Britain*, for his "title is founded on an Act of Parliament, and they will "not surely acknowledge that Parliament can give them "a King, which is of all others, the highest act of sov-"ereignty, when they deny it to have power to tax or "bind them in any other case; and I do not recollect that "there is any Act of Assembly, in any of the Colonies, "for settling the Crown upon King *William* or the illus-"trious House of *Hanover*." * "Curious reasoning this."† It is to be wished the gentleman had "recollected" that

* With such smooth words may the most dreadful designs be glossed over. "There are some men who call evil, good, and bitter, sweet. —justice is now called popularity and faction."—*Parl. Hist.* 8. 193.

"A man shall not unprofitably spend his contemplation, that upon this occasion considers the method of *God's* justice (a method terribly remarkable in many passages, and upon many persons, which we shall be compelled to remember in this discourse), that the same principles, and the same application of those principles, should be used to the wresting all sovereign power from the Crown, which the Crown had a little before made use of for the extending its authority and power beyond its bounds, to the prejudice of the just rights of the subject. A supposed necessity was then thought ground enough to create a power, and a bare averment of that necessity to beget a practice to impose what tax they thought convenient upon the subject, by writs of ship money never before known; and a supposed necessity now, and a bare averment of that necessity, is as confidently, and more fatally, concluded a good ground to exclude the Crown from the use of any power, by an ordinance never before heard of, and the same maxim of "*salus populi suprema lex*," which has been used to the infringing the liberty of the one, made use of for destroying the rights of the other."—*Lord* CLARENDON'S *Hist. b. v. p.* 54.

† Thus the Patriots of *Charles's* days argued: "It is not, that ship "money hath been levied against us, but it is, that thereby ship "money is claimed, which is the gift and earnest penny of all we "have: it is not, that our persons have been imprisoned for the pay-"ment of ship money, but that our persons and lives are, upon the "same ground of law, delivered up to will and pleasure. It is, that "our birthright is destroyed, and that there hath been an endeavour "to reduce us to a lower state than villanage. The Lord might tax "his *villain de haut et de basse*, might imprison him, but his life was "his own; the law secured him that."—*Lord* CLARENDON.

‡ See note on these words "Therefore a power of regulating our "trade, involves not in it the idea of a Supreme Legislature over us." —Page 590.

* "The Controversy between *Great Britain* and her Colonies Reviewed." The learned gentleman who wrote this piece, has thought proper to quit his argument, step out of his way, personally abuse, and severely attack the writer of the "Farmer's Letters." His principal objections are the following, and the answers here given may perhaps be sufficient to show with what force his objections are generally urged. First. He says, "the writer of the Letters tells us "that the drawbacks which are allowed on some articles upon their "exportation from *England* amount to more money than all the duties "together which are laid upon them on their arrival in the Colonies "will produce. I believe it is the first time that the Colonies of any "state have complained of the injustice of the mother country in "laying taxes upon them, which were not sufficiently heavy, nor was "it ever before discovered that the proper means to redress the "grievances of any people, were to increase their taxes." Page 16. *Answer:* The truth of the assertion in the Letters is not denied. It is assumed by the author of "The Controversy," as the foundation of his argument. If then, Parliament would have raised more money, "by "stopping the drawbacks, than by laying the duties to be paid in the "Colonies," why were they laid? From respect for Parliament it must be supposed, they were laid for some purpose. It was not for the sake of the money. For what then? To establish a precedent for taxing the Colonies, says the writer of the Letters. The author of "The Controversy" does not deny it; but enters into a dissertation upon the more and the less, which is not the point in question. Second. The writer of the Letters says, that, an Act of Parliament commanding us to do a certain thing, if it has any validity is a tax upon us, for the expense* that accrues in complying with it. In reply to this the author of "The Controversy" enumerates many instances of sovereignty subjecting the Colonies to expense, which he supposes may be legally exercised within the Colonies "by Act of Parliament." Pages 23, 24. *Answer:* The propriety of this supposition is denied, and remains to be proved. "Absurdities and contradictions" are plentifully attributed to the writer of the Letters, because he will not acknowledge, that the power of Parliament "to regulate trade, and preserve the connection of the whole Empire in due order," involves in it a power to "tax the Colonies," or "to put them to any expense," Parliament shall please. A person of such sagacity, as the author of "The Controversy," might plainly have perceived, if his resentment had not prejudiced his candour, that the writer of the Letters was unwilling to give up any point, which he then thought essential to the freedom and welfare of his country, and at the same time was † unwilling to propose any new subject of dispute. Justly has the author of "The Controversy" observed, that "it would be endless to trace this doctrine of taxes through all the consequences." Page 23. Third. The writer of the Letters says, "we are as much dependent on *Great Britain* as a "perfectly free people can be on another." On this the author of "The Controversy" kindly observes, that—"it is a pity the learned editor "(the *English* editor, it is supposed) has not given the publick a dis-"sertation on that most ingenious and instructive passage." Page 25. *Answer: American* understandings discover no inconsistency in the idea of "a state being dependent, and yet perfectly free," and their temper is so moderate that they would be content with that degree of freedom, which is compatible with a dependence. If the proposition puzzles *British* understandings, it is presumed to be, because *Britons* will not give themselves the trouble to think of any dependence, but of such, as is destructive of all freedom; though they themselves are dependent in some measure on others. Fourth. The writer of the Letters says, "if money be raised upon us by others without our con-"sent, for our defence, those who are the judges in levying it, must "also be the judges in applying it." [Of consequence, the money, said to be taken from us for our defence, may be employed, to our injury.

† Id. p. 17.

* This sentence related to the dissolution of the Assembly of *New-York*, for not complying with the Act of Parliament for not supplying the troops. Last session of Parliament an Act was passed for the more commodious Quartering of the troops in *America*. It is not yet come over; but deserves the attention of the Colonists, even if it has not the remarkable features, that distinguish the productions of the last session.

† If any person shall imagine that he discovers in these Letters, the least dislike of the dependence of these Colonies on *Great Britain*, I beg that such person will not form any judgment on particular expressions, but will consider the tenor of all the letters taken together. In that case, I flatter myself, that every unprejudiced reader will be convinced that the true interests of *Great Britain* are as dear to me, as they ought to be to every good subject.

"If I am an enthusiast in any thing, it is in my zeal for the perpetual dependence of these Colonies on their mother country—a dependence founded on mutual benefits, the continuance of which can be secured only by mutual affections. Therefore it is, that with extreme apprehension I view the smallest seeds of discontent, which are unwearily scattered abroad. Fifty or sixty years will make astonishing alterations in these Colonies; and this consideration should render it the business of *Great Britain* more and more to cultivate our good disposition towards her: but the misfortune is, that those great men, who are wrestling for power at home, think themselves very slightly interested in the prosperity of their country fifty or sixty years hence, but are deeply concerned in blowing up a popular clamour for supposed immediate advantages.

"For my part, I regard *Great Britain* as a bulwark, happily fixed between these Colonies and the powerful Nations of *Europe*. That Kingdom remaining safe, we, under its protection, enjoying peace, may diffuse the blessings of religion, science, and liberty, through remote wildernesses. It is therefore incontestibly our duty, and our interest, to support the strength of *Great Britain*. When confiding in that strength, she begins to forget from whence it arose, it will be an easy thing to show the source. She may readily be reminded of the loud alarm spread among her merchants and tradesmen, by the universal association of these Colonies, at the time of the Stamp Act, not to import any of her manufactures.

"In the year 1718, the *Russians* and *Swedes* entered into an agreement not to suffer *Great Britain* to export any naval stores from their Dominions, but in *Russian* or *Swedish* ships, and at their own prices. *Great Britain* was distressed. Pitch and tar rose to three pounds a barrel. At length she thought of getting these articles from the Colonies; and the attempt succeeding, they fell down to fifteen shillings. In the year 1756, *Great Britain* was threatened with an invasion. An easterly wind blowing for six weeks, she could not man her fleet, and the whole Nation was thrown into the utmost consternation. The wind changed. The *American* ships arrived. The fleet sailed in ten or fifteen days. There are some other reflections on this subject, worthy of the most deliberate attention of the *British* Parliament; but they are of such a nature, that I do not choose to mention them publickly. I thought it my duty, in the year 1765, while the Stamp Act was in suspense, to write my sentiments to a gentleman of great influence at home, who afterwards distinguished himself, by espousing our cause, in the debates concerning the repeal of that Act."—*Farmer's Letter*, xii. Page 100.

If the author of "The Controversy" had seen the letter above referred to, he would have found, that, the difference between the prerogative in *Great Britain* and *America*, and the exercise of internal legislation by Parliament over the Colonies, with some other points therein mentioned, were represented in the strongest terms the writer of the Letters could use, as unjust, and certainly tending in a few years to produce the deepest discontents. The time is at length come when silence in *America* on these subjects would be stupid or criminal.

Digitized by Google

without any such "Act of Assembly" none of the Colonists ever rebelled. What Act of Parliament is here meant? Surely not the eleventh of *Henry* the Seventh, chapter the first, in favour of a King *de facto*. Probably the twelfth and thirteenth of *William* the Third, chapter the second, "for the further limitation of the Crown, &c," is intended. And is it imagined that the words "Dominions and Territories thereunto belonging" in that statute, form his Majesty's title to the sovereignty of these Colonies? The omission of them might have looked odd; but what force is added by their insertion? The settlement of the Crown of *England* includes the settlement of the Colonies. King *William* is mentioned—and will the gentleman venture to say, that *William* was not King of *England* and Sovereign of these Colonies, before his title was "declared" or "recognised" by "an Act of Parliament?" The gentleman slurs over this case. His zeal for the "illustrious House of *Hanover*" would be little gratified, by inferring, that because the two Houses, with the consent of the Nation, made a King, therefore the two Houses can make laws. Yet that conclusion would be as justifiable as this—that the assent of the Colonies to an election of a King by the two Houses, or to the limitation of the Crown by Act of Parliament, proves a right in Parliament to bind the Colonies by statutes "in all cases whatsoever." In such great points, the conduct of a people is influenced solely by a regard for their freedom and happiness. The Colonies have no other head than the King of *England*. The person, who by the laws of that Realm is King of that Realm, is our King.

A dependence† on the Crown and Parliament of *Great Britain*, is a novelty—a dreadful novelty. It may be compared to the engine invented by the *Greeks* for the destruction of *Troy*.‡ It is full of armed enemies, and the walls of the Constitution must be thrown down before it can be introduced among us.

When it is considered that the King as King of *England* has a power in making laws—the power of executing them—of finally determining on appeals—of calling upon us for supplies in times of war or any emergency—that every branch of the prerogative binds us, as the subjects are bound thereby in *England*—and that all our intercourse

We may be* chained in by a line of fortifications—obliged to pay for the building and maintaining them—and be told that they are for our defence.] With what face can we dispute the fact after having granted that those who apply the money, had a right to levy it? For surely it is much easier for their wisdom to understand how to apply it in the best manner, than how to levy it in the best manner. Besides the right of levying is of infinitely more consequence than that of applying. The people of *England*, who would burst out into fury if the Crown should attempt to levy money by its own authority, have always assigned to the Crown the application of money."

From the words relating to "application," the author of "The Controversy" deduces a "proof," that the writer of the Letters is very deficient in "his knowledge of the Constitution,"† &c. *Answer*. Is this treatment generous? In such questions, ought the attack to be turned from the cause to the man? The writer of the Letters pretends not to be distinguished as a "critick on Government," nor for "justness or elegance of composition."‡ Surely, even the author of "The Controversy" must now be convinced of his aversion to writing, as that performance, with all "the justness and elegance of its composition, knowledge of the subject handled, and constitutional learning "displayed in it," and employed to pull to pieces the reputation of the writer of the Letters, has not roused him during so many years since its publication, to make a single effort in vindication of his character. Was it imagined that every objection was just, because not replied to? Many reasons, besides a fear of encountering objections, may prevent an answer. In truth, he cannot be called a volunteer author. He never did, and never dared to write, but when the honour or interest of his country was assaulted; when duty compelled every one to contribute what assistance he could in her defence, and when he hoped the cause would draw some kind of a veil over his defects. He expected he might escape, as the *Spartan* youth did, with some slight censure for engaging improperly armed, but that his motive would excuse him from a severe one. How well founded the present reproach is, will now be considered. One would imagine, that a man of common sense, on reading the foregoing extract from the Letters, would understand the writer plainly to mean, by "levying," the power of "taxing;" and by "applying," the power of "employing" the money raised by taxing; or, in other terms, the actual expenditure of it. This meaning is evident, the conclusion being express, that "if "others may be judges in applying money, of consequence it may be "employed to our injury;" and then follow some instances in which it "may be so employed." All this is very clear. How, then, does the very ingenious gentleman open his way to the writer of the Letters to give him this violent blow? By a dexterity worthy of imitation, if justifiable. He leaves out of his quotation all the words enclosed within the last crotchet, beginning at the words "of consequence," and ending at the words "our defence," that showed, beyond a possibility of doubt, in what sense the word "applying" was used—takes no notice of the omission—imposes another sense on the word—and then insults, may it be said, over the supposed mistake of saying, "that the people of *England* have always assigned to the Crown the "application of money."

What sense he or others may assign to the word "application," is not the point; but whether the word, taken in that sense which the writer of the Letters expressly annexed to it, is used with propriety by him, or whether it is used in such a manner as to "prove he is "very deficient in his knowledge of the Constitution?" By that word, as he defines it, positively as language can declare any meaning, he intends the actual expenditure and "employment" of money. And is the reader to be tricked out of that definition, and another sense shuffled in, merely to impeach a man's character by slight of pen?

Has not the Constitution "assigned to the Crown the actual expenditure and employment of money?" Is not this power part of the Executive? Does not Mr. Justice *Blackstone* mention this power to show the vast influence of the Crown? He particularly takes notice of it, with respect to the army, in these expressions: "Paid, indeed, "ultimately by the people, but immediately by the Crown; raised by "the Crown, officered by the Crown, commanded by the Crown."‖

Is not the word "application," used here, too, not only properly, as defined, but properly in a constitutional sense?

True it is, that the word is sometimes used as synonymous with appropriation, though this latter seems to be the fittest word to mean the designation of money to particular purposes in acts of Parliament. Could it be possible, that the author of "The Controversy" should imagine the writer of the Letters could be ignorant of such designation or appropriation of money by Parliament, when one can scarcely open a book of Statutes without observing them? Parliament may accommodate grants of money to publick necessities, and may call officers of the Crown to account for money; but these powers no more prove the actual expenditure and employment of money to belong to Parliament, than the power of calling officers of the Crown to account for injurious leagues, or declarations of war, proves the power of Parliament to make leagues or to declare war. Besides, it being contended against the Colonies, that the "sovereign power" is lodged in King, Lords and Commons, the same persons may tax and expend, to what excess, and in what manner they please, while the Colonies will have no kind of control over them; and that such an union of those powers is unconstitutional and dangerous to the Colonies in extreme, was the point the writer of the Letter offensively ventured to insist on.

Exactly in the sense here contended for, are the words "appropriation" and "application" used in some of the best authorities. Bishop *Ellys*, in his Tracts on Liberty, page 31, says: "The Parliament, at "present, in granting money, does, for the most part, appropriate it to "particular services, whereby the application of it is more effectually "secured." "When any aids are given, the Commons only do judge "of the necessities of the Crown, which cannot be otherwise made "manifest to them than by inquiring how the money which hath been "granted, and revenue of the Crown, is expended and applied."* "Out of the aids given by Parliament, (which, by the law of *England*, "are appropriated, and ought to have been employed in the common "profit of the whole Realm,) many large sums of money, during the "times of such heavy taxes upon the people, have been diverted under "the head of secret services, and for salaries, bounties, and pen-"sions," &c.†

Some other unfairnesses there are in this famous piece, that need only be viewed, to be refuted; but of which, it may be said, if a "precedent" established by the respectable gentleman himself, can procure pardon for the expression, that "they are not entitled to notice." How could he venture to assert, as he does, that "the purpose of the "Letters was to excite resentment in the Colonies against their parent "country, and to push them on to a separation from her." The Letters prove the contrary. Few men have expressed a warmer zeal for the connection than the writer of them! Yet his reputation is to be attacked on every account, and a charge even of disloyalty directly levelled against him. The author is welcome to take what other licenses he pleases in his apprehensions of the writer; but he ought not to have denied his integrity. Their intentions must stand the test of a tribunal that decides for eternity. May they then appear equally pure.

True, indeed, are those words of Lord *Clarendon:* "Let no honest "man that is once entered into the lists, think, he can, by any skill or "comportment prevent these conflicts and assaults—but let him look "upon it as a purgatory he is unavoidably to pass through, and con-"stantly performing the duties of justice, integrity, and uprightness, "depend upon Providence, and time, for a vindication."

* The probability of this measure taking place, is confirmed by the *Canada* Bill, a political device so extraordinary, as to excite surprise even in those Colonists who live in the year 1774. By this Bill, it is said, the Legislative power is lodged in the Governour and a few men, not less than seventeen, nor more than twenty-three, appointed and removeable by the Crown; and the Government becomes wholly military. Trials by jury are abolished, though multitudes of *English* subjects settled there on the encouragement given by the King's Proclamation in 1763. The *French* laws are restored, and all the country on the back of these Colonies is added to *Canada*, and put under the same military Government. This is indeed to be "chained in." Nothing is wanting to complete the plan, but our money, to defray the expense of erecting strong holds among our woods and mountains, and to bribe our *Indians;* and then the expression of "beating our swords into plough-shares" will be reversed in an extraordinary manner; for "our plough-shares" will furnish the very "swords" that are to cut our own throats.

† Page 25. ‡ Pages 22 and 25. ‖ 1 *Blackstone*, 330.

† This word, "dependence," as applied to the states connected with *England*, seems to be a new one. It appears to have been introduced into the language of the law, by the Commonwealth Act of 1659 A "dependence on Parliament" is still more modern. A people cannot be too cautious in guarding against such innovations. "The creden-"tials of the Imperial Ambassadors to the states of *Holland*, were "directed 'to our faithful and beloved.' The words seem to be very "kind, but the cautious states discovered that this was the style of the "Imperial Chancery in writing to the vassals of the Empire. The "question was, whether the credentials should be opened? And it was "urged, that a solemn embassy ought not to be disappointed, for a few "trifling words. But the states resolved to send them back unopened, "which they did. Other credentials were then sent, with a proper di-"rection, and the Ambassadors were well received."—*Arcana, imp. det.* "*p.* 196.

‡ 7 Co. 18.

* Words of the Commons at a conference with the Lords.—*Parl. Hist.*

† Address of the House of Commons to Queen *Anne*.—*Parl. Hist.*

Digitized by Google

with foreigners is regulated by Parliament. Colonists may "surely" be acknowledged to speak with truth and precision, in answer to the "elegantly" exprest question—"What King it is," &c., by saying that "his most gracious Majesty *George* the Third" is the King of *England*, and, therefore, "the King" they—profess themselves to be "loyal subjects of."

We are aware of the objection, that "if the King of "*England* is therefore King of the Colonies, they are sub-"ject to the general legislative authority of that Kingdom." The premises by no means warrant this conclusion. It is built on a mere supposition, that the Colonies are thereby acknowledged to be within the Realm, and on an incantation expected to be wrought by some magick force in those woods. To be subordinately connected with *England* the Colonies have contracted. To be subject to the general legislative authority of that Kingdom, they never contracted. Such a power as may be necessary to preserve this connection she has. The authority of the Sovereign, and the authority of controlling our intercourse with foreign Nations form that power. Such a power leaves the Colonies free. But a general legislative power is not a power to preserve that connection, but to distress and enslave them. If the first power cannot subsist without the last, she has no right even to the first—the Colonies were deceived in their contract—and the power must be unjust and illegal; for *God* has given to them a better right to preserve their liberty, than to her to destroy it. In other words, supposing King, Lords, and Commons, acting in Parliament, constitute a sovereignty over the Colonies, is that sovereignty constitutionally absolute or limited? That states without freedom should, by principle, grow out of a free state, is as impossible as that sparrows should be produced from the eggs of an eagle. The sovereignty over the Colonies must be* limited. *Hesiod* long since said, "half is better than the whole;" and the saying never was more justly applicable than on the present occasion. Had the unhappy *Charles* remembered and regarded it, his private virtues might long have adorned a throne, from which his publick measures precipitated him in blood. To argue on this subject from other instances of Parliamentary power, is shifting the ground. The connection of the Colonies with *England*, is a point of unprecedented and delicate nature. It can be compared to no other case; and to receive a just determination, it must be considered with reference to its own peculiar circumstances.† The common law extends to Colonies; yet Mr. Justice *Blackstone* says, "such parts "of the law as are neither necessary nor convenient for "them, as the jurisdiction of the spiritual courts, &c., "are therefore not in force." If even the common law, in force within the Realm of *England* when the Colonists quittted it, is thus abridged by the peculiar circumstances of Colonies, at least equally just, and constitutional is it, that the power of making new laws within the Realm of *England*, should be abridged with respect to Colonies, by those peculiar circumstances.*

* "*Nec regibus infinita aut libera potestas*, was the Constitution of our *German* ancestors on the Continent, and this is not only consonant to the principles of nature, of liberty, of reason, and of society, but has always been esteemed an express part of the common law of *England*, even when prerogative was at the highest."—1 *Black.* 233.

† The learned Judge [in Vol. 1. page 107.] says this country was not "uninhabited when discovered and planted by the *English*, &c., "but ought to be considered as a conquered, ceded, or infidel country. "Our *American* plantations are principally of this latter sort, being "obtained in the last century, either by right of conquest and driving "out the natives (with what natural justice, I shall not at present in-"quire) or by treaties: and therefore the common law of *England*, as "such, has no allowance or authority there, they being no part of the "mother country, but distinct (though dependent) Dominions. They "are subject however to the control of the Parliament."

According to this doctrine, the Colonists are considered in a legal view by the parent state, "as infidels or conquered people," not as her children, with her consent, establishing societies for her benefit. Though not a single man of the "infidels or conquered" people, should now be found to reside in each Colony; yet a political contagion is communicated to *Englishmen in secula seculorum*, because *Indians* once fished in the rivers, and hunted in the woods. If this be their "condition," then, according to the law laid down by the Judge, "they are subject not only to the control of Parliament, but the King "may alter and impose what laws he pleases."*

It is not known what the learned Judge means by the word "principally." Perhaps he alludes to the ill directed humanity and justice of the first settlers of some Colonies, who purchased the lands from the natives, for valuable and satisfactory considerations. It was a very useless exercise of their virtues, for their posterity. If they had by accident settled an "uninhabited" country, the invaluable rights of the common law would have attended them; but when they dared to obtain a settlement by humanity and justice, they forfeited all rights of the common law, to the latest succeeding ages. Can this be law? Every case quoted by the Judge, it is humbly apprehended, makes a distinction between states or societies composed of *English* subjects, and those composed of "conquered" people, &c., and that this is the only distinction warrantable by those cases. That the conquerors should be considered as the conquered, the expellers of the natives as the expelled natives, and the Christian possessors and owners by fair purchases from those who had a right to sell, as the infidels no longer possessing or owning, seems to involve a confusion of ideas, little agreeing with the strength of reason that informs the common law.

It is very remarkable, how our ablest antagonists are perplexed in framing their arguments against us. Even the learned Judge does not express himself with his usual perspicuity: but the want of it is well atoned, if we, Colonists, can be thereby deprived of the benefits of the common law, and be absolutely subjected to the King; for these courtly tenets are the only consequences deducible from the curious argument that tends to involve these Colonies in the misfortunes of "conquered, ceded, or infidel countries." The "control of Parliament" is asserted to be supreme, in every case. Whether the Colonies were settled in "uninhabited countries," or in "conquered, ceded, or infidel countries," makes no difference as to that point.

Another learned gentleman has discovered, that we "are not entitled to as great a degree of freedom as *Ireland*." Why? "Because *Ireland* was a conquered country." This remark does not seem to remove the difficulty. Let us hear the point a little more explained. "*Ireland* it is true, was conquered, but certain concessions were made "to the people. These were the terms granted them, but *England* is "obliged to keep no terms with the Colonists." At every step these gentlemen take, those writers, who have contributed so much to the glory of their country, turn upon them, and directly oppose them. They at first shrink before these venerable advocates for liberty and humanity, but recollecting themselves, they distinguish and refine, in order to take away the substance of every argument, and to whittle down a *Hooker* and a *Locke* into a *Lestrange* and a *Filmer*. After taking these liberties, they at length grow bold enough to arraign the authority of any man, even Mr. *Locke* himself, if his writings cannot, by all this art, be turned to their purpose.

We need not be surprised after this, that every Colonist who ventures honestly to assert, as well as he can, the cause of his native land, should be treated with little respect. The Colonies have always been on the defensive. It is hoped they will always continue so. But the author of "The Controversy" charges them with great cunning, a left handed wisdom that must disgrace any people, because they have not resisted, in places where they were not immediately attacked. "It "is the artifice of the managers, on the part of the Colonies, to avoid "general questions, and to keep back and conceal consequences, lest "the unsuspecting people of *England* should too soon catch the alarm "and resolve to withstand their first attempts at independency."* That is, they have acted just as the "unsuspecting people of *England*" have done in their controversies with the Crown. They confined themselves from time to time, to a demand of redress for the injuries offered them. This behaviour of the Colonists would, by some persons, be deemed modest and respectful. Now indeed the conduct of Administration demonstrates to us, that we must enlarge our views, and endeavour to take a prospect of all the mischiefs necessarily attending a claim of boundless power with an unbounded inclination to exercise it. The gentleman may perhaps call for fire and faggots to extirpate our political heresy; but we trust, and trust firmly, that the sense and generosity of the good people of *England* will discover and defeat the present plan against their liberties, as they have already so many other schemes of that tendency—that they will behold their dutiful children with compassionate love, and with just indignation those unrelenting enemies from whom they can expect no other favour, but that *England* "shall be the last they will devour."

* 1 *Blackstone*, 107, and the cases there cited.

* The author of "The Controversy," in page 31 of his work, argues thus concerning the legislative power of *Great Britain* over the Colonies: "The lands in all the Colonies having therefore been clearly "shown to be part of the Dominions of *Great Britain*, and the posses-"sors of them to hold them under authorities and titles derived from the "*British* state, Mr. *Locke* would require no other proof of the right of "the Legislative power of *Great Britain* to the obedience of the pos-"sessors of those lands; for speaking of the manner by which a man "tacitly makes himself a subject of any country or Government, he "says,"—

"It is commonly supposed, that a father could oblige his posterity to "that Government of which he himself was a subject, and that his "compact held them; whereas it being only a necessary condition "annexed to the land, and the inheritance of an estate, which is under "that Government, reaches only those who will take it on that con-"dition, and so is no natural tie or engagement, but a voluntary sub-"mission; for every man's children being by nature as free as himself "or any of his ancestors ever were, may, whilst they are in that free-"dom, choose what society they will join themselves to, what Com-"monwealth they will put themselves under; but if they will enjoy "the inheritance of their ancestors, they must take it on the same "terms their ancestors had it, and submit to all the conditions annexed "to such a possession. Whoever (says he in another place) by inheri-"tance, purchase, permission, or otherways, enjoys any part of the "lands so annexed to, and under the government of, that Common-"wealth, must take it with the condition it is under; that is, of "submitting to the Government of the Commonwealth under whose "jurisdiction it is, as far forth as any subject of it." Page 31. The ingenuity of the gentleman is here again remarkable. Mr. *Locke*, in his eighth chapter on Civil Government, "of the beginning of political societies," immediately before the words above mentioned "whoever by inheritance," &c., speaks of a man who "unites his person, which "was before free, to a society for the securing and regulating of pro-"perty, and submits to the community those possessions which he has "or shall acquire, that do not already belong to any other Govern-"ment." These words the gentleman not thinking quite to his purpose in this place, separates from the words of his quotation, and so gives Mr. *Locke's* conclusion without his premises. However, three pages after, he is so candid, as to give the premises without the con-

* Page 15.

Digitized by Google

The laws of *England* with respect to prerogative, and in other instances, have accommodated themselves, without alteration by statutes, to a change of circumstances, the welfare of the people so requiring. A regard for that grand object perpetually animates the Constitution and regulates all its movements—unless unnatural obstructions interfere—

"*Speritus intus alit, totamque infusa per artus*
"*Mens agitat molem, et magno se corpore miscet.*"

Another argument for the extravagant power of internal legislation over us remains. It has been urged with great warmth against us, that "precedents" show this power is rightfully vested in Parliament.

Submission to unjust sentences proves not a right to pass them. Carelessness or regard for the peace and welfare of the community may cause the submission. Submission may sometimes be a less evil than opposition, and, therefore, a duty. In such cases it is a submission to the Divine authority, which forbids us to injure our country; not to the assumed authority on which the unjust sentences were founded. But when submission becomes inconsistent with and destructive of the publick good, the same veneration for, and duty to the Divine authority, commands us to oppose. The all-wise Creator of man impressed certain laws on his nature. A desire of happiness and of society are two of those laws. They were not intended to destroy, but to support each other. Man has therefore a right to promote the best union of both, in order to enjoy both in the highest degree. Thus, while this right is properly exercised, desires that seem selfish, by a happy combination, produce the welfare of others. "This is removing submission "from a foundation unable to support it, and injurious to "the honour of *God*, and fixing it upon much firmer "ground."*

No sensible or good man ever suspected Mr. *Hooker* of being a weak or factious person, "yet he plainly enough "teacheth, that a society, upon experience of universal "evil, have a right to try by another form to answer more "effectually the ends of Government." And Mr. *Hoadly* asks—"Would the ends of Government be destroyed "should the miserable condition of the people of *France*, "which has proceeded from the King's being absolute, "awaken the thoughts of the wisest heads amongst them, "and move them all to exert themselves, so as that those "ends should be better answered for the time to come?"

What mind can relish the hardy proposition, that because precedents have been introduced by the inattention or timidity of some, and the cunning or violence of others, therefore the latter have a right to make the former miserable—that is, that precedents that ought never to have been set, yet being set, repeal the eternal laws of natural justice, humanity, and equity.†

The argument from precedents begins unluckily for its advocates. The first produced against us by the gentleman before mentioned, was an Act past by the Commonwealth Parliament in 1650 to "punish" *Virginia*,‡ *Barbadoes*, *Antigua*, and *Bermudas*, for their fidelity to *Charles* the Second. So ancient is the right of Parliament to "punish" Colonists for doing their duty. But the Parliament had before overturned Church and Throne, so that there in an older "precedent" set against these.

That Parliament sat amidst the ruins that surrounded it, fiercer than *Marius* among those of *Carthage*. Brutal power became an irresistible argument of boundless right. What the style of an *Aristotle* could not prove, the point of a *Cromwell's* sword sufficiently demonstrated. Innocence and justice sighed and submitted. What more could

clusion. How, or why? to support this most curious distinction—that Mr. *Locke* in that celebrated part of his argument, where speaking of "Government taking the property of subjects," he says, "What property have I in that, which another may by right take from me when he pleases," * "means no more" than that the supreme legislative power has no right to take the property of others without their consent "for the private use or purpose of the legislative." So that according to this construction the Constitution of a well established Government, or the freedom of a people, depends not on the great right which *God* has given them "of having a share in the government of themselves," whereby their property is secured, but merely on the "purpose" to which the property taken from them, without their consent, is applied by those who thus take it. And yet this gentleman has severely attacked the writer of the Letters for using the word "purpose" in a much more confined sense, in saying a "tax is an imposition on the subject for the sole purpose of levying money."

Mr. *Locke* in the preceding chapter, speaking of Monarchy, says, "that absolute power purifies not men's blood. For if it be asked what "security or sense arises in such a state, against the violence and oppression of the absolute ruler? The very question can scarce be borne. "They are ready to tell you it deserves death, only to ask after safety. "Betwixt subject and subject they will grant there must be measures, "laws, and judges, for their mutual peace and security: but as for the "ruler, he ought to be absolute, and is above all such circumstances; "because he has power to do more hurt and wrong, 'tis right when he "does it. To ask how you can be guarded from harm or injury on that "side where the strongest hand is to do it, is presently the voice of "faction and rebellion." But here our opponent may come in with another distinction. "Mr. *Locke* speaks here of an absolute ruler, not "of absolute rulers. *Lilly* proves there is the singular and plural "number. A power that Mr. *Locke* would have held illegal in a "*Pisistratus* or a *Stuart*, he would have held legal in the Four Hundred "of *Athens*, or the Parliament of *Great Britain*." Let the distinction be allowed its due weight. Can it be believed that such a friend to mankind, as Mr. *Locke* was, could ever think absolute dominion † just or legal? Would not such a sentiment directly oppose those principles his benevolence induced him to take so much pains to vindicate and establish? Would the sound of the words—"dependence"—"subordination"—"within the Realm"—"part of the Dominions", &c., have convinced him that it was "the indispensable duty of Parliament to ease the gentry and people of *Great Britain*, by taxing the "Colonists without their consent?"—and that it was the indispensable duty of the Colonists, on constitutional principles, to submit to such taxation? The learned say that the too rigid attention of the mind to one idea sometimes is the cause of madness. So rigid has been the attention of many heads in *Great Britain* to the idea of dependence, that it seems to have occasioned a kind of insanity in them; and by ruminating, speechifying, and enacting about it and about it, they have lost all ideas of justice, humanity, law, and Constitution, and, in short, of every quality that used to distinguish men from the rest of this creation, and *Englishmen* from the rest of mankind. But Mr. *Locke's* understanding, even in the present whirl of the political world, would have preserved him just and tenacious of his principles. The case he puts, and on which the author of "The Controversy" argues, is that of a submission to the terms of Government in a Commonwealth. The question between *Great Britain* and the Colonies is, what are the terms of their connection under all the circumstances of it?

It is not recollected that Mr. *Locke* ever insinuates that the Parliament of *Great Britain* might bind the people of *Ireland* by statutes, "in all cases whatsoever." Yet there was in his time a famous dispute concerning the authority of Parliament over that Kingdom. So far was he from favouring the claim of Parliament, that it is hopod, it can clearly be proved he favoured the other side of the question.

His friend Mr. *Molineux*, in a Letter dated *March* 15, 1697–8, tells him of his intention to visit him, when he could get loose from business: "But this I cannot hope for till the Parliament in *England* "rises. I should be glad to know from you when that is expected, for "indeed they bear very hard upon us in *Ireland*. How justly they can "bind us without our consent and Representatives, I leave the author "of the two treatises on Government to consider"—meaning Mr. *Locke's* two treatises, one on Government, the other on Civil Government; though they are published also as one treatise, the first book of which is under the first title, and the second book under the second title.

Mr. *Locke*, in his Answer, dated *April* 6, 1698, says, "Amongst "other things I would be glad to talk with you about, before I die, is "that which you suggest at the bottom of the first page of your letter. "I am mightily concerned for the place you meant in the question you "say you will ask the author of the treatise you mention, and wish "extremely well to it, and would be very glad to be informed by you "what would be best for it, and debate with you the way to compose it: "but this cannot be done by letters; the subject is of too great extent, "the views too large, and the particulars too many to be so managed. "Come therefore yourself, and come as well prepared as you can. But "if you talk with others on that point there, mention not me to any "body on that subject; only let you and I try what good we can do for "those whom we wish well to; great things have sometimes been "brought about from small beginnings well laid together."

Mr. *Molineux* quickly after came over from *Ireland* to *England* to see Mr. *Locke*.

* Page 33.

† "Absolute dominion, however placed, is so far from being one kind of civil society, that it is as inconsistent with it, as slavery is with property."—*Locke on Civil Gov. p.* 174.

* *Hoadly's* Discourse on Government.

†——————"I could never think
A mortal's law of power or strength sufficient
To abrogate the unwritten law divine,
Immutable, eternal, not like these
Of yesterday, but made ere time began."
SOPHOCLES'S *Antig. Frank. Transl.*

It should be considered whether it ever was or ever can be the true interest of a Kingdom or state to violate the laws of natural justice, equity, and humanity. These laws may be called the laws of *God*. Can they be broken with impunity? The Scriptures are full of lessons on this subject, and history furnishes instances sufficient to alarm oppressors if they would attend to them. All the glories of *Charles* the Bold,—*Charles* the Fifth,—*Philip* the Second,—*Charles* the Twelfth,—*Lewis* the Fourteenth,—and a numerous list of distinguished Princes, were overcast, when unrelenting cruelty came to preside over their resolutions. From *Athens* to *Genoa* the observation holds true. Let not the opinion be condemned as presumptuous before it be fully inquired into. It is worth an inquiry.

‡ "*Discite justitiam moniti et non temnere divos.*"

England has been prosperous in many civil wars, but they were in defence of liberty. She never engaged in one against liberty. Would to Heaven she would set the world the much wanted example of lenity in Government. Mankind might gain by it. The other mode has been sufficiently tried, and proved to be impolitick and ruinous.

‡ This loyal, generous Colony preserved its principles with such spirit, notwithstanding the oppression above mentioned, that in *January*, 1659, they threw off all obedience to the Parliament, replaced the King's Governour, and proclaimed *Charles* the Second several months before the Restoration in *Europe*.

Digitized by Google

they do? The Restoration took place, and a legal Parliament would not doubt but it had as extensive a right as an illegal one. The Revolution succeeded, and with it methods for blending together the powers of King and people in a manner before unknown. A new political alembick was fixed on the great principle of resistance, and in it severe experiments were to be made on every other principle of the Constitution. How the boldness of Ministers and contempt of the people have increased since that period, not a man the least acquainted with *English* history can be ignorant. The Colonies were in a state of infancy—still in a state of childhood. Not a single statute concerning them is recollected to have been passed before the Revolution but such as related to the regulation of trade. "Precedents" were afterwards made, that, when they grew up, the authority of a master might succeed that of a parent.

Precedents, it is apprehended, are no otherwise regarded in the *English* laws than as they establish certainty for the benefit of the people—according to the maxim—"Miserable is the servitude when the laws are uncertain." Precedents militating against the welfare or happiness of a people, are inconsistent with the grand original principle on which they ought to be founded. Their supposed sanction increases in proportion to the repetitions of injustice. They must be void. In subjects of dispute between man and man, precedents may be of use, though not founded on the best reason. They cause a certainty, and all may govern themselves accordingly. If they take from an individual one day, they may give to him the next. But precedents, to overthrow principles, to justify the perpetual oppression of all, and to impair the power of the Constitution, though a cloud of them appear, have no more force than the volumes of dust that surround a triumphal car. They may obscure it: they cannot stop it. What would the liberties of the people of *England* have been at this time if precedents could have made laws inconsistent with the Constitution? Precedents, tending to make men unhappy, can with propriety of character be quoted only by those beings to whom the misery of men is a delight.

"If the usage had been immemorial and uniform, and "ten thousand instances could have been produced, it "would not have been sufficient; because the practice "must likewise be agreeable to the principles of the law,* "in order to be good: whereas this is a practice inconsist-"ent with, and in direct opposition to, the first and clearest "principles of the law"†—to those feelings of humanity, "out of which mankind will not be reasoned, when power "advances with gigantick strides threatening dissolution to "a state—to those inherent though latent powers of society, "which no climate,‡ no time, no constitution, no contract, "can ever destroy or diminish."‖

A Parliamentary power of internal legislation over these Colonies, appears therefore to us, equally contradictory to humanity and the Constitution, and illegal.

As to the second head, a power of regulating our trade, our opinion is, that it is legally vested in Parliament, not as a Supreme Legislature over these Colonies, but as the Supreme Legislature and full Representative of the parent state, and the only judge between her and her children in commercial interests, which the nature of the case, in the progress of their growth, admitted. It has been urged with great vehemence against us, and seems to be thought their fort by our adversaries, "that a power of regulation is "a power of legislation; and a power of legislation, if con-"stitutional, must be universal and supreme in the utmost "sense of the words." It is therefore concluded, that the Colonists by acknowledging the power of regulation, have acknowledged every other power. On this objection we observe, that according to a maxim of law, "It is deceitful and dangerous to deal in general propositions." The freedom and happiness of states depend not on* artful arguments, but on a few plain principles. The plausible appearance of the objection consists in a confused comprehension of several points, entirely distinct in their nature, and leading to consequences directly opposite to each other. There was a time when *England* had no Colonies. Trade was the object she attended to, in encouraging them. A love of freedom was manifestly the chief motive of the adventurers. The connection of Colonies with their parent state may be called a new object of the *English* laws. That her right extinguishes all their rights—rights essential to freedom, and which they would have enjoyed, by remaining in their parent state, is offensive to reason, humanity, and the Constitution of that state. Colonies could not have been planted on these terms. What *Englishman*, but an ideot, would have become a Colonist on these conditions? to mention no more particulars, "That every shilling he gained might rightfully be "taken from him—trial by jury abolished—the building "houses, or making cloths with the materials found or "raised in the Colonies, prohibited—and armed men set "over him to govern him in every action?"

Had these Provinces never been settled—had all the inhabitants of them now living been born in *England* and resident there, they would now enjoy the rights of *Englishmen*; that is, they would be free in that Kingdom. We claim in the Colonies these and no other rights. There no other Kingdom or state interferes. But their trade, however important it may be, as the affairs of mankind are circumstanced, turns on other principles. All the power of Parliament cannot regulate that at their pleasure. It must be regulated not by Parliament alone, but by treaties and alliances formed by the King without the consent of the Nation, with other States and Kingdoms. The freedom of a people consists in being governed by laws, in which no alteration can be made, without their consent. Yet the wholesome force of these laws is confined to the limits of their own country. That is, a Supreme Legislature to a people, which acts internally over that people, and inevitably implies personal assent, representation, or slavery. When an universal Empire is established, and not till then, can regulations of trade properly be called acts of Supreme Legislature. It seems from many authorities, as if almost the whole power of regulating the trade of *England* was originally vested in the Crown. One restriction appears to have been, that no duty could be imposed without the consent of Parliament. Trade was little regarded by our warlike ancestors. As commerce became of more importance, duties and severities were judged necessary additions to its first simple state, Parliament more and more interfered. The Constitution was always free, but not always exactly in the same man-

* This is a maxim of law, that—"A bad usage ought to be abolished."

† Letter on general warrants.

‡ 1 *Blackstone*, p. 245.

‖ "Equal distribution of justice, and free enjoyment of property, are the great objects of society; and no time, precedent, statute, or institution, should deter men from keeping these uppermost in their thoughts."—Mr. Hume's *History of England*.

"The jurisdiction of the Star-Chamber, martial law, imprisonment "by warrants from the Privy Council, and other practices of a like "nature, though established for several centuries, were scarce ever "allowed by the *English* to be parts of their Constitution: the affec-"tion of the Nation for liberty still prevailed over all precedent and "over all political reasoning: The exercise of these powers, after "being long the source of secret murmurs among the people, was, in "fulness of time, solemnly abolished, as illegal, at least as oppressive, "by the whole Legislative authority."—*Id.*

To these instances may be added, the late practice of general warrants, that had the sanction of precedents, even since the Revolution.

* Our chance of success would be slight indeed if it depended on subtleties of reasoning. Who can resist the skilful and courageous attacks of those *Britons*, who have not long since distinguished themselves in the polemical fields? Have they not proved to the satisfaction of thousands, the non-existence of matter—the necessity of human actions—consequently the innocence of them—the comfortable mortality of the soul—that virtue is a name—vice a jest—liberty a non-entity—Christianity an imposture—and, with due detestation be it mentioned, that we have no idea of power, nor of any Being endowed with any power, much less of one endowed with infinite power?

With explosions of learning and flashes of wit, these well trained troops would keep up a terrible fire of artillery and small arms against us undisciplined *Americans*. We must not meet them in the shock of battle. That would be madness in the extreme. We must make the most of our natural advantages. There we are safe; and all the forces that can be brought to the assault, will never be able to prevail against us. To drop the metaphor. "Inquiry ceases to be "rational, and becomes both whimsical and pernicious, when it ad-"vances as far as some late authors have carried it, to controvert the "first principles of knowledge, morality, religion, and consequently "the fundamental laws of the *British* Government, and of all well "regulated society."—Mr. Beattie *on Truth*.

It has been asserted by some men distinguished as historians, that the zeal of the reformers in religion engaging them to think liberally on that subject, led them to think with like freedom in civil affairs, whereby the Government of *England* received its greatest improvement. If the sentiment is just, may it not be inferred, that contempt for religion must necessarily introduce an indifference for all the just rules of Government and the principles of the Constitution?

Digitized by Google

ner. "By the Feodal law, all navigable rivers and havens "were computed among the regalia, and were subject to the "Sovereign of the state. And in *England* it hath always "been held, that the King is Lord of the whole shore, and "particularly is guardian of the ports and havens, which are "the inlets and gates of the Realm: and, therefore, so "early as the reign of King *John*, we find ships seized by "the King's officers for putting in at a place that was not "a legal port. These legal ports were undoubtedly at "first assigned by the Crown; since to each of them a "Court of Portmote is incident, the jurisdiction of which "must flow from the Royal authority. The erection of "beacons, lighthouses, and sea marks, is also a branch of "the Royal prerogative. The King may enjoin any man "from going abroad, or command any man to return. "The powers of establishing publick marts, regulating of "weights and measures, and the giving authority to, or "making current, money, the medium of commerce, be-"long to the Crown. By making peace or war, leagues "and treaties, the King may open or stop trade as he "pleases. The Admiralty Courts are grounded on the "necessity of supporting a jurisdiction so extensive, though "opposite to the usual doctrines of the common law. The "laws of *Oleron* were made by *Richard* the First, and "are still used in those courts." In the "*Mare causum*" are several regulations made by Kings.* Time forbids a more exact inquiry into this point: but such it is apprehended will, on inquiry, be found to have been the power of the Crown, that our argument may gain but cannot lose.

We will proceed on a concession, that the power of regulating trade is vested in Parliament.

Commerce rests on concessions and restrictions mutually stipulated between the different Powers of the world;* and if these Colonies were sovereign states, they would, in all probability, be restricted to their present portion.† The people of *England* were freemen before they were merchants. Whether they will continue free, they themselves must determine. How they shall trade must be determined by *Germans*, *French*, *Spaniards*, *Italians*, *Turks*, *Moores*, &c. The right of acquiring property depends on the rights of others; the right of acquired property solely on the owner. The possessor is no owner without it. "Almost every leaf and page of all the volumes of the common law prove this right of property."‡ Why should this right be sacred in *Great Britain*, "the chief corner stone" in the solid foundation of her Constitution, and an empty name in her Colonies? The lamb that presumed to drink in the same stream with a stronger animal, though lower down the current, could not refute the charge of incommoding the latter by disturbing the water. Such power have reasons that appear despicable and detestable at first when they are properly enforced.

From this very principle arose her power; and can that power now be justly exerted in suppression of that principle? It cannot. Therefore a power ‖ of regulating our trade

* The power of regulating trade was carried so far by the Crown as sometimes to impose duties; and Queen *Elizabeth* obtained several judgments in the Exchequer on such regulations. Lord Chief Justice *Coke* answers the argument founded on these, in 2 Inst. 62, 63. Princes aimed at too much power—exceeded due bounds—their imprudence produced "grievances"—and the people, who always suffer when their rulers are weak or wicked, would no longer trust such opportunities of oppression in their hand. The power of impressing seamen shows the extensive authority in naval affairs trusted to "the Crown."—1 BLACKSTONE, 419. FOSTER'S *Rep.* 154.

So extremely averse were the *English* to foreign affairs, and to the exercise even of Parliamentary authority concerning them, that though the Nation was justly provoked against the *French* King for the injury done to *Edward* the First, by withholding *Acquitaine* and his other inheritances in manner (as Lord Chief Justice *Coke* observes in his 2d Inst. p. 532,) and by some cruel actions of *Frenchmen* against *Englishmen*, and had in full Parliament granted him aids, subsidies, for the maintenance of his wars in foreign parts, yet in the *confirmationes chartarum*, *Edward* the First, therein taking notice, "that many men "doubted whether these grants by Parliament might not turn in serv-"age of them and their heirs, as precedents, expressly declares in those "statutes, that such grants shall not be drawn into custom." The comment says—"It was holden that the subjects of the Realm ought "not to contribute to the maintenance of the King's wars out of the "Realm—but this matter never was in quiet until it was more partic-"ularly explained by divers Acts of Parliament." The comment then mentions several Acts declaring that no *Englishman* should be bound to contribute to the King's wars out of *England*, in *Scotland*, *Gascoigny*, *Ireland*, *Calais*, (though these three last were countries dependent on *England*) and says, "these Acts of Parliament are but declarations "of the ancient law of *England*. But here may be observed that "when any ancient law or custom of Parliament" [such as before mentioned by making Acts relating to foreign wars] "is broken, and the "Crown possessed of a precedent, how difficult a think it is to restore "the subject again to his former freedom and safety."—2 In. 527-529.

The author of "The Controversy," who, with a liberality of sentiment, becoming a pleader against freedom and the best interest of mankind, counts "statute books"—"Ministers"—"King's Council"—p. 77, 78—"scraps of Journals"—p. 81, and ordinances of "the Rump Parliament"—p. 87, among his "Deities"—p. 78; and grieves that we poor "infidel" Colonists will not pay his idols the veneration his zeal judges due to them, has collected a good many fragments of proceedings in the House of Commons from the year 1614 to 1628. The amount is this, that the Ministers of the Crown insisted that Parliament could not make laws for *America;* that the Commons doubted; but at length, in 1724, came to an opinion that the King's patent for "a monopoly of fishing on the coasts of *America* was a grievance,"—that a "clause of forfeiture" against those who interfered in the fishery was void—and past a Bill "for a free liberty of fishing," &c. It appears in the debates that the fishery was free before the patent was granted. These extracts do not show what became of the Bill in the House of Lords. One Mr. *Brooke* said in 1621—"We may make laws "here for *Virginia*, for if the King gives consent to this Bill past here "and by the Lords, this will control the patent."

It seems, as if the notion of the King's regulating power still prevailed, but, that "a clause of forfeiture" in such regulations was void. So much had the power of Parliament grown since King *John's* reign. Nor does it appear to have been unreasonable, as commerce became of more consequence. The instance here mentioned related to a regulation of trade; and however the King might have accommodated the point, with the other branches of the Legislature, the whole proceeding is immaterial. If it was a right actually enjoyed by *Englishmen* to fish on the coasts of a plantation—and a grant by the Crown of the fishery to the people of the plantation excluding the people of *England*, could not divest them of their right—or, "if by the King's giving his consent to a Bill passed by Lords and Commons"—"the patent might be controlled"—it does not follow that the King, Lords, and Commons could divest the people of the plantations of all their rights.

*Case of the *Ostend East India* Company.

† "Another light, in which the laws of *England* consider the King with regard to domestick concerns, is the arbiter of commerce. By commerce, I at present mean domestick commerce only. It would lead me into too large a field, if I were to attempt to enter upon the nature of foreign trade, its privileges, regulations, and restrictions; and would be also quite beside the purpose of these commentaries, which are confined to the laws of *England*. Whereas no municipal laws can be sufficient to order and determine the very extensive and complicated affairs of traffick and merchandise; neither can they have a proper authority for this purpose. For, as these are transactions carried on between subjects of independent states, the municipal laws of one will not be regarded by the other. For which reason the affairs of commerce are regulated by a law of their own, called the Law Merchant, or *Lex Mercatoria*, which all Nations agree in and take notice of. And in particular it is held to be part of the law of *England*, which decides the causes of merchants by the general rules which obtain in all commercial countries; and that often even in matters relating to domestic trade, as for instance with regard to the drawing, the acceptance, and the transfer of inland bills of exchange."

‡ Parliamentary History.

‖ This distinction between a Supreme Legislature and a power of regulating trade, is not a new one. We find it clearly made, by the Judges of *England*, at a period when the modern profitable mode of blending together in Parliament the authorities of the Crown and people, had not extinguished all reverence for the principles of the Constitution.

By the statute of the second of *Henry* the Sixth, ch. 4th, *Calais* was confirmed a staple place for the wool exported from *England*, *Wales*, and *Ireland*. Some wool shipped from this last Kingdom was consigned to *Sluice*, in *Flanders*. The ship, by stress of weather, was forced into *Calais*, where the wool was seized as forfeited. The chief question in the Exchequer Chamber was, whether the statute bound *Ireland*. In *Richard* the Third, twelfth, the case is thus reported: "Et ibi quoad ad primam questionem dicebant, quod terra *Hibernia* "inter se habet Parliamentum et omnimodo curias prout *Anglia*, et per "idem Parliamentum faciunt leges mutant leges, et non obligantur per "statuta in *Anglia*, quia non hic habent milites Parliamenti; sed hoc "intelligitur de terris per rebus in terris tantum efficiend; sed personæ "eorum sunt subjecti regis, et tanquam subjecti erunt obligati ad aliq-"am rem extra terram illam faciendam contra statutum, sicut habitan-"tes in *Callesia*, *Gascognia*, *Guien*, &c., dum fuere subjecti; et obedi-"entes erunt sub admiraltate *Anglia* de re facta super altum mare; et "similiter breve de errore de judiciis redditis in *Hibernia* in banco regis "hic in *Anglia*."

Brooke, Lord Chief Justice of the Common Pleas, mentions the case almost in the same words, title Parliament 98—but says—"the "Chief Justice was of opinion, that the statutes of *England* shall bind "*Ireland*, which was in a manner agreed by the other Justices; and "yet it was denied the former day: Yet note, that *Ireland* is a Realm "of itself, and has a Parliament in itself."

Here it may be observed, first, that the reason assigned by the Judges, why the statutes of *England* bind not the people of *Ireland*, though specially named, contains a constitutional principle, the *sine qua* of freedom. Secondly, that the people of *Ireland*, as subjects of the King, were "under the Admiralty of *England* as to things done on the high sea;" which is a strong confirmation given by the Judges of *England* to the supposition before made, of the power of regulating trade being formerly vested in the King. Thirdly, that the opinion of the Chief Justice, and the other Justices, such as it was, "*reddendo singula singulis, et secundum subjectam materiam*," proves at most, only that *Ireland* was bound by statutes regulating their trade, for such was the second *Henry* the Sixth, ch. 4th, on which the case arose. Fourthly, that *Brooke*, a man of great eminence and dignity in the law, appears, by his note, to have been dissatisfied with the judgment, though only on a statute of regulation, for this reason of such weight with an *Englishmen*—"because *Ireland* is a Realm of itself, and has a Parliament within itself." Fifthly, that the authority of the Crown, including the regulation of the trade of *Ireland*, and sending writs of errour there, were sufficient restraints to secure the obedience and subordination of that Kingdom. This reason seems to have held its ground till Lord Chief Justice *Coke's* time; and though a great rever-

Digitized by Google

involves not in it the idea of Supreme Legislature over us. The first is a power of a preserving "protecting" nature. The last, as applied to *America*, is such a power as Mr. Justice *Blackstone* describes in these words: "whose "enormous weight spreads horrour and destruction on all "inferiour movements." The first is a power subject to a constitutional check. *Great Britain* cannot injure us by taking away our commerce without hurting herself immediately. The last is a power without check or limit. She might ruin us by it. The injury thereby to herself might be remote as to be despised by her.

ence is entertained for his memory, yet it can never be acknowledged, that an "*obiter dictum*" of his, or of any other man, is a rule of law. In *Calvin's* case, the Chief Justice reciting the foregoing case, says: "HIBERNIA *habet Parliamentum, et faciunt legis, et nostra statuta non legant eos, quia non mittunt milites ad Parliamentum*" (which, "adds he," is to be understood, unless they be especially named.) And does the "especially naming them" give them a representation, or remove the injustice of binding them without it? This observation in plain *English* would run thus: "Our statutes do not bind the people "of *Ireland*, when we do not intend to bind them, because they are "not represented in our Parliament; but our statutes bind them when "we intend to bind them." What is this but saying—"that to speak "of their not being represented, is a mere jargon; and the sole point "is, whether it is our will to bind them"—or in other words—"that our "statutes do not bind them, for a reason as strong as man can give, "and so acknowledged by us to be, which yet is no reason at all: for, "where there is no occasion for its operation it applies not; and "where there is occasion it is of no force." His Lordship had just before taken notice that "a writ of errour did lie in the King's Bench of *England* of erroneous judgment in the King's Bench of *Ireland;*" and perhaps that led him in the course of his argument to imagine, there might be a like pre-eminence of the Parliament of *England* over that of *Ireland*. That this was his reason seems certain, because, at a meeting of Commissioners to consider of a projected union between *England* and *Scotland*, at which the Chief Justice was present—*Moor* 796, it is said, "that Parliament has power over *Ireland*, "as is proved by that a writ of errour may be brought of a judgment "in the King's bench of *Ireland*." In the 4th Inst., he also says, the people of *Guernsey*, *Jersey*, and *Man*, are not bound by the statutes of *England*, unless they are specially named. Yet whoever examines the statutes relating to *Ireland*, *Guernsey*, *Jersey*, and *Man*, will have very little cause to believe, that it has been thought in *England*, that statutes would generally bind the people of those countries, notwithstanding the subjection of *Ireland*, and the other Islands, the many distresses of the former, and the weakness of the latter, have afforded opportunities of extending such a power over them. With respect to all these places scarce a statute can be found of any period, but for the regulation of their trade. The same observation may be made as to *Gascoigny*, *Guienne*, and *Calais*. Justice *Wylde*, in 2 Vent 5, said: "he "had seen a charter whereby these places were recited to be united to "*England* by mutual pact. And writs of errour run there." "*Wales* "was a conquered country, and the people submitted to *Edward* the "First, *de alto et basso*."

Whatever pretence the Chief Justice's opinion was founded on, it has been carefully repeated in many law books since. Whether his Lordship meant that statutes of *England* could bind the people of *Ireland*, in taking away trials by jury—taxing them, and "in all cases whatsoever," or only in preserving their subordination, as by regulating their trade, which was the case referred to in his comment, does not appear. The Parliament, in declaring the dependence of *Ireland*, did not venture to claim a power of binding the people of that Kingdom "in all cases whatsoever."* With respect to all these declarations, however, as they are made to refer to us, we may answer as the lion did to the man in the fable.

Much the same arbitrary construction has been made on the question, whether a man could be tried in *England*, on a charge of committing treason in *Ireland*. In Queen *Elizabeth's* reign, "*Gerrade*, "Chancellor of *Ireland*, moved that question to the counsel of the "Queen, and it was held by *Wray*, *Dier*, and *Gerrarde*, Attorney Gen-"eral, he could not, because he was a subject of *Ireland* and not of "*England;* and if tried in *England*, he could not be tried by his "peers."—*Dier*, 360. Afterwards, to gratify the Queen's resentment against some rebels, they were tried in *England;* and thus passion and complaisance made very good law against reason and justice.

Having mentioned *Calvin's* case, it may not be improper to observe, that if the author of "The Controversy" had taken the trouble of reading it, he might have found his perplexities removed on the question that has given him so much anxiety, and brought such a load of reproaches on the Colonies. He is provoked at our insolence, for pretending to be any thing more than aliens in *England*, while we deny the power of Parliament to bind us "in all cases whatsoever." In that case, the gentleman would have discovered, that the Judges of *England* held, that a man born in *Scotland*, under the allegiance of *James* the First, after his accession to the Throne of *England*, was entitled to all the rights of a subject born in *England;* though the objection, that statutes of *England* could not bind *Scotland*, or a man residing there, who held lands in *England*, was mentioned in the course of the argument. The great difficulty being got over, if the gentleman will go a step farther, and perceive some little distinction between Colonies proceeding out of the loins of *England*, and the "conquered" countries of *Ireland* and *Wales*—the countries of *Gascoigny*, *Guienne*, and *Calais*, "united by mutual pact to *England*," and the Islands of *Guernsey*, &c., "lying within the four seas, whose Sovereigns annexed them to *England*;" and will only allow the Colonists a little more regard than is professed in law books for those countries, and about as much as has been actually observed towards them by Parliament, he will have no further occasion to say severe things of those who are willing to esteem him; and then, if he can persuade his worthy countrymen to adopt his sentiments, their anger will no longer give pain to those who almost adore them.

* Nor, to this day, does Parliament tax them, &c.; and, therefore, the inference is just, that neither they nor the Chief Justice meant such a power.

The power of regulation was the only band that could have held us together, formed on one of these "original contracts" which only can be a foundation of just authority. Without such a band, our general commerce with foreign Nations, might have been injurious and destructive to her. Reason and duty reject such a license. This our duty resembles that of children to a parent. The parent has a power over them; but they have rights that the parent cannot take away. Heaven grant that our mother country may regard us as her children, that if, by the dispensation of Providence, the time shall come when her power increases the memory of former kindnesses, may supply its decays, and her Colonies, like dutiful children, may serve and guard their aged parent, forever revering the arms that held them in their infancy, and the breasts that supported their lives while they were little ones.

It seems as if the power of regulation might not inaptly be compared to the prerogative of making peace, war, treaties, or alliances, whereby "the whole* Nation are bound against their consent;" and yet the prerogative by no means implies a Supreme Legislature. The language held in "the Commentaries" on this point, is very remarkable. "With regard to foreign concerns, the King is the "Delegate or Representative of the people; and in him, "as in a centre, all the rays of his people are united;† and "the sovereign power, *quoad hoc*, is vested in his per-"son."‡ Will any *Englishman* say these expressions are descriptive of the King's authority within the Realm? "Is the sovereign power within that vested in his person? He is styled "Sovereign" indeed; "his Realm is declared "by many Acts of Parliament an Empire, and his Crown "Imperial." But do these splendid appellations, the highest known in *Europe*, signify that "sovereign power is vested in his person within the Realm?" We have a full answer in the Commentaries. "The meaning of the Le-"gislature, when it uses these terms of Empire and Impe-"rial, and applies them to the Realm and Crown of *Eng-"land*, is only to assert that our King is equally sovereign "and independent within these his Dominions; and owes "no kind of subjection to any Potentate upon earth." Thus we maintain, that with regard to foreign affairs, the parent original state "is the Delegate or Representative" of the entire Dominions, "the sovereign power, *quoad hoc*, is vested" in her. Her acts under this power "irrevocably bind the whole Nation." But yet this power by no means implies a Supreme Legislature.

The exercise of this power, by statutes, was absolutely necessary; because it was, and could only be lodged, as the laws of the parent state stand in the Supreme Legislature of that state, consisting of King, Lords, and Commons; and statutes are the modes by which these united sentiments and resolutions are expressed. It is universally acknowledged in *Great Britain*, that it infers no power of taxation in King and Lords, that their limited authority is used in cloathing gifts and grants of the Commons with the forms of law; nor does it infer Supreme Legislature over us, that the limited authority of King, Lords, and Commons, is used in cloathing regulations of trade with the form of law. The Commons joining in the law is not material. The difference is only in the mode of assent. Theirs is express, ours is implied, as the assent of the "whole Nation" is in the preceding instances.

This power of regulation appears to us to have been pure in its principle, simple in its operation, and salutary in its effects. But for some time past, we have observed, with pain, that it hath been turned to other purposes than it was originally designed for, and retaining its title, hath become an engine of intolerable oppressions and grievous taxations. The argument of an eminent Judge states the point in a similar case, strongly for us, in these words: "Though it be granted that the King hath the custody of "the havens and ports of this Island, being the very gates "of this Kingdom, and is trusted with the keys of these "gates; yet, the inference and argument thereupon made, "I utterly deny. For in it there is mutatio hypothesis, "and a transition from a thing of one nature to another; "as the premises are of a power only fiduciary, and in "point of trust and government, and the conclusion infers "a right of interest and gain. Admit the King has *cus-"todiam portuum*, yet he hath but the custody, which is a

* 1 *Blackst.* 252, 257. † *Fol.* 252. ‡ *Fol.* 257.

Digitized by Google

"trust, and not *dominium utile*. He hath power to open "and shut, upon consideration of publick good to the peo- "ple and state, but not to make gain and benefit by it: "the one is protection; the other is expilation." By common law, the King may restrain a subject from going abroad, or enjoin him by his Chancellor from proceeding at law: But to conclude, that he may therefore take money, not to restrain or not to enjoin, is to sell Government, trust, and common justice.*

SURRY COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of a respectable body of the Freeholders and other Inhabitants of the County of *Surry*, on due notice, at the Court House of the said county, the 16th day of *July*, 1774,

ALLEN COCKE, Esquire, *Moderator:*

The Proceedings and Resolutions of the late Members of the House of Burgesses, since their dissolution, respecting the alarming situation of *North America*, were seriously deliberated upon, and the following Resolves unanimously agreed to:

1st. *Resolved*, That we acknowledge all due obedience to his present Majesty, and will defend him with our lives and fortunes.

2d. *Resolved*, That, as *British* subjects, who know the invaluable blessings of their birthright, we will not submit to the imposition of any taxes or duties, to be paid by the inhabitants within this Dominion, by any other power than the General Assembly, duly elected; and that in them, and them only, is the constitutional right of taxation vested.

3d. *Resolved*, That we will cheerfully join with our suffering brethren of *America*, in the firmest bonds of union, against exporting or importing any commodities to or from *Great Britain*, till our just and legal rights are restored.

4th. *Resolved*, That the cause of the town of *Boston* is the common cause of all *British America*.

5th. *Resolved*, That as the population of this Colony, with freemen and useful manufacturers, is greatly obstructed by the importation of slaves and convict servants, we will not purchase any such slaves or servants hereafter to be imported.

6th. *Resolved*, That subscriptions be opened in this county, for the relief of our suffering brethren in the town of *Boston*.†

7th. *Resolved*, That *Allen Cocke* and *Nicholas Faulcon*, Junior, Esquires, our late Representatives be, and they are hereby nominated and appointed to attend the general meeting of Deputies of other counties and corporations within this Colony, in the City of *Williamsburg*, on the first day of *August* next, there to concert such measures as may be found most expedient for the general good of the Colonies.

8th. *Resolved*, That the Clerk of this meeting do transmit the proceedings of this day to the Printers of both Gazettes, and request them to publish the same without delay. JAMES KEE, *Clerk of the Meeting*.

Baltimore, Maryland, July 16, 1774.

A vessel has sailed from the Eastern Shore of this Province, with a cargo of provisions, as a free gift to our besieged brethren at *Boston*.‡

The inhabitants of all the counties of *Virginia* and *Maryland* are subscribing with great liberality for the relief of the distressed town of *Boston* and *Charlestown*. The inhabitants of *Alexandria*, we hear, in a few hours, subscribed three hundred and fifty pounds for that noble purpose.

Subscriptions are opened in this town for the support and animation of the inhabitants of *Boston*, under their present great conflict for the common freedom of us all, which have already been so successful, that a vessel is now loading with provisions for that place, as a testimony of the affection of this people towards their persecuted brethren, now bravely contending against "fraud, power, and the most odious oppression," which *God* grant may never rise triumphant over "right, justice, social happiness, and freedom."

SUSSEX COUNTY (NEW-JERSEY) RESOLUTIONS.

At a Meeting of a number of Freeholders and Inhabitants of the County of *Sussex*, in the Province of *New-Jersey*, at the Court House in *Newtown*, in the said county, on *Saturday*, the 16th of *July*, A. D., 1774,

HUGH HUGHES, Esquire, *Chairman*:

1st. *Resolved*, That it is our duty to render true and faithful allegiance to *George* the Third, King of *Great Britain*, and to support and maintain the just dependence of his Colonies upon the Crown of *Great Britain*, under the enjoyment of our constitutional rights and privileges.

2d. *Resolved*, That it is undoubtedly our right to be taxed only by our own consent, given by ourselves or our Representatives; and that the late Acts of Parliament for imposing taxes for the purpose of raising a revenue in *America*; and the Act of Parliament for shutting up the port of *Boston*, are oppressive, unconstitutional, and injurious in their principles to *American* freedom; and that the *Bostonians* are considered by us as suffering in the general cause of *America*.

3d. *Resolved*, That it is the opinion of this meeting, that firmness and unanimity in the Colonies, and an agreement not to use any articles imported from *Great Britain* or the *East Indies* (under such restrictions as may be agreed upon by the general Congress hereafter to be appointed by the Colonies) may be the most effectual means of averting the dangers that are justly apprehended, and securing the invaded rights and privileges of *America*.

4th. *Resolved*, That we will join, with the greatest cheerfulness, the other counties of this Province, in sending a Committee to meet with those from the other counties, at such time and place as they shall appoint, in order to choose proper persons to represent this Province in a general Congress of Deputies sent from each of the Colonies.

5th. *Resolved*, That we will faithfully and strictly adhere to such regulations and restrictions as shall be agreed upon by the Members of the said Congress, and that shall by them be judged expedient and beneficial to the good of the Colonies.

6th. *Resolved*, That the Committee hereafter named do correspond and consult with the Committees of the other counties in this Province, and meet with them in order to appoint Deputies to represent this Province in general Congress.

7th. *Resolved*, We do appoint the following gentlemen our Committee, for the purpose above mentioned: *Hugh Hughes, Nathaniel Pettit, Thomas Van Horne, Thomas Anderson, Archibald Stewart, Abia Brown, John B. Scott*, Esquires, Messrs. *E. Dunlap, Mark Thompson, W. Maxwell*.

FROM THE COMMITTEE OF BOSTON TO THE COMMITTEE OF BALTIMORE.

Boston, July 16, 1774.

GENTLEMEN: Your important letter of the 27th ultimo, with the enclosures, came safe to hand, and were regarded as "good news from a far country."

The part taken by the Province of *Maryland*, must henceforth stop the mouths of those blasphemers of humanity who have affected to question the existence of publick virtue. So bright an example as you have set, cannot

* Rights of the people as to impositions.

† WILLIAMSBURG, *July* 28, 1774.—It is with much pleasure we learn that the County of *Surry*, from the highest to the lowest, are actuated with the warmest affection towards the suffering town of *Boston*. We are told, that immediately after the breaking up of the meeting of the freeholders and others, to consult upon the most proper measures to be taken, upwards of one hundred and fifty barrels of *Indian* corn and wheat were subscribed, and that twelve or thirteen subscription papers are now out for that purpose. Upon a moderate computation, our correspondent informs us, eleven or twelve hundred barrels of different commodities will be produced by this county for the benefit of those firm and intrepid Sons of Liberty, the *Bostonians*.

It would be needless to recognise the particular generosity of each county in this Colony, as the publick must be very well acquainted, from the many Resolves which have been published, that all *Virginia* are unanimous in their endeavours to contribute whatever relief or assistance may be in their power.

‡ BOSTON, *August* 29, 1774.—Yesterday arrived at *Marblehead*, Captain *Perkins*, from *Baltimore*, with three thousand bushels of *Indian* corn, twenty barrels of rye, and twenty-one barrels of bread, sent by the inhabitants of that place for the benefit of the poor of *Boston*, together with one thousand bushels of corn from *Annapolis*, sent in the same vessel, and for the same benevolent purpose.

Digitized by Google

fail to animate and encourage even the lukewarm and indifferent; more especially such honest men as wish to be assured of support before they engage in so weighty an enterprise.

The account you gave us of the spirit and magnanimity of the people of *Virginia*, confirms us in the opinion we have ever had of that ancient Colony, of whose disinterested virtue this Province has had ample experience. The noble sacrifice you stand ready to make, of the staple commodity of your Province, so materially affecting the revenue of *Great Britain*, and your generous interposition in our favour, have our warmest acknowledgments. So much honour, wisdom, publick and private virtue; so much readiness in every Colony, to afford every species of aid and assistance that the suffering state requires, must evince to a venal herd, that notwithstanding they may be utterly unacquainted with the meaning of the word patriotism, it has, however, a substantial existence in *North America*. With the smiles of an all-governing Providence upon the vigorous efforts of our inestimable brethren at home and abroad, we promise ourselves a final deliverance from the calamities we are now subjected to; and which, for our own, our country, and posterity's political salvation, we resolve, by *God's* assistance, to sustain with fortitude and patience. We are, gentlemen, your friends and fellow-countrymen.

Signed by order,

WILLIAM COOPER, *Town Clerk.*

YORK COUNTY (VIRGINIA) RESOLUTIONS.

On *Monday*, the 18th of *July*, the Freeholders and other Inhabitants of *York* County, in *Virginia*, met, according to publick notice, at the Court House, in *York*, to consider what was to be done in the present distressed and alarming situation of affairs throughout the *British* Colonies in *America*.

THOMAS NELSON, Jun., Esq., being chosen *Moderator*,

Opened the business of the Meeting with the following Address to the people:

Friends and Countrymen: We are met to-day upon one of the most important matters that can engage the attention of men. You are all well acquainted with the attacks which have been lately made by the *British* Parliament upon what is dearer to *Americans* than their lives —their liberties. You have heard of the acts of oppression which have passed against a sister Colony, under which it is now actually groaning, and you must be sensible that this is only a prelude to the designs of Parliament upon every other part of this wide extended Continent. In this light did our late truly patriotick and honourable House of Burgesses regard it, and I am not now to inform you what has been the consequence—our Assembly has been dissolved—our country left without law for its government, and without means of defending itself against an invading enemy. In this melancholy situation of things, many of our late worthy Representatives convened in *Williamsburg*, and there agreed, after they should collect the sentiments of the people throughout the Colony, to meet again on the first day of *August* next, to concert such measures as would be most likely to procure us a speedy redress of our grievances, and security against them for the time to come; your are now called together to deliberate upon these matters, to choose who shall represent you in the approaching important meeting, and to furnish them with your sentiments upon those things which are to come before them. I need not observe how much you are concerned in the event of their proceedings. You all know what it is to be freemen; you know the blessed privilege of doing what you please with your own; and you can guess at the misery of those who are deprived of this right. Which of these will be your case depends upon your present conduct. We have found already that petitions and remonstrances are ineffectual, and it is now time that we try other expedients. We must make those who are endeavouring to oppress us feel the effects of their mistaken, of their arbitrary policy; and not till then can we expect justice from them.

From the publick papers we learn the sentiments of many of the counties of *Virginia;* and it appears that they think it necessary for the accomplishing of their purposes to drop, till they are redressed, all commercial intercourse with *Great Britain.* Whether consistently with justice, as a people in debt, we can stop our exports, is a point which seems doubtful; but that imports ought to be prohibited necessity demands, and no virtue forbids. It is not supposed that we can do this without subjecting ourselves to many inconveniences; but inconveniences when opposed to a loss of freedom, are surely to be disregarded. Besides, I am told, by men acquainted with these things, that the goods already in the country, and those expected in the fall, will be sufficient to supply the wants of all *Virginia* for two years. In the mean time we must, if our grievances be not redressed, turn our attention to the breeding of sheep, the raising of flax, hemp, and cotton, and to manufactures. It is true we must resign the hope of making fortunes; but to what end should we make fortunes, when they may be taken from us at the pleasure of others? I hope you will take these matters into your most serious consideration—weigh them with that attention which matters of such moment merit—determine with wisdom and moderation; and, once determined, let no difficulties or dangers shake your resolutions.

It was then unanimously *Resolved*, That as the constitutional Assemblies of *Virginia* have been prevented from exercising their right of providing for the security of the liberties of the people, that right again reverts to the people, as the fountain from whence all power and legislation flow; a right coeval with human nature, and which they claim from the eternal and immutable laws of Nature's *God.*

Resolved, also, That *Dudley Digges* and *Thomas Nelson*, Jun., Esquires, do attend at the City of *Williamsburg*, on the first day of *August* next, in a general Convention from the other counties in *Virginia*, there to exert their utmost abilities to put a stop to that growing system of Ministerial despotism which has so long threatened the destruction of *America.*

And that you, our Delegates, may be made acquainted with the sentiments of the people of this county, it is their opinion that you proceed to choose proper persons to represent the Colony of *Virginia* in a general Congress of *America*, to meet at such time and place as may hereafter be agreed on.

That these Representatives be instructed to form a declaration of *American* rights, setting forth that *British America*, and all the inhabitants thereof, shall be and remain in due subjection to the Crown of *England*, and to the illustrious family on the Throne; submitting by their own voluntary act, and enjoying all the freedom and privileges of the free people of *England.* That it is the first law of legislation, and of the *British* Constitution, that no man shall be taxed but by his own consent, expressed either by himself or his Representatives; that the *Americans* cannot be represented in the *British* Parliament; and, therefore, that every edict of the *British* Parliament imposing any tax or custom, duty, or imposition whatsoever, on the people of *America*, without their consent, is illegal, and subversive of the first principles of the *British* Constitution, and of the natural rights of men; that it is the undoubted right and true interest of the Sovereign, as supreme ruler of the whole Empire, to provide for the welfare of his subjects within the Realm at the head of the *British* Parliament, and of those in *America*, at the head of his *American* Assemblies, by laws adapted to their local situation, and suited to the exigencies of each; and, by that negative with which he is invested by the Constitution, to restrain the different States of his Executive Dominion from enacting laws to destroy the freedom, and prejudicing the interests, of one another; that the King, in his *British* Parliament, shall have a supremacy for regulating the trade of *America*, with this reasonable reserve, that all the *British* Colonies enjoy a free trade with each other; and that no tax, duty, or imposition whatsoever, be laid by the *British* Parliament, on any article which the *American* Colonies are obliged to import from *Great Britain* only; and that this right of supremacy be deemed or expressed a resignation by our own voluntary act, flowing from a just sense of the protection we have hitherto received from *Great Britain*.

And farther, the people of this country are of opinion that the Act of the *British* Parliament laying a duty on tea, for the purpose of raising a revenue, to be collected in *America*, without her consent, is an illegal tax.

Digitized by Google

That the Act which blocks up the port of *Boston*, destroys her trade, and subjects her inhabitants to the worst of inconveniences and hardships, is oppressive and unconstitutional. That the people of *Boston* incurred the displeasure of Parliament by a just defence of their liberties and properties; and that the cause for which they suffer is the general cause of every *British* Colony in *America*.

That the Bill, commonly called the Murdering Bill, if passed into an Act, is not only unconstitutional, but shocking to human nature; that its evident design is to privilege the soldiers to commit, with impunity, the most cruel outrages, even against the lives of *Americans*, whilst it cuts off from an accused *American* ever hope of being acquitted.

That the most effectual means of obtaining a speedy redress of *American* grievances, is to put a stop to imports from *Great Britain*, with as few exceptions as possible, until the said oppressive Acts be repealed, and *American* rights established; and that what relates to exports be left to the determination of the Convention in *August*.

That industry and frugality be adopted, in their largest extent, throughout this Colony; and that horse racing, and every species of expensive amusement, be laid aside, as unsuitable to the situation of the country, and unbecoming men who feel for its distresses.

That the first day of *September* next, or the time of the general Congress, be set apart as a day of prayer and supplication to the Almighty disposer of human events, to direct the Councils of the *Americans*, and so to dispose of the heart of our Sovereign, that a general harmony may be restored to the *British* Empire.

That a subscription be immediately opened for the relief of the inhabitants of *Boston*, under the direction of the Deputies for this county, who are desired to promote and encourage the same.

That the above Resolves and opinions be published in the *Virginia Gazette*.

WILLIAM RUSSELL, *Clerk*.

FAIRFAX COUNTY (VIRGINIA) RESOLUTIONS.

At a General Meeting of the Freeholders and other Inhabitants of the County of *Fairfax*, at the Court House in the Town of *Alexandria*, on *Monday*, the 18th day of *July*, 1774:

GEORGE WASHINGTON, Esquire, *Chairman*, and
ROBERT HARRISON, Gentleman, *Clerk*.

Resolved, That this Colony and Dominion of *Virginia* cannot be considered as a conquered country, and, if it was, that the present inhabitants are the descendants, not of the conquered, but of the conquerors. That the same was not settled at the national expense of *England*, but at the private expense of the adventurers, our ancestors, by solemn compact with, and under the auspices and protection of, the *British* Crown, upon which we are, in every respect, as dependent as the people of *Great Britain*, and in the same manner subject to all his Majesty's just, legal, and constitutional prerogatives; that our ancestors, when they left their native land, and settled in *America*, brought with them, even if the same had not been confirmed by Charters, the civil Constitution and form of Government of the country they came from, and were by the laws of nature and Nations entitled to all its privileges, immunities, and advantages, which have descended to us, their posterity, and ought of right to be as fully enjoyed as if we had still continued within the Realm of *England*.

Resolved, That the most important and valuable part of the *British* Constitution, upon which its very existence depends, is the fundamental principle of the people's being governed by no laws to which they have not given their consent by Representatives freely chosen by themselves, who are affected by the laws they enact equally with their constituents, to whom they are accountable, and whose burthens they share, in which consists the safety and happiness of the community; for if this part of the Constitution was taken away, or materially altered, the Government must degenerate either into an absolute and despotick monarchy, or a tyrannical aristocracy, and the freedom of the people be annihilated.

Resolved, Therefore, as the inhabitants of the *American* Colonies are not, and from their situation, cannot be represented in the *British* Parliament, that the Legislative power here can, of right, be exercised only by our Provincial Assemblies, or Parliaments, subject to the assent or negative of the *British* Crown, to be declared within some proper limited time; but as it was thought just and reasonable that the people of *Great Britain* should reap advantages from the Colonies adequate to the protection they afforded them, the *British* Parliament have claimed and exercised the power of regulating our trade and commerce, so as to restrain our importing from foreign countries such articles as they could furnish us with, of their own growth and manufacture, or exporting to foreign countries such articles and portions of our produce as *Great Britain* stood in need of, for her own consumption or manufacture. Such a power directed with wisdom and moderation, seems necessary for the general good of that great body politick of which we are a part, although in some degree repugnant to the principles of the Constitution. Under this idea, our ancestors submitted to it, the experience of more than a century, during the government of his Majesty's royal predecessors, have proved its utility, and the reciprocal benefits flowing from it produced mutual uninterrupted harmony and good will between the inhabitants of *Great Britain* and her Colonies, who during that long period always considered themselves as one and the same people; and though such a power is capable of abuse, and in some instances hath been stretched beyond the original design and institution, yet to avoid strife and contention with our fellow-subjects, and strongly impressed with the experience of mutual benefits, we always cheerfully acquiesced in it while the entire regulation of our internal policy, and giving and granting our own money, were preserved to our own Provincial Legislatures.

Resolved, That it is the duty of these Colonies, on all emergencies, to contribute in proportion to their abilities, situation, and circumstances, to the necessary charge of supporting and defending the *British* Empire, of which they are a part; that while we are treated upon an equal footing with our fellow-subjects, the motives of self-interest and preservation will be a sufficient obligation, as was evident through the course of the last war; and that no argument can be fairly applied to the *British* Parliament's taxing us, upon a presumption that we should refuse a just and reasonable contribution, but will equally operate in justification of the Executive power taxing the people of *England*, upon a supposition of their Representatives refusing to grant the necessary supplies.

Resolved, That the claim lately assumed and exercised by the *British* Parliament for making all such laws as they think fit to govern the people of these Colonies, and to extort from us our money without our consent, is not only diametrically contrary to the first principles of the Constitution and the original compacts by which we are dependent upon the *British* Crown and Government, but is totally incompatible with the privileges of a free people and the natural rights of mankind, will render our own Legislatures merely nominal and nugatory, and is calculated to reduce us from a state of freedom and happiness to slavery and misery.

Resolved, That taxation and representation are in their nature inseparable; that the right of withholding, or of giving and granting their own money, is the only effectual security to a free people against the encroachments of despotism and tyranny; and that whenever they yield the one, they must quickly fall a prey to the other.

Resolved, That the powers over the people of *America*, now claimed by the *British* House of Commons, in whose election we have no share; in whose determinations we have no influence; whose information must be always defective, and often false; who in many instances may have a separate, and in some an opposite interest to ours; and who are removed from those impressions of tenderness and compassion, arising from personal intercourse and connection, which soften the rigours of the most despotick Governments, must, if continued, establish the most grievous and intolerable species of tyranny and oppression that ever was inflicted upon mankind.

Resolved, That it is our greatest wish and inclination, as well as interest, to continue our connection with, and dependence upon, the *British* Government; but though

Digitized by Google

we are its subjects, we will use every means which Heaven hath given us to prevent our becoming its slaves.

Resolved, That there is a premeditated design and system formed and pursued by the *British* Ministry to introduce an arbitrary Government into his Majesty's *American* Dominions, to which end they are artfully prejudicing our Sovereign and inflaming the minds of our fellow-subjects in *Great Britain*, by propagating the most malevolent falsehoods, particularly that there is an intention in the *American* Colonies to set up for independent states, endeavouring at the same time, by various acts of violence and oppression, by sudden and repeated dissolutions of our Assemblies, whenever they presume to examine the illegality of Ministerial mandates, or deliberate on the violated rights of their constituents, and by breaking in upon the *American* Charters, to reduce us to a state of desperation, and dissolve the original compact, by which our ancestors bound themselves and their posterity to remain dependent upon the *British* Crown; which measures, unless effectually counteracted, will end in the ruin, both of *Great Britain* and her Colonies.

Resolved, That the several Acts of Parliament for raising a revenue upon the people of *America*, without their consent; the erecting new and dangerous jurisdictions here; the taking away our trials by jury; the ordering persons, upon criminal accusations, to be tried in another country than that in which the fact is charged to have been committed; the Act inflicting Ministerial vengeance upon the town of *Boston;* and the two Bills lately brought into Parliament for abrogating the Charter of the Province of *Massachusetts Bay*, and for the protection and encouragement of murderers in the said Province, are part of the abovementioned iniquitous system; that the inhabitants of the town of *Boston* are now suffering in the common cause of all *British America*, and are justly entitled to its support and assistance; and, therefore, that a subscription ought immediately to be opened, and proper persons appointed, in every county in this Colony, to purchase provisions and consign them to some gentlemen of character in *Boston*, to be distributed among the poorer sort of the people there.

Resolved, That we will cordially join with our friends and brethren of this and the other Colonies, in such measures as shall be judged most effectual, for procuring a redress of our grievances; and that, upon obtaining such redress, if the destruction of the tea at *Boston* be regarded as an invasion of private property, we shall be willing to contribute towards paying the *East India* Company the value; but, as we consider the said Company as the tools and instruments of oppression in the hands of Government, and the cause of the present distress, it is the opinion of this meeting, that the people of these Colonies should forbear all further dealings with them, by refusing to purchase their merchandise, until that peace, safety, and good order, which they have disturbed, be perfectly restored; and that all tea now in this Colony, or which shall be imported into it, shipped before the first day of *September* next, should be deposited in some store-house, to be appointed by the respective Committees of each county, until a sufficient sum of money be raised, by subscription, to reimburse the owners the value, and then to be publickly burnt and destroyed; and if the same is not paid for and destroyed as aforesaid, that it remain in the custody of the said Committees, at the risk of the owners, until the Act of Parliament imposing a duty upon tea for raising a revenue in *America*, be repealed; and immediately afterwards be delivered unto the several proprietors thereof, their agents or attornies.

Resolved, That nothing will so much contribute to defeat the pernicious designs of the common enemies of *Great Britain* and her Colonies, as a firm union of the latter, who ought to regard every act of violence or oppression inflicted upon any one of them, as aimed at all; and to effect this desirable purpose, that a Congress should be appointed, to consist of Deputies from all the Colonies, to concert a general and uniform plan for the defence and preservation of our common rights, and continuing the connection and dependence of the said Colonies upon *Great Britain*, under a just, lenient, permanent, and constitutional form of Government.

Resolved, That our most sincere and cordial thanks be given to the patrons and friends of liberty in *Great Britain*, for their spirited and patriotick conduct in support of our constitutional rights and privileges, and their generous efforts to prevent the present distress and calamity of *America*.

Resolved, That every little jarring interest and dispute which hath ever happened between these Colonies, should be buried in eternal oblivion; that all manner of luxury and extravagance ought immediately to be laid aside, as totally inconsistent with the threatening and gloomy prospect before us; that it is the indispensable duty of all the gentlemen and men of fortunes to set examples of temperance, fortitude, frugality, and industry, and give every encouragement in their power, particularly by subscriptions and premiums, to the improvement of arts and manufactures in *America;* that great care and attention should be had to the cultivation of flax, cotton, and other materials for manufactures; and we recommend it to such of the inhabitants as have large stocks of sheep, to sell to their neighbours at a moderate price, as the most certain means of speedily increasing our breed of sheep and quantity of wool.

Resolved, That until *American* grievances be redressed, by restoration of our just rights and privileges, no goods or merchandise whatsoever ought to be imported into this Colony, which shall be shipped from *Great Britain* or *Ireland*, after the first day of *September* next, except linens not exceeding fifteen pence per yard, coarse woollen cloth, not exceeding two shillings sterling per yard; nails, wire, and wire cards, needles and pins, paper, saltpetre, and medicines, which may be imported until the first day of *September*, 1776; and if any goods or merchandise, other than those hereby excepted, should be shipped from *Great Britain* after the time aforesaid, to this Colony, that the same, immediately upon their arrival, should either be sent back again by the owners, their agents or attornies, or stored and deposited in some warehouse, to be appointed by the Committee for each respective county, and there kept at the risk and charge of the owners, to be delivered to them when a free importation of goods hither shall again take place; and that the merchants and venders of goods and merchandise within this Colony ought not to take advantage of our present distress, but continue to sell the goods and merchandise which they now have, or which may be shipped to them before the first day of *September* next, at the same rates and prices they have been accustomed to do within one year last past; and if any person shall sell such goods on any other terms than above expressed, that no inhabitant of this Colony should, at any time forever thereafter, deal with him, his agent, factor, or storekeeper, for any commodity whatsoever.

Resolved, That it it is the opinion of this meeting, that the merchants and venders of goods and merchandise within this Colony should take an oath not to sell or dispose of any goods or merchandise whatsoever which may be shipped from *Great Britain* after the first day of *September* next, as aforesaid, except the articles before excepted; and that they will, upon the receipt of such prohibited goods, either send the same back again by the first opportunity, or deliver them to the Committees of the respective counties, to be deposited in some warehouse, at the risk and charge of the owners, until they, their agents, or factors, shall be permitted to take them away by the said Committees; and that the names of those who refuse to take such oath, be advertised by the respective Committees, in the counties wherein they reside; and to the end that the inhabitants of this Colony may know what merchants and venders of goods and merchandise have taken such oath, that the respective Committees should grant a certificate thereof to every such person who shall take the same.

Resolved, That it is the opinion of this meeting, that during our present difficulties and distress, no slaves ought to be imported into any of the *British* Colonies on this Continent; and we take this opportunity of declaring our most earnest wishes to see an entire stop forever put to such a wicked, cruel, and unnatural trade.

Resolved, That no kind of lumber should be exported from this Colony to the *West Indies*, until *America* be restored to her constitutional rights and liberties, if the other Colonies will accede to a like resolution; and that it be recommended to the general Congress to appoint as early a day as possible for stopping such exports.

Digitized by Google

Resolved, That it is the opinion of this meeting, if *American* grievances be not redressed before the first day of *November*, 1775, that all exports of produce from the several Colonies to *Great Britain*, should cease; and to carry the said resolution more effectually into execution, that we will not plant or cultivate any tobacco after the crop now growing, provided the same measure shall be adopted by the other Colonies on this Continent, as well as those who have heretofore made tobacco, as those who have not. And it is our opinion, also, if the Congress of Deputies from the several Colonies shall adopt the measure of non-exportation to *Great Britain*, as the people will be thereby disabled from paying their debts, that no judgments should be rendered by the Courts in the said Colonies, for any debt, after information of the said measures being determined upon.

Resolved, That it is the opinion of this meeting, that a Solemn Covenant and Association should be entered into by the inhabitants of all the Colonies, upon oath, that they will not, after the time which shall be respectively agreed on at the general Congress, export any manner of lumber to the *West Indies*; nor any of their produce to *Great Britain*; or sell or dispose of the same to any person who shall not have entered into the said Covenant and Association; and also, that they will not import or receive any goods or merchandise which shall be shipped from *Great Britain*, after the first day of *September* next, other than the before enumerated articles; nor buy or purchase any goods, except as before excepted, of any person whatsoever, who shall not have taken the oath herein before recommended to be taken by the merchants and venders of goods; nor buy or purchase any slaves hereafter imported into any part of this Continent, until a free exportation and importation be again resolved on by a majority of the Representatives or Deputies of the Colonies; and that the respective Committees of the counties in each Colony, so soon as the Covenant and Association becomes general, publish by advertisements in their several counties, a list of the names of those, (if any such there be) who will not accede thereto, that such traitors to their country may be publickly known and detested.

Resolved, That it is the opinion of this meeting, that this and the other associating Colonies should break off all trade, intercourse, and dealings, with that Colony, Province, or town, which shall decline or refuse to agree to the plan which shall be adopted by the general Congress.

Resolved, That should the town of *Boston* be forced to submit to the late cruel and oppressive measures of Government, that we shall not hold the same to be binding upon us, but will, notwithstanding, religiously maintain, and inviolably adhere to, such measures as shall be concerted by the general Congress, for the preservation of our lives, liberties, and fortunes.

Resolved, That it be recommended to the Deputies of the general Congress, to draw up and transmit an humble and dutiful Petition and Remonstrance to his Majesty, asserting in decent firmness our just and constitutional rights and privileges, lamenting the fatal necessity of being compelled to enter into measures disgusting to his Majesty and his Parliament, or injurious to our fellow-subjects in *Great Britain*; declaring, in the strongest terms, our duty and affection to his Majesty's person, family, and Government, and our desire forever to continue our dependence upon *Great Britain*; and most humbly conjuring and beseeching his Majesty not to reduce his faithful subjects of *America* to a state of desperation, and to reflect, that from our Sovereign there can be but one appeal. And it is the opinion of this meeting, that after such Petition and Remonstrance shall have been presented to his Majesty, the same shall be printed in the public papers in all the principal towns in *Great Britain*.

Resolved, That *George Washington*, Esquire, and *Charles Broadwater*, Gentleman, lately elected our Representatives to serve in the General Assembly, attend the Convention at *Williamsburg*, on the first day of *August* next, and present these Resolves as the sense of the people of this county upon the measures proper to be taken in the present alarming and dangerous situation of *America*.

Resolved, That *George Washington*, Esquire, *John West*, *George Mason*, *William Rumney*, *William Ramsay*, *George Gilpton*, *Robert Hanson Harrison*, *John Carlyle*, *Robert Adam*, *John Dalton*, *Philip Alexander*, *James Kirk*, *William Brown*, *Charles Broadwater*, *William Payne*, *Martin Cockburne*, *Lee Massey*, *William Hartshorne*, *Thomas Triplett*, *Charles Alexander*, *Thomas Pollard*, *Townsend Dade*, Junior, *Edward Payne*, *Henry Gunnell*, and *Thomas Lewis*, be a Committee for this county; that they, or a majority of them, on any emergency, have power to call a general meeting, and to concert and adopt such measures as may be thought most expedient and necessary.

Resolved, That a copy of these Proceedings be transmitted to the Printer at *Williamsburg*, to be published.

ASSEMBLY OF PENNSYLVANIA.

July 18, 1774, P. M.—The Representatives of the Province having been, by virtue of the Governour's writs to the Sheriffs of the several counties for that purpose, directed, summoned to meet this day in Assembly; a quorum met accordingly.

Ordered, That Mr. *Pawling* and Mr. *Hillegas* wait on the Governour, and acquaint him that the House being met, pursuant to his summons, they are ready to receive any business he may be pleased to lay before them, and request a copy of the Writ by which they have been convened.

The Members return and Report, they had waited on the Governour, and delivered their Message according to order, and that his Honour was pleased to say, he would immediately furnish the House with a copy of the Writ requested.

The Governour, by Mr. Secretary, sent down the said Writ accordingly, also a written Message to the House, with sundry Letters and Petitions from different parts of the frontiers, concerning the present *Indian* disturbances, which were in part read by order, and the said Message follows in these words, viz:

"GENTLEMEN: The importance of the matter I have to lay before you, will, I am persuaded, make it unnecessary to apologize to you for calling you together at a season of the year of all others the most inconvenient for you to attend to publick business.

"I am to inform you, that in the latter end of *April* last, about eleven *Delaware* and *Shawanese Indians* were barbarously murdered on the river *Ohio*, about ninety miles below *Pittsburgh*, by two parties of white men, said to be *Virginians*. As we were at that time in a state of perfect amity with the Western *Indians*, and it does not appear that those who were killed by the above parties had given them the least provocation, I am at a loss to conjecture what could be the inducement to act so cruel and inhuman.

"As soon as the unfortunate affair was known on the frontiers of this Province, messengers were despatched to assure the *Indians* that these outrages had been committed by wicked people, without the knowledge or countenance of any of the *English* Governments, and requesting they might not be the means of disturbing the friendship which subsisted between us. This step had so far a good effect as to quiet them for the present, and prevent them coming to a resolution to enter into a general war with us. It did not, however, restrain the particular friends and relations of the deceased, who, it seems, contrary to the advice of their Chiefs, in a short time afterwards took their revenge, by murdering a number of *Virginians* settled to the Westward of the river *Monongahela*. Alarmed at this proceeding, the out-settlers left their habitations and fled with their families into the interiour parts; and the panick soon became so universal that a great part of the Western frontier of this Province was totally deserted; and it is impossible to say when the mischief would have stopped had not a number of rangers been raised by the Magistrates and others, in the County of *Westmoreland*, who were stationed in proper places to protect the inhabitants, and act defensively in case of an attack. This measure I esteemed a very salutary one, supplied the men with arms and ammunition, and ordered them to be kept up till the meeting of the Assembly, under a full persuasion that you would cheerfully defray the necessary expenses attending it.

"It would be too tedious to relate the several occur-

Digitized by Google

rences which have happened, from time to time, since the first act of hostility committed, but I refer you for more particular information therein to the Letters and Papers I have ordered the Secretary to lay before you. You will thereby perceive that the *Delawares* and *Shawanese* have repeatedly made the strongest professions of a pacifick disposition, and their desire that matters should be accommodated; and as an earnest desire of their sincerity, they not only protected the persons and goods of our traders among them from the violence of some of their young warriors, but actually escorted many of them back to their friends near *Pittsburgh*, at the risk of their own lives. Hence, we had great reason to believe, that by a just and discreet conduct a rupture with them might have been avoided. But I am sorry to inform you that I have received intelligence, that the very *Indians*, who thus generously escorted our traders home, were, contrary to all faith, pursued on their return, attacked, and one of them wounded by a party of *Virginians*, sent out for the purpose by one *Conolly*, a Militia Captain, appointed by the Government of *Virginia*, at *Pittsburgh*, who has lately taken possession of that place under the pretence of its being out of the bounds of the Province of *Pennsylvania*, and within the Colony of *Virginia*. By this unhappy step there is great reason to apprehend that it will be difficult to persuade the *Indians* further to confide in any overtures that can be made, or assurances given them, and that we shall be involved in the calamities of an *Indian* war. Nothing in my power has been neglected which I thought might have a tendency to avert so great an evil. I have wrote to Sir *William Johnson*, requesting him he would interest himself on the occasion, and use his influence with the *Six Nations*, to assist in healing the breach with their Western brethren; and have despatched a letter to Lord *Dunmore*, representing the misconduct of *Conolly*, and the dangerous consequences of his unjust and violent proceedings. What will be the event time only can discover; but in this dark and uncertain state of things, I think it my duty most earnestly to recommend it to you, to make timely and effectual provision for the security of our frontier settlements, that, in case of a war with the savages, they may have that immediate protection and assistance which they look for, and have a right to expect, from the Government under which they live; and that you will also provide for the discharging such expenses as have hitherto arisen by my orders for their defence, in which I shall readily concur with you.

"Could you devise any other probable method, by which this unhappy difference with the *Indians* could be accommodated, it would give me infinite satisfaction; and nothing could afford me more pleasure than the being instrumental in accomplishing so desirable an end. JOHN PENN."

July 18, 1774.

Ordered, That the foregoing Message, and the Papers attending it, be referred to further consideration to-morrow morning.

The House adjourned to ten o'clock to-morrow morning.

—

July 19, 1774.—The House met pursuant to adjournment, and resumed the consideration of the Letters and Petitions sent down with the Governour's Message of last night, which were severally read, and ordered to lie on the table.

The Committee of Correspondence laid before the House sundry Letters and copies of Resolves from the Speakers of the Assemblies of *Massachusetts Bay* and *Rhode-Island*; also a Letter from the Committee of Correspondence for the Colony of *Virginia*, with an Answer to the said Letters from the Committee of this House, which were read by order, and are as they severally follow, viz:

Province of Massachusetts Bay, June 17, 1774.

SIR: Agreeable to the directions of the House of Representatives of this Province, I have the honour to transmit to you a copy of certain Resolves they entered into in their present session,* by which you will perceive that it is their opinion that a meeting of Committees from the several Colonies on this Continent is highly expedient and necessary, and that they propose that such a meeting be at the City of *Philadelphia*, on the first day of *September* next; and that for the purposes mentioned in said Resolves they have appointed a Committee of five, on the part of this Province, whom they have directed to repair to *Philadelphia*, at the time above mentioned. As this appears to be a measure absolutely necessary for the establishment of the rights and liberties of the Colonies upon a just and solid foundation, and for the restoration of union and harmony between both countries, it is not doubted but it will be agreed to in your Colony; if it should, it is desired that as early notice as possible might be transmitted to,

Your most obedient humble servant,

THOMAS CUSHING, *Speaker*.

To the Honourable Speaker of the House of Representatives of *Pennsylvania*.

*Resolutions, *June* 17, 1774.

—

New-Port, June 20, 1774.

SIR: Agreeable to the directions of the General Assembly, I have the honour to enclose you a copy of certain Resolutions entered into by them, respecting the very alarming situation of the Colonies.*

I have also to inform you, that upon this occasion, the Assembly have adjourned to the fourth *Monday* in *August* next. I am, with very great regard, sir, your most humble servant, METCALF BOWLER, *Speaker*.

To the Honourable Speaker of the House of Representatives of the Province of *Pennsylvania*.

—

Williamsburg, Virginia, May 28, 1774.

GENTLEMEN: The enclosed papers will explain to you our present political state here, with respect to our unhappy dispute with our mother country. The propriety of appointing Deputies from the several Colonies of *British America*, to meet annually in general Congress, appears to be a measure extremely important and extensively useful, as it tends so effectually to obtain the united wisdom of the whole in every case of general concern. We are desired to obtain your sentiments on this subject, which you will be pleased to furnish us with. Being very desirous of communicating to you the opinions and conduct of the late Representatives on the present posture of *American* affairs, as quickly as possible, we beg leave to refer you to a future letter, in which we shall more fully express our sentiments on those subjects.

We are, with great respect, gentlemen, your most obedient servants, PEYTON RANDOLPH,
ROBERT C. NICHOLAS,
DUDLEY DIGGES.

To the Committee of Correspondence for *Pennsylvania*.

Upon motion,

Resolved, That on *Thursday* next this House will resolve itself into a Committee of the whole House, to consider the subject of the foregoing Letters and Resolves.

Resolved, upon motion, That the Committees from the several counties of this Province, now met on publick affairs in the city, be admitted, if they choose it, to hear the debates of the House on that day.

A Petition from the County of *Northumberland* was presented to the House and read, setting forth, That the Petitioners being situated on the frontiers of the Province, in a county lately laid out, thinly inhabited, and having within the limits of its jurisdiction a great body of intruders from the Colony of *Connecticut*, who refuse subjection to this Government, they find themselves unable to enforce the laws, and bring offenders to justice, through want of a proper publick jail; that the unavoidable expenses of the county having hitherto required nearly the whole amount of the county levies, the Trustees have not yet received any money from that source, for erecting the necessary Public Buildings, nor is it likely a sufficiency for this useful purpose can be raised in that way for years to come—that the Petitioners, calling to mind the indulgence of former Assemblies to other counties of this Province in their infancy, are encouraged to pray that so much of the money in the Loan Office, appropriated to the use of the said county, as will be sufficient to build at least a County Jail, may be ordered to be paid into the hands of the Trustees appointed by law to erect such building in the said county to be immediately applied to that necessary

* Resolutions, *June* 15, 1774.

Digitized by Google

work, and that the said money be charged to the county, and reimbursed in the usual, or any other way, which the House may think proper.

Ordered to lie on the table.

A Member presented to the Chair a paper from the Provincial Committee met on publick business at the *Carpenter's Hall* in this city, which was read by order, and is as follows, viz:

"At a Provincial Committee, composed of Deputies from the City and County of *Philadelphia*; and the Counties of *Bucks*, *Chester*, *Lancaster*, *York*, *Cumberland*, *Burks*, *Northampton*, *Northumberland*, and *Bedford*, met at the *Carpenter's Hall*, on *Tuesday*, *July* 19th, 1774, THOMAS WILLING, Esquire, *Chairman:*

"Upon motion, agreed,

"That the ninth Resolve agreed to unanimously by this Provincial Committee, be copied, and sent to the honourable House of Assembly, viz:

"9. *Resolved*, *unanimously*, That there is an absolute necessity that a Congress of Deputies from the several Colonies be immediately assembled to consult together, and form a general plan of conduct to be observed by all the Colonies, for the purposes of procuring relief for our suffering brethren; obtaining redress of our grievances; preventing future dissensions; firmly establishing our rights; and restoring harmony between *Great Britain* and her Colonies on a constitutional foundation.

"*Agreed*, That *Isaac Howell*, *Joseph Hart*, *Francis Richardson*, *Emanuel Carpenter*, *Joseph Donaldson*, *Robert Magaw*, *Daniel Broadhead*, *John Okely*, and *William Scull*, be a Committee to wait upon the House with the above Resolve, and that they be instructed to inform the House that the Committee are employed in finishing their Resolves, and drawing up their sentiments on the present situation of publick affairs, which, when completed, will be laid before the honourable House.

"Signed by order of the Committee,

"THOMAS WILLING, *Chairman*."

The House resumed the consideration of the Governour's Message, which was again read by order, and after some debate thereon,

Ordered, That Mr. *Hunter* and Mr. *Thompson* wait on the Governour, and request he will be pleased to furnish the House with an account of the number of men raised by the Magistrates for the protection of the frontier inhabitants, and an estimate of the expense that hath accrued on that measure to the present time.

—

July 20, 1774. The House met pursuant to their adjournment. Mr. Speaker and Mr. *Rhoads* laid before the House two Letters from *Benjamin Franklin*, Esquire, dated *London*, the 6th and 26th of *April* last, with some other Papers, on publick affairs, which being severally read were,

Ordered to lie on the table.

The Members appointed to wait on the Governour with the Message of last night, reported that they had delivered the same according to order; and that his Honour was pleased to say, he had already laid before the House all the Papers he was possessed of relating to the ranging companies on the frontiers, but would endeavour to procure as soon as possible, the further information requested by the House, and lay it before such Commissioners as may be appointed to pay the said Companies.

The House then proceeded in the consideration of the Governour's Message, and after some time spent therein, adjourned to three o'clock, P. M.

The House again taking into consideration the Governour's Message and the Papers sent down with it,

Resolved, That *Michael Hillegas*, *George Gray*, *Thomas Mifflin*, and *Charles Humphreys*, Esquires, or any three of them, by and with the consent and approbation of the Governour of this Province for the time being, may draw orders on the Provincial Treasurer for any sum not exceeding two thousand pounds, to be disposed of in paying and victualling, until the tenth day of *August* next, a number of rangers lately raised by the Magistrates of *Westmoreland* County, for removing the panick into which the inhabitants of the said county have been thrown by the late *Indian* disturbances, and for other incidental expenses; and also in maintaining the peace and friendship subsisting between this Province and the *Indians*; the said sum to be paid out of the money struck by virtue of the Act, entitled, "An Act for the support of the Government of this "Province, making the excise on wine, rum, brandy, and "other spirits, more equal, and for preventing frauds in "collecting and paying the said excise."

Resolved, That if, after the said tenth day of *August*, it shall appear to the Governour, and the said *Michael Hillegas*, *George Gray*, *Thomas Mifflin*, and *Charles Humphreys*, necessary to employ any number of the said rangers, this House will pass a Bill for paying and victualling them, until the 20th of *September* next, provided their number shall not exceed two hundred.

Resolved, That this House will make provision for paying the reward of one hundred pounds to any person who shall apprehend *James Cooper* and *John Hinkson*, who it is said, have barbarously murdered an *Indian* on the frontiers of this Province, and deliver them into the custody of the keeper of the jail within either of the Counties of *Lancaster*, *York*, or *Cumberland*, or the sum of fifty pounds for either of them.

Resolved, That this House will, at its next sitting, pass a bill, and present the same to the Governour for indemnifying the Provincial Treasurer for the payment of the said moneys.

—

July 21, 1774.—This day the Provincial Committee, composed of Committees from the several Committees of the Province, waited on the House, and being admitted, their Chairman presented at the table sundry Papers, containing a number of Resolves on the present grievances of the Colonies, and Instructions to their Representatives, recommending such measures as appear to the said Committee most proper for obtaining redress; and then withdrawing, the said Papers were severally read, and ordered to lie on the table for the perusal of the Members.

The Order of *Tuesday* last being read,

Resolved, That this House will, to-morrow morning, resolve itself into a Committee of the whole House, to consider the several Papers before them, received from the Speakers and Committees of Correspondence for *Massachusetts Bay*, *Rhode Island* and *Virginia*, on the present state of the Colonies.

—

July 22, 1774.—The House met pursuant to adjournment; and the Order of yesterday being read, resolved itself into a Committee of the whole House, upon the subject of the several Letters and Resolves received from the Colonies of *Massachusetts Bay*, *Rhode Island* and *Virginia*, and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Rhoads* reported from the Committee, that they had considered the business before them, and having come to a Resolve thereon, he was ordered to report the same whenever the House shall be pleased to receive it.

Ordered, That the Resolve of the Committee be received immediately.

Mr. *Rhoads* then (according to order) reported the said Resolve, which he first read in his place, and then delivered at the Clerk's table, where the same was again read, by order, and follows in these words, viz:

"The Committee of the whole House taking into their most serious consideration the unfortunate differences which have long subsisted between *Great Britain* and the *American* Colonies, and been greatly increased by the operation and effects of divers late Acts of the *British* Parliament:

"*Resolved*, *n. c. d.*, That there is an absolute necessity that a Congress of Deputies from the several Colonies be held as soon as conveniently may be, to consult together upon the present unhappy state of the Colonies, and to form and adopt a plan for the purposes of obtaining redress of *American* grievances, ascertaining *American* rights, upon the most solid constitutional principles, and for establishing that union and harmony between *Great Britain* and the Colonies, which is indispensably necessary for the welfare and happiness of both."

The House resumed the consideration of the Resolve from the Committee of the whole House; and after some debate thereon, adopting and confirming the same.

Digitized by Google

Resolved, n. c. d., That the Honourable *Joseph Galloway*, Speaker, *Samuel Rhoads*, *Thomas Mifflin*, *Charles Humphreys*, *John Morton*, *George Ross*, and *Edward Biddle*, Esquires, be and they are hereby appointed a Committee on the part of this Province, for the purposes aforesaid, and that they, or any four of them, do meet such Committees or Delegates from the other Colonies, as have been or may be appointed, either by their respective Houses of Representatives, or by Convention, or by the Provincial or Colony Committees, at such time and place as shall be generally agreed on by such Committees; and that the Speaker of this House be directed, in a letter to the Speakers of the Houses of Representatives of the other Colonies, to inform them of these Resolves.*

Upon motion,

Ordered, That Mr. *Hillegas*, Mr. *Miles*, Mr. *Brown*, Mr. *John Jacobs*, Mr. *Webb*, Mr. *Ross*, Mr. *Pope*, and Mr. *Allen*, be a Committee to prepare and bring in draughts of Instructions for the Deputies to the ensuing Congress; a Circular Letter to the Speakers of the several Colony Assemblies, and an Answer to the Governour's Message on *Indian* Affairs.

—

July 23, 1774.—Mr. Speaker laid before the House a Letter from Major *Hamilton*, Commanding Officer at the Barracks of this city, which was read by order, and is as follows:

Philadelphia, July 21, 1774.

SIR: I take the liberty to inform you, that his Majesty's troops under my command stand much in need of the aid of the Legislature of this Province; their bedding, utensils, and apartments, require inspection and want repairs. I have had the pleasure of knowing this Barrack these seven years, and shall always be happy in declaring, that no troops have been better supplied, nor any applications from commanding officers more politely attended to than here; from which I am encouraged to hope, that the House of Assembly will, during this sitting, order the necessary inspection, and afford such a supply as their generosity and judgment shall dictate. I have the honour to be, with great respect, your most obedient humble servant,

ISAAC HAMILTON,
Major to his Majesty's 18*th*, *or Royal* Irish *Regiment of Foot.*

To the Honourable *Joseph Galloway*, Esq.

Upon consideration of the foregoing Letter,

Ordered, That Mr. *Hillegas* and Mr. *Miles* be a Committee to examine into the present condition of the said Barracks, and report thereon to the House at their next meeting.

The Committee appointed to prepare and bring in Instructions for the Deputies appointed to attend the ensuing Congress; a Circular Letter to the Speakers of the several Assemblies of the Colonies, and an Answer to the Governour's Message, reported they had essayed a Draught for each of those purposes, which they presented to the Chair; and the same being read by order, were agreed to by the House, and are as they severally follow, viz.:

Instructions to the Committee of Assembly appointed to attend the General Congress.

GENTLEMEN: The trust reposed in you is of such a nature, and the modes of executing it may be so diversified in the course of your deliberations, that it is scarcely possible to give you particular Instructions respecting it. We shall therefore only in general direct, that you are to meet in Congress the Committees of the several *British* Colonies, at such time and place as shall be generally agreed on, to

* *Philadelphia, July* 23, 1774.—The Committees from the several counties of this Province met in this City, the 15th instant, and being very busy ever since in framing Instructions to the Assembly, with which they were permitted to attend the House on the 21st inst., having previously voted three of their body, as proper persons to attend the Congress, and represent this Province, viz: *Thomas Willing*, *John Dickinson*, and *James Wilson*. Yesterday morning the Committee were again admitted into the House, when, to their disappointment, the matter was not taken up and debated before them; but a Resolve of the House was read to them which had been agreed to before their admission, setting forth, that the House did vote * * * * * * persons to attend the ensuing Congress. After which the House filled up the blank with the names of the following persons, to appear at the Congress, in behalf of this Province, viz: *Joseph Galloway*, *Samuel Rhoads*, *John Morton*, *Charles Humphreys*, *George Ross*, *Edward Biddle*, and *Thomas Mifflin;* but as yet it is not known how they will be instructed by the House.

The following Piece was handed about among the Members of the Assembly on the evening of the 21st instant:

To the Representatives of the Province of PENNSYLVANIA, *now met in this City:*

"All numerous Assemblies, however composed, are mere mobs, and "swayed in their debates by the least motive; this is confirmed by "daily experience. An absurdity strikes a member, he conveys it to "his neighbours and the whole is infected. Separate this great body, "and though every member be only of middling sense, it is not probable "any thing but reason can prevail. Influence and example being re-"moved, good sense will also get the better of bad. The only way of "making people wise, is to keep them from uniting into large Assem-"blies."—*Hume.*

GENTLEMEN: Permit a cool considerate observer of the present distracted proceedings of this Province, for one moment to claim your attention.

Let not, I beseech you, the noise and confusion of the scene stifle the voice of wisdom, or prevent the full display of your ancient prudence. The call of one not less well affected to the privileges and liberties, derived to us from our excellent Constitution, than the most zealous of her sons, of one not heated by the fallacious spirit of a pretended patriotism, nor, he trusts, too tamely submissive to the hand of oppression, solicits your most serious consideration. Let him not supplicate in vain! yet even on the last precipice on which the vestiges of order and regularity shall be traced, pause, ponder, maturely deliberate, and with every nerve of reason extended, reflect on the past, and penetrate into the future.

You are now met in a Legislative capacity, and are to determine on a matter the most important in itself—the most interesting in its consequences, of any that ever came before you. Nothing less is to be agitated than whether the people of the Province shall assert their rights and privileges on constitutional grounds; or, deviating from the long known and securely trodden paths of prudence and regularity, wander into the maizy labyrinths of perplexity and disorder.

From the respective counties of this Province persons have been delegated, to take into their serious consideration the present alarming state of affairs; to deliberate on means the most effectual for obtaining redress of our grievances; and to give such instructions to you as they may judge expedient. By what legal authority they have proceeded let them demonstrate. Among them are gentlemen of the first abilities; of characters the most respectable; let any of them take up the pen, and convince you that their appointment is constitutional, or that their proceedings have been conducted with justice or equity. A single delegate for one of the frontier counties, has a vote in every debate deemed equivalent to the whole Committee of this opulent and populous city and county. Is this reasonable, or is it consistent with that just proportion observed in limiting the number of Representatives for the counties, which compose your House? To hesitate on a decision of this question, betrays an unpardonable partiality, or a shameful weakness.

This is not all, they have resolved on Instructions to be handed to you. These Resolves have not been entered into without warm opposition, and without great division; if they are to have any weight, they are to supersede you; if you are influenced by them, they incur a dissolution of our Charter. The gentlemen chosen by ballot on the first of *October*, are the only persons before whom every grievance should come; you are the men; you are chosen to represent us on every occasion; in you we have reposed the most unlimited confidence; no body of men are to supersede you; you are the guardians of our rights; we look to you for protection against every encroachment and now implore you to avert every innovation. Let us for one moment examine how for these Resolves must be short of the general sentiments of the people. The Committees are appointed at county meetings, where, it is notorious, not one fourth of the freeholders attend. The resolutions are previously drawn up by some zealous partizan, perhaps by some fiery spirit, ambitiously solicitous of forcing himself into publick notice; too often by persons whose only consequence is derived from the calamities in which their country may be involved. The orator mounts the rostrum, and in some pre-conceived speech, heightened no doubt, with all the aggravations which the fertility of his genius can suggest, exerts all the powers of elocution, to heat his audience with that blaze of patriotism, with which he conceives himself inspired, at such a time when the passion of Liberty, implanted in every breast, is awakened; when the threats of tyranny, and a terrour of slavery, are artfully set before them; a measure need only be proposed to be resolved on: and I am well convinced many an *American* has given his assent to such a measure, from which a little reflection would have made him retract with horrour.

From this fountain originates the authority of the Committees; it is a fountain from which no legal authority can be derived; we know not where such precedents may terminate; setting up a power to controul you, is setting up anarchy above order—IT IS THE BEGINNING OF REPUBLICANISM.

Sophistry with her specious pretences may, perhaps, gloss over the matters, but sound reason will never aid the demonstration. They are gigantick strides to set up the resolves of the populace above the law, and above the Constitution. Nip this pernicious weed in the bud, before it has taken too deep root.

Methinks I already see a new *Cassius* rise, and tell your Speaker he differs from him in sentiment; asserts that they only are the men made privy to the desires and wishes of your constituents; and that they have a right to dictate to you what shall be done.

If these principles become prevalent, suffer the hardihood of truth, ungracious as it may sound in their ears, to tell you that you are only mere machines, a *vox et præterea nihil*. If these measures be sanctified by you; if a precedent be once established, it remains only in some future day, for some popular leader, who may dissent from you in opinion, to raise a general clamour; collect his number; propound his resolves; quote this established precedent to support him; and, in the tone of authority, demand entrance into the Senate. But it is not my part to point out to you the innumerable inconveniences and mischiefs with which this measure, if adopted, is pregnant.

Deliver down to posterity "the laws, the rights, the generous plan of power," which your ancestors have delivered to you; and let not the murmurs of your children be heard, for want of foresight and precaution.

A FREEMAN.

Digitized by Google

consult together on the present critical and alarming situation and state of the Colonies; and that you, with them, exert your utmost endeavours to form and adopt a plan which shall afford the best prospect of obtaining a redress of *American* grievances, ascertaining the *American* rights, and establishing that union and harmony which is most essential to the welfare and happiness of both countries; and in doing this, you are strictly charged to avoid every thing indecent or disrespectful to the mother state. You are also directed to make report of your proceedings to the next Assembly. Signed by order of the House,

JOSEPH GALLOWAY, *Speaker.*

Philadelphia, July 23, 1774.

—

Letter to the Speakers of the several Assemblies of the Colonies.

Philadelphia, July 23, 1774.

SIR: By order of the House of Representatives of Pennsylvania, I have the honour to enclose a copy of certain Resolves entered into by them, respecting the present alarming state of the Colonies, and appointing a Committee to meet the Committees of the other Colonies in Congress. I am, with great respect, sir, your most obedient servant, JOSEPH GALLOWAY, *Speaker.*

To the Honourable Speaker of the Assembly of the Colony of * * * * * *

—

Answer to the Governour's Message.

May it please your Honour: The House have taken into their serious consideration your Message of the 18th instant, respecting the panick into which the frontier inhabitants have been thrown by the late murders committed on some of the Western *Indians*, and their apprehensions thence arising of an *Indian* war; and sensibly affected with the unhappy situation of those inhabitants, after mature deliberation on the measures taken by the Magistrates, and approved by your Honour, we have resolved to pay and victual the troops raised for their relief, until the 10th day of next month; and if it shall then appear to the Governour and Commissioners, that the continuance of them is necessary, we have agreed to provide for such a number, not exceeding two hundred, as your Honour and the Commissioners shall think expedient, until the 20th day of *September* next.

And as you are pleased to intimate, "that could we devise any other probable method than what was recommended in your Message, by which the unhappy differences with the *Indians* can be accommodated, it would give you infinite satisfaction," we beg leave to recommend to your consideration the propriety of taking the necessary measures to renew the peace and friendship between this Province and the *Indians*, and to mediate the unhappy differences between them and the Colony of *Virginia*, as it appears to us scarcely possible that they can subsist, without continuing the frontiers of this Province in their present fears and distress.

The House, with horrour, look upon the frequent murders that have been of late committed on some of the Western *Indians*, in and to the westward of this Province, and think it their duty to aid Government in discouraging the perpetration of such atrocious offences, not only against the authority of Government, but in open violation of treaties subsisting between this Province and those *Indians*; and, therefore, have voted the sum of one hundred pounds as a reward for apprehending *John Hinkson* and *James Cooper*, who have lately, as is said, cruelly put to death *Joseph Weepy*, a friendly *Indian*, within the bounds of this Province.

The Resolutions the House have entered into on this occasion, we have herewith communicated.

Signed by order of the House,

JOSEPH GALLOWAY, *Speaker.*

July 23, 1774.

Ordered, That Mr. *Ewing* and Mr. *Hunter* wait on the Governour with the foregoing Answer to his Message, and acquaint him that the House incline to adjourn to *Monday* the 19th day of *September* next, if his Honour has no objection thereto; and request to know at what time to-day he will be pleased to meet the House, to enact into laws the Bills that have received his assent.

The Members return, and report they had delivered their Message according to order; and that his Honour was pleased to say, he had no objection to the time of adjournment proposed by the House, and would be in the Council Chamber immediately, to enact into laws the two Bills that have been agreed on.

Ordered, That Mr. *Hillegas* and Mr. *Miles* do get the great seal affixed to the Bills after they are passed into laws, and deposite the same in the Rolls Office.

A Message by Mr. Secretary:

"SIR: The Governour is in the Council Chamber, and requires the attendance of the House."

Then, Mr. Speaker, with the whole House, waited on his Honour, and being returned from the Council Chamber, the Speaker resumed the Chair, and reported that they had waited on the Governour, and presented two Bills, entituled "An Act to continue an Act entituled 'An Act to amend the Act entituled 'An Act to prevent the exportation of bread and flour not merchantable;'" and "An Act for lending the sum of eight hundred pounds to the several and respective Counties of *Bedford*, *Northumberland*, and *Westmoreland*, for building a Court House and Prison in each of the said counties;" to which Bills his Honour had been pleased to give his assent, by enacting the same into laws.

The House then adjourned to *Monday*, the 19th day of *September* next, at four o'clock, P. M.

MONMOUTH COUNTY (NEW-JERSEY) RESOLUTIONS.

On *Tuesday*, *July* 19, 1774, a majority of the Committees from the several Townships in the County of *Monmouth*, of the Colony of *New-Jersey*, met according to appointment, at the Court House at *Freehold*, in said county; and appearing to have been regularly chosen and constituted by their respective Townships, they unanimously agreed upon the propriety and expediency of electing a Committee to represent the whole county at the approaching Provincial Convention, to be held at the City of *New-Brunswick*, for the necessary purpose of constituting a Delegation from this Province, to the general Congress of the Colonies, and for all such other important purposes as shall hereafter be found necessary.

They, at the same time, also recorded the following Resolutions, Determinations, and Opinions, which they wish to be transmitted to posterity, as an ample testimony of their loyalty to his *British* Majesty, of their firm attachment to the principles of the glorious Revolution, and their fixed and unalterable purpose, by every lawful means in their power, to maintain and defend themselves in the possession and enjoyment of those inestimable civil and religious privileges which their forefathers, at the expense of so much blood and treasure, have established and handed down to them.

1. In the names and behalf of their constituents, the good and loyal inhabitants of the County of *Monmouth*, in the Colony of *New-Jersey*, they do cheerfully and publickly proclaim their unshaken allegiance to the person and Government of his most gracious Majesty King *George* the Third, now on the *British* Throne, and do acknowledge themselves bound at all times, and to the utmost exertion of their power, to maintain his dignity and lawful sovereignty in and over all his Colonies in *America*; and that it is their most fervent desire and constant prayer that, in a Protestant succession, the descendants of the illustrious House of *Hanover*, may continue to sway the *British* sceptre to the latest posterity.

2. They do highly esteem and prize the happiness of being governed, and having their liberty and property secured to them, by so excellent a system of laws as that of *Great Britain*, the best doubtless in the universe; and they will, at all times, cheerfully obey and render every degree of assistance in their power to the full and just execution of them. But at the same time will, with the greatest alacrity and resolution, oppose any unwarrantable innovation in them, or any additions to, or alterations in the grand system which may appear unconstitutional, and, consequently, inconsistent with the liberties and privileges of the descendants of free-born *American Britons*.

3. As there has been for ages past a most happy union

Digitized by Google

and uninterrupted connection between *Great Britain* and her Colonies in *America*, they conceive their interests are now become so intimately blended together, and their mutual dependence upon each other to be at this time so delicately great, that they esteem every thing which has a tendency to alienate affection, or disunite them in any degree, highly injurious to their common happiness, and directly calculated to produce a Revolution likely to prove in the end destructive to both; they do, therefore, heartily disclaim every idea of that spirit of independence which has of late, by some of our mistaken brethren on each side of the *Atlantic*, been so groundlessly and injuriously held up to the attention of the Nation, as having, through ambition, possessed the breasts of the *Americans*. And, moreover, they devoutly beseech the Supreme Disposer of all events, graciously to incline the heart of our Sovereign, and all his Ministers, to a kind and impartial investigation of the real sentiments and disposition of his truly loyal *American* subjects.

4. Notwithstanding many great men and able writers have employed their talents and pens in favour of the newly adopted mode of taxation in *America*, they are yet sensible of no convictive light being thrown upon the subject; and, therefore, although so august a body as that of the *British* Parliament is now actually endeavouring to enforce, in a military way, the execution of some distressing edicts upon the capital of the *Massachusetts* Colony, they do freely and solemnly declare, that in conscience they deem them, and all others that are, or even may be, framed upon the same principles, altogether unprecedented and unconstitutional, utterly inconsistent with the true original intention of Magna Charta, subversive of the just rights of free-born *Englishmen*, agreeable and satisfatory only to the domestick and foreign enemies of our Nation, and consequently pregnant with complicated ruin, and tending directly to the dissolution and destruction of the *British* Empire.

5. As they, on the one hand, firmly believe that the inhabitants of the *Massachusetts* Colony in general, and those of the town of *Boston* in particular, are, to all intents and purposes, as loyal subjects as any in all his Majesty's widely extended Dominions; and on the other, that (although the present coercive and oppressive measures against them may have taken their rise in some part from the grossest and most cruel misrepresentation both of their disposition and conduct,) the blockade of that town is principally designed to lead the way in an attempt to execute a dreadful deep laid plan for enslaving all *America*. They are, therefore, clearly of opinion, that the *Bostonians* are now eminently suffering in the common cause of *American* freedom, and that their fate may probably prove decisive to this very extensive Continent, and even to the whole *British* Nation; and they do verily expect that unless some generous spirited measures for the publick safety be speedily entered into, and steadily prosecuted, every other Colony will soon, in turn, feel the pernicious effects of the same detestable restrictions. Whence they earnestly entreat every rank, denomination, society, and profession of their brethren, that, laying aside all bigotry, and every party disposition, they do now universally concur in one generous and vigorous effort for the encouragement and support of their suffering friends, and in a resolute assertion of their birth-right, liberties, and privileges. In consequence of which they may reasonably expect a speedy repeal of all the arbitrary edicts respecting the *Massachusetts* Government, and at the same time an effectual preclusion of any future attempts of the kind from the enemies of our happy Constitution, either upon them or any of their *American* brethren.

6. In case it shall hereafter appear to be consistent with the result of the deliberations of the general Congress, that an interruption, or entire cessation, of commercial intercourse with *Great Britain*, and even (painful as it may be) with the *West Indies*, until said oppressive Acts be repealed, and the liberties of *America* fully restored, stated, and asserted, will on this deplorable emergency be really necessary and conducive to the publick good; they promise a ready acquiescence in the measure, and will recommend the same as far as their influence shall extend.

7. As a general Congress of Deputies from the several *American* Colonies is proposed to be held at *Philadelphia*, some time in *September* next, they declare their entire approbation of the design, and think it the only rational method of evading those aggravated evils which threaten to involve the whole Continent in one general calamitous catastrophe. They are therefore met this day, vested with due authority, from their respective constituents, to elect a Committee to represent this County of *Monmouth* in any future necessary transactions respecting the cause of liberty, and especially to join the Provincial Conventions oon to be held at *New-Brunswick*, for the purpose of nominating and constituting a number of Delegates, who, in behalf of this Colony, may steadily attend said general Congress, and faithfully serve the labouring cause of freedom; and they have consequently chosen and deputed the following gentlemen to that important trust, viz: *Edward Taylor*, *John Anderson*, *John Taylor*, *James Grover*, and *John Lawrence*, Esquires, Doctor *Nathaniel Scudder*, and Messrs. *John Burrowes*, *John Covenhoven*, *Joseph Holmes*, *Josiah Holmes*, and *Edward Williams*; *Edward Taylor*, Esq., being constituted Chairman, and any five of them a sufficient number to transact business. And they do beseech and entreat, instruct and enjoin them, to give their voice at said Provincial Convention, for no persons but such as they in good conscience and from the best information shall verily believe to be amply qualified for so interesting a department; particularly that they be men highly approved for integrity, honesty, and uprightness, faithfully attached to his Majesty's person and lawful Government, well skilled in the principles of our excellent Constitution, and steady assertors of all our civil and religious liberties.

8. As, under the present operation of the *Boston* Port Bill, thousands of our respected brethren in that town must necessarily be reduced to great distress, they feel themselves affected with the sincerest sympathy and most cordial commisseration; and as they expect, under *God*, that the final deliverance of *America* will be owing, in a great degree, to a continuance of their virtuous struggle, they esteem themselves bound in duty and interest, to afford them every assistance and alleviation in their power; and they do now, in behalf of their constituents, declare their readiness to contribute to the relief of the suffering poor in that town; therefore, they request the several Committees of the counties, when met, to take into their serious consideration the necessity and expediency of forwarding, under a sanction from them, subscriptions through every part of this Colony, for that truly humane and laudable purpose; and that a proper plan be concerted for laying out the product of such subscriptions to the best advantage, and afterwards transmitting it to *Boston* in the safest and least expensive way.

9. As we are now, by our Committees in this, in conjunction with those of the other Colonies, about to delegate to a number of our countrymen, a power equal to any wherewith human nature alone was ever invested; and as we firmly resolve to acquiese in the issue of their deliberations, we do therefore earnestly entreat them, seriously and conscientiously to weigh the inexpressible importance of their arduous department, and fervently to solicit that direction and assistance in the discharge of their trust, which all the powers of humanity cannot afford them; and we do humbly and devoutly beseech that *God*, in whose hand are the hearts of all flesh, and who ruleth them at His pleasure, graciously to infuse into the whole Congress a spirit of true wisdom, prudence, and just moderation; and to direct them to such unanimous and happy conclusions, as shall terminate in His own honour and glory; the establishment of the Protestant succession of the illustrious House of *Hanover*; the mutual weal and advantage of *Great Britain* and all her Dominions, and a just and permanent confirmation of the civil and religious liberties of *America*. And now, lastly, under the consideration of a bare possibility, that the enemies of our Constitution may yet succeed in a despotick triumph over us in this age, we do earnestly, (should that prove the case) call upon all future generations to renew the glorious struggle for liberty, as oft as Heaven shall afford them any probable means of success.

May this notification, by some faithful record, be handed down to the yet unborn descendants of *Americans*, that nothing but the most fatal necessity could have wrested the present inestimable enjoyments from their ancestors. Let

Digitized by Google

them universally inculcate upon their beloved offspring an investigation of those truths, respecting both civil and religious liberty, which have been so clearly and fully stated in this generation. May they be carefully taught in all their schools; and may they never rest, until, through a Divine blessing upon their efforts, true freedom and liberty shall reign triumphant over the whole Globe.

Signed by order of the Committees,

EDWARD TAYLOR, *County Chairman.*

ADDRESS OF THE JUSTICES OF THE COUNTY OF SUFFOLK TO HIS EXCELLENCY GOVERNOUR GAGE, PRESENTED JULY 19, 1774.

May it please your Excellency:

The present term affords the earliest opportunity to the Justices of his Majesty's Inferiour Court of Common Pleas of the County of *Suffolk*, to address your Excellency on your safe arrival and accession to the chief seat of Government in this Province.

Your Excellency's appointment at this time of difficulty and distress, is a renewed instance of the King's great attention and regard to the interest of this country and *Great Britain*, when the exertion of great abilities are so necessary to restore that peace and harmony which every good man must most sincerely desire; and we doubt not that the exercise of the important powers you are vested with, will discover those principles of benevolence which have ever distinguished your Excellency in other Departments.

We assure you, sir, in our station, we shall use our best endeavours to promote justice and a due obedience to the laws, and to our utmost, advance the prosperity and happiness of your administration.

THE GOVERNOUR'S ANSWER.

GENTLEMEN: It is with much thankfulness I receive your Address. Your obliging congratulations on my safe arrival, and the idea you are pleased to entertain of my abilities, coming from gentlemen so distinguished as the Justices of his Majesty's Inferiour Court of Common Pleas, cannot fail of being extremely grateful to me.

The hopes you form, through me, of peace and harmony being restored betwixt *Great Britain* and this Province, as it is my warmest wish, so it calls forth the exertion of all my abilities to that effect; and the assistance you are pleased to promise me of using your best endeavours to promote justice and a due obedience to the laws, must contribute greatly to this desirable end.

Boston, July 19, 1774.

ADDRESS OF THE FREEHOLDERS AND TRADESMEN OF EASTON, IN THE COUNTY OF BRISTOL, TO GOVERNOUR GAGE, PRESENTED JULY 19, 1774.

To his Excellency THOMAS GAGE, Esq., *Captain-General and Governour-in-chief in and over the Province of the* MASSACHUSETTS BAY, *in* NEW ENGLAND.

May it please your Excellency:

We do wait on your Excellency to pay our hearty congratulations on your arrival to this Province; to acknowledge our gratitude to our Sovereign, for his gracious appointment of you to the head of this Province at this very important juncture, and to give you firm assurance that we will do every thing in our power, in our respective stations, to promote peace and good order in the Province.

We, in full confidence from the amiable character your Excellency has obtained in your other important Departments in *America*, rely you will ever delight in the promoting the good of this Government.

We find a peculiar difficulty in expressing the distresses of our minds relating to the unhappy circumstances of this Province, and can with sincerity say, that we have no doubt, from your well known character, that you will do all that is in your power to extricate us out of our distresses, in any way consistent with the true interest of *Great Britain* and her Colonies, which we hold inseparable; and we do bear our testimony against all riots, routs, combinations, and unwarrantable resolves, which we apprehend have been the unhappy occasion of many of our troubles; and as there is now circulating throughout this Province certain inflammatory pieces, signed by order of the Committee of Correspondence of the town of *Boston*, directed to the several towns in this Province, stimulating the people to break off all connections with *Great Britain*, which have still a tendency to alienate the affections of the people of this Province from the mother country, and create discord and confusion, we do assure your Excellency, that we will do every thing in our power to discountenance such proceedings, and are ready to aid the civil officers in the execution of the good and wholesome laws, and render your Excellency's administration successful and prosperous.

Signed by forty-six Inhabitants.

THE GOVERNOUR'S ANSWER.

GENTLEMEN: I return you thanks for this obliging Address; and the assurance you give me of doing all in your power, in your respective stations, to promote peace and good order in the Province. It is the duty of my station to use every endeavour to restore harmony between *Great Britain* and her Colonies; and it is my most ardent wish, as an *Englishman*, that the union betwixt them was so strongly cemented as never to be dissolved.

But while unwearied pains are taken to inflame the minds of the people against the mother country, paying no attention to truth, law, or justice, visibly with intent to widen the breach, which might be repaired by temper, decency, and moderation, so salutary a work appears unfortunately at too great a distance.

Boston, July 19, 1774.

EXTRACT OF A LETTER FROM A GENTLEMAN IN BRISTOL, TO HIS FRIEND IN PHILADELPHIA, DATED JULY 20, 1774.

Surrounded as I am by a thousand different businesses, still I cannot resist the strong inclination I feel to tell you that I am alive and well once more in Old *England*. Formerly I loved the country and people, but now both appear odious to me. Their conduct towards the *Americans* is horrid, cruel, and detestable. They call ye all thieves, pirates, and rebels; for which, in return, I make no scruple to call them knaves, scoundrels, and spiritless slaves. Every day I am in the most furious quarrels in vindication of *America*, that ever you saw. I wish to *God* that you had a few more friends in this city. I shall, through my zealous attachment, lose or endanger my election; but no matter. They already cry—no *American;* no Bill-of-Rights-man. My acquaintance tell me I am too warm; but do you tell me, my friend, who that is made up of *American* flesh and blood, can sit calm and composed to hear his native country, with his dearest connections, calumniated, belied, and reprobated! No! By Heaven and Earth I swear I never will silently put up with such ill usage, while I have breath to speak, or hands to fight.

I am just returned from *London*. It is with a degree of pleasure, I can assure you, many of the great men are ashamed of what they have done, seriously dreading the associations and resentment of the *Virginians* in particular. The revenue arising from the duties on tobacco is mortgaged; and a stop to their exportations would make a glorious confusion among their High Mightinesses.

When I left *America* I recommended moderation, but with concern I find that conduct will not do. Resentment must show itself; for our Ministers wish themselves well out of it. Firmness on the part of the *Americans* will ensure them the victory. Now is the crisis—the important crisis of your whole lives; you can lose nothing by a patriotick stand; you may gain every thing.

The people of this country are sunk in luxury, and wish only to get their hands into the purses of *Americans* to support them in it. They are totally indifferent about liberty, and lost to every sense of honour or virtue. Open corruption is connived at and approved; oppression, black as hell, darkens the annals of the present times; and *Britons* seem happy in their supine folly and base vassalage.

If once the *Americans* submit, I foresee a train of evils ready to light upon them. Taxes, impositions, and oppressions, without moderation or end. Now is the appointed time to struggle like men for your dear inheritance; and there can be no doubt, but Providence and a new Parliament will do you ample justice. I will weary Heaven with

Digitized by Google

my prayers for your success. My sincere good wishes attend you and all the rest of my worthy countrymen at *Philadelphia.*

EXTRACT OF A LETTER FROM GOVERNOUR GAGE TO THE EARL OF DARTMOUTH.

Boston, July 20, 1774.

Affairs continue here much in the same situation as when I wrote to your Lordship on the 6th instant, though I don't find the merchants have repeated their attempt to comply with the Port Bill, with the spirit I hoped for. Materials wanted to carry on trades, I am told, begin to fail; and the carrying molasses and rum twenty-eight miles by land, is found not to answer as well as it was expected it would; but the people are kept up by the assurances of assistance from the other Colonies, where their leaders have contrived to raise a flame, which has not been a little increased by letters, speeches, and paragraphs, sent from *England.*

South Carolina has sent some rice for the support of the people here. I don't mean the Province, but some disaffected persons in *Charlestown;* and a few sheep, it is said, has been sent from some other place; but resources of this kind are too precarious to be depended upon, and must fail them. The great object here has been to persuade the other Colonies to make the cause of *Boston* the common cause of *America;* and when the Deputies for holding the general Congress assemble, the *Boston* faction, it is probable, will pay the rest the compliment of taking their advice; and I understand it to be the opinion of most of the other Colonies, that *Boston* should begin by indemnifying the *India* Company. The virulent party at *New-York* is routed; and we are told that *Philadelphia* is moderate.

I have not yet received the new Act for the better government of this Province, though it is printed here; and many tell me I must expect all the opposition to the execution of it that can be made. I hope the new Counsellors and the Magistrates will be firm.

The fast day appointed by the faction, was kept in this town on the 14th instant, as generally and punctually as if it had been appointed by authority. I might say the same of most other places, though it was not universal; for in a few places no regard was paid to it; but the League and Covenant has not succeeded as the faction expected.

They rely here to obtain all their ends, on the same measures as they before adopted, viz: an union of the Colonies; a non-importation, if their demands are not satisfied; the assistance of their friends in *England*, and a general clamour of the merchants and manufacturers.

HANOVER COUNTY (VIRGINIA) ADDRESS.

At a Meeting of the Freeholders of *Hanover* County, at the Court House, on *Wednesday*, the 20th of *July*, 1774, the following Address was agreed to:

To JOHN SYME *and* PATRICK HENRY, *Jun., Esqrs.:*

GENTLEMEN: You have our thanks for your patriotick, faithful, and spirited conduct in the part you acted in the late Assembly, as our Burgesses; and as we are greatly alarmed at the proceedings of the *British* Parliament, respecting the town of *Boston* and the Province of *Massachusetts Bay;* and as we understand a meeting of Delegates from all the counties in this Colony, is appointed to be held in *Williamsburg*, on the first day of next month, to deliberate on our publick affairs, we do hereby appoint you, gentlemen, our Delegates; and we do request you then and there to meet, consult, and advise, touching such matters as are most likely to effect our deliverance from the evils which our country is threatened.

The importance of those things which will offer themselves for your deliberation is exceeding great; and when it is considered that the effect of the measures you may adopt will reach our latest posterity, you will excuse us for giving you our sentiments, and pointing out some particulars proper for that plan of conduct we wish you to observe.

We are freemen; we have a right to be so, and to enjoy all the privileges and immunities of our fellow-subjects in *England;* and while we retain a just sense of that freedom, and those rights and privileges necessary for its safety and security, we shall never give up the right of taxation. Let it suffice to say, once for all, we will never be taxed but by our own Representatives. This is the great badge of freedom, and *British America* hath been hitherto distinguished by it; and when we see the *British* Parliament trampling upon that right, and acting with determined resolution to destroy it, we would wish to see the united wisdom and fortitude of *America* collected for its defence.

The sphere of life in which we move has not afforded us light sufficient to determine with certainty concerning those things from which the troubles at *Boston* originated. Whether the people there were warranted by justice, when they destroyed the tea, we know not; but this we know, that the Parliament, by their proceedings, have made us and all *North America*, parties in the present dispute, and deeply interested in the event of it; insomuch, that if our sister Colony of *Massachusetts Bay* is enslaved, we cannot long remain free.

Our minds are filled with anxiety, when we view the friendly regards of our parent state turned into enmity; and those powers of Government formerly exerted for our aid and protection, formed into dangerous efforts for our destruction. We read our intended doom in the *Boston* Port Bill; in that for altering the mode of trial in criminal cases; and finally, in the Bill for altering the form of Government in the *Massachusetts Bay*. These several Acts are replete with injustice and oppression, and strongly expressive of the future policy of *Great Britain* towards all her Colonies. If a full uncontrolled operation is given to this detestable system, in its earliest stages, it will probably be fixed upon us forever.

Let it, therefore, be your great object to obtain a speedy repeal of those Acts; and for this purpose we recommend the adoption of such measures as may produce the hearty union of all our countrymen and sister Colonies. United we stand; divided we fall. To attain this wished for union, we declare our readiness to sacrifice any lesser interest arising from soil, climate, situation, or productions, peculiar to us.

We judge it conducive to the interests of *America*, that a general Congress of Deputies from all the Colonies be held, in order to form a plan for guarding the claims of the Colonists, and their constitutional rights, from future encroachment, and for the speedy relief of our suffering brethren at *Boston*. For the present, we think it proper to form a general Association against the purchase of all articles of goods imported from *Great Britain*, except negroes, clothes, salt, saltpetre, powder, lead, utensils and implements for handicraft-men and manufacturers, which cannot be had in *America;* books, papers, and the like necessaries; and not to purchase any goods or merchandise that shall be imported from *Great Britain*, after a certain day that may be agreed on for that purpose by the said general meeting of Deputies at *Williamsburg*, except the articles aforesaid, or as shall be allowed to be imported by the said meeting; and that we will encourage the manufactures of *America* by every means in our power. A regard to justice hinders us at this time from withholding our exports. Nothing but the direct necessity shall induce us to adopt that proceeding, which we shall strive to avoid as long as possible.

The *African* trade for slaves, we consider as most dangerous to virtue and the welfare of this country; we therefore most earnestly wish to see it totally discouraged.

A steady loyalty to the Kings of *England* has ever distinguished our country; the present state of things here, as well as the many instances of it to be found in our history, leave no room to doubt it. *God* grant we may never see the time when that loyalty shall be found incompatible with the rights of freemen. Our most ardent desire is, that we, and our latest posterity, may continue to live under the genuine, unaltered Constitution of *England*, and be subjects, in the true spirit of that Constitution, to his Majesty, and his illustrious House; and may the wretches who affirm that we desire the contrary feel the punishment due to falsehood and villainy.

While prudence and moderation shall guide your Councils, we trust, gentlemen, that firmness, resolution, and zeal, will animate you in the glorious struggle; the arm of power, which is now stretched forth against us, is indeed formidable; but we do not despair. Our cause is good;

Digitized by Google

and if it is served with constancy and fidelity, it cannot fail of success. We promise you our best support, and we will heartily join in such measures as a majority of our countrymen shall adopt for securing the publick liberty.

Resolved, That the above Address be transmitted to the Printers, to be published in the Gazettes.

WILLIAM POLLARD, *Clerk*.

STAFFORD COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders and other Inhabitants of the County of *Stafford*, the following Address was agreed to be presented:

To JOHN ALEXANDER *and* CHARLES CARTER, *Esqrs.*:

GENTLEMEN: You are chosen to convey the sentiments of the freeholders and inhabitants of this County to a meeting of the agents from every county in the Colony, to be held in *Williamsburg* on the first day of *August*. Permit us on the occasion to recommend to you a conduct decent, though spirited; animated, yet prudent.

You will declare us unanimously determined to preserve inviolate every privilege and immunity transmitted by our ancestors; that we reject, with a disdain becoming the descendants of *Englishmen*, every mode of taxation, but by our Representatives; that we are united in our prayers and wishes for a speedy restoration of that harmony which formerly subsisted between *Great Britain* and her Colonies; but, alas! we can but deem the prospect distant while Parliament continues to enslave us; while the port of *Boston*, in our sister Colony the *Massachusetts Bay*, is now actually blocked up with an armed force, for having, with a becoming fortitude and resolution withstood the fixure of a most unconstitutional tax. Can we behold this attempt upon *Boston* but as a prelude to what every other Colony, as well as ourselves, are to expect? Do not the inhabitants of that city, the first sufferers in the cause of *American* liberty, demand every assistance from our united counsels and resolutions? We approve, we willingly accede to the Association of our late Assembly after their dissolution. It must affect the *East India* Company, whose concurrence with Administration in their attempts on our liberties, ought for ever to render them odious and detestable to every *American*. But while we testify our approbation of those measures, we declare, at the same time, that we conceive them in our opinion to be inadequate to our purpose, and totally insufficient to procure a removal of our complaints. They are not calculated to alarm the merchant trading to *America*, nor will they serve to arouse the manufacturers, from whose interest, joined to that of those worthy personages who are friends to our liberties, from principle, we are solely to expect redress. Let us make it their interest, on the present occasion, to serve us. This, we conceive, may be easily effected by a general stoppage of all exports and imports to and from *Great Britain* and the *West India* Islands, an occlusion of the Courts of Justice, but in criminal cases, breaches of the peace, and matters of record. These matters we request you to recommend to the meeting, as well by your votes, as every other method in your power.

JOHN WASHINGTON,	SAMUEL SELDEN,
TOWNSHEND DADE,	YELVERTON PEYTON,
RICHARD FOWKE,	WILLIAM GARRARD,
W. G. STEWART,	WILLIAM BRENT,
WILLIAM MOUNTJOY,	ROBERT STITH,
TRAVERSE DANIEL,	THOMAS MOUNTJOY.
JOHN JAMES,	

Resolved, That an exemption from Parliamentary taxation is the clear and undoubted right of the *American* Colonies; that this right hath been uniformly claimed and allowed by the King and Parliament of *Great Britain*, from the first settlement of *America*, and that an attempt to deprive them of this right is both contrary to the laws and Constitution of *England*, and would reduce the *Americans* to a slavery the most deplorable and ignominious.

Resolved, That to surrender the inestimable and unquestioned right which the people of *America* have to be taxed by their Representatives only, would be a total departure from the dignity of human nature, and would argue such a baseness of soul, as must render them unworthy of the name of *British* subjects.

Resolved, That though the members of this meeting do most ardently wish to see restored the good old system of tenderness and protection on the part of the mother country, and love and respect on the part of the Colonies, they are, nevertheless, firmly and seriously resolved to do whatever shall be necessary for the support of the just and equitable claim of a distinct legislation in the Colonies.

Resolved, That every encroachment made by *British* Parliament on the rights of any one of his Majesty's Colonies or Plantations in *America*, ought to be looked upon as an infringement upon the just rights and inherent privileges of the whole.

Resolved, That the only sure and effectual measure to preserve *America*, and disarm the hand of oppression, will be to put an entire and immediate stop to all intercourse of trade with *Great Britain* and the *West Indies*, and also to the exportation of wheat, flour, provisions, and lumber, to any part of *Europe*.

Resolved, That the people of this Colony ought not to have any communication in the way of trade, or otherwise, with any Colony or Island in *North America*, who refuse to unite with them in stopping all trade with *Great Britain* and the *West Indies*, as mentioned above.

Resolved, That it is the opinion of this meeting, that the Courts of Justice in this Colony ought to decline trying any civil causes until the grievances of *America* are redressed.

Resolved, That it is the unanimous opinion of this meeting, and is now earnestly recommended to the late Representatives, that they will, when the sense of the counties can be collected, appoint a meeting at the Falls of *James River*, or some other convenient place, to fix upon a plan for carrying into execution the measures proposed by the people; and it is hoped that Deputies from the merchants will attend.

Resolved, That a Committee be appointed of the following persons:

John Alexander,	Thos. Bunbury, Jun.,	Allin Waller,
Charles Carter,	Housin Hooe,	John Waller,
John Washington,	Chandler Fowke,	Yelverton Peyton,
Townshend Dade,	Richard Fowke,	John Browne,
William Hooe,	Thomas Massey,	Rev. Clement Brooke,
Robert Washington,	Robert Yates,	Elijah Thrailkill,
Henry Fitzhugh,	Charles Massey,	George Brent,
Francis Thornton,	Peter Hansborough,	William Brent,
Gerrard Hooe,	Seymour Hooe,	Robert Brent,
Nath. Washington,	Nehemiah Mason,	John Moncure,
Robert Stith,	Sigismund Massey,	John Bronaugh,
Henry Fitzhugh, Jun.,	Samuel Selden,	Baily Washington,
Lawrence Washington	Gowry Waugh,	John James,
L. Washington, Jun.,	John Fitzhugh,	William Adie,
William Fitzhugh,	Thomas Fitzhugh,	Richard Hewette,
John Stuart,	Henry Fitzhugh, Jun.,	Elias Hoar,
Alvin Moxly,	William Garrard,	John Ralls,
Andrew Grant,	William Mountjoy,	Thomas Ludwell Lee,
Rev. William Stuart,	Peter Daniel,	Robert Knox,
Wm. Gibbon Stuart,	Traverse Daniel,	John Grigg,
John Wadrop,	Thomas Mountjoy,	John Withers,
Baldwin Dade,	Wm. Mountjoy, Jun.,	James Withers,
Thomas Bunbury,	John Mountjoy,	John Murray.

Resolved, That ten of the Committee, with the Moderator, be sufficient for transacting business.

Resolved, That it is the duty of this Colony to contribute as far as their power extends to the relief of the inhabitants of *Boston*, who are now, by the hard hand of oppression, marked out as the victims of Ministerial wrath, for their spirited exertions in the great cause of *American* freedom, and that subscriptions be immediately set on foot for their relief, under the conduct of the Committee.

Resolved, That *John Alexander* and *Charles Carter*, gentlemen, be chosen to attend the General Meeting in *Williamsburg*, on the first day of *August*, to transact business for the inhabitants of *Stafford* County.

WILLIAM GARRARD, *Clerk*.

WILMINGTON (NORTH CAROLINA) RESOLUTIONS.

At a General Meeting of the Inhabitants of the District of *Wilmington*, in the Province of *North Carolina*, held at the town of *Wilmington*, *July* 21, 1774:

WILLIAM HOOPER, Esq., *Chairman*.

Resolved, That Colonel *James Moore*, *John Ancrum*, *Frederick Jones*, *Samuel Ashe*, *Robert Howe*, *Robert Hogg*, *Francis Clayton*, and *Archibald Maclaine*, Esqrs., be a Committee to prepare a Circular Letter to the several

Digitized by Google

counties of this Province, expressive of the sense of the inhabitants of this District, with respect to the several Acts of Parliament lately made for the oppression of our sister Colony of the *Massachusetts Bay*, for having exerted itself in defence of the constitutional rights of *America*.

Resolved, That it will be highly expedient that the several counties of this Province should send Deputies to attend a general meeting at *Johnston* Court House, on the 20th day of *August* next, then and there to debate upon the present alarming state of *British America*, and in concert with the other Colonies, to adopt and prosecute such measures as will most effectually tend to avert the miseries that threaten us.

Resolved, That we are of opinion, in order to effect an uniform plan for the conduct of all *North America*, that it will be necessary that a general Congress be held, and that Deputies should there be present from the several Colonies, fully informed of the sentiments of those in whose behalf they appear, that such regulations may then be made as will tend most effectually to produce an alteration in the *British* policy, and to bring about a change honourable and beneficial to all *America*.

Resolved, That we have the most grateful sense of the spirited conduct of *Maryland*, *Virginia*, and all the other Northern Provinces, and also the Province of *South Carolina*, upon this interesting occasion, and will, with our purses and persons, concur with them in all legal measures that may be conceived by the Colonies in general as most expedient in order to bring about the end which we earnestly wish for.

Resolved, That it is the opinion of this meeting, that *Philadelphia* will be the most proper place for holding the *American* Congress, and the 20th day of *September* the most suitable time; but in this we submit our own to the general convenience of the other Colonies.

Resolved, That we consider the cause of the town of *Boston* as the common cause of *British America*, and the inhabitants thereof as suffering in the defence of the rights of the Colonies in general; and that therefore we have, in proportion to our abilities, sent a supply of provisions for the indigent inhabitants of that place, thereby to express our sympathy in their sufferings, and as an earnest of our sincere intentions to contribute, by every means in our power, to alienate their distress, and to induce them to maintain, with prudence and firmness, the glorious cause in which they are at present embarked.*

CIRCULAR LETTER FROM THE WILMINGTON COMMITTEE TO THE FREEHOLDERS OF THE SEVERAL COUNTIES OF THE PROVINCE OF NORTH CAROLINA.

GENTLEMEN: At this conjuncture of *British* politicks, when the liberty and property of *North American* subjects are at stake, when the schemes of a designing Minister are so far matured to action, that the port of *Boston* is shut up, that the charter of *Massachusetts Bay* is cruelly infringed, and its Government converted into one nearly military, to be silent would be insidious.

To avoid such an imputation to this part of the Province, we, the subscribers, appointed a Committee of Correspondence for the town and District of *Wilmington*, at a most respectable meeting of the freeholders of this district, by their express command, take this earliest opportunity of acquainting you with their resolutions, a copy of which we now enclose you, and request that you would send the Members, already by you elected, to represent you in General Assembly, or such other persons whom you shall approve of, to appear as your Deputies at the Court House of *Johnston* County, on the 20th day of *August* next, possessed of the sentiments of those in whose behalf they attend, and with full power to express it as obligatory on the future conduct of the inhabitants of this Province; and then and there to consult and determine what may be necessary to the general welfare of *America*, and of this Province. We at the same time take the liberty to inform you that there has been set on foot a subscription for the relief of the poor artizans and labourers of the town of *Boston*, precluded by one of forementioned measures of the *British* Minister from following their respective occupations, and we have reason to congratulate ourselves upon the generous contribution of the inhabitants, which has put it in our power to load a vessel with provisions, which will sail this week for the port of *Salem*.

We rely upon your sending an immediate answer to these our proposals, and wishing you success in all your efforts for the support of the constitutional liberties of *America*, permit us to subscribe ourselves, &c.

THE BRITISH AMERICAN, NO. VIII.

Williamsburg, Va., July 21, 1774.

Friends, Fellow-citizens, and Countrymen:

You are now to consider the Second Plan proposed: That you shall immediately stop all exports and imports to and from *Great Britain* and the *West India* Islands, till the Tea and *Boston* Acts are repealed. This plan is recommended to you by men who profess themselves resolutely determined to oppose the arbitrary proceedings of the *British* Parliament, but at the same time wish you to adopt moderate measures; and I am convinced they mean well, and are so heartily in earnest in their professions and their wishes, that if they can be convinced that the plan they propose will be the least effectual to avoid the jurisdiction claimed by the *British* Parliament, and the most violent and dangerous measure which can be adopted, I have no doubt but they will readily give it up. It will not only be justifiable but highly commendable in you to lessen your imports from *Great Britain*, by confining yourselves to such articles as are absolutely necessary, and which you cannot manufacture yourselves; because unless you use the utmost frugality, the great balance which you already owe to the *British* merchants will be constantly increasing till you become bankrupts; but to deny yourselves the common necessaries or even the conveniences, of life, whilst you are able to pay for them, in order to break off all connections with, and to distress, *Great Britain*, is surely no moderate measure. That you have been cruelly treated is certain; but in resenting that treatment you ought to distinguish between your friends and your enemies, and not, drawcansir like, destroy all you meet. The manufacturers of *Britain* never injured you, and probably dislike the measures of Administration as much as you do. It will be cruel in you to endeavour to starve them and their families for an insult to which they were in no way accessary. But it is said that if this plan is adopted, the want of bread will lay them under the necessity of taking up arms, and of forcing a repeal of the Acts you complain of. Not to mention that a measure whose most distant prospect of success arises from forcing these innocent people into actual rebellion, and introducing all the horrours of a civil war in *Britain*, can never be deemed a moderate one, it would be highly dishonourable in you, instead of drawing your own swords, and facing your oppressors, like a brave people struggling for liberty, meanly (to take the advantage of their necessities) to force a number of starving wretches to expose themselves for your sakes to dangers you are afraid to encounter yourselves; and your conduct would certainly be very inconsistent in daring to refuse submission to *British* nobles, whilst, conscious of your own degeneracy and cowardice, you meanly trusted the preservation of your liberty to the bravery of *British* Mechanicks, whose secret wishes to restrain your manufactures, whose honest contempt of your shameful conduct, and whose pressing necessities for bread, would more probably induce them to enlist as soldiers to enslave than protect you. But consider a little further how far this scheme is practicable; imagine yourselves in the situation you shortly will be after you have adopted it. The want of salt will be a small inconvenience, but hickory ashes, though a poor substitute, may supply the place of it as well to you as it formerly did to the native *Indians*, and the live stock with which you will abound, when you no longer export provisions, will in a great measure render it unnecessary, by enabling you to kill fresh meat every day. Nails, without slitting mills, will be made with great difficulty, but logged cabins may be built without them; clothes for yourselves and negroes

* WILMINGTON, *July* 27.—In a former paper we observed a subscription had been opened here in behalf of such people in *Boston* as are deprived, by the stoppage wantonly put to the trade of that place, of the usual means of subsisting themselves and families; we now observe, with particular pleasure, that several widow ladies of this town have contributed very liberally to that benevolent design.

Digitized by Google

are not worth thinking of, because you may confine yourselves and them to your houses in cold weather, and as you are to export nothing, the summer season will afford you time amply sufficient to raise provisions for your own use, and to lay in fuel for the winter. It is true your stocks may suffer a little in the winter, but this inconvenience may be remedied, in a great measure, by providing such large quantities of provender for them in the summer as to suffer it to be exposed to them to go to, whenever they please, in weather too cold for naked men to distribute it to them. Elegancies, and even luxuries, which many of you, by having been long accustomed to, now consider as the conveniences, if not the necessaries of life, may be resigned as baubles, beneath the consideration of men who either desire or deserve to be free. The ladies, indeed, will be subjected to many disagreeable hardships, but their generous souls will submit to every inconvenience rather than see their posterity enslaved; and the great leisure you will have from contracting the cultivation of your lands will enable you to extend your manufactures till you can supply yourselves with every convenience, with every elegance, that rational men can desire. But till you can greatly improve your present manufactures, you will allow, my countrymen, that your situations will be rather uncomfortable. Are you certain that all *America* will cheerfully submit to this situation? Did those who signed the Association in the days of the Stamp Act, religiously adhere to it? That there are some few refined souls in every Colony, perhaps in every county of each Colony, that will sacrifice their own private interest, subject themselves to every inconvenience, and deny themselves almost the common necessaries of life, to promote the publick good and to preserve the liberties of their country, I have no doubt; because history furnishes instances that such disinterested, such heroick characters, have existed, and I believe the inhabitants of *America* are possessed of as much virtue as those of other Nations; but to imagine that all, or even a majority, of the inhabitants of a country, are possessed of such exalted ideas of patriotism, is a romantick supposition, which never has, nor I fear, never will be warranted by the history of any Nation whatever. Nor can we flatter ourselves that this angelick exertion of virtue will be general in *America* when we consider that many of her present inhabitants are, like birds of passage, settled only for a time, for the purposes of raising fortunes by trade, whose ultimate view is to return, with the fortunes they acquire, to the connections they have left behind them in *Britain*, and that there are others whose daily bread depends upon the continuance of the laws we complain of. These two sets of men, so far from observing such an Association, will use every artifice to evade it themselves, and try every stratagem to tempt the vain, to deceive the unwary, and to prevail upon the lukewarm, to desert the common cause; and a general defection from the plan, when once adopted, can answer no other end than that of rendering you contemptible.

But even supposing that all *America* should unite, as one man, in attempting this measure, the *British* aristocracy will never suffer you to carry it into execution; for, let it be remembered, that one of the rights they claim is that of restraining your manufactures; and when you openly avow a design of purchasing no more of their manufactures they will immediately enforce that right of restraining you from making any of your own. But, surely, say the proposers of this plan, they cannot force us to purchase from them whether we will or not. Very true; but if you refuse to do so they will endeavour to prevent you from purchasing those articles in any other market, and from making them yourselves. But, say the proposed of this plan, they have no right to do this. Very true; nor have they any right to make any kind of laws to govern you. But they will endeavour to shew you that they have the power of doing it; and though right and power are two distinct things, you may as well acknowledge the right, as to submit to the power, of legislation; and if you submit to the laws already made, you will soon have others, equally arbitrary, imposed upon you for restraining your manufactures. For my own part, I shall not be at all surprised if the very next session should furnish us with Acts of Parliament enacting, "that your "smiths' shops shall be destroyed as nuisances; tanning "your own hides be declared a misdemeanor; combing "your own wool be punished with fine and imprisonment; "spinning your own flax subject you to the pillory; mak-"ing your own shoes be made felony, without benefit of "clergy; fabricating your own hats incur a premunire; "weaving any kind of cloth be deemed an overt act of "high treason; fashioning a canoe be chastised as an insult "upon the *British* flag; building a boat be constituted an "unpardonable act of rebellion; launching a ship be consi-"dered as an actual declaration of war; trials by juries be "exploded, as dangerous appeals to the people, who are "not to be trusted; new Courts of Admiralty be erected "in their room, whose judges shall hold their commissions "during pleasure, and be stimulated to enforce those Acts, "by sharing in the forfeitures and confiscations occasioned "by their own judgments; and to extinguish every spark of "publick spirit, and to prevent a possibility of redress, your "Assemblies will be dissolved, and the people no longer "permitted to elect Representatives, to urge their grievan-"ces, or to utter their complaints." Do not, my countrymen, be so blind to your own welfare, as to imagine I am jesting upon this serious occasion, or that I am supposing Acts of Parliament which can never exist. Reflect upon the different Acts for preventing slitting mills; for erecting Courts of Admiralty for recovering the inland forfeitures imposed by the Stamp Act; for suspending the Legislature of *New-York;* for shutting up the port of *Boston;* for altering the Charter of *New England*, which was more solemnly granted by Majesty than their own Magna Charta; for screening the murtherers of the *Americans;* and the joint address, from both Houses of Parliament to his Majesty, to transport the *Americans* themselves, to be imprisoned and ruined, if not butchered in *England;* and you will be convinced that the cases I have supposed are by no means chimerical, and that there is no act of intemperance, injustice, or despotism, which the *British* aristocracy will not attempt, to restrain *America* from manufacturing, the moment you declare your intention of doing so. To enter, therefore, into Associations against importing *British* manufactures, any farther than a rational attention to your circumstances, is surely no moderate measure, but must, at last, end in a humiliating submission, or oblige you to have recourse to that force which the proposers of this plan wish to avoid.

Let us now consider whether an Association against exporting your commodities would not be attended with still worse consequences. This plan, if it mean any thing, is to distress *Great Britain*. But surely you cannot more effectually do this, than by lessening your imports, and increasing your exports, as much as possible; for by selling your commodities to the *British* merchants, and by taking none of theirs in exchange, you will increase your own wealth by exhausting that of *Britain*. But it is objected, we are at present largely indebted to the *British* Merchants. The more incumbent it is upon you to export all the commodities you can, to pay them as soon as possible; for you ought to have more gratitude than to attempt to ruin the families of those who have been kind enough to furnish you not only with the elegancies, but the necessaries of life. Common honesty requires that you should pay your debts, and if you should refuse to do so, not only the persons injured, but all mankind, will judge unfavourably of you, and declare, that instead of bravely contending for your liberties, you are knavishly endeavouring to cheat your creditors. Such a national breach of faith will unite all *Europe* against you, as a flagitious race of mortals, who do not deserve to be free; who ought to be considered as the pests of human society, and as such, forced into submission, if not extirpated.

For *God's* sake, my countrymen, let your conduct be such that you shall be thought worthy of that freedom you contend for, and do not render yourselves the objects of contempt and abhorrence; for if you should even establish your liberty, in opposition to the united efforts of all *Europe* to reduce you, it may never be in your power to manifest your honest intentions of making retribution. Many of you and your creditors may be dead before the dispute is decided, and the very withholding the sums you owe, for a short period, from men in trade, may irretrievably reduce the survivors and their families to ruin, and *American* become as proverbially infamous as punic faith.

Digitized by Google

But it is said, that by withholding your tobacco you will immediately make the Minister sensible of his folly, in the instant effect it will have upon the revenue. But when you consider that the tax upon tobacco is finally paid by the *British* inhabitants who consume it, and consequently is actually raised in *England*, and if the tax ceases upon this luxury, the same sum may be raised by laying it on some other; and that by doing so, the subjects of *Britain* will pay no more than they do at present; or, in other words, the same sum of money may be still raised by altering only the mode of raising it; the inconvenience will not be so great as is at first sight imagined; and even supposing it otherwise, by giving this temporary shock to Administration, may you not fix a lasting inconvenience upon yourselves? Accustomed to the use of that commodity, when they are no longer supplied by you, may not the inhabitant of *Britain* look out for a supply of it from some other quarter? And may you not lose that valuable branch of trade altogether? If there is no danger of this, or if the loss of it should be thought not worth regretting, at least confine your plan of non-importation to tobacco only, or, what will be still wiser, determine to make no more of it till the points you contend for are established. But to injure yourselves by devoting your wheat and corn to be destroyed by the weavils and other vermin, in your own useless barns, will be indiscreet; to starve your fellow-subjects and fellow-sufferers of the *West Indies* will be inhuman; and to increase the wealth of *Great Britain* by raising to an exorbitant height the price of her wheat and provisions in those foreign markets which you at present supply, will be downright madness to think of. Upon the whole, policy, humanity, a just regard for your national character, gratitude, and common honesty, all forbid you to adopt the second plan proposed, as it would most certainly end in a scandalous and unpitied submission, or introduce a civil war, aggravated with all the inconveniences attending a good cause turned into a bad one by rash, indiscreet, and unjustifiable measures. If we are obliged to struggle for our liberty with arms in our hands, let us not unnerve the sinews of war. If we are at last forced, though unwillingly, to draw the sword, let us do it in a just cause; let us be careful that we are not the aggressors, let us point our resentment against our oppressors; but let us not wound the bosoms of our friends; let us conduct ourselves in such a manner as to raise the prayers of the righteous for our success, and if we do fall, let us fall revered and lamented, but not execrated and despised by all mankind. But I am far from thinking that you are yet in this desperate situation, and am not without hopes that you may still establish your liberty without having recourse to the decision of the sword. But to avoid this, it will be absolutely necessary to convince your oppressors that you dare to do it rather than be enslaved. The measures to be taken, in order to convince them, naturally lead me to the consideration of the third plan proposed, which, I confess, appears to me the most constitutional, the most rational, the most moderate, and the most effectual measure you can pursue; and to prove that it is so shall be the subject of my next.

I shall conclude this with one remark, which I submit to the serious attention of my countrymen. You may remember that the second plan proposed came first recommended to you from your friends on the other side the *Atlantic*. Now, though many of the inhabitants of *Great Britain* think that the *British* Parliament have no right to tax you, and sincerely disapprove the hostile and violent measures pursued by them against you, yet there is not one man of them who does not insist that you ought to submit to the supreme legislation of the *British* Parliament, and therefore would wish you to avoid every measure of contesting with success the supremacy they claim of restraining your manufactures, and of securing to themselves the whole profit of your labours. Hence they will never advise you to adopt any other than temporizing measures, to avoid the evil of a present oppression, without considering that to admit the dependence, must one time or other necessarily end in despotism to them, and slavery to you. Again, the *British* people are of two factions, the first consists of a majority of the two Houses of Parliament, and composes the aristocracy; these are called the *ins*. The second consists of the minority of those Houses, and are called the *outs*. Most of whom would be willing to be taken into the aristocracy, and become *ins* if they could; and whenever they are, would be as violent against you as their brethren. With this view the *outs* now pretend to be your friends, and advise you to adopt measures that would do, what? Settle the dispute at once? By no means; for that would lessen their own consequence. But such as may subject the *ins* to temporary inconveniences, and oblige them to admit some of the *outs* to share with them in the emoluments of Administration; listen therefore to them with a suspicious ear; "Hear each man's censure, but reserve your judgment," and constantly revolve in your minds these truths: that *American* liberty can only be preserved by *American* virtue, and that if you determine to dare to be free, you will be so.

NEW-JERSEY RESOLUTIONS.

At a General Meeting of the Committees of the several Counties in the Province of *New-Jersey*, at *New-Brunswick*, on *Thursday*, the 21st *July*; and continued to the *Saturday* following:—Present seventy-two Members.

STEPHEN CRANE, Esquire, in the Chair.

The Committees taking into their serious consideration the dangerous and destructive nature of sundry Acts of the *British* Parliament, with respect to the fundamental liberties of the *American* Colonies, conceive it their indispensable duty to bear their open testimony against them, and to concur with the other Colonies in prosecuting all legal and necessary measures, for obtaining their speedy repeal. Therefore, we unanimously agree in the following sentiments and Resolutions:

1st. We think it necessary to declare, that the inhabitants of this Province, (and we are confident the people of *America* in general) are, and ever have been, firm and unshaken in their loyalty to his Majesty King *George* the Third; fast friends to the Revolution settlement; and that they detest all thoughts of an independence on the Crown of *Great Britain*: Accordingly we do, in the most sincere and solemn manner, recognize and acknowledge his Majesty King *George* the Third to be our lawful and rightful Sovereign, to whom under his royal protection in our fundamental rights and privileges, we owe, and will render all due faith and allegiance.

2d. We think ourselves warranted from the principles of our excellent Constitution, to affirm that the claim of the *British* Parliament, (in which we neither are, nor can be represented) to make laws, which shall be binding on the King's *American* subjects, "in all cases whatsoever," and particularly for imposing taxes for the purpose of raising a revenue in *America*, is unconstitutional and oppressive; and which we think ourselves bound in duty to ourselves and our posterity, by all constitutional means in our power, to oppose.

3d. We think the several late Acts of Parliament for shutting up the port of *Boston*; invading the Charter rights of the Province of the *Massachusetts Bay*; and subjecting supposed offenders, to be sent for trial to other Colonies, or to *Great Britain*; the sending over an armed force to carry the same into effect, and thereby reducing many thousands of innocent and loyal inhabitants to poverty and distress; are not only subversive of the undoubted rights of his Majesty's *American* subjects, but also repugnant to the common principles of humanity and justice. These procedings, so violent in themselves, and so truly alarming to the other Colonies, (many of which are equally exposed to Ministerial vengeance,) render it the indispensable duty of all, heartily to unite in the most proper measures, to procure redress for their oppressed countrymen, now suffering in the common cause; and for the re-establishment of the constitutional rights of *America* on a solid and permanent foundation.

4th. To effect this important purpose, we conceive the most eligible method is, to appoint a General Congress of Commissioners of the respective Colonies; who shall be empowered mutually to pledge, each to the rest, the publick honour and faith of their constituent Colonies, firmly and inviolably to adhere to the determinations of the said Congress.

5th. *Resolved*, That we do earnestly recommend a general non-importation and a non-consumption agreement

Digitized by Google

to be entered into at such time, and regulated in such manner, as to the Congress shall appear most advisable.

6th. *Resolved*, That it appears to us, to be a duty incumbent on the good people of this Province, to afford some immediate relief to the many suffering inhabitants of the town of *Boston*. Therefore, the several County Committees do now engage to set on foot, and promote collections, without delay, either by subscriptions or otherwise, throughout their respective counties: and that they will remit the moneys arising from the said subscriptions, or any other benefactions, that may be voluntarily made by the inhabitants, either to *Boston*, or into the hands of *James Neilson*, *John Dennis*, *William Ouke*, *Abraham Hunt*, *Samuel Tucker*, Dr. *Isaac Smith*, *Grant Gibbon*, *Thomas Sinnicks*, and *John Carey*, whom we do hereby appoint a Committee for forwarding the same to *Boston*, in such way and manner as they shall be advised will best answer the benevolent purpose designed.

7th. *Resolved*, That the grateful acknowledgments of this body are due to the noble and worthy patrons of constitutional liberty, in the *British* Senate, for their laudable efforts to avert the storm they beheld impending over a much injured Colony, and in support of the just rights of the King's subjects in *America*.

8th. *Resolved*, That *James Kinsey*, *William Livingston*, *John Dehart*, *Stephen Crane*, and *Richard Smith*, Esquires, or such of them as shall attend, be the Delegates to represent this Province in the General Continental Congress, to be held at the City of *Philadelphia*, on or about the first of *September* next, to meet, consult, and advise with the Deputies from the other Colonies; and to determine upon all such prudent and lawful measures as may be judged most expedient for the Colonies immediately and unitedly to adopt, in order to obtain relief for an oppressed people, and the redress of our general grievances.

Signed by order,

JONATHAN D. SERGEANT, *Clerk*.

MASSACHUSETTS BAY.

By the GOVERNOUR.—*A Proclamation*

For the encouragement of Piety and Virtue, and for preventing and punishing of Vice, Profanity, and Immorality.

In humble imitation of the laudable example of our most gracious Sovereign, *George* the Third, who, in the first year of his reign, was pleased to issue his Royal Proclamation for the encouragement of Piety and Virtue, and for preventing of Vice and Immorality, in which he declares his Royal purpose to punish all persons guilty thereof, and upon all occasions to bestow marks of his Royal favour on persons distinguished for their Piety and Virtue, I therefore, by and with the advice of his Majesty's Council, publish this Proclamation, exhorting all his Majesty's subjects to avoid all Hypocrisy, Sedition, Licentiousness, and all other immoralities, and to have a grateful sense of all *God's* mercies, making the divine laws the rule of their conduct.

I therefore command all Judges, Justices, Sheriffs, and other officers, to use their utmost endeavours to enforce the laws for promoting Religion and Virtue, and restraining all Vice and Sedition; and I earnestly recommend to all Ministers of the Gospel, that they be vigilant and active in inculcating a due submission to the laws of *God* and man; and I exhort all the people of this Province, by every means in their power, to contribute what they can towards a general reformation of manners, restitution of peace and good order, and a proper subjection to the laws, as they expect the blessing of Heaven.

And I do therefore declare that in the disposal of the offices of honour and trust, within this Province, the supporters of true Religion and good Government, shall be considered as the fittest objects of such appointments.

And I hereby require the Justices of Assize and Justices of the Peace in this Province, to give strict charge to the Grand Jurors for the prosecution of offenders against the laws; and that, in their several Courts, they cause this Proclamation to be publickly read, immediately before the charge is given.

Given at the Council Chamber in *Salem*, the 21st day of *July*, 1774, in the fourteenth year of the reign of our Sovereign Lord *George* the Third, by the Grace of *God*, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c. THOMAS GAGE.

By his Excellency's command,

THOMAS FLUCKER, *Secretary*.

GOD *save the King*.

TO THE WORTHY INHABITANTS OF THE TOWN OF BOSTON.

Rhode Island, July 21, 1774.

MY DEAR BRETHREN: The manly firmness with which you sustain every kind of Ministerial abuse, injury, and oppression, and support the glorious cause of liberty, reflects the highest honour upon the town. The few, very few amongst you, who have adopted the principles of slavery, serve, like the shade in a picture, to exhibit your virtues in a more striking point of light. Unhappy men, I sincerely pity them, that they should have so little sense of the dignity of human nature; so little sense of their duty to *God*, as to wish to reduce rational beings, formed after his divine image, to a state of brutish or worse than brutish servitude; that they should be so dead to all the feelings of humanity, publick spirit, and universal benevolence, as to prefer the sordid pleasure of being upper slaves to foreign tyrants, and under them tyrannizing over their country, to the God-like satisfaction of saving that country. How wretchedly these men mistake happiness! All the riches and honour in the world cannot give any pleasure in the least degree equal to the sincere heart-felt joy which the patriot feels in the consciousness of having supported the dignity, the freedom, and happiness of his country.

The attempt made by these men to annihilate your Committee of Correspondence was very natural. The robber does not wish to see our property entirely secured. An enemy, about to invade a foreign country, does not wish to see the coast well guarded and the country universally alarmed. Upon the same principles these men wish the dissolution of the Committee. They know that a design was formed to rob the *Americans* of their property; they hoped to share largely in the general plunder; but they now see that by the vigilance, wisdom, and fidelity, of the several Committees of Correspondence, the people are universally apprized of their danger, and will soon enter into such measures for the common security as will infallibly blast all their unjust expectations; and this is the true source of all the abuse thrown upon your Committee. But Oh, ye worthy few! continue to treat all their attempts with the neglect which they deserve. Thus the generous mastiff looks down with pity and contempt upon the little noisy, impertinent curs, which bark at him as he walks the streets. Your faithful services have endeared you to the wise and good in every Colony. Continue your indefatigable labours in the common cause, and you will soon see the happy success of them in the salvation of your country.

The tools of power, and their connections, I imagine, are daily persuading you, my brethren, to submit to the Ministry. They pretend to pity your distresses, and assure you that the only way for you to get relief, is the making compensation for the tea, and submitting to the Revenue Acts. But did ever a man preserve his money by delivering up his purse to the highwayman who dared to demand it? Is it the way to preserve life, to throw away our arms and present our naked bosoms to the murderer's sword?

The town of *Boston* has been resembled to *Carthage*, and threatened with the same fate by a Member of Parliament. The execution of the sentence is already begun. It may not be amiss, then, to turn to the history of that people. There had been two long and very bloody wars between *Rome* and that city. The *Romans* were victorious. But the *Carthagenians* having, in a few years, almost recovered their former state of wealth and power, the *Romans* looked upon them with a jealous eye, and took every opportunity, (unless by an open war,) to depress them. The *Carthagenians*, dreading a war, and hoping, by a proper submission, to conciliate the *Roman* affection, sent Ambassadors to *Rome*, with orders to declare that they entirely abandoned themselves, and all they possessed, to the discretion of the *Romans*. The Senate of *Rome*, in return, granted them their liberty; the exercise of their

Digitized by Google

own laws, all their territories and possessions, as private persons, or as a Republick, on condition that, in thirty days, they should send three hundred hostages to *Lilybæum*, and do what the Consuls should order them. This cruel order was submitted to. The hostages were immediately sent. They were the flower and hopes of the most noble families of *Carthage*. Upon their departure nothing was heard but the most dismal cries and groans; the whole city was in tears; and the mothers of these devoted youth tore their hair and beat their breasts in all the agonies of grief and despair. They fastened their arms around their lovely offspring, and could not be separated from them but by force. This cruel sacrifice, I should think, would have melted the *Romans* into compassion; but it had no such effect. Ambition and tyranny are incapable of any humane or tender feeling. The Deputies, therefore, attended the *Roman* camp, and told the Consuls they were come in the name of the Senate of *Carthage*, to receive their orders, which they were ready to obey in all things. The Consul praised their good disposition and ready obedience, and ordered them to deliver up all their arms. This fatal order was complied with, and an infinite number of weapons of all kinds, and a fine fleet of ships, accordingly delivered up. Would any thing less than the entire destruction of *Carthage* have satisfied the *Romans*, they would now have been perfectly content. They had wholly disarmed the *Carthagenians*, and got all the noble youth hostages, as a security for their quiet submission; but all this did not satisfy them. The Consul sternly told them that the Senate of *Rome* had determined to destroy *Carthage*; that they must quit their city and remove to some other part of their territory, four leagues from the sea. This they refused to do. The *Romans* therefore attacked their city, which, notwithstanding its defenceless state, bravely sustained a most terrible siege three whole years. Had the *Carthagenians* preserved their youth, the navy, and their arms; had they united their neighbouring nations against the common oppressor, and immediately prepared for their defence, they might, perhaps, have defeated the *Romans*, and preserved their city entirely, or at least for many years longer. But they, by imprudent submissions, put themselves wholly in the power of the enemy; and the consequences were, the miserable death of several hundred thousand people, and the utter destruction of their city! Take warning, my dear countrymen, by this terrible example.

What would the Minister have, if not the good of the Nation? You have invariably promoted it from the first foundation of the Colony. In war you have bravely defended yourselves and the neighbouring Colonies. You have taken a glorious part in several foreign expeditions. You have even, by your conquests, given peace to *Europe*. Besides these important advantages, the Nation has received millions of the profits of your commerce; every thing more than a bare subsistence, which you could gather from all quarters of the globe, being by you remitted to *Great Britain* for her manufactures. What would he have more? He tells you plainly that your liberty, your lives, and property, must be laid at his feet. But, my brethren, suffer every thing, even the horrours of civil war, sooner than make the vile submission. Should you agree to pay for the tea, something more would be demanded. Should that be complied with, something further would still be demanded. In short, nothing will satisfy him but destroying the town, or reducing it to a poor fishing village. A plan hath been formed and steadily pursued, for changing the free Constitution of *Britain* into an absolute Monarchy. Luxury, bribery, and corruption, have given the Minister the absolute command of *England* and *Ireland*. The only remaining obstacle to his unlimited power, is the brave resistance made by the *Americans*. You are among the first of those Sons of Freedom, who have bravely stemmed the torrent of tyranny. You have penetrated and exposed the mischievous designs of the Ministry. You have pointed out proper measures to defeat those execrable designs, and entered into those measures with spirit. This, and not the destruction of the tea, hath brought down the vengeance of the Ministry upon you. They have left you no alternative, but to give up your liberties, and hold your lives and property as slaves, by their mere arbitrary will and pleasure; or nobly determine to maintain those just rights and privileges, which, by the laws of *God* and your country, you are entitled to. You will never hesitate one moment. I am sure, my generous countrymen, you were born and nurtured in the arms of Freedom. You were never yet conquered by any power on earth. You have vast and sure resources. The Colonies, now heartily united, consider your cause as their own. They will soon enter into spirited and effectual measures for your relief. A great part of the people of *England* and *Ireland* will support you; and the distress in which the Nation will soon be involved, by the ill conduct of the Minister, will soon compel him to change his measures, or sink under the resentment of an injured people. Spurn, therefore, from your presence and councils forever, those who dare to propose the giving up our liberties; continue bravely to bear up under your present distress; persevere in the glorious cause in which we are engaged: it is the cause of our King, our country, and of *God* himself. He conducted your fathers to *America*; planted and preserved them in the wilderness, that they might worship him in a manner acceptable to him. You have always maintained the publick (and I hope private) worship of *God*. You and almost all *America* have lately addressed him in a most solemn manner. He hath often delivered us when all human help failed. Witness the destruction of the *French* fleet at *Chebucta*. He is the same gracious and all-powerful Being. Let us, my brethren, put our trust in him; for in the Lord Jehovah is everlasting strength. Let the priests and ministers of the *Lord* weep between the porch and the altar; and let them and all of us, most devoutly, say, "Spare thy people, O *Lord*, and give not thine heritage to reproach;" and we may rely upon it that he will, in due time, deliver us from all our enemies, and continue us a great, a free, and a happy people.

EXTRACT OF A LETTER FROM LONDON TO A GENTLEMAN IN PHILADELPHIA, DATED JULY 23, 1774.

I have been with Doctor *Franklin*. I find the storm against him has much abated; though I believe he has not in the least remitted his attention to the interests of his much injured country. However quiet in appearance, I am very anxious to hear what reception the latter wanton strokes of Government here have met with in *America*, particularly that detestable *Quebec* Bill, which is so evidently intended as a bridle on the Northern Colonies. That Act is looked upon in the most unfavourable light here of any of them; as, for want of making proper distinctions, the violent proceedings of the *Boston* mob are too generally deemed a sufficient justification of the others, and have afforded the Ministry a pretence, which, I am persuaded, they much wished for, of introducing an armed force into *America*, and such other measures as are undoubtedly aimed at establishing the right of taxation in the legislation here; and if not firmly opposed, will certainly do it through *America*. Of what importance, then, is the present conduct of *America*? If the people here are not made to feel the importance, all is over in that way. The late measures will be looked on as justified by their success; and the venal crew, at present termed the Representatives of *Britain*, will probably be again generally returned at the general election next spring, to finish the remains of *American* liberty. Here, indeed, there is but little more than the form of it; where, by exorbitant taxes, the very means are afforded their rulers of riveting their chains, by giving the constitutional sanction. I never felt a stronger attachment to our own cause, than since my arrival here, and ardently wish that such counsels may prevail, as, without introducing anarchy, may preserve our just rights.

I find here many who warmly interest themselves in our favour; and entertain a hope, that when luxury and corruption shall gain an entire conquest over virtue and liberty, in this once happy Kingdom, they or their descendants may find an asylum in *America*, where the genius of Liberty shall reign triumphant.

A few days ago I spent an hour or two very agreeably with *Granville Sharp*, Esquire, to whom I had been introduced. He appears to me to be a very uncommon character, and exceedingly assiduous in the application of uncommon talents for the benefit of his fellow creatures. He tells me he has now in the press, an Examination into the Rights of the Colonies, which are so flagrantly infringed by the late Acts of Parliament. He is warmly on our

Digitized by Google

side; and as his pieces trace the arguments *ab origine*, by which he has answered all the arguments commonly adduced against us, I am in hopes it will have a good effect. He holds a place in the Ordnance, which this publication may probably cost him; but he appears to prefer the discharge of duty to every other consideration. One such advocate, acting from principle, is preferable to the loudest brawler of the venal tribe. Sir *Henry Banks* is dead, and succeeded in the Aldermanship by —— *Haley*, a *New England* merchant, brother-in-law to *Wilkes*. It is proposed to make him Representative of *London* in Parliament, in the room of *Trecothick*, whose state of health will not admit of his continuance in that station.

Doctor *Franklin* was obliging enough to call on me this afternoon. From what he communicated I find that the intention of taxing *all America* is openly avowed by the Ministry. They have already begun, by high duties on spirits in *Canada*, and have ordered a regiment to be raised there; determining, as the Doctor well expressed it, not only to rivet their chains, but make them pay for the iron to do it with.

GOVERNOUR GAGE TO GOVERNOUR TRUMBULL.

Salem, July 23, 1774.

SIR: I enclose you two affidavits, of Mr. *Green* and Mr. *Scott*, taken before two Justices of the Peace and Quorum of the town of *Boston*, touching a very extraordinary treatment that Mr. *Green* met with at *Windham* and *Norwich*, in the Colony of *Connecticut*; and as that gentleman is an inhabitant of this Province, I thing it my duty to interest myself in his behalf, and to transmit you the said affidavits, in the assurance that you will exert yourself to obtain him satisfaction.

You are sensible that people capable of such conduct as those mentioned in the affidavits are accused of, must be a disgrace to every society; and I make no doubt, from a principle of justice, as well as the honour and reputation of the Colony under your command, that you will order the accused persons to be apprehended and brought to trial.

I am, sir, your most obedient humble servant,

THOMAS GAGE.

Honourable *Jonathan Trumbull*, Esq., Governour of the Colony of *Connecticut*.

I, *Caleb Scott*, of lawful age, testify and declare, that being lately on a journey through *Connecticut*, attending upon Mr. *Storer*, of *Boston*, who was in company with Mr. *Francis Green*, we put up at Mr. *Carey's* Tavern, at *Windham*, on *Monday* evening, the fourth day of *July* current; that soon after a man inquired of me whether Mr. *Green*, who was at that time there, was not one of *those that signed for the Governour of Boston*. I referred him to Mr. *Green* himself for an answer. That between nine and ten o'clock that evening, a great number of persons assembled in a tumultuous manner round Mr. *Carey's* Tavern, often demanding Mr. *Green*; that a number kept a little distance on a plat of grass before the Tavern, and after about an hour or two many of them pressed suddenly into the house in a boisterous manner, and went into the room to Mr. *Green*, demanding if his name was *Francis Green*; he answered in the affirmative, and demanded one of their names, who told him, but I cannot recollect it. Some one of them told him thereupon, that they would now give him leave to tarry there till six o'clock next morning, but if he was not then gone to beware of the consequences, or words to that purpose; they then dispersed, it being about eleven o'clock. The next morning at six o'clock, the Meeting House bell was rung, and a cannon, placed before the Tavern door, was fired, and the people again surrounded the house, and I heard several of them say, "*It is full time he was gone.*" Many of them went into the Tavern, and up stairs into Mr. *Green's* bedchamber, and demanded his immediate departure from that town, in opposition to Mr. *Carey's* orders, who forbade them behaving in such a mobbish manner in his house. I, the deponent, remaining below, heard many loud words pass between Mr. *Green* and some of those who went up, but could not distinguish what was said; at length they came down and remained in and about the house until Mr. *Green's* departure. Further, as I returned to *Windham* after Mr. *Green* had left the town, I was there informed that an express was sent from thence to *Norwich* to excite the people there to mob Mr. *Green*; and the same afternoon Mr. *Storer* and myself having overtaken Mr. *Green* at *Lebanon*, we proceeded; and arriving the next morning at *Lothrop's* Tavern, at *Norwich*, stopped there. Mr. *Storer* and Mr. *Green* went from thence to Mr. *Huntington's* house. While I was taking care of the horses I perceived a man run into the Meeting House, and heard the bell ring, and soon after saw several men appear on the plain; one of whom fired a gun, upon which a number of people assembled and proceeded in a body to Mr. *Gales's* shop, where they all held up their hands in a swearing posture; and, I understood, took some oath. From thence they all went to *Lothrop's* Tavern and inquired for Mr. *Green*; being informed he was at Mr. *Huntington's* house, they went there, and remained some time about the house, but after some short time part of them returned, and as they passed me some of them said, "*Let us go and fetch the cart;*" and soon after the rest came also.

In a few minutes Mr. *Storer* and Mr. *Green* came from Mr. *Huntington's* house and went into the Tavern, where breakfast was ordered; immediately a number came with a single horse cart, and asked where Mr. *Green* was? others answered, he's in the Tavern. They then called out, "*The time is up, out with him, fetch him out,*" or in other words to the same effect. The next thing I perceived was that the people burst into the Tavern with great violence, and entered the room where Mr. *Green* was, where they remained a minute or two, then came out in a body bringing Mr. *Green* with them, and keeping close about him, went between the cart and his carriage, at the same time I heard the people say, "*Into the cart with him, into the cart with him;*" then I perceived the people to close in and surround Mr. *Green*, and some appearance of a bustle, but being at a little distance, and the crowd very thick, I could not well see what was going on, but heard one among them say, "*If he will go in his own carriage let him,*" or to that purpose; they then cleared the way a little and obliged Mr. *Green* to get into his curricle; some of them struck the carriage, the horses set off, they beat the drum, the crowd shouted and huzzad, and, following Mr. *Green*, they pelted him for a considerable distance through the town with much rage and violence. CALEB SCOTT.

Suffolk, ss.

Caleb Scott, before named, personally appearing, maketh solemn oath to the truth of the foregoing Deposition by him subscribed; taken at the special request of Mr. *Francis Green, in perpetuam rei memoriam,*

Boston, July 20, 1774.

Before us, EDMUND QUINCY,
BELCHER NOYES,
Justices of the Peace and of the Quorum.

I, *Francis Green*, of *Boston*, do testify and declare, that I arrived at *Windham*, in the Colony of *Connecticut*, on *Monday* afternoon, the 4th instant; that on the same evening four men who called themselves *Hezekiah Bissell*, *Benjamin Lothrop*, *Timothy Larrabee*, and *Ebenezer Backus*, did, in a formal manner, apply to me to know my name, and whether I had signed an Address to Governour *Hutchinson;* and, upon being answered, did then insist on my departing thence, and forthwith quitting that town; intimating that it would be dangerous for me not to comply with their demands. Upon my positive refusal they went off, and soon afterwards a tumultuous assembly of men appeared about the house, and I was informed demanded me. They remained about the door and windows about an hour; then a party of them entered the house, and one, calling himself *Nathaniel Warren*, demanding me, acquainted me that leave was given for me to remain there until six o'clock the next morning, but no longer, intimating (in words which I do not exactly recollect) that it would be attended with disagreeable consequences if I should. That about six o'clock the next morning the Meeting House bell was rung as if for fire, a cannon was fired near the Tavern door, and a number of men then again appeared round the house, some of them repeatedly entered the same, came into my bed-chamber, and, in an

Digitized by Google

insolent manner, again demanded my immediate departure, threatening to seize me with my papers, bundles, &c., and to carry me off by force, although I often told them I was there with intent to collect debts, &c., and that they interrupted me in my necessary business. One of them said it was fool-hardy to sport with life; others swore I should immediately depart, and threw out many threatening insinuations of what I might expect if I did not leave that town without delay. They continued in and about the house until I set out. Upon the road through *Lebanon* to *Norwich*, I was informed that an express was sent from *Windham* to *Norwich* to excite the people there also to oppose my remaining there. I arrived at *Norwich* on *Wednesday* morning, the 6th instant, at about seven o'clock, and being (in company with Mr. *Ebenezer Storer*, of *Boston*,) at the house of *Samuel Huntington*, Esquire, heard the Meeting House bell ring, a gun fire, a drum beat, and saw numbers of men assemble on the adjacent plain, part of whom came into the house and room I was in; one of them, calling himself by the name of *Joshua Huntington*, demanded my name, which being informed, he told me he was deputed, or authorized by the people to let me know that they insisted on my quitting that town in fifteen minutes, which I refused to do. I then called upon *Samuel Huntington*, Esquire, and demanded of him, as a Magistrate, protection from the violence of the people, but received none; soon after this I proceeded to the Tavern, near where the mob was waiting; I went in, and in a few minutes a number of them rushed in and filled the room where I was, calling out, "*Out with him, out with him*," and laid hold of me; I demanded their names; one replied (who seized me) my name is *Simeon Huntington;* they then crowded me out of the house, and when on the outside I perceived a cart standing nigh my chaise. Some of the people who now became very clamorous, seized me again, and called out, "*Into the cart, into the cart with him*," but soon desisted, and then forced me to get into my own carriage, which one of them then struck and set the horses going; upon which they set up a loud shout and huzza, beat their drum, and following near half a mile, pelted me with great rage and violence, and thus obstructed me in my business, to my great injury, and endangered my life.

FRANCIS GREEN.

Suffolk, ss.

Francis Green, before named, personally appearing, maketh solemn oath to the truth of the foregoing Deposition by him subscribed, taken at his special request, *in perpetuam rei memoriam*,

Boston, July 20, 1774.

Before us, EDMUND QUINCY,
BELCHER NOYES,
Justices of the Peace and of the Quorum.

N. B. A Memorandum of several who were witnesses of the transactions of the people at *Windham* and *Norwich*, viz:

Mr. *Carey*, the Tavernkeeper at *Windham*, *Stephen Babcock*, Esquire, of *Stonington*, who was at *Windham*, Mr. *Aplin*, a Lawyer, and Mr. *William Russell*, Merchant, both of *Providence*, who were at *Windham*. Mr. *Lothrop*, Tavernkeeper at *Norwich*. Mr. *Ebenezer Storer*, of *Boston*, who was in company with Mr. *Green* almost the whole time.

—

HEZEKIAH BISSELL, AND OTHERS, TO GOVERNOUR TRUMBULL.

Windham, August 5, 1774.

TO HIS HONOUR THE GOVERNOUR: SIR, We are informed that Governour *Gage*, by a late letter, has informed your Honour that on, or about, the 4th of *July* last, one *Francis Green*, of *Boston*, was much abused in the towns of *Windham* and *Norwich;* that said *Green* was greatly insulted, his life endangered, and he drove out of those towns by force, and prevented transacting his lawful business; and that so far as any of the inhabitants of *Windham* were concerned, that we, the subscribers, were the principal trespassers; and requesting your Honour to direct that we be prosecuted, that *Green* may recover his damages; and that Governour *Gage*, has enclosed sundry affidavits to prove the charge. That your Honour has received a letter of the above import we have no doubt, and how far your Honour will consider yourself obliged, as Governour of this Colony, to interpose your special authority in such kind of personal private trespasses as are hinted at, it is not for us to say. We doubt not but your Honour will treat the matter with the greatest prudence and propriety, and that as this case does not concern Government any more than any other private quarrel does, we doubt not but that it will be treated as other cases have been.

We are willing and desirous, and always have been, to pay all possible respect to the laws, and to the Governour of this Colony; but we must beg your Honour's pardon if we go too far, when we say, that it appears to us, that the message is an insult on the Colony, its laws, and courts, if not upon the Governour thereof. It seems to us that the Governours of *Boston* consider themselves of late as proper complaining officers; and that their informations carry such authority with them, as will justify those they complain to, in trying, condemning, and executing unheard, all that they shall complain of.

Why did not his Excellency direct Mr. *Green* to institute a suit here against those who he supposed had injured him? It could not be he supposed that justice could not be had in our Courts in this Colony; if so, how did he expect that your Honour would procure justice to be done in the case? Would he expect it by some decree of your Honour in favour of *Green*, and against us? If so, we know your Honour has too sacred a regard for the laws and the rights of the subjects, to make such a decree. If he did not expect that, why did he trouble your Honour about it, especially that part which relates to Mr. *Green's* personal damages? Surely Governour *Gage* must know that if Mr. *Green* has any demands for damages that he must recover them by a personal action; in which either his personal presence, or power of attorney would be necessary. We well know that the law is the subject's birth-right, and if Mr. *Green* is desirous of satisfaction that way we are willing to meet him on that ground, and are willing to indemnify him against all insults while necessarily in this town for that purpose. We know that the law is open and justice impartially administered, and should be extremely sorry that its due course should be obstructed, or esteemed to be so, by any either in or out of the Colony.

But we must again beg your Honour's pardon for making the above remarks; and nothing but an inviolable attachment to our just rights and privileges could have induced us to have given your Honour this trouble; and the necessity of the case also obliges us to ask leave to give your Honour a short state of the facts in the case, as they truly were: It so happened that said *Green* came into this town at the time mentioned, a little before sunsetting; the people were soon apprized of his coming, and that he was one of those who signed the Address to Governour *Hutchinson;* and it is well known that Governour *Hutchinson* is considered by all the Colonies as the principal agent who procured the Act for blocking up the port of *Boston*, and the other distressing Acts, and that it is the general sense of the whole Continent that those Acts are unconstitutional and oppressive, and those who signed the Address are considered as returning their thanks to Governour *Hutchinson*, for his involving this country in such a distressed situation (or condition) to which it is now reduced; it was therefore soon agreed that Mr. *Green's* personal presence was disagreeable; however, to touch his person or property none in the town of *Windham* shewed the least inclination, as we know of; but, in order to quiet the people on one side, and secure Mr. *Green* on the other, we were requested to wait on him and let him know that his continuance in the town was disagreeable, and that the people desired him to depart soon. Accordingly we waited on him as he was walking abroad, and informed him that we desired a short interview with him; upon which, he went to his lodgings, and went with us into his room, where we informed him in as genteel a manner as we were capable, of the temper of the people towards him, and requested him to depart the town as soon as he conveniently could. On which Mr. *Green* rose up both in haste and anger, and said what he had done was right and justifiable; that he had no reason to repent of his subscribing, &c.; that he had been used to such attacks before, and was not easily intimidated; we told him that it was not our business to intimidate him, but only to let him know the sentiments of the people, and to request

Digitized by Google

him in their name to depart soon; he said he should not, nor would not till his business was done, which would not be till next day towards night, or the morning after; we then told him, we had delivered our message, and would inform the people of what he had determined, and accordingly did; which was in no measure satisfactory to them; but as he was a stranger to the roads from town, and it being then towards dark, all agreed it would not be well to request him to depart that evening; and thereupon the people appointed Mr. *Warren* and two others to wait on Mr. *Green*, and let him know that they requested him to depart the town by six o'clock next morning. Mr *Warren*, &c., went to Mr. *Green's* lodgings, and by his liberty were admitted into his apartment, where they acquainted him with the desire of the people, and then left him to take his rest.

About seven o'clock the next morning Mr. *Green* not being gone, the bell was rung by somebody, unknown to us; and a small piece was fired by two boys (or youths) without our privity or consent; after that several waited on Mr. *Green* and desired him to depart, and we cannot say but some person might tell him that he should go; but no violence was offered to his person or property, or even threatened as we know of; nor can he prove his accusation. And we really believe, and doubt not but we can abundantly prove, that the transactions of those particular persons accused tended to preserve the peace, and had that effect, and, sure we are, were done with that design.

As to the intelligence going to *Norwich* we are not accountable for that. It went by a *Norwich* man who was occasionally then at *Windham*.

And upon the whole, sir, we are only desirous of that defence which the law gives us, and are willing Mr. *Green* should have the same privilege, and in the most frank and open manner,

We beg leave to subscribe your Honour's most obedient subjects, and very humble servants,

HEZEKIAH BISSELL, TIMOTHY LARRABEE,
BENJAMIN LOTHROP, EBENEZER BACKUS.

GOVERNOUR TRUMBULL TO GOVERNOUR GAGE.

Lebanon, August 10, 1774.

SIR: I have the honour to receive your letter of the 20th of *May* last, and the pleasure to congratulate you that his Majesty hath judged fit to order you to return to your command of his forces in *North America*, and also to appoint you to be Governour-in-chief of his Province of the *Massachusetts Bay*.

I do assure your Excellency of my readiness to co-operate with you in all matters that concern the good of his Majesty's service, and the welfare, freedom, and happiness of his subjects.

I have also received your other letter of the 23d of *July* last, enclosing two affidavits, of Mr. *Green*, and Mr. *Scott*, touching the treatment the former met with in *Windham* and *Norwich*, in this Colony. At your request I have inquired concerning the same; and find that others, well knowing in the affair, do put a very different face and colour on those transactions.

A King's Attorney, and other informing officers are appointed in each county to inquire after, and Courts of Justice instituted to hear and try all informations made of, the breaches of law which happen therein, and all other causes for damages which are duly brought before them: full and ample provision is made by law for the punishment of such as are found guilty of the breach of it; and for the redress of injuries done to the person or property of any one who brings his suit, and prosecutes the same to effect. Mr. *Green* hath good right to take benefit thereof, and undoubtedly will obtain the satisfaction his cause may appear to merit. I am, sir, your most obedient humble servant, JONATHAN TRUMBULL.

His Excellency *Thomas Gage*, Esq.

EXTRACT OF A LETTER FROM SIR JAMES WRIGHT TO THE EARL OF DARTMOUTH, DATED SAVANNAH, IN GEORGIA, JULY 25, 1774.

Our neighbours in *Carolina* are in great wrath about the Acts of Parliament which have been passed relative to the *Massachusetts Bay* Government, and have come to some very indecent resolutions, to call them no worse, and, according to custom, have been very busy in sending handbills, letters, and publick invitations, &c., &c., to stir up the people here to concur with them, and follow their example, and a meeting is to be on *Wednesday* next. There are, my Lord, here, as well as every where else, malecontents and Liberty people, and I will not answer for their conduct, whether it may not be ungrateful and improper; but as soon as they have come to any resolutions or determinations, I shall not fail to acquaint your Lordship therewith.

ELIZABETH CITY COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders and other Inhabitants of the County of *Elizabeth City*, and Town of *Hampton*, assembled at the Court House the 25th day of *July*, 1774, to consider of Instructions to our late Members, or to those persons who shall be chosen our Representatives at the ensuing election,

HENRY KING, Esq., being chosen *Moderator*, and
Mr. ROBERT BRIGHT, *Clerk*,

The following Resolves were agreed to:

Resolved, That the people of this county and town are strongly attached, from principle and education, to his present Majesty King *George* the Third and his family, and they will, with their lives and fortunes, stand by and defend his sacred person, Crown, and dignity.

Resolved, That the Representatives of this Colony have, and ever ought to have, the sole right of taxing the inhabitants of this Colony; and that the assuming of such a power by the present or any other Parliament of *Great Britain*, should ever be considered as a strong proof of that despotick tyranny which so strongly marks the present Administration, and which dictated those late cruel and oppressive Acts, depriving the good people of the *Massachusetts Bay* of their dearest and most invaluable rights.

Resolved, That our late patriotick Members, or such persons as may be chosen our Representatives at the ensuing election, be requested to attend the general meeting at *Williamsburg*, the first of *August* next, and that they be directed to concur with the Deputies from the other counties in the most spirited measures that may be adopted upon this occasion, so truly alarming and interesting to the Colonies.

Resolved, That if a non-importation and exportation agreement should be thought necessary, that our Members be directed to agree thereto.

Resolved, That it is the sense of this meeting that a non-importation and exportation agreement is necessary.

Resolved, That it is the opinion of this meeting, that any merchant or dealer who advances the price of his goods upon a non-importation agreement, ought to be deemed an enemy to his country; and we do most solemnly promise to consider him as such, and to withhold all commercial intercourse with him.

Resolved, That this meeting highly approve of the glowing zeal of the sister Colonies upon this trying occasion, and heartily sympathize with their persecuted brethren and fellow-subjects, the people of *Boston*.

Resolved, That a subscription for the relief of the unhappy poor of *Boston* ought to be encouraged by all charitable and humane people, and that the Moderator be directed to solicit contributions for that purpose.

Resolved, That it is the opinion of this meeting, that our said Members concur with the Members of the other counties, on the first day of *August* next, in the choice of proper persons to represent the Colony of *Virginia* at a general Congress.

Resolved, That the Clerk of this meeting do transmit a copy of these proceedings to the Printers to be published in their Gazettes. ROBERT BRIGHT, *Clerk*.

New-Jersey, July 25, 1774.

It seems now to be a matter past doubt that there will be a general Congress of Delegates from the several *British* Colonies in *America*: a very important Assembly it will be. The weal of *America*, yea, and of *Britain* too, will

Digitized by Google

very much depend upon their proceedings. Never in this country has more depended upon an assembly of men, than depends upon this. Liberty or oppression, if not abject slavery, depends upon the turn that things shall now take. The contest between *Britain* and the Colonies runs high. Matters are now come to a crisis. Something must be done by *America;* and nothing considerable can be done till there is a general Congress. The eyes of all *America* will be upon this Assembly. The Provinces are ripe for doing something; they want to know what. How much depends upon the wisdom and integrity of these Delegates! How fatal to us all, if, by any means, they give a wrong turn to our affairs! If they should not agree, so that the Colonies might unite in some proper measure, *America* is undone; or at least thrown into the utmost confusion.

It should not be deemed arrogance or presumption, for any person, in a modest and rational manner, to suggest what is thought proper to be done at the general Congress. On the contrary it is very desirable that numbers from various parts of our land would impartially offer their sentiments on this head. The Delegates must certainly desire to know the mind of the country in general. No rational man will think himself so well acquainted with our affairs as that he cannot have a more full and better view of them. No human mind is capable of taking in all things. We by degrees obtain the knowledge which we have. No Delegate, before he meet the rest, should think he knows the state and interest of all the Provinces so fully and clearly as that he cannot know them better. No Delegate should go with a full persuasion that he has so formed the proper plan of proceeding, as that he will by no means alter. Every wise man will alter for the better as he sees opportunity. Yet, 'tis very desirable that every Member of that important Assembly should have as general and complete a view of our affairs, and what is proper to be done, as he possibly can before he meets in general Congress; and, for this reason, the more there is suggested in our publick papers the better, if it is done in a becoming manner.

The Delegates should go to the Congress with hearts deeply affected with the weight and vast importance of their business; with a proper concern, if not anxiety of mind, considering how much is depending, and how difficult it may be to determine matters in the best manner. Every wise man will have a modest diffidence as to his own abilities in managing such arduous affairs. In this view let it not be thought amiss, if I say they should go to the great Congress with a proper dependence on the Father of Lights and Mercies, who gives wisdom liberally to those who ask him. And no doubt many will pray for them.

When the Delegates are met several things will lie before them, as matters of consideration, inquiry, or debate. Some of these will be matters of great importance, others of less. One important inquiry, no doubt, will be, in what manner shall we make our application to *Great Britain?* Shall we petition as humble supplicants? Or shall we insist on things as our right? Shall we apply for all that we deem our rights and privileges? Or only for relief in those matters that now press us? Shall our application be made by this general Congress? Or shall this Assembly only point out and advise what the several Provincial Assemblies or Houses of Burgesses shall apply for?

Another considerable head of inquiry respects our trade. Shall we stop importation only, or shall we cease exportation also? Shall this extend only to *Great Britain* and *Ireland*, or shall it comprehend the *West India* Islands? At what time shall this cessation begin? Shall we stop trade till we obtain what we think reasonable, and which will secure us for time to come; or shall it be only till we obtain relief in those particulars which now immediately oppress us? Shall we first apply for relief and wait for an answer before we stop trade, or shall we stop trade while we are making application?

'Tis the general voice of the Colonies that we cannot submit to be taxed by the *British* Parliament; but we by no means refuse to bear our proper, a reasonable part of our publick expenses. [We ourselves being sole judges of the propriety and reasonableness of all requisitions that may be made, and of the mode of levying and applying all we shall think proper to raise.] If we can have all our natural privileges of trade, we are willing to bear our proper part of the burden of expenses. We are willing to let *Britain* know this; we ought now to express our readiness to it. Therefore another important inquiry may be, in what manner shall we pay our part of the publick national expense? This matter once settled, and our proper privileges and natural rights of trade secured, then peace, most agreeable peace, is established between *Britain* and the Colonies. Jealousies will be then removed, and cordial friendship continue. The mother country and her offspring Colonies will then go on to prosper, and numerous blessings attend them both. 'Tis true this matter cannot be settled by the Congress, because it will be a work of time, and must be by mutual agreement between *Britain* and the Colonies. Yet it may be highly expedient for the Congress to consider this matter, and propose what may be proper for the several Provincial Assemblies to offer or comply with. The several Provinces ought to be agreed in this matter; and they cannot so well agree as by a general Congress.

Another inquiry among the Delegates no doubt will be, whether we shall offer to pay for the tea that has been destroyed? This should be freely and calmly debated. What will be proper in point of equity? What may be proper in point of prudence or expediency? What consequences will they in *Britain* draw from our offering to pay for it? In point of equity, the following queries may take place. Was the Act of Parliament that brought the tea here an unconstitutional Act, tending to produce the pernicious consequences that have flowed from it? Was the *East India* Company previously warned by several Members of Parliament, and told they would suffer loss by sending their tea here? Has not that unconstitutional Act of Parliament, and the *East India* Company's conduct, been the proper and unavoidable cause of ten times more damage to *America* than the *East India* Company have sustained? If the Company must be made whole, is it not as reasonable that the expense should lie upon *Britain* as *America*, since a *British* Act was the faulty cause of it; and the destruction of the tea was not the act of *America*, nor of particular cities, as such, but of mobs?

Some queries of less importance may respect the mode of the Delegates proceeding among themselves. Shall the Congress be open to all that can see or hear, or shall the Delegates be by themselves? Shall they allow their debates to be taken down in short-hand? Shall they keep minutes of their proceedings and votes, to be afterwards printed, as is done in Provincial Assemblies, that the Colonies may know how each Member stood affected and voted?

The Delegates from the Provinces ought to be the most hearty friends of *America*, men that will give up their own private interest for the publick good, when these two come in competition. He that will not do this is no real friend to the publick. This important Assembly will be in danger from false or pretended friends. There are a few in almost every Province, who, from one reason or other, would be glad to bring *America* to submit to the Ministerial, unconstitutional, measures which we are now threatened with. If any of these persons, under disguise, should be sent to the Congress (as possibly some may) they will, under show of friendship, try to embarrass and confound the measures proposed. They will act as *Hushai* did with *Absalom*. It may be difficult sometimes, in the Congress, to know whether a man opposes a proposition from a true regard to the good of his country, according to his view of things, or whether he does it to undermine the whole design. The members of this important Assembly should not be too jealous of each other; that will destroy free debate. They must receive and treat one another as open hearted friends; but not be so off their guard as if they were certain there was no enemy among them.

Considering the vast importance of this Congress, the long train of most interesting consequences that may follow from their advice or determinations; considering the need they have of wisdom, as well as integrity, it might be proper for the several Provinces to observe a day of fasting and prayer about the time that the Delegates meet; and if the Provinces as such do not, yet it may be proper for as many persons, or societies as can, to do it.

There are two reasons why this may be proper: First,

Digitized by Google

Because human wisdom comes down from the Father of Lights and Mercies, and human determinations are overruled by the great *God*, who is a prayer-hearing *God*. A greater statesman and politician than will meet in this Convention has left us this observation: "There are many "devices in the heart of man, but the counsel of the Lord "that shall stand." Secondly, In a political view such a day of fasting would win people's attention to the importance of the intended Congress, and fit them to receive and be ready to act upon the determination of that important Assembly.

If what I have offered should induce any friends of *America* to offer their sentiments upon the forementioned queries, or others of the like nature, and be a means, though in the least degree, to assist any of the Delegates at the intended Convention, it will be a sufficient compensation for what I have here done.

BOSTON TOWN MEETING.

At a Town Meeting in *Boston*, on *Tuesday*, *July* 26th, the methods proposed for employing such as are out of business by the operation of the Port Bill, were approved. A Circular Letter to the other towns, relative to the Bills for vacating our Charter, was reported and accepted by the town. The meeting stands adjourned to *Tuesday*, the 9th day of *August*. The following is the form of the Notification for the above meeting:

Notification.—Agreeable to the order of the town at their last meeting, the freeholders and other inhabitants of the town of *Boston*, legally qualified, rateable at twenty pounds estate, to a single rate, (besides the poll) are hereby notified to meet at Faneuil Hall, on *Tuesday*, the 26th day of *July*, instant, at ten o'clock in the forenoon, then and there to determine on the expediency of appointing a Committee of seven, by ballot, for the purpose of considering of proper measures to be adopted for the common safety, during those exigencies of our publick affairs, which may reasonably be expected, when the Acts of the *British* Parliament, altering the course of justice, and annihilating our free Constitution, shall be enforced in the Province. The Committee to make report; to consider of what measures are right and proper for the town to adopt at this time, relative to the building one or more houses; building one of more vessels; repairing or paving the publick streets; erecting or enlarging wharves on the town's land; or any other publick work, (to be carried on by moneys arising from voluntary donations,) for the employment of the poor of the town of *Boston*, at this time of general calamity; to consider whether the town will sell any, and what part, of the real estate belonging to the town, lying within the limits thereof; to consider what further measures are proper to be taken upon the present exigency of our publick affairs, more especially relative to the late edict of a *British* Parliament, for blocking up the harbour of *Boston*, and annihilating the trade of this town; and to act upon such other matters as may properly come before them.

By order of the Selectmen,

WILLIAM COOPER, *Town Clerk*.

Boston. July 23, 1774.

N. B. Such tradesmen and others, inhabitants of this town, as are under necessity for want of employment in their several occupations, by the Act of Parliament, called the *Boston* Port Bill, are desired to bring in their names to the Committee appointed to consider of ways and means for their employment or relief, who will attend for that purpose at Faneuil Hall, on every day, (*Lord's* day excepted,) between the 1st and 10th day of *August* next, from three to seven o'clock in the afternoon.

ALBEMARLE COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders of the County of *Albemarle*, assembled in their collective body, at the Court House of the said County, on the 26th of *July*, 1774:

Resolved, That the inhabitants of the several States of *British America* are subject to the laws which they adopted at their first settlement, and to such others as have been since made by their respective Legislatures, duly constituted and appointed with their own consent. That no other Legislature whatever can rightfully exercise authority over them; and that these privileges they hold as the common rights of mankind, confirmed by the political Constitutions they have respectively assumed, and also by several Charters of compact from the Crown.

Resolved, That these their natural and legal rights have in frequent instances been invaded by the Parliament of *Great Britain*, and particularly that they were so by an Act lately passed to take away the trade of the inhabitants of the town of *Boston*, in the Province of *Massachusetts Bay*; that all such assumptions of unlawful power are dangerous to the rights of the *British* Empire in general, and should be considered as its common cause, and that we will ever be ready to join with our fellow-subjects in every part of the same, in executing all those rightful powers which *God* has given us, for the re-establishing and guarantying such their constitutional rights, when, where, and by whomsoever invaded.

It is the opinion of this meeting, that the most eligible means of effecting these purposes, will be to put an immediate stop to all imports from *Great Britain*, (cotton, osnabrigs, striped duffil, medicines, gunpowder, lead, books and printed papers, the necessary tools and implements for the handicraft arts and manufactures excepted, for a limited term,) and to all exports thereto, after the first day of *October*, which shall be in the year of our Lord, 1775; and immediately to discontinue all commercial intercourse with every part of the *British* Empire which shall not in like manner break off their commerce with *Great Britain*.

It is the opinion of this meeting, that we immediately cease to import all commodities from every part of the world, which are subjected by the *British* Parliament to the payment of duties in *America*.

It is the opinion of this meeting, that these measures should be pursued until a repeal be obtained of the Act for blocking up the harbour of *Boston*; of the Acts prohibiting or restraining internal manufactures in *America*; of the Acts imposing on any commodities duties to be paid in *America*; and of the Act laying restrictions on the *American* trade; and that on such repeal it will be reasonable to grant to our brethren of *Great Britain* such privileges in commerce as may amply compensate their fraternal assistance, past and future.

Resolved, However, that this meeting do submit these their opinions to the Convention of Deputies from the several counties of this Colony, and appointed to be held at *Williamsburg* on the first day of *August* next, and also to the general Congress of Deputies from the several *American* States, when and wheresoever held; and that they will concur in these or any other measures which such Convention or such Congress shall adopt as most expedient for the *American* good; and we do appoint *Thomas Jefferson* and *John Walker* our Deputies to act for this county at the said Convention, and instruct them to conform themselves to these our Resolutions and Opinions.

EXTRACT OF A LETTER FROM THE HONOURABLE GOVERNOUR GAGE TO THE EARL OF DARTMOUTH, DATED SALEM, JULY 27, 1774.

I left *Boston* the 21st instant, to meet the Council at *Salem*, for the issuing of money to pay debts incurred; and yesterday morning received a printed notification of a town meeting to be held that day at *Boston*, of which I send your Lordship a copy.

In my letter, No. 6, I express an expectation of opposition to the Act expected for the better government of the Province; and the notification for a town meeting seems to be a prelude to it. Whatever the opposition is, I will do my best to defeat it, and take every step I can to enforce the law.

Charlestown, South Carolina, August 1, 1774.

A General Meeting of the inhabitants of the Colony of *Georgia*, was held at the Exchange in *Savannah*, on *Wednesday* last, *July* 27th. Upwards of an hundred from one Parish, came resolved on an agreement, not to import or use *British* manufactures, till *America* shall be restored to her constitutional rights. There is to be another

Digitized by Google

meeting in *Savannah*, on the 10th instant, of a Convention of Committees chosen by the different Parishes, when it is believed proper resolutions will be entered into, and perhaps Deputies may also be appointed to represent that Colony at the intended Congress.*

Letters from the *West India* Islands show that they are much alarmed with apprehensions that the *British* Colonies on this Continent will discontinue to supply them with provisions; and that they will rather withhold their exports to *Great Britain*, than perish with hunger or eat each other. †

ACCOMACK COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of a very respectable body of the Freeholders and other Inhabitants of the County of *Accomack*, at the Court House, *July* 27, 1774,

JAMES HENRY, *Esq.*, in the Chair:

The meeting taking into their serious consideration the present critical and alarming situation of this country, respecting her present disputes with *Great Britain*, do unanimously Resolve as follows:

1st. That we do owe, and will pay, due allegiance to his Majesty King *George* the Third.

2dly. That all his Majesty's subjects in *America*, are, by birth-right, entitled to all the rights and immunities of *British* born subjects; one of which, and of the greatest importance is, that no tax, aid, tallage, or other imposition, shall be laid upon them but by their own consent, by their Representatives.

3dly. That the town of *Boston*, in our sister Colony, is now suffering in the common cause of *American* liberty.

4thly. That the powers claimed by the *British* Parliament, and now carrying into execution against the town of *Boston*, are fundamentally wrong, and cannot be admitted without the utter destruction of *American* liberty, and are intended to operate equally against the rights and liberties of the other Colonies.

5thly. That the inhabitants of this county, confiding in the prudence and abilities of their Representatives, who are to meet their brethren at *Williamsburg*, on the 1st day of *August* next, will cheerfully submit to any measures which may be concluded upon at the said general meeting, as best to be adopted for restoring harmony between the mother country and her Colonies.

6thly. *Ordered*, That these Resolves be forthwith printed. JOHN POWELL, *Clerk*.

PRINCESS ANNE COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders and other Inhabitants of the County of *Princess Anne*, on due notice given by one of the late Representatives, held at the Court House of the said county, on *Wednesday*, the 27th day of *July*, 1774, they, after choosing

ANTHONY LAWSON, Esquire, *Moderator*,

Came to the following Resolutions, viz:

Resolved, That it is the opinion of this meeting, that it is an absolute right inherent in every *British American* subject, to have and enjoy such freedoms and privileges as belong to the free people of *England*; and that he cannot be taxed but by his own consent, or Representative.

Resolved, That it is the opinion of this meeting, that every attempt to impose taxes by any other authority, is a tyrannical exertion of power, and a violation of the constitutional and just rights and liberties of the subject; and that the Acts for blocking up the harbour of *Boston*; for altering the chartered Constitution of the *Massachusetts Bay*; and for the suppression of riots and tumults, are cruel and oppressive invasions of the natural rights of the people of the said Province, as men, and of their constitutional rights as *English* subjects.

Resolved, That the town of *Boston* and Province of *Massachusetts Bay*, are now suffering in the common cause of *America*, as the said Acts would lay a foundation for the utter destruction of the rights and liberties of the subjects of *British America*.

Resolved, That our Burgesses be hereby instructed to use their utmost endeavours at the ensuing Congress at *Williamsburg*, to procure a general Association for stopping all importation from, and exportation to, *Great Britain*, except such articles as shall be there agreed upon, as the most effectual means to obtain redress; the non-importation and non-exportation to take place on such future day

* A number of respectable Freeholders and Inhabitants met at the Watch-house, in *Savannah*, on the 27th of *July*. JOHN GLENN, Esq., was chosen *Chairman*.

Sundry Letters and Resolutions received from the Committees of Correspondence at *Boston*, *Philadelphia*, *Annapolis*, *Williamsport*, *North Carolina*, and *Charlestown*, were presented and read. A motion was made, that a Committee be appointed to draw up Resolutions to be entered into by the inhabitants of this Province, nearly similar to those of the Northern Provinces. A debate arose thereon, and the motion was carried by a large majority. It was resolved that the following gentlemen should constitute that Committee, viz: *John Glenn*, *John Smith*, *Joseph Clay*, *John Houstoun*, *Noble Wimberly Jones*, *Lyman Hall*, *William Young*, *Edward Telfair*, *Samuel Farley*, *George Walton*, *Joseph Habersham*, *Jonathan Bryan*, *Jonathan Cockran*, *George McIntosh*, *Sutton Bankes*, *William Gibbons*, *Benjamin Andrew*, *John Winn*, *John Stirk*, *Archibald Bullock*, *James Screven*, *David Zubly*, *Henry Davis Bourquin*, *Elisha Butler*, *William Baker*, *Parmenus Way*, *John Baker*, *John Mann*, *John Benefield*, *John Stacey*, and *John Morel*. Several gentlemen objected to Resolutions being immediately entered into, as the inhabitants of the distant Parishes might not have had sufficient notice of their objects. It was therefore resolved, that the meeting be adjourned until the 10th of *August*; and that the Chairman should, in the mean time, write to the different Parishes and Districts upon the subject, that it was expected they would send Deputies to join the Committees at that time; and that the number of Deputies be proportioned to the Representatives usually sent to the General Assembly. It was also resolved, that the Resolutions agreed upon and entered into at the next meeting, by a majority of the said Committee then met, should be deemed the sense of the inhabitants of this Province.—*M'Call.*

† *The following is written by Colonel* SAMUEL MARTIN, *the father of his Excellency* JOSIAH MARTIN, *Esq.*, *Governour of* NORTH CAROLINA, *a most sensible, venerable, and universally beloved gentleman, a native of* ANTIGUA, *sincerely attached to the liberty of his country, and an ornament to human nature:*

"I was surprised to see in your Papers, the account of the late Convention at *Boston*, which began with a devout prayer to *God*, but was followed by impious Resolutions, of starving the *British* Sugar Colonies, so inconsistent with the natural benevolence due to our fellow-creatures, which is a leading principle of Christianity; for, to love, and do good to each other, is the great characteristick of the Disciples of Jesus Christ, or the mark of distinction between Christians and Heathens. Are not such Resolutions, after solemn addresses to the *Throne of Mercy*, a mockery of *God*? Beware my brother Colonists, least such a flagrant impiety may not draw down the judgments instead of the blessings of Heaven.

"But how do the inhabitants of the Sugar Colonies deserve the resentment of *Boston* and the other *American* Colonies? Is it because they have not entered into the same resentment against the mother country? Alas! what avails the resentment of such small communities if inclined to it. Every *British* subject must see the absurdity of a former wicked Minister, who first adopted the plan of taxing the Colonies by a Legislature, in which they have no Representatives: it is contrary to the fundamental principles of the *British* Constitution. Yet that very Legislature repealed all the Tax Acts of *America*, except a very small tax upon tea, which was retained, not with views of increasing the Revenue, but as a mark of the dependency of the Colonies upon the mother country; and I dare say that power of the *British* Legislature to impose rational taxes upon the Colonies, will never be exerted against them; yet this single instance is to be lamented, because it is contrary to the ancient rights of all the Colonies, where Legislatures were established by lawful authority, from their first settlement; and in those Legislatures of each Island and Province, the people had their Representatives according to the fundamental Constitution of the *British* Government; for that very reason it is a point to be lamented, and indeed opposed, with the moderation of good subjects: not with rage and popular fury, kindled by a few firebrands.

"But what hath the Sugar Colonies to do with all this combustion? Must they be starved for what they cannot remedy? An hard measure indeed, to be inflicted by our brethren and fellow Christians of *North America*. Yet to be dreaded from those, who for many years have treated their sister Colonies, the Sugar Islands, as aliens; for they sell their produce among them for gold and silver, which they lay out for the like produce of the *French*, *Dutch*, and *Danish* Islands, by a clandestine trade, contrary to the laws of commerce, to the great injury of all fair traders, and of the *British* Sugar Colonies.

"But is this principle of smuggling consistent with reason or Christianity? Surely not, for next to our duty to *God*, it is our duty to promote the great good and happiness of that society whereof we are members: and whatever smugglers may think of such an unjust practice, they must give a severe account of it at the great tribunal of Heaven. I hope private gain cannot justify publick injury.

"But it is said if the *British* Sugar Colonies are to be starved, what will the *North Americans* do with their own produce? To this they have a pat and ready answer, that they can dispose of their produce to all the foreign Nations of *Europe* and *America*. Are they sure of this? Are they sure that the Navy of *Britain* will not have orders to make captures of all their vessels found laden with foreign manufactures and production? even at the entrance of their own ports. Surely this is a vain expectation, absolutely inconsistent with common sense, and therefore I beg leave to advise our brethren of *North America* to treat all their sister Colonies with a benignity well becoming such near relations, who give freights to many of the largest ships of *Boston*, to the great emolument of that city, and its Province; for which and many other benefits, by way of requital, the Sugar Colonies are to be starved—*Heu pietas, heu prisca fides!*"

Digitized by Google

as may be agreed on by the general Congress of Deputies from the several Colonies.

Resolved, That our Burgesses be instructed to vote against every motion or proposal for clogging the usual imports from, and exports to, the *West Indies*.

Resolved, That our Burgesses be instructed to oppose the importation of slaves and convicts, as injurious to this Colony, by preventing the population of it by freemen and useful manufacturers.

Resolved, That it be recommended to our Burgesses to vote for the encouragement of raising sheep, hemp, flax, and cotton.

Resolved, That our Burgesses be hereby instructed to endeavour to procure a general Association against trading and dealing with every Colony, Province, County, or Town, that shall refuse to come into the general plan which may be adopted by the several Colonies and Provinces on the Continent.

Resolved, That our Burgesses be hereby instructed to use their utmost endeavours that subscriptions be opened in the several counties of this Colony, for the relief of the cruelly oppressed and distressed inhabitants of the town of *Boston*.

Resolved, That our Burgesses do meet the first day of *August*, in *Williamsburg*, to consult upon the most proper means for carrying these or any other Resolves which may be judged more expedient, into execution.

Resolved, That it is the opinion of this meeting, that the general plan adopted at the ensuing Congress, ought to be strictly adhered to by the whole Colony; and that this meeting will faithfully adopt such measures as may be then agreed upon.

Resolved, That the above Resolutions be printed, for the perusal of the freeholders and inhabitants of this County.

THOMAS ABBOTT, *Clerk*.

EXTRACT OF A LETTER RECEIVED IN PHILADELPHIA, DATED LONDON, JULY 27, 1774.

With respect to politicks, it is not necessary, in this advanced part of the season, to write much. The Resolutions of *Philadelphia*, and those of *Maryland* and *Virginia*, I must, however, tell you, are esteemed both by the Court and the merchants of the city, as very inoffensive, and as the mere ebullitions of a set of angry men, whose force was spent the day they were made; and the proposed Congress is spoken of, and really considered, both by Administration and all the merchants of the city, as a scheme that will produce no sort of security to the liberty of the Colonies, nor trouble to Administration; and it is under this general apprehension that the stocks continue so uncommonly high as they are at present, and have been for some time past. Mr. *Hutchinson* is in good health, and apparent high spirits. He is much quoted by Administration; and they are assured by him that their proper and spirited measures will unquestionably excite a perfect submission in all parts of *America*. Depend on it, that it is only such parricides as Mr. *Hutchinson*, &c., that support the despotick and destructive schemes and wishes of the enemies of *America;* and it is from their infamous suggestions that Administration is taught to laugh at your proposed Congress, as they are assured by them, and from both *New-York* and *Philadelphia*, that it will produce nothing more than a remonstrance or petition of right, (which by-the-by it is already determined not to receive,) and that you are so attached to your private interests, you will never stop either imports or exports. The honest hearted *Americans*, at present in this city, are daily both at Court and in *London* ridiculed, on account of the high sounding declarations of patriotism, made, as it is said, by the cowardly *Americans*; and are hourly mortified with the detestable opinions of *Hutchinson*, and other natives of *America*, being pleasingly repeated and relied on. But, for my part, however I am perpetually insulted with the prostituted sentiments of these men, I persuade myself your countrymen are not so contaminated with the vices and effeminacy of this Nation, not to see that this is the important crisis when they ought to make a solemn, sullen, united, and invincible stand against the cruel, tyrannick, and ruinous system of policy adopted and exercising by this Legislature against the rights and freedom of *America;* and, let me add, that, if the Deputies of the several Provinces, when convened in Congress, do not, one and all, firmly resolve to establish through every county and township in their respective Provinces, a solemn League and Covenant, and under the obligation of an oath or affirmation, not to purchase or use the manufactures of this country, (save what are collected already within the Provinces,) and, if possible, not to export any provisions to the *West India* Islands; and, at the same time, they do not religiously resolve to meet again in Congress every six months, for the purpose of forming a suitable plan for the permanent security of *American* rights and freedom; I say, if these things are not done; and if they do not determine faithfully to stand by each other until every Act passed this session is reversed; and until all their just rights and privileges are fully recognised and established by this Legislature, our children will be irremediably deprived of that inheritance of liberty which our fathers carefully and piously transmitted to us.

TO THE INHABITANTS OF NEW-JERSEY.

New-Jersey, July 27, 1774.

Friends and Countrymen:

We are involved in a dispute with the mother country that is of the most serious nature. It is now brought to a crisis, and upon our conduct, at this time, every thing will depend.

If we calmly view the controversy, we shall find that both sides are wrong; the Parliament, in carrying their authority of right of taxation farther than is consistent with the rights of the Colonists; the Colonists too far, in denying all authority of Parliament. To draw the line is difficult; but yet, I apprehend, a calm, prudent, and steady perseverance in what is right, not making extravagant and improper demands, will bring about a reconciliation. We have lost the distinction between internal and external taxation, and absurdly call every impost upon trade a taxation; but if we would restore words to their proper meaning, we should find that taxes are certain portions of our estates taken from us by the legislative authority, for the publick service, and are to be paid whether we will or not; that, on the other hand, duties are certain rates set on certain articles of merchandise, for the discouragement of foreign manufactures that interfere with our own, or on articles of luxury; and are either intended as prohibitions of those articles, and therefore laid high, or are set so low as to raise a revenue to the state, and are levied only on the consumer; so that, under this species of taxation, every person contributes as he pleases, but none are compelled; hence, a wide difference in the taxes, if we may, with propriety, call the last by that name.

The duty on tea has raised this mighty contest, fomented, I fear, by men whose interest it is to discourage the trade with *Britain* for this article of luxury, because it will deprive them of their enormous gains in their trade with the *Dutch*, to whom they make no scruple to pay duties, though their consciences will not permit them to pay any to the state that protects them, even while they are carrying on their destructive commerce.

Let us, my countrymen, be steady in our duty to *Great Britain*, and, at the same time that we carefully guard our liberties, let us not deny the authority of Parliament, where it alone can have jurisdiction, and thereby break that bond of union which has made the Empire we belong to so great and glorious. In short, while we contend for our rights, let us not attempt to deprive them of theirs, by denying that we are bound by the Acts of the *British* Legislature, in laying duties upon any foreign articles imported to us; we, in fact, declare an independency inconsistent with our interest, and with every idea of a Colony, which in itself carries the idea of dependence. Instead, therefore, my countrymen, of persisting in the absurd denial of the authority of *Great Britain*, in imposing any duties upon tea, or other articles of luxury and foreign produce, let us endeavour to draw a line which will put an end to the present, and prevent future, contests between us and the mother country.

We are a part of a very great and powerful Empire; and though, from our great distance from the mother country, we cannot be represented in Parliament, and have

Digitized by Google

therefore a representation of our own; yet, this doth not destroy or take away all authority of the mother country, but only abridges its power in such instances wherein, from the nature of the thing, it cannot be a complete judge. Hence, it follows naturally, that it would be improper for Parliament to tax our estates, because they cannot know what sums we are able to pay, nor in what mode it would be proper to raise it; and therefore this should be left to our own Representatives. So, on the other hand, our jurisdictions are limited, and we cannot regulate trade or extend our authority to any matter out of our Colonies. Indeed, if we could, we should, from our situations, the different geniuses of the people of these Colonies, and many other things, never be able to pass laws that would be uniform, (which they ought to be,) but our different interests would lead us to different regulations, inconsistent with the central good; our laws would clash, and be often repugnant to those of the mother country. Hence, it follows, that the restraining and regulating trade by prohibitions, by duties, &c., must rest with the mother country, where only a universal and superintendent power can be lodged.

This then being a true state of our situation, instead of denying all authority in Parliament, let us contend warmly that our estates should be taxed only by our Representatives in General Assembly; let us acknowledge that, as parts of one great Empire, we are ready to support and maintain it, by contributing our portion to the national expense; but that our own Representatives are the only judges of the mode of laying and raising the taxes for this purpose. That, on the other hand, Parliament, from the nature and necessity of the thing, must and ought to have the right of regulating and restraining trade, and laying such duties, (let it be for revenue or what it will) on articles of luxury and foreign growth and manufactures. With these sentiments, let us guard against the madness of some men, who are inflaming our minds and hurrying us into an open rupture with our mother country. Let us, instead of denying the authority in the mother country. instruct our Representatives in General Assembly, and those who shall meet in the intended general Congress, to use every means in their power to conciliate this dangerous controversy; to procure an exemption of our effects from Parliamentary taxation, and leave Parliament to a full exercise of their power as to laying duties and restraints on trade.

Should we thus distinguish between internal and external taxation, and speedily make the proposal, so just and reasonable a request we have the greatest reason to believe will not be denied. On the contrary, we may safely presume, that his Majesty and his Ministers, as well as Parliament, will hearken to the justice of our request, and readily accept of our proposals.

On the other hand think, my countrymen, of the danger attending an obstinate perseverance, in so generally denying the authority of Parliament; that, with the confusion it has and will introduce, we may, in the heat and hurry of our spirits, inflamed by men who, perhaps, are without consequence, but in times of tumult and disorder, be involved in the horrours of a civil war, and to the ruin of our liberty, be compelled to submit by force.

BUCKINGHAM COUNTY (VIRGINIA) RESOLUTIONS.

At a Meeting of the Freeholders and other Inhabitants of the County of *Buckingham*, at the Court House, the 28th of *July*, 1774, they took under their consideration the truly alarming state of the several *British* Colonies from sundry Acts of Parliament, which if carried into execution must reduce the whole to an abject state of slavery, at which time they came to the following Resolutions:

Resolved, That we will, at the risk of our lives and fortunes, defend his Majesty's right and title to the Crown of *Great Britain* and his *American* Dominions, against all and every person whatsoever, and that we do acknowledge and profess all due obedience to him.

Resolved, That we will not pay any tax that is or may be laid on any commodity whatsoever, which shall be laid by the Parliament of *Great Britain* for the purpose of raising a revenue in *America*; our own Legislature, with the consent of his Majesty, being only legally vested with a power of laying taxes on the inhabitants of this Colony.

Resolved, That the Act of Parliament for blocking up the harbour of *Boston*; also one other Act for carrying persons to *Great Britain* or elsewhere to be tried for offences; as also the Act for depriving our sister Colony of *Massachusetts Bay* of their Charter, are unjust, arbitrary, and unconstitutional; and that we consider an attack on the liberties of one of our sister Colonies as an attack on the whole of *British America*.

Resolved, That manufactories ought to be encouraged in this and every other Colony, and that after a short time all importations from *Great Britain* ought to be prohibited unless the several Acts of Parliament depriving our sister Colony of *Massachusetts Bay* of their liberties be repealed; as also all such other Acts of the *British* Parliament as are or may be intended for laying any tax on articles imported into this or any of the Colonies for the purpose of raising a revenue in *America*, be likewise repealed.

Resolved, That the Representatives for this county be directed to meet the Representatives of the other counties in this Colony, in *Williamsburg*, the first day of *August* next, to consult and advise on the best and most effectual means for preserving *American* liberty, and that they use their best endeavours that proper persons be appointed on the part of this Colony to meet such persons as may be appointed by the other Colonies, to consult and advise on proper measures for the good of the whole, with all and every of which our desire is, a strict union may be established, as the only sure and effectual means of defeating the evil intentions of a corrupt majority in the House of Commons.

Resolved, That these Resolutions be sent to the publick Printer, and that she be requested to publish the same.

JOHN NICHOLAS, *Moderator*.

PENNSYLVANIA COUNCIL.

At a Council held at *Philadelphia*, on *Thursday*, 28th of *July*, 1774,

Present: The Honourable *John Penn*, Esquire, Governour, *Benjamin Chew*, *James Tilghman*, *Andrew Allen*, Esquires.

The Secretary having, by the direction of the Governour, prepared a draft of a Proclamation, offering a reward, pursuant to the request of the Assembly, for apprehending the persons said to have murdered *Joseph Weepey*, a *Delaware Indian*, laid the same before the Board, which was approved and ordered to be published, and printed copies thereof sent to *Westmoreland*. The Proclamation follows in these words, viz:

By the Honourable JOHN PENN, *Esquire, Governour and Commander-in-chief of the Province of* PENNSYLVANIA, *and Counties of* NEW-CASTLE, KENT, *and* SUSSEX, *on* DELAWARE:

A PROCLAMATION.

Whereas I have received information that, some time in *May* last, a certain friendly *Indian* man, called *Joseph Weepey*, was barbarously murdered in the County of *Westmoreland:* And whereas there is great reason to believe that *John Hinkson* and *James Cooper*, of the same county, were concerned in the perpetration of the said murder. And whereas, it is at all times, but more especially in the present situation of our affairs with the Western *Indian* Nations, of the utmost consequence to the peace of the Province, that the perpetrators of such atrocious offences, not only against the authority of Government, but in direct violation of the treaties with those *Indians*, should be brought to condign and exemplary punishment, I have, therefore, thought fit, with the advice of the Council, to issue this Proclamation: And do hereby strictly charge and command all judges, justices, sheriffs, constables, and other officers, as well as all other his Majesty's liege subjects within this Province, to make diligent search and inquiry after the said *John Hinkson* and *James Cooper*, and to use all lawful means for apprehending and securing them, that they may be proceeded against according to law. And I do hereby promise and engage, that the publick reward of one hundred pounds shall be paid to any person or persons who shall apprehend the said *John Hinkson* and *James Cooper*, and deliver them into the custody of the

Digitized by Google

keeper of the jail of either of the Counties of *Lancaster*, *York*, or *Cumberland*, or the sum of fifty pounds for either of them.

Given under my hand and the great seal of the said Province, at *Philadelphia*, the twenty-eighth day of *July*, in the fourteenth year of his Majesty's reign, and in the year of our Lord one thousand seven hundred and seventy-four. JOHN PENN.

By his Honour's command,

JOSEPH SHIPPEN, Jun., *Secretary*.

GOD *save the King*.

—

The Governour laid before the Board a Letter he received from Colonel *Guy Johnson*, dated 22d *July*, 1774, which follows in these words, viz:

Guy Park, July 22, 1774.

SIR: Your despatch of the 28th ultimo, to Sir *William Johnson*, arrived when that worthy man was, through the fatigues occasioned by the late general Congress, (which is just ended) very much indisposed; he nevertheless continued all that day to do business with them, but in the evening was seized with a relapse, which carried him off in a fit that night.* As it was a very critical period, and that he had strongly recommended me for his successor to his Majesty's Ministers, I continued to conduct the business of the Congress at the earnest entreaty of the *Indians*, and brought it, I think, to a happy termination, and have now received his Excellency General *Gage's* appointment to the Superintendency till his Majesty's final pleasure is known. I enlarged during the Conference on the unhappy situation of your frontiers, and represented it as the duty of the *Six Nations* to bring those they call their dependants to reason. They have accordingly agreed to send Deputies from each Nation to the Southward, who will set out tomorrow, but they complain very much of the ill treatment they receive from the frontier people of *Virginia*, &c., and of their encroachments, and demand redress.

The hurry in which the late sudden accident has engaged me, and the number of despatches I must now necessarily make up for the post, who is waiting, will not permit me to be more particular at present, but you may be assured, sir, that whilst I have any thing to do in these affairs, I shall use my utmost endeavours for the peace and happiness of your Province, and, from true personal regard, shall always be glad to serve or oblige you, as I am, with real esteem, sir, your most obedient and most humble servant,

G. JOHNSON.

P. S. I have taken the liberty to enclose a letter to Mr. *McKee*, on occasion of the present troubles as I understand there is no post to *Fort Pitt*, and that it might meet with great delay. I shall be glad to have any further information respecting your frontiers.

The Council then advised the Governour to write an Answer to the above Letter by the next post, and also to write Lord *Dartmouth* by the first packet, informing him of the publick occurrences here since he wrote him last, and transmit him copies of the Governour's Message to the Assembly; their Answer; Resolves; and the Resolves of the Committee of all the counties lately met in this city; and also the Instructions drawn up by them to the Assembly, respecting the conduct of the Delegates to be named by the House to attend the general Congress of Delegates from all the Colonies, proposed to be held at this city in *September* next.

EXTRACT OF A LETTER TO A GENTLEMAN IN NEW-YORK.

Boston, July 28, 1774.

All our Governours' operations are still at a stand, as the *Cerberus*, ship of war, has not yet made her appearance with the further intentions of Parliament in regard to this truly distressed country; for she is charged with the two Acts passed on the 20th of *May*, respecting the proposed future government and administration of justice in this Province; that vessel was to leave *England* on the 25th of *May*. The Addressers of Mr. *Hutchinson*, and the protesters against our publick measures lead a devil of a life; in the country the people will not grind their corn, and in town they refuse to purchase from, and sell to, them. The Governour expects hourly the arrival of the fifty-ninth regiment, with a company of artillery from *Halifax*; his Excellency has expressed much surprise on finding the transports, which sailed long since from hence, to take on board the Royal *Welsh* Fusiliers, had not effected an arrival at *New-York*; surely the old *Wentworth* Indiaman has not played the Navy Commissioners a trick, and, by a sacrifice to *Neptune*, proved a hard bargain to Government.

Our inhabitants endure their distressed situation with great temper.* The letters of sympathy which they have received from the other Colonies, with assurances of joining in a general delegation to the Grand Congress at *Philadelphia*, fortify their distracted spirits, and encourage them

* On *Monday* evening, 11th of *July*, 1774, departed this life, at *Johnson Hall*, in his sixtieth year, to the inexpressible concern of his family, and the infinite loss of the publick, particularly at this critical juncture, the Honourable Sir *William Johnson*, Bart., his Majesty's Superintendent of *Indian* Affairs, and one of the oldest Council of this Province. He had long laboured under a complication of disorders, the consequences of his former fatigues and severe services in defence of the country in general, and this Province in particular. Still persisting in the exertion of all his faculties, and at the expense of health, ease, and domestick concerns, discharging the laborious duties of a most troublesome and difficult department, he, though much indisposed, attended and transacted business with the *Six Nations*, who came lately to *Johnson Hall* on account of the murders committed by some of the frontier inhabitants of *Virginia*. The fatigue and hurry of spirits occasioned by the difficulties he found in accommodating these affairs, at last obliged him to retire to his room, where he was immediately seized with a violent attack, which carried him off in an hour's time.

The impartial publick well know and enjoy the fruits of his distinguished services, whilst crowds have experienced his benevolence and private bounty; and his united talents as a defender and improver of this country, will ever preserve his name amongst the most distinguished personages of the age he lived in. In 1737 he came from *Ireland* under the auspices of his uncle, Sir *Peter Warren*, and lived many years in the *Indians* country, where he learned their language and gained their affection by his great generosity and humanity. In 1755, he stood forth in the defence of this Province, then in the most imminent danger from the rapid progress of the *French* arms, and with a force, consisting entirely of Provincials, totally routed the army of *Baron Dieskau*; that victory proved highly acceptable to his Sovereign, who created him a Baronet; and he was rewarded by the Parliament of *Great Britain* with a present of five thousand pounds sterling. In 1758, he, by an intimate acquaintance with the genius and temper of the *Indian* tribes, who had been debauched by *France* from the interest of *Great Britain*, effected a reconciliation with fifteen different Nations of that people, which paved the way for the future success of our arms in *Canada*. In 1759, he defeated the *French* Army, destined for the relief of *Niagara*, under M. *D'Aubry*, presently after which the garrison surrendered that important post to the besiegers. These glories were obtained by dint of innate courage and natural sagacity, without the help of a military education; and what remarkably enhances those endowments, is the circumstance of his having taken in both actions, the commanders of the enemy. In 1760, he assisted at the taking of *Montreal*, and the conquest of the *French* Empire in that part of the Continent. Since which, he has acted at the head of the *Indian* Department, over whom he early acquired, and constantly maintained, a surprising ascendency, by the influence and authority of his justice, benevolence, and integrity. In short, our gracious Sovereign never sustained a heavier loss, in the demise of any subject, than of Sir *William Johnson*, whose character was a combination of good qualities, and whose memory will be highly revered to the end of time.

His remains were decently interred in the church of his own building, at *Johnstown*, on *Wednesday*, the 13th, attended by upwards of two thousand people, in the following order:

The Clergy. *J. Duncan*, Esquire; Captain *Chapman*; *P. Livingston*, Esquire; Judge *Jones*; *G. Banyar*, Esquire; *R. Morris*, Esquire; Major *Edmonston*; Governour *Franklin*; supporters of the pall. Chief Mourners, Sir *John Johnson*, Baronet, Colonels *D. Claus* and *G. Johnson*, *John Dease*, Esquire. The Physicians; Family; *Mohawks*; *Conajoharies*; High Sheriff, followed by above two thousand persons from the neighbouring country. The Chiefs and Warriors of the *Six Nations*, who then attended the Congress.

Where it was interred, and a suitable discourse delivered by the Reverend Mr. *Stewart*, Missionary to the *Mohawks* at *Fort Hunter*.

The *Indians* exhibited on the occasion of Sir *William Johnson's* death, the most extraordinary signs of distress and sincere affliction, that ever were before observed among that people.

* *Boston*, *July* 21, 1774. The firmness and unanimity of the people to defend their invaluable rights, notwithstanding the restlessness of a little selfish faction, does this Province honour. At a meeting of sixty gentlemen, Deputies of the several towns in the County of *Berkshire*, a number of judicious, spirited Resolves were passed, and a non-consumption agreement agreed upon to encourage our own manufactures, and a subscription for the *Boston* sufferers, by the Port Act. The accounts from *Connecticut* are most encouraging, and the firmness, activity, and generosity of the other Colonies, is astonishing to the enemies of *American* freedom. Courage, *Americans*, and with the help of *God*, the slavery intended for us may be warded off, and our tranquillity re-established.

July 28. Every part of this extensive Continent, so far as we have yet heard, appear to be deeply interested in the fate of this unhappy town. Many and great are the donations we have already received, and many more we have good reason to expect. The cry of hunger is not so great as was at first expected. Even our poorest people have not suffered for the want of bread. May that Being who hath the hearts of all men in his hands, and who turneth them as he pleaseth, still dispose our sympathizing brethren to continue their benefactions, till we are happily relieved from our present difficulties.

Digitized by Google

to look up for effectual relief from the event of measures to be concerted by the united wisdom of many sage, discreet, and intelligent counsellors. The gentlemen appointed our Delegates will prepare to set out in three weeks time; and as they carry with them ample abilities to describe our situation, and to rouse the attention of all *America* to our sufferings, we doubt not their complaints will be heard, and their proposals to that Assembly supported with all the sensibility and fervour which will doubtless prevail at that solemn Assembly.

TO THE GENTLEMEN OF THE GENERAL CONVENTION OF VIRGINIA.

Williamsburg, July 28, 1774.

You are now to meet on one of the most important matters that ever engaged the Councils of *America;* you are all well acquainted with the natural and constitutional rights of your country. The resolves from your different counties would reflect honour on the ancient *Grecian* or *Roman* states. But in what manner to oppose the growing system of oppression which hangs over you, and to secure your rights for the future, is the important question to come before you. Permit a fellow-subject to offer you his sentiments.

It is proposed that you shall immediately put a stop to all exports and imports to and from *Great Britain.* We will consider those two points separately.

By stopping your exports you will distress yourselves without one good consequence attending it. You will lessen the revenue it is true; but as that revenue arises from the duty which is paid by the consumer in *Britain,* the Ministry will only alter the mode of taxation and laugh at your folly. It is alleged too, that you are considerably in debt to the *British* Nation. If that is the case, let us not meanly take advantage of the times, and give room for our enemies to declare that we are a set of men void of publick faith, who do not deserve the freedom we are contending for. Policy, justice, and proper regard for our national character, all forbid you to adopt this plan. If we are obliged at last to struggle for our liberties, with arms in our hands, let us not stain the purity of our cause with the least tincture of injustice. Let us excite the prayers of the righteous for our success; and if we do fall let us fall revered and lamented.

The other position is, that you should immediately stop all imports from *Great Britain;* let us examine into the consequence of this step.

We will suppose that all *America* will unite in this measure. You must then depend on your own manufactures for the mere necessaries of life. But this you will be prevented from carrying into execution, for, as soon as you have openly avowed your design of purchasing no more of the *British* manufactures, the Ministry will immediately enforce that right which they claim from regulating the trade, of restraining you from making any of your own. It will be made treason and rebellion for any man to manufacture the produce of his own estate; it will be made treason and rebellion not to import from *Great Britain;* nay, it has already been done by Governour *Gage's* tyrannical Proclamation, which you have all seen. This measure will only protract the evil a little while, and increase the weight of your calamities; such are the fruits of allowing a supremacy for regulating the trade.

Let us then, my countrymen, throw aside all temporizing methods; let us assert our liberties with a spirit becoming men who are deserving of them; let us authorize the general Congress of *America* to lay our claims before the Nation, and demand a ratification of them from the King in his *British* Parliament—claims so just and so similar to their own, that a brave and generous Nation cannot withhold their consent. But if this, through the corrupt influence of the Ministry, should be denied us, we shall be prepared for the alternative. Let us then protest against the authority of Parliament in every case whatever; let us forbid our magistrates to be governed by their Acts, on pain of incurring the just indignation of an injured people; and, above all, let us remember, in times of necessity that with the sword our forefathers obtained their constitutional rights, and by the sword it is our duty to defend them.

THE BRITISH AMERICAN, NO. IX.

Williamsburg, Va., July 28, 1774.

Friends, Fellow-citizens, and Countrymen:

I have observed in quarrels between two men, where each has been satisfied of the others' bravery, they have generally compromised their difference upon honourable terms; but where the person injured, under pretence of trying moderate measures, hath by this method of asking satisfaction, given his adversary reason to suspect his courage, a scandalous submission, or the duel, he wished to avoid, has been the consequence. The same passions which produce this effect between two men will operate equally upon two states, who are but a collection of individuals. It is my firm opinion, that if the *British* aristocracy were once convinced that you were determined to risk your lives and fortunes rather than submit to the legislation of a *British* Parliament, they would relinquish so despotick a measure rather than force you to draw the sword; if you convince them that you are determined to go even those lengths rather than submit, and nothing but a persuasion that you dare not do so hath induced them to proceed so far as they have done. But supposing it was otherwise, it is high time that the dispute between *Britain* and *America* should be brought to some fixed point, which being once determined, either one way or the other, may remove all future contests; for if you look no farther than the present moment, and only endeavour to obtain a repeal of any particular Act of Parliament you complain of, you will no sooner baffle oppression in one shape, than, *Proteus* like, it will attack you in another equally formidable. Jealousies, complaints, murmurs, and dissensions will eternally subsist; reciprocal provocations will totally destroy all harmony betwixt the inhabitants of the two countries; and implacable resentment end in mutual attempts to ruin, if not to extirpate, each other. What then, my countrymen, is it you demand? The answer is obvious. A right of exemption from the legislation of the *British* Parliament. If you are determined to enforce this right lay the axe at the root of the evil, boldly avow those intentions to the world, and pursue the proper measures to transmit that right to your posterity.

Of the three plans proposed the first appears too weak and timid; the second too violent, rash, and dishonourable to be adopted; then consider coolly the third plan proposed: that you shall absolutely determine at once that you will not in future suffer any Act of the *British* Parliament, made since the fourth of *James* the First, to be executed in the Colonies; that if any judge of any court whatever shall presume to pronounce any judgment to enforce such Act of Parliament, he shall incur the resentment of an injured people, and be treated as an enemy to *America;* that the judgment so pronounced by him shall be absolutely void; and that you will, at the risk of your lives and fortunes, support every person injured by such judgments in repelling the execution of them by force. It is objected that this measure strikes at the Navigation Acts, which we have long submitted to. The very objection evinces the folly of trusting the decision of this dispute to posterity, who, familiarized to oppression, will never resist it, and who, by long use, will be accustomed to look upon every badge of slavery with as little horrour as we do upon the Navigation Acts, which ought certainly to be considered as impositions of the strong upon the weak, and as such ought to be resisted as much as any of the other Acts we complain of; nor will this dispute ever be ended till, by refusing submission to them, we remove so dangerous a precedent. But it is said to be reasonable that your trade should be secured to *Great Britain:* I own I cannot see the force of this argument; for why should not *Britons* on this have as good a right to extend their trade to every corner of the globe as those on the other side of the *Atlantic?* Is it material to the Empire of *Great Britain* in what part of her Dominions the wealth of her subjects lie, since it will finally centre in her happy Island? *Bristol, Liverpool,* and *Whitehaven* would esteem it an intollerable hardship to be obliged to lade or unlade all their ships at the port of *London,* and though they are not obliged to do this, their wealth finally centres in that city as the metropolis of the Kingdom; so if *America* was indulged in an unlimited trade it would be highly advantageous to *Britain,* as all the profits of such a trade must finally

Digitized by Google

centre in that Island. It hath been justly observed, "that "natural inclination leads every man to the cultivation of "the soil, and the extensive Continent of *America* will "enable her inhabitants to indulge that inclination for cen-"turies to come; nothing but oppression can ever induce "them to turn their thoughts towards manufactures whilst "the produce of their fields can supply them with those "manufactures." Long custom, added to their natural connections with their mother country, will lead them to prefer those of *Britain* to any others; and the certain market they would meet with there, together with the danger they will run in trading with a foreign Power, who in case of a war may cancel all the debts due to them, will induce them to supply *Britain* with all the rough material she can manufacture, and to trade with other Nations for such only as would be superfluous to her. But it is objected that *America* would supply foreign Powers with tobacco, and *Britain* would lose that valuable branch of trade. To this I answer, that her own interest would induce *America* first to supply *Britain* with as much of that commodity as she wanted for home consumption; because so much would bring a better price from thence than from any other market. The revenue of *Britain* would not therefore be affected; and, with regard to the superfluity, *Great Britain* could never be said to lose those profits which any of her subjects gained, because the wealth would finally centre in the capital of the Empire. The happy temperature of her climate would invite the indolent, the residence of her Monarch would draw the ambitious, the grandeur of her metropolis would attract the vain and curious, and the refinements of her pleasures would induce the luxurious of her extensive Empire to spend all their superfluous wealth in a city where they could indulge every wish of their hearts; not to mention the vast superiority *Great Britain* would have over the Colonies by all the Officers of Government in them being appointed, the Government directed, and even the Legislature controlled, (in the exercise of the King's negative) by the *British* Councils. But it is objected, that if *America* were indulged with this extension of trade, still she would not contribute to the support of Government, unless compelled to it by a *British* Parliament. Either this objection is true or false. Suppose it true. If all the wealth arising from the trade and labours of the *Americans* finally centres in *Britain*, it is as immaterial to the state whether *America* actually pays the taxes herself or enables others to do it, as it is whether the publican or tallow-chandler pay their taxes to the exciseman, who pays them into the Exchequer, or whether they pay them into the Exchequer themselves. But I deny the objection to be true. The Assemblies of the Colonies of *America*, when proper requisitions have been made of them as a free people, who had a right to exercise their judgment upon the expediency of the requisitions, have never refused to contribute to the utmost of their power towards supporting the dignity of the *British* Empire; nor can the *British* aristocracy produce a single instance of any one Colony's having refused to grant supplies when their Sovereign hath requested them, but such where their Governours, instead of requesting those supplies with a respect due to free people, have insolently demanded them, with threats in case of refusal; or when, in the Proprietary Colonies, their proprietors have refused to pass any Supply Bills, by which his large estate in the Province would be obliged to contribute any thing towards warding off the common danger, and then, by the address of his Governour, Administration hath been abused with a belief that disloyalty in the people to their Sovereign occasioned the want of those supplies, which were really withheld by the avarice of the proprietor. In the last war, when the usual requisitions were made, the Assemblies, fond of demonstrating their loyalty to their Sovereign, and their regard for the dignity of the *British* Empire, exerted themselves so much beyond their ability, that the Parliament of *Great Britain* thought it but just to repay them what they had actually contributed more than their proportion. Have they ever since been asked to contribute and refused? Why then distrust them now? Or why run the risk of destroying the goose to get at that wealth which will be at the service of their Sovereign whenever he asks for it in the usual way? But it is objected, that the last war was undertaken solely on account of *America*, and therefore she was more materially interested in its success than any of the inhabitants of *Britain*. The event has proved the very reverse. Each Colony possessed of more lands than their inhabitants could cultivate, were really prejudiced by *Great Britain's* extending her Dominion in *America*. Their lands fell immediately fifty per cent. in their value by the emigration of their inhabitants to the new conquered Colonies; the manufactures from *Britain* came much higher than formerly, by the great demand for them to supply their new acquired subjects; their exports to *Britain* were reduced in their price on account of the additional ones from the new Dominions; and, to crown all, the *British* aristocracy having no longer a foreign rival to fear in *America* to check their aspiring views, employed their victorious arms to destroy the rights of those subjects who had assisted them in obtaining the victories which now enable them to attempt to enslave you, with even a shadow of success. But if custom hath so far habituated you to these unjust laws that you are willing, for the sake of peace, to meet your mother country more than half way, upon her agreeing to repeal those Acts, together with every precedent of legislation, do you, on your parts, agree to secure the trade of the Colonies to *Great Britain* be re-enacting the laws of navigation in your own respective Assemblies, which, when they have obtained the Royal assent, will be eternally binding on you? But never consent to submit to those laws as the Acts of a *British* Parliament.

It is objected, that the third plan proposed is too violent and illegal to be adopted. Let us consider whether it is so; and here permit me to make a few distinctions which are supported by those laws of *England*, which our ancestors, when they, with leave of their Sovereign, settled *America*, imported with them.

When a Judge pronounces an erroneous judgment, in a cause properly within his jurisdiction, he is not answerable as a criminal for such an errour in judgment, because no man is infallible, and corruption is not presumed. The judgment so pronounced by him, though erroneous, is not absolutely void, but avoidable, and till it is regularly reversed, by a superiour Court of Judicature, it is to be considered as a judgment; may as such be enforced, but cannot be legally resisted.

If a Judge pronounces judgment in a cause in which he has no jurisdiction, or if a man constitutes himself a Judge, or is by others, who have no right to do so, illegally constituted a Judge, and as such presumes to enforce such usurped jurisdiction, even though the judgment is a just one, he is answerable for the consequences. The judgment thus pronounced by him, though a just one, is absolutely void, and as such may be legally resisted. The Judge and every person concerned in endeavouring to enforce such a judgment, are trespassers; and if any person should be killed in resisting such judgment, the Judge who pronounced the sentence, if present at the execution, and all his assistants, are answerable for the murder.

The Courts of Admiralty, at the time our ancestors settled America, *had no jurisdiction of any offence committed in any river or bay where the land could be seen across from one side to the other; and if they presumed to usurp such jurisdiction, by seizing any vessel in such places, they, and all acting under them, were trespassers; their judgments were absolutely void, and by the statute of second* Henry *the Fourth, chapter eleven, they were liable for double damages.*

The King cannot create any new offence, which was not so at the common law, or alter the mode of trial of those already created in Britain, *without the consent of his* British *Parliament, or, in other words, without the consent of the Representatives of the people, who are to be judged for such offences, and affected by such trials; and if he should, such trials would be illegal; the judgments absolutely void; the persons injured by them may not only maintain an action against, and indict as trespassers, the persons who attempt to enforce such illegal and void judgments, but may resist them by force, and if in such resistance they kill the trespassers, it will not be murder, because, say the books, the persons slain were trespassers, covering their violence with a show of justice; he who kills them is indulged by the law, and those who engage in such unlawful actions must abide by the event, at their peril.*

Digitized by Google

For authorities in support of the doctrines I have thus laid down, I refer my reader to 10 Co. Rep. 76 and 77; 1 *Salk.* 201. 2 Mod. 30, 196; *Rolls.* Abr. *Tit.* Escape, 809. pl. 45; Cro. *James* 314, Cro. *Car.* 395; 2 *Sid.* 125; 1 *Lev.* 95; *Hob.* 267; *Holt*, Rep. 186; 1 *Hawk.* pl. cr. chap. 28, sec. 5 and 6. chap. 29, sec. 8. chap. 31, sec. 46. chap. 32, sec. 54, 57, 58, 59, and 60; 2 *Hawk.* pl. cr. chap. 50, sec. 3, 4; Inst. 87, 97, 98, 121, 134, to 142, 213, and 248; and a great multitude of precedents in those books referred to. From these doctrines and authorities I draw the following inferences:

First, That the jurisdiction exercised by the Courts of Admiralty in the bays and rivers in *America* being given, the very offences of which they take cognizance being created, and the modes of trial being altered from the common law, since the settlement of the Colonies by the *British* Parliament, in which the inhabitants of the Colonies are not represented, the judgments given by those Courts are absolutely void; that the persons injured by them have a right to recover double damages of, and to indict the persons who enforce them, and to resist them with force, and if in such resistance the trespassers are killed, it will not be murder; but on the other hand, if the persons resisting are killed, all actually present in countenancing and enforcing such judgments will be guilty of murder.

Secondly, That as Acts of the *British* Parliament made since the settlement of *America*, (in which the inhabitants of *America* neither are or can be represented) cannot be binding upon the *Americans*, who have no share in framing them, the subject matter of such Acts of Parliament can never come within the jurisdiction of any Court of Judicature in *America*, and consequently any judgment given by an *American* Court of Judicature, to enforce such Acts of Parliament, are absolutely void, and may be legally resisted.

Thus, my countrymen, the dispute finally terminates in this single question: whether the *British* Parliament, in which you are not represented, have a right to make laws to bind you or not? If they have, all opposition is illegal; but if they have not, you may, without infringing the laws of your country, declare that you will not submit to any Act of Parliament made since your ancestors, with the leave of their Sovereign, settled in *America*, and determine to punish any Judge who shall dare to enforce such; for the man who as a Judge usurps a jurisdiction he has no right to, and under colour of a law, no way obligatory on you, attempts to wrest your property from you, is to be considered as a plunderer and robber, and you have as good a right to repel by force the execution of his judgments, as you have to resist the highwayman who attacks you in the main road; the thief who breaks into your house; the bailiff who, by virtue of an execution against your estate, attempts to imprison your person, or the *Gascon* who would enforce an edict of the *French* Parliament. A just apprehension of personal danger, and the dread of immediate punishment, acts so powerfully upon the human mind, that I can readily imagine a regard for their personal safety would induce, and a dread of danger would intimidate, all the Judges in the Colonies from enforcing Acts of Parliament of which they can have no legal jurisdiction. Thus your very Resolutions would, in many of the Colonies, end the dispute; for Acts of Parliament, which no Judge would dare to enforce obedience to could never injure you. But if, contrary to expectation, the Judges should still presume to proceed, I would not advise you to confine yourselves to resolutions only, or even to a bare resistance of the execution of their judgments, but by pursuing active measures, convince them you are in earnest, and make examples of the offending Judges.

Be not alarmed, my countrymen, it is not my intention to advise you to proceed to extremities, and hang up these Judges at once; for if the laws of your country can be duly enforced, the authorities I have cited prove that private actions brought by the parties injured, the presentment of Grand, and the verdicts of Petit Juries, will be amply sufficient to enable you to punish legally any Judge, who by arrogating to himself an illegal jurisdiction, shall presume to invade himself, or instigate others to invade, the property, restrain the liberty, or destroy the lives of his fellow-subjects. It is objected, that Administration will exert its influence over all your Courts of justice to stifle such suits and prosecutions, or, at least, to prevent them from being carried into execution; to this I answer, that when violent and unconstitutional measures are taken to overturn the laws of, or to impede the course of justice in, any country, the first law of nature gives the people a right of preserving the one, and of enforcing the other; therefore, if your natural and political liberty should be thus trampled on, and your property should be thus illegally invaded, you will be strictly justifiable in recurring to force, and in proceeding to the last extreme; and to sacrifice to your just resentment three or four, or even three or four dozen unconstitutional and corrupt Judges in each Colony, will be a more moderate measure than that of entering into associations to starve twenty thousand of your innocent manufacturing fellow-subjects in *Britain*, or that of breaking off all connections with the mother country, and by that means reducing yourselves to the necessity of slaughtering some thousands of the *British* soldiers, or of exposing the lives of all *America* in a bad cause; for such it would be esteemed if you act dishonourably in withholding their debts from your creditors. Upon the whole, my advice to you, my countrymen, is, that you send Deputies from every Colony in *America* to form a general Congress.* Let them be instructed to enter into the firmest resolutions of not submitting to any Acts of the *British* Parliament, made since the fourth of *James* the First (when your ancestors, with the leave of their Sovereign, made the first effectual settlement in *America*, and by doing so, could be no longer subject to the legislation of a *British* Parliament, in which they could not be represented,) and of punishing any person who shall presume for the future to enforce such Acts of Parliament in *America*. Let them draw up, and transmit to *England*, an address to your gracious Sovereign, expressive of the most affectionate loyalty to his person, of their readiness to grant him supplies for the benefit of the whole Empire, to the utmost of their abilities, whenever he shall request it of his respective *American* Assemblies; but assuring him of their determined resolution to sacrifice their lives, and every thing that is valuable to them, rather than submit to the legislation of a *British* Parliament; and that as no evil can be so dreadful to them as a humiliating subjection to their fellow-subjects, the Lords and Commons of *England*, that if his Majesty, deaf to these their reiterated complaints, should persist in permitting such Acts of Parliament to be enforced in *America*, his subjects of that great Continent, though struck with horrour at the idea of disloyalty to his sacred person, are, though reluctantly, firmly determined to break off all connections with *Great Britain*, and trust to that *God* who hath told them that the race is not always to the swift, nor the battle to the strong, to support their endeavours in preserving that liberty they received from their *British* ancestors. It is objected, that though this plan may be of service to the other Colonies, it will administer no relief to the town of *Boston*, who is now suffering in the common cause: to this I answer, that a particular emergency requires a special remedy. So far as relates to the removal of the seat of Government, I think resistance would be illegal, it being the undoubted prerogative of the Crown to fix, or to remove the seat of Government of any particular Colony, to whatever place the King pleases within that Colony; and though this prerogative may be exercised oppressively, still the subject must submit. He may petition, but Majesty only can redress the grievance.

But the stopping up the port of *Boston*, and prohibiting the owners from using their own wharves, under colour of Acts of Parliament, which the inhabitants, or their Representatives, had no share in framing, is such an illegal stretch of power, such a despotick invasion of property, that may be legally resisted, and ought not to be submitted to; indeed, I look upon it as little less than a declaration of war, which would justify all *America* in running immediately to arms, to repel so hostile an attack upon their

* I would advise that *Fredericktown* in *Maryland*, or *Winchester* in *Virginia*, should be fixed upon as proper for the meeting of this Congress, as no ships of war could bombard either of those towns, and the number of expert riflemen in those parts would be able to prevent any unwelcome visitors from interrupting the Congress; and though it is to be hoped that no such thing will be attempted, a discreet caution will do no harm.

Digitized by Google

liberties. But still, my countrymen, I would wish to see you adopt constitutional measures of redress. Let subscriptions be opened in every town and county on the Continent of *America*, to supply the inhabitants of the town of *Boston* liberally with every necessary. Let every supply of fresh provisions and other necessaries be withheld from the Navy and Army employed in the detestable service of endeavouring to enslave their brethren and fellow-subjects. Let every Colony in particular, and all *America* in general Congress, protest against the illegality of the measures, and resolve to support every person who shall infringe or oppose it. Let vessels attempt togo in and out of the port of *Boston* as usual, as if no such Act of Parliament existed. If the ships of war should seize them, or the soldiers obstruct any man in the use of his wharf, prosecute in the Courts of law every officer, either of the army or navy, for acting so illegally, and every Judge who shall presume to condemn the vessels seized. Let the expense of such prosecutions be defrayed, and the losses of private men made good, by the general contributions of all *America*. If any violent measures are taken by the tools of the *British* aristocracy to impede the course of justice, recur to the first law of nature, and repel the aggressors; and though the inhabitants of *New England* are sufficiently numerous to repel any illegal force which can be raised upon such an occasion, yet, in order to make it one general act of all *America*, let each Colony send a quota of men to perform this service, and let the respective quotas be settled in the general Congress.

These measures will, in my opinion, be the most moderate, the most constitutional, and the most effectual, you can pursue, and will, I doubt not, add such weight to your Address to the Throne, that the *British* aristocracy, convinced that you are in earnest, will listen to reasonable terms of accommodation; and you, by preserving your own liberty, be such a constant check to their ambitious designs as will restrain them within the bounds of moderation, even in *Britain;* and by restoring your Sovereign to his necessary weight in the National Councils, prevent *Great Britain* from becoming a prey to those aristocratical vultures which are endeavouring to destroy her very vitals. But, if debased by corruption, prostituted by venality, and lost to all sense of shame, *Britain*, like a contented fond wanton, loves and caresses the ravishers who have debauched and undone her, should attempt to sacrifice her *American* offspring to their ambition, and, regardless of your complaints, determine to enforce the legislation of a *British* Parliament in *America;* or, in other words, if all your efforts are ineffectual to save your mother country, and she must sink, you must then take care not to sink with her; but, by preserving your own liberty, prepare an asylum in *America* for such of the inhabitants of *Britain* who still desire or deserve to be free. You must then, and not till then, break off all connections with *Great Britain;* you must stop your imports and exports to and from thence; you must banish every custom-house officer from amongst you; you must invite all other Nations of the world to supply you with necessaries, by giving them liberty to trade with you, duty free; you must proclaim universal freedom throughout *America;* you must draw your swords in a just cause, and rely upon that *God* who assists the righteous, to support your endeavours to preserve that liberty he gave, and the love of which he hath implanted in your hearts, as essential to your nature. But these are measures which the *British* aristocracy, when they reflect upon those consequences of a war with the Colonies, which I enlarged upon in a former letter,* will never force you into. They are measures which nothing but necessity can justify; measures too delicate to be enlarged upon, and measures which I touch with a trembling hand, because though they will, they must effectually preserve the liberty of *America*, they will probably occasion the destruction of *Britain;* and though she has treated us unnaturally, and, I will add, ungratefully, she is our mother country still, and as such I would wish to preserve her.

And now, my friends, fellow-citizens, and countrymen, to convince you that I am in earnest in the advice I have given you, notwithstanding the personal danger I expose myself to in so doing; notwithstanding the threats thrown out by the *British* aristocracy, of punishing in *England* those who shall dare to oppose them in *America;* yet, because I do not wish to survive the liberty of my country one single moment; because I am determined to risk my all in supporting that liberty, and because I think it in some measure dishonourable to skulk under a borrowed name upon such an occasion as this, I am neither afraid or ashamed to avow, that the Letters signed by *A British American*, were written by the hand, and flowed from the heart of THOMSON MASON.

TO THE PEOPLE OF PENNSYLVANIA.

It must afford singular pleasure to every lover of liberty and his country, to observe the unanimity of sentiment with respect to the present system of *American* Government. That the Parliament of *Great Britain* has no right to tax the unrepresented *Americans*, is now become a fixed and settled principle, in which the zealous and the moderate equally agree. But the modes of resistance to this claim are various, according to the different informations, conceptions, ideas, and I fear, the different interests of those who may be affected by that which shall be finally adopted. There are some who go yet farther, and think the payment of the tea destroyed at *Boston* should precede all farther opposing measures on the part of *America*. I incline to think the number of these to be but few.—But as it has been the subject of publick discussion, in the town of *Boston*, and may have more advocates than I am aware of, I shall submit the following reasons against it, to the judgment of my fellow-citizens.

As a sacrifice to peace, I am persuaded no one would object; but as an act of justice, necessarily or properly pre-

* As the letter here alluded to was published many years ago, like this, in a newspaper, and, in all human probability, hath been long consigned to oblivion, it may not be amiss to give the following extract from it:

"If *Great Britain* should ever determine to enslave *America*, it is more than probable that she would have more difficulties to encounter than she at present apprehends. Suppose the *Americans*, alarmed at the approaching danger, should discreetly determine to retreat to a considerable distance from navigation, and carry off their provisions and live stock of every kind with them, would troops who had been confined to a close ship, upon salt provisions, for near three months; without fresh provisions; without horses to draw their artillery, be in a very proper condition to pursue them? If they did, would not the scurvy, the unwholesomeness of the climate, and the many disorders incident to *America*, which attack the *Europeans* with double force upon their first arrival, render the success of such an expedition impracticable, and enable the *Americans* to preserve their liberty, without imbruing their hands in blood? Is it reasonable to suppose that three millions of *British* subjects would tamely submit to slavery, without striking a single blow? Would not their knowledge of the country enable them to attack with advantage? Would not the consideration, that they were fighting *pro aris et focis*, add enthusiasm to their courage? Inured to the climate, and well supplied with provisions, would not they be better able to undergo the fatigues of such a war, than their invaders? If the *British* troops, with all the assistance and supplies of necessary refreshments which they received from their *American* friends last war, thought an *American* campaign the severest they had ever experienced, what must such a campaign be without such assistance and supplies? Could *Great Britain* spare even 50,000 men, to reduce a people actuated with sentiments of liberty, and possessed of *British* freedom, of twenty times their number, would those troops engage with alacrity in such a cause? Would not some murmurings of humanity whisper to their consciences that they were butchering their fellow-subjects for showing themselves worthy of the race from whence they sprung, and for acting the same laudable part which they themselves would do under a like oppression? When the sluices of their trade were stopped, and all communication with her Colonies broke off, could she long support the expense of such an armament? Is she well assured that the other Powers of *Europe* would stand idle, and calmly see her trampling upon the rights of mankind? Would not the generous design of preventing so execrable a purpose, furnish them with a just pretext for interposing in support of the injured rights of the Colonies? And might not *Britain*, whilst she was endeavouring to enforce slavery with fire and sword, in *America*, fall an easy prey to the first invader, and thus involve herself in the ruin she designed for others? But suppose *Britain* was able to crush *America* with the smallest exertion of her force, and to extirpate its present inhabitants, without losing the life of a single man sent against it, would such a conquest redound either to her honour or advantage? Would not the life of every *American* spent upon such an occasion, be really a loss to *Britain*, by lessening the export of her manufactures, and the import of rough materials, which furnish her with the means of extending her trade to every corner of the Globe? What mighty advantage would she reap from an uncultivated desert? Would it be easy for her to persuade her other subjects to supply the place of the slaughtered, with such an example of the perfidy, cruelty, and ingratitude of their mother country before their eyes? Does she think that the extirpation of liberty would be a spur to industry, or that slavery has such charms as to contribute to the increase of the Colonies? Should the Northern endeavour to deprive the Western counties of *England* of their rights, and a civil war ensue, would the conflict be advantageous even to the conquerors? These are considerations which must and will have weight with the *British* Parliament, and restrain them from entering into a war with the Colonies."

Digitized by Google

ceding a virtuous struggle for constitutional liberty, I can by no means agree to it. In order to form a just idea of this subject, let us reflect what was our situation, and the end proposed by this complicated manœuvre of politicks and private interest. *America* had been struggling for three years against an Act imposing duties upon paper, glass, tea, painters' colours, &c., for the purpose of raising a revenue. At the expiration of that time Parliament thought proper to repeal it in part, but kept the duty on tea expressly as a precedent for future taxation. The same reason operated on both sides, though in a different manner. If Parliament was so tenacious of the precedent to keep up the claim on the Colonies, it was equally incumbent on them to refuse their submission; for on this the virtue of the precedent depended. Hence proceeded the resolution of not importing this article while subject to this duty, that we might not only address our arguments to the understanding, but the feeling of our fellow-subjects in *Britain*. Thus far there was a general concurrence of sentiment and action: for the code of laws had not then appeared by which these Associations are found to be treasonable; this discovery has been reserved for the profound researches and ingenuity of the present Governour of *Massachusetts Bay*. This union, that resolution, and these principles, can only be justified by the injustice of the law, and it repugnancy to our natural and acquired rights. But when the operation of this agreement began to be felt by the accumulation of tea at the *India* House, and the distresses of the Company united, have forced a repeal; a sort of truce was clapped up between the Minister and the Company, at the expense of *America*. Having laid that powerful body at his feet, by overturning their whole system, they became his willing instruments to overturn the fair fabrick of liberty in this country. If it is said they sent it under the sanction of an Act of Parliament, I would ask, does this country acknowledge the right of Parliament to sanctify a measure fundamentally unjust? If it does, how came we to oppose the first Act? Allow this power to Parliament, and it will apply equally to the Stamp Act, the Tea Act, or any other as well as the one under our consideration. But it is said to be private property, sent by *English* subjects to *English* subjects, and therefore under the implicit confidence and faith subsisting between them, which should have been its protection. If it was private property, it was certainly sent hither for publick purposes; and whether political or commercial motives predominated the consequences to this country were the same; by receiving it, we established the precedent for which the Minister contended; by rejecting it, we destroyed its authority.

Nor will the advocates for the *East India* Company draw any advantage from the presumptive security of their wares, since this presumption must arise from the purity of their intentions, and their ignorance of the circumstances and danger. One depends upon the other. Now we have the most unquestionable evidence, that the Company was fully apprized of the sense of *America* on this subject. In the first place it is not to be supposed they could be ignorant of all the publications respecting it, and the resolution existing in this country not to import their tea under the duty, while they were sinking under the distresses it had occasioned. But we have positive proof from the refusals of our captains and owners of vessels to receive it on freight, and assigning the reason. If this was not sufficient, Governour *Johnston* declared in Parliament, that both by letter and verbally, he pointed out to the *India* Company, the impropriety of the measure, the circumstance, and the danger. What tye of faith or confidence could ensure the property of an *English* subject, knowingly employed as an instrument to subjugate another, equally free with himself. A fair and candid attention to facts, I think, must produce the fullest conviction that they sent the tea in direct opposition to the known sense of this country, well informed as to the risk, which was considered in this expected profit, and therefore cannot, under an idea of justice, have any right to compensation.

If we are right in opposing the Act, surely we must be right in opposing the means, by which that Act is to be executed: admit the principle, the practice is fairly justifiable from it. Let us not be misled by names; if payment is an Act of justice, it must be founded in this case on a supposition of injury done, of which the party has a right to complain. But here the injury was done to the *Americans;* the greatest injury the citizen of a free country can feel; while he is struggling for liberty, a third person interposes, makes himself a party in the dispute, his weapon is broke, or destroyed in the conflict—will not the justice of his receiving compensation for it, depend upon the propriety of his interposition, his knowledge of the circumstances, and consequences to the person he opposed. I will propose a case by which this question may be decided, by the appeal to every man's own judgment and conscience. Suppose two persons fighting, a third person either puts a sword into the hand of one or applies it himself for his assistance—the sword is broke by him who it was designed to injure; as a juryman or referee, would you think the officious interposer entitled to a satisfaction? The justice of such a demand, in the case of the tea, must certainly depend on the original question of right in laying the duty; for no one can, with reason, claim protection while he is trespassing on the right of others, or assisting those who do; his security must depend upon the rectitude and probity of his conduct; and he may be rather said to have forfeited his right of property, who makes it an instrument of oppression to others, than to have any warrant for its protection. Those who have hastily taken up this notion, I apprehend, do not see that it would, by fair argument, lead to a renunciation of the *American* cause.

But I think there are other reasons equally cogent, which shew that such a payment at present is neither founded on the principles of policy, expediency or reason—it is not politick. The cause of *Boston* is a common cause, or the other Colonies have no reason to espouse it. A payment of the tea would be setting a precedent for *New-York*, *Charlestown*, and *Philadelphia*, who are equally exposed to the like claims, though in different degrees, and probably subject the latter to the payment of the damages of the malt-ship sent from hence in 1767. This, I apprehend under the present circumstances of the people of *Boston*, would be going too far without the concurrence and advice of those Colonies at least. But the cause is of such vast importance to all *America*, that no step of such moment should be taken by a single Province, much less a town, but by the united wisdom of *America* in Congress alone. However, it may be smoothed over under the specious names of compensation and justice, it may be allowed to be a partial compliance with the most cruel Act which ever disgraced the annals of history; and can have but little merit, when we consider the time and force which extorts it. Besides, can we suppose the unfeeling and implacable author will put any other construction upon it, than as a step of submission, which may be improved into total subjection; the very idea of which will strengthen his heart, hands, and party, to go on and complete his pernicious work. It is not expedient, or to be reasonably expected at present, because if done in the fullest extent, they are as far from relief as ever. The advocates for this opinion seem to overlook those clauses in the Act of Parliament, which prolong the sufferings of *Boston* not only till satisfaction is made for the tea, but until his Majesty shall adjudge that due obedience to the laws has taken place, and the revenues may be duly collected; that is, in other words, till they have surrendered these inestimable rights, which stamp value and dignity on our existence. Some are so weak as to argue, that if this compensation is made there is no doubt but relief would be granted. Let such consider the hostile views with which their present Governour came among them, his correspondent conduct, and thence judge how little favour they may expect from him. But I will suppose him the reverse of what he appears—and that he might be disposed to forward the certificate. Unless he could go farther than certifying the payment of the tea, of what effect would it be? This is not the ministerial object, if it was, the offers made in *England* would not have been rejected. Those therefore who support this opinion must either mean, that they should go farther in their submission, and make the grand sacrifice of all, give the fatal stab to the liberties of *America*, or strip themselves of a large sum of money, at a time when the hand of necessity is pressing them down to the lowest ebb of want and distress, and this without the least prospect of being restored, to their former condition. Is it expected from the wretched debtor, when unable to prevail upon his

Digitized by Google

relentless creditor, that he should put his purse into his hand, and then resign himself to the miseries of a jail. Yet this is what rigorous justice might demand, though reason and the law of self-preservation would authorize a repeal.—This has some resemblance to the present state of *Boston*.

I hope my countrymen will not be deceived by pretences of regard to justice, which too often serve as a cover for other views. That the tea will eventually be paid for, I believe there is little doubt, but let this compensation be made, as all others have been heretofore, when the grievance that created the loss ceased. There is not an argument offered for the payment of the tea, but what will operate equally for the payment of the stamped paper, which was never paid for to this hour; and let it also be remembered, that all the compensation made for damage done to individuals on that occasion, were after the Act was repealed. No person then thought that previous satisfaction was an act of justice, policy, or expedience. We have former experience for our guide, and I think it is not difficult to foresee, that hasty concessions of this nature, while our grievances continue, will defect the best concerted plan we may form for relief. It will afford such encouragement to every enterprising adventurer, who may choose to join in the attack upon *American* liberty, by securing his property from risk, as ought to deter us from hasty conclusions on a matter which may have such serious consequences. Instead of being the first act on the part of *America*, I cannot but think the interest of *America*, and particularly of the unhappy sufferers at *Boston*, require that it should be the last. But there is a debt of justice and honour of which I will beg leave to recommend my worthy fellow-citizens, not doubting but at a proper time it will meet with due attention. Those gentlemen who sacrificed their interest to the publick call, who permitted their goods to return in the tea-ship, and thereby may have saved this city from the calamities of *Boston*, though at a loss to themselves, surely deserve something more solid than thanks for so self-denying an instance of publick virtue and regard to their fellow-citizens.

LETTER FROM THE COMMITTEE OF CORRESPONDENCE OF NEW-JERSEY, TO THE COMMITTEE OF CORRESPONDENCE OF BOSTON.

Elizabethtown, New-Jersey, July 28, 1774.

GENTLEMEN: The arbitrary and cruel oppression under which your Metropolis now labours, from the suspension of commerce, must inevitably reduce multitudes to inexpressible difficulty and distress. Suffering in a glorious and common cause, sympathy and resentment, with peculiar energy, fill the breasts of your anxious countrymen. As the King of Kings and the Ruler of Princes seems, in a remarkable manner, to be inspiring these Colonies with a spirit of union, to confound the counsels of your unrighteous oppressors, and with a spirit of humanity and benevolence towards an innocent and oppressed people; so, we trust, he will also inspire your town with patience, resignation, and fortitude, until this great calamity shall be overpast.

We have the pleasure to acquaint you, that, on the 21st instant, at the city of *New-Brunswick*, the Province of *New-Jersey*, with singular unanimity, seventy-two Delegates from the several counties, and a majority of the House of Representatives present and approving, entered into similar resolutions with the other Colonies; elected five Deputies for the proposed Congress, and the County Committees then agreed to promote collections in their respective counties, for the relief of such of the unhappy inhabitants of the town of *Boston* as may now be reduced to extremity and want. To accomplish this purpose with the more acceptation to yourselves, we, the Committee of Correspondence for the Eastern Division, request that, by the return of the post, you would be pleased to advise us in what way we can best answer your present necessities; whether cash remitted, or what articles of provision, or other necessaries, we can furnish from hence, would be most agreeable; and which we hope we shall be able to forward to *Boston* very soon after your advice shall be received. We doubt not gentlemen are devising every possible method for the employment of those who, by their deplorable situation, are cut off from all former means of subsistence.

We are, gentlemen, your very humble servants,
By order, WILLIAM P. SMITH, *Chairman*.

A brief Examination of AMERICAN *Grievances; being the heads of a Speech at the General Meeting at* LEWESTOWN, *on* DELAWARE, *July* 28, 1774.

A gentleman introduced the business of the Assembly, by an encomium on the happiness of the *English* Constitution, and went on to show that the *American* Colonies brought all *British* liberties with them, as appears by their Charters, the nature of their emigration, and many publick declarations at that time made, and since. That the Colonies were pleased and happy in their union, commerce, and mutual assistance given to and received from the mother country, even while almost the whole fruits of their labour and industry ever returned to *Britain*, to her strength and aggrandizement. That they have been, and still are, the most loyal and dutiful of all his Majesty's subjects, and the most closely attached to his present Royal family. That they have always granted their aids of money and men, when their Sovereign constitutionally demanded them of their Assemblies, and even seasonably and beyond their proportion; so that, in the last war, a considerable sum was refunded to this little Colony on *Delaware*, as well as others. That the present undeserved frowns of the parent state most probably arise from the base calumnies, wicked insinuations, and most false misrepresentations of the *Bernards*, *Hutchinsons*, *Olivers*, and such other malicious enemies of the real interest of *Britain* and *America*, who have absurdly, as well as wickedly, represented the Colonies as rebellious, independent, &c. That hence, for about ten years past, the conduct of the *British* Ministry, and a majority of Parliament, seems to be one continual plan to rob us of our dearest liberties. That, if *America* be enslaved, the freedom of *Britain* will not long survive that wretched crisis. That the impositions and oppressions of the most loyal *Americans* are already become very numerous and very grievous.

He then went on to enumerate and explain as many as he could recollect, after laying down these principles, viz:

That "all lawful civil Governments must be wholly employed to preserve the lives, liberties, and properties of the subject."

"No *Englishman* is bound to any laws to which he has not consented by himself, or his own chosen Representatives."

"A man has no property in that of which he may be rightfully dispossessed at the pleasure of another."

"*Britons* only can give their own money."

"No man can tax us but ourselves, while we enjoy the *British* Constitution."

He went on to show, that from these principles, well known to every freeman, the following will appear, to say the least, lawless usurpations, viz:

1st. Restraining the Colonists from manufacturing their own iron, by erecting slitting mills, &c.

2d. Restraining the transportation, and thus the manufacturing, hats of our own peltry, &c.

3d. The grievous oppression of preventing farmers to carry their own wool even across a ferry, though the rivers, waters, havens, &c., are given us by our Charters.

4th. The changing the boundaries of Colonies, and obliging men to live under Constitutions to which they never consented, as part of *Massachusetts Bay* joined to *New-Hampshire*.

5th. The suspending the Legislative powers of *New-York*, by an Act of Parliament, until they should quarter troops sent to raise an illegal tribute by military execution.

6th. The memorable and detestable Stamp Act.

7th. The Parliamentary claim to make laws "binding us in all cases whatsoever," consequently, to regulate our internal police, give, take away, change, and infringe, our Constitutions and Charters, for which we have the most solemn faith of the Crown and Nation for their inviolable security.

8th. Their assuming to lay sundry taxes upon us, though self-taxation is the basis of *English* freedom. At the distance of three thousand miles, the Parliament arbitrarily

Digitized by Google

demands the strings of every *American's* purse, though ignorant of us and our ability, &c., though they are not included in the same tax nor ever were chosen for our Representatives.

9th. Their denying us the right to give our own money to our own King, on his legal demand; a right which *Britons*, from earliest histories, have enjoyed, and to secure which they have often spent much blood and treasure.

10th. Their laying a tax on paper, glass, painters' colours, and tea.

11th. And though this, with the Stamp Act, were repealed by non-importation, the *American* virtue, and the influence of our friends, yet, a tax on tea was and is continued, as the badge of our slavery.

12th. The mean stratagem, unworthy the Representatives of a free and great Nation, of attempting to enslave us, by pretending a favour to the *East India* Company, which *Americans* bravely rejected and disconcerted.

13th. Finding stratagem would not prevail, they have thrown off the mask, and are now dragooning us into a surrender of our rights by the last Bills, and wreaking their unjust vengeance on those who cannot submit to their impositions.

14th. Maintaining a standing army in times of peace, above the control of the civil powers, at *Boston*, &c., which no *Briton* can submit to.

15th. Extending the obsolete Act of *Henry* the Eighth, to drag *Americans* to *Britain* to be tried, contrary to our birth-right privilege of juries of our own neighbourhood. How shocking to humanity to see a fleet and army on the Act for preserving dockyards, &c., solemnly stationed to take any poor man, on suspicion of his being one of the justly exasperated mob who injured the *Gaspèe* schooner, to be sent in irons in a man-of-war—worse than a Popish inquisition, three thousand miles, to be tried by partial judges, and ruined, if innocent, at last.

16th. The wresting Castle *William* out of the hands of the owners, though the principal fortress where their property and stores were deposited, and putting it into the hands of those who yet unjustly detain it, over whom the civil powers have no control, at a time when the military threatened the slaughter of the inhabitants.

17th. The rewarding and advancing Captain *Preston*, for the very reason of his murdering some young men at *Boston*.

18th. Fleets and armies sent, to enable the Commissioners of the Customs, authorized by Parliament, in violation of all *English* liberty, to plunder freemen's houses, cellars, trunks, bed-chambers, &c.; and if they murder men, by a late Bill, they may not be tried in *America*, and the poor relations cannot prosecute on the other side of the *Atlantic;* thus, the blood of our poor innocents may cry, indeed, to *God* from the earth; but, from civil Government, there can be no justice.

19th. The grievous partiality of those who have made their own judges independent even of the demesne of the Crown, yet have sent Judges, a Governour, and Attorney General, during pleasure only, under no ties to the country, but biased to the Ministry, by whom they are supported by a tax unconstitutionally squeezed from *Americans*. Their circumstances tend to make them, like Judge *Jeffries*, the cruel instruments of tyranny and injustice.

20th. Ungratefully disheartening us, and adding insult to injury; quartering insolent troops upon us, to provoke the injured to mobs; and sending over men of the worst characters for Governours, Judges, and officers, to some Colonies; refusing to hear any complaints of mal-administration; forgetting all our merit, though the most firmly of all his Majesty's subjects attached to the principles of the Revolution; supporting one-third of the Nation, and increasing her naval power and grandeur, and profusely spending our blood and treasures in all the wars of *Britain*, &c.

21st. Another distressing grievance, is, that the *British* Ministry receive no information of the state of the Provinces, unless from their very enemies, the Governours, Judges, and officers, while cries and petitions of the injured and oppressed Colonies, even from general Congresses and Assemblies, will not be favoured with a hearing, and by them kept back from the ear of our Sovereign; while the betrayers of the union and happiness both of *Britain* and *America* are heard, supported, and rewarded by the Administration, for all their false and malevolent dissimulations.

22d. Though in all Nations the persons of Ambassadors are sacred or inviolable, the virulent torrent of abuse premeditated and prepared, and poured out in a most scurrilous manner, even in the House of Lords, by the approbation of a majority of them, against Doctor *Benjamin Franklin*, the known Agent of our Colonies; though his age, office, abilities, and character, (as a philosopher and politician, well known in all *Europe*,) might have exempted him from abuse, even among the rudest companies. His offence, strange to relate, was discovering to his country their false accusers.

23d. The conferring honours, preferments, and lucrative posts, generally, on those unhappy wretches, who appear the sole cause of all the dissensions in *Britain*, and her unjust measures against her loyal sons, as *Bernard*, baronet, &c., &c., many of whom, if justice could be brought to her ancient channels, would justly forfeit their devoted heads.

24th. And now, to complete our slavery by violence, which could not be done by fraud, the *Boston* Port Bill is executed on *Boston;* that ancient, loyal, and flourishing city blockaded by a fleet and army, without ever hearing them, or even their agent, one word in their defence.

25th. By our last accounts another Bill has passed the lower House, which is designed to indemnify the officers of the customs, navy, and army, and all their wretched assistants, in destroying our rights, from all the barbarities, rapines, and murders they may commit against that brave, loyal, and patient people of *Boston*.

26th. And, finally, to show us that the stipulated faith of the Crown, during the reign of his present Majesty, is good for nothing at all; and to convince us that we have nothing that we may call our own, even Charters and Constitutions themselves, another Bill has also passed that House, to change, infringe, and destroy all that was worthy their care in the solemn Charter of the *Massachusetts Bay*. The same Parliament, on the same principles, with equal right, may vacate the right to any man's house, plantation, deed of his lands, &c., whenever he may happen to displease any Minister of State, or any of his tools, from a *Bernard* and *Hutchinson*, to the most infamous informer and tide-waiter.

27th. Hence, on the whole, we have gradually lost our free Constitution, *English* liberties, and Charters, and are really under military government, a state to be deprecated by all good men; so that, if we say a word against a Tea Tax, a *Boston* Port Bill, or any arbitrary and tyrannical imposition, we may expect, like *Boston*, to have our estates, trade, deeds, &c., taken away, and dragoons sent to insult us; and if they murder us, they are not amenable under our laws. Our circumstances bear some resemblance to the time when they were forcing Bishops on *Scotland*, when every common soldier, in the reign of *Charles* the Second, was witness, judge, and jury himself; and, on asking two or three questions, might shoot down any person he met.

Here is a dreadful catalogue indeed! And I doubt not, said he, there are many more which have escaped my memory. O that our gracious Sovereign would condescend to read the catalogue, and spend one hour apart from Lord *North* and the other authors of our calamities, to meditate upon them! Sure his humane heart would bleed for the distresses of his reign, and he would vow redress to his loving and oppressed subjects. Any one of these twenty-seven grievous impositions would have driven a people careless of loyalty, patriotism, prudence, and fortitude, into actual rebellion, to take arms in defence of such invaluable privileges. But, in defiance of all the whispers of our enemies, though we love liberty, we love *Britain* too, and earnestly desire to continue the most inviolable union, connection, and harmony, with the land of our fathers. Though we are now above five millions, (and at our present rate of population will soon double that number,) if we were now united we need not dread, under the conduct of that gracious and Almighty Being who hears the cries of oppressed innocence, any single Prince or Empire on earth; but were we ten thousand times so many more, we would still revere, love, and support our mother, *Britain*, &c., while she will treat us as children and friends.

He concluded his address, by showing the necessity and

Digitized by Google

expediency of a general Congress, to cultivate or restore our friendship with *Britain*, &c., as well as to agree on a necessary non-importation Covenant; which Congress, he showed, ought to be continued in all future times. He hoped, amidst their important affairs, they would fall on some honourable and safe expedient to put an end to our *African* slavery, so dishonourable to us, and so provoking to the most benevolent Parent of the Universe; that this, with our luxury and irreligion, are probably the remote causes of our present alarming situation.

EXTRACT OF A LETTER FROM DEPUTY GOVERNOUR PENN, TO THE EARL OF DARTMOUTH.

Philadelphia, July 30, 1774.

My Lord: I beg leave now to acquaint your Lordship that a meeting of Deputies from the several counties of this Province was held in this city on the 15th of this month, to consider of the most proper measures to be taken in the present differences between *Great Britain* and the Colonies. The principal business done at this Convention was forming a set of resolves, and preparing a draught of instructions to their Representatives, which they laid before the Assembly, and immediately afterwards published them. I herewith send your Lordship the newspaper containing those resolves and instructions, as also the resolutions of the Assembly thereupon, by which your Lordship will perceive that the steps taken by the Assembly are rather a check than an encouragement to the proceedings of the Committee, and this I was well assured would be the case.

I am with great respect, &c., John Penn.

EXTRACT OF A LETTER TO A GENTLEMAN IN NEW-YORK, DATED LONDON, JULY 30, 1774.

It is the prevailing opinion here that the Colonies mean nothing, as the arts of Administration must eventually divide you.

The large orders for goods, and the long delay of measures of resistance, give your best friends some apprehension, that you will lose the only moment which you can ever have to save *America* from ignominious slavery. The idea of your being stronger, and this country weaker, may be very true in fact, but not true in point of political strength. Your enemies have been imprudent enough to alarm you now—they may grow wiser hereafter—spin the snare with some art, and forever enslave you, by imperceptible steps. You will find it the language of Administration, their emissaries and subservient merchants, with whom you correspond, that if *America* will be quiet for the present, all will be right again. If you trust such promises you are utterly undone, and deserve the chains of tyrants. I should think myself entitled to drive you like negroes or beasts of burden, if you act so weak, so contemptible a part—'tis the characteristick of the present Ministry to lie and betray—'tis the very system of the Cabinet—'tis the rule by which my Lord *Bute* has undone the first men in this country, and with them, this unfortunate Kingdom.

I have a thousand reasons to wish that your opposition may be an early one, as well as vigorous—the day of grace is now—it will be soon over.

EXTRACT OF A LETTER TO A GENTLEMAN IN NEW-YORK, DATED LONDON, JULY 30, 1774.

We are all in high expectations of the event of the late measures adopted respecting *Boston*, which carry with them rather the harsh and rigid aspect of power, than that of paternal affection, which wishes to reclaim while it chastises. The Crown has for a long time past been gaining power at the expense of the liberties of the people, by a gradual system of corruption, which the people themselves have not virtue enough to counteract. But now the strides towards despotism are enormous. I wish the *Americans* may be able to fall upon some prudent and effectual measures in the present important crisis. But I fear the greatest difficulty, will be in the want of an union and confidence among themselves in the different Colonies, without which any expedients they may think proper to adopt will, I fear, avail little.

EXTRACT OF A LETTER TO A GENTLEMAN IN NEW-YORK, DATED LONDON, JULY 30, 1774.

I enclose you a Bill, which will soon be a law, and which speaks the intentions of Administration stronger than I can. It is a model for all *America*, and certainly there is a full purpose here of executing it, if we do not, by a firm union and opposition, withstand it. A general suspension of commerce, till our grievances are redressed, is the only measure which is at once safe and sure. The question is now become of such pregnancy and magnitude, that your proceedings ought to be conducted with the greatest deliberation and gravity. It is no common issue that we are trying, as it involves the fate of uncomputed millions.

The Ministry flatter themselves, that the terrour of their measures will make all *America* silent and submissive. Even Lord *Mansfield* ventured to declare in the House of Lords that all the Colonies would return to obedience (his phrase for slavery) *sine cœde*. If I mistake not, he will find it difficult to keep this country quiet, under the distress a non-importation agreement will occasion. That is our strong hold, which I trust in *God* we shall never abandon.

Mr. *Rigby*, who is at the head of the *Bedford* people, and Sir *Gilbert Elliot*, who presides in the Royal junto, both declared in the House of Commons, that as soon as *America* was reduced to order, it was intended to tax them. You may depend upon this as a fact.

It is the opinion of your best friends here, that you should put a total stop to all commerce with this country, both exports and imports. Some would carry it so far as to stop all provisions and lumber from being sent to the *West Indies*. The few absolute necessaries a hardy people can want, who are contending for the dearest of all earthly blessings, their liberty, may be easily had from *St. Eustatia*, the *French West Indies*, or some part of *Europe*. Keep all the money you have, and pay no debts here. At the same time, by a judicious manifesto, address the *British* merchants, manufacturers, and your brethren in *England*, stating modestly your grievances, pointing out the mode of redress, and complaining of the grievous necessity you are driven to. All the Colonies, it is expected, will unite; for which end a Congress should be held as soon as possible. You may rely on it as a most certain truth, that *Philadelphia*, next to *Boston*, is to feel the severe rods of chastisement, if those now applied to *Boston* are patiently submitted to.

EXTRACT OF A LETTER FROM LIEUTENANT GOVERNOUR BULL TO THE EARL OF DARTMOUTH, DATED CHARLESTOWN, JULY 31, 1774.

I had expectations that the measures taken by the Parliament relative to *Boston* would have had some happy effect towards composing the disturbances in this Province, which seemed to have subsided a little last winter, but it has taken a contrary turn. Their own apprehensions and thoughts, confirmed by the resolutions and correspondence from other Colonies, have raised an universal spirit of jealousy against *Great Britain*, and of unanimity towards each other; I say universal, my Lord, for few who think otherwise are hardy enough to avow it publickly.

The general claim is exemption from taxation, but by their own Representatives, as co-essential with the *British*, (their own) Constitution. Some who do not enter so deep into principles, are alarmed at the consequence of a ready acquiescence under taxation by the Parliament, as they apprehend that then all the variety of ways and means of raising money in *Great Britain* will soon be put in practice here, and applied to purposes not merely *American*.

Such arguments as the last are easily understood and felt by every man, and catches like wild-fire among the multitude. They are deaf to the argument on the other side of the question, though obvious to a man of consideration, that in every Empire an absolute power must necessarily be lodged somewhere, over all the parts and members thereof, which, in *Great Britain*, is in the King and his Parliament. But liberty or slavery, in their greatest latitude, is the alternative generally held forth in their popular meetings, for little attention or patience is shown to those who attempt to state things in a different light

Digitized by Google

Your Lordship has doubtless been informed of the proposal from *Boston*, that there should be a Congress of Committees from every Province, to consider of what was proper to be done by them in this crisis. Accordingly on the sixth instant a great concourse of people assembled in *Charlestown*, in order to choose a Committee of five men for *South Carolina*. I enclose *Timothy's* Gazette, which publishes the result thereof.

I beg your Lordship's permission to observe, and I do it with great concern, that this spirit of opposition to taxation and its consequences, is so violent and so universal throughout *America*, that I am apprehensive it will not be soon or easily appeased. The general voice speaks discontent, and sometimes in a tone of despair, as determined to stop all exports to, and imports from, *Great Britain*, and even to silence the Courts of law, foreseeing, but regardless of the ruin that must attend themselves in that case; content to change a comfortable for a parsimonious life, to be satisfied with the few wants of nature, if by their sufferings they can bring *Great Britain* to feel.

This is the language of the most violent; others think it is going too far; and the most violent too often prevail over the moderate. When men shall in general lay aside the hopes of getting riches, and abandon the employment of agriculture, commerce, and mechanick labour, what turn their leisure time, under such circumstances, may take, I submit to your Lordship's knowledge of history, and of he human mind. Such sudden and great changes in the manners of an extended thriving people, among whom the Gazettes are filled with such variety of articles for luxury, is scarce credible, though possible, but the continuance of it is very improbable. The first account of the result of the Congress at *Philadelphia* may reach your Lordship the beginning of *November*. I think it my duty to make this true and faithful representation of the disposition and temper of the people, how disagreeable it may however appear, and to confide in the Royal wisdom for the remedy.

Captain *Maitland*, who on the 18th instant, had brought in several chests of tea for merchants in this town, which he had promised the General Committee, as it is called, to destroy or carry back, and taken in his load of rice in the mean time, gave great offence to the Committee and the people, as the tea was that day landed by the Custom-House Officers and lodged in the King's store house.

Several hundred men went with great threats in quest of him in the evening, but as they entered his ship on one side, he went off from the other, and took shelter on board his Majesty's ship *Glasgow*, then in *Rebellion* Road, and next morning his ship was removed from the wharf by Captain *Maltby's* assistance. Another parcel of tea, since arrived, by consent of the Committee, is lodged in the King's stores in the same predicament. Although Captain *Maitland* sails first, yet, as his ship is heavy laden, I think my account of these matters will reach your Lordship soonest by the packet, &c.

DELAWARE CONVENTION.

August 1, 1774, P. M.—The Representatives of the Freemen of the Government of the Counties of *New-Castle*, *Kent*, and *Sussex*, upon *Delaware*, met at *New-Castle*, in pursuance of Circular Letters from the Speaker of the House, who was requested to write and forward the same to the several Members of Assembly, by the Committees of Correspondence for the several counties aforesaid, chosen and appointed for that among other purposes by the Freeholders and Freemen of the said counties respectively. Present:

For the County of New-Castle.—*Thomas McKean, John Evans, John M'Kinly, James Latimer, George Read, Alexander Porter.*

For the County of Kent.—*Charles Ridgely, William Killen, Cæsar Rodney, Thomas Collins.*

For the County of Sussex.—*Thomas Robinson, Levin Crapper, Boaz Manlove, John Wiltbank, Stephen Townsend.*

Who immediately proceeded to the choice of a Chairman, and Cæsar Rodney, Esquire, was chosen *Chairman, nemine contradicente*, and David Thompson, Esquire, *Clerk*.

The Resolves of the several Committees appointed by the inhabitants of these Counties respectively, were read, and follow in these words, to wit:

"At a General Meeting of the Freeholders and Inhabitants of the County of *New-Castle*, on *Delaware*, at *New-Castle*, the 29th of *June*, 1774, Thomas M'Kean, Esq., *Chairman:*

"*Resolved*, 1. That the Act of Parliament for shutting up the port of *Boston* is unconstitutional, oppressive to the inhabitants of that town, dangerous to the liberties of the *British* Colonies, and that, therefore, we consider our brethren at *Boston* as suffering in the common cause of *America*.

"2. That a Congress of Deputies from the several Colonies in *North America* is the most probable and proper mode of procuring relief for our suffering brethren, obtaining redress for *American* grievances, securing our rights and liberties, and re-establishing peace and harmony between *Great Britain* and these Colonies on a constitutional foundation.

"3. That a respectable Committee be immediately appointed for the County of *New-Castle*, to correspond with the sister Colonies, and with the other counties in this Government, in order that all may unite in promoting and endeavouring to obtain the great and valuable ends mentioned in the foregoing Resolution.

"4. That the most eligible mode of appointing Deputies would be by the Representatives of the people of this Government met in their legislative capacity; but as the House of Assembly have adjourned themselves to the 30th day of *September* next; and it is not expected his Honour our Governour will call them by writs of summons on this occasion, having refused to do the like in his other Province of *Pennsylvania;* therefore, that the Speaker of the Honourable House of Assembly be desired by the Committee now to be appointed to write to the several Members of Assembly, requesting them to convene at *New-Castle*, on any day not later than the first of *August* next, to take into their most serious consideration our very alarming situation, and to appoint Deputies to attend at the general Congress for the Colonies, at such time and place as shall be generally agreed on.

"5. That the Committee now to be chosen consist of thirteen persons, to wit: *Thomas M'Kean, John Evans, John M'Kinly, James Latimer, George Read, Alexander Porter, Samuel Patterson, Nicholas Van Dyke, Thomas Cooch, Job Harvy, George Monro, Samuel Platt*, and *Richard Cantwell*, and that any seven of them may act.

"6. That the said Committee immediately set on foot a subscription for the relief of such poor inhabitants of the town of *Boston* as may be deprived of the means of subsistence by the Act of Parliament, commonly styled the *Boston* Port Bill; the money arising from such subscriptions to be laid out as the Committee shall think will best answer the ends proposed.

"7. That the inhabitants of this county will adopt and carry into execution all and singular such peaceable and constitutional measures as shall be agreed on by a majority of the Colonies by their Deputies at the intended Congress; and will have no trade, commerce, or dealings whatsoever, with any Province, city, or town, in the *British* Colonies on this Continent, (if any such should be) or with any individual therein, who shall refuse to adopt the same, until the before mentioned Act of Parliament, and two Bills respecting the Province of *Massachusetts Bay*, depending in Parliament (if passed into Acts) are repealed. Signed by order,

"David Thompson, *Clerk*."

"The Freeholders and other Inhabitants of *Kent* County, on *Delaware*, now assembled at the Court House in the Town of *Dover*, this 20th day of *July*, *Anno Domini* 1774, taking into their most serious consideration sundry Acts of the *British* Parliament, in which their power and right to impose duties and taxes on his Majesty's subjects in the *British* Colonies and Plantations in *America*, for the purpose of raising a revenue, are declared, attempted to be exercised, and in various ways enforced and carried into execution; more especially the Act depriving the great and lately flourishing town of *Boston* of all trade what-

Digitized by Google

soever, by shutting up their port and harbour with a formidable fleet and army:

"*Resolved, nemine contradicente*, 1. That we do acknowledge, recognize, and most expressly declare, his Majesty King *George* the Third to be lawful and rightful King of *Great Britain*, and all other his Dominions and Countries; and that it is the indispensable duty of the people of this country, as being part of his Majesty's Dominions, always to bear faithful and true allegiance to his Majesty, and him to defend to the utmost of their power, against all attempts upon his person, Crown, or dignity.

"*Resolved, nemine contradicente*, 2. That the Act of Parliament for shutting up the port of *Boston*, is unconstitutional, oppressive to the inhabitants of that town, dangerous to the liberties of the *British* Colonies, and that, therefore, we consider our brethren at *Boston* as suffering in the common cause of *America*.

"*Resolved, nemine contradicente*, 3. That a Congress of Deputies from the several Colonies in *North America* is the most probable and proper mode of procuring relief for our suffering brethren, obtaining redress of *American* grievances, securing our rights and liberties, and re-establishing harmony between *Great Britain* and these Colonies on a constitutional foundation.

"*Resolved, nemine contradicente*, 4. That a respectable Committee be immediately appointed for the County of *Kent*, to correspond with the Committees of the sister Colonies, and the other counties in the Government, in order that all may unite in promoting and endeavouring to obtain the great and valuable end mentioned in the foregoing Resolution.

"*Resolved, nemine contradicente*, 5. That the Speaker of the Honourable House of Assembly be desired by the Committee now to be appointed, together with the Committees of the other counties of this Government, to write to the several Members of Assembly, requesting them to convene at *New-Castle* as soon as possible, to take into their most serious consideration our very alarming situation, and to appoint Deputies to attend at a general Congress for the Colonies at such time and place as shall be generally agreed on.

"*Resolved, nemine contradicente*, 6. That the Committee now to be appointed consist of thirteen persons, to wit: *Charles Ridgely*, *William Killen*, *Cæsar Rodney*, *John Haslet*, *John Clarke*, *Thomas Collins*, Esquires, *Jacob Stout*, Esquire, *James Sykes*, Esquire, *James Wells*, *Thomas Rodney*, *Richard Basset*, Esquire, *Richard Lockwood*, Esquire, and *Zadock Crapper*, Esquire, and that any seven of them may act.

"*Resolved, nemine contradicente*, 7. That the said Committee immediately set on foot a subscription for the relief of such poor inhabitants of the town of *Boston* as may be deprived of the means of sustenance by the Act of Parliament commonly called the *Boston* Port Bill; the money arising from such subscription to be laid out as the Committee shall think will best answer the ends proposed.

"*Resolved, nemine contradicente*, 8. That the inhabitants of this county do agree with their brethren of *New-Castle* County, in adopting and carrying into execution all and singular, such peaceable and constitutional measures as shall be agreed on by a majority of the Colonies by their Deputies at the intended Congress, and will have no trade, commerce, or dealings whatsoever, with that Province, city, or town, on this Continent, (if any such should be) or with any individual therein, who shall refuse to adopt the same, until the before mentioned Act of Parliament, and two Bills respecting the Province of *Massachusetts Bay*, depending in Parliament (if passed into Acts) are repealed.

"*Resolved, nemine contradicente*, 9. That this Committee embrace this publick opportunity to testify their gratitude and most cordial thanks to the patrons and friends of liberty in *Great Britain*, for their patriotick efforts to prevent the present calamity of *America*.

"Signed by order, MARK M'CALL, *Clerk*."

—

"At a General Meeting of the Freeholders and other Inhabitants of the County of *Sussex*, on *Delaware*, at the Court House in *Lewestown*, on *Saturday*, the 23d of *July*, 1774:

"This Assembly taking into their very serious consideration the present critical situation of *American* affairs; of the exclusive right of the Colonists of imposing taxes upon themselves; of the invasion of that right by the statute of sixth *George* the Third, chapter twelve, by which statute, and sundry others, the Parliament of *Great Britain* have assumed the power of making laws to bind the Colonies without their consent, either by themselves or by their Representatives; a recent instance of which is exhibited in a late statute commonly called the *Boston* Port Bill; Therefore, in order to collect the voice and sentiments of this Assembly, the following Articles were proposed, voted, and agreed to:

"1. That the inhabitants of this county do owe and will pay due allegiance to his Majesty King *George* the Third.

"2. That it is the inherent right of *British* subjects to be taxed by their own consent, or by Representatives chosen by themselves only; and that every Act of the *British* Parliament respecting the internal police of *North America* is unconstitutional, and an invasion of our just rights and privileges.

"3. That the late Act of Parliament, inflicting pains and penalties on the town of *Boston*, by blocking up their harbour, is a precedent justly alarming to the *British* Colonies in *America*, and entirely inconsistent with, and subversive of, their constitutional rights and liberties.

"4. That a Congress of Deputies from the several Colonies in *North America* is the most probable and proper mode of obtaining a redress of *American* grievances, securing our rights and liberties, and re-establishing peace and harmony between *Great Britain* and these Colonies on a constitutional foundation.

"5. That the Inhabitants of this county will adopt and carry into execution all and singular such peaceable and constitutional measures as shall be agreed on by a majority of the Colonies by their Deputies at the intended Congress.

"6. That the Speaker of the honourable House of Assembly of this Government be desired to write to the several Members in this county, requesting them to convene at *New-Castle* on or before the 1st of *August* next, to appoint Deputies to attend at a general Congress for the Colonies, at such time and place as shall be generally agreed on.

"7. That it is our opinion that it would conduce to the restoration of the liberties of *America* should the Colonies enter into a joint agreement not to import any article of *British* manufactory, or carry on any branch of trade, unless under such restrictions as may be agreed upon by the Congress.

"8. That the Committee, hereinafter appointed, are hereby desired to receive the subscriptions of such charitable persons in this county who shall incline to contribute towards the distressed and suffering inhabitants of the town of *Boston*; and that the money raised by such subscriptions be disposed of by the said Committee for the use of the said inhabitants, whom we consider as suffering in the common cause of *America*.

"9. That the Committee now to be chosen consist of thirteen persons, to wit: *Thomas Robinson*, *Levin Crapper*, *Boaz Manlove*, *Benjamin Burton*, and *John Wiltbank*, Esquires, and *Stephen Townsend*, Gentleman, the Representatives of this county; and *David Hall*, Esquire, the Reverend *Matthew Wilson*, *Jacob Moore*, Esquire, Mr. *John Clowes*, *Daniel Nunez*, Esquire, *John Rodney*, Esquire, and Mr. *William Peery*, who, or any seven of them, being duly notified, are to meet and correspond with the other Provinces and counties of this Government, and to give instructions to our Deputies for the intended Congress when chosen, in order that all may unite in promoting and endeavouring to attain the great and valuable ends mentioned in the foregoing Resolutions."

Then the Convention adjourned till to-morrow morning, nine o'clock.

August 2, A. M.—The Convention met according to adjournment,

And several Letters from the respective Committees of Correspondence of the Province of *Massachusetts Bay*, the Dominion of *Virginia*, the Colonies of *Rhode Island*, *South Carolina*, and *Maryland*, being read, and the Convention taking the same into consideration, together with

Digitized by Google

the proceedings of the freemen of the counties aforesaid, unanimously entered into the following Resolution, to wit:

We the Representatives aforesaid, by virtue of the power delegated to us as aforesaid, taking into our most serious consideration the several Acts of the *British* Parliament for restraining manufactures in his Majesty's Plantations and Colonies in *North America;* for taking away the property of the Colonists without their participation or consent; for the introduction of the arbitrary powers of the excise into the Customs here; for the making all revenue causes triable without Jury, and under the decision of a single dependent Judge; for the trial in *England* of persons accused of capital crimes committed in the Colonies; for shutting up the port of *Boston;* for new modelling the Government of *Massachusetts Bay;* and the operation of the same on the property, liberty, and lives of the Colonists; and also considering that the most eligible mode of determining upon the premises, and of endeavouring to procure relief and redress of our grievances, would have been by us assembled in a legislative capacity; but as the House had adjourned to the 30th day of *September* next, and it is not to be expected his Honour the Governour would call us by writs of summons on this occasion, having refused to do the like in his other Province of *Pennsylvania*, the next and most proper method of answering the expectations and desires of our constituents, and of contributing our aid to the general cause of *America*, is to appoint Commissioners or Deputies on behalf of the people of this Government, to meet and act with those appointed by the other Provinces in general Congress. And we do therefore unanimously nominate and appoint *Cæsar Rodney, Thomas M'Kean*, and *George Read*, Esquires, or any two of them, Deputies on the part and behalf of this Government in a general Continental Congress proposed to be held at the City of *Philadelphia* on the first *Monday* in *September* next, or at any other time and place that may be generally agreed on; then and there to consult and advise with the Deputies from the other Colonies, and to determine upon all such prudent and lawful measures as may be judged most expedient for the Colonies immediately and unitedly to adopt, in order to obtain relief for an oppressed people, and the redress of our general grievances.

Signed by order of the Convention,

CÆSAR RODNEY, *Chairman.*

—

At the Meeting of the Convention of the Representatives of the Freemen of the Government of the Counties of *New-Castle, Kent*, and *Sussex*, upon *Delaware*, on the 2d day of *August*, 1774, A. M., it was unanimously resolved to instruct the Deputies then appointed in behalf of the people of the said Government to attend the general Congress that they do endeavour to prevail with the Deputies of the other Colonies and Provinces at the general Congress, to adopt the following or similar Resolutions:

1. In the first place, that we most solemnly and sincerely promise and declare that we do and will bear faith and true allegiance to his most sacred Majesty King *George* the Third, our most gracious Sovereign and rightful liege Lord; that we will, upon true revolution principles, and to the utmost of our power, support and defend the Protestant succession as established in the illustrious House of *Hanover;* and it is our most earnest desire that the connection which subsists between *Great Britain* and her Colonies, whereby they are made one people, may continue to the latest period of time.

2. That the subjects of his Majesty in the *British American* Colonies have had and of right ought to have and enjoy all the liberties, privileges, and immunities of free and natural born subjects within any of his Majesty's Dominions, as full and amply as if they and every one of them were born within the Realm of *England;* that they have a property in their own estates, and are to be taxed by their own consent only, given in person or by their Representatives, and are not to be disseized of their liberties and free customs, sentenced or condemned, but by lawful judgment of their peers.

3. That the only lawful Representatives of the freemen in the several Colonies are persons they elect to serve as Members of the General Assembly thereof; and that it is the just right and privilege of the said freemen to be governed by laws made by their General Assembly in the article of taxation and internal police.

4. That all trials for treason, misprision of treason, or for any felony or crime whatsoever, committed and done in the said Colonies, ought of right to be had and conducted in his Majesty's Courts held within the same, according to the fixed and known course of proceeding; and that the seizing any person or persons suspected of any crime whatsoever, committed in them, and sending such person or persons to places beyond the seas to be tried, is highly derogatory of the rights of *British* subjects, as thereby the inestimable privilege of being tried by a Jury from the vicinage, as well as the liberty of summoning and producing witnesses on such trials, will be taken away from the party accused.

5. That all Acts and Proceedings of the *British* Parliament for prohibiting and restraining *American* manufactures; imposing taxes on the *British* Colonies; extending the powers of Custom-House Officers and Admiralty Courts here, beyond their ancient limits; and seizing and sending persons suspected of committing treason or misprision of treason in these Colonies to *England* for trial, are unwarrantable assumptions of power; unconstitutional, and destructive of *British* liberty.

6. That the successive Acts of Parliament made in the last session, for inflicting pains and penalties on the town of *Boston*, by shutting up their port and blocking up their harbour; for altering the administration of justice in certain criminal cases within the Province of *Massachusetts Bay;* and for new modelling the Constitution of that Province, established by Royal Charter, are in the highest degree arbitrary in their principles, unparalleled in their rigour, oppressive in their operation, and subversive of every idea of justice and freedom.

7. That it is the indispensable duty of all the Colonies, not only to alleviate the unexampled distresses of our brethren of *Massachusetts Bay*, who are suffering in the common cause of *America*, but to assist them by all lawful means in removing their grievances, and for re-establishing their constitutional rights, as well as those of all *America*, on a solid and permanent foundation.

8. That it is our fixed, determined, and unalterable resolution, by all lawful ways and means in our power, to maintain, defend, and preserve our before mentioned rights and liberties, and that we will transmit them entire and inviolate to our posterity; and further, that we will adopt and faithfully carry into execution all and singular such peaceable and constitutional measures as have been agreed on by this Congress.

9. That we are unfeignedly thankful to those truly noble, honourable, and patriotick advocates in *Great Britain*, who have so generously and powerfully, though unsuccessfully, espoused and defended the cause of *America*, both in and out of Parliament; that we still feel the warmest affection for our brethren in the parent state; and that it is our opinion, as it is our hope, that the cool and dispassionate among our fellow-subjects in *Great Britain* will applaud our measures, and co-operate with us in every manly struggle for the preservation of those our rights, with which their own are so intimately connected.

And further, we do earnestly recommend it to our said Deputies to use their utmost endeavours to prevail with the Deputies from the other Colonies to frame decent and becoming petitions to his most gracious Majesty, and to both Houses of Parliament, for the redress of all our grievances, and to agree to a non-importation of goods from, and non-exportation to, *Great Britain*, until relief shall be obtained.

Notwithstanding any thing herein before mentioned, it is not our meaning that by these Instructions our said Deputies should be restrained from agreeing to any measures that shall be approved by the Congress.

Signed by the unanimous order of the Convention,

CÆSAR RODNEY, *Chairman.*

—

EXTRACT OF A LETTER RECEIVED AT NEW-YORK, FROM LONDON, DATED AUGUST 1, 1774.

Since my last I have procured the Act of Parliament mentioned there, which enacts, that "after *July* 1, 1774, "persons shipping tools or utensils used in the cotton, wool,

Digitized by Google

"and silk manufactories, in order to export the same, to "forfeit all such tools, &c., and £200. Officers are au- "thorized to seize all such tools, &c., on board the vessels, "which may be publickly sold; one moiety to his Majesty, "the other to the officer. Master of a ship permitting "such tools or utensils to be exported, forfeits £200. If "the ship belongs to his Majesty, the Captain forfeits £200 "and his commission. Officers of the Customs allowing "an entry outward of such prohibited utensils, to forfeit "£200 and his office." Since the passing of this Act, I find there is no probability of passing an entry for any more wool cards, &c., for *America*.

Boston, August 1, 1774.

More than sixty days have expired since *Boston*, by a late edict of the *British* Parliament, has been besieged by a *British* fleet and army, and its trade annihilated. The inhabitants now receive that insult and damage, which was never experienced in the hottest wars we have been engaged in with *France*, *Spain*, and their allies, the savages of the *American* woods. The particulars of the siege, and the manœuvres of our enemies, may in future be told by some able historian. Suffice it at present to inform the world, that though wood and provisions have been allowed by said Port Act, the introduction of these articles has been attended with such loss of time and unnecessary charges, as greatly to raise the price of fuel upon the poor inhabitants. No wood can now be brought from the rivers and bays included in our harbour, upon which we depended for a considerable part of our supply. No goods of any kind are suffered to be water borne within a circle of sixty miles. No timber, boards, shingles, bricks, lime, sand, &c., &c., are to be transported from one wharf to another; and so even the tradesmen, not immediately dependent upon shipping, are thrown out of business. No barrels of liquors, bread, flour, &c., are suffered to be brought a few rods in our row-boats, or across our shortest ferries; and even the vessels on the stocks, which have for some time past been ready for launching, cannot be put into the water without their being exposed to a threatened seizure. Neither is the dried table fish and oil, the charity of our *Marblehead* friends; nor rice, the generous presents of the *Carolinians;* nor even house-sand, to be brought us by water, but must be encumbered with the great charge of land carriage of about thirty miles. We are also cut off from the advantage and profit of supplying, as usual, an extent of sea coast on the North and South, of more than one hundred leagues, even with *British* merchandises. And when any of these hardships and distresses are mentioned to those insolents in office, the Commissioners and their understrappers, we are told it was the design of the Act, and it is not their intent to lessen these difficulties. This is the treatment meted out by a *British* Minister to a town and Province, by whose exertions in a late war the strong fortress of *Louisburg* was taken, which purchased the peace of *Europe*, and delivered *Britons* from their terrible apprehensions of an invasion by *French* flat-bottomed boats. What further cruelties we are to suffer, we know not; but whether *America*, or even this single town, is in this way to be brought to the feet of Lord *North*, with the full surrender of their inestimable rights and liberties, time only can determine.

EXTRACT OF A LETTER FROM LIEUTENANT GOVERNOUR COLDEN TO THE EARL OF DARTMOUTH, DATED NEW-YORK, AUGUST 2, 1774.

In my letter, No. 3, I submitted to your Lordship my opinion, that Government here cannot prevent the frequent meetings of the people, which have become common every where; and I am now convinced, that if Government had interfered, the most violent men would have gained great advantage, and would have prevented the acquiescence in the nomination of moderate men, which has now taken place, to meet at the general Congress of Deputies from all the Colonies, proposed to be held at *Philadelphia* next month.

The meeting of the Delegates, I am of opinion, cannot be prevented; if they pursue only such prudent measures as are calculated to remove the destructive dissensions which subsist between *Great Britain* and her Colonies, the meeting, though illegal, it may be hoped will produce some good.

Great pains have been taken in the several counties of this Province, to induce the people to enter into resolves, and to send Committees to join the City Committee; but they have only prevailed in *Suffolk* County, in the east end of *Long Island*, which was settled from *Connecticut*, and the inhabitants still retain great similarity of manners and sentiments.

From a view of the numerous resolves of the people in all the Colonies, which appear in every newspaper, your Lordship might be led to think a stupid fatal hardiness intoxicated the whole. But there are every where many people who are seriously alarmed at the critical posture of the contention between *Great Britain* and her Colonies. They look forward with the deepest anxiety, and would rejoice in any prudent plan for restoring harmony and security. Could it be thought consistent with the wisdom of Parliament, to lay aside the right of raising money on the subjects in *America*, and in lieu thereof, that the several *American* Assemblies should grant and secure to the Crown a sufficient and permanent supply to pay all the officers and ordinary expenses of Government, they are of opinion this would be a ground-work upon which a happy reconciliation might be effected—the dependence of the Colonies on *Great Britain* secured—Government maintained, and this destructive contest amicably terminated. For this purpose, they hope an address to his Majesty will be formed at the general Congress.

EXTRACT OF A LETTER FROM A GENTLEMAN IN WILMINGTON, NORTH CAROLINA, TO HIS FRIEND IN BOSTON, DATED AUGUST 2, 1774.

As to publick matters I shall likewise please you, when I inform you that a patriotick spirit possesses every bosom, which all ranks of persons seem emulous to express, by actions as well as by words. Even those few from whom another conduct was expected, have surprised the world by a zeal for the service of their suffering brethren in *Boston*, and a liberality in contributing to their relief, which, till this occasion gave them an opportunity of displaying, scarce any body supposed them capable of. A subscription having been set on foot for the support of the *Bostonians*, (suffering nobly in the common cause of *America*,) a very few days, from a few individuals, produced as much as loaded the vessel by which this letter comes; and by this time, I have no doubt, enough is collected to load another. Nor is this all; for there is apparent in almost every individual a proper sense of the injury done to the Colonies, in the tendency of those oppressive Acts of Parliament, and a determined spirit of opposition and resentment worthy of a human bosom in the great cause of liberty.

A numerous and respectable meeting of the six counties in the District of *Wilmington*, has been had, and they have, without one dissenting voice, resolved upon pursuing every legal and rightful measure to aid and assist their sister Colony of the *Massachusetts Bay* to the utmost of their power; and have sent expresses to every county in the Province, strictly recommending a subscription in each of them for the same purpose. A general meeting of all the Members of the Assembly is to be held in a few days, at *Johnson* Court House, to elect Delegates to attend the general Congress at *Philadelphia*, the first *Monday* in *September*.

EXTRACT OF A LETTER RECEIVED AT BOSTON, FROM WILMINGTON, NORTH CAROLINA, DATED AUGUST 3, 1774.

No sooner was a subscription put about for the relief of our suffering brethren in *Boston*, than in a few days, I am told, two thousand pounds, our currency, was raised; and it is expected something very considerable will be contributed at *Newbern* and *Edenton*, for the same noble purpose, as subscriptions are set on foot in every county in the Province. You will receive this by Mr. *Parker Quince*, who generously made an offer of his vessel to carry a load of provisions to *Boston*, freight free; and what redounds to the honour of the tars, the master and mariners navigate her without receiving one farthing wages. It is supposed Lord *North* will hang himself in his rope of sand.

Digitized by Google

SOUTH CAROLINA ASSEMBLY.

The Commons House of Assembly met agreeably to the Lieutenant Governour's prorogation, on *Tuesday*, the 2d day of *August*, 1774, at eight o'clock in the morning; and Messrs. *Heyward* and *Cattell* were ordered to "wait "on the Lieutenant Governour, and acquaint his Honour "that the House had met." The said gentlemen being returned, Mr. *Heyward* reported to the House, that Mr. *Cattell* and himself had waited on the Lieutenant Governour with the Message they had in charge; and that his Honour was pleased to say he would be in the Council Chamber immediately, when he would send a Message to this House.

Colonel *Powell*, Chairman of the late general meeting, acquainted the House, "That, during the recess of this "House, namely, on the 6th, 7th, and 8th days of *July* last, "at a general meeting of the inhabitants of this Colony, "they having under consideration the Acts of Parliament "lately passed with regard to the port of *Boston* and Col-"ony of *Massachusetts Bay*, as well as other *American* "grievances, had nominated and appointed the Honourable "*Henry Middleton*, *John Rutledge*, *Thomas Lynch*, "*Christopher Gadsden*, and *Edward Rutledge*, Esquires, "Deputies on the part and behalf of this Colony, to meet "the Deputies of the other Colonies of *North America* in "general Congress, the first *Monday* in *September* next, at "*Philadelphia*, or at any other time or place that may be "generally agreed on; there to consider the Acts lately "passed, and Bills depending in Parliament, with regard "to the port of *Boston* and Colony of *Massachusetts Bay*; "which Acts and Bills, in the precedent and consequences, "affect the whole Continent of *America*; also, the griev-"ances under which *America* labours, by reason of the "several Acts of Parliament that impose taxes or duties "for raising a revenue, and lay unnecessary restraints and "burthens on trade; and of the Statutes, Parliamentary "Acts, and Royal Instructions, which make an invidious "distinction between his Majesty's subjects in *Great Bri-"tain* and *America*; with full power and authority to con-"cert, agree to, and effectually prosecute, such legal mea-"sures as, in the opinion of the said Deputies, and of the "Deputies so to be assembled, shall be most likely to ob-"tain a repeal of the said Acts, and a redress of those "grievances."

And thereupon moved, that this House do resolve to recognize, ratify, and confirm the said appointment of the Deputies, for the purposes aforesaid; and, that this House do also resolve to provide a sum, not exceeding one thousand five hundred pounds sterling, to defray the expense which the said Deputies will be at on the said service.

Resolved, nemine contradicente, That this House do recognise, ratify, and confirm, the appointment of the said Deputies, for the purposes mentioned in the said motion.

Resolved, nemine contradicente, That this House will make provision to pay to any person or persons who will advance to the said *Henry Middleton*, *John Rutledge*, *Thomas Lynch*, *Christopher Gadsden*, and *Edward Rutledge*, Esquires, the sum of one thousand five hundred pounds sterling, (for the purposes aforesaid,) together with full interest from the day the said one thousand five hundred pounds sterling shall be advanced, until it be repaid to the person or persons advancing the same.

The House also sent the following Message to the Lieutenant Governour, by Mr. *Bee* and Captain *Scott*:

"*May it please your Honour:*

"This House, considering the precarious situation of this Colony in regard to *Indian* affairs, and the necessity there may be for the inhabitants of the back parts to arm themselves for their protection and defence against that cruel people, in case of a rupture with them; and being informed that many of the poor settlers are unprovided with arms and ammunition, do desire your Honour will be pleased to order a proper quantity of arms and ammunition to be distributed to such persons as may be thought to stand most in need of such assistance; such arms and ammunition to be purchased by the Commissary General; and that this House will make provision to pay the expense of the same.

"By order of the House,

"RAWLINS LOWNDES, *Speaker*."

At half past eight o'clock a Message was received from Lieutenant Governour *William Bull*, by the Master in Chancery, notifying that the Lieutenant Governour was in the Council Chamber, where he required the immediate attendance of the House.

And accordingly, Mr. Speaker, with the House, went to attend the Lieutenant Governour in the Council Chamber, where his Honour was pleased to prorogue the General Assembly to *Tuesday*, the 6th day of *September* next.

Charlestown, South Carolina, August 3, 1774.

The General Assembly of this Province having been prorogued, to *Tuesday* last, the 2d instant, the Members of the Honourable the Commons House assembled on account of the excessive heat of the weather at this season so early as eight o'clock in the morning, when they recognised and agreed to the several resolutions unanimously entered into by the inhabitants of this Colony, at the general meeting held at the Exchange, in this town, on the 6th, 7th, and 8th days of *July* last, and voted the sum of £1500 sterling, for defraying the expenses of the five Delegates chosen at the said general meeting, on the part and behalf of this Colony, to join the Delegates of the other Colonies on this Continent in general Congress. The House had also prepared a message to his Honour the Lieutenant Governour, desiring in case of any alarm on the frontiers, from the *Indians*, that he would order the inhabitants there to be supplied with arms and ammunition, and that the House would defray the expense thereof; but before the said message could be engrossed, (at half past eight) the Lieutenant Governour was pleased to command their attendance in the Council Chamber, and addressing himself to the Council (which then consisted of only the Honourable Mr. *Erving*, who had been sworn in and taken his seat the *Thursday* preceding) and to the Speaker and Commons House, prorogued the General Assembly to *Tuesday*, the 6th day of *September* next.

EXTRACT OF A LETTER FROM LIEUTENANT GOVERNOUR BULL TO THE EARL OF DARTMOUTH, DATED CHARLESTOWN, AUGUST 3, 1774.

It having been expected that I should prorogue the General Assembly yesterday, at the usual time, about ten or eleven o'clock; the Assembly privately and punctually met at eight o'clock in the morning, and made an House, which was very uncommon. They had not been assembled five minutes before I was apprized of it. I immediately went to the Council Chamber, in order to prorouge them, and waited a few minutes for one or two of the Council to be present. As soon as I sent for the Assembly they attended, and I prorogued them to the 6th of *September*. But their business having been ready prepared, in which they were all previously agreed, it required only a few minutes to pass through the forms of the House. They came to two resolutions, one approving and confirming the election of the five persons, chosen on the 6th of last month, to assist at the Congress of the several Provinces, and the other, that they would provide for the expense of their voyage. I returned to my own house again in less than twenty minutes past eight. Your Lordship will see by this instance with what perseverance, secrecy and unanimity, they form and conduct their designs; how obedient the body is to the heads, and how faithful in their secrets.

EARL OF DARTMOUTH TO LIEUTENANT GOV. COLDEN.

Whitehall, August 3, 1774.

SIR: I send you enclosed an Order of his Majesty in Council, on the 6th of last month, disallowing an Act passed in *New-York*, in *February* 1773, which you will not fail to make publick in the manner usual upon such occasions; and that you may know the reasons which induce the disallowance of the said Act, I enclose for your private information, a copy of the Representation of the Board of Trade thereupon. I am, sir, your most obedient humble servant, DARTMOUTH.

Lieutenant Governour *Colden*.

Digitized by Google

REPRESENTATION OF THE BOARD OF TRADE.

To the King's most Excellent Majesty:

MAY IT PLEASE YOUR MAJESTY: We have had under our consideration two Acts passed in your Majesty's Province of *New-York*, in *February* 1773, entitled, "An "Act to continue and amend an Act entitled 'An Act for "the more effectual Punishment of persons who shall be "guilty of any of the trespasses therein mentioned,' in the "cities of *New-York* and *Albany*, and township of "*Schenectady*;" and "An Act for Naturalizing the seve-"ral persons therein named."

We have likewise referred these Acts to *Richard Jackson*, Esq., one of your Majesty's Council at law, for his opinion thereupon, who has reported to us in the case of the former of these laws, that he conceives it to be improper, in that it provides for a purgation by oath in a criminal matter, which is at once contrary to the genius of the laws of this country, and cannot but prove too frequently an irresistible temptation to perjury.

This objection, which Mr. *Jackson* has stated to the Act in question, appears to us to have such weight, and the consequences to which a regulation of this sort would most probably lead, ought with such caution to be avoided, that although the Act is for the continuance of an useful law, yet we think it our duty humbly to recommend to your Majesty to signify your royal disallowance of this Act.

The second Act is for the naturalization of sundry persons therein named.

The practice of naturalizing aliens by Acts of Assembly in your Majesty's Colonies and Plantations in *North America* and the *West Indies* having been specially prohibited by an additional instruction from your Majesty, forbidding your Majesty's Governours to give assent to any Bill or Bills for such purpose, this Act falls under the same description with others, which by your Majesty's Order in Council, have been disallowed, and which by the instruction above mentioned, in future are prohibited; but as it was passed previous to your Majesty's said instruction, and has already had its effect, we must submit to your Majesty, whether under these circumstances it will be necessary for your Majesty to signify your royal disallowance of this Act. All which is most humbly submitted.

DARTMOUTH, BAMBER GASCOYNE,
SOAME JENYNS, ROBERT SPENCER,
WHITSHED KEENE.

White Hall, May 12, 1774.

ORDER IN COUNCIL.

At the Court at *St. James's* the 6th day of *July*, 1774, Present: The King's Most Excellent Majesty, Duke of *Queensberry*, Lord Chamberlain, Earl of *Suffolk*, Earl of *Hillsborough*, Viscount *Falmouth*, Lord *Hyde*, Sir *Jeffery Amherst:*

Whereas, by commission under the great seal of *Great Britain* the Governour, Council, and Assembly of his Majesty's Colony of *New-York* are authorized and empowered to make, constitute, and ordain Laws, Statutes, and Ordinances, for the public peace, welfare, and good government of the said Colony; which Laws, Statutes, and Ordinances, are to be as near as conveniently may be agreeable to the Laws and Statutes of this Kingdom, and are to be transmitted for his Majesty's Royal approbation or disallowance; and whereas, in pursuance of the said powers, an Act was passed in *February* 1773, and transmitted, entitled as follows, viz:

"An Act to continue and amend an Act, entitled, 'An "Act for the more effectual Punishment of persons who "shall be guilty of any of the trespasses therein men-"tioned,' in the cities of *New-York* and *Albany*, and "township of *Schenectady*."

Which Act, together with a Representation from the Lords Commissioners for Trade and Plantations thereupon, having been referred to the consideration of a Committee of the Lords of his Majesty's most Honourable Privy Council, the said Lords of the Committee did this day report as their opinion that the said Act ought to be disallowed. His Majesty taking the same into consideration, was pleased with the advice of his Privy Council to declare his disallowance of the said Act; and pursuant to his Majesty's royal pleasure thereupon expressed, the said Act is hereby disallowed, declared void, and of none effect, whereof the Governour or Commander-in-chief, of his Majesty's said Colony of *New-York* for the time being, and all others whom it may concern, are to take notice and govern themselves accordingly. W. BLAIR.

PENNSYLVANIA COUNCIL.

At a Council held at *Philadelphia*, on *Thursday*, 4th *August*, 1774,

Present: The Honourable *John Penn*, Esquire, Governour, *Benjamin Chew*, *James Tilghman*, *Andrew Allen*, Esquires.

The Governour laid before the Board two Letters which he received within these three days from Captain *St. Clair*, at *Ligonier*, dated the 22d and 26th *July*, with sundry papers enclosed relative to *Indian* and other affairs in *Westmoreland*. And the same being read and considered, the Council advised the Governour to order a town to be immediately laid out in the Proprietary Manor at *Kittaning*, for the accommodation of the traders and other inhabitants of *Pittsburgh*, whom, by Captain *St. Clair's* advices would be under the necessity of removing from that town on account of the oppressive proceedings of the *Virginians*.

It appearing also by the intelligence contained in the above mentioned letters that though the disposition of the *Shawanese* and *Delaware* tribes of *Indians* towards the people of this Province, were entirely pacifick, the former tribe had separated themselves from the latter, and were removed to the Lower *Shawanese* Towns, on the *Scioto*, in order to prepare themselves for war against the people of *Virginia*, who seemed determined to pursue hostile measures with those *Indians*. It was the opinion of the Council that it would be proper for this Government immediately to despatch Messages to both those tribes, expressing our great concern at the late disturbances and the friendly disposition of this Government towards them, and earnestly advising the *Shawanese* to a reconciliation with the *Virginians;* and that a Letter be also wrote to the Earl of *Dunmore*, recommending to him to accommodate the unhappy differences between the Colony of *Virginia* and the *Indians*.

Mr. *Tilghman* and Mr. *Allen* were appointed a Committee to prepare draughts of the above Letter and Messages.

Memorandum, August 6, 1774.

The Governour this day despatched, by the express from *Ligonier*, a Letter to Captain *St. Clair*, and enclosed therein two separate Messages, to the *Shawanese* and *Delawares*, on the *Ohio*, which had been prepared by the Committee of Council appointed to draught them, which Letter and Messages follow in these words, viz:

LETTER FROM THE GOVERNOUR TO CAPTAIN ST. CLAIR.

Philadelphia, August 6, 1774.

SIR: I have received your letters of the 22d and 26th ultimo, enclosing several depositions and letters relative to the present situation of affairs in *Westmoreland*.

As I find by all the intelligence you have from time to time communicated to me, that the *Shawanese* as well as *Delawares* have discovered a strong aversion to entering into a war with *Virginia* or this Province, and on the contrary have given repeated proofs of their sincere disposition to live in peace and harmony with both Colonies, I have, with the advice of my Council, thought it expedient to send messages to those tribes, expressing the great concern of this Government at the late unfortunate disturbances between them and some of his Majesty's subjects belonging to the Colony of *Virginia;* at the same time declaring our resolution to preserve the treaties of peace and friendship subsisting between us inviolate, and earnestly advising the *Shawanese* not to strike the people of *Virginia*, as they, as well as the people of this Province, are all subjects of one and the same great King, who will be as much offended at an injury committed against any one part of his subjects as another, but to exert their best endeavours to settle the differences that have arisen between the *Vir-*

Digitized by Google

ginians and them, and to continue to live in friendship with all his Majesty's subjects.

As to the proposal of engaging the service of the *Delawares* to protect our frontiers, I would only just observe that it is a matter in the present situation of *Indian* affairs too delicate for me to intermeddle with.

Since my last letter to you I have considered of what you mentioned in a former letter, and now repeat respecting the establishment of some place of security for carrying on the *Indian* trade, as you say that *Pittsburgh* will certainly be abandoned by all our people; and I am now to acquaint you that I approve of the measure of laying out a town in the Proprietary Manor at *Kittaning* to accommodate the traders and the other inhabitants who may choose to reside there; and therefore enclose you an order for that purpose. But I cannot, without the concurrence of the Assembly, give any directions for erecting a stockade, or any other work, for the security of the place, which may incur an expense to the Province.

With respect to the continuance of the two hundred rangers in the service, it must altogether depend upon the intelligence we receive of the situation of our affairs with the *Indians*. At present I think it very improper to discharge them; and it is not improbable that if the commotions between the *Virginians* and *Indians* should not soon be at an end, it may be necessary to keep them on foot for the protection of our people till the meeting of the Assembly on the 19th of *September*.

I herewith send to your care the messages above mentioned, with a belt of wampum accompanying each, and desire you will engage some trusty intelligent person to carry them and interpret the messages to the *Indians*. A young man of the name of *Elliott*, who has been trading at the *Shawanese* Towns and lately came from thence, has offered his services to carry any messages from Government to the *Indians*, and may probably be a very proper person to employ on this occasion. He was to leave this place yesterday on his return to *Westmoreland*. I should be glad to have his deposition taken as to what he knows respecting the late disturbances between the *Virginians* and the *Indians*, from the beginning of them.

You hint something in your last letter about making presents to the *Indians*, but, though such a step at some future convenient time might be very useful and proper, I am of opinion it would be very unadvisable under the present circumstances.

I am, with great regard, sir, your most obedient humble servant, JOHN PENN.

To *Arthur St. Clair*, Esq., *Ligonier*.

—

By the Honourable JOHN PENN, *Esquire, Governour and Commander-in-chief of the Province of* PENNSYLVANIA *and Counties of* NEW-CASTLE, KENT, *and* SUSSEX, *on* DELAWARE.

A Message to the Chiefs and Warriors of the SHAWANESE INDIANS.

Brethren, when I heard that you had taken care of our traders, and had sent some of your young men to conduct them home in safety, it made my heart glad, because I was satisfied that you kept fast hold of the chain of friendship which was made between our forefathers, and renewed by us, and you may be assured that I shall always remember this instance of your kindness, and that I shall hold fast that end of the chain which is in my hands so long as you hold yours. But, brethren, it gives me great concern, and my heart is grieved, to hear of the difference between you and our brothers, the people of *Virginia*. If any of the wicked people of *Virginia* have murdered any of your people, you should complain of it to the Governour, and he will have them punished. You should not in such cases take revenge upon innocent people who have never hurt you. It is a very wicked thing to kill innocent people because some of their countrymen have been wicked and killed some of you.

Brethren, if you continue to act in this manner, the people of *Virginia* must do the same thing by you, and then there will be nothing but war between you. Consider, brethren, that the people of *Virginia* are like the leaves upon the trees, very numerous, and you are but few, and although you should kill ten of their people for one that they kill of yours, they will at last wear you out and destroy you. They are able to send a great army in your country and destroy your towns and your corn, and either kill your wives and children or drive them away. Besides, brethren, the *Virginians*, as well as our people and you, are the children of the great King who lives beyond the great water, and if his children fall out, and go to war among themselves, and some of them are wicked and will not make peace with the others, he will be very angry and punish those who are in fault. Therefore, brethren, let me advise you to forget and forgive what is past, and to send to the Governour of *Virginia* and offer to make peace. I shall write to the Governour of *Virginia* and endeavour to persuade him to join with you in mending the chain of friendship between you which has been broken, and to make it so strong that it may never be broke again. And I hope, brethren, if he be willing to do this good thing, that you will be of the same mind, and then we shall all live together like friends and brothers. (*A Belt.*)

Given under my hand and the lesser seal of the said Province, at *Philadelphia*, the sixth day of *August*, in the year of our Lord one thousand seven hundred and seventy-four. JOHN PENN.

—

By the Honourable JOHN PENN, *Esquire, Governour and Commander-in-chief of the Province of* PENNSYLVANIA *and Counties of* NEW-CASTLE, KENT, *and* SUSSEX, *on* DELAWARE.

A Message to the Chiefs and Warriors of the DELAWARE INDIANS.

Brethren, I was grieved at my heart when I heard that some of our foolish young men had killed our brother, *Joseph Weepy*, and that the *Virginians* had killed some of your people below *Fort Pitt*. I was fearful that you would suffer your young men to take revenge upon our innocent people. But when I heard that you had a good heart, and viewed these things in their proper light, and that you remembered the chain of friendship made by our forefathers, and would not take revenge upon us for what the *Virginians* or some of our foolish young men had done, it gave me the greatest satisfaction, and made my mind easy.

Brethren, you may depend that so long as you are inclined to peace and friendship you shall find me in the same mind; for why should we fall out and go to murdering one another for what our foolish young people do, and what neither of us approve of? In such cases let us endeavour to find out such foolish young men and punish them for their wickedness. I have offered a reward of fifty pounds a piece for those two wicked people who, it is said, murdered *Joseph Weepy*, and if they can be taken I shall do every thing in my power to have them punished.

I am very sorry to hear that your grandchildren, the *Shawanese*, have a difference with our brothers, the *Virginians*, and I wish I could make them friends. I shall write to the Governour of *Virginia*, and recommend it to him to endeavour to make peace with them; and I would advise you to go to the *Shawanese* to persuade them to forget every thing that is past, and make up all their differences with the people of *Virginia*, so that we may all live together in peace and quietness, like friends and brothers, for what can they get by being at war with one another. Whoever of them gets the best both will be very much hurt.

Brethren, I live a great way from you, and have a great deal of business to do with my people at home, otherwise I would go to see you, and shake hands with you, and smoke a pipe with you under the tree of peace, as we and our forefathers used to do. By all means, brethren, be strong, and keep fast hold of one end of the Covenant chain, and you may be assured I will keep fast hold of the other, and when any of our people are so wicked as to kill any of yours, or do you any harm, let me know it, and I will do every thing in my power to have justice done. (*A Belt.*)

Given under my hand and the lesser seal of the said Province, at *Philadelphia*, the sixth day of *August*, in the year of our Lord one thousand seven hundred and seventy-four. JOHN PENN.

Digitized by Google

CORRESPONDENCE LAID BEFORE THE COUNCIL.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, July 22, 1774.

SIR: For some days by past, we had a flying report that some people were killed upon *Dunkard Creek*, on the 15th instant, but that a story of that kind should come so slowly through a country exceedingly on the alarm, induced me to give no credit to it, and to endeavour to prevent its gaining credit in the country. I considered it as raised on purpose to prevent the execution of *Conolly's* orders to *Cresap*, not to annoy the *Indians*, which I knew had been given, but it was put beyond a doubt yesterday by letters from Mr. *Mounby*, Mr. *Mackay*, and the enclosed deposition.

Mr. *Mackay* writes me the friends of *Pennsylvania* are determined to abandon *Pittsburgh*, and to erect a small stockade somewhere lower down the road, (I suppose about *Turtle Creek*, where he has a fine plantation,) to secure their cattle and effects till they see futher what is to be done.

I had a letter from *Conolly* yesterday in a style of familiarity I should not have expected, but in itself a very extraordinary one. If you should think it worth while to look over it I have enclosed it, and a copy of my answer.

I am still sanguine enough to hope this Province will escape the mischief of a war, as all the operations of the *Indians* are evidently aimed at the *Virginians*, and seem designed to show them how much they despised the notion of their carrying the war into their own country. They have, however, a number of men at *Wheeling*, and *Conolly* was to march this day to reinforce them. One of his parties who had crossed to the *Indian* side fell in with the last of our trader's peltry, escorted by some *Delawares*; they took the trader and the *Indians* prisoners, and carried them to the mouth of *Beaver Creek*, where their Captain (*Hogeland*) lay. He was excessively enraged to see them alive, and they were kept all night in that state of suspense, that every moment would be their last; in the morning, however, they discharged them on the trader's giving a bond of five hundred pounds to satisfy Captain *Conolly* that the *Indians* were *Delawares*. I took the trader's deposition of it when last at *Pittsburgh*, which I also enclose. I was very ill of a bilious fever when I wrote last, but am happily recovering. I cannot well recollect what I wrote as it was not copied, it being *Sunday*, and my clerk abroad; but unless matters are likely to be soon settled about *Pittsburgh*, it will be absolutely necessary to erect a town at *Kittaning*, the trade must else take its course by the Lakes, which will carry it quite away from this Province; and the communication with *Philadelphia* will in time become very easy that way, and may now be done with very little land carriage. There is an old trading path from thence to *Frankstown*, on the *Juniata*, and another to the head of the West Branch of *Susquehanna*. I have distributed the arms all over the country in as equal proportions as possible.

I have the honour to be, sir, your most obedient and most humble servant, AR. ST. CLAIR.

P. S. Captain *Crawford*, the President of our Court, seems to be the most active *Virginia* officer in their service. He is now down the river at the head of a number of men, which is his second expedition. I don't know how gentlemen account for these things to themselves.

DEPOSITION OF WILLIAM WILSON.

Personally appeared before me, *Arthur St. Clair*, one of his Majesty's Justices for *Westmoreland* County, *William Wilson*, who, being duly sworn according to law, deposeth and saith, that on the 5th instant the said *Wilson* was bringing up a quantity of skins to this place, and having some *Delaware Indians* in company with him, he was met, about four miles beyond *Big Beaver Creek*, by about twenty men, commanded by Sergeant *Steel*, who desired to know whether there were any *Shawanese* in company or not, or if he had not a *Shawanese* woman with him; to which the said *Wilson* replied in the negative. Sergeant *Steel* here said that his orders were to take both white men and *Indians*, horses and skins, and take all to the mouth of *Little Beaver Creek*, where the party lay; which the said *Wilson* objected to, alleging that it was too hard treatment to have his horses and loads taken that way. But Captain *Flenegan* then appearing, seemed to agree that horses and loads, and the *Indians* also, might pass on, so that the said *Wilson* would himself go along with him where the party lay; to which a man, who had the appearance of a Sergeant, most obstinately objected, and said that it was Captain *Hogeland's* orders not to let any *Indians* pass, upon which Captain *Flenegan* agreed to take three of the *Indians* prisoners and said *Wilson* to where the party lay, and to let *Killbuck* and his little son pass on with the horses; said *Wilson* going along with the party until they came to the mouth of *Little Beaver Creek*, where the main body lay; although *Flenegan* said that it was Captain *Hogeland's* orders that no *Indian* of any Nation should be spared, and that if any white men should presume to interpose in their behalf they also should share the same fate. On their arrival there they were accosted by Captain *Hogeland*, who asked what was the reason his orders were disobeyed, and why they did not do as he had desired them to do. Upon which *Flenegan* replied and told him that the white man now along with them told him they were *Delawares*. Upon which *Hogeland* told him that the white man was a liar, and that he should have done as he had desired him, and that if he had been there himself he should not have spared any. After some time they were confined until next morning, and, upon said *Wilson* giving them his bond for five hundred pounds in security that he would satisfy Captain *Conolly* that these three men now along with him were *Delawares*, to which the said *Wilson* agreed, they were all dismissed.

Sworn at *Pittsburgh*, in the county aforesaid, before me, *July* 13, 1774, AR. ST. CLAIR.

JOHN CONOLLY TO ARTHUR ST. CLAIR.

Fort Dunmore, July 19, 1774.

DEAR SIR: A report which has too generally prevailed in this quarter, of the pacifick disposition of the *Indians* has unluckily thrown the inhabitants into supineness and neglect, the effects of which have been dismally experienced on the 13th instant, upon *Dunkard Creek*, where six unfortunate people were murdered by a party of thirty-five *Indians*. I have also received a letter from Colonel *Lewis*, acquainting me that the *Shawanese* had attacked a body of men near his house, and had killed one and wounded another. Whatever may be said of the cause urging the *Indians* to these steps it will be little to the advantage of the suffering people. Some immediate steps most undoubtedly ought to be pursued to check their insolent impetuosity, or the country in general will be sacrificed to their revenge. The people of the frontiers want nothing but the countenance of Government to execute every desirable purpose, and your Province appearing backward at this critical juncture, will most undoubtedly be highly displeasing to all the Western settlers. I am determined no longer to be a dupe to their amicable professions, but, on the contrary, shall pursue every measure to offend them. Whether I may have the friendly assistance or not of the neighbouring country will, I expect, depend much on your just representation of matters.

I am, dear sir, your most obedient,

JOHN CONOLLY.

ARTHUR ST. CLAIR TO JOHN CONOLLY.

Ligonier, July 22, 1774.

SIR: I received your favour of the 19th, yesterday, by Doctor *McKenzie*, and am extremely sorry for the misfortunes that have happened upon *Dunkard Creek*.

It is very true the assigning this or that cause for the inroads the *Indians* are frequently making, will be of no manner of advantage to the sufferers; but I think the security into which the people had fallen, arose not so much from an idea of the pacifick disposition of the *Indians*, as that the great armed force sent down the river would effectually cover them. In that expectation they were certainly wrong—it was an effect which could never follow from such a cause. I agree with you something ought to be done to prevent the depredations they may still make

Digitized by Google

upon the inhabitants; that is, ample reparation ought to be made them for the injuries they have already sustained, and an honest, open intercourse established with them for the future. This I imagine would be found a more cheap, easy, and expeditious manner of re-establishing the peace of this country than any offensive measures whatsoever, for be assured the rest of the Nations will not set tamely by and see a people, who have long been aiming at taking the lead amongst themselves, cut off, or even much distressed by the *English*.

The Councils of this Province will, I hope, continue to be founded in justice, whether that may be displeasing to the Western settlers or not; but you are certainly wrong to imagine my representations have any influence in the matter. I shall however, represent matters as they occur to those in Government, in the light they appear to me, as I have done hitherto, and have uniformly declared that I saw not the least probability of war, unless the *Virginians* forced it on. The different manœuvres up and down and across the river, have now probably brought that event about, and who may see the end, *God* only knows.

I am, sir, your humble servant, AR. ST. CLAIR.

Captain *Conolly*.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, July 26, 1774.

SIR: I have enclosed a letter I received last night from Mr. *Mackay* of *Pittsburgh*, together with the speeches and intelligence brought by *White Eyes*, and a deposition respecting some *Indians* having been seen in the country. I thought them of consequence to be quickly communicated to you, and have forwarded them by express, as it was quite uncertain when a private opportunity might offer. All prospect of accommodation with the *Shawanese* and *Virginians* is certainly over for some time; but yet, it does not appear they have any hostile intentions against this Province. The engaging the service of the *Delawares* to protect our frontiers, would undoubtedly be good policy if it did not cost too dear. I am afraid however, they will be very craving, but as they have offered it, it should not be altogether overlooked, at the same time their friendship should be secured on as easy terms as possible.

I doubt, with the utmost prudence that can be exerted, but these *Indian* disturbances will occasion a very heavy expense to this Province. The necessity of establishing some place of security for the trade, (if it is considered as advisable to carry it on at all) is increasing daily. A small parcel of goods which Mr. *Spear* has sent to one of the *Delaware* Towns, has enraged the Commandant at *Pittsburgh* to an exceeding degree, and he threatens "the "persons who carried them shall be tried for their lives on "their return." I mentioned the *Kittaning*; it is certainly a proper place, both on account of some natural advantages of situation with regard to the interiour part of the country, and that its being in one of your manors, the settlers would have an opportunity of procuring lots on easy terms, at the same time it would not be foreign to your interest. I find, however, they, the traders at *Pittsburgh*, would wish to fix upon some place nearer that town, for which I can see no reason, unless they imagine the property they leave behind them will be more under their eye, or which, I think more probable, Mr. *Croghan* directs them to some spot where he has a right, and which may serve his interest; for though I believe he is zealous in the service of the publick at present, he will never lose sight of his own particular interest. If they do remove, I will endeavour to persuade them to the *Kittaning* at once; but if they are unwilling your ordering a town to be laid out there, and a small stockade to be built, will effectually determine them before they have gone far in another settlement.

Captain *White Eyes* and *John Montaur* are preparing a party to join the *Virginia* militia if they cross the river to attack the Lower *Shawanese*; and I have been solicited to order some of the rangers to join them. This I have positively refused, and have sent orders to the person intended, on no account whatever to attempt to pass either of the rivers. So far from joining the *Virginians*, who have taken such pains to involve the country in war, it would, in my idea, be not improper that the *Shawanese* should know this Government is at peace with them, and will continue so, provided they do not infringe it themselves, and that a boundary be given them; the doing mischief on the east side of which, would be considered as a declaration of war and bring all the weight of this Government upon them.

We begin to be impatient with respect to the rangers; their second month is just expiring; but whilst the country is in such commotion, and the harvest not yet got in, they cannot be dismissed. I have not the least fears about the expense, and the Associators may safely depend on the generosity of the Government, more especially as they have such assurances from your Honour of your approbation of the measure, and your assistance towards relieving them from the expense.

I am, sir, your Honour's most obedient and most humble servant, AR. ST. CLAIR.

P. S. If you should think proper to allow some presents to be made the *Indians*, I would be very glad the sum were specified. I am very little acquainted with *Indian* affairs, and I do not trust Mr. *Croghan* too much; he has been used to make expenses, and would not be very sparing when he thought he had the purse of a Province to make free with, and too great parsimony might spoil all. I have agreed with the express for six shillings a day.

Mr. *Croghan* says he expects some of the *Six Nations* to join *White Eyes's* party.

DEPOSITION OF DAVID GRIFFEY.

Westmoreland County, to wit:

The examination of *David Griffey*, of *Struby's Foot*, in the county aforesaid, taken on oath before me, *Andrew McFarlane*, Esquire, one of his Majesty's Justices of the Peace for the said county, this 24th day of *July*, in the year of our Lord 1774, who deposeth and saith, that on *Saturday*, the 23d day of this present month, between the hours of eleven and two of the same day, at a place called the *Dividing Ridge*, between *Brush Creek* and *Seweekly*, about four miles southwest of *Hanna's* Town, about the distance of one hundred and fifty yards, I saw five *Indians* with their guns over their shoulders, quite naked all but their breechclouts, marching towards *Hanna's* Town, and further saith not.

his
DAVID ⋊ GRIFFEY.
mark.

Taken, made, and signed the day and year above written, before me, AN. MCFARLANE.

INDIAN MESSAGES AND INTELLIGENCE ENCLOSED IN ARTHUR ST. CLAIR'S LETTER OF JULY 26, 1774.

Pittsburgh, July 23, 1774.

We are glad to hear from you the good speeches which you have now spoke to us, and it also gave us great pleasure to hear from our brethren of *Pennsylvania*, when they reminded us of that ancient friendship made by our wise forefathers, which they have at this time handed to us, desiring us to take fast hold of it.

Brethren, Sir *William Johnson*, with our uncles, the *Five Nations*, the *Wyandots*, and all the several tribes of *Cherokees*, and Southern *Indians*, have spoke to us of peace and friendship; and you, our brethren of *Virginia*, have likewise desired us to be strong in holding fast the chain of friendship; and we now tell you that we strictly observe to do it. And now, brethren, I inform you that we will sit still here at our towns *Kakelellamapeking*, *Gnaddenhutten*, and *Tupickcong* upon the *Muskingum*, to hold fast that chain of friendship between you and us.

Brethren, you desired us that the road between us and you might be kept clear and open, that the traders might pass and repass safe, which we also have done, and we wish that it may continue further. We desire therefore, that you will not suffer your foolish young people to lie on the road to watch and frighten our people, by pointing their guns at them when they come to trade with you; for some of our people have been so scared that they came home and alarmed our towns, as if the white people would kill all the *Indians*, whether they were friends or enemies. (*A string of white wampum.*)

Digitized by Google

Brethren of *Virginia*, we now see you and the *Shawanese* in grips with each other ready to strike, and we do not know what to say between you further; you will be the best judges yourselves of what is to follow, as we can do no more to reconcile you. But in the struggle between you when you have thrown down the *Shawanese*, brethren, we desire you to look no further, nor set down there, but return to the *Kenhawa* or South side of the *Ohio*, the place that you there rise from; and when you have so concluded this dispute, brethren, we will expect to hear from you, that we may acquaint all other Nations of it, whom we assure you will not put their hands to it, but hope that you will be strong brethren, and renew the ancient friendship with all other Nations, when you have ended your dispute with these people. (*A string of black wampum.*)

Intelligence received from Captain *White Eyes:*

On my return to *Newcomer's* Town with the speeches you charged me with, I found that several parties of *Shawanese* had set out to war against you, contrary to their promise before to the Chiefs of the *Delawares*, who desired me to return and inform you of it, as it would be to no purpose to treat further with them upon friendly terms, but that they should be informed of your speeches; they came forwarded by two of your people.

Brethren, we have now to acquaint you that the *Shawanese* are all gone from *Wagetomica* to assemble themselves at the Lower Towns; if there was one yet remaining we would tell you. But as this is not the case, and some of our people may be yet on their way up from amongst them, we would have you consider and cross to them from the mouth of the *Big Kenhawa*, as our women and children may now be frightened when you come near them, and the *Shawanese* are all gone.

Brethren, one of the *Shawanese* that has headed a party against you, has sent us word that he was going to strike you, and when he had done it, he would then blaze a road from the place he would do the mischief to *Newcomer's* Town, by which he would see whether the peace was so strong between the whites and the *Delawares* as they pretended. *Keesmateta* has likewise sent us word that he now saw his grandfathers the *Delawares* had thrown them away, for which reason they were now rising to go away, though, he said, he was sure no other Nation had done it, and that it had been an ancient custom with their Nation, that when they left any place in the manner they were doing, whoever remained behind them, they always turned about and struck them.

Brethren, the day we got into *Newcomer's* Town a party was discovered, whose intentions were to come to *Fort Pitt* to put Colonel *Croghan* and *Alexander McKee*, with *Guyasutha* to death, and also waylay us, which we passed; as by killing us, they say, no more news will be carried between the white people and the *Indians*. I could inform you of a great deal more, but these are the most material occurrences and facts which you may depend upon.

My brother is lately come from the *Wabash Indians*, who told him they would expect to hear the truths of the accounts from that quarter, on his return; and I have sent a message by him to them, desiring them not to listen to the *Shawanese*, who would only endeavour to draw them into troubles and leave them by themselves, which had been their constant practice.

Mr. *Croghan* addressed Captain *White Eyes* as his particular friend:

Brother, I now speak to you as a friend to both parties, your Nation and the *English*, and not by any particular authority, and I am convinced from the speeches you have now delivered, that your Nation has the sincerest intentions of preserving entire that friendship subsisting between you and us; and I observe from your intelligence that the *Shawanese* are withdrawn from one of their towns in your neighbourhood, which is an evident proof that they do not mean to be friends with you or us; therefore, brothers, I would have you consider well whether you would not in the present circumstance think it prudent for some of your people to accompany ours when they go to chastise the *Shawanese*, in order to enable them to make a proper distinction between our friends and our enemies.

Captain *White Eyes's* Answer to Colonel *Croghan:*

I am glad to hear you, and I will consider what you have said, but cannot immediately return you an answer. I will send your Message to our Chiefs at *Kaskaskia*, and as soon as I have their sentiments and advice will speak to you, which I expect in two days, in the mean time you may be assured that their sentiments will not deviate from that strict friendship subsisting between us.

ÆNEAS MACKAY TO ARTHUR ST. CLAIR.

Pittsburgh, July 25, 1774.

Dear Sir: The last accounts brought in here from the *Indian* country by Captain *White Eyes* I have transmitted to you yesterday by express. I have there informed you that you should be furnished with *White Eyes's* speech as soon as it could be procured from Captain *McKee*, from whom we have since obtained a copy, which will be delivered to you by *Richard Butler*, who is kind enough to go to *Ligonier* at the request of Messrs. *Spear*, *Smith*, and myself, as well with these papers, as consult you about other matters that we are all equally interested in. You know Mr. *Butler* to be both a man of sense and a faithful *Pennsylvanian;* therefore his reports are to be depended on. We are of opinion that it is absolutely necessary that immediate application should be made to Government in favour of the *Delawares*, that some steps may be taken to reward the fidelity of that people, especially such of them as will undertake to reconnoitre and guard the frontiers of this Province, which they say they will do, from the hostile designs of the *Shawanese;* and as by that means they will be prevented from following their own occupations, it would be no more than right to supply all their necessary wants, while they continue to deserve it so well at our hands.

There is nothing but the dread my family are in of the *Indians* approaching this place in my absence that would prevent my going in person to see you at this time in your present dangerous indisposition. I hope to hear by the bearer on his return of your getting the better of your disorder, and till then I remain, dear sir, your most obedient servant, Æneas Mackay.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, August 8, 1774.

Sir: I am just returned from *Pittsburgh*, where the *Pipe*, *Guyasutha*, and the *White Mingo* are arrived, and bring favourable accounts from the *Indian* Nations about the Lakes. They say they are all disposed to continue in friendship with the *English;* but the *Wyandots*, the *Hurons*, and the *Tawas* have been waivering. The *Shawanese* had applied to them, and it was so long that they heard nothing from our people, that they were inclined to assist them, but these Chiefs have persuaded them to sit still, and to send to the *Wabash Indians* to be quiet likewise; so that it is probable they arrived amongst them in a favourable time.

Some Deputies from the *Six Nations* are also arrived. They have brought a very large belt to Mr. *Croghan* and Mr. *McKee*, informing them of the death of Sir *William Johnson*, and of their intentions, notwithstanding, to adhere firmly to the treaties subsisting betwixt the *English* and them, and to endeavour to retain the other Nations in peace. They also have sent a belt by these Deputies to the *Delawares*, and to the *Wabash* Confederacy, recommending it to them to remain in peace, and to inform them that though their great friend is dead, the Council fire, kindled by the *English* and them, continues to burn as bright as ever: such is their mode of expression. From these circumstances it is to be hoped that the fracas with the *Shawanese* will blow over without any very bad consequences, though that depends upon others, which must be brought about in a very little time, as four hundred of the *Virginians* are marched to destroy *Wagetomica*, the town the *Shawanese* lately abandoned. Should these meet with any check, which is not improbable, some of the Western Nations will certainly join them; but if they return without, and are satisfied with destroying that town, matters may probably be made up; but I doubt they will not stop there, as you will see by the enclosed copy of a letter from Lord *Dunmore* to Mr. *Conolly*, which accidentally fell into my hands, that his Lord-

Digitized by Google

ship is very full of chastising them; and the 25th of next month is fixed for attacking the Great *Shawanese* Town, on *Scioto*. Your Honour will please to take notice, that the hint I gave you before, of a design to interrupt the trade of this Province, however improbable it might appear, was not without some foundation.

Mr. *Hanna* returned from *Philadelphia* yesterday, and gives an account that the Assembly have provided for the men that were raised for the defence of this county to the 10th instant, or longer, if necessary, and that he himself is appointed senior Captain, *ab initio*, Mr. *Cavet* the next, and a number of others who have never served an hour. The last part of his intelligence I gave no credit to, as he has no commission, nor any letters from any person about Government; and I do imagine, that as the command of them had been originally committed to me, your Honour would not place him therein to supersede me, without giving me some intimation of it. Nor is it reasonable that these men should take rank of the officers who have, in former wars, faithfully, as I am told, served this Government. Trifling as this affair is, it is likely to create much uneasiness; but I am certain your Honour will not allow those who have done no service, to rob those who have of their just reward; besides, the Association are bound to pay those they employed. I must own I have been remiss, in not fully informing your Honour who they were; but I beg your Honour to reflect upon the severe sickness I have just passed through. Some of them, had there been the least prospect of its being a permanent affair, I should not have recommended to your Honour; but we were under the necessity of employing such people as had influence amongst the mob and could get the men; and you will please to consider that it is by such arts that they must still be managed, as there are no laws by which obedience or discipline can be enforced. I have told Mr. *Hanna* peremptorily, that I should retain the direction of the troops till I had your Honour's orders to the contrary; and I fondly hope this explanation will not disoblige you.

Notwithstanding what I said to Mr. *Smith*, on the subject of joining the *Virginians*, he thought proper to join a small party of *Delawares* and *Mingoes*, with eight men, in the character of volunteers, and proceeded to *Wheeling*. The *Virginia* detachment had marched two days before they arrived; and Captain *Crawford*, who commands them, (the President of our Court,) told him it would fatigue them too much to overtake the party, and that they had better return, which accordingly they did; and by what I learn from him, they seemed equally jealous both of him and the *Indians*.

I can recollect nothing else at present, and your Honour may probably think I might have spared a great part of what is already written. I have the honour to be, sir, your Honour's most obedient and most humble servant,

AR. ST. CLAIR.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, August 25, 1774.

SIR: Agreeable to your request I now enclose you the depositions of some of the inhabitants of *Pittsburgh*, respecting the treatment they have met with from the *Virginia* officers. Not any of the persons who saw the *Shawanese* after they had been fired upon on their return, are now there, so that I would not inquire into that circumstance.

The message to the *Delawares*, with the belt of wampum, I delivered to some of their principal Chiefs, at Mr. *Croghan's*, on *Sunday* last. Mr. *Croghan* and Mr. *McKee* were of opinion it would, perhaps, be taken ill by the *Six Nations* that they were not included. I therefore took the liberty to add them in the address to the message, and had a fair copy made out and given to them with a belt.—They were received seemingly with great satisfaction by both, and they declared the firmest purposes of remaining in peace themselves, and restoring it between the people of *Virginia* and the *Shawanese*. At the same time I acquainted them with your orders for erecting a trading place at the *Kittaning*, for which they are very thankful, as they are in want of many things already, and cannot come to *Pittsburgh* and purchase; and a number of them will probably be there on *Monday* next, which is the time I have appointed for laying out the town. Mr. *Spear* and Mr. *Butler* set out this day with their goods and other effects.

Instead of sending the message to the *Shawanese* by a white man, I procured the *Pipe*, a faithful and sensible *Delaware* Chief, to go and acquaint them with the message his Nation had received from your Honour; that you had recommended it to them to speak to the *Shawanese* not to strike the *Virginians*, and that he had seen a message and belt for them, which, if they were well disposed, some of their people might come and receive it at *Appleby*. I thought this the most advisable way, as the people at the fort are extremely jealous of any person going amongst them, and had threatened the young men you mention to go with them; and some proposals of accommodation, I understand, have been made them by Mr. *Conolly*, to which, if they should not listen, they would be very apt to allege it was owing to their hearing from this Province.

It is impossible to tell what will be the consequence of the *Virginia* operations. I still hope they will not be able to bring on a war. I think Lord *Dunmore* must soon see the necessity of peace. The season is now far advanced, and the country is exhausted of provisions. Should another body of men be drawn together, they could not be supported; and I believe their last exploit has not given them much stomach for another. There was, indeed, such confusion amongst the troops, and dissension amongst the officers, that had they met with any number of the enemy, they must certainly have been cut off. Preparations, however, are making, and his Lordship is hourly expected. The 10th of *August*, which was the time your Honour fixed for keeping up the rangers, was passed before your letter reached me; but as you were pleased to say their standing till the 19th of *September*, would depend on what intelligence you might receive from Captain *Thomson* and myself, we thought it best to continue them, being both of opinion that, at this time, it was very necessary, it being, in some measure, the crisis of the dispute with the *Shawanese*; and that great numbers of people are now gone down to bring back their families, which they removed when they thought themselves in more immediate danger.

I am sorry I troubled your Honour with my foolish grievances. I hope I shall always feel the spirit of the station I may be called to act in; but particular circumstances, I believe, had, in that case, set it rather too much on edge. I will not often offend in the same manner. I must do Mr. *Cavet* the justice to say he is a very good man, and would fill that or most other places with reputation.

An express arrived a day or two ago from *Detroit*. Mr. *Conolly* had applied to the Commanding Officer at that post to stop the trade with the *Shawanese*; but this he refuses, both as they have no prospect of war, and that for such a step he must have the orders of the Commander-in-chief at least. He says all the *Indians* in that country seem to be peaceably disposed. A letter by the same messenger, from a merchant at *Detroit* to a merchant at *Pittsburgh*, gives a quite contradictory account of matters; says the *Indians* in that country will all join the *Shawanese*; that some of them have come in from the frontiers of *Virginia*, and have brought scalps; that the general rendezvous is appointed on the *Wabash*, and that they expect but a very short time to have any intercourse with them, and desires him to write to *Simons* at *Lancaster* not to send the goods he had ordered.

This moment I have heard from *Pittsburgh* that Mr. *Spear's* and Mr. *Butler's* goods, that were going to *Appleby*, are seized by Mr. *Conolly's* orders; and that Mr. *Butler*, with three young men, his assistants, are in confinement in the common guard-house; and that a woman who kept house for Mr. *Butler*, has been drummed all round the town, for the great crime of going to see him in his distress. This is a degree of tyranny and oppression beyond every thing that has yet happened. I shall be able to give you a more circumstantial account to-morrow, when Captain *Thomson* will be here, who, I understand, was present when it happened. It will oblige me to put off my journey to *Appleby*, as all my stores, provisions, &c., were with Mr. *Butler's* goods. I have the honour to be, sir, your most obedient and most humble servant,

AR. ST. CLAIR.

The Honourable *John Penn*, Esq.

Digitized by Google

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, August 27, 1774.

SIR: The very extraordinary news from *Fort Pitt*, that I mentioned in my letter of the 25th, proves too true. Captain *Thomson* was there, and informs me that Mr. *Butler* was not only made a prisoner, but treated with every instance of insult and abuse. The crime it seems they are charged with, is a suspicion of trading with the enemy *Indians;* but for this there cannot be the least foundation, as their destination was no secret; and I had given publick notice, in writing, of the design of laying out a town up the river, and the time when. It seems this is the act of Captain *Aston*, *Conolly* being gone to meet Lord *Dunmore;* but in truth it is the act of Mr. *Campbell*, who is their Counsel General, and whose plan the removing any of the trade from *Pittsburgh* broke in upon. Captain *Thomson* offered any security they pleased to demand, but they would accept of none, and for some time would not permit any of their acquaintance to visit them; and jostled Mr. *Smith* and Mr. *McKay* out of the fort in the most insulting manner imaginable. The treatment these people have met with for a length of time, has been sufficient to break their spirit; but it has not succeeded; and those at that place who are friends of this Province, will meet me at *Appleby* to-morrow, and are making up another cargo, that they may have something to keep the *Indians* easy that will be there.

I am, sir, your very humble and most obedient servant,

AR. ST. CLAIR.

TO THE PEOPLE OF VIRGINIA.

Williamsburg, Va., August 4, 1774.

The time has at length arrived when *American* liberty must either be settled on a firm basis by the virtue and publick spirit of her sons, or sink under the despotism now suspended over her. The Colonies will no doubt look upon the violent and arbitrary proceedings of the *British* Parliament, with regard to the *Bostonians*, as levelled at the liberty of *America* in general, and unite their utmost endeavours by all means in their power to prevent the ruin they are threatened with. We shall deceive ourselves if we think *Great Britain*, (as the present Ministry call themselves) will easily be brought to recede from her claims of domination over us. The Parliamentary farce will not be ended till the virtue of *America*, and the cries of the *British* merchants and manufacturers, drive the present actors off the stage.

In this contention we must expect our courage and fortitude will be put to a severe trial; and, if they are not genuine, will not stand the test. But as our ancestors have liberally shed their blood to secure to us the rights we now contend for, surely every power of manhood will be exerted by us to deliver the depositum, sacred and inviolate, to our posterity. Let no man despair of success in so just a cause. Situated as we are, if we be united, and dare be free, no power on earth can make us slaves.

That our adversaries are powerful we fatally know; but, in a measure so wickedly destructive of the constitutional rights of *British* subjects, they cannot be united. But should they be so, are they more powerful than the *Spaniards*, or we less so than the United Provinces were at the time the contest arose between those two Nations on the subject of liberty? *Philip* the Second, at the head of the most powerful Empire in *Europe*, with the best disciplined troops, headed by one of the ablest Generals then known in the world, and supported by the riches of *America*, after a bloody war which lasted half a century, was not able to subvert the liberty of the poor, and till then, inconsiderable, but virtuous *Hollanders*. The example of our ancestors, in the last century, affords a noble proof of firmness and patriotick virtue. In the reign of the first *Charles*, they evidently demonstrated, that though *Englishmen* may bear much, yet when they find a determined resolution in Administration to persevere in measures totally destructive to their dearest rights, they will rouse at last, and when that period arrives, no force can withstand—no chicanery elude, their fury; and the more they have suffered, the greater will be the sacrifice they demand. The posterity of *James* the Second, fugitives in a strange land, still lament the dire effects of his encroachments on *English* liberty. The spirit of liberty, when conducted by publick virtue, is invincible. It may be cramped and kept down by external violence, but so long as the morals of a people remain uncorrupted, it cannot be totally extinguished. Oppression will only increase its elastick force; and when roused to action by some daring Chief—some great good man, it will burst forth, like fired gunpowder, and destroy all before it. Of this truth the *English* history affords the clearest demonstrations, through many of the brightest periods. We are the sons of those brave men, and let us now prove ourselves worthy of our glorious ancestors. *Britain* itself will applaud our virtue. The friends of liberty there will rejoice to acknowledge us their brethren and fellow-subjects; for it cannot be possible that a race of heroes and patriots should in so short a time degenerate into a band of robbers.

We need not on the present occasion shed our blood to secure our rights, though if necessary, let us not spare it; the purchase is more than equal to the price. Let us not buy their commodities; let us stop all exports from this country to that till they do us justice. We have the means of subsistence within ourselves. Nature's wants are but few; our imaginary ones have their foundation in luxury. Let us encourage our own manufactures by proper subscriptions in each county; and by wearing them ourselves, convince our enemies, (for so I must call those who endeavour to enslave us,) that we can and will subsist without them. Let gentlemen of the first rank and fortune amongst us set the example; they will be cheerfully and eagerly followed by the inferiour classes. This will give weight to our remonstrances; and when the great disposer of all things, the Ruler of Princes, shall in his mercy open the eyes of our oppressors, and direct their Councils to the pursuit of equity and right reason, then, and not till then, let us meet and embrace them with open arms: we will again be their children when they will deign to be our parents.

VIRGINIA CONVENTION.

At a very full Meeting of Delegates from the different Counties in the Colony and Dominion of *Virginia*, begun in *Williamsburg* the first day of *August*, in the year of our Lord 1774, and continued by several adjournments to *Saturday*, the 6th of the same month, the following Association was unanimously resolved upon, and agreed to:

We, his Majesty's dutiful and loyal subjects, the Delegates of the freeholders of *Virginia*, deputed to represent them at a general meeting in the City of *Williamsburg*, avowing our inviolable and unshaken fidelity and attachment to our most gracious Sovereign; our regard and affection for all our friends and fellow-subjects in *Great Britain* and elsewhere; protesting against every act or thing which may have the most distant tendency to interrupt or in any wise disturb his Majesty's peace, and the good order of Government within this his ancient Colony, which we are resolved to maintain and defend at the risk of our lives and fortunes; but, at the same time, affected with the deepest anxiety and most alarming apprehensions of those grievances and distresses by which his Majesty's *American* subjects are oppressed; and having taken under our most serious deliberation the state of the whole Continent, find that the present unhappy situation of our affairs is chiefly occasioned by certain ill advised regulations, as well of our trade, as internal polity, introduced by several unconstitutional Acts of the *British* Parliament, and, at length, attempted to be enforced by the hand of power.

Solely influenced by these important and weighty considerations, we think it an indispensable duty which we owe to our country, ourselves, and latest posterity, to guard against such dangerous and extensive mischiefs, by every just and proper means.

If, by the measures adopted, some unhappy consequences and inconveniences should be derived to our fellow-subjects, whom we wish not to injure in the smallest degree, we hope, and flatter ourselves, that they will impute them to their real cause, the hard necessity to which we are driven.

That the good people of this Colony may on so trying an occasion continue steadfastly directed to their most es-

Digitized by Google

sential interests, in hopes that they will be influenced and stimulated by our example, to the greatest industry, the strictest economy and frugality, and the exertion of every publick virtue; persuaded that the merchants, manufacturers, and other inhabitants of *Great Britain*, and above all, that the *British* Parliament will be convinced how much the true interest of the Kingdom must depend on the restoration and continuance of that mutual friendship and cordiality which so happily subsisted between us, we have, unanimously, and with one voice, entered into the following Resolutions and Association, which we do oblige ourselves by those sacred ties of honour and love to our country, strictly to observe; and farther declare, before *God* and the world, that we will religiously adhere to and keep the same inviolate in every particular, until redress of all such *American* grievances as may be defined and settled at the general Congress of Delegates from the different Colonies shall be fully obtained, or until this Association shall be abrogated or altered by a general meeting of the Deputies of this Colony to be convened as is herein after directed. And we do, with the greatest earnestness, recommend this our Association to all gentlemen, merchants, traders, and other inhabitants of this Colony, hoping that they will cheerfully and cordially accede thereto:

1st. We do hereby resolve and declare, that we will not, either directly or indirectly, after the first day of *November* next, import from *Great Britain* any goods, wares, or merchandises whatever, medicines excepted; nor will we, after that day, import any *British* manufactures, either from the *West Indies* or any other place; nor any article whatever which we shall know, or have reason to believe, was brought into such countries from *Great Britain;* nor will we purchase any such articles so imported of any person or persons whatsoever, except such as are now in the country, or such as may arrive on or before the first day of *November*, in consequence of orders already given, and which cannot now be countermanded in time.

2d. We will neither ourselves import, nor purchase any slave or slaves imported by any other person, after the first day of *November* next, either from *Africa*, the *West Indies*, or any other place.

3d. Considering the article of tea as the detestable instrument which laid the foundation of the present sufferings of our distressed friends in the town of *Boston*, we view it with horrour; and therefore resolve, that we will not from this day, either import tea of any kind whatever; nor will we use, or suffer even such of it as is now on hand to be used in any of our families.

4th. If the inhabitants of the town of *Boston*, or any other Colony, should by violence or dire necessity be compelled to pay the *East India* Company for destroying any tea which they have lately by their agents unjustly attempted to force into the Colonies, we will not directly or indirectly import or purchase any *British East India* commodity whatever, till the Company, or some other person on their behalf, shall refund and fully restore to the owners all such sum or sums of money as may be so extorted.

5th. We do resolve, that unless *American* grievances are redressed before the 10th day of *August*, 1775, we will not after that day, directly or indirectly, export tobacco, or any other article whatever to *Great Britain*; nor will we sell any such articles as we think can be exported to *Great Britain* with a prospect of gain to any person or persons whatever, with a design of putting it into his or their power to export the same to *Great Britain*, either on our own, his, or their account. And that this resolution may be the more effectually carried into execution, we do hereby recommend it to the inhabitants of this Colony to refrain from the cultivation of tobacco as much as conveniently may be; and in lieu thereof, that they will, as we resolve to do, apply their attention and industry to the cultivation of all such articles as may form a proper basis for manufactures of all sorts, which we will endeavour to encourage throughout this Colony, to the utmost of our abilities.

6th. We will endeavour to improve our breed of sheep, and increase their number to the utmost extent; and to this end we will be as sparing as we conveniently can, in killing of sheep, especially those of the most profitable kind; and if we should at any time be overstocked, or can conveniently spare any, we will dispose of them to our neighbours, especially the poorer sort of people, upon moderate terms.

7th. *Resolved*, That the merchants and other venders of goods and merchandises within this Colony ought not to take advantage of the scarcity of goods that may be occasioned by this Association, but that they ought to sell the same at the rates they have been accustomed to for twelve months last past; and if they shall sell any such goods on higher terms, or shall in any manner, or by any devise whatever, violate or depart from this resolution, we will not, and are of opinion that no inhabitant of this Colony ought, at any time thereafter, to deal with any such person, their factors or agents, for any commodity whatever; and it is recommended to the Deputies of the several counties, that Committees be chosen in each county by such persons as accede to this Association, to take effectual care that these Resolves be properly observed, and for corresponding occasionally with the general Committee of Correspondence in the City of *Williamsburg*, provided, that if exchange should rise, such advance may be made in the prices of goods as shall be approved by the Committee of each county.

8th. In order the better to distinguish such worthy merchants and traders who are well-wishers of this Colony, from those who may attempt, through motives of self-interest, to obstruct our views, we do hereby resolve that we will not, after the first day of *November* next, deal with any merchant or trader who will not sign this Association; nor until he hath obtained a certificate of his having done so from the County Committee, or any three members thereof. And if any merchant, trader, or other person, shall import any goods or merchandise after the first day of *November*, contrary to this Association, we give it as our opinion that such goods and merchandise should be either forthwith reshipped, or delivered up to the County Committee, to be stored at the risk of the importer, unless such importer shall give a proper assurance to the said Committee, that such goods or merchandises shall not be sold within this Colony during the continuance of this Association; and if such importer shall refuse to comply with one or the other of these terms, upon application and due caution given to him or her by the said Committee, or any three members thereof, such Committee is required to publish the truth of the case in the Gazettes, and in the county where he or she resides; and we will thereafter consider such person or persons as inimical to this country, and break off every connection and all dealings with them.

9th. *Resolved*, That if any person or persons shall export tobacco, or any other commodity, to *Great Britain*, after the 10th day of *August*, 1775, contrary to this Association, we shall hold ourselves obliged to consider such person or persons as inimical to the community, and as an approver of *American* grievances; and give it as our opinion that the publick should be advised of his or their conduct, as in the eighth article is desired.

10th. Being fully persuaded that the united wisdom of the general Congress may improve these our endeavours to preserve the rights and liberties of *British America*, we decline enlarging at present; but do hereby resolve that we will conform to and strictly observe, all such alterations or additions assented to by the Delegates for this Colony, as they may judge it necessary to adopt, after the same shall be published and made known to us.

11th. *Resolved*, That we think ourselves called upon, by every principle of humanity and brotherly affection, to extend the utmost and speediest relief to our distressed fellow-subjects in the town of *Boston;* and, therefore, most earnestly recommend it to all the inhabitants of this Colony to make such liberal contributions as they can afford, to be collected and remitted to *Boston*, in such manner as may best answer so desirable a purpose.

12th. And lastly, *Resolved*, That the Moderator of this meeting, and, in case of his death, *Robert Carter Nicholas*, Esquire, be empowered, on any future occasion that may, in his opinion, require it, convene the several Delegates of this Colony, at such time and place as he may judge proper; and in case of the death or absence of any Delegate, it is recommended that another be chosen in his place.

Digitized by Google

Instructions for the Deputies appointed to meet in General Congress on the part of this Colony.

The unhappy disputes between *Great Britain* and her *American* Colonies, which began about the third year of the reign of his present Majesty, and since continually increasing, have proceeded to lengths so dangerous and alarming, as to excite just apprehensions in the minds of his Majesty's faithful subjects of this Colony, that they are in danger of being deprived of their natural, ancient, constitutional, and chartered rights, have compelled them to take the same into their most serious consideration; and being deprived of their usual and accustomed mode of making known their grievances, have appointed us their Representatives to consider what is proper to be done in this dangerous crisis of *American* affairs.

It being our opinion that the united wisdom of *North America* should be collected in a general Congress of all the Colonies, we have appointed the Honourable *Peyton Randolph*, Esquire, *Richard Henry Lee*, *George Washington*, *Patrick Henry*, *Richard Bland*, *Benjamin Harrison*, and *Edmund Pendleton*, Esquires, Deputies to represent this Colony in the said Congress, to be held at *Philadelphia*, on the first *Monday* in *September* next. And that they may be the better informed of our sentiments touching the conduct we wish them to observe on this important occasion, we desire that they will express, in the first place, our faith and true allegiance to his Majesty King *George* the Third, our lawful and rightful Sovereign; and that we are determined, with our lives and fortunes, to support him in the legal exercise of all his just rights and prerogatives; and however misrepresented, we sincerely approve of a constitutional connection with *Great Britain*, and wish most ardently a return of that intercourse of affection and commercial connection that formerly united both countries, which can only be effected by a removal of those causes of discontent which have of late unhappily divided us.

It cannot admit of a doubt, but that *British* subjects in *America* are entitled to the same rights and privileges as their fellow-subjects possess in *Britain*; and, therefore, that the power assumed by the *British* Parliament, to bind *America* by their statutes, in all cases whatsoever, is unconstitutional, and the source of these unhappy differences.

The end of Government would be defeated by the *British* Parliament exercising a power over the lives, the property, and the liberty of *American* subjects, who are not, and from their local circumstances cannot, be there represented. Of this nature we consider the several Acts of Parliament for raising a revenue in *America*; for the extending the jurisdiction of the Courts of Admiralty; for seizing *American* subjects, and transporting them to *Britain* to be tried for crimes committed in *America*; and the several late oppressive Acts respecting the town of *Boston* and Province of the *Massachusetts Bay*.

The original Constitution of the *American* Colonies possessing their Assemblies with the sole right of directing their internal polity, it is absolutely destructive of the end of their institution that their Legislatures should be suspended, or prevented, by hasty dissolutions, from exercising their Legislative powers.

Wanting the protection of *Britain*, we have long acquiesced in their Acts of Navigation restrictive of our commerce, which we consider as an ample recompense for such protection; but as those Acts derive their efficacy from that foundation alone, we have reason to expect they will be restrained so as to produce the reasonable purposes of *Britain*, and not be injurious to us.

To obtain redress of these grievances, without which the people of *America* can neither be safe, free, nor happy, they were willing to undergo the great inconvenience that will be derived to them from stopping all imports whatsoever from *Great Britain*, after the first day of *November* next, and also to cease exporting any commodity whatsoever to the same place, after the 10th day of *August*, 1775. The earnest desire we have to make as quick and full payment as possible of our debts to *Great Britain*, and to avoid the heavy injury that would arise to this country from an earlier adoption of the non-exportation plan, after the people have already applied so much of their labour to the perfecting of the present crop, by which means they have been prevented from pursuing other methods of clothing and supporting their families, have rendered it necessary to restrain you in this article of non-exportation; but it is our desire that you cordially co-operate with our sister Colonies in general Congress, in such other just and proper methods as they or the majority shall deem necessary for the accomplishment of these valuable ends.

The Proclamation issued by General *Gage*, in the Government of the Province of the *Massachusetts Bay*, declaring it treason for the inhabitants of that Province to assemble themselves to consider of their grievances, and form Associations for their common conduct on the occasion; and requiring the Civil Magistrates and officers to apprehend all such persons, to be tried for their supposed offences, is the most alarming process that ever appeared in a *British* Government; that the said General *Gage* hath thereby assumed and taken upon himself powers denied by the Constitution to our legal Sovereign; that he, not having condescended to disclose by what authority he exercises such extensive and unheard of powers, we are at a loss to determine whether he intends to justify himself as the Representative of the King, or as the Commander-in-chief of his Majesty's forces in *America*. If he considers himself as acting in the character of his Majesty's Representative, we would remind him that the statute, twenty-fifth, *Edward* the Third, has expressed and defined all treasonable offences, and that the Legislature of *Great Britain* hath declared that no offence shall be construed to be treason but such as is pointed out by that statute, and that this was done to take out of the hands of tyrannical Kings and of weak and wicked Ministers that deadly weapon which constructive treason had furnished them with, and which had drawn blood of the best and most honest men in the Kingdom; and that the King of *Great Britain* hath no right, by his Proclamation, to subject his people to imprisonment, pains, and penalties.

That if the said General *Gage* conceives he is empowered to act in this manner, as the Commander-in-chief of his Majesty's forces in *America*, this odious and illegal Proclamation must be considered as a plain and full declaration that this despotick viceroy will be bound by no law, nor regard the constitutional rights of his Majesty's subjects, whenever they interfere with the plan he has formed for oppressing the good people of the *Massachusetts Bay*; and, therefore, that the executing, or attempting to execute, such Proclamation, will justify resistance and reprisal.

A summary view of the rights of British America, *set forth in some Resolutions intended for the inspection of the present Delegates of the people of* Virginia, *now in Convention.**

Resolved, That it be an instruction to the said Deputies, when assembled in general Congress with the Deputies of the other States of *British America*, to propose to the said Congress that an humble and dutiful Address be presented to his Majesty, begging leave to lay before him, as Chief Magistrate of the *British* Empire, the united complaints of his Majesty's subjects in *America*—complaints which are excited by many unwarrantable encroachments and usurpations, attempted to be made by the Legislature of one part of the Empire, upon those rights which *God* and the laws have given equally and independently to all. To present to his Majesty that these his States have often individually made humble application to his Imperial

* Before I left home to attend the Convention, I prepared what I thought might be given, in instruction, to the Delegates who should be appointed to attend the general Congress proposed. They were drawn in haste, with a number of blanks, with some uncertainties and inaccuracies of historical facts, which I neglected at the moment, knowing they could be readily corrected at the meeting. I set out on my journey, but was taken sick on the road and was unable to proceed. I therefore sent on, by express, two copies, one under cover to *Patrick Henry*, the other to *Peyton Randolph*, who I knew would be in the Convention; of the former no more was ever heard or known. Mr. *Henry* probably thought it too bold, as a first measure, as a majority of the Members did. On the other copy being laid on the table of the Convention by *Peyton Randolph*, as the proposition of a Member who was prevented from attendance by sickness on the road, tamer sentiments were preferred, and, I believe, wisely preferred; the leap, I proposed, being, too long as yet, for the mass of our citizens. The distance between these and the Instructions actually adopted is of some curiosity, however, as it shows the inequality of pace with which we moved, and the prudence required to keep front and rear together.—*Jefferson.*

Digitized by Google

Throne to obtain, through its intervention, some redress of their injured rights, to none of which was ever even an answer condescended; humbly to hope that this their joint Address, penned in the language of truth, and divested of those expressions of servility which would persuade his Majesty that we are asking favours, and not rights, shall obtain from his Majesty a more respectful acceptance. And this his Majesty will think we have reason to expect when he reflects that he is no more than the Chief Officer of the people, appointed by the laws, and circumscribed with definitive power, to assist in working the great machine of Government, erected for their use, and consequently subject to their superintendence. And in order that these our rights, as well as the invasions of them, may be laid more fully before his Majesty, to take a view of them from the origin and first settlement of these countries.

To remind him that our ancestors, before their emigration to *America*, were the free inhabitants of the *British* Dominions in *Europe*, and possessed a right which nature has given to all men, of departing from the country in which chance, not choice, has placed them, of going in quest of new habitations, and of their establishing new societies under such laws and regulations as to them shall seem most likely to promote publick happiness. That their *Saxon* ancestors had, under this universal law, in like manner left their native wilds and woods in the North of *Europe*, had possessed themselves of the Isle of *Britain*, then less charged with inhabitants, and had established there that system of laws which has so long been the glory and protection of that country. Nor was ever any claim of superiority or dependence asserted over them by that mother country from which they had migrated; and were such a claim made, it is believed that his Majesty's subjects in *Great Britain* have too firm a feeling of the rights derived to them from their ancestors, to bow down the sovereignty of their state before such visionary pretensions. And it is thought that no circumstance has occurred to distinguish materially the *British* from the *Saxon* emigration. *America* was conquered and her settlements made, and firmly established, at the expense of individuals, and not of the *British* publick. Their own blood was spilt in acquiring lands for their settlement; their own fortunes expended in making that settlement effectual; for themselves they fought, for themselves they conquered, and for themselves alone they have right to hold. Not a shilling was ever issued from the publick treasures of his Majesty, or his ancestors for their assistance, till of very late times, after the Colonies had become established upon a firm and permanent footing. That then, indeed, having become valuable to *Great Britain* for her commercial purposes, his Parliament was pleased to lend them assistance against an enemy who would fain have drawn to herself the benefits of their commerce, to the great aggrandizement of herself and danger of *Great Britain*. Such assistance and in such circumstances, they had often before given to *Portugal*, and other allied states, with whom they carry on a commercial intercourse; yet these States never supposed, that by calling in her aid they thereby submitted themselves to her sovereignty. Had such terms been proposed, they would have rejected them with disdain, and trusted for better to the moderation of their enemies, or to a vigorous exertion of their own force. We do not, however, mean to underrate those aids, which to us were doubtless valuable, on whatever principles granted; but we would show that they cannot give a title to that authority which the *British* Parliament would arrogate over us, and that they may amply be repaid by our giving to the inhabitants of *Great Britain*, such exclusive privileges in trade as may be advantageous to them, and at the same time not too restrictive to ourselves. That settlements having been thus effected in the wilds of *America*, the emigrants thought proper to adopt that system of laws under which they had hitherto lived in the mother country, and to continue their union with her by submitting themselves to the same common Sovereign, who was thereby made the central link connecting the several parts of the Empire thus newly multiplied.

But that not long were they permitted, however far they thought themselves removed from the hand of oppression, to hold undisturbed the rights thus acquired at the hazard of their lives, and loss of their fortunes. A family of Princes was then on the *British* Throne, whose treasonable crimes against their people brought on them afterwards the exertion of those sacred and sovereign rights of punishment, reserved in the hands of the people for cases of extreme necessity, and judged by the Constitution unsafe to be delegated to any other judicature. While every day brought forth some new and unjustifiable exertion of power over their subjects on that side of the water, it was not to be expected that those here, much less able at that time, to oppose the designs of despotism, should be exempted from injury.

Accordingly that country, which had been acquired by the lives, the labours, and the fortunes of individual adventurers, was by these Princes, at several times, parted out and distributed among the favourites and* followers of their fortunes, and, by an assumed right of the Crown alone, were erected into distinct and independent Governments; a measure which it is believed his Majesty's prudence and understanding would prevent him from imitating at this day, as no exercise of such power, of dividing and dismembering a country, has ever occurred in his Majesty's Realm of *England*, though now of very ancient standing; nor could it be justified or acquiesced under there, or in any other part of his Majesty's Empire.

That the exercise of a free trade with all parts of the world, possessed by the *American* Colonists, as of natural right, and which no law of their own had taken away or abridged, was next the object of unjust encroachment. Some of the Colonies having thought proper to continue the Administration of their Government in the name and under the authority of his Majesty King *Charles* the First, whom notwithstanding his late deposition by the Commonwealth of *England*, they continued in the sovereignty of their state; the Parliament for the Commonwealth took the same in high offence, and assumed upon themselves the power of prohibiting their trade with all other parts of the world, except the Island of *Great Britain*. This arbitrary act, however, they soon recalled, and by solemn treaty, entered into on the 12th day of *March*, 1651, between the said Commonwealth, by their Commissioners, and the Colony of *Virginia*, by their House of Burgesses, it was expressly stipulated by the eighth article of the said treaty, that they should have "free trade as the people of *England* do enjoy, to "all places and with all Nations, according to the laws of "that Commonwealth." But that upon the restoration of his Majesty King *Charles* the Second, their rights of free commerce fell once more a victim to arbitrary power; and by several Acts† of his reign, as well as of some of his successors, the trade of the Colonies were laid under such restrictions as show what hopes they might form from the justice of a *British* Parliament, were its uncontrolled power admitted over these States. History has informed us that bodies of men, as well as individuals, are susceptible of the spirit of tyranny. A view of these Acts of Parliament for the regulation, as it has been affectedly called, of the *American* trade, if all other evidence were removed out of the case, would undeniably evince the truth of this observation. Besides the duties they impose on our articles of export and import, they prohibit our going to any markets northward of *Cape Finisterre*, in the Kingdom of *Spain*, for the sale of commodities which *Great Britain* will not take from us, and for the purchase of others with which she cannot supply us, and that for no other than the arbitrary purposes of purchasing for themselves, by a sacrifice of our rights and interests, certain privileges in their

* In 1632 *Maryland* was granted to Lord *Baltimore*; 33 *Charles* II. *Pennsylvania* to *Penn*. The Province of *Carolina* was, in the year 1663, granted by letters patent of his Majesty King *Charles* II., in the fifteenth year of his reign, in propriety, unto the Right Honourable *Edward*, Earl of *Clarendon*, *George*, Duke of *Albemarle*, *William*, Earl of *Craven*, *John*, Lord *Berkely*, *Anthony*, Lord *Ashley*, Sir *George Carteret*, Sir *John Colleton*, Knight and Baronet, and Sir *William Berkely*, Knight; by which letters patent the laws of *England* were to be in force in *Carolina*. But the Lords Proprietors had power, with the consent of the inhabitants, to make bye-laws for the better government of the said Province; so that no money could be recovered, or law made, without the consent of the inhabitants or their Representatives.

† 12 *Charles* II. chap. 18. 15 *Charles* II. chap. 11. 25 *Charles* II. chap. 7. 7 and 8 *William* III. chap. 22. 11 *William* III. 6 *Anne*, chap. 37. 6 *George* II. chap. 13.

Digitized by Google

commerce with an allied state, who in confidence that their exclusive trade with *America* will be continued, while the principles and power of the *British* Parliament be the same, have indulged themselves in every exorbitance, which their avarice could dictate, or our necessities extort; have raised their commodities called for in *America* to the double and treble of what they sold for before such exclusive privileges were given them, and of what better commodities of the same kind would cost us elsewhere, and at the same time give us much less for what we carry thither, than might be had at more convenient ports. That these Acts prohibit us from carrying, in quest of other purchasers, the surplus of our tobaccoes remaining after the consumption of *Great Britain* is supplied; so that we must leave them with the *British* merchant for whatever he will please to allow us, to be by him re-shipped to foreign markets, where he will reap the benefits of making sales of them for full value. That to heighten still the idea of Parliamentary justice, and to show with what moderation they are like to exercise power, where themselves are to feel no part of its weight, we take leave to mention to his Majesty certain other Acts of Parliament, by which they would prohibit us from manufacturing for our own use the articles we raise on our own lands, with our own labour.

By an Act * passed in the fifth year of the reign of his late Majesty King *George* the Second, an *American* subject is forbidden to make a hat for himself of the fur which he has taken perhaps on his own soil; an instance of despotism to which no parallel can be produced in the most arbitrary ages of *British* history. By one other Act † passed in the twenty-third year of the same reign, the iron which we make we are forbidden to manufacture, and heavy as that article is, and necessary in every branch of husbandry, besides commission and insurance, we are to pay freight for it to *Great Britain*, and freight for it back again, for the purpose of supporting not men, but machines, in the Island of *Great Britain*. In the same spirit of equal and impartial legislation is to be viewed the Act of Parliament, ‡ passed in the fifth year of the same reign, by which *American* lands are made subject to the demands of *British* creditors, while their own lands were still continued unanswerable for their debts; from which one of these conclusions must necessarily follow, either that justice is not the same in *America* as in *Britain*, or else that the *British* Parliament pay less regard to it here than there. But that we do not point out to his Majesty the injustice of these Acts, with intent to rest on that principle the cause of that nullity; but to show that experience confirms the propriety of those political principles which exempt us from the jurisdiction of the *British* Parliament. The true ground on which we declare these Acts void is, that the *British* Parliament has no right to exercise authority over us.

That these exercises of usurped power have not been confined to instances alone in which themselves were interested, but they have also intermeddled with the regulation of the internal affairs of the Colonies. The Act of the ninth of *Anne*, for establishing a Post Office in *America*, seems to have had little connection with *British* convenience, except that of accommodating his Majesty's Ministers and favourites with the sale of lucrative and easy offices.

That thus we have hastened through the reigns which preceded his Majesty's, during which the violations of our right were less alarming, because repeated at more distant intervals than that rapid and bold succession of injuries which is likely to distinguish the present from all other periods of *American* story. Scarcely have our minds been able to emerge from the astonishment into which one stroke of Parliamentary thunder has involved us, before another more heavy and more alarming is fallen on us. Single acts of tyranny may be ascribed to the accidental opinion of a day; but a series of oppressions begun at a distinguished period, and pursued unalterably through every change of Ministers, too plainly prove a deliberate and systematical plan of reducing us to slavery.

That the Act ‖ passed in the fourth year of his Majesty's reign, entitled, "An Act for granting certain duties in "the *British* Colonies and Plantations in *America*, &c." One other Act § passed in the fifth year of his reign, entitled, "An Act for granting and applying certain stamp "duties and other duties in the *British* Colonies and "Plantations in *America*, &c." One other Act * passed in the sixth year of his reign, entitled, "An Act for the "better securing the dependency of his Majesty's Domin-"ions in *America* upon the Crown and Parliament of *Great* "*Britain*;" and one other Act † passed in the seventh year of his reign, entitled, "An Act for granting duties on paper, tea, &c.," form that connected chain of Parliamentary usurpation, which has already been the subject of frequent applications to his Majesty, and the Houses of Lords and Commons of *Great Britain*; and no answers having been yet condescended to any of these, we shall not trouble his Majesty with a repetition of the matters they contained.

But that one other Act, ‡ passed in the same seventh year of his reign, having been a peculiar attempt, must ever require peculiar mention; it is entitled, "An Act for suspending the Legislature of *New-York*." One free and independent Legislature hereby takes upon itself to suspend the powers of another, free and independent as itself; thus exhibiting a phenomenon unknown in nature, the creator and creature of its own power. Not only the principles of common sense, but the common feelings of human nature, must be surrendered up before his Majesty's subjects here can be persuaded to believe that they hold their political existence at the will of a *British* Parliament. Shall these Governments be dissolved, their property annihilated, and their people reduced to a state of nature, at the imperious breath of a body of men, whom they never saw, in whom they never confided, and over whom they have no powers of punishment or removal, let their crimes against the *American* publick be ever so great? Can any one reason be assigned why one hundred and sixty thousand electors in the Island of *Great Britain* shall give law to four millions in the States of *America*, every individual of whom is equal to every individual of them in virtue, in understanding, and in bodily strength? Were this to be admitted, instead of being a free people, as we have hitherto supposed, and mean to continue ourselves, we should suddenly be found the slaves, not of one, but of one hundred and sixty thousand tyrants, distinguished too, from all others, by this singular circumstance, that they are removed from the reach of fear, the only restraining motive which may hold the hand of a tyrant.

That by "An Act ‖ to discontinue in such manner and "for such time as are therein mentioned, the landing and "discharging, lading or shipping of goods, wares, and mer-"chandise, at the town and within the harbour of *Boston*, "in the Province of the *Massachusetts Bay*, in *North* "*America*," which was passed at the last session of the *British* Parliament, a large and populous town, whose trade was their sole subsistence, was deprived of that trade, and involved in utter ruin. Let us for a while suppose the question of right suspended, in order to examine this Act on principles of justice. An Act of Parliament had been passed, imposing duties on teas, to be paid in *America*, against which Act the *Americans* had protested as inauthoritative. The *East India* Company, who till that time had never sent a pound of tea to *America* on their own account step forth on that occasion, the assertors of Parliamentary right, and send hither many ship loads of that obnoxious commodity. The masters of their several vessels, however, on their arrival in *America*, wisely attended to admonition and returned with their cargoes. In the Province of *New England* alone, the remonstrances of the people were disregarded, and a compliance, after being many days waited for, was flatly refused. Whether in this the master of the vessel was governed by his obstinacy, or his instructions, let those who know, say. There are extraordinary situations which require extraordinary interpositions. An exasperated people who feel that they possess power, are not easily restrained within limits strictly regular. A number of them assembled in the town of *Boston*, threw the tea into the ocean, and dispersed, without doing any other act of violence. If in this they did wrong, they were known, and amenable to the laws of the land, against which it could not be objected that they ever had, in any instance been obstructed or diverted from their regular

* 5 *George* II. † 23 *George* II. chap. 29. ‡ 5 *George* II. chap. 70.
‖ 4 *George* III. chap. 15. § 5 *George* III. chap. 12.

* 6 *George* III. chap. 12. † 7 *George* III.
‡ 7 *George* III. chap. 59. ‖ 14 *George* III.

Digitized by Google

course in favour of popular offenders. They should therefore not have been distrusted on this occasion. But that ill-fated Colony had formerly been bold in their enmities against the House of *Stuart*, and were now devoted to ruin by that unseen hand which governs the momentous affairs of this great Empire. On the partial representations of a few worthless Ministerial dependants, whose constant office it has been to keep that Government embroiled, and who, by their treacheries, hope to obtain the dignity of the *British* knighthood, without calling for the party accused, without asking a proof, without attempting a distinction between the guilty and the innocent, the whole of that ancient and wealthy town, is in a moment reduced from opulence to beggary. Men who had spent their lives in extending the *British* commerce, who had invested in that place the wealth their honest endeavours had merited, found themselves and their families thrown at once on the world for subsistence by its charities. Not the hundreth part of the inhabitants of that town had been concerned in the act complained of, many of them were in *Great Britain* and in other parts beyond sea; yet all were involved in one indiscriminate ruin, by a new Executive power unheard of till then, that of a *British* Parliament. A property, of a value of many millions of money, was sacrificed to revenge, not repay, the loss of a few thousands. This is administering justice with a heavy hand indeed! And when is this tempest to be arrested in its course? Two wharves are to be opened again when his Majesty shall think proper. The residue, which lined the extensive shores of the bay of *Boston*, are forever interdicted the exercise of commerce. This little exception seems to have been thrown in for no other purpose than that of setting a precedent for investing his Majesty with legislative powers. If the pulse of his people shall beat calmly under this experiment, another and another will be tried, till the measure of despotism be filled up. It would be an insult on common sense to pretend that this exception was made in order to restore its commerce to that great town. The trade which cannot be received at two wharves alone, must of necessity be transferred to some other place; to which it will soon be followed by that of the two wharves. Considered in this light, it would be an insolent and cruel mockery at the annihilation of the town of *Boston*.

By the Act* for the suppression of riots and tumults in the town of *Boston*, passed also in the last session of Parliament, a murder committed there is, if the Governour pleases, to be tried in a Court of King's Bench, in the Island of *Great Britain*, by a jury of *Middlesex*. The witnesses too, on receipt of such a sum as the Governour shall think it reasonable for them to expend, are to enter into recognisance to appear at the trial. This is, in other words, taxing them to the amount of their recognisances, and that amount may be whatever a Governour pleases; for who does his Majesty think can be prevailed on to cross the *Atlantic* for the sole purpose of bearing evidence to a fact? His expenses are to be borne, indeed, as they shall be estimated by a Governour; but who are to feed the wife and children whom he leaves behind, and who have had no other subsistence but his daily labour? Those epidemical disorders too, so terrible in a foreign climate, is the cure of them to be estimated among the articles of expense, and their danger to be warded off by the almighty power of Parliament? And the wretched criminal, if he happened to have offended on the *American* side, stripped of his privilege of trial by peers of his vicinage, removed from the place where alone full evidence could be obtained, without money, without counsel, without friends, without exculpatory proof, is tried before judges predetermined to condemn. The cowards who would suffer a countryman to be torn from the bowels of their society, in order to be thus offered a sacrifice to Parliamentary tyranny, would merit that everlasting infamy now fixed on the authors of the Act! A clause † for a similar purpose had been introduced into an Act passed in the twelfth year of his Majesty's reign, entitled, "An Act for the better securing and "preserving his Majesty's dockyards, magazines, ships, "ammunition, and stores," against which, as meriting the same censures, the several Colonies have already protested.

That these are Acts of power, assumed by a body of men, foreign to our Constitutions, and unacknowledged by our laws, against which we do, on behalf of the inhabitants of *British America*, enter this our solemn and determined Protest; and that we do earnestly entreat his Majesty, as yet the only mediatory power between the several states of the *British* Empire, to recommend to his Parliament of *Great Britain* the total revocation of those Acts, which however nugatory they may be, may yet prove the cause of further discontents and jealousies among us.

That we next proceed to consider the conduct of his Majesty as holding the Executive powers of the laws of these States; and mark out his deviations from the line of duty. By the Constitution of *Great Britain*, as well as the several *American* States, his Majesty possesses the power of refusing to pass into a law any Bill which has already passed the other two branches of Legislature. His Majesty, however, and his ancestors, conscious of the impropriety of opposing their single opinion to the united wisdom of the two Houses of Parliament, while their proceedings were unbiased by interested principles, for several ages past, have modestly declined the exercise of this power in that part of his Empire called *Great Britain*. But by change of circumstances other principles than those of justice simply, have obtained an influence on their determinations; the addition of new states to the *British* Empire has produced an addition of new, and sometimes, opposite interests. It is now, therefore, the great office of his Majesty to resume the exercise of his negative power, and to prevent the passing of laws by any one Legislature of the Empire, which might bear injuriously on the rights and interests of another. Yet this will not excuse the wanton exercise of this power, which we have seen his Majesty practice on the laws of the *American* Legislatures. For the most trifling reasons, and sometimes for no conceivable reason at all, his Majesty has rejected laws of the most salutary tendency. The abolition of domestick slavery is the greatest object of desire in those Colonies, where it was unhappily introduced in their infant state. But previous to the enfranchisement of the slaves we have, it is necessary to exclude all further importations from *Africa*. Yet our repeated attempts to effect this by prohibitions, and by imposing duties which might amount to a prohibition, have been hitherto defeated by his Majesty's negative. Thus preferring the immediate advantages of a few *African* corsairs to the lasting interests of the *American* States, and to the rights of human nature, deeply wounded by this infamous practice. Nay, the single interposition of an interested individual, against a law, was scarcely ever known to fail of success, though in the opposite scale were placed the interests of a whole country. That this is so shameful an abuse of a power trusted with his Majesty for other purposes, as if not reformed, would call for some legal restrictions.

With equal inattention to the necessities of his people here, has his Majesty permitted our laws to lie neglected in *England* for years, neither confirming them by his assent nor annulling them by his negative; so that such of them as have no suspending clause, we hold on the most precarious of all tenures, his Majesty's will, and such of them as suspend themselves till his Majesty's assent be obtained, we have feared might be called into existence at some future and distant period, when time and change of circumstances shall have rendered them destructive to his people here. And to render this grievance still more oppressive, his Majesty, by his instructions, have laid his Governours under such restrictions that they can pass no law of any moment, unless it have such suspending clause; so that, however immediate may be the call for Legislative interposition, the law cannot be executed till it has twice crossed the *Atlantic*, by which time the evil may have spent its whole force.

But in what terms, reconcileable to Majesty, and at the same time to truth, shall we speak of a late instruction to his Majesty's Governour of the Colony of *Virginia*, by which he is forbidden to assent to any law for the division of a county, unless the new county will consent to have no Representative in Assembly? That Colony has as yet fixed no boundary to the Westward. Their Western counties, therefore, are of indefinite extent, some of them are actually seated many hundred miles from their Eastern limits. Is it possible, then, that his Majesty can have bestowed a

* 14 *George* III. † 12 *George* III. chap. 24.

Digitized by Google

single thought on the situation of those people, who, in order to obtain justice for injuries, however great or small, must, by the laws of that Colony, attend their County Court, at such a distance, with all their witnesses, monthly, till their litigation be determined? Or, does his Majesty seriously wish, and publish it to the world, that his subjects should give up the glorious right of representation, with all the benefits derived from that, and submit themselves the absolute slaves of his sovereign will? Or, is it rather meant to confine the Legislative body to their present numbers, that they may be the cheaper bargain whenever they shall become worth a purchase.

One of the articles of impeachment against *Tresilian*, and the other Judges of *Westminster Hall*, in the reign of *Richard* the Second, for which they suffered death as traitors to their country, was, that they advised the King that he might dissolve his Parliament at any time; and succeeding Kings have adopted the opinion of these unjust Judges. Since the establishment, however, of the *British* Constitution, at the glorious Revolution, on its free and ancient principles, neither his Majesty, nor his ancestors, have exercised such a power of dissolution in the Island of *Great Britain;* and when his Majesty was petitioned by the united voice of his people there, to dissolve the present Parliament, who had become obnoxious to them, his Ministers were heard to declare in open Parliament, that his Majesty possessed no such power by the Constitution. But how different their language and his practice here! To declare, as their duty required, the known rights of their country, to oppose the usurpations of every foreign judicature, to disregard the imperious mandates of a Minister or Governour, have been the avowed causes of dissolving Houses of Representatives in *America*. But if such powers be really vested in his Majesty, can he suppose they are there placed to awe the Members from such purposes as these? When the representative body have lost the confidence of their constituents, when they have notoriously made sale of their most valuable rights, when they have assumed to themselves powers which the people never put into their hands, then, indeed, their continuing in office becomes dangerous to the state, and calls for an exercise of the power of dissolution. Such being the causes for which the representative body should, and should not, be dissolved, will it not appear strange to an unbiassed observer that that of *Great Britain* was not dissolved, while those of the Colonies have repeatedly incurred that sentence?

But your Majesty, or your Governours, have carried this power beyond every limit known, or provided for, by the laws. After dissolving one House of Representatives they have refused to call another, so that for a great length of time, the Legislature, provided by the laws, has been out of existence. From the nature of things, every society must at all times possess within itself the sovereign powers of legislation. The feelings of human nature revolt against the supposition of a state so situated as that it may not in any emergency provide against dangers which perhaps threaten immediate ruin. While those bodies are in existence, to whom the people have delegated the powers of legislation, they alone possess and may exercise those powers; but when they are dissolved, by the lopping off one or more of their branches, the power reverts to the people, who may exercise it to unlimited extent, either in assembling together in person, sending Deputies, or in any other way they may think proper. We forbear to trace consequences any further; the dangers are conspicuous with which this practice is replete.

That we shall at this time also take notice of an errour in the nature of our landholdings, which crept in at a very early period of our settlement. The introduction of the feudal tenures into the Kingdom of *England*, though ancient, is well enough understood to set this matter in a proper light. In the earlier ages of the *Saxon* settlement, feudal holdings were certainly altogether unknown, and very few, if any, had been introduced at the time of the *Norman* conquest. Our *Saxon* ancestors held their lands, as they did their personal property, in absolute dominion, disencumbered with any superiour, answering nearly to the nature of those possessions which the feudalists term allodial. *William*, the *Norman*, first introduced that system generally. The lands which had belonged to those who fell in the battle of *Hastings*, and in the subsequent insurrections of his reign, formed a considerable proportion of the lands of the whole Kingdom. These he granted out, subject to feudal duties, as did he also those of a great number of his new subjects, who, by persuasions or threats, were induced to surrender them for that purpose. But still much was left in the hands of his *Saxon* subjects, held of no superiour, and not subject to feudal conditions. These, therefore, by express laws, enacted to render uniform the system of military defence were made liable to the same military duties, as if they had been feuds; and the *Norman* lawyers soon found means to saddle them also with all other feudal burdens. But still they had not been surrendered to the King; they were not derived from his grant, and, therefore, they were not holden of him. A general principle indeed was introduced, that "all lands in "*England* were held either mediately or immediately of "the Crown;" but this was borrowed from those holdings which were truly feudal, and only applied to others for the purposes of illustration. Feudal holdings were, therefore, but exceptions out of the *Saxon* laws of possession, under which all lands were held in absolute right. These, therefore, still form the basis, or ground-work, of the common law, to prevail wheresoever the exceptions have not taken place. *America* was not conquered by *William*, the *Norman*, nor its lands surrendered to him, or any of his successors. Possessions there are undoubtedly of the allodial nature. Our ancestors, however, who migrated hither, were farmers, not lawyers. The fictitious principle that all lands belong originally to the King, they were early persuaded to believe real; and accordingly took grants of their own lands from the Crown. And while the Crown continued to grant for small sums, and on reasonable rents, there was no inducement to arrest the errour, and lay it open to the publick view. But his Majesty has lately taken on him to advance the terms of purchase, and of holding to the double of what they were, by which means the acquisition of lands being rendered difficult, the population of our country is likely to be checked. It is time, therefore, for us to lay this matter before his Majesty, and to declare that he has no right to grant lands of himself. From the nature and purposes of civil institutions, all the lands within the limits which any particular society has circumscribed around itself are assumed by that society, and subject to their allotment only. This may be done by themselves assembled collectively, or by their Legislature, to whom they have delegated sovereign authority; and if they are allotted in neither of these ways, each individual of the society may appropriate to himself such lands as he finds vacant, and occupancy will give him title.

That in order to enforce the arbitrary measures before complained of, his Majesty has, from time to time, sent among us large bodies of armed forces, not made up of the people here, not raised by the authority of our laws. Did his Majesty possess such a right as this, it might swallow up all our other rights whenever he should think proper. But his Majesty has no right to land a single armed man on our shores, and those whom he sends here are liable to our laws made for the suppression and punishment of riots, routs, and unlawful assemblies; or are hostile bodies, invading us in defiance of law. When in the course of the late war it became expedient that a body of *Hanoverian* troops should be brought over for the defence of *Great Britain*, his Majesty's grandfather, our late Sovereign, did not pretend to introduce them under any authority he possessed. Such a measure would have given just alarm to his subjects in *Great Britain*, whose liberties would not be safe if armed men of another country, and of another spirit, might be brought into the Realm at any time without the consent of their Legislature. He, therefore, applied to Parliament, who passed an Act for that purpose, limiting the number to be brought in, and the time they were to continue. In like manner is his Majesty restrained in every part of the Empire. He possesses indeed, the Executive power of the laws in every state, but they are the laws of the particular state, which he is to administer within that state, and not those of any one within the limits of another. Every state must judge for itself the number of armed men which they may safely trust among them, of whom they are to consist, and under what restrictions they shall be laid.

To render these proceedings still more criminal against our laws, instead of subjecting the military to the civil

Digitized by Google

powers, his Majesty has expressly made the civil subordinate to the military. But can his Majesty thus put down all law under his feet? Can he erect a power superiour to that which erected himself? He has done it indeed by force, but let him remember that force cannot give right.

That these are our grievances, which we have thus laid before his Majesty, with that freedom of language and sentiment which becomes a free people claiming their rights as derived from the laws of nature, and not as the gift of their Chief Magistrate. Let those flatter who fear, it is not an *American* art. To give praise which is not due might be well from the venal, but would ill beseem those who are asserting the rights of human nature. They know, and will therefore say, that Kings are the servants, not the proprietors of the people. Open your breast, sire, to liberal and expanded thought. Let not the name of *George* the Third be a blot in the page of history. You are surrounded by *British* counsellors, but remember they are parties. You have no Ministers for *American* affairs, because you have none taken from among us, nor amenable to the laws on which they are to give you advice. It behooves you, therefore, to think and to act for yourself and your people. The great principles of right and wrong are legible to every reader; to pursue them requires not the aid of many counsellors. The whole art of Government consists in the art of being honest; only aim to do your duty, and mankind will give you credit where you fail. No longer persevere in sacrificing the rights of one part of the Empire to the inordinate desires of another; but deal out to all equal and impartial right. Let no Act be passed by any one Legislature which may infringe on the rights and liberties of another. This is the important post in which fortune has placed you, holding the balance of a great, if a well poised Empire.

This, sire, is the advice of your great *American* Council, on the observance of which may perhaps depend your felicity and future fame, and the preservation of that harmony which alone can continue, both to *Great Britain* and *America*, the reciprocal advantages of their connection. It is neither our wish nor our interest to separate from her. We are willing, on our part, to sacrifice every thing which reason can ask, to the restoration of that tranquillity for which all must wish. On their part let them be ready to establish union and a generous plan. Let them name their terms, but let them be just. Accept of every commercial preference it is in our power to give, for such things as we can raise for their use, or they make for ours. But let them not think to exclude us from going to other markets to dispose of those commodities which they cannot use, or to supply those wants which they cannot supply. Still less let it be proposed that our properties, within our own Territories, shall be taxed or regulated by any power on earth but our own. The *God* who gave us life gave us liberty at the same time; the hand of force may destroy but cannot disjoin them. This, sire, is our last, our determined resolution; and that you will be pleased to interpose with that efficacy which your earnest endeavours may ensure, to procure redress of these our great grievances; to quiet the minds of your subjects in *British America*, against any apprehensions of future encroachment; to establish fraternal love and harmony through the whole Empire, and that these may continue to the latest ages of time is the fervent prayer of all *British America*.

GEORGIA.

By his Excellency Sir JAMES WRIGHT, *Baronet, Captain-General, Governour and Commander-in-chief of his Majesty's Province of* GEORGIA, *Chancellor, Vice Admiral, and Ordinary of the same:*

A PROCLAMATION.

Whereas, I have received information, that on *Wednesday* the 27th day of *July* last past, a number of persons, in consequence of a printed Bill or Summons, issued or dispersed throughout the Province, by certain persons unknown, did unlawfully assemble together at the Watch-house in the town of *Savannah*, under colour or pretence of consulting together for the redress of publick grievances, or imaginary grievances; and that the persons so assembled for the purposes aforesaid, or some of them, are from and by their own authority, by a certain other hand-bill issued and dispersed throughout the Province, and other methods, endeavouring to prevail on his Majesty's liege subjects to have another meeting on *Wednesday* the 10th instant, similar to the former, and for the purposes aforesaid; which summonses and meetings must tend to raise fears and jealousies in the minds of his Majesty's good subjects. And whereas an opinion prevails and has been industriously propagated, that summonses and meetings of this nature are constitutional and legal; in order therefore that his Majesty's liege subjects may not be misled and imposed upon by artful and designing men, I do, by and with the advice of his Majesty's honourable Council, issue this my Proclamation, notifying that all such summonses and calls by private persons, and all assembling and meetings of the people, which may tend to raise fears and jealousies in the minds of his Majesty's subjects, under pretence of consulting together for redress of publick grievances, or imaginary grievances, are unconstitutional, illegal, and punishable by law. And I do hereby require all his Majesty's liege subjects within this Province to pay due regard to this my Proclamation, as they will answer the contrary at their peril.

Given under my hand this fifth day of *August*, &c.,
JAMES WRIGHT.

By his Excellency's command,
THOMAS MOODIE, *Deputy Secretary.*
GOD *save the King.*

GEORGIA RESOLUTIONS.

Resolutions entered into at *Savannah*, in *Georgia*, on *Wednesday* the 10th day of *August*, 1774, at a General Meeting of the Inhabitants of the Province, assembled to consider the state of the Colonies in *America:*

Resolved, nemine contradicente, That his Majesty's subjects in *America* owe the same allegiance and are entitled to the same rights, privileges, and immunities with their fellow-subjects in *Great Britain*.

Resolved, nemine contradicente, That as protection and allegiance are reciprocal, and under the *British* Constitution, correlative terms, his Majesty's liege subjects in *America* have a clear and indisputable right, as well from the general laws of mankind, as from the ancient and established customs of the land, so often recognised, to petition the Throne upon every emergency.

Resolved, nemine contradicente, That an Act of Parliament, lately passed, for blockading the port and harbour of *Boston*, is contrary to our idea of the *British* Constitution: First, for that it in effect deprives good and lawful men of the use of their property without judgment of their peers; and secondly, for that it is in nature of an *ex-post-facto* law, and indiscriminately blends as objects of punishment the innocent with the guilty; neither do we conceive the same justified upon a principle of necessity; for that numerous instances evince that the laws and executive power of *Boston* have made sufficient provision for the punishment of all offenders against persons and property.

Resolved, nemine contradicente, That the Act for abolishing the Charter of *Massachusetts Bay*, tends to the subversion of *American* rights; for, besides those general liberties the original settlers brought over with them as their birthright, particular immunities were granted by such Charter as an inducement and means of settling the Province; and we apprehend the said Charter cannot be dissolved but by a voluntary surrender of the people, representatively declared.

Resolved, nemine contradicente, That we apprehend the Parliament of *Great Britain* hath not, nor ever had, any right to tax his Majesty's *American* subjects; for it is evident beyond contradiction the Constitution admits of no taxation without representation; that they are coeval and inseparable; and every demand for the support of Government should be by requisition made to the several Houses of Representatives.

Resolved, nemine contradicente, That it is contrary to natural justice, and the established law of the land, to transport any person to *Great Britain*, or elsewhere, to be tried under indictment for a crime committed in any of the Colonies, as the party prosecuted would thereby be deprived of the privilege of trial by his peers from the vicinage,

Digitized by Google

the injured perhaps prevented from legal reparation, and both lose the full benefit of their witnesses.

Resolved, nemine contradicente, That we will concur with our sister Colonies in every constitutional measure to obtain redress of *American* grievances, and will by every lawful means in our power maintain those inestimable blessings for which we are indebted to *God* and the Constitution of our country—a Constitution founded upon reason and justice, and the indelible rights of mankind.

Resolved, nemine contradicente, That the Committee appointed by the meeting of the inhabitants of this Province on *Wednesday* the 27th of *July* last, together with the Deputies who have appeared here on this day from the different Parishes, be a General Committee to act; and that any eleven or more of them shall have full power to correspond with the Committees of the several Provinces upon the Continent; and that copies of these resolutions, as well as all other proceedings, be transmitted without delay to the Committees of Correspondence in the respective Provinces.

A Committee was appointed to receive subscriptions for the suffering poor of *Boston*, consisting of *William Ewen, William Young, Joseph Clay, John Houstoun, Noble Wimberly Jones, Edward Telfair, John Smith, Samuel Farley*, and *Andrew Elton Wells*, Esquires.

EXTRACT OF A LETTER DATED LONDON, AUGUST 10, 1774.

This being the time of recess from publick business, little is stirring in the political hemisphere; but to shew that your friends here are not idle, a pamphlet is enclosed, which is now circulating in this Kingdom. The spirit which has appeared in all *America* has given much uneasiness to our wicked Ministers, and I conjecture they will, by their wicked emissaries, try every expedient to bring about a disunion among you, when the Congress meets; therefore, with much circumspection, you should watch their motions, and take all possible precaution to defeat their attempts. It appears to me the greatest stake that ever was played for; no less than whether the *Americans*, and their endless generations, shall enjoy the common rights of mankind, or be worse than Eastern slaves. The trial must now come to issue, as open war is declared by the *Boston* Port Act; the others, for altering your Charter, and licensing the soldiery and Custom House Officers in murder and bloodshed; and above all, by the *Quebec* Bill.

These are the fruits of the seeds that have been sowing ever since 1764; therefore it will be necessary in your Bill of Rights, which it appears the Congress is to draw up, to specify every oppressive Act of Parliament since that period, and if that is done with decency and manly firmness, I think Lord *Chatham* and his friends will support it, thought it is by no means prudent to rely over much on any support on this side the water; your chief confidence must be in your own virtue, unanimity and steadiness; temper and resolution must be joined. When your Bill of Rights is agreed on, the great consideration will be how to get it confirmed here. Was the Congress composed of Deputies, regularly authorized by the Assemblies of each Province, it might be proper to have it presented to the King, by a Deputy, as an ambassador from every Colony; but as the Congress will not be so constituted, your Bill will not be received through such a medium; therefore, I suppose it must go through the old channel of the agents.

But this I would have you rely on as a thing of absolute certainty, that your Bill or Petition will not be in the least regarded, unless you can compel the merchants, manufacturers, and people of *England*, to join you. For this end I know of no possible means but immediately to stop all commerce with this country, both exports and imports, which plan must be steadily and with the strictest faith adhered to, until you have obtained redress. The want of *American* naval stores, particularly pitch, tar, and turpentine, would be most sensibly felt here immediately; tobacco alone yields above £500,000, to the revenue, which deficiency it would puzzle the Ministers in the extreme to make good.

Your Province will surely be wise and prudent enough not to enter into any violent measures without the strictest concert with the other Colonies, particularly *Maryland, Virginia*, and the *Carolinas*, because upon them depend the whole effect of the *American* non-exportation. The Northern Colonies have all the *European* markets almost for their exports; but those Colonies have hardly any but the *English* markets for their chief exports, which are tobacco and naval stores; therefore it will require your greatest address to get them to join in the non-exportation as well as the non-importation, for I am well convinced that the latter without the former will not avail, nor indeed will they both do, unless put in immediate practice; for if you lose the present crisis, the new House of Commons will be modelled in a year's time to the Ministerial mould, and *Carleton* will have forwarded the plan of the *Quebec* Bill, so that any resistance you can make then will be fruitless; whereas if all commerce is immediately stopped, the intelligence will be known over the whole Kingdom in the winter, when we are in the height of a general election, and then will be the best time that can be wished for the people at large to convince the candidates to serve in Parliament of the necessity there is to do you justice, by repealing all the late wicked Acts; and I think it more than probable that in such an event it would be made a stipulation with the candidates that they should use their utmost efforts to obtain a total repeal of all the oppressive Acts that you complain of. You must make the merchants feel before they will stir for you, as their conduct respecting the *Boston* Port Bill sufficiently evinces.

POUGHKEEPSIE (NEW-YORK) RESOLUTIONS.

At a Meeting of the Freeholders and Inhabitants of *Poughkeepsie* Precinct, in *Dutchess* County, in consequence of an advertisement of the Supervisor of said Precinct, on the 10th of *August*, 1774:

ZEPHANIAH PLATT, *Chairman*.

The question was put, "Whether we will choose a Committee agreeable to a request contained in a Letter from "Mr. *Isaac Low*, Chairman of the Committee of Correspondence in *New-York*?"

Which was carried in the Negative.

The following Resolves were then unanimously entered into:

1st. *Resolved*, That although the members of this meeting (and they are persuaded the inhabitants of *America* in general) are firm and unshaken in their allegiance to his Majesty King *George*, and are entirely averse to breaking their connection with the mother country, yet they think it necessary to declare, that they agree fully in opinion with the many respectable bodies who have already published their sentiments, in declaring that the unlimited right claimed by the *British* Parliament, in which we neither are, or can be represented, of making laws of every kind to be binding on the Colonies, particularly of imposing taxes, whatever may be the name or form under which they are attempted to be introduced, is contrary to the spirit of the *British* Constitution, and consequently inconsistent with that liberty which we, as *British* subjects, have a right to claim, and, therefore,

2d. *Resolved*, That it is the opinion of this meeting that letters of Instruction be directed to the Members of the General Assembly for the County of *Dutchess*, desiring that at the next meeting of the General Assembly for the Province of *New-York*, they will lay before that honourable House the dangerous consequences flowing from several late Acts of the *British* Parliament imposing duties and taxes on the *British* Colonies in *America*, for the sole purpose of raising a revenue, and that they use their influence in the said House, and with the several branches of the Legislature, to lay before his Majesty an humble Petition and Remonstrance, setting forth the state of our several grievances, and praying his Royal interposition for a repeal of the said Acts.

3d. *Resolved*, That it is the opinion of this meeting, that they ought, and are willing to bear and pay such part and proportion of the national expenses as their circumstances will admit of, in such manner and form as the General Assembly of this Province shall think proper; and that like sentiments, adopted by the Legislatures of the other Colonies, will have a tendency to conciliate the affections of the mother country and the Colonies, upon which their mutual happiness, we conceive, principally depends.

Digitized by Google

Ordered, That the Chairman of this meeting forward a copy of these our proceedings to the Chairman of the Committee of Correspondence in *New-York*, as also a copy to one of the Printers of the public papers in *New-York*, to be forthwith published.

By order of the Meeting,

JOHN DAVIS, *Clerk*.

RYE (NEW-YORK) RESOLUTIONS.

On the 10th day of *August*, 1774, the Freeholders and Inhabitants of the township of *Rye*, made choice of *John Thomas*, jun. Esquire, *James Horton*, jun. Esquire; *Robert Bloomer*, *Zeno Carpenter*, and *Ebenezer Haviland*, for a Committee to consult and determine with the Committees of the other towns and districts in the County of *West Chester*, upon the expediency of sending one or more Delegates to Congress to be held in *Philadelphia* on the first day of *September* next. The Committee after making choice of *Ebenezer Haviland*, Chairman, expressed their sentiments and resolutions in the following manner, which were unanimously approved of:

This meeting being greatly alarmed at the late proceedings of the *British* Parliament, in order to raise a revenue in *America*, and considering their late most cruel, unjust, and unwarrantable Act for blocking up the port of *Boston*, having a direct tendency to deprive a free people of their most valuable rights and privileges, an introduction to subjugate the inhabitants of the *English* Colonies, and render them vassals to the *British* House of Commons:

Resolve, 1st. That they think it their greatest happiness to live under the illustrious House of *Hanover*, and that they will steadfastly and uniformly bear true and faithful allegiance to his Majesty King *George* the Third, under the enjoyment of their constitutional rights and privileges as fellow-subjects, with those in *England*.

2d. That we conceive it a fundamental part of the *British* Constitution that no man shall be taxed but by his own consent, or that of his Representatives in Parliament; and as we are by no means represented, we consider all Acts of Parliament imposing taxes on the Colonies, an undue exertion of power, and subversive of one of the most valuable privileges of the *English* Constitution.

3d. That it is the opinion of this meeting, that the Act of Parliament for shutting up the port of *Boston*, and divesting some of the inhabitants of private property, is a most unparalleled, rigorous, and unjust piece of cruelty and despotism.

4th. That unanimity and firmness of measures in the Colonies are the most effectual means to secure the invaded rights and privileges of *America*, and to avoid the impending ruin which now threatens this once happy country.

5th. That the most effectual mode of redressing our grievances will be by general Congress of Delegates from the different Colonies; and that we are willing to abide by such measures as they in their wisdom shall consider necessary to be adopted on that important occasion.

By order of the Committee,

EBENEZER HAVILAND, *Chairman*.

The Committee for the town of *Rye* will meet the Committees of the other towns and districts in the County of *West Chester*, on *Monday*, the 22d day of this instant, at the Court House in the *White Plains*, to return an answer to a Letter from Mr. *Isaac Low*, Chairman of the Committee of Correspondence in *New-York*.

CHARLES COUNTY (MARYLAND) COMMITTEE.

Annapolis, August 11th, 1774.

The Committee of *Charles* County having notice of the arrival of the brigantine *Mary* and *Jane*, Captain *George Chapman*, master, in *St. Mary's* river, *St. Mary's* County, from *London*, with tea subject to the payment of *American* duty, part of which the Committee suspected was designed to be landed in this county, requested Captain *Chapman*, (then in *Charles* County) to attend the meeting of the said Committee; in consequence whereof the Captain attended, and gave information that a quantity of tea was shipped on board his brig at *London*, on the 20th of *May* last, whereof two chests were consigned to Mr. *Robert Findlay*, merchant in *Bladensburg*; one chest to Mr. *Robert Peter*, of *Georgetown*, merchant; and the remainder to sundry merchants in *Norfolk*, *Virginia*; that the consigners of the said tea, before the shipping thereof, were acquainted with the passing the *Boston* Port Bill, and also of the sense of *America* respecting the consequences of receiving tea subject to duty imposed by the *British* Parliament, payable in *America* for the purpose of revenue; that he had received the duty in *London* for the tea consigned to Mr. *Findlay*, with direction to pay the same to the collector here on his arrival, but that no money was delivered to him in *London* to pay the duty on the other tea on board his vessel.

Mr. *Robert Findlay*, at the desire of the Committee, also attended; and having fully and satisfactorily exculpated himself of any intention to counteract the resolutions of *America*, by orders for the said tea, the same being sent by him to his correspondents last fall, declared his inclination to do with the tea whatever was thought reasonable by the Committee of this or any other county. The Committee thought proper, as Mr. *Findlay* was concerned in a store kept in *Charles* County, to acquaint him and Captain *Chapman* that the said tea ought not to be landed there, or in any other part of *Maryland*; and that any attempt to land the same in this county, would be opposed by the people thereof, upon which Mr. *Findlay* pledged his word to the Committee that the said tea should not by his order or consent be landed in *America*; but that he would order the same to be sent back to *London*. Captain *Chapman* also promised the Committee that he would return Mr. *Findlay's* tea to *London*, and that he would not land the tea consigned to Mr. *Peter*, but would return the same to *London*, unless Mr. *Peter* demanded it at his vessel's side, of which (if it happens) he promised immediately to inform the Committee of such county as should be most convenient. The Committtee having transmitted intelligence of this transaction to the neighbouring counties, and *Norfolk*, thanked Captain *Chapman* and Mr. *Findlay* for their candid and upright conduct in this affair.

FREDERICK COUNTY (MARYLAND) COMMITTEE.

Certain gentlemen of the Committee of Correspondence for *Frederick* County, having received intelligence from the Committee of *Charles* County, that the brigantine *Mary* and *Jane*, Captain *Chapman*, Commander, was arrived in *Wicomico* from *London*, and that she brought eleven chests of tea destined for *Virginia* and *Maryland*; one chest whereof was addressed to Mr. *Robert Peter*, of *Georgetown*, and another to Mr. *John Ferguson*, of the same place, factor for Messrs. *Findlay* and Company, notice was immediately despatched to other gentlemen of the Committee, and a meeting was accordingly held on the 11th day of *August*, to deliberate what measures should be adopted on the alarming occasion.

Messrs. *Peter* and *Ferguson* were requested to attend. Mr. *Peter* acknowledged, that in consequence of orders communicated some time in *December* last, his chest of tea was shipped, and that he relied on the custom which had constantly prevailed in the Province of *Maryland*, since the partial repeal of the Revenue Act, to screen him from censure, and to justify his conduct in the procedure. At the same time he submitted to the sentiments of the Committee, and declared an entire willingness to abide by their determination.

It was unanimously resolved that the importation of any commodity from *Great Britain*, liable to the payment of a duty imposed by an Act of Parliament, however sanctioned by the practice of a part, or even the whole of the trading part of the community, is in a high degree dangerous to our liberties, as it implies a full assent to the claim asserted by the *British* Parliament, of a right to impose taxes for the purpose of raising a revenue in *America*. Therefore, in order to discourage the pernicious practice, they judged it expedient, that the tea in question should not be landed in *America*, but that it should be sent back in the same ship. Mr. *Peter* readily acquiesced, promising that he would write by the first opportunity, to prevent a delivery of it from the ship; but should it be delivered before the arrival of his orders, he requested instructions how to act, intimating a desire that in such case, it might be stored by any gentleman to be appointed by the Com-

Digitized by Google

mittee; whereupon it was resolved, that in case it should be landed here, and delivered to Messrs. *Thomas Johns*, *William Deakins*, and *Bernard O'Neal*, to wait the future directions of the Committee; Mr. *Peter* assented, and pawned his honour for the faithful performance of his engagements.

Mr. *Ferguson* declared, that as the tea addressed to him was the property of other gentlemen, he could only engage that should he receive it, he would immediately deliver it to the above mentioned gentlemen, Messrs. *Johns*, *Deakins*, and *O'Neal*, to be at the disposal of the Committee. This was likewise deemed satisfactory, and then Messrs. *Peter* and *Ferguson* were dismissed with thanks for their candid and disinterested behaviour.

The Committee having been informed that Mr. *Thomas Richardson*, of *Georgetown*, had just received a quantity of tea immediately from *Philadelphia*, he was sent for, and acknowledged that he had received about one hundred pounds weight, which he was ready and willing to deliver to any persons the Committee should appoint, to be safely stored until further deliberation; his proposition was accepted; his conduct highly commended; and the tea was, in the presence of the Committee, delivered to the above mentioned gentlemen, Messrs. *Johns*, *Deakins*, and *O'Neal*.

PROVIDENCE (RHODE ISLAND) TOWN MEETING.

At a Town Meeting held at *Providence, Rhode Island*, convened by warrant, on the 12th day of *August*, 1774:

BENJAMIN MAN, Esquire, *Moderator*.

Instructions to the Deputies of this Town in General Assembly.

GENTLEMEN: The sufferings and distresses of the people of the town of *Boston*, occasioned by a relentless execution of that cruel edict for blocking up the port, awakens our attention and excites our compassion. Their cause is our cause; and unless aid and succour be afforded them, they may be discouraged into a hurtful submission, and Ministerial vengeance may next be directed against this Colony, and in the end alight upon all. You are therefore requested to use your endeavours at the next session of the General Assembly, to procure a grant to be made from this Colony of such sum of money as they may think fit, towards relieving and mitigating the difficulties and distresses which that town must experience from the operation of that most unrighteous inhibition, the hostile manner of carrying the same into force, and a general arrest of their liberties.

Permit us to observe, that in doing this it will be evidenced, that as a community, we would do unto others as we would that they should do unto us in a like circumstance; and that it will be a greater testimony of unanimity in the general concernments of *America* in this day of struggle and danger, than private contributions, and far more equal.

NORTH CAROLINA.

At a Privy Council held at *Newbern*, the 12th *August*, 1774, Present: His Excellency the Governour, the Honourable *James Hasell*, *Lewis H. De Rossett*, *John Sampson*, *William Dry*, and *Samuel Cornell*, Esquires.

His Excellency the Governour addressed the Honourable Members of this Board, as follows:

Gentlemen of his Majesty's Council:

I have heard, with the greatest concern, and I have read in publick newspapers and handbills, of invitations to the people in the several counties and towns of this Province to meet together to express their sentiments on Acts lately passed by the Parliament of *Great Britain*, and to appoint Deputies to attend, on their behalf, (with powers obligatory of the future conduct of the inhabitants of this Province) at a meeting that I understand is to be held here on the 25th instant. I also find that meetings of the freeholders and inhabitants have been accordingly already held in some places, at which resolves have been entered into derogatory to the dignity of his Majesty and his Parliament, and tending to excite clamour and discontent among the King's subjects in this Province. Under these circumstances, gentlemen, I consider it my indispensable duty to his Majesty and this country to advise with you the measures most proper to be taken to discourage or prevent these assemblies of the people, which are so inconsistent with the peace and good order of this Government; whose professed purposes will appear, at least, highly indecent, and have an evident tendency to draw his Majesty's displeasure on this Province, already labouring under the most grievous and disgraceful circumstances for want of a just and effectual civil polity.

The Council desired to take time maturely to consider the subject of the above Address till to-morrow morning.

The Governour finding that, during the absence of Mr. *Howard*, the circumstances of things rendered the temporary appointment of a Chief Justice necessary, recommended the Honourable Mr. *Hasell* for such appointment, who was unanimously approved.

At a Privy Council held at *Newbern*, 13th of *August*, 1774, Present: His Excellency the Governour, the Honourable *James Hasell*, *Lewis H. De Rossett*, *John Sampson*, *William Dry*, and *Samuel Cornell*, Esquires.

The Members of the Council having maturely considered the matters laid before them yesterday by the Governour, unanimously concurred in advice to his Excellency to issue a Proclamation forthwith, to discourage and prevent the meetings and assemblies of the people of this Province, mentioned in the Governour's Address of yesterday, and that they do not discern that any other measures can be properly taken on the occasion at present.

North Carolina, ss.

By his Excellency JOSIAH MARTIN, *Esquire, Captain-General, Governour, and Commander-in-chief in and over the said Province:*

A PROCLAMATION.

Whereas it appears to me that Meetings and Assemblies of the Inhabitants of this Province have been, in some of the counties and towns thereof, already held, and are in others appointed to be held, without any legal authority, and that Resolves have been entered into, and plans concerted, (in such meetings as are passed) derogatory to his Majesty and the Parliament of *Great Britain*, and that there is reason to apprehend the same inflammatory, disloyal, and indecent measures may be adopted in such future assemblies, inconsistent with the peace and good order of this Government, and tending to excite clamour and discontent among his Majesty's subjects in this Province. I have thought fit, with the advice and consent of his Majesty's Council, to issue this Proclamation, to discourage, as much as possible, proceedings so illegal and unwarrantable in their nature, and in their effect so obviously injurious to the welfare of this country. And to this end I do hereby strictly require and enjoin, on their allegiance, all and every his Majesty's subjects to forbear to attend at any such illegal Meetings, and that they do discourage and prevent the same by all and every means in their power, and more particularly that they do forbear to attend, and prevent, as far as in them lies, the meeting of certain Deputies said to be appointed to be held at *Newbern* on the 25th instant. And I do more especially charge, require, and command all and every his Majesty's Justices of the Peace, Sheriffs, and other Officers, to be aiding and assisting herein to the utmost of their power.

Given under my hand and the great seal of the said Province, at *Newbern*, the 13th day of *August*, 1774, and in the fourteenth year of his Majesty's reign.

JO. MARTIN.

GOD *save the King*.

At a Council held at *Newbern*, the 25th *August*, 1774, Present: His Excellency the Governour, the Honourable *James Hasell*, *John Rutherford*, *Lewis H. De Rossett*, *John Sampson*, *William Dry*, and *Samuel Cornell*, Esquires.

The Governour signified to the Board that this was the day appointed for the Meeting of certain persons called

Digitized by Google

Deputies, from the several counties and towns of the Province, at this place, and that many of them were accordingly come to town; and he desired the advice of the Council whether he could take any further measures than those he had taken pursuant to their advice on the 13th instant; when, they were unanimously of opinion that no other steps could be properly taken at this conjuncture.

LETTER FROM COLONEL WILLIAM PRESTON, DATED FINCASTLE, AUGUST 13, 1774.

DEAR SIR: I received your favour, by *Thomas Edger*, with the papers, for which I am much obliged to you. In return, please to accept of the following intelligence from the frontiers, which, if necessary, may be supported by the most indubitable authority.

The murder of Mr. *Russell* and five of his companions, last Fall, at no great distance from our settlements, you have already heard of. It has since appeared that the assassins were not *Cherokees*, as was then thought, but a party belonging to some of the Northern tribes. Two persons, called *Cochran* and *Foley*, and three men in company with one *Hayes*, were killed about the same time.

In the course of this summer a number of our people have been killed and captivated by the Northern *Indians*, particularly Mr. *Thomas Hogg*, and two men near the mouth of the *Great Kenhawa*; *Walter Kelly*, with three or four other persons, below the falls of that river; *William Kelly*, on *Muddy* Creek, a branch of *Greenbrier*, and a young woman at the same time made prisoner. One of the scouts, called *Shockley*, was lately shot in this county; and on *Sunday*, the 7th of this instant, a party attacked three families at the house of one *Laybrook*, about fifteen miles from this place. Old *Laybrook* was wounded in the arm; three of his children, (one of them a sucking infant) a young woman, the daugher of one *Scott*, and a child of one widow *Snyde*, were killed. They scalped the children, all but one, and mangled them in a most cruel manner. Three boys were made prisoners, two of whom made their escape the *Wednesday* following, and were found in the woods by the scouts. The *Indians* were immediately pursued by several parties of militia, but they took such precaution in travelling that it was impossible to find their track. Sundry other people have also been murdered along the frontier parts of the neighbouring counties. The inhabitants of *Fincastle*, except those on *Holstein*, are chiefly gathered into small forts, also great numbers in *Botetourt*; as *Indians* are frequently seen, and their signs discovered, in the interiour parts of both counties.

Such is the unhappy situation of the people that they cannot attend their plantations, nor is it in the power of the scouts and parties on duty to investigate the inroads of the enemy, as they come in small parties, and travel among the mountains with so much caution. About the last of *July*, one *Knox*, who went to the *Ohio* with the Surveyors in the Spring, reached this settlement, and gives the following intelligence: That, on the 13th of *June*, one *Jacob Lewis* departed from the camp, on *Salt* River, in the morning to hunt, and has never been heard of since; that on the 8th of *July*, being at the said camp, about one hundred miles from the *Ohio*, and nearly opposite to the Falls, he, with nine others, were surprised and fired upon by a party of about twenty *Indians*; that two men were killed on the spot, viz: *James Hamilton*, from *Fredericksburg*, and *James Cowan*, from *Pennsylvania*; and as the enemy rushed upon them before it was possible to put themselves in any posture of defence, they were obliged to abandon their camp, and make their escape to a party of thirty-five men who were then in that neighbourhood. Next day the whole, being forty-three men in number, after burying the dead, set out for the settlement on *Clinch* River, where they arrived the 29th, after making several discoveries of the enemy on the way.

This day Captain *Floyd*, one of the Surveyors, reached this place with the news that on the 8th of *July* he and three others parted with fourteen men who were also engaged in the surveying business, and went about twenty miles from them to finish his part of the work, and that they were to meet on the first of *August*, at a place on *Kentucky*, known by the name of the *Cabin*, in order to proceed on their journey homeward. On the 24th of *July*, Captain *Floyd*, with his three men, repaired to the place appointed, where he found that part, and perhaps all the rest of the company, had assembled according to agreement, but had gone off in the greatest precipitation, leaving him only this notice, written on a tree, "alarmed by finding some people killed, we are gone down;" upon which Captain *Floyd*, with his small party, immediately set out, steering for our settlements, and after an extreme, painful, and fatiguing journey of sixteen days, through mountains almost inaccessible, and ways unknown, he at last arrived on *Clinch* River, near Captain *Russell's* fort.

Captain *Floyd* does not well understand the notice left him on the tree, whether part of the company had assembled at the *Cabin*, and that they were gone down to the camp, where he parted with them, in order to warn those who were at work in that neighbourhood of the impending danger, or whether the whole company had not met, and were departed down the *Mississippi*, as several in the company had before proposed returning home that way, with a view both to see the country and avoid the fatigue of returning by land.

For the satisfaction of any gentlemen who may be concerned, the names of the Surveyors and some of the principal persons not yet returned, are inserted, viz: *James Douglass*, *Hancock Taylor*, *and Isaac* * * * * * *, Surveyors; *John Willis*, *Willis Lee*, Captain *John Ashby*, *Abraham Hempenstall*, *William Ballard*, *John Green*, *Lawrence Darnell*, *Mordecai Batson*, *Jacob Sodousky*, *James Strother*, and *John Bell*.

If any thing happens for the future, worthy of notice, you shall be punctually informed of it, by your humble servant, WILLIAM PRESTON.

EXTRACT OF A LETTER FROM SIR JAMES WRIGHT, BART. TO THE EARL OF DARTMOUTH, DATED GEORGIA, 13th AUGUST, 1774.

I am sorry to acquaint your Lordship that there have been two meetings of the *Liberty* folks here, and some Resolutions were drawn up yesterday, but not yet published; the particulars of which, and mode of conduct, I shall fully transmit to your Lordship as soon as may be.

EXTRACT OF A LETTER FROM A GENTLEMAN IN LONDON TO HIS CORRESPONDENT IN WILLIAMSBURG, DATED AUGUST 14, 1774.

If you submit to the last arbitrary and tyrannical Acts of Parliament, relative to *Massachusetts Bay* and *Quebec*, there will not be a set of more abject slaves under Heaven than the *North Americans*. You will be obliged to dig tobacco, iron, and whatever your good and virtuous masters here want.

The Marquis of *Carmarthen*, a puppy just entered into the infernal pack of bloodhounds, said in the House of Commons, *we sent them to those Colonies to labour for us!* And so sure as *England* now exists (it cannot long indeed, in its present state of luxury, debauchery, and villainy) but I say, so long and so sure as it does exist in this state, if the *Americans* now submit, the Charters of all the other Colonies will be attacked, and treated as that of the *Massachusetts Bay* has already been. This is determined, I assure you. They were afraid to attack more than *Boston*, at first, lest it might occasion an union of the Colonies; but *New-York*, *Pennsylvania*, and *South Carolina*, will be struck at, because they refused entrance to the tea; *Connecticut*, *Rhode Island*, and all the old Provinces in *America*, impeached, because their Charters are bad; and among the rest, *Virginia* will be included, especially as you dared to go to prayers and fast. Remember this, and recollect, I pray, dear sir, that I do not speak from opinion, but from undoubted, incontrovertible authority. The King will recommend it in his next speech to Parliament, "finding his Colonies in *North America* are not properly "governed, owing to the several Charters now subsisting "in the said Colonies," &c., &c. To prepare too for the more effectual execution of this hellish plan, orders are sent to his Majesty's Catholick Province of *Quebec*, immediately to raise and embody four thousand of his good

Digitized by Google

and faithful Catholick subjects of *Canada*, to be formed into four regiments, and to be commanded by *Frenchmen;* you may guess for what purpose. But lest you should not, I will tell you, that these *good* subjects, and the *Indians*, are to be set to cut the throats of the King's *disaffected* subjects of the old Provinces, who sent at their own expense, twenty thousand men last war to make the *Canadians* subjects of the very *virtuous* and *pious* Prince *George* the Third. This is as true as holy writ.

I dare not tell you how I came by the knowledge of these schemes, as it would, were it discovered, prevent me from knowing and telling you more; but I hope it will rouse the people of *North America* to exert themselves, to convince the world that they will not wear the chains of five hundred such traitorous and haughty tyrants. Better it is, far, to be subject to any *one* that ever existed, who has, and can have, only his own vanity or caprice to satisfy, than to so numerous a body of needy, luxurious, mercenary rascals, who would even sell their King, could they find another to promise the addition of one hundred pound to the Chancellorship of *Great Britain*, or five pound to a Gentleman Usher. I cannot guess how, or by what means, you have been persuaded, in *North America*, that you have any friends, really so from principle, in this country. It is true some publickly declaim, and pretend to lament the situation of their brethren on the other side of the *Atlantic;* as they hope, being out of place, to climb up to preferment from espousing their quarrel. But, at the same time, I can venture to say, that there is not a person, male or female, resident in *Great Britain*, and contributing to its taxes, from the Lord Chancellor to the shoeblack, who does not rejoice at this exertion of power; nor is there a manufacturer in *England*, who does not say trade will now revive, as our *American* subjects will be convinced *we* are no longer to be trifled with, and that they will *now* be properly punished, if they commit riots, &c., as they will be brought here and tried for their offences, by a jury of *Englishmen*, who will not be so complacent to them, as the rascals in their own country were (who were all liable to be tried for treason and rebellion) with ten thousand speeches to the same effect. Now, lest you should call me a declaimer, and say I represented dangers, without telling you how to avoid them, I will give your a specifick, which, if it fails to produce an immediate and effectual cure, I will acknowledge myself a quack in politicks, and declare against any further practice in state disorders; it is a remedy easily administered, and cannot, at least to sound constitutions, be unpalatable. Moreover, it is cheap, and easily procured, so that no person need advance sixpence, or go out of his own house, to procure it, as it is only an agreement to stop all exports and imports. Enter heartily and with firmness into such an association; and bind yourselves, even by an oath, not only to observe it individually, but to enforce it generally. If you do this, and these hellish Acts are not sent back to the devil in less then eight months, I will agree to be tarred and feathered, and hanged on Liberty tree afterwards; but, if you do it not, I will venture to pronounce, and declare, that for fifty years to come, the people of *North America* will be the most miserable of slaves. They will hold life and property at the will and sufferance of their tyrannical and profligate oppressors. It must not, it cannot be so. *Americans* will be free; at least I hope so, especially as you have the means so much in your own power. They are absolutely now in your hands, and you will justly merit every oppression and insult if you throw them away.

Boston, August 18, 1774.

His Excellency Governour *Gage*, having signified to the Honourable *John Hancock*, Esq., that he had no further service for him as Colonel of the company of *Cadets*, the gentlemen of that corps met on *Monday* evening, *August* 14, 1774, in *Boston*, and chose a Committee to wait on the Governour, at *Salem*, and deliver him their Standard, (which he had presented to them) as they had almost unanimously disbanded themselves. The Standard was accordingly carried to his Excellency next day, which he was pleased to accept. In their address to the Governour, they say, they no longer consider themselves as the Governour's Independent Company.

SILAS DEANE TO GOVERNOUR TRUMBULL.

Wethersfield, August 16, 1774.

Sir: I shall make no apology for the trouble I am about to give you, as the publick service requires that the Representatives of this Colony should be perfectly masters, not only of the present, but past state of it, and its publick transactions. I hoped to have obtained from the Custom Houses, the number and size of the shipping, as well as a general state of the imports and exports, and accordingly applied; but they appear at present unwilling to give me any information on the subject, I suppose on account of the present situation of publick affairs, and the part I have taken therein. I conclude that some return has been made in consequence of a late requisition, and that you are possessed of it. This will perhaps answer my purpose on that head. The extracts made by your Honour from Governour *Winthrop's* manuscript Diary, I think may be of consequence, and therefore ask the loan of them, or such extracts or parts as you judge most deserving of notice, but I prefer the whole of what you lent me last Spring. The extracts made from the records of the United Colonies, put into my hands last *February*, at *Hartford*, and which I delivered to the Reverend Mr. *Trumbull*, may throw light on many of the early and important transactions of *New England*. These are two of the most material and certain sources of intelligence, relating to the first principles on which these Colonies were settled, and their conduct thereon, and therefore wish to be possessed of them, as well as of every thing else which you can in so short a time prepare and convey to me. The expectation I had of the pleasure of Captain *Trumbull's* company must excuse my not sending earlier for these papers. I have taken from the Secretary's office a copy of *Charles* the Second's letter, which is the only ancient authority of any consequence to the present controversy that I know of in his possession. I wish the modern ones were preserved in a different manner than what they are, or rather that they were preserved at all.

It is disagreeable to me to recriminate at any time; it is generally unavailing; and at the present time I know should not be permitted, but on certain prospect of better regulations for the future; but when I review the history and transactions of this Colony, and consider what immense sums must have been expended, not only in settling but defending this part of his Majesty's territories and the neighbouring Colonies, (I am confident, to the amount of many millions,) and can find no authentick record kept of it, I have scarce any patience left; but indignation and chagrin rise equal with my grief at so fatal an omission; especially as our enemies boldly assert that we have expended nothing but what we have been largely repaid for; and we have no record to contradict them. An omission of this nature in the infant state of a Colony, struggling with the hardness of a new uncultivated soil, and under continual alarms from the savages, is in a degree excusable, the more so, as they could not so much as dream of having their title to the country, and their privileges and immunities in it ever disputed by any, save an open declared enemy; but what excuse, let me ask with submission, can be made for neglecting to preserve the exact account of the charge of the last war? I was really surprised, on examining at *Hartford*, to find that no accounts could be procured either at the Secretary's or Treasurer's; and that I must be left to conjecture on this material point, and of course liable to contradiction beyond a possibility of supporting any assertion on the subject. Some have thought your Honour may have the account; if so, I must pray you to send it by the bearer, with the other papers you shall favour me with. Before I dismiss this subject, on which you must excuse my freedom, give me leave to suggest to your Honour, whether it may not be a seasonable step to lay before the next Assembly the propriety, and even necessity, of preserving accounts, and the history of transactions of this kind, in some publick office, for our own as well as the information of posterity. The Office Letters to and from the Governour, and the Journal of the House, are of more importance in my view, and will hereafter be more relied on when a reference is needed to the sense of former times, on any subject, than all the other records put together; yet neither of these are preserved in any office, nor indeed any where else, that I can find; at least, they

Digitized by Google

are in private cabinets, but much the greatest part have been long since used for wrappers; and several important letters to and from the late Governour *Saltonstall*, have been sent me by the family round garden-seeds and the like; letters that would not only do honour to him, but prove of service to the Colony, were they preserved; and surely we as well as our posterity have a right to these letters and journals. We have, as I may say, a property in them, being written by persons in our employ, and on our account. I leave the thought with your Honour to be improved or thrown by, as you shall judge proper. The post waiting, I have no time to write Colonel *Williams*, must therefore ask the favour of you to procure of him the Resolutions of the House of Representatives attested, enclosed in the packet you send me.

I am with the highest esteem and respect, your Honour's much obliged, and most humble servant,

SILAS DEANE.

The Honourable *Jonathan Trumbull*, Esquire, Governour, &c., *Lebanon*.

P. S. Messrs. *Cushing*, *Adams*, *Paine*, and *Adams* called on me yesterday in their way to *Philadelphia*. I purpose setting out next *Monday*, and have ordered the bearer of this to wait your commands.

REV. SAMUEL PETERS, OF HEBRON, CONNECTICUT.

Two gentlemen, one from *Cumberland* County, and the other from *Gloucester* County, arrived here, inform, that on their journey hither, on *Sunday* night the 14th of *August*, they lodged at the Reverend *Samuel Peters's* house, in *Hebron*, in *Connecticut*; and that about sunrise the next morning they were surprised by about three hundred men, who came to the house on horseback, about ten of whom came into the house, and informed Mr. *Peters* that they were a Committee chosen by the body of the people that waited without, to inquire whether he (Mr. *Peters*) had not wrote to *England* in a manner unfriendly to the rights and privileges of this Colony? Mr. *Peters* declared to them that he had not wrote in such manner; whereupon they informed him that they expected he would show them the copies of such letters as he had wrote to the Society for propagating the gospel in foreign parts, and copies of such pieces as he had sent and procured to be printed in any of the common newspapers, or had prepared for the press; Mr. *Peters* perceiving the vengeance that seemed to sit on the brows of the formidable multitude that surrounded the house, thought it prudent to show them all such papers as they requested, and did do it; first reading them to the Committee, then permitting the Committee to peruse them themselves; after which our intelligencers were examined, whether some other letters from Mr. *Peters*, not shown to the Committee, were not in their hands to carry to *New-York*? And they answered in the negative; the said Committee declared themselves satisfied that Mr. *Peters* was innocent of the crimes he was suspected to be guilty of, and went to their brethren, the mob, that surrounded the house, and reported that Mr. *Peters* was innocent; this was satisfactory to most of them. To the honour of the Committee it may justly be said, that they treated Mr. *Peters* with as much civility as might any way be expected from men who had forgot that it was as indecent, unjust, and cruel to terrify a *British* subject to such a degree, as to force him to lay open to publick view his private letters, &c., as it is by force and terrour to extort from a man all the secrets of his family.

Satisfied as this tumultuous people at first seemed to be with the report of their Committee, yet they soon afterwards made a fresh demand, that Mr. *Peters* should read to them a certain piece he had prepared for the press, which he did; the whole people now seemed satisfied; but soon after informed Mr. *Peters* that he must sign with his name at large, the same piece, and deliver it to them, for them to print or suppress, as they should think best on further consideration; and further, that he must give them under his hand, that he had not wrote, nor did not intend to write to *Great Britain*, relating to the controversy between her and the Colonies; all which Mr. *Peters* complied with. The mob now seemed quite satisfied, and a great majority of them mounted their horses to retire, thanking Mr. *Peters* for his civility, &c., But about the number of twenty of the mob, headed by one *Hatch* and one *White*, tarried and insisted on Mr. *Peters* asking forgiveness, acknowledging his fault, &c., but as neither he nor a great majority of the people assembled could see that he had done any thing worthy of *tar* and *feathers*, he refused to do it; and after suffering much scurrility and abuse from *Hatch*, *White*, and their party, a considerable number of Mr. *Peters's* friends assembled, the appearance of whom struck such terrour into *Hatch*, *White*, and the other creatures that attended them, that they soon followed their more sensible friends, without administering on Mr. *Peters* tar and feathers, or any other violence, though it had been, for more than an hour, every moment expected that he would feel the rage and fury of these twenty more than brutish people. O how dreadful is it for innocence to be arraigned at the bar of infernal furies!

What is very remarkable, this large body of people called themselves the *Sons of Liberty*. O poor degenerate children! Such destroyers of liberty itself are a disgrace to their mother, if she is the Goddess of Liberty. For doth not Liberty herself allow every man to enjoy his own sentiments? Doth she not allow him to enjoy his leisure hours in contemplation? Does she forbid him committing by ink to paper his thoughts? Does she deny him the privilege of looking back on his former thoughts committed to writing only for his own use? Does she justify others, when they break the cabinet of her sons, and peep into their secrets? Are these burglarians her dutiful sons; or are they the destroyers of her family, the disgrace of their mother? Surely they are cursed children, to whom is reserved the blackness of darkness for ever.

JOHN GROU, *Cumberland* County.
JOHN PETERS, *Gloucester* County.

STATEMENT OF THE BOLTON COMMITTEE.

Bolton, August 18, 1774.

Mr. GREEN: SIR, Please to insert what follows in your paper, and next to this Mr. *Peters's* Resolves, and then his Declaration, both signed *Samuel Peters*, and herein enclosed.

At a time when the liberties of the Colonies are so much threatened by an arbitrary Parliament, and when the loyal inhabitants of the Colonies are so universally awakened to concert such measures as may happily prove successful to the redressing of their grievances, and re-establishing the enjoyment of all their civil, natural, and religious privileges, as well as a proper harmony between *Great Britain* and her Colonies, to hear of any one from among ourselves, that from time to time makes it his business to write home, and by so doing, to make false representations of the measures the Colonies are taking to retrieve the difficulties they labour under, is justly alarming, and must excite every one, properly jealous of his rights, to put a speedy stop unto; as such representations retard the measures for redress, which the Colonies are so generally and loyally taking, and doubtless will be improved by a mercenary and arbitrary Parliament to our disadvantage. A report of this kind of misrepresentations, lately taking place on the Reverend *Samuel Peters* of *Hebron*, occasioned him a visit from near three hundred people last *Monday* morning, about half an hour before sunrise, civilly to inquire into the truth of said report; said report being, that said *Peters* was about sending a packet home that same morning, by the way of *New-York*, expressive of the above false representations, which he had many times before done in like manner; but on said inquiry, it was found by all that could be discovered, together with his own declaration, that he never had before done, or was be then about doing such a thing; but, instead thereof, the writing which the reporter mistook for such a thing, was a number of resolves said *Peters* had been fitting for the Printer, which he gave up to us, signed with his own hand, before us, with his liberty for the press. As said Resolves are inserted immediately below this apology, together with his Declaration and intent for the future, next below them, signed with his own hand, we think it not needful to remark on said resolves, &c., &c.,—only, we think of Mr. *Peters's* prefatory part of his resolves, they savour too much of arrogancy, when made by himself and two or

Digitized by Google

three churchmen, without any legal meeting warned for that purpose; and yet to intend them as equitable resolves (in contradistinction to the general run of the resolves of other towns) for the town of *Hebron*, when said town had no knowledge of them.

ICHABOD WARNER, BENJ. TALCOTT, Jun.,
ISAAC FELLOWS, SAMUEL CARVER, Jun.
Bolton Committee of Correspondence.

In our names, and in behalf, and at the desire of the attendants, or said visitors from *Tolland*, *Coventry*, and *Bolton*.

P. S. Mr. *Peters* confessed that he had wrote sundry pieces of the like nature of his said resolves for the press, which his brother *Solomon John Peters*, our informer, did in truth think the said Reverend had sent to *England*.

MR. PETERS'S RESOLVES.

TO THE PRINTER: As every town seems fond of shewing their opinions relative to the late Acts of Parliament, founded upon some violent conduct of the loyal people in the town of *Boston*, I know not why we, who are the inhabitants of *Hebron*, may not also be heard, though we are few in number, who are convened on this occasion. We have presumed (after reading many resolves and some histories) to resolve that the most of those multiplied resolutions are wrong, and our own just and legal—as follows:

1. All Charters are sacred to serve the end for which they were given, and no further.

2. No Charter from the King &c., can be found, in which the grantees have a right to the seas, as all our Charters bound us upon the sea coast as that runs.

3. The duty laid on teas, is not a tax upon *America*, because tea grows not within the limits of our Charters.

4. Since they have not placed a tax upon ours, but their own specie, which they certainly have a right to do, it is our duty not to purchase their teas, unless we have a mind to do it; and the *East India* Company claim no right to force us to buy their teas.

5. The King, &c., have an undoubted right to prohibit our trade with the *Dutch*, or any other foreign Nation, in whole or in part, if they judge the interest of the Nation requires it.

6. The *East India* Company have a Charter from the Crown, and they pay £2,000,000 sterling, annually to support the Nation, only for these privileges mentioned in their Charter: one of which privileges is, that they (the *East India* Company) shall have the sole right to supply *America*, &c., with teas at two shillings and six pence sterling, by the pound, and no higher.

7. The *East India* Company have a purchased and equitable right to put a stop to the *Dutch* trade, in the article of tea; and if we will live without teas, as our fathers did in the purity of this country, the tax will not hurt us, nor will the tea trade profit the *East India* Company.

8. The Nation is profited six pence on each pound of tea consumed in *America*, sent by the *East India* Company, but not a farthing profit is received by the Nation from all the *Dutch* teas.

9. *America* by trading with the *East India* Company for their tea, have a great advantage, as their teas are the second growth, and the *Dutch* teas are the third growth, and a pound of second growth tea costs two shillings, when a pound of the third growth costs but eight pence in the *East Indies*. In *Amsterdam* the tea sells for one shilling; in *London*, two shillings and six pence; but in *Boston* at one and the same price. Hence is visible the reasons why the *Dutch* traders in *Boston* destroyed the *English* teas, viz: one shilling and ten pence by the pound, that Colonel *Hancock* gains by his *Dutch* trade, while Colonel *Erving* gains but six pence, by the pound, in his trade with the *East India* Company.

10. As one shilling and four pence by the pound, or private interest of these *Dutch* factors, caused this great waste of the property of the *East India* Company, they (the *Dutch* factors) in justice ought to pay for their teas out of their exorbitant gains from poor countrymen, arising from the sale of five thousand boxes of *Dutch* teas within two years last past.

11. The *Bostonians* are able to support their own poor, after *Windham* and other towns have paid them their legal demands.

12. We cannot find out any reasons why the good people of *Windham* undertook to arraign and condemn Governour *Hutchinson*, "for treason against his country," and those distinguished ministers, merchants, barristers and attornies, for ignorance, insult and treason against law and common sense, only for differing in sentiments with some of their neighbours—since there were a few names in *Sardis*.

13. *Farmington* burnt the Act of Parliament, in great contempt, by their common hangman, when a thousand of their best inhabitants were convened for that glorious purpose of committing treason against the King; for which vile conduct they have not been styled a pest to *Connecticut*, and enemies to common sense, either by his Honour, or any King's attorney, or in any town meeting. "We sincerely wish and hope," a day will be set apart by his Honour, very soon, for fasting and prayer throughout this Colony, that the sins of those haughty people may not be laid to our charge as a Government, and we recommend a due observation of said day to all our neighbours, by giving liberally food and raiment to the indigent poor in every town in *Connecticut*, and also to draw up resolutions that for the future we will pay the poor their wages, and every man his due.

MR. PETERS'S DECLARATION.

I, the subscriber, have not sent any letter to the Bishop of *London*, or the venerable Society for the propagation of the Gospel, &c., relative to the *Boston* Port Bill, or the tea affair, or the controversy between *Great Britain* and the Colonies, and design not to, during my natural life, as those controversies are out of my business as a clergyman; also, I have not wrote to *England* to any other gentlemen or designed Company nor will I do it.

Witness my hand, this 15th *August*, 1774, at *Hebron*,
SAMUEL PETERS, *Clerk*.

THADDEUS BURR TO GOVERNOUR TRUMBULL.

Boston, October 13, 1774.

MAY IT PLEASE YOUR HONOUR: As an inhabitant of the Colony of *Connecticut*, and a real friend to its invaluable rights and privileges, I look upon myself in duty bound to give your Honour this early notice of some secret machinations forming in this town, which may eventually, if not guarded against, bring our Charter into question, and be a means of curtailing, if not destroying it. Without saying any more to apologize for my troubling your Honour with this, I shall go on to give you an account of the matter in as clear and concise a manner as I am able.

In a few days after I came to town, which was the first of this month, I was informed that Mr. *Peters*, a Church of *England* clergymen from *Hebron*, was come to town with a design to go to *England* to make a representation of the treatment he had met with in *Connecticut*. As I knew the general character of the man, I had but little to fear from any representations he could make of himself; but when I found he was countenanced by the Governour, and his Mandamus Counsellors, the Commissioners, the body of the Church Clergy, and, in short, by all those who style themselves friends to Government, I thought he might, in conjunction with them, form some scheme that would be detrimental to the Colony. I therefore made it my business to find out as far as I possibly could what their designs were; and from the best authority, I am warranted to say that the whole body as represented before, are setting the treatment which Mr. *Peters* met with in its most glaring colours, so exaggerated as to exceed all bounds of truth; and are now preparing to represent to Administration that the Colony of *Connecticut*, as such, is determined to persecute and drive out all the Church of *England* Clergymen from among them.

Who is to go home with this false and malicious plan, I cannot yet find out; am rather inclined to think Mr. *Peters* himself. From the character of the gentlemen who have been so kind as to assist me in detecting this wicked and secret scheme, and from what I myself, as a stranger, have collected from that party, I make no doubt of the truth of it.

Digitized by Google

Thus, may it please your Honour, you have an exact account of the scheme in agitation, as far as I am able at present to collect. I shall be in town till the first of *November*, and should be glad of a line from your Honour that I may be informed whether it would be advisable, should I make any further discoveries, to communicate them. If I can in any way be of service to the Colony it will give me great pleasure. I have the honour to subscribe myself, your Honour's most obedient and humble servant,

THADDEUS BURR.

—

New-York, November 3, 1774.

The following is an authentick account of the means whereby Mr. *Peters's* letters, (copies of which you are desired to publish,) came to the knowledge of the publick. I am sorry that the indiscretion of a few weak men, whose conduct evinces their ignorance of the *English* Constitution, and of the spirit of the religion they profess, should have brought such a scandal upon Episcopacy (or the Church of *England*) which in reality is inconsistent with all the unconstitutional measures of the *British* Ministry—which have nearly enslaved the people in *Great Britain* and *Ireland*, and occasioned all the contention and disturbance between the Colonies and the parent state.

The principles of the Church of *England* are so far from supporting or countenancing a persecuting spirit, or any pretensions to tyranny or arbitrary power, either in Church or State, that they lay the strongest restraints upon them, and many of the most firm and strenuous assertors of the natural and constitutional rights and liberty of the subject, in matters both civil and religious, have always been, and now are to be found, among the Episcopalians, who cordially unite with their brethren of other denominations in maintaining those rights that are common to all.

After the difference between Mr. *Peters* and his neighbours (before published) appeared, on the concessions he made, to have subsided; his conduct again exposed him to their resentment, and, on some discoveries, he thought proper to retire to *Boston*. After he had been there some time, two of his friends having made a journey to *Boston*, on their return, were by some of the neighbours suspected of having brought letters from him to his family. A party waited the return of these men, met them at a tavern on the road, and questioned them, whether they had any letters from Mr. *Peters*. The men denied having any, and offered to be searched. They were believed, without further examination, and suffered to depart; but one of them was overheard, by a man who was at work behind a fence, to say, "that they might yet be searched before they got "home, might be brought into trouble, and therefore had "better hide the letters." The man who overheard this conversation, and probably knew what had passed at the tavern, watched them, saw them alight near a stone fence, where they made some stay. When they were gone, he informed the men who had questioned the two men at the tavern of what he had heard, and directed them to the place where he had seen the men stop. There, in a hole in the fence, the letters were found; the two men were overtaken, and again questioned, concerning letters from Mr. *Peters*. They denied having any, and offered to declare upon oath that they had not, but the letters being produced, they owned the bringing and hiding them, which proved the means of making their contents known to the publick.

—

LETTER FROM THE REVEREND SAMUEL PETERS, OF HEBRON, TO HIS MOTHER.

DEAR MOTHER: I am well, and doing business for my intended route. I hear a mob was gathered for me the day I left *Hebron*; what they have done I cannot yet find out. As *Jonathan* will be obliged to attend at *New-Haven* when the Assembly sits, I desire him to tell Mr. *Jarvis*, *Andrews*, *Hubbard*, &c., to collect all facts touching mobs and insults offered the clergy of our churches, or her members; likewise to send me a copy of the Clergy's petition to Governour *Trumbull*, and what he does in answer. If *Jonathan* is hurt, or my house is hurt or damaged, let that be transmitted to me within fourteen days, or, after that, send accounts to the care of Mr. *Rice Williams*, a woollen draper in *London*. I am in high spirits; I should be happy if my friends and relations at *Hebron* were provided for at these bad times, when things are growing worse. Six regiments are now coming from *England*, and sundry men-of-war; so soon as they come hanging work will go on, and destruction will first attend the sea-port towns; the lintel sprinkled on the side posts will preserve the faithful. I wish *Hannah* to take some papers which she and I laid away and bring them to me; she knows where they be; or burn them if this letter appears to be opened before it is opened by you.

Mr. *Beebe* and Mr. *David Jones*, Mr. *Warner* and Mr. *Griffin*, of *Millington*, must draught a narrative of their sufferings, and such words as Colonel *Spencer*, &c., have spoke, by way of encouragement to mobs, and let Doctor *Beebe*, send the same to me, to the care of Mr. *Thomas Brown*, merchant in *Boston*.

I am, &c. SAMUEL PETERS.

—

THE REVEREND SAMUEL PETERS TO THE REVEREND DOCTOR ACHMUTY OF NEW YORK.

Boston, October 1, 1774.

REVEREND SIR: The riots and mobs that have attended me and my house, set on by the Governour of *Connecticut*, have compelled me to take up my abode here; and the clergy of *Connecticut* must fall a sacrifice, with the several churches, very soon to the rage of the puritan mobility, if the old serpent, that dragon, is not bound. Yesterday I waited on his Excellency, the Admiral, &c., Doctor *Canner*, Mr. *Troutbeck*, Doctor *Byles*, &c. I am soon to sail for *England*; I shall stand in great need of your letters, and the letters of the clergy of *New-York*; direct to Mr. *Rice Williams*, woollen draper, in *London*, where I shall put up. Judge *Achmuty*, &c., &c., will do all things reasonable for the neighbouring charter; necessity calls for such friendship, as the head is sick, and the heart faint, and spiritual iniquity rides in high places with halberts, pistols, and swords. See the Proclamation I send you by my nephew, and their pious Sabbath day, the 4th of last month, when the preachers and magistrates left the pulpits, &c., for the gun and drum, and set off for *Boston*, cursing the King and Lord *North*, General *Gage*, the Bishops and their cursed Curates, and the Church of *England*. And for my telling the church people not to take up arms, &c., it being high treason, &c., the Sons of Liberty have almost killed one of my church, tarred and feathered two, abused others; and on the sixth day destroyed my windows, and rent my clothes, even my gown, &c., crying out, down with the church, the rags of Popery, &c.; their rebellion is obvious; treason is common; and robbery is their daily diversion; the *Lord* deliver us from anarchy. The bounds of *New-York* may directly extend to *Connecticut* river, *Boston* meet them, and *New-Hampshire* take the Province of *Maine*, and *Rhode Island* be swallowed up as *Dathan*. Pray lose no time, nor fear worse times than attend,

Reverend sir, your very humble servant,

SAMUEL PETERS.

N. B. I wrote to the Clergy of *Connecticut*; the letters may be intercepted; pray acquaint Mr. *Dibble*, &c.

—

JOEL WHITE TO GOVERNOUR TRUMBULL.

Bolton, November 30, 1774.

SIR: Agreeable to your Honour's request, I have waited on part of the Committee, others living at a distance in neighbouring towns have omitted, relative to Mr. *Samuel Peters's* affair, and here is enclosed as your Honour may see. As to the last transaction, in *September* last, the Committee, as I understand, were Captain *Seth Wright*, Captain *Asahel Clark*, and Mr. *Hill*, of *Lebanon*, and Mr. *Larrabee*, of *Windham*, &c.

Sir, I am your dutiful and humble servant,

JOEL WHITE.

To the Honourable *Jonathan Trumbull*, Esquire.

—

We, the subscribers, being desired by *Joel White*, Esquire, to give a narrative of our treatment to Mr. *Samuel Peters*, of *Hebron*, we, with some others being

Digitized by Google

informed by Captain *John Peters*, brother to the said *Samuel*, had reported that the said *Samuel* had, at sundry times before, wrote, and then had sundry letters prepared to be sent home by the way of *New-York*, big with reflections upon this Colony, on account of the measures they are taking to get a redress of the grievances they have, with the other Colonies, laboured under for a long time by (as we say) an arbitrary Ministry, did, with the advice of the principal inhabitants of the town of *Bolton*, with the assistance of a large number of people from the neighbouring towns, near three hundred, upon the 15th day of *August* last, wait upon the said *Samuel Peters*, before sunrise, civilly to inquire into the matters contained in said reports, we being, with sundry others, chosen a Committee to wait upon the said *Peters*.—Do report as followeth, viz: That, on said day, did wait upon the said *Peters*, at his own door, and informed him our business. He asked us to walk into his house; there he seemed to be frank and free to inform us into the matters contained in the said report, and produced a number of Resolves which we caused to be published in the *New-London Gazette*, No. 564, and solemnly declared, upon the faith of a Priest, that he never had nor never would write home to any person, during his natural life, touching said controversy; which engagement seemed satisfactory, and so left him without injuring his person or interest, with his thanks for our kind treatment.

Witness our hands this 29th day of *November*, A. D., 1774.

SAUL ALVORD, SAMUEL CARVER, Jr.,
ISAAC FELLOWS, ICHABOD WARNER.

Honourable *Jonathan Trumbull*.

—

Hezekiah Huntington, *Vine Elderkin*, *Ebenezer Gray*, and *John Ripley*, all of *Windham*, in the County of *Windham*, and Colony of *Connecticut*, of lawful age, testify and say, that on the 6th day of *September*, A. D. 1774, we, with other persons of this and some of the neighbouring towns, went to *Hebron* to visit and deal with the Reverend *Samuel Peters*, of that place, for and on account of his making and publishing sentiments and principles incompatible with our civil liberties, subversive of our Constitution, and tending to make discord and dissension amongst the people at that critical time when an union was absolutely necessary. When we arrived at said *Peters's* house (which we found full of people, who were said to be armed) one Captain *Mack* came from the house and said that *Peters* desired the people to choose a Committee to converse with him, which the people then accordingly did, of which we were part. The Committee (consisting of about ten) accordingly went into his house and told him the business we were upon, and also asked him whether the Resolves published in the *New-London Gazette*, as the Resolves of the town of *Hebron*, made and formed by him, were his principles? to which, after some conversation and endeavours in vain to justify them, he answered in the affirmative; for which, and many other things, particularly his saying that the people of *Farmington* were guilty of treason, and that the town of *Boston* justly deserved to suffer what they were then suffering by reason of the late Acts of Parliament, and that the Port Bill was right, or words to that import, and such like, the people were offended, and were determined to have some publick retraction and satisfaction. *Peters* then undertook to justify his conduct and principles, which consisted principally in trying to shew that there was no duty laid without our consent, on the article of tea, because, he said, no man was obliged to buy, and when he did buy he consented to pay the duty, and so there could be no duty thereon if no man purchased it. The Committee, after hearing him awhile, told him that their principles were fixed, and that they did not come there to dispute principles with him, and advised him to go out to the people, and perhaps he could convince them that he was right, which, if he did, we would be satisfied, and assured him, on his request, that he should return into his house again safe, and without any abuse of any kind, (antecedent to this said *Peters* declared that he had no arms in the house, except one or two old guns out of repair.) Upon which said *Peters* went out to the people, and being placed in the centre of a large number, he began to harangue the people as he did to the Committee in the house; in a few minutes after a gun was discharged in the house, which much alarmed the people. Eight or ten people were immediately sent into the house to know the occasion of the firing, and to see if there were any arms or weapons of death therein, and found several guns and pistols loaded with powder and ball, some swords, and about two dozen large wooden clubs, concealed and hid in the house, and that the firing was accidental, in which two balls were discharged from the gun fired in the house; whereupon said eight or ten persons cleared the house of all the men that were therein, and set centinels at each door of the house, that no damage might ensue, and thereupon, said *Peters* having finished what he had to say to the people, which was in no way satisfactory, the Committee returned said *Peters* safely into the house, and were ordered by the people to draw up something in writing, which said *Peters* should subscribe and acknowledge, which was accordingly done; and *Peters* likewise drew another, and thereupon, on the like assurances as before, *Peters* and the Committee went out to the people again, and *Peters*, according to his desire, read what he wrote, which the people universally rejected; and then the one drawn by the Committee was read, (which was the same that was afterwards published to the words Holy Religion, the remainder being added afterward) was read to the people and approved so far as was then wrote, which *Peters* then absolutely refused to sign or acknowledge, although urged and desired to do it by the Committee, as they were afraid of the consequences, as many of the people were warm and high, and determined not to be delayed any longer, and thereupon the Committee safely conveyed him into his house again, and were persuading him to sign the paper drawn up by the Committee, as beforesaid, when the people, impatient, weary, and hungry, would not be put off or delayed longer, rushed into the house, by the door and one window, (which was somewhat broken in the attempt) seized and brought *Peters* out of the house, and placed him on a horse, and carried him to the Meeting House Green, or Common Parade, about three-quarters of a mile, where, after some talking upon the premises, *Peters* agreed to, and did sign the paper, as was published, and read it to the people himself; on which, they, with one voice, (to appearance) accepted, and gave three cheers and dispersed. The number of people was about three hundred. The sash of one window of his house was broken, his gown and shirt somewhat torn, and it was said by some that a table was turned over, and a punch bowl and glass broken, which was all the damage that was done that we ever heard of; and through the whole the Committee endeavoured to calm and moderate the minds of the people, who were greatly exasperated by Mr. *Peters's* conduct, firing the gun, preparing arms, &c., &c., as much as lay in their power; and also frequently told him that it was not for his religious sentiments, or because he was a church-man, or professed the religion established in the *English* Nation, (before the *Quebec* Bill was passed) that we visited him, for some of the people were of that denomination, and that we were so far from hurting or injuring any one that did profess it, that we were ready to defend and protect them, when thereto called, with all our strength, but for the things and matters before mentioned we did visit him; and further these deponents say not.

HEZ. HUNTINGTON, VINE ELDERKIN,
JOHN RIPLEY, EBENEZER GRAY.

Windham, December 6, 1774.

Colony of CONNECTICUT, *ss.*, WINDHAM *County:*

Windham, December 6, 1774.

Then personally appeared *Hezekiah Huntington*, *John Ripley*, *Vine Elderkin*, and *Ebenezer Gray*, subscribers to the foregoing testimony, and made solemn oath to the truth of the same. Before me,

SAMUEL GRAY, *Justice of the Peace.*

—

TO THE PEOPLE OF PENNSYLVANIA.

Philadelphia, August 17, 1774.

Though truth and candour fundamentally characterize the real patriot, it is to be lamented that among the many publications on the reigning subject of political declamation, it has been in general disingenuously treated, and the pub-

Digitized by Google

lick amused with partial and unfair representations of things. Will any man, acquainted with our late publications, and the popular transactions in this city, be so hardy as to assert, that the freedom of the press here has not been interrupted by the illegal menaces and arbitrary frowns of a prevailing party, to the exclusion of an honest, unprejudiced, and unawed investigation of the question, so necessary to be clearly understood in its true light—in which every freeman in *America* is so nearly concerned, and into which he has an undoubted right, with *British* boldness, to exercise the freedom of inquiry? Those writers who have appeared to treat the subject with an aspect of fair and disinterested examination, have yet seemed to allow themselves to suppress momentous truths, under the general notion, that the truth is not to be spoken at all times. Those who enjoy the sweet solace of the conscious uprightness of their own hearts; who are actuated by the ennobling principles of good-will to men; delighting in the peaceful pleasures of social kindness, and the harmony of civil order, are not easily provoked into publick contest, being generally over-backward in opposing the spreading influence of parties, composed of forward and assuming spirits, who are ever ready to bestow on themselves all the honours due to publick merit. It is no slight proof of the excellency of Virtue, that among the number of those unhappy men who undermine her interests and slight her salutary rules, very few are to be found who do not seek her name as a sanctuary of their forfeited honour, and labour to cover themselves with some artificial and specious likeness of her; her name has been pompously sounded amongst us; how many have sung plaudits to true virtue, while they were mocking her with offerings abhorrent to nature? How many who are practically disclaiming her influence, are yet ridiculously blowing the trumpet of their own praise, with hollow sounds of their reverence and zeal for virtue? Would to *God* we had a more just title to virtue, and that we were more generally honest in seeking a portion of inheritance in this durable substance! A little attention to this subject must make any one, capable of rational reflection, serious; and incline them to join with me in this desire for my country. For I would not offer such an affront to your understandings, my fellow-*Americans*, as to suppose you are yet to be informed that after every subtile political refinement has had full examination and experiment, honesty, truth, and integrity in individuals, must be recurred to as the sure ground-work of a right publick spirit; and in all matters, both of a private and publick nature, will, most certainly be found the very best of all policy: "Righteousness exalteth a Nation;" but sordid guile and treacherous double-dealing, bring shame upon any people, and have a direct tendency to weaken and render fruitless their most strenuous efforts in support of their invaded rights. Let us not mistake a partial, vindictive virulence of spirit, for the generous warmth and sober firmness of an honest love for our country, grounded on the equitable base of justice and constitutional right; let us not forget that we are, (by profession at least) Christians, and that that most excellent law of universal obligation is binding on us: "Whatever ye "would that others should do unto you, do ye even so "unto them." Come, fellow-citizens! my countrymen, come!—let us step a little aside from the broad way of popular confusion, into the retired and much unfrequented walk of Christian circumspection; let us question ourselves with an earnest sincerity: what have we been about? What are we doing? Has the false fire of Faction yet enough spent itself, and subsided, to admit a supposition, that we may have been grossly imposed on, amused, abused, and misled by dishonest pretensions to patriotism and zeal for the publick good? Conscious of the uprightness of my concern for the honour of my country, I dare suppose that such is really our case. I desire not, for the gratification of any party spleen, or personal disaffection, to accuse a single man of my fellow-*Americans*; far be it from me to delight in passing, wantonly and unnecessarily, harsh censures on any; but I claim it as the right of every *freeman* to question the expediency of placing publick confidence in such unsound politicians as have been principally instrumental in exposing us to the hand of oppression, both Ministerial, Parliamentary, and popular, and who, by preferring money and popularity before honesty, have made it their interest to lead us out of the path of order and honour.

The progress of population, agriculture, commerce, opulence, and science in *America*, has been truly astonishing; a land of liberty and plenty, situate between the extremes of heat and cold, abounding with commodious rivers and harbours, where maritime cities afford a perpetual increasing nursery for seamen; but unhappily this has become too generally a school of corruption. Many of our merchants, not content with the moderate profits of lawful trade, have submitted to be the slaves of an exorbitant thirst of gain, and enriched themselves by defrauding the Crown of its revenue. This traffick has amazingly increased within these twenty years past, numbers becoming more reconciled to it by example, habit, and custom, and have gradually consented to amuse themselves with some very superficial arguments in its favour, such as that every man has a natural right to exchange his property with whom he pleases, and where he can make the most advantage of it; that there is no injustice in the nature of the thing, being no otherwise unlawful than as the partial restrictions of power have made it so; arguments which may be, and are adopted in extenuation of many other disorderly and pernicious practices. But do not these reasoners seem implicitly to adopt *Butler's* ludicrous hint, and apply it as a serious moral truth:

> "The imposer of the oath 'tis breaks it;
> "Not he who for convenience takes it."

I will not here insist on the obligation of that gospel precept which enjoins us to submit to every ordinance of man for conscience sake; trade and civil regulation here being too much under the influence of buccaneering policy, to expect the favourers of contraband traffick should pay any regard to Christian maxims; and because it might lead into a controversy respecting the strict and literal observance of that precept in all cases; though I confess, if applied to the matter before us, I cannot see how its force can be fairly eluded; neither will I undertake to travel into those dark mazes of confused reasoning, which, founded on false policy, suppose the acquisition of wealth to a state, however obtained, is its chief good; but rather lament, that this net of wretched sophistry has so miserably entangled the understandings of too many amongst us. It is sufficient to observe (and here I am sure of being upon safe and incontrovertible ground) that that pursuit of gain is a most iniquitous one, which cannot be prosecuted without incurring the guilt of perjury, and a train of corrupt and fraudulent practices—and that a trade, unavoidably attended with such diabolical circumstances, as directly tend to sap the foundation of morality in the minds of the people, and introduce in the community a vicious dissoluteness of manners, is more dreadful in its nature and effects, than the most that can be apprehended from Ministerial machinations. Ye virtuous parents who feel the influence of a rational tenderness for your offspring, attend to the generous emotions of sympathy, and consider, religiously consider, the melancholy prospect of that father and mother, who, having a son in whom appears a strong bias to, and a genius for a seafaring life, are about to fix him in that occupation for a livelihood! It is an opinion but too justly founded, that the unrestrained course of this dishonest dealing hath excited the politicians of *Britain* to meditate on the most effectual means to shackle *American* trade, and lay even internal burthens on *American* backs; is it to be wondered at, that it should have such an effect? In *Great Britain*, where smuggling is attended with no greater, I believe with a much less degree of guilt, the law of the land ranks those desperate votaries of Mammon with shoplifters and pickpockets; but what is their rank among us? What is their influence on our publick affairs? A powerful influence generally attends the possession of wealth, and where that wealth is obtained at the expense of conscience it creates a separate interest incompatible with the publick weal, and introduces a very dangerous power, a power in the hands of the wicked, which, if not restrained by the righteous exertions of just law, must make the land to mourn. Have we not just cause to mourn that "Our dealers have dealt treacherously, yea very treacherously," and had a principal share in bringing the present load of difficulty (might I not add disgrace) upon their country? Where is the Government on this side the *Atlantic* which has offered the least restraint or discouragement to their evil doing? It must be strange blindness and depravity indeed, in any to pretend this is not a crying grievance,

Digitized by Google

which loudly demands the most serious attention of those who preside in the respective Governments in *America*; it would be the same thing to say, seeking to avert publick calamity, or to promote the happiness of the people, are no part of their concern. Miserably degraded indeed, is the state of patriotism amongst us, when men of such vitiated and corrupt principles, have strength or influence enough to set up their particular interests in opposition to the true interest of their country, and beguile the people into a belief that it is the cause of liberty and common right. How can we, with a face of honest confidence, claim redress of the Parliamentary wrongs offered us, if we not only foster in our bosoms those dangerous enemies of our moral health and social peace, but suffer some of them to lord it over us, as the first men in the community, worthy to dictate measures for the publick good; nay, tacitly seem to approbate their insolently boasting of their crimes, as proofs of their patriotick virtue? It is now about eight years since the Act was passed declaring a right in the *British* Parliament to make laws binding on *America* in all cases whatsoever; so long have the devoted Colonies been under that tyrannical proscription; Administration with the Ministerial party in Parliament, have proceeded with a deliberate and cautious sublety; they were doubtless apprized of the weight of the smuggling interest among us; they knew our true interests were in continual danger of being betrayed by this desperate faction; they knew whenever we deserted the constitutional ground of civil order, it must render us an easier prey; they tried expedient after expedient; they did and undid, to put our wisdom and virtue to the proof; at length they authorized the *East India* Company to export their teas to *America* and offer them for sale, subject to the obnoxious duty. How have we approved ourselves on this trying occasion? Have we acted like a wise or just people in opposing this insidious measure? Or have we not been trapanned into a captious, disorderly, and unlawful opposition, giving our oppressors, thereby, an advantage over us greater than they could otherwise have had. We see them now driving over our rights and privileges with an hostile Jehu-like course, under colour of punishing our flagitious conduct; a conduct which we cannot justify.

The *East India* Company's attempt to vend their teas among us, naturally excited disgust in the merchant importers of dry goods, particularly in this city and *New-York*, where they had steadily adhered to that reasonable and orderly measure adopted a few years before, not to import that dutiable commodity; though other Colonies, disregarding that measure, did import it in such quantities, that they had a surplus to spare, some of which they sent to be sold among us, with certificates of its having paid the duty; which numbers of our people greedily purchased at an advanced price, not only on account of its superiour quality, but many had serious objections to the use of that which was introduced through the corrupt and filthy contraband channel; this excited no visible apprehensions for our liberty; patriotism supinely slumbered till the Ministry and *East India* Company united in aiming a blow at the *Diana* of *American* smugglers; her votaries and their adherents took the alarm; they saw it was in their favour that the merchants, from commercial considerations, were generally dissatisfied; they had the address, by inflammatory harangues and publications, to raise a ferment among the people; they were soon joined by those ambitious spirits, who are fond of any opportunity of giving themselves consequence with the populace; they made a notable stalking horse of the word *Liberty*, and many well meaning persons were duped by the specious colouring of their sinister zeal. Finding themselves thus strong, these new Lords made new laws, created new crimes, and devised new punishments; terrifick bulls were issued, denouncing vengeance against those who should dare to cross their measures. Where was the Printer who had the virtue or courage to publish one sober remonstrance against their outrageous career? The free trade of the King's subjects was obstructed; property was violated; and the publick thanks of the populace were demanded in justification of the conduct of desperadoes. In vain did a very few openly oppose these dangerous proceedings, and seriously remonstrate against such licentious trampling on law and civil order; the generality of the conscientious and judicious, who were sensible of the wicked root from whence it sprang, and saw its mischievous tendency were intimidated; and through a dastardly fear of exposing themselves to the outrageous insults of violent men, suppressed the honest sentiments their hearts suggested, and they in private avowed; and by this, their unmanly flinching, in the hour of trial, the publick was deprived of the benefit it would probably have received from their weight and influence.

Thus has the true strength of a real and virtuous patriotism been superseded by the traitorous fire of false spirits, which may have made us contemptible, but can never render us formidable to our oppressors. If a despotick Ministry and venal Parliament are enemies to our happy Constitution, surely these kind of patriots are not less so. It may be best not to take too particular notice of the part magistracy took during our late popular disorders; "speak not evil of dignities," the nobility of magistracy should not be degraded; true! may it therefore ever be cloathed with just authority, and exercise that authority "to the "terrour of evil doers, and the praise and protection of "them that do well."

We are, my fellow-citizens and countrymen, involved in difficulties of a very serious and alarming nature, the weight of which I sensibly feel, and am, therefore, anxious that we should no longer follow the bewildering counsels of *false brethren*, who, as we have sufficiently experienced, are but too ready, for base ends, to hurry us into trouble and distress from which they cannot extricate us. Let us endeavour to repair past errours; it is the first necessary step, in order to remove the evil from our understandings, which prevents our discerning the way to do right; remembering that we do not profess to be a Nation of Infidels, but to believe in the superintendence of a Providence who is just and equal in all his ways; and that, though we may cheat each other with fallacious mockeries, yet the supreme and all wise Disposer of events, the Judge of all the earth, who will do right, cannot be mocked. Let us with sincere and upright purpose of heart, apply the good and significant advice formerly given to the hypocrite: "First "pull the beam out of thine own eye, that thou mayest see "clearly how to take the mote out of thy brother's;" and being thus disposed to adhere to the wisdom of the just, we need not fear but that the King of Kings will furnish us with an impenetrable shield and buckler of defence.

EXTRACT OF A LETTER FROM A GENTLEMAN AT REDSTONE, RECEIVED AT WILLIAMSBURG, AUGUST 18, 1774.

On the 26th of *July*, our troops, to the amount of four hundred men, in eight companies, commanded by Major *McDonald*, met at the mouth of *Fish* Creek, on the *Ohio*, about one hundred and twenty miles below *Fort Pitt*. A council of war being held, it was unanimously determined to cross the *Ohio*, and proceed to destroy the *Shawanese* Town called *Wagetomica*, situated on the river *Muskingum*, about ninety miles from the said creek.

On the *Sunday* following, our advanced party discovered three *Indians* coming towards them on horseback; who, observing our party, rode off on our people firing one shot at them. On *Tuesday*, our advanced party met three *Indians*, supposed to be spies from a large body, which we afterwards found had lain about half a mile from our army. Upon our men firing upon them, they ran, giving the war whoop; which our people hearing, immediately formed in three columns, expecting to be attacked. In this order we advanced about half a mile, when we were fired upon by the *Indians* who lay in ambush; a battle ensued, in which we killed four *Indians* and wounded many more. We had two men killed, and five wounded. We drove the *Indians* before us about a mile and a half, they firing upon us from every rising ground, when at last they ran.

Our men being much scattered in the woods, Major *Mc Donald* collected them; and leaving a party with the wounded, marched about five miles. On our coming to the river opposite their town, we observed the *Indians* posted on the bank, intending to dispute our passage, each party endeavouring to conceal themselves behind trees, logs, &c., watching an opportunity to fire on each other. Here our men killed one *Indian*. At a council held here,

Digitized by Google

it was agreed to cross lower down the river with a party in the night, to amuse the *Indians*. One of our interpreters called to them across the river, when a *Delaware* spoke in his language, asking who he was, and what he wanted. The interpreter telling his name, invited him over, with an assurance that no injury should be done him. The *Indian* knew him and came across the river, and informed our commander of the good disposition of the *Delawares* towards the white people; but that *John Gibson* and one *Wilson*, *Indian* traders, had been sent from *Pittsburgh* to acquaint them that a party of *Virginians* had marched against some of their towns, but they did not know which. Major *McDonald* told him he had particular instructions from the Governour of *Virginia* not to molest any *Indians* at peace with us, and particularly the *Delawares*, who had, on many occasions, behaved friendly to the white people, not only delivering several out of the hands of the *Shawanese* and *Mingoes*, but had taken great pains to dissuade them from striking the whites. The *Delaware* expressed great satisfaction that they were respected by the *Virginians*, who had been represented to them by the *Pennsylvania* traders as a cruel, barbarous people, that would spare none of the *Indians*, which had left the *Delawares* in great suspense what course to take. After this conversation he requested us to stay until he brought one *Winganum*, a Chief of the *Delawares*. We gave him part of such as we had. Soon after his departure he overtook two others of his Nation on their way to *Winganum's*, and returned with them, bringing a *Mingo*, who had that day been fighting against us. The *Delawares* were exceedingly pleased with meeting with so friendly a reception in that bloody path (as they expressed it) where the *Shawanese* and *Mingoes* had passed to murder so many of our people, especially as they had received from the traders terrible accounts of the *Virginians* intending to cut them off for the sake of their lands. But, said they, from our present experience, we find you a good people, or, as we are but three among so many warriors, you would now cut us in pieces; but you treat us as friends, which will make the hearts of our great men and Nation glad when we tell them this good news. We have called our people from among the *Shawanese* and *Mingoes*, and frequently advised the *Shawanese* not to strike the white people; but they refused to listen to our counsel, when we told them we should give them up to be cut off by the whites, which would be the case as they were only a handful. After this we parted in the most friendly manner. To prevent our destroying the *Shawanese* Towns, it was proposed that the *Mingo* should bring over two of their young warriors next morning as hostages, until their great men and ours could talk together; and he left us for that purpose.

The commander ordered Captain *Michael Cresap*, and Captain *Hogeland*, to cross the river before day, and secure the banks, to cover the landing of our men; which they did. Here we waited the return of the *Mingo*; but not coming as he promised, we proceeded towards their Upper Town, when we met him within two miles of the said town, coming (as he said) to inform us that the other *Indians* would not agree to deliver up any hostages; on which we advanced, but had not gone above two hundred yards before we discovered a party in ambush under a bank. On our endeavouring to surround them, they ran off, when about thirty of our men pursued them close, and a battle ensued, in which Captain *Michael Cresap*, tomahawked and scalped one *Indian*; and, from the quantities of blood on the woods, many must have been wounded. The *Indians* running, we set fire to the town, and destroyed every thing of value. As the *Mingo* knew of the ambush, and not informing us, we secured him; but as he had placed some confidence in us, we did not scalp him, but brought him prisoner. From this town we proceeded to the rest, five in number, all of which we burnt, together with about five hundred bushels of old corn, and every other thing they had. We also cut down and destroyed about seventy acres of standing corn. No *Indians* appearing, and provision falling short, we returned to *Wheeling*. On our march we passed through a *Delaware* Town, which the inhabitants had deserted; but as they were friends, we did not touch the least trifle except a little old corn, which we were then in great want of.

Since the above, we have been waiting for provisions, which are carrying out daily to *Wheeling*. In this quarter are now about seven hundred men, waiting for Lord *Dunmore*, who is expected every day, and who will, no doubt, put an end to this *Indian* war, and convince the *Indians* that their interest in future will be to live in peace and friendship with the *English*, and never more put confidence in a few villainous traders, who (as will appear hereafter) have been the cause of the mischiefs that have happened.

EXTRACT OF A LETTER, DATED GREAT BARRINGTON, AUGUST 18, 1774.

At the late opening of the Courts at *Great Barrington*, in *Massachusetts* Government, a body of fifteen hundred assembled, on an apprehension that the Judges were to proceed to act under the new regulations appointed by the Parliament of *Great Britain*, and although they were informed that the Act of Parliament for that purpose had not arrived, and consequently, the business of the Court would be conducted in the usual way, still they would not allow the Judges to proceed; giving them to understand it was required they quitted the town immediately, which was complied with. There were twelve hundred persons of the *Massachusetts*, and about three hundred from *Litchfield* and its vicinity, in *Connecticut* Government; a number of the latter were taken into custody by the Sheriff, and brought before the Honourable *Eliphalet Dyer*, Esq., who, with great solemnity and severity repremanded the delinquents; he obliged them also to enter into recognisance for their appearance at the next Court, which measures have happily restored order and due deference to the laws in those parts of the two Provinces.

EXTRACT OF A LETTER, DATED BOSTON, AUGUST 20, 1774.

Letters by Captain *Scott* have this moment arrived. He brings intelligence that the people in *England* are rubbing up their eyes, and begin to awake. Governour *Tryon* is said not a little to contribute to this; he told the Lords of Council that it would not do to treat the *Yorkers* as he did the *Regulators*; they were very different kind of men. He said all the force he had could not have saved the tea, and therefore he sent it back. He was asked what he thought of the present measures adopted towards the *Americans*? He answered, they would undoubtedly produce a Congress. And what would be the result of that? He replied, he could not take upon him to say; perhaps the loss of all *North America*.

MATTHEW GRISWOLD TO GOVERNOUR TRUMBULL.

Litchfield, August 20, 1774.

SIR: At the present sessions of the Superiour Court in this place, the Attorney General for this county exhibited an information against sundry persons, inhabitants in the Northern part of the County of *Litchfield*, representing that on the 2d of *August*, instant, the persons named, with others unknown, did, in *Canaan*, in said county, riotously and unlawfully assemble together with an intent to disturb the peace of our Lord the King; and being so met, did proceed from thence to *Great Barrington*, in the County of *Berkshire*, and Province of the *Massachusetts Bay*, and there made an assault on the body of *David Ingersoll*, of said *Great Barrington*, (Esq.,) and him carried from thence to said *Canaan*, and him did falsely imprison and restrain of his lawful liberty for the space of twelve hours against the peace &c.

The Court ordered a warrant to be issued to arrest and bring the persons complained of to answer to the matters in said complaint; which was done accordingly; and the Sheriff yesterday in the afternoon by virtue thereof brought seven of the persons complained of before this Court; who being set to the bar of the Court for the purpose aforesaid. two of the number moved for counsel, which was admitted. The counsel then moved that the process against those two should be continued to the next term; offered his reasons, which the Court judged sufficient, and ordered the continuance; and bail was taken accordingly. The evening coming on the Court adjourned tell this morning, and the five other persons were held in the custody of

Digitized by Google

the Sheriff, who this morning brought them into Court; they subjected themselves to trial. But the time for holding the sessions of the Court in this county being just expiring, it was impracticable to attend the trial of these persons, without breaking in and interrupting the order of the Circuit Courts of this Colony, as established by law. The Court for that reason ordered the process against the whole to be continued accordingly, and bail was given.

The persons arrested by the Sheriff were attended by about thirty persons of their friends, but no act of hostility was offered or attempted on any person. The spirit of the people in this county in general appears to condemn such disorders, and profess a firm resolution to support the administration of civil Government in this Colony, and avoid disturbances of the publick peace.

It was apprehended expedient to give your Honour early intelligence of the steps taken, and what was done in the affair referred to, which is accordingly done,

By your Honour's most obedient humble servant,

MATTHEW GRISWOLD.

To the Honourable *Jonathan Trumbull*, Esq., Governour.

JOSIAH QUINCY, JUN., TO JOHN DICKINSON.

Boston, August 20, 1774.

MUCH RESPECTED AND DEAR SIR: Your cordial approbation of my poor work communicates a happiness surpassed only by your kind invitation of me into the circle of your friends. Believe me, sir, that I recollect no feeling which would give me more solid, heartfelt satisfaction, than being considered by you as an honest friend, unless I except a consciousness of deserving that rank and confidence.

Your sentiments relative to that "Colony which shall "advance too hastily before the rest, contrary to the max-"ims of discipline," &c., are no doubt just. Yet permit me, sir, to use a freedom, which your partiality seems to invite, and observe, that those maxims of discipline are not universally known in this early period of Continental warfare; and are with great difficulty practised by a people under the scourge of publick oppression. When time shall have taught wisdom, and past experience fixed bounds to the movements of a single Colony, its intemperate and over-hasty strides will be more unpardonable. But if we should unfortunately see one Colony, under a treble pressure of publick oppression, rendered impatient by the refinements, delays, and experiments of the *Philadelphians*, of their less oppressed and therefore more deliberate brethren; I say, if a Colony thus insulted, galled from without, and vexed within, should seem to advance and "break the line of opposition," ought it to incur the heavy censure of "betraying the common cause?" Though not to be justified, may not its fault be considered venial? Believe me, dear sir, you know not all our patriotick trials in this Province. Corruption (which delay gives time to operate) is the destroying angel we have most to fear. Our enemies wish for nothing so much as our tampering with the fatal disease. I fear much that timid or lukewarm counsels will be considered by our Congress as prudent and politick. Such counsels will inevitably enslave us;—we subjugated, how rapid and certain the fall of the rest. Excuse my freedom of telling what I dread, though seeming to differ from those I honour and revere. We are, at this time, calm and temperate; and, partiality to my countrymen aside, I question whether any ancient or modern state can give an instance of a whole people suffering so severely with such dignity, fortitude, and true spirit. Our very enemies are dismayed, and though they affect to sneer at our enthusiasm, yet they so far catch the noble infirmity as to give an involuntary applause.

I see no reason to apprehend our advancing before our brethren, unless the plans they should adopt should very evidently be too languid and spiritless to give any rational hopes of safety to us, in our adherence to them. *Sobrius esto* is our present motto. At the urgent solicitation of a great number of warm friends to my country and myself, I have agreed to relinquish business and embark for *London*, and shall sail in eighteen days certainly. I am flattered, by those who, perhaps, place too great confidence in me, that I may do some good the ensuing winter at the Court of *Great Britain*; hence, I have taken this unexpected resolution. My design is to be kept as long secret as possible; I hope till I get to *Europe*. Should it transpire that I was going home, our publick enemies here would be as indefatigable and persevering to my injury as they have been to the cause in which I am engaged, heart and hand; perhaps more so, as personal pique would be added to publick malevolence.

I would solicit, earnestly, intelligence from you, sir, while in *London*. I shall endeavour to procure the earliest information from all parts of the Continent. As I propose dedicating myself wholly to the service of my country, I shall stand in need of the aid of every friend of *America*; and believe me, when I say that I esteem none more capable of affording me that aid than those who inhabit the fertile banks of the *Delaware*.

If you can lead me into any channel of doing real service to the common cause, I flatter myself you are not disinclined; and though it should never be in my power to cancel the obligation, it will ever be my study to remember it.

I am your most humble and obedient servant,

JOSIAH QUINCY, JUN.

JOHN DICKINSON TO ARTHUR LEE.

Fairfield, August 20, 1774.

DEAR SIR: A general Congress meets in *Philadelphia* the beginning of next month. These Colonies have appointed Deputies: *Massachusetts Bay*, *New-Hampshire*, *Rhode Island*, *Connecticut*, *New-York*, *New-Jersey*, *Pennsylvania*, the Government on *Delaware*, *Maryland*, *Virginia*, *South Carolina*. *North Carolina* it is said to appoint on this day; *Georgia* will also appoint, as we are assured.

The insanity of Parliament has operated like inspiration in *America*. They are mad to be sure, but in their phrenzy they have discovered invaluable truths.

The Colonists now know what is designed against them. All classes of people are surprisingly united in sentiment. The first step, in all probability, will be a general non-importation from *Great Britain*. The next, if grievances are not redressed, a general non-exportation to that Kingdom. If severities increase, events will inevitably take place which a man so connected with this Continent as you are, must view with inexpressible pain of mind.

The people in general through the country look forward to extremes with resolution. Of these, the brave *Germans*, many of whom have seen service, are in every sense truly respectable. Is it possible that the people of our mother country, so beloved and revered by us, can seriously think of sheathing their swords in bosoms so affectionate to them? Of engaging in a war that must instantly produce such deficiencies in her revenue, expose her to her natural enemies, and, if she conquers, must, in its consequences, drag her down to destruction; and, if she fails of success, as, if the Colonists have common sense, she certainly must, will involve her in immediate ruin?

Surely, sir, you may render your native country eminent services by publishing your sentiments in the present mournful prospect of affairs. That you may undertake the employment is the hearty wish of, dear sir, your affectionate friend, and most obedient servant,

JOHN DICKINSON.

ARTHUR LEE, *London*.

I have just heard that *Georgia* has appointed Deputies to attend the Congress.

WESTCHESTER (NEW-YORK) RESOLUTIONS.

At a Meeting of the Freeholders and Inhabitants of the Borough Town of *Westchester*, in *New-York*, the 20th of *August*, 1774,

James Ferris, Esquire, Colonel *Lewis Morris*, and Captain *Thomas Hunt*, were chosen a Committee to meet the Committee of the different towns and precincts within this county, at the *White Plains*, on *Monday*, the 22d instant, to consult on the expediency of appointing one or more Delegates to represent this county at the general Congress, to be held at *Philadelphia*. the first day of *September* next; and *James Ferris*, Esquire, being unanimously chosen Chairman, the Committee, after considering

Digitized by Google

the very alarming situation of their suffering brethren, at *Boston*, occasioned by the late unconstitutional, arbitrary, and oppressive Act of the *British* Parliament for blocking up their port, as well as the several Acts imposing taxes on the Colonies, in order to raise a revenue in *America*, thought proper to adopt the following Resolutions, which were unanimously agreed to:

Resolved, First, That we do, and will bear true allegiance to his Majesty *George* the Third, King of *Great Britain*, and according to the *British* Constitution.

Second, That we coincide in opinion with our friends in *New-York*, and of every other Colony, that all Acts of the *British* Parliament, imposing taxes on the Colonies without their consent, or by their Representatives, are arbitrary and oppressive, and should meet the abhorrence and detestation of all good men; that they are replete with the purpose of creating animosities and dissensions between the mother country and the Colonies, and thereby tend to destroy that harmony and mutual agreement which it is so much the interest of both to cherish and maintain.

Third, That we esteem it our duty, and think it incumbent on all the Colonies in *America*, to contribute towards the relief of the poor and distressed people of *Boston;* and that a person of this Borough be appointed to collect such charitable donations, within the same, as may be offered for their support.

Fourth, That as a division in the Colonies would be a sure means to counteract the present intention of the *Americans* in their endeavours to preserve their rights and liberties from the invasion that is threatened, we do most heartily recommend a steadiness and unanimity in their measures, as they will have the happy effects of averting the calamity that the late tyrannical Act of the *British* Parliament would otherwise most assuredly involve us in.

Fifthly, That, to obtain a redress of our grievances, it has been thought most advisable in the Colonies to appoint a general Congress, we will take shelter under the wisdom of those gentlemen who may be chosen to represent us, and cheerfully acquiesce in any measures they may judge shall be proper on this very alarming and critical occasion. JAMES FERRIS, *Chairman.*

PUBLICK MEETING, NORFOLK, VIRGINIA.

In consequence of letters from the Committees of Correspondence, for *St. Mary's* and *Charles* Counties, in *Maryland*, and from the Burgesses of *Elizabeth City* County, in this Colony, with information of the arrival of nine chests of tea, on board the brigantine *Mary* and *Jane*, Captain *Chapman*, consigned to some gentlemen of this town, a meeting of the inhabitants was requested, and accordingly held, at the Court House, on the 22d of *August*, 1774, when it was

Unanimously Resolved, That the teas now on board the brigantine *Mary* and *Jane*, and consigned to *Neil Jamieson* and Company, *George* and *John Bowness*, and *John Lawrence* and Company, being subject to the payment of duties imposed by an Act of the *British* Parliament, ought to be sent back, and not suffered to be landed; and therefore,

Ordered, That Captain *Abyvon*, Mr. *Bousch*, Captain *Loyall*, Mr. *Richard Taylor*, and Captain *Selden*, be a Committee to wait upon those gentlemen, to know whether they will comply with the above Resolution; and that they report their several answers.

The Committee accordingly waited on those gentlemen, and made the following return in writing:

"GENTLEMEN: We, your Committee, agreeable to your Resolve, have waited on the within mentioned *Neil Jamieson* and Company, *George* and *John Bowness*, and *John Lawrence* and Company, owners of the tea now on board the brigantine *Mary* and *Jane*, and acquainted them with your Resolution, who severally and respectively answered, that they were willing that the tea should be sent back.

"Certified under our hands this 22d day of *August*, 1774.

"GEORGE ABYVON, RICHARD TAYLOR,
"SAMUEL BOUSCH, JOHN SELDEN."
"PAUL LOYALL,

Which return being read and heard, it was

Unanimously Voted, That the above Committee wait upon those gentlemen, owners of the tea, with the thanks of this meeting for their ready and cheerful acquiescence in the above Resolution.

WILLIAM DAVIES, *Clerk.*

LETTER FROM THE COMMITTEE OF CORRESPONDENCE OF BOSTON, TO THE COMMITTEE OF CORRESPONDENCE FOR NEW-JERSEY.

Boston, August 22, 1774.

SIR: The Committee of Correspondence for this town have handed to the Committee of Donations a letter from you of the 28th ult., which breathes such a spirit of union and hearty concern for the rights of *America*, as must enkindle in every breast the highest opinion of the virtue and firmness of the inhabitants of *New-Jersey*. With hearts deeply impressed with gratitude, we note your kind intentions to contribute for the relief of the inhabitants of this town, suffering by means of the *Boston* Port Bill, and desire to know "in what way you can best answer our present necessities, whether cash remitted or articles of provision." For answer, if cash would be equally agreeable to our friends, it would be very acceptable at this time, but would leave that matter entirely to your convenience. The Christian sympathy and generosity of our friends through the Continent cannot fail to inspire the inhabitants of this town with patience, resignation, and firmness, while we trust in the Supreme Ruler of the universe, that he will graciously hear our cries, and in his time free us from our present bondage, and make us rejoice in his great salvation. Please to present our grateful acknowledgments to our friends of *New-Jersey*, and be assured we are, with great esteem, sir, your friends and fellow-countrymen,

NATHANIEL APPLETON, *per order.*

TO THE INHABITANTS OF NEW-JERSEY.

New-Jersey, August 23, 1774.

FRIENDS AND COUNTRYMEN: In a late address to you I have endeavoured to distinguish between taxes and duties; that the former ought to be imposed on our estates by our own Representatives; that the latter cannot be properly laid by any authority but that of *Great Britain*. That we are a part of the *Great British* Empire, and without losing every idea of a Colony, we cannot claim an exemption from duties and restrictions on trade.

I now beg leave to add, that this country was settled for the sole purpose of trade; and an absolute submission to the laws of the mother country, in paying customs and duties, was one of the terms our forefathers settled under. When we consider the design in planting Colonies, we should not be too fond of our own opinions, but hearken to those men who have made this subject their study, and examined it fully.

The great author of the Spirit of Laws, often quoted by our political writers, has given us not only his own sentiments, but the policy in *Europe*, of making these sentiments. Speaking of Colonies in his second volume, book twenty-one, chapter seventeen, he says, "The Colonies "they (the *European* Nations) have formed, are under a "kind of dependence, of which their is scarcely an instance "in all the Colonies of the ancients; whether we consider "them as holding of the state itself, or of some trading "company established in the state." Again: "The design "of these Colonies is to trade on more advantageous con-"ditions than could otherwise be done with the neigh-"bouring people, with whom all advantages are reciprocal. "It has been established, that the metropolis * alone shall "trade in the Colonies, and that from very good reason: "because the design of the settlement was the extension "of commerce, not the foundation of a new city, or a "new Empire; thus it is a fundamental law of *Europe*, "that all commerce with a foreign Colony shall be re-"garded as a mere monopoly, punishable by the laws of "the country."

No man can read these sentiments without perceiving the good policy upon which they are founded; for us to judge rightly of them, we should divest ourselves of those

* This is the language of the ancients in the state which founded the Colony.

Digitized by Google

opinions we have been taught to entertain, and that ideal notion of empire, which some men among us, who have no "grace but what is founded in dominion," have been but too successful in propagating. When we do this the force of this author's sentiments will appear strongly to us, and if not fully convinced by them, we shall become so, when we reflect that one of the conditions of our forefathers emigrating to this Colony, or rather having leave to do so, was among others, that "in managing and carrying on trade "with the people there, and in passing and returning to "and fro," the Colony "should yield and pay to us, our "heirs and successors, the customs and duties therefore "due and payable, according to the laws and customs of "this our Realm."

These are the words of the first grant of this Colony, made by *Charles* the Second, and by the laws of trade passed in this King's reign, which are looked upon as the palladium of *British* commerce, as well as other Acts. The *British* Legislature have always made the trade of the Colonies their object, and ever kept in view the first intention of settling them. Under these laws our forefathers settled and improved their plantations; under them they and we ourselves have happily lived and enjoyed all the liberty that men could or can wish, and may yet do it if we will refuse to hearken to the sedition, nay, treason, that is daily buzzed into our ears by men who do not design our happiness, but only study their own emolument. They tell us we are cramped in our trade, and that if we permit this duty another will follow, and another, until we are ruined and deprived of all liberty.

If we, my countrymen, have not a free trade with every Nation, remember that our forefathers settled here with this restraint, and that we are no losers by it, for in return we have been, and now are, "visibly compensated by the protection of the mother country," who has, and yet doth, defend us "by her arms, or supports us by her laws;" besides, my countrymen, as trade is the object of the mother country, we should remember that it is not her interest to destroy it, she will rather encourage it. It is true that duties will be laid for revenue or prohibition, but these will never be calculated to destroy trade; but to encourage beneficial, and destroy destructive commerce, by which the smuggler will be restrained, and the fair trader enjoy the fruits of his industry and honesty. But what right have we to enter into a quarrel about it? Let us remember our duty to the parent state, the terms on which our forefathers settled, lived, and prospered; under which we ourselves have grown rich and lived happily. Let us request the parent state to leave the taxation of our estates to our own Representatives, and, without a doubt, we may rely that *Great Britain* will never abridge us of our liberties, while we act within the sphere of our duty, and pursue not measures destructive of their commerce, and bid defiance to her laws.

I have hope (I wish I could say more) that the intended Congress will be productive of good to the Colonies. Should they calmly and without prejudice enter into a consideration of the dispute with the mother country, they have it in their power to preserve our liberties, and restore harmony between the Colonies and the mother state. But should they listen to, and be governed by, the folly of the times, and think that these Colonies were not planted nor protected for the extension of commerce, but for a new Empire, then will our once happy country become a scene of blood and distraction; we can have no recourse but to arms, and alas how shall we face the force of our mother country in the day of trial, when roused by our repeated insults, and enraged by our avowed declarations against her authority, "her fleets and armies siege our "cities, stop our trade, and we, by conquest, are reduced "to a state our mother country will even be grieved to "see."

PROVINCE OF MASSACHUSETTS BAY.

By the Governour.—A PROCLAMATION.

Whereas certain Handbills have been posted in sundry places in the town of *Salem*, calling upon the Merchants, Freeholders, and other Inhabitants of said town, to meet at the Town House Chamber, on *Wednesday* next, at nine o'clock in the morning, to consider of and determine upon measures for opposing the execution of divers late Acts of Parliament. And whereas, by a late Act of Parliament, all town meetings called without the consent of the Governour, (except the annual meetings in the months of *March* and *May*) are illegal.

I do strictly prohibit all persons from attending the aforesaid, or any other Meeting not warranted by law, as they will be chargeable with all the ill consequences that may follow thereon, and answer them at their utmost peril.

Given at *Salem*, the 23d of *August*, 1774.

THOMAS GAGE.

By his Excellency's command,

THOMAS FLUCKER, *Secretary*.

GOD *save the King*.

SALEM TOWN MEETING.

On *Saturday*, the 20th of *August*, 1774, printed notifications were posted up in this town, desiring the Merchants, Freeholders, and other Inhabitants, to meet at the Town House Chamber, on *Wednesday* the 24th, at nine o'clock in the morning, to appoint Deputies to meet at *Ipswich*, on the 6th of *September* next, with the Deputies of the other towns in the county, to consider of, and determine on such measures as the late Acts of Parliament, and our other grievances render necessary and expedient. These notifications purported, that it was the desire of the Committee of Correspondence that the inhabitants should thus assemble.

On *Wednesday* morning, at eight o'clock, the Governour sent a request to the Committee, that they would meet him at nine o'clock, telling them he had something of importance to communicate to them. They waited upon him accordingly, and were asked by him if they avowed those notifications? Being answered that it was known they were posted by order of the Committee, he then desired them to disperse the inhabitants, who, being assembled by them, they must abide all the consequences. It was answered, that the inhabitants being met together would do what they thought fit, and that the Committee could not oblige them to disperse. His Excellency declared it was an unlawful, seditious meeting; it was replied, neither the Committee nor the inhabitants supposed the meeting was contrary even to the Act of Parliament, much less to the laws of the Province. The Governour returned, "I am not going to "enter into a conversation on the matter; I came to exe-"cute the laws, not to dispute them, and I am determined "to execute them. If the people do not disperse, the "Sheriff will go first; if he is disobeyed, and needs sup-"port, I will support him." This he uttered with much vehemence of voice and gesture. The Governour ordered troops to be in readiness. They prepared accordingly as if for battle, left their encampment, and marched to the entrance of the town, there halted and loaded, and then about eighty advanced within an eighth of a mile from the Town House. But before this movement of the troops was known to the inhabitants, and while the Committee were in conference with the Governour, the whole business of the meeting was transacted, (being merely to choose Delegates) and the Honourable *Robert Darby*, Esq., Mr. *John Pickering*, Jun., Mr. *Jonathan Ropes*, Captain *Timothy Pickering*, Captain *Jonathan Gardner*, Jun., and Captain *Richard Manning*, were chosen Deputies from the several towns in the County of *Essex*, to attend the meeting to be held at *Ipswich*, on the 6th of *September*. After the meeting was over, news came that the troops were on the march; but they were now ordered to return to their camp.

Peter Frye, Esq., (by express orders from the Governour, as he declared to the Committee) issued a warrant for arresting the Committee of Correspondence, for the unlawfully and seditiously causing the people to assemble by that notification, without leave from the Governour, in open contempt of the laws, against the peace, and the statute in that case made and provided. Two of the Committee who were first arrested recognised, each in one hundred pounds, without sureties, to appear at the next Superiour Court at *Salem*, to answer to the above mentioned charge. The rest of the Committee who were arrested some time after have refused to recognise.

Digitized by Google

EXTRACT OF A LETTER FROM GOVERNOUR WRIGHT TO THE EARL OF DARTMOUTH, DATED SAVANNAH, IN GEORGIA, AUGUST 24, 1774.

In mine of *July* 25th, No. 23, and *August* 13th, No. 24, I acquainted your Lordship that I should give you a full account of the conduct and proceedings of the Liberty people here, as soon as I knew for certain what they did or meant to do; and I mentioned that some papers were preparing by which I believed it would appear that these resolutions were not the voice of the people, but unfairly and insolently made by a junto of a very few only, but which papers are not yet completed. Every thing, my Lord, was done that could be thought of to frustrate their attempt, but this did not totally prevent it.

I have been informed of another summons and meeting to be in *St. John's* Parish, on the 30th instant; and, my Lord, as long as these kind of summonses and meetings are suffered, a private man take upon him to summons a whole Province, to consult upon and redress publick grievances, I apprehend there will be nothing but cabals and combinations, and the peace of the Province, and minds of the people, continually heated, disturbed, and distracted. And the Proclamation I issued against them is termed arbitrary and oppressive, and an attempt to debar them of their natural and lawful rights and privileges. In short, my Lord, if these calls and meetings are considered as illegal and improper, it will require the interposition of higher authority to remedy the evil, for the Executive powers of Government in the Colonies are too weak to rectify such abuses, and prosecutions would only be laughed at, and no grand jury would find a bill of indictment, and the persons ordering and carrying them on probably insulted and abused.

New-London, September 2, 1774.

Col. *Willard*, one of Governour *Gage's* new Council,* came to *Union* on *Tuesday*, *August* 24, 1774, to do some business; when two gentlemen, belonging to *Windham*, who had been his attorneys in the case met him, and publickly renounced him and his cause, and refused to assist him any more, as they looked upon him as a traitor to his country. The people rose, took and confined him one night, then carried him to *Brimfield*, where the Province people, about four hundred in number, met them. They called a Council of themselves, and condemned Colonel *Willard* to *Newgate* Prison, in *Symsbury*; and a number set off and carried him six miles on the way thither. Colonel *Willard* then submitted to take the oath hereto annexed, on which they dismissed him. One Captain *Davis* of *Brimfield* was present, who showing resentment, and treating the people with bad language, was stripped, and honoured with the new fashion dress of tar and feathers; a proof this, *that the Act for tarring and feathering is not repealed!*

Confession of Colonel WILLARD, *of* LANCASTER:

Whereas I, *Abijah Willard*, of *Lancaster*, have been appointed, by mandamus, a Counsellor for this Province, and having without due consideration taken the oath, do now freely and solemnly declare that I am heartily sorry that I have taken the said oath, and do hereby solemnly and in good faith promise and engage that I will not sit or act in the said Council, nor in any other that shall be appointed in such manner and form, but that I will as much as in me lies, maintain the Charter rights and liberties of this Province; and do hereby ask the forgiveness of all honest, worthy gentlemen that I have offended, by taking the above said oath; and desire this may be inserted in the publick prints. Witness my hand,

ABIJAH WILLARD.

August 25th, 1774.

* The following is a list of the gentlemen appointed by his Majesty, Counsellors of this Province, agreeable to a late Act of Parliament:

Thomas Oliver, Esquire, Lieutenant Governour; *Thomas Flucker*, Esquire; *Peter Oliver*, Esquire; *Foster Hutchinson*, Esquire; *Thomas Hutchinson*, Esquire; *Harrison Gray*, Esquire; *Samuel Danforth*, Esquire; *John Erving*, Sen., Esquire; *James Russel*, Esquire; *Timothy Ruggles*, Esquire; *Joseph Lee*, Esquire; *Isaac Winslow*, Esquire; *Israel Williams*, Esquire; *George Watson*, Esquire; *Nathaniel Ray Thomas*, Esquire; *Timothy Woodbridge*, Esquire; *William Vassal*, Esquire; *William Brown*, Esquire; *Joseph Green*, Esquire; *James Boutineau*, Esquire; *Andrew Oliver*, Esquire; *Josiah Edson*, Esquire; *Richard Lechmere*, Esquire; *Joshua Loring*, Esquire; *John Worthington*, Esquire; *Timothy Paine*, Esquire; *William Pepperell*, Esquire; *Jeremiah Powell*, Esquire; *Jonathan Simpson*, Esquire; *John Murray*, Esquire; *Daniel Leonard*, Esquire; *Thomas Palmer*, Esquire; *Isaac Royall*, Esquire; *Robert Hooper*, Esquire; *Abijah Willard*, Esquire; *John Erving*, Jun., Esquire.

Province of MASSACHUSETTS BAY, SALEM, AUGUST 8, 1774.—His Majesty having been pleased to appoint the Honourable *Thomas Oliver*, Esquire, to be Lieutenant Governour of this Province, his Honour's commission was accordingly this day published in the Council Chamber, and the several oaths administered to him by his Excellency the Governour; after which the following gentlemen took the oaths necessary to qualify themselves for a seat in Council, being appointed by mandamus from his Majesty: Honourable *Thomas Oliver*, Esquire; Lieutenant Governour; *Thomas Flucker*, Esquire; *Foster Hutchinson*, Esquire; *Harrison Gray*, Esquire; *Joseph Lee*, Esquire; *Isaac Winslow*, Esquire; *William Brown*, Esquire; *James Boutineau*, Esquire; *Joshua Loring*, Esquire; *William Pepperell*, Esquire; *John Erving*, Jun., Esquire.

BOSTON, AUGUST 22.—*Tuesday* last, *August* 15, the following gentlemen took the oaths requisite to qualify them for their seats at the Council Board, viz: *Samuel Danforth*, *Peter Oliver*, *Richard Lechmere*, *Jonathan Simpson*, *Josiah Edson*, *Nathaniel Ray Thomas*, *Timothy Ruggles*, *Timothy Paine*, *Abijah Willard*, *Tho. Hutchinson*, Jun., *John Murray*, *Daniel Leonard*, and *George Watson*, Esquires.

EXTRACT OF A LETTER FROM TAUNTON, MASSACHUSETTS, AUGUST 24, 1774.

Last *Monday* afternoon about five hundred of the inhabitants of this and the adjacent towns assembled on the parade, near the Court House, in order to express the disquietude of their minds on hearing the alarming news, that *Daniel Leonard*, Esquire, who was lately in an unconstitutional manner appointed one of the Council of this Province, has accepted and was sworn into that office; but the sudden disappearance of that gentleman prevented the friendly cautions intended by his kind and honest, though incensed neighbours; there was not the least disorder or appearance of violence in any of the Assembly; but after a modest declaration of their sentiments relating to some late Ministerial manœuvres, and having received some pacificatory promises from certain friends of the said Counsellor, they all withdrew.

The following evening, certain sons of *Belial* were so daring as to fire several balls into one of Mr. *Leonard's* chamber windows, where it was supposed Captain *Williams*, the Deputy Sheriff lodged; whether this was done on account of some old grudge against him, or on account of his appearing to side with the tory party, or whether, (which is most probable) some of that party were the perpetrators of a black crime, in order to bring down the vengeance of Government upon the whigs, is not yet known. However, it is natural to observe here, that the authors and fautors of the late violent Governmental measures, may, from such popular measures, calculate (if they have any knowledge of omens) their own hidden fate, and that of all their cabal; while the hands of the populace are daily strengthening, having their souls duly touched with a sense of the wrongs already offered them, as well as of those threatened.

EXTRACT OF A LETTER FROM TAUNTON, MASSACHUSETTS, DATED AUGUST 25, 1774.

We hear that Brigadier *Ruggles*, one of the new made Counsellors, being at Colonel *Toby's*, at *Dartmouth*, the people assembled there one day this week, and ordered him to depart forthwith, upon which the Colonel promised them he would go the next morning by sun an hour high; but before that time the Brigadier's horse had his mane and tail cut off, and his body painted all over; since which he took refuge at Colonel *Gilbert's*, at *Freetown*.

This morning about two hundred men met at the *Ware* Bridge in this town, and after chosing a Moderator, appointed a Committee to warn the towns of *Dighton*, *Swansey*, *Rynham*, *Norton*, *Mansfield*, *Attleborough*, and *Easton*, to meet to-morrow at eight o'clock, when it is thought two or three thousand men will be assembled, from whence they will proceed to *Freetown* to wait on Colonel *Gilbert*, and desire of him not to accept of the office of the High Sheriff, under the present administration of the new laws, and that if he should, he must abide by the consequences; also to desire Brigadier *Ruggles* to depart this county immediately. Such is the spirit of this county. They seem to be quite awake, and to have awoke in a passion. It is more dangerous being a tory here than at *Boston*, even if no troops were there.

Digitized by Google

NORTH CAROLINA CONVENTION.

The Journal of the Proceedings of the first Provincial Convention of NORTH CAROLINA, *held at* NEWBERN, *on the twenty-fourth day of* AUGUST, *A. D.* 1774.

North Carolina, ss.

At a General Meeting of Deputies of the Inhabitants of this Province, at *Newbern*, the twenty-fifth day of *August*, in the year of our Lord one thousand seven hundred and seventy-four: Appeared, for

ANSON *County*.—Mr. *Samuel Spencer, Wm. Thomas.*
BEAUFORT.—*Roger Ormond, Thomas Respess*, Jun.
BLADEN.—*William Salter, Walter Gibson.*
BUTE.—*William Person, Green Hill.*
BRUNSWICK.—*Robert Howe.*
BERTIE.—*John Campbell.*
CRAVEN.—*James Coor, Lemuel Hatch, Joseph Leech, Richard Cogdell.*
CARTERET.—*William Thompson.*
CURRITUCK.—*Solo. Perkins, Nathan Poyner, Samuel Jarvis.*
CHOWAN.—*Samuel Johnston, Thomas Oldham, Thomas Benbury, Thomas Jones, Thomas Hunter.*
CUMBERLAND.—*Farquard Campbell, Thomas Rutherford.*
CHATHAM.—(None.)
DOBBS.—*Richard Caswell, William McKinnie, George Miller, Simon Bright.*
DUPLIN.—*Thomas Gray, Thomas Hicks, James Kenan, William Dickson.*
EDGECOMBE.—(None.)
GRANVILLE.—*Thomas Person, Memucan Hunt.*
GUILFORD.—(None.)
HYDE.—*Rothias Latham, Samuel Smith.*
HERTFORD.—(None.)
HALIFAX.—*Nicholas Long, Willie Jones.*
JOHNSTON.—*Needham Bryan, Benjamin Williams.*
MECKLENBURGH.—*Benjamin Patton.*
MARTIN.—*Edmund Smythwick.*
NEW-HANOVER.—*John Ashe, William Hooper.*
NORTHAMPTON.—*Allen Jones.*
ORANGE.—*Thomas Hart.*
ONSLOW.—*William Cray.*
PERQUIMANS.—*John Harvey, Benjamin Harvey, Andrew Knox, Thomas Harvey, John Whedbee* Jun.
PASQUOTANK.—*Joseph Jones, Edward Everigin, Joseph Reading.*
PITT.—*John Simpson, Edward Salter.*
ROWAN.—*Wm. Kennon, Moses Winslow, Sam. Young.*
SURRY.—(None.)
TRYON.—*David Jenkins, Robert Alexander.*
TYRREL.—*Joseph Spruill, Jeremiah Fraser.*
WAKE.—(None.)
NEWBERN.—*Abner Nash, Isaac Edwards.*
EDENTON.—*Joseph Hewes.*
WILMINGTON.—*Francis Clayton.*
For the Town of BATH.—*William Brown.*
HALIFAX.—*John Geddy.*
HILLSBOROUGH.—(None.)
SALISBURY.—(None.)
BRUNSWICK.—(None.)
CAMPBELTON.—(None.)

The Deputies then proceeded to make choice of a Moderator, when Colonel JOHN HARVEY was unanimously chosen, and Mr. ANDREW KNOX appointed Clerk.

The Meeting then adjourned till eight o'clock to morrow morning.

—

Friday, August 26, 1774.

The Meeting met according to adjournment:

Mr. *Hewes*, one of the members of the Committee of Correspondence, presented several Letters from the Committees of Correspondence of the other Colonies in *America*, and the several Answers thereto; which, on motion, were ordered to be read.

And after the most mature deliberation had thereon:

Resolved, That three Delegates be appointed to attend the general Congress, to be held at *Philadelphia* sometime in *September* next.

The Meeting adjourned till eight o'clock to morrow morning.

Saturday, August 27, 1774.

The Meeting met according to adjournment; and came to the following Resolutions, to wit:

We, his Majesty's most dutiful and loyal subjects, the Deputies from the several Counties and Towns of the Province of *North Carolina*, impressed with the most sacred respect for the *British* Constitution, and resolved to maintain the succession of the House of *Hanover*, as by law established, and avowing our inviolable and unshaken fidelity to our Sovereign, and entertaining a sincere regard for our fellow-subjects in *Great Britain*, viewing with the utmost abhorrence every attempt which may tend to disturb the peace and good order of this Colony, or to shake the fidelity of his Majesty's subjects resident here; but, at the same time conceiving it a duty which we owe to ourselves and posterity, in the present alarming state of *British America*, when our most essential rights are invaded by powers unwarrantably assumed by the Parliament of *Great Britain*, to declare our sentiments in the most publick manner, least silence should be construed as acquiescence, and that we patiently submit to the burthen which they have thought fit to impose upon us:

Resolved, That his Majesty *George* the Third is lawful and rightful King of *Great Britain*, and the Dominions thereunto belonging, and of this Province, as part thereof, and that we do bear faithful and true allegiance unto him as our lawful Sovereign; that we will to the utmost of our power maintain and defend the succession of the House of *Hanover*, as by law established, against the open or private attempts of any person or persons whatsoever.

Resolved, That we claim no more than the rights of *Englishmen* without diminution or abridgment; that it is our indispensable duty and will be our constant endeavour, to maintain those rights to the utmost of our power consistently with the loyalty which we owe Sovereign, and a sacred regard for the *British* Constitution.

Resolved, It is of the very essence of the *British* Constitution, that no subject should be taxed, but by his own consent, freely given by himself in person, or by his legal Representatives, and that any other than such a taxation is highly derogatory to the rights of a subject, and a gross violation of the Grand Charter of our liberties.

Resolved, That as the *British* subjects resident in *North America*, have not, nor can have, any representation in the Parliament of *Great Britain*, therefore any Act of Parliament imposing a tax upon them, is illegal and unconstitutional; that our Provincial Assemblies, the King by his Governours constituting one branch thereof, solely and exclusively possess that right.

Resolved, That the duties imposed by several Acts of the *British* Parliament upon tea and other articles, consumed in *America*, for the purpose of raising a revenue, are highly illegal and oppressive, and that the late exportation of tea by the *East India* Company, to different parts of *America*, was intended to give effect to one of the said Acts, and thereby establish a precedent highly dishonourable to *America*, and to obtain an implied assent to the powers which *Great Britain* had unwarrantably assumed, of levying a tax upon us without our consent.

Resolved, That the inhabitants of the *Massachusetts* Province have distinguished themselves in a manly support of the rights of *America* in general, and that the cause in which they now suffer is the cause of every honest *American* who deserves the blessings which the Constitution holds forth to them. That the grievances under which the town of *Boston* labours at present are the effect of a resentment levelled at them for having stood foremost in an opposition to measures which must eventually have involved all *British America* in a state of abject dependence and servitude.

The Act of Parliament, commonly called the *Boston* Port Act, as it tends to shut up the port of *Boston*, and thereby effectually destroy its trade, and deprive the merchants and manufacturers of a subsistence which they have hitherto procured by an honest industry; as it takes away the wharves, quays, and other property of many individuals by rendering it useless to them; and as the duration of this Act depends upon circumstances founded merely in opinion, and in their nature indeterminate, and thereby may make the miseries it carries with it even perpetual,

Resolved, Therefore, that it is the most cruel infringe-

Digitized by Google

ment of the rights and privileges of the people of *Boston*, both as men and members of the *British* Government.

Resolved, That the late Act of Parliament, for regulating the Police of that Province, is an infringement of the Charter right granted them by their Majesties King *William* and Queen *Mary*, and tends to lessen that sacred confidence which ought to be placed in the acts of Kings.

Resolved, That trial by Juries of the vicinity is the only lawful inquest that can pass upon the life of a *British* subject, and that it is a right handed down to us from the earliest ages; confirmed and sanctified by Magna Charta itself, that no freeman shall be taken and imprisoned, or dispossessed of his free tenement and liberties, or outlawed, or banished, on any wise hurt or injured, unless by the legal judgment of his peers, or by the law of the land, and therefore all who suffer otherwise are not victims to publick justice, but fall a sacrifice to the powers of tyranny and high-handed oppression.

Resolved, That the Bill for altering the administration of justice, in certain criminal cases within the Province of *Massachusetts Bay*, as it empowers the Governours thereof to send to *Great Britain* for trial all persons who, in aid of his Majesty's officers, shall commit any capital offence, is fraught with the highest injustice and partiality, and will tend to produce frequent bloodshed of the inhabitants, as this Act furnishes an opportunity to commit the most atrocious crimes with the greatest probability of impunity.

Resolved, That we will not directly or indirectly after the first day of *January* 1775, import from *Great Britain* any *East India* goods, or any merchandise whatever, medicines excepted, nor will we after that day import from the *West Indies*, or elsewhere, any *East India* or *British* goods or manufactures, nor will we purchase any such articles so imported of any person or persons whatsoever, except such as are now in the country, or may arrive on or before the first day of *January*, 1775.

Resolved, That unless *American* grievances are redressed before the first day of *October*, 1775, we will not after that day, directly or indirectly export tobacco, pitch, tar, turpentine, or any other article whatever to *Great Britain*, nor will we sell any such articles as we think can be exported to *Great Britain* with a prospect of gain, to any person or persons whatever, with a design of putting it in his or their power to export the same to *Great Britain*, either on our own, his or their account.

Resolved, That we will not import any slave or slaves, or purchase any slave or slaves, imported or brought into this Province by others, from any part of the world, after the first day of *November* next.

Resolved, That we will not use, nor suffer *East India* tea to be used in our families, after the tenth day of *September* next, and that we will consider all persons in this Province, not complying with this resolve, to be enemies to their country.

Resolved, That the venders of merchandise within this Province ought not take advantage of the resolves relating to non-importation in this Province, or elsewhere, but ought to sell their goods and merchandise, which they have, or may hereafter import, at the same rates they have been accustomed to sell them within three months last past.

Resolved, That the people of this Province, will break off all trade, commerce and dealing, and will not maintain any the least trade, dealing or commercial intercourse with any Colony on this Continent, or with any city or town, or with any individual in such Colony, city, or town, which shall refuse, decline, or neglect to adopt and carry into execution such general plan as shall be agreed to in the Continental Congress.

Resolved, That we approve of the proposal of a general Congress, to be held in the City of *Philadelphia*, on the 20th of *September* next, then and there to deliberate upon the present state of *British America*, and to take such measures as they may deem prudent to effect the purpose of describing with certainty the rights of *Americans*; repairing the breaches made in those rights; and for guarding them for the future from any such violations done under the sanction of publick authority.

Resolved, That *William Hooper*, *Joseph Hewes*, and *Richard Caswell*, Esquires, and every of them be Deputies to attend such Congress; and they are hereby invested with such powers as may make any act done by them, or consent given in behalf of this Province, obligatory in honour upon every inhabitant thereof, who is not alien to his country's good, and an apostate to the liberties of *America*.

Resolved, That they view the attempts made by the Minister upon the town of *Boston*, as a prelude to a general attack upon the rights of the other Colonies; and that upon the success of this depends in a great measure, the happiness of *America*, in its present race, and in posterity; and that therefore it becomes our duty to contribute in proportion to our abilities to ease the burthen imposed upon that town for their virtuous opposition to the Revenue Acts, that they may be enabled to persist in a prudent and manly opposition to the schemes of Parliament, and render its dangerous designs abortive.

Resolved, That liberty is the spirit of the *British* Constitution, and that it is the duty, and will be the endeavour of us as *British Americans*, to transmit this happy Constitution to our posterity in a state, if possible, better than we found it; and that to suffer it to undergo a change which may impair that invaluable blessing, would be to disgrace those ancestors, who, at the expense of their blood, purchased those privileges which their degenerate posterity are too weak or too wicked to maintain inviolate.

Resolved, That at every future Provincial Meeting, when any division shall happen, the method to be observed, shall be to vote by the counties and towns (having a right to send Members to Assembly) that shall be represented at every such meeting; and it is recommended to the Deputies of the several counties that a Committee of five persons be chosen in each county, by such persons as accede to this Association, to take effectual care that these resolves be properly observed, and to correspond occasionally with the Provincial Committee of Correspondence of this Province.

Resolved, That each and every county in this Province raise, as speedily as possible, the sum of twenty pounds, Proclamation money, and pay the same into the hands of *Richard Caswell*, Esquire, to be by him equally divided among the Deputies appointed to attend the general Congress at *Philadelphia*, as a recompense for their trouble and expense in attending the said Congress.

Resolved, That the Moderator of this meeting, and in case of his death, *Samuel Johnson*, Esquire, be empowered, on any future occasion that may in his opinion require it, to convene the several Deputies of this Province, which now are or hereafter shall be chosen, at such time and place as he shall think proper; and in case of the death or absence of any Deputy, it is recommended that another be chosen in his stead.

Resolved, That the following be Instructions for the Deputies appointed to meet in general Congress on the part of this Colony, to wit:

That they express our sincere attachment to our most gracious Sovereign King *George* the Third, and our determined resolution to support his lawful authority in the Province; at the same time, that we cannot depart from a steady adherence to the first law of nature: a firm and resolute defence of our persons and properties against all unconstitutional encroachments whatsoever.

That they assert our right to all the privileges of *British* subjects, particularly that of paying no taxes or duties but with our own consent; and that the Legislature of this Province have the exclusive power of making laws to regulate our internal polity, subject to his Majesty's disallowance.

That should the *British* Parliament continue to exercise the power of levying taxes and duties on the Colonies, and making laws to bind them in all cases whatsoever; such laws must be highly unconstitutional and oppressive to the inhabitants of *British America*, who have not, and from their local circumstances cannot have, a fair and equal representation in the *British* Parliament, and that these disadvantages must be greatly enhanced by the misrepresentation of designing men, inimical to the Colonies, the influence of whose reports cannot be guarded against, by reason of the distance of *America* from them, or as has been unhappily experienced in the case of the town of *Boston*, when the ears of Administration have been shut against every attempt to vindicate a people who claimed only the right of being heard in their own defence.

Digitized by Google

That therefore until we obtain an explicit declaration and acknowledgment of our rights, we agree to stop all imports from *Great Britain* after the first day of *January*, 1775; and that we will not export any of our commodities to *Great Britain* after the first day of *October*, 1775.

That they concur with the Deputies or Delegates from the other Colonies, in such Regulations, Addresses, or Remonstrances, as may be deemed most probable to restore a lasting harmony and good understanding with *Great Britain*, a circumstance we most sincerely and ardently desire; and that they agree with the majority of them in all necessary measures for promoting a redress of such grievances as may come under their consideration.

Resolved, That the thanks of this meeting be given to the Honourable *John Harvey*, Esquire, Moderator, for his faithful exercise of that office, and the services he has thereby rendered to this Province, and the friends of *America* in general. JOHN HARVEY, *Moderator*.

Richard Cogdell,	Samuel Spencer,	Lemuel Hatch,
William Thomson,	William Thomas,	Thomas Rutherford,
Sol. Perkins,	Roger Ormond,	Rd. Caswell,
Nathan Poyner,	Thomas Respess, Jr.,	Wm. McKinnie,
Samuel Jarvis,	William Salter,	George Miller,
Samuel Johnston,	Walter Gibson,	Simon Bright,
Thomas Benbury,	William Person,	Tho. Gray,
Tho. Jones,	Green Hill,	Thomas Hicks,
Thomas Oldham,	R. Howe,	James Kenan,
Thomas Hunter,	Jno. Campbell,	William Dickson,
Farqd. Campbell,	James Coor,	Thomas Person,
Memucan Hunt,	Samuel Smith,	Rothias Latham,
Nicholas Long,	Willie Jones,	Needham Bryan,
Benjamin Williams,	Benjamin Patton,	John Ashe,
Will. Hooper,	Allen Jones,	Thomas Hart,
William Cray,	Ben. Harvey,	Andrew Knox,
Thomas Harvey,	J. Whedbee,	Joseph Jones,
Edward Everigin,	Joseph Reading,	John Simpson,
Edward Salter,	Will. Kennon,	Moses Winslow,
Samuel Young,	David Jenkins,	Robert Alexander,
Joseph Spruill,	Abner Nash,	J. Edwards,
Joseph Hewes,	Francis Clayton,	William Brown,
John Geddy,	Edward Smythwick,	Jeremiah Fraser.

Williamsburg, August 25, 1774.

Last night an express arrived from *Pittsylvania* County, who brings the melancholy intelligence that several families have lately been cut off at *Sinking* Creek, on the line between this Colony and *North Carolina*, by parties of *Choctaw*, *Shawanese*, and *Delaware Indians;* and that it was reported there were ten Nations who had leagued to go to war against the settlements, some of them very powerful. We hear the express was sent by Colonel *Gordon*, of *Pittsylvania*, requesting a supply of arms and ammunition (of which it seems the back inhabitants are in great want) the young men there having declared their readiness to go out in their country's defence, and for the protection of their properties and friends from the cruelty and depredations of the savages.

Lord *Dunmore*, we hear, with about fifteen hundred men under his command, was to march in a few days for the mouth of *New* River, where he is to be joined by Colonel *Lewis* and Colonel *Preston* with a body of twelve or fifteen hundred more; their destination is said to be against some of the *Indian* towns.

Williamsburg, August 25, 1774.

Wednesday evening last an express arrived in this city, who reports that many families have very lately been barbarously murdered on the frontiers of *Pennsylvania* and *Virginia*, and that his Excellency Lord *Dunmore* is endeavouring all in his power to repel those hostile and inhuman savages. Colonel *Preston* and Colonel *Lewis* it seems have raised a thousand men each; and it is reported also, that a like number have enlisted under his Lordship's banner, he, as well as them, being greatly exasperated at the late cruel and intolerable treatment of the *Indians* towards the white people residing at or near the back parts of this Colony.

LETTER FROM LORD DARTMOUTH TO GOVERNOUR PENN.

Whitehall, August 26, 1774.

It having been represented to the King that the Government of *Pennsylvania* has taken a resolution to extend its jurisdiction up to the line settled by Commissioners, between that Province and *Maryland*, although the Guardians of the Heir of Lord *Baltimore* have declared their incapacity in point of law to concur in a ratification of that line, and consequently their inability to take the like step on their part; and it being apprehended that such a partial extension of jurisdiction may have the effect to disturb the peace of the King's subjects settled on the frontiers of both Provinces, and may occasion violence and bloodshed, I am commanded by the King to signify to you his Majesty's pleasure, that you do desist from issuing any orders for extending the jurisdiction of *Pennsylvania* beyond those places where it has been hitherto usually exercised, until the present difficulty on the part of *Maryland* shall be removed, or until his Majesty's further pleasure be known. I am, sir, your most obedient humble servant,

DARTMOUTH.

Deputy Governour *Penn*.

GOVERNOUR PENN TO ROBERT EDEN.

Philadelphia, May 16, 1774.

SIR: On the receipt of your Excellency's letter of the 31st of *January* last, I resolved, in compliance with your request, to delay the issuing a Proclamation for the exercise of the jurisdiction of this Province up to the lines run and marked by the Commissioners under the Proprietary agreements as the boundaries between *Maryland* and *Pennsylvania*, and the three Lower Counties, till it was known whether the guardians of Mr. *Harford* would sign the Commissioners' Return, and instruct you to join in such Proclamation. I am now to inform you sir, that that point is reduced to a certainty, Mr. *Wilmot*, our solicitor, having lately advised me that the guardians have expressly refused an application made to them for that purpose, conceiving it to be a matter in which, from the nature of their trust, they cannot legally intermeddle. Although I have always been advised that the running and marking the divisional lines under the Proprietary Agreements, enforced by the decrees in chancery, and ratified by his Majesty in Council, on the joint petition of both Proprietors, is of itself final and conclusive on all parties, and that nothing is essentially wanting to substantiate these proceedings, yet I should have been glad your Excellency could have thought yourself justified in joining with me in a Proclamation to extend the jurisdiction of both Provinces, according to the lines thus settled; as it would leave without excuse those who might be disposed to give opposition to the measure on either side. But as it is now evident that Mr *Harford's* guardians will give you no instructions on this head, I cannot, consistent with the justice due to the people settled on our side of those lines, who have been, and yet are, in a great measure, in a lawless state, any longer defer affording to them that protection they have so repeatedly applied for, and which they have a right to claim from this Government. I have, therefore, come to a resolution, by the advice of my Council, to issue the Proclamation *ex-parte*, and hope your Excellency, before you embark for *England*, will take such measures on the occasion as you may judge most proper to prevent the peace of the two Provinces from being again disturbed, and those valuable purposes from being defeated that induced the respective Proprietaries to enter into the agreement for settling their boundaries, and which, in their execution, have been attended with an immense expense to them. I sincerely wish you a happy voyage, and am, with great respect, your Excellency's obedient humble servant, JOHN PENN.

His Excellency *Robert Eden*, Esquire.

ROBERT EDEN TO GOVERNOUR PENN.

Annapolis, May 21, 1774.

SIR: The guardians of the Proprietor of *Maryland*, appointed by the Lord Chancellor of *England*, declined, I presume, signing the Return of the Commissioners in their capacity of guardians because they might think it improper to do the act without the especial direction of the Lord Chancellor, upon an application bringing the matter before his Lordship in a regular course of proceeding, their Ward being under his particular protection; but whatever may have been the reason, whether that which I have suggested, or any other, why the guardians have declined the measure, I conceive (and the Council of this Province,

Digitized by Google

whom I have consulted, are of the same opinion) that it would be most improper for me, in my station, to undertake, in any degree, the exercise of a power which the guardians have refused, upon the declared principle, that it is a matter in which, from the nature of their trust, they cannot intermeddle.

What may be the effect in respect of the peace of the two Provinces of an *ex-parte* Proclamation issued by your Government, I do not undertake to say, nor do I doubt but that the tendency of such a measure will be most maturely considered before the execution of it, though for my own part I am not without apprehension that some disagreeable disturbances may be the consequence of such an *ex-parte* Proclamation, and I cannot but express my wish that it may be deferred.

I expect to take my departure from *Maryland* in a few days, and will embrace a very early opportunity, after my arrival in *England*, to communicate your letters to the guardians; but till instructions shall be sent hither to direct the conduct of the Provincial Government, I believe I may venture to assure you, no steps will be taken here to indicate a concurrence with, or an admission of, the propriety of the measure you propose.

I am, sir, &c., ROBERT EDEN.

The Honourable *John Penn*, Esquire, Governour of *Pennsylvania*.

GOVERNOUR PENN TO RICHARD LEE.

Philadelphia, September 26, 1774.

SIR: In consequence of letters lately received from *England* I have made publick notification of the Provincial boundary lines run by Messrs. *Dixon* and *Mason*, between this Province and the Lower Counties on *Delaware* and *Maryland*. The jurisdiction of this Province will be exercised accordingly up to those lines; and, although your Government has not thought itself at liberty to concur in that most just, reasonable, and necessary measure, for want of proper instructions, I am persuaded it will not give an opposition which can serve no purpose but to disturb the publick peace.

I have the honour to be, sir, your most obedient, and most humble servant, JOHN PENN.

The Honourable *Richard Lee*, Esquire.

GENERAL BRATTLE TO GENERAL GAGE.

Cambridge, August 26, 1774.

Mr. *Brattle* presents his duty to his Excellency Governour *Gage*, he apprehends it is his duty to acquaint his Excellency, from time to time, of every thing he hears and knows to be true, and is of importance in these troublesome times, which is the apology Mr. *Brattle* makes for troubling the General with this letter.

Captain *Minot*, of *Concord*, a very worthy man, this minute informed Mr. *Brattle* that there had been repeatedly made pressing applications to him to warn his company to meet at one minute's warning, equipped with arms and ammunition, according to law; he had constantly denied them, adding, if he did not gratify them he should be constrained to quit his farms and town. Mr. *Brattle* told him he had better do that than lose his life and be hanged for a rebel. He observed that many Captains had done it, though not in the regiment to which he belongs, which was and is under Colonel *Elisha Jones*, but in a neighbouring regiment.

Mr. *Brattle* begs leave humbly to quere, whether it would not be best that there should not be one commissioned officer of the militia in the Province.

This morning the Selectmen of *Medford* came and received their town stock of powder, which was in the Arsenal on *Quarry* Hill, so that there is now therein the King's powder only, which shall remain there as a sacred depositum till ordered out by the Captain-General.

To his Excellency General *Gage*, &c., &c.

ADAM STEPHEN TO R. H. LEE.

Berkley Court House, August 27, 1774.

SIR: Lord *Dunmore* orders me to the *Ohio* with his Lordship, to endeavour to put matters on a footing to establish a lasting peace with the brave Natives, who, in my opinion, would behave well were they not poisoned by the blackguard traders allowed to go among them to their different towns. This prevents my attending the general Congress, where I would expect to see the spirit of the *Amphyctions* shine as that illustrious Council did in their purest times, before debauched with the *Persian* gold.

The fate of *America* depends on your meeting, and the eyes of the *European* world hang upon you, waiting the event. Despotism and the Roman Catholick religion is established in *Canada*. Can we be said to enjoy liberty, if the villain who ravishes our wives, deflowers our daughters, or murders our sons, can evade punishment by being tried in *Britain*, where no evidence can pursue him.

A Governour to suppose me guilty of a crime, and tell me there can be no fair trial in *America*, that is, there are not honest men to be found in my country to try me, he must send me home to rot in *Newgate*, is shocking to human nature. Could I get within musket-shot of him, I would put him to death; he should never attempt to send home another. In the mean time I must acquaint you, that the situation of *America*, that is, the parts of it I am acquainted with, is unhappy in not being provided with arms and ammunition. At the Congress this ought to be privately taken into consideration; a plan laid for encourageing numbers of gun-lock smiths to come in; a number of locks to be imported, with caution to prevent suspicion; and as many arms as could be got. I imagine that we want one hundred thousand stand of arms. We have great difficulty in fitting out the few men we want on this occasion. Contrive a supply of ammunition; let some be brought in by every ship. I wish the united wisdom of *America* may prevent it, but I expect from their determined system of arbitrary power at home, that matters will come to extremity. It appears to me, that they intend to irritate *America* into rebellion, and then govern us like a conquered people. Try all fair means with the greatest address to avoid it, but be prepared for the worst as soon as possible; this ought not to escape consideration at this time, and it is a thing that requires the utmost address. Let us be provided with arms and ammunition, and individuals may suffer, but the gates of hell cannot prevail against *America*; our greatest enemies would be the despotick tools of *Canada*. Before provision is made for these things, the hand of power will prevail. I wish the happy issue of your Councils, and am, with respect, sir, your most obedient humble servant, ADAM STEPHEN.

P. S. Pardon this scrawl, I am on the march.

PALATINE (TRYON COUNTY, N. Y.) RESOLUTIONS.

Resolutions adopted by the Inhabitants of *Palatine* District, *Tryon* County, *New-York*, at a Meeting held *August* 27, 1774.

This Meeting looking with concern and heartfelt sorrow on the alarming and calamitous condition which the inhabitants of *Boston* are in, in consequence of the Act of Parliament blocking up the port of *Boston*, and considering the tendency of the late Acts of Paliament, for the purpose of raising a revenue in *America*, has to abridging the liberties and privileges of the *American* Colonies, do Resolve:

1. That King *George* the Third is lawful and rightful Lord and Sovereign of *Great Britain*, and the Dominions thereunto belonging; and that as part of his Dominions we hereby testify that we will bear true faith and allegiance unto him, and that we will, with our lives and fortunes, support and maintain him upon the throne of his ancestors, and the just dependence of these, his Colonies, upon the Crown of *Great Britain*.

2. That we think and consider it as our greatest happiness to be governed by the laws of *Great Britain*, and that, with cheerfulness, we will always pay submission thereunto, as far as we consistently can with the security of the constitutional rights and liberties of *English* subjects, which are so sacred that we cannot permit the same to be violated.

3. That we think it is our undeniable privilege to be taxed only with our own consent, given by ourselves or our Representatives. That taxes otherwise laid and ex-

Digitized by Google

acted are unjust and unconstitutional. That the late Acts of Parliament, declarative of their right of laying internal taxes on the *American* Colonies are obvious encroachments on the rights and liberties of the *British* subjects in *America*.

4. That the Act for blocking up the port of *Boston* is oppressive and arbitrary; injurious in its principles, and particularly oppressive to the inhabitants of *Boston*, whom we consider brethren suffering in the common cause.

5. That we will unite and join with the different Districts of this county, in giving whatever relief it is in our power to the poor distressed inhabitants of *Boston*; and that we will join and unite, with our brethren of the rest of this Colony, in any thing tending to support and defend our rights and liberties.

6. That we think the sending of Delegates from the different Colonies, to a general Continental Congress, is a salutary measure, and absolutely necessary at this alarming crisis; and that we entirely approve of the five gentlemen chosen Delegates for this Colony, by our brethren of *New-York*, hereby adopting and choosing the same persons to represent this Colony in the Congress.

7. That we hereby engage faithfully to abide by, and adhere to, such regulations as shall be made and agreed upon by the said Congress.

8. That we consider it necessary that there be appointed a Standing Committee, of this county, to correspond with the Committees of *New-York* and *Albany*; and we do hereby appoint *Christopher P. Yates*, *Isaac Paris*, *John Frey*, and *Andrew Fink*, who, together with persons to be appointed by the other Districts of this county, are to compose a Committee of Correspondence to convey the sentiments of this county, in a set of Resolves, to *New-York*.

9. It is voted, by this meeting, that copies of the proceedings of this day, certified by the Chairman, be transmitted to the Supervisors of the different Districts of this county, and that we recommend it to the inhabitants of the said Districts to appoint persons to compose a Committee of Correspondence.

GOVERNOUR GAGE TO THE EARL OF DARTMOUTH.

Salem, August 27, 1774.

My Lord: I had the honour to receive your Lordship's separate letter, dated 3d of *June*, on the 6th instant, in which came enclosed two Acts of Parliament, for regulating the Government of the *Massachusetts Bay*, and for the more impartial administration of justice in the said Province; together with an additional instruction to the Governour; Mr. *Oliver's* appointment of Lieutenant Governour; and a printed copy of an amendment to the Meeting Bill for *America*, relating to the clause for quartering the King's troops.

No time was lost in forming the new Council. I assembled all the Members who could be collected, on so short a notice, on the 8th instant, and appointed the whole to meet on the 16th instant. The list enclosed will inform your Lordship of the names of the gentlemen sworn in; of those who have refused to accept the nomination, or are wavering, absent, or dead.

The twenty-four who have accepted the honour the King has conferred upon them, are as respectable persons as any in the Province, and the Lieutenant Governour is generally approved of by all parties. I must defer sending your Lordship recommendations to the vacancies, to another opportunity; for, though I have several in my mind, I am first to be assured of their willingness to act; and the number of Counsellors being considerable, gives time to look out for others. Your Lordship judged right, that art would be practised, on this occasion, to intimidate and prejudice; even force was attempted on Mr. *Ruggles*, by a number of people collected on the road, near *Worcester*, with intent to stop him, but he made his way through them.

My former letters have acquainted your Lordship that the Acts in question had been published here, and people have had leisure to consider means to elude them; in doing which, they are very expert. At a town meeting held at *Boston*, in *July*, in order to avoid the calling a meeting afterwards, they adjourned themselves to the 9th of *August*, and adjourned again on that day, to some time in *October*. I assembled the Selectmen, in *Boston*; had the clause read respecting town meetings; told them I expected their obedience to it; that I should put the Act in force; and that they would be answerable for any bad consequences. They replied, they had called no meeting; that a former meeting had only adjourned themselves.

I laid the affair of adjournments before the new Council, and found some of opinion that the clause was thereby clearly evaded, and nearly the whole unwilling to debate upon it; terming it a point of law which ought to be referred to the Crown lawyers, whose opinions is to be taken upon it, and by which I must govern myself.

Another clause of the Act is likewise referred to the lawyers, concerning the removal of Sheriffs. Upon intimating to the Council my desire to remove a Sheriff, some immediately objected that it did not belong to the Council, for that the Governour was alone empowered to remove any of the Sheriffs now in office, and that the Act only required consent of Council to remove such Sheriff as the Governour should appoint, by his own authority, and want to remove afterwards.

It was the unanimous opinion of the Council, that an Assembly should be called as early as possible, and writs will be issued for their meeting by the latter end of *October*.

The state of the Province was, at the same time, taken into consideration, and a letter read that I had received from *Hampshire* County, an extract of which I transmit your Lordship; and several Members gave an account of the state of their respective counties, from whence it appeared that the phrenzy had spread, in a greater or less degree, through all; of which I shall write more fully before closing my letter.

Since the unwarrantable impeachment of the Chief Justice, I understand he has never taken his seat upon the bench, but he has promised me to attend the Superiour Court, at *Boston*, towards the end of the month; and I hope he will preside also in said Court, to be held at *Worcester*, in *September*, notwithstanding the threats thrown out against him. I have engaged to meet him at *Boston*, to prevent violence, which, from the present system, I don't expect to meet with there; and I believe that I must attend him also at *Worcester*, where I am to expect it.

By the plan lately adopted, forcible opposition and violence is to be transferred from the town of *Boston* to the country.

The copy enclosed of a letter from the *Boston* Committee of Correspondence, to the several counties, will sufficiently evince the intention of those leaders, who, by said letter, emissaries, and other means, have contrived, while *Boston* affects quiet and tranquillity, to raise a flame, not only throughout this Province, but also in the Colony of *Connecticut*. The original letter is signed by the Town Clerk, though, from a caution lately observed, they omit his name in the newspaper, from whence the enclosed is taken.

In consequence of the new plan popular rage has appeared at the extremity of the Province, abetted by *Connecticut*, which the extract of the letter from *Hampshire*, read in Council, shews; it is very high, also, in *Berkshire* County, and makes way rapidly to the rest. In *Worcester* they keep no terms; openly threaten resistance by arms; have been purchasing arms; preparing them; casting balls, and providing powder; and threaten to attack any troops who dare to oppose them. Mr. *Ruggles*, of the new Council, is afraid to take his seat as Judge of the Inferiour Court, which sets at *Worcester*, on the 7th of next month; and I apprehend that I shall soon be obliged to march a body of troops into that township, and perhaps into others, as occasions happen, to preserve the peace.

The Delegates, as they are called, from this Province, are gone to *Philadelphia* to meet the rest, who are to form the general Congress; and it is thought it will be determined there, whether the town of *Boston* is to comply with the terms of the Port Bill. It is not possible to guess what a body, composed of such heterogeneous matter, will determine; but the Members from hence, I am assured, will promote the most haughty and insolent Resolves, for their plan has ever been, by threats and high-sounding sedition, to terrify and intimidate.

Some believe that the Congress has been consented to

Digitized by Google

in other Provinces only to amuse those among themselves who have been so strangely violent in support of *Boston*, and to which their own Provincial factions have not a little contributed; others fear a non-importation, and I hear the merchants are sending for double the quantity of goods they usually import; and in order to get credit for them, are sending home all the money they can collect, insomuch that bills have risen at *New-York* above five per cent. From this circumstance your Lordship may judge of others; they want to force you into their terms, by threatening ruin to your merchants and manufacturers; and at the same time are procuring all the merchandise they can get from them, lest they should be in want of it themselves.

The Council being formed, the Assembly must act with it, or annihilate the Legislature, and there is a surmise that will be the case; and since the *Boston* Committee have applied to the country, they have in some counties, I understand, held county meetings, and intend it in all; it has not transpired what has been done, but report says they mean to have no Courts of Justice, unless the Judges agree not to obey the new Acts; and that the Inferiour Court has been stopped in *Berkshire* County, and the Judges mal-treated. I have it only from report, but fear there is some foundation for it.

I transmit your Lordship a notification posted up in *Salem* for the choice of Deputies for a County Meeting, in which your Lordship will observe another evasion about town meetings; for this is called by the Committee of Correspondence, and not by the Selectmen. Being on the spot, I issued a Proclamation on the morning of the intended meeting, to prevent it, and the Sheriff with other Magistrates attending me, I told the Committee to tell the people assembled and assembling to disperse, else I should proceed, and send the Sheriff to disperse them; and they, the Committee, should answer for any bad consequences. The people behaved with great decency, and retired immediately, though I doubt not, as the Deputies ever previously agreed to, that they did their business as effectually as if they had gone into their chamber of meeting. Nothing but a general phrenzy can make the Province suffer the inconveniences that must arise from the want of a Legislature and Courts of Justice; therefore, hope it is only a fit of rage that will cool; besides, the Courts can, and will be protected in many places.

It is agreed that popular fury was never greater in this Province than at present, and it has taken its rise from the old source at *Boston*, though it has appeared first at a distance. Those demagogues trust their safety in the long forbearance of Government, and an assurance that they cannot be punished. They chicane, elude, openly violate, or passively resist the laws, as opportunity serves; and opposition to authority is of so long standing, that it has become habitual.

In this situation I find things, and must do the best I can to put them into a better state. *Connecticut*, I understand, is alarmed at the alteration in this Charter, which occasions the commotions in that Province; and if the leaders change their plan of opposition, which has hitherto been to menace and intimidate, teaze and tire out, and create ideas of greater resistance in the people, and drive them to further extravagances, I conceive we should have to oppose this Province and *Connecticut*. I do not apprehend any assistance would be given by the other Colonies.

Since my last to your Lordship, the fiftieth regiment landed from *Halifax*, and is encamped near *Salem*; and General *Haldimand* has sent the *Welsh* Fusiliers from *New-York*, and replaced them by the forty-seventh regiment, from *New-Jersey*. I believe your Lordship, considering the state of affairs here, will not think it advisable for me to part with any of the regiments; and I mean to advise with the Admiral about sending back the transports.

I have the honour to be, with the greatest regard, respect, and esteem, my Lord, your Lordship's most obedient and humble servant, THOMAS GAGE.

Boston, August 29, 1774.

A report having been industriously propagated in *New-York*, that the principal inhabitants of this town are converting the donations of their brethren in the neighbouring Colonies, which were intended for the relief of the suffering poor of this place, to their own private emolument, contrary to the charitable intentions of the benevolent contributors; and as such report is entirely without any manner of foundation, the publick are desired not to credit it; the following narrative being a true state of the case:

On the reception of the *Boston* Port Act, the chief concern of the principal inhabitants was to provide relief for all such whose support depended on their daily labour; and, in the next place, for those tradesmen, whose small funds, though sufficient for the common purposes of life, yet would soon be exhausted, if their resources were cut off. They considered the employment of all these, especially the former, as a much more prudent measure than feeding them without any employment at all. They therefore adopted such plans of business for their exercise, as were likely to be the most useful to the publick, as well as most conducive to the health and good order of the employed. Accordingly, the labourers were set to cleaning docks, making dykes, new laying old pavements in the publick streets, &c. These were all publick concerns and of no advantage to any individual, any further than as a member of the community to which he or she belonged. Not a single wharf, dock, dyke, or pavement, belonging to any individual, was ordered to be made or repaired; but only such as by the constant usage of the town, had always been supported at the expense of the publick.

The principal inhabitants of this town have invariably considered the generous benefactions of their charitable and patriotick brethren in the other Colonies, as given entirely for the relief of their indigent fellow-citizens. But would it not be offering the greatest insult to the good sense of their benevolent neighbours, to suppose that they intended to maintain a very great number of healthy, able-bodied people in idleness, which must certainly be attended with great prejudice to them, as well as to the town in general, both now and hereafter? or that, they regret to see and hear that our poor citizens are employed in works which will be a publick benefit?

Should the publick interest of the town of *Boston* be finally advanced by these services, in saving some future taxes,* (and they even become a small compensation for the inconceivable damage which it is now sustaining, by a suspension of all its principal business,) can it be imagined that there is a single person, in the almost endless list of contributors, who is sorry to find, that which he voluntarily gave is like to be productive of publick advantage? It is much more candid, as well as charitable, to think that it must be a matter of the greatest satisfaction to every benevolent mind to hear, that what was only intended for one good purpose had answered two.

EXTRACT OF A LETTER DATED BOSTON, AUGUST 29, 1774.

Affairs here are daily becoming more and more serious. The new Counsellors are all driven into this town by force of arms. The Judges at *Great Barrington* turned off the bench. All the Protestors, with the Addressers to Mr. *Hutchinson*, are obliged to fly hither for refuge—even those that addressed General *Gage*. To-morrow will be the great, the important day here. Chief Justice *Oliver*, impeached by the Assembly last winter, for holding that office under his Majesty's appointment, will sit on the bench at the Superiour Court; the Discontents vow he shall not; but the General has come hither from *Salem* to support him, so we shall see which will prove the strongest. The Governour has apprehended the Committee of Correspondence at *Salem*, for holding town meetings against the new Act for regulating this Government. Some interesting measures will shortly be adopted of which you will have early intelligence from my brother, whom I expect here to-morrow. The *Scarborough* will sail on *Thursday* with the Governour's despatches for *England*, in which ship I shall take my passage.

The people at *Salem* and *Marblehead* talked in very high terms of their numbers, and of opposing the King's troops there. Admiral *Graves* declared if they stirred, he would remove one of his Majesty's ships thither, and reduce both towns to obedience. I am of opinion that few

* The expense of paving the streets in the town of *Boston* is always defrayed by a publick tax on all the inhabitants.

Digitized by Google

days will elapse before the Province is declared in open rebellion, by hoisting the King's Standard; to which all true friends of King *George* the Third and his Government will repair. Such is the unfortunate state of affairs in this part of the Province; you may justly pronounce them very wild indeed.

Boston, August 29, 1774.

On *Saturday* morning, the 27th instant, there assembled on the Common in *Worcester*, fifteen hundred people, and made choice of five of their number as a Committee, viz: Messrs. *Joseph Gilbert*, *John Goulding*, *Edward Rawson*, *Thomas Dennie*, and *Joshua Biglow*, to wait on the Honourable *Timothy Paine*, Esquire, lately appointed Counsellor, by mandamus, from his Majesty, to demand of him satisfaction to the people for having qualified himself for said office; and having waited on Mr. *Paine* accordingly, he asked them what satisfaction they wanted? They answered, a total resignation of his office, and desired him to write it, upon which he withdrew, and in a few minutes returned to them with what he had wrote, which was a total resignation of his office, and a promise never to set again as Counsellor, unless agreeable to Charter; he then asked if that was satisfactory? They replied he must wait on the people, which he thought unreasonable, after he had complied with their demand; but they said it was in vain, unless he made his personal appearance, the people would not be satisfied; and after their promising to protect him from insult, he waited on them to the body of the people, where Mr. *Dennie* read his resignation, with which numbers were dissatisfied, requiring that Mr. *Paine* should read it himself, and that with his hat off; he then told the Committee that he had complied with all they required, on their promising him protection, and that he then called on them for it; but they gave him to understand the people would not be satisfied till he complied with their demand, which he did, and was then conducted near to his own house by the Committee, and dismissed. The people then drew off, those of each town forming a company, and marched for *Rutland*, the town in which the Honourable *John Murray*, Esquire, (another new Counsellor) resides.

A Proposal from different parts of the Country.—It is proposed that an estimate should be formed by indifferent people, of the value of all the real estates in *Boston*, that, so if the estates in it, should be sunk in their value by the Port Bill's continuing to be enforced, or should otherwise be ruined by the rage of our common enemies, the country might be able to form a judgment of the retribution that should be made to the sufferers. This does honour to the publick virtue of our country.

EXTRACT OF A LETTER FROM GOVERNOUR WENTWORTH TO THE EARL OF DARTMOUTH, DATED NEW-HAMPSHIRE, AUGUST 29, 1774.

Since my letter, No. 64, the Convention of persons chosen by many towns, in consequence of the invitation in that letter referred to, met at *Exeter*, and elected Colonel *Folsom* and Major *Sullivan*, to be Delegates for this Province, at the Congress to be held in *Philadelphia*, on the first day of *September* next. The paper, No. 1, herewith enclosed, is a copy of the instructions given to those gentlemen, and is the best explanation of their service and employment that I can obtain. I am informed that this Convention collected and brought from their respective towns, about one hundred and twenty guineas, which was paid into the hands of *John Giddinge*, Esquire, (who they elected Treasurer,) to defray the expense incurred by the Delegates aforenamed, who set off on their journey to *Philadelphia*, on the 10th instant.

The Committee of Correspondence elected by the late Assembly, and of course dissolved with them, wrote circular letters to all the towns in this Province, a copy of which, and printed form of the non-importation and non-consumption agreement, recommended in that letter, and accompanying it, is herewith transmitted, No. 2. Some few towns generally subscribed, many others totally rejected it. The Committee appear conscious that their powers (if any they ever had) ceased with the Assembly that elected them, for they do not date the day of the month, because it succeeded the dissolution; it is certain they had not acted nor even met together before that. I think this Province is much more moderate than any other to the Southward, although the spirit of enthusiasm is spread, and requires the utmost vigilance and prudence to restrain it from violent excess; this will appear by the enclosure, No. 3, which was carried *nemine contradicente*, in this town, upon an attempt some few nights preceding, by a parcel of boys and sailors, to insult a woman who sold tea. Since this vote the town has been perfectly quiet, those who had tea have sold it without molestation. The inhabitants have now almost universally discontinued the use of *Bohea* tea, and I apprehend will entirely within three months from this date.

The Town Clerk of *Boston*, who is said to be a zealous leader of the popular opposition, has been in this town about a week, and immediately appears a publication in the *New-Hampshire Gazette*, recommending donations for *Boston*, which has been followed with a notification to convene in town meeting "to grant relief to the poor of the town of *Boston*," on the 12th of *September* next. It is probable no town grant will be made, and the meeting issue in appointing a Committee to receive and transmit voluntary donations, which, I believe, will not afford much comfort to them, or greatly credit the charitable munificence of these town meetings; grants are always and ever will be greater on popular pretences than private subscriptions, because those that vote in publick pay by far the least part of the grant; as is ever the case with Selectmen, who having power over the apportionment of rates, probably do not exercise it to their own detriment, and thence more easily join in facilitating and augmenting such gifts, which, from the nature of the office, they have great influence upon. It is greatly to be wished that gentlemen of property, experience, and education, could be persuaded to accept the office of Selectmen; but it is impracticable, if they are disinterested, and without other views than the publick good, it is a very laborious and unprofitable employment; and as I have nothing in my power whereby to reward such good men, they all decline, and the interiour regulation of the capital falls into the hands of those who can submit to make it worth their attention.

I beg leave to assure your Lordship of my most faithful diligence in his Majesty's service; and, with the greatest deference, to hope for such favourable representation thereof, I am, &c., J. WENTWORTH.

P. S. The enclosure, No. 4, met with very little encouragement, and obtained but few signers, (except two or three) who were only among the lower order of people, who signed before they were invited to, and on the same invitation would sign any other paper. J. W.

PROVIDENCE (RHODE ISLAND) TOWN MEETING.

At a Town Meeting held at *Providence*, on the last *Tuesday* of *August*, 1774,

The Honourable DARIUS SESSIONS, Esq., *Moderator:*

Whereas, at the last session of Assembly an order was passed that *John Smith* would receive the quota of the arms belonging to the County of *Providence*, and deliver them to his Honour the Deputy Governour. Whereupon it is by this meeting *Voted*, that *John Smith* be appointed to procure the said small arms to be cleaned and made fit for use, and to procure proper chests for the same, all of which expenses to be paid by this town after his accounts have passed the Town Audit.

It is resolved by this meeting that this town ought not to be made the asylum of any person or persons of whatever town, place, or city, within the *British* Dominions, whose principles and practices being inimical to the liberties of our country and its happy Constitution, have rendered or shall render them obnoxious to the inhabitants of such place or places from which they may emigrate, and that all such ought be discouraged by every prudent and legal measure. And the honourable Town Council are hereby requested to exert themselves for the removal and ejection of all such persons, so far as by law they may be warranted, as their being admitted among us may tend greatly to endanger the peace, order, and tranquillity of the town, as by recent instances has been manifested.

Digitized by Google

At a Town Meeting held at *Providence*, on the 31st day of *August*, 1774, called by a warrant,

The Honourable DARIUS SESSIONS, chosen *Moderator:*

Whereas, on the evening of the 30th *August*, instant, a number of persons imprudently and tumultuously assembled themselves together in a manner that did disturb the peace and order of the town, and as such proceedings are of evil example, and repugnant to the good and wholesome laws of this town and Colony, which if executed we deem sufficient to support the quiet and tranquillity thereof; and such doings being ever derogatory to the honour of the town, and subversive of our rights and liberties to their very foundation, this town do protest against such proceedings, and desire the Civil Magistrates therein to exert themselves to their utmost to prevent and suppress all such unhappy disturbances in future, in doing which they may rely upon the aid and support of the freemen and well-disposed inhabitants of this town at all times.

Voted, That this Vote be published (together with the Resolve of yesterday) in the next *Providence Gazette*.

The meeting was then dissolved.

JONA. ARNOLD, *Deputy Clerk.*

Hartford, September 1, 1774.

Tuesday, August 30, being the day the County Court was to sit at *Springfield*, a great concourse of people, judged to be about three thousand, assembled at the Court House in that place, and appointed a Committee to wait on the Court and request their appearance amongst the people, which they immediately complied with, when they very willingly signed the following engagement, viz:

"We, the subscribers, do severally promise, and solemnly "engage to all people now assembled at *Springfield*, in the "County of *Hampshire*, on the 30th day of *August*, 1774, "that we never will take, hold, execute, or exercise any com-"mission, office, or employment whatsoever, under, or in "virtue of, or in any manner derived from any authority "pretended or attempted to be given by a late Act of Par-"liament, entitled, 'An Act for the better regulating the "Government of the Province of *Massachusetts Bay*, in "*New England*.'" *Signed by eighteen persons.*

After the above was delivered to the people in writing, they all dispersed.

Boston, September 1, 1774.

Tuesday, August 30, being the day the Superiour Court was to be holden here, the Chief Justice, *Peter Oliver*, Esquire, and the other Justices of the said Court, together with a number of Gentlemen of the Bar, attended by the High and Deputy Sheriffs, walked in procession from the State House to the Court House, in *Queen* street. When the Court were seated and the usual proclamations made, a list of the names of the gentlemen returned to serve as Grand Jurors, was presented to them, and the Court appointed Mr. *Ebenezer Hancock* Forman, but he refusing to be sworn, and the question being put to them all severally, whether they would take the oath, they one and all refused; and being asked whether they had any reasons to offer for their thus refusing, they answered they had, and that they were committed to writing; the Court requested to see them, but the Jurors refused giving the Court the original paper, unless they were first permitted to read it in Court, or after reading, the Court would promise to return it to them again.

The Petit Jurors were then called for, and a list of their names being handed to the Court, they appointed Mr. *Bartholomew Kneeland* Foreman of the first Jury, and Mr. *Nathan Frazer* of the second. Mr. *Kneeland* had the oath proposed to him, which he declined taking, and being asked for what reasons, referred to a paper which he said was drawn up with their unanimous consent, and begged leave to read it to the Court. The Court refused to hear the paper read, and the oath was proposed to each Juror in order, and declined as by the Foreman. Their reasons being demanded, they generally referred to the paper, till it came to the turn of Mr. *Thomas Chase*, who begged leave to read the paper then in his hand, but was told by the Chief Justice that he might give his own reasons without reading the paper, to which he agreed, and said that one of his reasons was, that *Peter Oliver*, Esq., Chief Justice of the Court, stood impeached by the late honourable House of Representatives of this Province in their own name, and in the name of this Province, of divers high crimes and misdemeanors. Being asked by the Chief Justice if he gave that as a reason for his refusing to be sworn, he answered, "yes, that is one reason." The Court then called upon another of the Petit Jurors to be sworn, but he refused, and referred to the paper for his reasons as aforesaid.

The Chief Justice then desired the Court might peruse the paper, which should be returned to the Jurors again; which was agreed to, read, and returned. The Court then proposed the same condition to the Grand Jury, which was complied with, and the contents delivered.

REASONS OF THE GRAND JURORS FOR REFUSING TO BE SWORN.

The Freemen who were returned to serve as Grand Jurors at the Superiour Court, for this term, made their appearance in the Court House yesterday; and, before a numerous assembly, (*Peter Oliver*, *Edmund Trowbridge*, *Foster Hutchinson*, *William Cushing*, and *Wm. Brown*, Esquires, sitting on the bench as Judges,) they all, to the number of twenty-two, declined acting as Jurors, for reasons which they had previously drawn up in writing, and signed, and appointed to be read there by their Chairman; but the above said Judges, refusing to hear the same openly read, desired to have the reading of it to themselves, which being complied with, the Jurymen withdrew from the Court House to the Exchange Tavern, where they unanimously voted that, in order to justify their refusal to the world, their aforementioned reasons should be printed in the publick papers.

Boston, August 30, 1774.

County of SUFFOLK:

We, who are returned by the several towns in this county, to serve as Grand Jurors at the Superiour Court, for this present term, being actuated by a zealous regard for peace and good order, and a sincere desire to promote justice, righteousness, and good government, as being essential to the happiness of the community, would now most gladly proceed to the discharge of the important duty required in that department, could we persuade ourselves that by doing thus it would tend to our reputation, or promote the welfare of our country; but when we consider the dangerous inroads that have been made upon our civil Constitution; the violent attempts now making to alter and annul the most essential part of our Charter, granted by the most solemn faith of Kings, and repeatedly recognised by *British* Kings and Parliament; while we see the open and avowed design of establishing the most complete system of despotism in this Province, and thereby reducing the free-born inhabitants thereof to the most abject state of slavery and bondage; we feel ourselves necessarily constrained to decline being empannelled, for reasons that we are ready to offer to the Court, if permitted, which are as follows:

First. Because *Peter Oliver*, Esquire, who sits as Chief Judge of this Court, has been charged with high crimes and misdemeanors, by the late honourable House of Representatives, the grand inquest of this Province, of which crimes he has never been legally acquitted, but has been declared by that House to be unqualified to act as Judge of that Court.

Secondly. Because, by a late Act of the *British* Parliament, for altering the Constitution of this Province, the continuance of the present Judges of this Court, as well as the appointment of others, from the first day of *July* last, is made to depend solely on the King's pleasure, vastly different from the tenure of the *British* Judges; and as we apprehend they now hold their places, only in consequence of that Act, all the judicial proceedings of the Court will be taken as concessions to the validity of the same, to which we dare not consent.

Thirdly. Because three of the Judges, being the major part of the Court, namely: the said *Peter Oliver*, Esquire, *Foster Hutchinson*, Esquire, and *Wm. Brown*, Esquire, by taking the oath of Counsellors, under the authority of the

Digitized by Google

aforesaid Act, are (as we are informed) sworn to carry into execution all the late grievous Acts of the *British* Parliament, among the last of which is one, made ostensibly for the impartial administration of justice in this Province, but as we fear, really for the impunity of such persons as shall, under pretext of executing those acts, murder any of the inhabitants thereof; which Acts appear to us to be utterly repugnant to every idea of justice and common humanity, and are justly complained of, throughout *America*, as highly injurious and oppressive to the good people of this Province, and manifestly destructive of their natural, as well as constitutional rights.

Fourthly. Because we believe, in our consciences, that our acting in concert with a Court so constituted, and under such circumstances, would be so far betraying the just and sacred rights of our native lands, which were not the gift of Kings, but were purchased solely with the toil, the blood and treasure of our worthy and revered ancestors; and which we look upon ourselves as under the most sacred and inviolable obligations, to maintain, and to transmit, whole and entire, to our posterity.

Therefore we, the subscribers, unanimously decline serving as Grand Jurors at this Court.

Ebenezer Hancock,	*Boston.*	Samuel Hobart,	*Hingham.*
Peter Boyer,	*Do.*	Joseph Poole,	*Weymouth.*
Joseph Hall,	*Do.*	William Bullard,	*Dedham.*
Thomas Craft, Jun.,	*Do.*	Jonathan Day,	*Needham.*
James Ivers,	*Do.*	Abijah Upham,	*Stoughton.*
Paul Revere,	*Do.*	Moses Richardson,	*Medway.*
Robert Williams,	*Roxbury.*	Henry Plympton,	*Medfield.*
Wm. Thompson,	*Brookline.*	Lemuel Hallock,	*Wrentham.*
Abraham Wheeler,	*Dorchester.*	Joseph Willet,	*Walpole.*
Joseph Jones,	*Milton.*	Thomas Pratt,	*Chelsea.*
Nathaniel Belcher,	*Braintree.*	Nicholas Book,	*Bellingham.*

—

The Reasons of the Petit Jurors were as follows:

Boston, August 30, 1774.

Suffolk, ss.

To the Honourable Justices of the Superiour Court of Judicature, Court of Assize, &c.:

May it please your Honours:

We, the subscribers, returned by this County to serve as Petit Jurors this term, beg leave to acquaint your Honours that, as the Honourable *Peter Oliver*, Esquire, stands impeached, by the late honourable House of Commons of this Province, in their own name, and in the name of the people of this Province, of high crimes and misdemeanors, which impeachment, with the reasons therefor, as they are publick, would be needless for us to repeat.

We would also beg leave to acquaint your Honours that, as, by a late Act of the *British* Parliament, the continuance of the Judges of the Superiour Court is, since the first of *July* last, made to depend upon said Act, which it is apprehended places their dependence entirely upon the Crown, and which is esteemed a great infringement of the Charter rights of this Province.

Taking the above premises into our most serious consideration, we beg leave to acquaint your Honours that we cannot, in our consciences, from a sense of that duty we owe to our country, to ourselves, and to posterity, act against the united voice of this people; therefore beg your Honours will excuse us when we say, we decline serving as Petit Jurors for this Court.

Josiah Waters,	Ebenezer Swift,	Jonathan Parker,
Samuel Ridgeway,	Eliphalet Sawyer,	Ebenezer Kingsbury,
Nathan Frazer,	Thomas White,	Samuel Payton,
Robert Wire,	Thomas Nash,	Joseph Moore,
Barthol. Kneeland,	Nath'l Holbrook, Jr.,	Ralph Day,
Thomas Chase,	Elijah Jenning,	Nathaniel Lewis,
John Cunningham,	Elijah Cushing,	Eliakim Cook,
Joseph Brewer,	Ignatius Orcutt,	Joseph Lovell,
Jacob Sharp,	Elijah Monk,	Elias Thaver,
Timothy Tilestone,	Henry Stone,	Theodore Mann,
Samuel Sprague,	William Draper,	James Blake.

After the Court had read the papers, the Clerk of the Court, by order of the Chief Justice, asked them, *seriatim*, if they would be sworn, and every one refused. The Court said they would consider of their reasons, and the Juries withdrew. The Court then adjourned to ten o'clock, next day, when they met, exclusive of Mr. *Oliver;* and, to the inexpressible grief of their fellow-citizens, went on to such business as is usually transacted without Juries.

MIDDLESEX (MASSACHUSETTS) RESOLUTIONS.

At a Meeting of the Committees from every town and district, in the County of *Middlesex*, and Province of *Massachusetts Bay*, held at *Concord*, in the said county, on the 30th and 31st of *August*, 1774, to consult upon measures proper to be taken at the present very important day,

The Hon. James Prescott, Esquire, *Chairman:*

After having read the late Act of the *British* Parliament, entitled "An Act for the better regulating the "Government of the Province of *Massachusetts Bay*, in "*New England*," and debated thereon; voted that a Committee be appointed to take into consideration the said Act, and report to this meeting.

Voted, also, that Mr. *Jonathan Williams Austin*, of *Chelmsford*, Captain *Thomas Gardiner*, of *Cambridge*, Doctor *Isaac Foster*, of *Charlestown*, Captain *Josiah Stone*, of *Farmingham*, Mr. *Richard Deavens*, of *Charlestown*, Doctor *Oliver Prescott*, of *Groton*, *Henry Gardiner*, Esquire, of *Stow*, Mr. *William Brown*, of *Farmingham*, and Mr. *Ebenezer Bridge*, Jun., of *Billerica*, be the Committee; who reported as follows:

It is evident, to every attentive mind, that this Province is in a very dangerous and alarming situation. We are obliged to say, however painful it may be to us, that the question now is, whether, by a submission to some late Acts of the Parliament of *Great Britain*, we are contented to be the most abject slaves, and entail that slavery on posterity after us; or, by a manly, joint, and virtuous opposition, assert and support our freedom.

There is a mode of conduct, which, in our very critical circumstances, we would wish to adopt; a conduct, on the one hand, never tamely submissive to tyranny and oppression; on the other, never degenerating into rage, passion, and confusion. This is a spirit which we revere, as we find it exhibited in former ages, and will command applause to the latest posterity.

The late Acts of Parliament pervade the whole system of jurisprudence, by which means we think the fountains of justice are fatally corrupted. Our defence must therefore be immediate, in proportion to the suddenness of the attack, and vigorous in proportion to the danger.

We must now exert ourselves, or all those efforts, which for ten years past have brightened the annals of this country, will be totally frustrated. Life and death, or, what is more, freedom and slavery, are, in a peculiar sense, now before us; and the choice and success, under *God*, depend greatly upon ourselves. We are, therefore, bound, as struggling, not only for ourselves, but future generations, to express our sentiments in the following Resolves; sentiments which, we think, are founded in truth and justice, and, therefore, sentiments we are determined to abide by.

Resolved, That as true and loyal subjects of our gracious Sovereign *George* the Third, King of *Great Britain*, &c., we, by no means, intend to withdraw our allegiance from him; but, while permitted the free exercise of our natural and Charter rights, are resolved to expend life and treasure in his service.

Resolved, That when our ancestors emigrated from *Great Britain* Charters and solemn stipulations expressed the conditions; and what particular rights they yielded; what each party had to do and perform; and which each of the contracting parties were equally bound by.

Resolved, That we know of no instance in which this Province has transgressed the rules on their part, or any ways forfeited their natural and Charter rights to any power on earth.

Resolved, That the Parliament of *Great Britain* have exercised a power contrary to the above mentioned Charter, by passing Acts which hold up their absolute supremacy over the Colonists; by another Act blocking up the port of *Boston;* and by two late Acts, the one entitled "An "Act for the better regulating the Government of the "Province of *Massachusetts Bay;*" the other entitled "An "Act for the more impartial administration of justice in "said Province;" and by enforcing all these iniquitous Acts with a large armed force, to dragoon and enslave us.

Resolved, That the late Act of Parliament, entitled "An "Act for the better regulating the Government of the Pro-"vince of the *Massachusetts Bay*, in *New England*," expressly acknowledges the authority of the Charter granted,

Digitized by Google

by their Majesties King *William* and Queen *Mary*, to said Province; and that the only reasons suggested in the preamble to said Act, which is intended to deprive us of the privileges confirmed to us by said Charter, are the inexpediency of continuing those privileges, and a charge of their having been forfeited, to which charge the Provinces have had no opportunity of answering.

Resolved, That a debtor may as justly refuse to pay his debts, because it is expedient for him, as the Parliament of *Great Britain* deprive us of our Charter privileges, because it is inexpedient to a corrupt Administration for us to enjoy them.

Resolved, That in all free states there must be an equilibrium in the Legislative body, without which constitutional check they cannot be said to be a free people.

Resolved, That the late Act, which ordains a Council to be appointed by his Majesty, his heirs, and successors, from time to time, by warrant under his or their signet or sign manual, and which ordains that the said Counsellors shall hold their offices, respectively, for and during the pleasure of his Majesty, his heirs, and successors, effectually alters the constitutional equilibrium; renders the Council absolute tools and creatures, and entirely destroys the importance of the Representative body.

Resolved, That no state can long exist free and happy where the course of justice is obstructed; and that when trials by Juries, which are the grand bulwarks of life and property, are destroyed or weakened, a people fall immediately under arbitrary power.

Resolved, That the late Act, which gives the Governour of this Province a power of appointing Judges of the Superiour and Inferiour Courts, Commissioners of Oyer and Terminer, the Attorney Generals, Provosts, Marshals, and Justices of the Peace; and to remove all of them, (the Judges of the Superiour Court excepted) without consent of Council, entirely subverts a free administration of justice; as the fatal experience of mankind, in all ages, has testified that there is no greater species of corruption than when judicial and executive officers depend, for their existence and support, on a power independent of the people.

Resolved, That by ordaining Jurors to be summoned by the Sheriff only, which Sheriff is to be appointed by the Governour without consent of Council; that the security which results from a trial by our peers, is rendered altogether precarious, and is not only an evident infraction upon our Charter, but a subversion of our common rights as *Englishmen*.

Resolved, That every people have an absolute right of meeting together to consult upon common grievances, and to petition, remonstrate, and use every legal method for their removal.

Resolved, That the Act which prohibits these constitutional meetings cuts away the scaffolding of *English* freedom, and reduces us to a most abject state of vassalage and slavery.

Resolved, That it is our opinion these late Acts, if quietly submitted to, will annihilate the last vestiges of liberty in this Province, and therefore, we must be justified by *God* and the world in never submitting to them.

Resolved, That it is the opinion of this body, that the present Act, respecting the Government of the Province of the *Massachusetts Bay*, is an artful, deep laid plan of oppression and despotism, and that it requires great skill and wisdom to counteract it. This wisdom we have endeavoured to collect from the united sentiments of the country; and although we are grieved that we are obliged to mention any thing that may be attended with such very important consequences as may now ensue, yet a sense of our duty as men, as freemen, as Christian freemen, united in the firmest bonds, obliges us to resolve that every Civil Officer now in commission in this Province, and acting in conformity to the late Act of Parliament, is not an officer agreeable to our Charter; therefore, unconstitutional, and ought to be opposed in the manner hereafter recommended.

Resolved, That we will obey all such Civil Officers now in commission, whose commissions were issued before the first day of *July*, 1774, and support them in the execution of their offices, according to the manner usual before the late attempt to alter the Constitution of this Province; nay, even although the Governour should attempt to revoke their commissions; but that if any of said officers shall accept a commission under the present plan of arbitrary Government, or in any way or manner whatever assist the Governour or Administration in the assault now making on our rights and liberties, we will consider them as having forfeited their commissions, and yield them no obedience.

Resolved, That whereas the Honourable *Samuel Danforth* and *Joseph Lee*, Esquires, two of the Judges of the Inferiour Court of Common Pleas for this county, have accepted commissions under the new Act, by being sworn members of his Majesty's Council appointed by said Act, we therefore look upon them as utterly incapable of holding any office whatever.

And whereas a venire on the late Act of Parliament, has issued from the Court of Sessions, signed by the Clerk, we think they come under a preceding resolve of acting in conformity to the new Act of Parliament; we therefore resolve, that a submission to Courts thus acting, and under these disqualifications, is a submission to the Act itself, and of consequence, as we are resolved never to submit one iota to the Act, we will not submit to Courts thus constituted, and thus acting in conformity to said Act.

Resolved, That as, in consequence of the former Resolve, all business at the Inferiour Court of Common Pleas and Court of General Sessions of the Peace, next to be holden at *Concord*, must cease; to prevent the many inconveniences that may arise therefrom, we resolve, that all actions, writs, suits, &c., brought to said Court ought to remain in the same condition as at present (unless settled by consent of parties) till we know the result of a Provincial and Continental Congress. And we resolve, that no Plaintiff in any cause, action, or writ aforesaid, ought to enter said action in said Court thus declared to be unconstitutional. And we resolve, if the Court shall sit in defiance to the voice of the county, and default actions, and issue executions accordingly, no officer ought to serve such process. And we are also determined to support all Constables, Jurors, and other officers, who, from these constitutional principles, shall refuse obedience to Courts which we have resolved, are founded on the destruction of our Charter.

Resolved, That it is the opinion of this body of Delegates, that a Provincial Congress is absolutely necessary in our present unhappy situation.

These are sentiments which we are obliged to express, as these Acts are intended immediately to take place. We must now either oppose them, or tamely give up all we have been struggling for. It is this that has forced us so soon on these very important resolves. However, we do it with humble deference to the Provincial and Continental Congress, by whose Resolutions we are determined to abide; to whom, and the world, we cheerfully appeal for the uprightness of our conduct.

On the whole, these are "great and profound questions." We are grieved to find ourselves reduced to the necessity of entering into the discussion of them; but we deprecate a state of slavery; our fathers left a fair inheritance to us, purchased by a waste of blood and treasure; this we are resolved to transmit equally fair to our children after us; no danger shall affright, no difficulties intimidate us; and if in support of our rights, we are called to encounter even death, we are yet undaunted, sensible that he can never die too soon, who lays down his life in support of the laws and liberties of his country.

Which Report being maturely deliberated,

Voted, That the sense of the whole body respecting the same, be collected by yeas and nays, which being done, there were one hundred and forty-six yeas, and four nays.

Voted, That it be recommended to the several towns and districts in this county, that each appoint one or more Delegates to attend a Provincial meeting to be holden at *Concord*, on the second *Tuesday* of *October* next.

Voted, That a fair copy of the proceedings of this meeting be made out and forwarded to the Grand Continental Congress, and also to the Town Clerk of each town in this county.

Voted, That the thanks of this meeting be given to the Honourable *James Prescot*, Esquire, for his faithful services as Chairman.

Voted, That this meeting be dissolved. And it was accordingly dissolved. EBENEZER BRIDGE, *Clerk*.

Digitized by Google

TO THE INHABITANTS OF PENNSYLVANIA.

Philadelphia, August, 1774.

All vices have travelling names. Submission to the *British* Parliament, for a while, assumed the name of Moderation. After being detected and exposed under the garb of that necessary virtue, it has assumed the name of Petition and Remonstrance. It shall be the business of this Address to show the danger of relying upon those measures alone for a redress of *American* Grievances.

The scheme for enslaving the Colonies has been pursued with a subtlety and perseverance which indicate a determination and certainty of success. Every session of Parliament, and every Council Board at *Whitehall*, since the year 1762, have produced some new exertions of arbitrary power against *America*.

The Colonies began their opposition to the *British* Parliament by Petitions and Remonstrances, in their legislative capacities. The first *American* Congress confined their opposition to Petitions and Remonstrances only. They addressed our King, as a father, and the Parliament, as brethren. Their Petitions were humble, dutiful, and respectful. But what was their effect? They were rejected with contempt; and to show that they had no hand in obtaining a redress of our grievances, the Stamp and Revenue Acts were repealed, only because they were found to be hurtful to the commercial interests of *Great Britain*.

The inhabitants of *Massachusetts Bay* lately presented a most humble, dutiful, and respectful Petition to the King, praying that Governour *Hutchinson* might be removed from their Province. But what was its effect? It was pronounced at *Whitehall* a "seditious, vexatious, and scandalous libel." The Governour, it is true, was removed, but it was only to be rewarded for his treachery.

It might not be foreign to our purpose to mention the contempt with which Petitions have been treated, when coming even from the citizens of *London*, in order to show that that mode of obtaining redress of grievances has now lost its influence.

Petitions and Remonstrances promise less at the present juncture than ever. Our King has been inflamed against us. Both Houses of Parliament breathe vengeance, and are impatient to seal our subjection with the sword. If Petitions and Remonstrances from our Assemblies did no good, in the infancy of our dispute with *Great Britain*, what can be expected from them when they come from a Congress of Deputies of all the Colonies? To pay the least regard to Petitions or Remonstrances from that body, would be an acknowledgement of its usefulness and authority.

Much might be lost by a delay of six months. The publick spirit will subside. *Boston* must resist or yield. Bribery will stretch her cursed hand across the Ocean; for we have too much reason to fear that in the present struggle the greatest enemies to *American* Liberty will be found, or created, among ourselves.

I could name the persons who first broached the scheme of petitioning and remonstrating only: but I spare them the weight of popular vengeance. They are men who prefer one more cargo of *British* Goods to the salvation of *America*. They are men who have friends soliciting favours at Court, or who expect to rise into importance upon the ruins of *American* Liberty. There are men, honest men too, amongst us, who have adopted this scheme from a mistaken zeal for unanimity, with persons of such principles as those we have described.

Great Britain stands upon her commerce. The *American* Colonies are the pillars of that commerce While this is the case, let us not barely implore, but demand, our liberty. It was in this manner the Barons obtained the Magna Charta from King *John*, at *Runny Mead*. It is in this manner only that we shall act like freemen, and show that we feel our weight in the scale of the *British* Empire. Posterity would blush to receive their liberty from our hands, should we establish it upon the precarious tenure of a Sovereign's mercy.

Awake, my countrymen, to a sense of your danger. Let *Pennsylvania* share with her sister Colonies in the glory of saving *America*. Let no obstacles from our city be thrown in the way of an immediate Non-importation Agreement. Let the foreign Members of the Congress see that the *Pennsylvanians* are not behind their native Colonies in publick spirit; and let us show what may appear paradoxical, but is certainly true, that the Resolves of our Provincial Committee, for petitioning and remonstrating *only*, do not contain the sentiments of above fifty men in the whole Province.

SIDNEY.

TO THE HONOURABLE DELEGATES THAT NOW ARE, OR SHORTLY WILL BE, CONVENED IN GENERAL CONGRESS.

Connecticut, August, 1774.

HONOURABLE SIRS: Sometimes a gleam of light will appear from the midst of darkness; and the Councils of Kings have been known to receive benefit from persons of the greatest obscurity; then suffer an individual to approach you, nor reject him with disdain, till you are convinced his presumption deserves your neglect. On you, great sirs, and your important decisions, the eyes and expectations of millions are fixed; on your present resolutions depend the fate of this great Empire, and the fate of the parent Empire also; death or life, liberty or bondage, must be the important alternatives of your firm virtue, or your supine relaxation; if you clothe yourselves with the first, you will shine like fixed stars in the Heavens; but if you descend to the latter, infamy and dishonour, shame and disgrace, nay, perhaps death itself, will be the reward of the attempt without success.

Then permit me to ask, what are you met for? Is it to redress the wrongs and oppressions of this injured land? Is this solemn purpose strongly impressed on every one of your own hearts; and are you certain it is the ardent desire of your constituents also? If this is the case, what method must you, or will you, take to accomplish the important end? Must it be by Petition, Remonstrance, or an abject submission to power? O that ye knew the temper of your adversaries! I trust you do, and then you will shun these modes, as so many rocks and shallows, which ever have, and ever will, fail to produce any thing but delusion, to our utter destruction. Or shall negotiation take place? This will be branded as the highest presumption and insolence, and will be punished with ten-fold rigour. No, ye patriots, all these attempts will be as fruitless in experiment, as they are idle in contemplation. But Heaven and nature are still your guardians, and have pointed out the only path. A Non-importation, if firmly adhered to, will do much, but alone will not answer the intended end; the design of its operation can be artfully evaded by our enemies, and lengthened out for a long season, till, by our own impatience, we are split into divisions, and prove (as one of them has emphatically expressed it) only a rope of sand. But a Non-exportation is entirely in our own power, and by adopting it in the fullest latitude, we can most certainly preserve ourselves, and at the same time absolutely defeat our enemies, without being either insolent or mean. This, indeed, will be striking the axe to the root of the tree, and here only will be found our own importance. I know it will be urged, that this will be a present grievance to ourselves, and the utmost cruelty to the *West Indies*, *Ireland*, and other places; but the injury to us will be only temporary and trifling, for it must be very short, and will ensure success; and with respect to our neighbours, when two houses are equally in flames, whose shall we endeavour to extinguish first, our own or that of our friend?

I know many objections to a plan of this kind will be started by self-interested men; but is this a time for us to think of accumulating fortunes, or even adding to our estates? If we can subsist, 'tis all we ought to expect. This land is blessed with plenty, and can furnish food and employment for all its inhabitants for a long time, without any foreign trade at all. Then let not the bounties of Heaven, which have crowned this present year with joy and gladness, become a snare for us, in the hands of the tempter, and prompt us to say, now our stores and graneries are full, and our oxen and fatlings are ready, let us fear nothing, but commit them to the seas and the winds; we will have present profit though we pay for it with future ages of misery and pain. O! ye noble guardians of our rights, think on these things; do something that will prove effectual, or do nothing. To you we all look up; your country, virtue, honour, fame, life, and liberty, or all their woful contrasts are before you; and, as you shall conduct

Digitized by Google

the ardous task, unborn millions will either bless or execrate your names. JUBA.

QUERIES PROPOSED TO AMERICA.

Philadelphia, September, 1774.

1st. Whether the restraint laid by the People of *Virginia* on their Delegates, with respect to the article of Non-exportation, does not tend to render the Congress totally ineffectual; as every other Province must have an equal right to restrict their respective Delegates in any particular article which they may suppose will affect them: for instance, *Pennsylvania* might restrain them in the article of non-importation of Cloth; *New-York* of Hats and Tea; *New England* of Flannels and Calicoes; in short, each Province making its particular exceptions, they leave a door open to the admittance of every article of commerce which *Great Britain* or the *India* Company has to export.

2d. Whether there is not the strongest reason to suppose that the Ministry have taken precaution to counteract, or at least to weaken, the operation of simple Non-importation, consequently that a Non-importation Resolve, simply, will answer no purpose?

3d. Whether it is not almost universally allowed, and whether all accounts from *England* do not agree, that a Non-exportation to the *West India* Islands would be the most certain and rapid means of obtaining redress?

4th. Whether (this being granted) there is any reason to believe that the people are so wanting in publick spirit as not to abide by this Resolve if the Congress enters into it? or, whether this notion, of the people's want of publick spirit to abide by it, is not endeavoured to be propagated by Merchants interested in the commerce, in order to divert the Congress from this most effectual Resolve?

5th. Whether the manifest, and, indeed, the avowed intention of the *Quebec* Bill, is not to make use of the *Canadians* as instruments for the enslavement of the *British* Colonies?

6th. Whether General *Carleton* will not embody and discipline a formidable number for this purpose, and immediately?

7th. Whether it is not necessary that some force should, without loss of time, be prepared to resist them?

8th. Whether the Militia, on its present footing, can be depended upon?

9th. Whether if the Militia (established as it is) cannot be depended upon, some other mode should not be adopted?

10th. Whether, from the apparent spirit prevalent in the commonalty of this Continent, there is not the strongest reason to believe that they would submit themselves to a temporary Meeting Act; that is, that each man would, for a time, cede a portion of his individual liberty for the security of the rest?

11th. Whether, if this spirit really exists in the people, it would not be wise to avail ourselves of it, and obtain their assent to laws necessary for the maintenance of that order and discipline without which no defence can be made?

12th. Whether, as it is most certain the consent of the Governours of the respective Provinces will not be obtained to such laws, the people may not, antecedent to all written Statutes, that is, a law of *God*, nature, and self-defence, enact them by their own authority.

13th. Whether a fund necessary for the support of a body of Troops, sufficient to repel an invasion from *Canada*, should not be immediately prepared?

14th. Whether the apprehension of further irritating the Ministry, by such a measure, is not childish and absurd, as it is manifest they cannot be more hostile to *America* than they are at present?

15th. Whether it is not more rational to work on the fears of such a Ministry, than to dread an increase of their animosity?

16th. Whether a conduct so becoming men, struggling in the cause of liberty, would not make an impression advantageous to the *Americans* on the minds of the people of *England*, who (however they may be deluded for a time) are undoubtedly an honest, generous, brave people, and enthusiastick admirers of those who vigorously defend their rights and liberties?

17th. Whether the obtaining the good opinion of the people of *England* does not promise more solid advantages to the cause of *America* than she can possibly flatter herself with from a Petition and Address to the King and Parliament—one of which is inveterately obstinate in the pursuit of despotism, the other notoriously abandoned, by corruption, to all virtue, feeling, and shame?

18th. Whether, therefore, a sensible, manly, brave Remonstrance from the People of *America* to the People of *England*, setting forth their rights, as men and fellow-subjects, and asserting their resolution to defend them, would not be productive of better effects than any Petition or Address to such a King, and such a Parliament?

TO THE PEOPLE OF AMERICA.

Boston, September, 1774.

As every individual of *British America* must be vastly interested in the Resolutions of the approaching Congress, it cannot be thought foreign to any person's own concerns, if he communicates his sentiments to them. Numbers of persons have given their opinions on this occasion, and the Congress doubtless have a right to expect the best thoughts of every one on the subject. Among the various opinions delivered on this occasion, the following seem to be the most worthy of notice:

I. A Petition or Remonstrance to Parliament against their late Acts, with a decent and firm declaration of the rights and liberties of the *Americans*.

II. A suspension of Trade with *Great Britain* till the said Acts be repealed.

III. A suspension of all our Trade with *Great Britain*, *Ireland*, and the *West Indies*, till said Acts be repealed.

I design to consider each of these, with their probable effects; premising these three things: 1. That the said Acts sap, to the very foundation, every principle of *American* liberty. 2. That all *England* are united in enforcing those Acts; and, 3. That, therefore, the *Americans* ought to adopt such measures as will most effectually prevent their operation, and effect their repeal, in the speediest manner that can be devised?

I. As to the first, I have the following objections to presenting any Petitions or Remonstrances to the *British* Parliament:

1. They will not acknowledge the Congress to be any legal body or proper representative of *America*; and, therefore, any Petition will be loss of labour, and loss of time, without effecting our deliverance.

2. The substance of the Petition will be highly disgusting to them; for, couch it in the softest terms possible, yet the plain *English* of it must be, that they have made the said Acts without any right or authority, and if their authority had been good, yet the said Acts are in their nature unjust and wicked, and the *Americans* will plague and distress *Great Britain*, in every way possible, till they are repealed, which is so extremely contrary to the present sentiments of *Great Britain*, that little advantage is to be expected therefrom.

3. Any kind of declaration of our rights and liberties, will bring the question of *American* rights into view, and make it the yest of a dispute, which can never be determined; for, it is certain, the *Americans* never will acknowledge the legislative and taxing power of the *British* Parliament, nor will the *British* Parliament ever relinquish that claim. All we can expect is, that the *British* Parliament will, on some prudential considerations, suspend the exercise of it; not that they will give up the principle. This question, therefore, ought, by all means, to be kept out of sight, because there is no hopes of its being ever settled, and any discussions of it will certainly widen the breach.

4. If the *British* Parliament should consent to enter into treaty with us on the subject of *American* rights, (which I think not at all probable,) yet we have by no means an equal chance with them in the treaty, for they will plead at ease, but we must plead in pain. Whilst we are in treaty with them, we feel the pain of our Ports shut; our right and property in wharves, landings, bills of lading, charter parties, &c., vacated; our Charter grossly violated; and liberties lost; they, on the other hand, are at ease, and in full triumph over our fortunes, liberties, and lives.

Digitized by Google

A person in distress has not an equal command of his best faculties, or an equal courage to exert them, with one at ease and out of danger. 'Tis said that *Cortes*, the conqueror of *Mexico*, demanded of *Montezuma*, the Emperor, a surrender of his cash; the Emperor made some objections, and desired a treaty on the reasonableness of the demand, on which *Cortes* heated a gridiron red hot and seated poor *Montezuma* with his bare backside on it, and consented to treat with him as long as he pleased. I don't know that *Great Britain* would consent to treat with us on the subject of our rights, even in our excrutiating distress; but if they should be so condescending, there would be so much of duress in the whole treaty, that I doubt much if the *Americans* would admit of its validity, if the conclusion should not be favourable to them. I am indeed utterly averse to such an unequal treaty. Either let us be first put out of pain, or let them be put into equal pain, and then equal conclusions, if any, may be expected.

5. The *British* Parliament are not supposed to yield any thing to the ardours and passions of a petition, but their decisions are ever governed by facts and the reasons of them. But we cannot, in any petition, suggest any new matter with which the *British* Parliament were not perfectly acquainted when they passed the Acts; the whole subject has been long since exhausted, and every argument against all the Bills were set in the strongest light, by many very able speakers, when the Bills were debated. It will, therefore, be vain and ridiculous, and may perhaps be deemed disrespectful, for our Congress to offer a petition filled with old, trite, threadbare matters and arguments, which had a full discussion when the Acts passed.

6. Any petition, memorial, remonstrance, or by whatever other name it may be called, will be deemed to imply a confession of the right of the *British* Parliament to make the laws against which we remonstrate, which the *Americans* most certainly do not intend to acknowledge.

7. But what will be as fatal perhaps as any of the rest, if the Congress present a petition to Parliament, it may be received and depend a year or two there for consideration and answer, during all which time it may be thought very improper and indecent for us to adopt and pursue any other means of deliverance, and it will be strongly urged that we ought at least to suspend any other methods of redress, till we know the result of Parliament on our petition.

II. After all this, if it should be deemed expedient to present a petition, and lest words alone, however forcible, should not have sufficient weight, further active measures should be thought necessary to give energy to the same, it remains to be considered what these further measures ought to be; arms certainly ought to be the last thing in view. A suspension of our trade is, by most people, thought sufficient to effect our deliverance; and some think that a suspension of our trade with *Great Britain* only will effect the great end desired. On which I would observe,

1. However effectual this measure may be, it will be a slow one. *Great Britain* has great resources of raw materials besides her importations from us; she has many great vents for her merchandise besides her exports to us; the matter in dispute they look on of great importance, and they will suffer long before they will yield it; they will feel a suspension of our trade heavily, but not ruinously; the inconveniences to them will not be felt so immediately as will be necessary to force an immediate deliverance for us, and any long delay may prove fatal to us; for,

2. The success of our resolutions depends on the continued and united practice of millions; the minds of all ranks and conditions of people are now filled with a sense of our danger, and willing to unite in adopting and pursuing any practicable means of deliverance, but time may wear this high sense out of their minds. 'Tis madness to lose the universal warmth and zeal of all *America* by needless delays; such stupid, sleepy, dreaming conduct will cost our poor posterity hungry bellies, aching hearts, and tears of blood.

3. Yet there is one advantage arising naturally from a suspension of trade with *Great Britain* only; however slow its operations may be, it will give *America* time to complete their own manufactures, to correct their infatuation for *British* luxuries, and teach their merchants that they will grow rich faster by supplying raw materials than by importing finished goods.

III. I am now to consider what will be the probable consequences of a suspension of our trade with *Great Britain*, *Ireland*, and the *West Indies*.

1. All the wisdom and wealth of *England* and *Ireland* united cannot sow *Ireland* with flax without the *American* seed; thirty-four thousand hogsheads of which is annually exported to *Ireland* from the Provinces of *New-York* and *Philadelphia* only. If the flax is not sown there can be no crop, and consequently no material to employ the linen manufacturers, and thus three hundred thousand people must be thrown out of business, and of course out of bread; and the linen merchants be disenabled from supplying their customers, and so must lose their custom, and suffer that branch of trade to slide into the hands of other Nations, from whom it will be difficult to recover it. All the wisdom and power of *Great Britain* cannot prevent or remedy these evils, otherwise than by repealing the offensive Acts, and thereby opening the ports of *America* time enough for shipping seed in season for sowing *Ireland* next spring; the subject will not admit of dilatory deliberations; to delay will be to be ruined; if the seed time is suffered to pass without seed, no wisdom can prevent the ruin of the *Irish* linen manufacture, or the insurrection of millions of starving, unemployed people. The inconvenience of this suspension of trade is very little to *America;* no farmer depends upon his flaxseed for the supplies of the year; 'tis a rich farmer who raises half a dozen bushels, and he can keep it over the year without sensible inconvenience.

2. Suspending our trade with the *West Indies* will ruin every plantation there. They can neither feed their negroes without our corn, nor save their crops without our lumber. A stoppage of *North American* supplies will bring on a famine, and scarcity too ruinous to be risked without the most stupid madness. It will instantly lie with the *British* Parliament to determine whether the *West Indies* shall be starved and ruined or not, and it will be necessary for them to determine quick, or the damages of delay will soon become irreparable. The damage of this suspension of trade would not be much to *America;* we cut our choicest timber for lumber too freely; our lumber cutters would serve themselves and country better were they employed in clearing and cultivating land. We can fill the *West Indies* with provisions this fall, and I dare say the *British* Parliament will remove all obstructions to our shipping more next spring. That the suspension will probably last only through the winter, which is not a season for much business. Besides, all the ports in *Europe* are open for our provisions, and if we lose a little in the price, we may afford it, inasmuch as we shall make great savings in the article of rum, and other *West India* luxuries. If it is objected that *England* alone has offended us, why should we smite *Ireland* and the *West Indies?* I answer, the funds which support the *Irish* linen manufacture and the *West India* plantations lie very much in *London;* the linen of *Ireland* and the produce of the *West Indies* are mostly due to *London* before they are made; and, therefore, ruining the *Irish* linen manufacture and the produce of the *West India* plantations, would greatly affect the *Irish* and *West India* merchants in *London;* it would break not single and principal houses only, but would oblige whole streets of them to shut up at once, and hasten to Parliament with such tales of woe as the stubborn omnipotence of that haughty House could not refuse to hear, or be able to remedy otherwise than by a repeal of the offensive Acts. But if the *British* Parliament should be mad enough to risk all these evils, and continue the Acts, *America* might live very well a number of years without them. 'Tis likely our provisions would be plenty and cheap, so that our poor might be supplied easily; we should save the annual millions we now pay for *East India*, *West India*, and *British* superfluities; our own manufactures would thrive; the cultivation of our country would be greatly increased; we should be gradually recovered from our ridiculous imitations of *British* fashions and extravagances; and, for any thing I can see, may soon be as happy as the ancient shepherds of *Arcadia;* we have a finer country than they ever had, and a Heaven equally propitious.

3. How far a suspension of our trade with *Great Britain* may affect them is not certain, but no doubt that blow, in conjunction with the other before mentioned par-

Digitized by Google

ticulars, would operate strongly; it would reduce the employment of many thousands of people; would lessen the sales of the *East India* Company, and would diminish the publick revenue near a million sterling per annum, about half of which sum arises yearly from the single article of tobacco.

These are effects which no wisdom can prevent or avoid; they will leave the *British* Parliament time to deliberate, however mortifying it may be to them to apply the only remedy which can relieve their distress; but should they be disposed to spin out delays, in full sight of the ghastly irresistible approaches of such ruinous and complicated misery, we should at least have the advantage of being on a footing with them, they would be in pain as well as we, and would at least have equal inducement to put a speedy end to it. Their interest would soon conquer their pride, and their revenge must be speedily sacrificed to their ease.

I look on the dignity of the *American* Congress equal to any Assembly on earth, and their deliberations and resolutions more important in their nature and consequences than any which were ever before agitated in council. The value and character of *America* will be fixed, merely as the Congress shall estimate them, and if they assert the rights and liberties of *America* with that precision and effect, which is universally expected from them, there can be no doubt but their resolves and advices will be honoured with universal approbation and obedience, and I hope and trust they will think it below their dignity, as well as inconsistent with their prudence, to degrade their importance and waste their time in humiliating and fruitless measures, when they have it in their power to assert the rights of their country with a force and effect which the united wisdom and strength of all their enemies can by no means withstand.

I don't apprehend that all we can do will be too much. Our all is at stake; our enemies are powerful and determined; trifling expedients will be ridiculous; delays will ruin us; every moment is a moment of the utmost importance; all the world *are* now viewing, and all posterity *will* look back, on the doings of this Congress.

A LETTER FROM A VIRGINIAN TO THE MEMBERS OF THE CONGRESS, TO BE HELD AT PHILADELPHIA, ON THE FIRST OF SEPTEMBER, 1774.

Let us no longer deceive ourselves with the vain hopes of a speedy repeal of the Tea Act, because we triumphed in the repeal of the Stamp Act; the Acts themselves are totally different in their principles and their operations; the occasion by no means similar. We have advanced from one extravagant claim to another, made such sudden turnings and windings, taken such wild and rapid flights, that the boldest of our followers can follow us no longer; our most zealous advocates are ashamed to plead a cause which all men, but ourselves, condemn. Can we any longer doubt that our friends, on the other side of the *Atlantic*, as well as our enemies, although they differ in the mode of exercising the authority of Parliament over us, are almost universally agreed in the principle? Are we not convinced from a thousand testimonies, that the clamour against us is universal and loud? Is this, gentlemen, a season to frighten the parent country into a repeal? No man of spirit in private life, even on the slightest quarrel, will submit to be bullied and exposed to the scorn and derision of the little circle he lives in. Can we seriously hope that a great Nation, a proud Nation, will be insulted and degraded with impunity by her Colonies, in the face of every rival Kingdom in *Europe?* Let us then, gentlemen, relinquish forever a project fraught with absurdity and ruin. Let your constituents hope that the occasion of such an important Assembly will not be wantonly squandered in opprobrious reproaches, in bidding defiance to the mother country, but in digesting and proposing some new plan of accommodation worthy her notice and exceptance. Disputes are generally vain and endless where there are no arbitrators to award, no judges to decree. Where arguments, suspected to be drawn from interest and passion are addressed to interest and passion, they produce no conviction. We may ring eternal changes on taxation and representation, upon actual, virtual, and non-representation. We may end as we began, and disagree eternally; but there is one proposition, a self-evident proposition, to which all the world give their assent, and from which we cannot withold ours: that whatever taxation and representation may be, taxation and Government are inseparable.

On the subject of taxation the authority of Mr. *Locke* is generally quoted by our advocates, as paramount to all other authority whatever. His Treatise on Government, as far as his ideas are practicable with the corrupt materials of all Governments, is undoubtedly a most beautiful theory, the noblest assertion of the unalienable rights of mankind. Let us respect it as the opinion of a wise and virtuous philosopher and patriot, but let us likewise, as good subjects, revere the laws of the land, the collected wisdom of ages, and make them the sole rule of our political conduct. Let not Mr. *Locke* be quoted partially by those who have read him, to mislead thousands who never read him. When he is brought as an authority that no subject can be justly taxed without his own consent, why do not they add his own explanation of that consent? *i. e.* "the consent "of the majority, giving it either by themselves or their "Representatives chosen by them." Do we compose the majority of the *British* community? Are we, or are we not, of that community? If we are of that community, but are not represented, are we not in the same situation with the numerous body of copy-holders, with the inhabitants of many wealthy and populous towns; in short, with a very great number of our fellow-subjects, who have no votes in elections? Shall we affirm that these are all virtually represented, but deny that we are so; and at the same time be too proud to solicit a representation? Or, under the trite and popular pretences of venality and corruption, laugh at it as impracticable? Shall we plunge at once into anarchy, and reject all accommodation with a Government (by the confession of the wisest men in *Europe*, the freest and the noblest Government on the records of history,) because there are imperfections in it, as there are in all things, and in all men? Are we confederates, or allies, or subjects of *Great Britain?* In what code of laws are we to search for taxation, under the title and condition of requisition, as we understand the word? In what theory of Government, ancient, or modern? Is it to be found any where on earth, but in modern harangues, modern pamphlets? And in these only as temporary expedients. The supply of Government must be constant, certain, and proportioned to the protection it affords; the moment the one is precarious, the other is so too; the moment it fails, civil society expires. We boast much of our bountiful compliance with the requisitions made during the last war, and in many instances with reason; but let us remember and acknowledge that there was even then more than one rich Province that refused to comply, although the war was in the very bowels of the country. Can *Great Britain* then depend upon her requisitions in some future war a thousand leagues distant from *North America*, on which, as we may have no immediate local interest, we may look perhaps with little concern.

From the infancy of our Colonies to this very hour we have grown up and flourished under the mildness and wisdom of her excellent laws; our trade, our possessions, our persons, have been constantly defended against the whole world, by the fame of her power, or by the exertion of it. We have been very lately rescued by her from enemies who threatened us with slavery and destruction, at the expense of much blood and treasure, and established after a long war (waged on our accounts, at our most earnest prayers) in a state of security, of which there is scarce an example in history. She is ever ready to avenge the cause of the meanest individual among us, with a power respected by the whole world. Let us then no longer disgrace ourselves by illiberal, ungrateful reproaches, by meanly ascribing the most generous conduct to the most sordid motives; we owe our birth, our progress, our delivery, to her; we still depend on her for protection; we are surely able to bear some part of the expense of it; let us be willing to bear it. Employ then, gentlemen, your united zeal and abilities in substituting some adequate, permanent, and effectual supply (by some mode of actual representation,) in the place of uncertain, ineffectual requisitions, or in devising some means of reconciling taxation, the indispensable obligation of every subject, with your ideas of the peculiar and inestimable rights of an *Englishman*.

Digitized by Google

These are objects worthy a Congress; measures that will confer lasting benefits on your country, and immortal honour on yourselves.

If, on the contrary, like independent states, you arrogate to yourselves the sole right of judging and deciding in your own cause; if you persist in denying the supreme power of Parliament, which no Parliament will ever renounce, like independent states, we have no appeal but to the God of Battles. Shall we dare lift up our eyes to that *God*, the source of Truth and Justice, and implore his assistance in such a cause? There are causes, where, in spite of the ridiculous tenets of pious, deluded enthusiasts, or of the wicked and monstrous doctrines of slaves and tyrants, the very principles, the original principles on which civil society depends, require, where *God* and nature call aloud for resistance. Such causes existed in the horrid catalogue of oppressions and crimes under a *Philip* the Second, a *Catharine* of *Medicis*, and in the list of grievances during one period at least, of the reign of the ill educated, the ill advised, the unhappy *Charles*. On such melancholy occasions, men of sentiment, spirit, and virtue, the only genuine sons of liberty, engage in the honourable cause of freedom, with *God* on their side, and indignantly sacrifice every advantage of fortune, every endearment of life, and life itself. Do such causes exist now among us? Did they ever exist? Are they likely to exist?

Open, if it be not too late, the eyes of our infatuated countrymen; teach them to compare their happy situation with the wretchedness of nine-tenths of the globe; shew them the general diffusion of the necessaries, the conveniences and pleasures of life, among all orders of people here; the certain rewards of industry, the innumerable avenues to wealth, the native unsubdued freedom of their manners and conversation; the spirit of equality, so flattering to all generous minds, and so essential to the enjoyment of private society; the entire security of their fortunes, liberty and lives; the equity and lenity of their civil and criminal justice, the toleration of their religious opinions and worship.

Teach them to compare these invaluable privileges and enjoyments with the abject and miserable state of men debased by artificial manners, lost to all generous and manly sentiment; alternately crouching and insulting, from the vain and humiliating distinctions of birth, place, and precedence; trembling every moment for their liberty, their property, their consciences, and their lives; millions toiling, not for themselves, but to pamper the luxury and riot of a few worthless, domineering individuals, and pining in indigence and wretchedness; save them from the madness of hazarding such inestimable blessings, in the uncertain events of a war, against all odds, against invasions from *Canada*, incursions of savages, revolt of slaves, multiplied fleets and armies; a war which must begin where wars commonly end, in the ruin of our trade, in the surrender of our ports and capitals, in the misery of thousands. Teach them in mercy, to beware how they wantonly draw their swords in defence of political problems, distinctions, refinements; about which the best and the wisest men, the friends as well as the enemies of *America*, differ in their opinions, lest while we deny the mother country every mode, every right of taxation, we give her the right of conquest.

EXTRACT OF A LETTER FROM GOVERNOUR MARTIN TO THE EARL OF DARTMOUTH, DATED NEWBERN, NORTH CAROLINA, SEPTEMBER 1, 1774.

Your Lordship will not be surprised to hear that the people of this Colony have followed the example of the rest of the Continent, in caballing and forming resolutions upon the late measures of Government, with regard to the divisions in the Colony of *Massachusetts Bay*. The readiness with which the intemperate declarations of the *Virginia* Assembly were adopted and re-echoed here, will have shown your Lordship, that this people are of but too congenial disposition. What system the other Continental Assemblies have formed by their Committees of Correspondence, which your Lordship must know have been appointed, I cannot tell, having never understood that their proceedings have transpired more than those of the Committee here, of which nothing appears upon the Assembly's Journal, but the resolves entered into on the first establishment of that Committee, and that letters had been received from the Committees in the other Colonies, the contents of which are held secret. Whatever measures may have been taken, the combination is assuredly at least indecent and inglorious.

The first intimation that I received, except from vague rumour, of the measures lately taken here, was from the enclosed letter of a Committee at *Wilmington*, to the freeholders of *Craven* County, where my residence is fixed. Whereupon I immediately ordered the Council to be summoned, that I might advise with them on the measures proper to be taken to discourage and prevent such unlawful and indecent proceedings. Your Lordship will see, by the minutes of that Board, herewith transmitted, that on the 12th of last month, I laid the letter before them, and that I issued with their advice, a Proclamation the next day; apprehending however, that under the total inability of Government to enforce even what common decorum required, the proposed meeting of Deputies at *Newbern*, the seat of Government, that was ultimately agreed to be the place of rendezvous, would be accordingly held, and considering it would be my duty to be at hand, to discourage their proceedings as much as lay in my power, and to take such measures as circumstances should require, for the maintenance of order and government, I resolved there to wait, until the time of meeting was past, although the very impaired state of my health made it highly expedient to remove, at that season from so unwholesome a situation; whence, at the very time, I was compelled to send my family to *New-York*, as the only chance of preserving it from destruction.

Boston, September 5, 1774.

On *Thursday* morning, *September* 1st, half past four, about two hundred and sixty troops commanded by Lieutenant Colonel *Maddison*, embarked on board thirteen boats at the Long Wharf, and proceeded up *Mystic* River to *Temple's* farm, where they landed, and went to the powder house on *Quarry* Hill, in *Charlestown* bounds, whence they have taken two hundred and fifty half barrels of powder, the whole store there, and carried it to the Castle.

A detachment from this corps went to *Cambridge*, and brought off two field pieces, which had been lately sent there for Colonel *Brattle's* regiment. The preparation for this scandalous expedition caused much speculation, as some who were near the Governour gave out that he had sworn the Committee of *Salem* should recognise or be imprisoned; nay, some said be put on board the *Scarborough*, and sent to *England* forthwith.

The Committee of *Boston* sent off an express after ten, on *Wednesday* evening, to advise their brethren of *Salem* of what they apprehended was coming against them, who received their message with great politeness, and returned an answer purporting their readiness to receive any attacks they might be exposed to for acting in pursuance to the laws and interest of their country as became men and Christians.

From these several hostile appearances the County of *Middlesex* took the alarm, and on *Thursday* evening began to collect in large bodies, with their arms, provisions, and ammunition, determining by some means to give a check to a power which so openly threatened their destruction, and in such a clandestine manner rob them of the means of their defence. And on *Friday* morning some thousands of them had advanced to *Cambridge*, armed only with sticks, as they had left their fire-arms, &c., at some distance behind them. Some indeed, had collected on *Thursday* evening, and surrounded the Attorney General's house, who is also Judge of Admiralty on the new plan of *Nova Scotia*; and being provoked by the firing of a gun from a window, they broke some glass, but did no more mischief. The company, however, concerned in this were mostly boys and negroes, who soon dispersed.

On perceiving the concourse on *Friday* morning, the Committee of *Cambridge* sent an express to *Charlestown*, who communicated the intelligence to *Boston*, and their respective Committee proceeded to *Cambridge* without delay. When the first of the *Boston* Committee came up,

Digitized by Google

they found some thousands of people assembled round the Court House steps, and Judge *Danforth* standing upon them, speaking to the body, declaring, in substance, that having now arrived at a very advanced age, and spent the greater part in the service of the publick, it was a great mortification to him to find a step lately taken by him so disagreeable to his country, in which he conscientiously had meaned to serve them; but finding their general sense against his holding a seat at the Council Board on the new establishment, he assured them that he had resigned the said office, and would never henceforth accept or act in any office inconsistent with the Charter rights of his country; and in confirmation of said declaration, he delivered the following certificate drawn up by himself, and signed with his own hand, viz:

"Although I have this day made an open declaration to a great concourse of people, who assembled at *Cambridge*, that I had resigned my seat at the Council Board; yet, for the further satisfaction of all, I do hereby declare, under my hand, that such resignation has actually been made, and that it is my full purpose not to be any way concerned as a member of the Council at any time hereafter.

"S. DANFORTH.

"September 2, 1774."

Judge *Lee* was also on the Court House steps, and delivered his mind to the body in terms similar to those used by Judge *Danforth;* and delivered the following declaration also drawn up and signed by him, viz:

"Cambridge, September 2, 1774.

"As great numbers of the inhabitants of the county are come into this town since my satisfying those who were met, not only by declaration, but by reading to them what I wrote to the Governour at my resignation, and being desirous to give the whole county and Province full satisfaction in this matter, I hereby declare my resignation of a seat in the new constituted Council, and my determination to give no further attendance. JOS. LEE."

Upon this a vote was called for, to see if the body was satisfied with the declarations and resignations abovesaid, and passed in the affirmative, *nem. con.*

It was then moved to know whether that body would signify their abhorrence of mobs, riots, and the destruction of private property, and passed in the affirmative, *nem. con.*

Colonel *Phips*, the High Sheriff of the county, then came before the Committee of the body, and complained that he had been hardly spoken of for the part he had acted in delivering the powder in *Charlestown* Magazine to the soldiery; which the Committee candidly considered and reported to the body, that it was their opinion the High Sheriff was excusable, as he had acted in conformity to his order from the Commander-in-chief. Colonel *Phips* also delivered the following declaration by him subscribed, viz:

"Colonel *Phips's* Answer to the Honourable body now in meeting on the Common, viz:

"That I will not execute any precept that shall be sent me under the new Acts of Parliament for altering the Constitution of the Province of the *Massachusetts Bay;* and that I will recall all the venires that I have sent out under the new establishment. DAVID PHIPS.

"Cambridge, September 2, 1774."

Which was accepted as satisfactory.

About eight o'clock his Honour Lieutenant Governour *Oliver* set off from *Cambridge* to *Boston*, and informed Governour *Gage* of the true state of matters, and the business of the people; which, as his Honour told the Admiral, was not a mad mob, but the freeholders of the county, promising to return in two hours and confer further with them on his own circumstance as President of the Council.

On Mr. *Oliver's* return, he came to the Committee and signified what he had delivered to the body in the morning, viz: that as the commissions of Lieutenant Governour and President of the Council seemed tacked together, he should undoubtedly incur his Majesty's displeasure if he resigned the latter and pretended to hold the former; and no body appeared to have any objection to his enjoying the place he held constitutionally; he begged he might not be pressed to incur that displeasure, at the instance of a single county, while any other Counsellor held in the new establishment; assuring them however, that in case the mind of the whole Province, collected in Congress, or otherwise, appeared for his resignation, he would by no means act in opposition to it. This seemed satisfactory to the Committee, and they were preparing to deliver it to the body, when Mr. Commissioner *Hallowell* came through the town on his way to *Boston*. The sight of that obnoxious person so inflamed the people, that in a few minutes about one hundred and sixty horsemen were drawn up, and proceeded in pursuit of him on the full gallop. Captain *Gardner*, of *Cambridge*, first began a parley with one of the foremost, which caused them to halt while he delivered his mind very fully in dissuasion of the pursuit, and was seconded by Mr. *Deavens*, of *Charlestown*, and Dr. *Young*, of *Boston*. They generally observed that the object of the body's attention that day seemed to be the resignation of the unconstitutional Counsellors; and that it might introduce confusion into the proceedings of the day, if any thing else was brought upon the carpet till that important business was finished; and in a little time the gentlemen dismounted their horses and returned to the body.

But Mr. *Hallowell* did not entirely escape, as one gentleman of small stature pushed on before the general body, and followed *Hallowell*, who had made the best of his way till he got into *Roxbury*, where Mr. *Bradshaw* overtook and stopped him in his chaise. Mr. *Hallowell* snapped his pistols at him, but could not disengage himself from him till he quitted the chaise and mounted his servant's horse, on which he drove into *Boston* with all the speed he could make; till the horse failing within the gate, he ran on foot to the camp, through which he spread consternation, telling them he was pursued by some thousands, who would be in town at his heels, and destroy all friends of Government before them.

A gentleman in *Boston* observing the motion in the camp, and concluding they were on the point of marching to *Cambridge*, from both ends of the town, communicated the alarm to Dr. *Roberts*, then at *Charlestown* Ferry, who having a very fleet horse, brought the news in a very few minutes to the Committee, then at dinner. The intelligence was instantly diffused, and the people whose arms were nearest, sent persons to bring them, while horsemen were despatched both ways to gain more certain advice of the true state of the soldiery. A greater fervour and resolution probably never appeared among any troops.

The despatches soon returning, and assuring the body that the soldiers still remained and were likely to remain in their camp, they resumed their business with spirit, and resolved to leave no unconstitutional officer within their reach in possession of his place. On this the Committee assembled again, and drew up the paper, of which the following is a copy, and at the head of the body delivered it to Lieutenant Governour *Oliver* to sign, with which he complied, after obtaining their consent to add the latter clause, implying the force by which he was compelled to do it. Mr. *Mason*, Clerk of the County of *Middlesex*, also engaged, in his office, to do no one thing in obedience to the new Acts of Parliament impairing our Charter.

"Cambridge, September 2, 1774.

"I, *Thomas Oliver*, being appointed by his Majesty to a seat at the Council Board, upon, and in conformity to the late Act of Parliament, entitled, 'An Act for the better regulation of the Province of the *Massachusetts Bay*,' which being a manifest infringement of the Charter rights and privileges of this people, I do hereby in conformity to the commands of the body of this county now convened, most solemnly renounce and resign my seat at said unconstitutional Board, and hereby firmly promise and engage, as a man of honour and a Christian, that I never will hereafter, upon any terms whatsoever, accept a seat at said Board on the present novel and oppressive plan of Government.

"My house at *Cambridge* being surrounded by about four thousand people, in compliance with their commands, I sign my name, T. OLIVER."

TO THE PRINTER OF THE MASSACHUSETTS GAZETTE.

In the publications of last *Monday*, the transactions at *Cambridge*, on *Friday*, the 2d of *September*, having been so

Digitized by Google

generally related, I am constrained, in support of my character, to give the publick a more particular account of those parts in which I was so unhappily involved.

Early in the morning of that day a number of the inhabitants of *Charlestown* called at my house, to acquaint me that a large body of people from several towns in the county were on their way coming down to *Cambridge;* that they were afraid some bad consequences might ensue, and begged I would go out to meet them, and endeavour to prevail on them to return. In a very short time, before I could prepare myself to go, they appeared in sight. I went out to them, and asked the reasons of their appearance in that manner; they respectfully answered, they "came peaceably to inquire into their grievances, not with design to hurt any man." I perceived they were the land-holders of the neighbouring towns, and was thoroughly persuaded they would do no harm. I was desired to speak to them; I accordingly did, in such a manner as I thought best calculated to quiet their minds. They thanked me for my advice, said they were no mob, but sober, orderly people, who would commit no disorders; and then proceeded on their way. I returned to my house. Soon after they had arrived on the Common at *Cambridge*, a report arose that the troops were on their march from *Boston;* I was desired to go and intercede with his Excellency to prevent their coming. From principles of humanity to the country, from a general love of mankind, and from persuasions that they were this orderly people, I readily undertook it; and is there a man on earth, who, placed in my circumstances, could have refused it? I am informed I am censured for having advised the General to a measure which may reflect on the troops, as being too inactive upon such a general disturbance; but surely such a reflection on the military can never arise but in the minds of such as are entirely ignorant of these circumstances. Wherever this affair is known, it must also be known it was my request the troops should not be sent, but to return; as I passed the people I told them, of my own accord, I would return and let them know the event of my application, (not, as was related in the papers, to confer with them on my own circumstances as President of the Council.) On my return I went to the Committee, I told them no troops had been ordered, and from the account I had given his Excellency, none would be ordered. I was then thanked for the trouble I had taken in the affair, and was just about to leave them to their own business, when one of the Committee observed, that as I was present, it might be proper to mention a matter they had to propose to me. It was, that although they had a respect for me as Lieutenant Governour of the Province, they could wish I would resign my seat. I told them I took it very unkind that they should mention any thing on that subject; and, among other reasons, I urged, that, as Lieutenant Governour, I stood in a particular relation to the Province in general, and, therefore, could not hear any thing upon that matter from a particular county. I was then pushed to know, if I would resign when it appeared to be the sense of the Province in general; I answered, that when all the other Counsellors had resigned, if it appeared to be the sense of the Province I should resign, I would submit.

They then called for a vote upon the subject, and, by a very great majority, voted my reasons satisfactory. I inquired whether they had full power to act for the people, and being answered in the affirmative, I desired they would take care to acquaint them of their votes, that I should have no further application made to me on that head. I was promised by the Chairman, and a general assent, it should be so. This left me entirely clear and free from any apprehensions of a further application upon this matter, and perhaps will account for that confidence which I had in the people, and for which I may be censured. Indeed, it is true, the event proves I had too much, but reasoning from events yet to come, is a kind of reasoning I have not been used to.

In the afternoon I observed large companies pouring in from different parts; I then began to apprehend they would become unmanageable, and that it was expedient to go out of their way. I was just going into my carriage when a great crowd advanced, and, in a short time, my house was surrounded by three or four thousand people, and one quarter part in arms. I went to the front door, where I was met by five persons, who acquainted me they were a Committee from the people to demand a resignation of my seat at the Board. I was shocked at their ingratitude and false dealings, and reproached them with it. They excused themselves by saying the people were dissatisfied with the vote of the Committee, and insisted on my signing a paper they had prepared for that purpose. I found I had been ensnared, and endeavoured to reason them out of such ungrateful behaviour. They gave such answers that I found it was in vain to reason longer with them; I told them my first considerations were my honour, the next my life; that they might put me to death or destroy my property, but I would not submit. They began then to reason in their turn, urging the power of the people, and the danger of opposing them. All this occasioned a delay, which enraged part of the multitude, who, pressing into my back yard, denounced vengeance to the foes of their liberties. They endeavoured to moderate them, and desired them to keep back, for they pressed up to my windows, which then were open; I could from thence hear them at a distance calling out for a determination, and, with their arms in their hands, swearing they would have my blood if I refused. The Committee appeared to be anxious for me, still I refused to sign; part of the populace growing furious, and the distress of my family, who heard their threats, and supposed them just about to be executed, called up feelings which I could not suppress; and nature, ready to find new excuses, suggested a thought of the calamities I should occasion, if I did not comply; I found myself giving way, and began to cast about to contrive means to come off with honour. I proposed they should call in the people to take me out by force, but they said the people were enraged, and they would not answer for the consequences; I told them I would take the risk, but they refused to do it. Reduced to this extremity, I cast my eyes over the paper, with a hurry of mind and conflict of passion which rendered me unable to remark the contents, and wrote underneath the following words: "My house at *Cambridge* being surrounded by four thousand people, in compliance with "their commands, I sign my name, *Thomas Oliver.*" The five persons took it, carried it to the people, and, I believe, used their endeavours to get it accepted. I had several messages that the people would not accept it with these additions, upon which I walked into the court yard, and declared I would do no more, though they should put me to death.

I perceived that those persons who formed the first body which came down in the morning, consisting of the land-holders of the neighbouring towns, used their utmost endeavours to get the paper received with my additions; and I must, in justice to them, observe, that, during the whole transaction, they had never invaded my enclosures, but still were not able to protect me from the insults which I received from those who were in arms. From this consideration I am induced to quit the country, and seek protection in the town. THOMAS OLIVER.

Boston, September 7, 1774.

EXTRACT OF A LETTER FROM ST. JOHN'S PARISH, IN GEORGIA, DATED SEPTEMBER 2, 1774.

The struggle in the cause of liberty in the Province of *Georgia* has been very considerable. At a General Convention at *Savannah*, on the 10th day of *August*, a number of spirited Resolutions were entered into, and unanimously agreed upon, as you may see published in the *Georgia Gazette;* but a difference of opinion arising on this proposition, viz: "Whether Deputies should be sent to join "with the Deputies of the other Colonies at the General "Congress," it was over-ruled in the negative; but this negative was maintained by a majority of numbers of gentlemen of *Savannah*, who were not properly constituted, and had no right to vote in the case. The other Parishes immediately expressed their dissatisfaction, and made a second attempt, in which the Parish of *St. John* took the lead, and came to this further Resolution: "That if the "majority of the other Parishes would join with them, they "would send Deputies to join the General Congress, and "faithfully and religiously abide by, and conform to, such

Digitized by Google

"determinations and resolutions as should be there enter-"ed into, and come from thence recommended." Their meeting was on the 30th of *August*, at which time there appeared Representatives from two Parishes, viz: *St. George's* and *St. David's*, to join with the Parish of *St. John*, (and we since learn that the Parish of *St. Andrew* have acceded to the same resolution) aud those Parishes went so far as even to nominate one Deputy, who will, if the other Parishes agree, finally attend at the General Congress.

The Parish of *St. John* have been remarkably unanimous and spirited in this important affair; have opened a subscription for the relief of the unhappy sufferers at *Boston;* and in this single Parish have already subscribed to the amount of two hundred barrels of rice, which is to be forwarded by the Committee of Correspondence; and they, with the other Parishes that join them, express the strongest desire to be united with the other Colonies, in every constitutional measure, for the removal of publick grievances, and are willing, in this noble struggle, to exert themselves to the utmost; to make every sacrifice that men, impressed with the strongest sense of their rights and liberties, and warm with the most benevolent feelings for their oppressed brethren, can make, to stand firmly, or fall gloriously, in the common cause.

EXTRACT OF A LETTER FROM THE HONOURABLE GOVERNOUR GAGE TO THE EARL OF DARTMOUTH, DATED BOSTON, SEPTEMBER 2, 1774.

Your Lordship's despatch, No. 6, is duly received. Your Lordship will know that the state, not of this Province only, but of the rest, is greatly changed since Mr. *Hutchinson* left *America*.

Though I saw things were bad when I wrote from *Salem*, I found them much worse than I expected when I arrived here. Several of the new Counsellors who dwell at a distance, have fled from their houses, and been obliged to seek protection among the troops at *Boston;* in that number were Messrs. *Ruggles*, *Edson*, *Leonard*, and *Murray;* and Messrs. *Loring* and *Pepperell* are lately come into town. The object of the people was to force them to give up their seats in Council, which has taken effect with Mr. *Paine*, who was seized and roughly treated. There are bad reports of Mr. *Watson*, though I have no news from him; but Mr. *Willard* was grievously mal-treated, first in *Connecticut*, where he went on business; and every township he passed through on his way home, in this Province, had previous notice of his approach, and ready to insult him; arms were put to his breast, with threats of instant death, unless he signed a paper, the contents of which he did not know or regard. He went home, after making me that report; but the news is, that a large body was marching to his house, in *Lancaster*, to force him to some other concessions.

Upon the first rumour of disturbance Mr. *Andrew Oliver* resigned his seat in Council, as have also, since, Mr. *Isaac Winslow*, *Thomas Hutchinson*, *Lee*, of *Cambridge*, *Danforth*, and, this moment, Mr. *Watson*.

With regard to the clause in the new Acts, relative to town meetings, so many elusions are discovered, under various pretensions, of adjournments; electing to vacant offices; people assembling peaceably, without notification, upon their own affairs; and, withal, no penalty, that no persons I have advised with can tell what to do with it; at a distance they go on as usual; but worse transactions make that matter of little consequence in the present moment.

I came here to attend the Superiour Court, and in the intention to send a body of troops to *Worcester*, to protect the Court there; and, if wanted, to send parties to the houses of some of the Counsellors, who dwell in that county; but finding from undoubted authority, that the flames of sedition had spread universally throughout the country, beyond conception; the Counsellors already drove away, and that no Court could proceed on business, I waited the event of the sitting of the Superiour Court here, on the 30th ultimo; the Judges met, but could get neither Grand nor Petit Jury.

I ordered a Council to assemble; but upon the representation that they should be watched, stopped, and insulted on the road to *Salem*, and desiring to be assembled here, I hope his Majesty will approve of my consenting to their request.

The Council was of opinion that it was very improper to weaken the troops here, by any detachments whatever, as they could not be of any use to the Courts, as no jurors would appear, and by that means defeat their proceedings; and that disturbance being so general, and not confined to any particular spot, there was no knowing where to send them to be of use; and would terminate only in dividing them in small detachments, and tempt numbers to fall upon them, which was reported to be the scheme of the directors of these operations.

It was considered that the whole was at stake. *Connecticut* and (they add) *Rhode Island* as furious as they are in this Province; and that the first, and only step now to take, was to secure the friends of Government in *Boston*, and reinforce the troops here with as many more as could possibly be collected, and to act as opportunities and exigencies shall offer.

I have for some time consulted with General *Haldimand* about securing the magazines at *New-York*, part of which is in Castle *William;* though, by all accounts, every thing there is quiet; the people, in general, moderate and well affected to all measures but taxations; and as I don't see that the regiment there, or the part of the eighteenth at *Philadelphia*, can in any case, be of any use where they are, I propose to order Major General *Haldimand*, with those corps, to this place. I have thoughts, also, of sending transports to *Quebec* for the tenth and fifty-second regiments, who were to have been relieved this year, if the internal circumstances of that Province admit it. I think there can be no danger from without, as the river will be impracticable soon after they come down it, and we may be ready, in the spring, to reinforce the garrison. I am unwilling to weaken *Quebec*, and nothing but extremity of affairs could make me think of it.

This state of affairs, I give your Lordship, is from numberless accounts from gentlemen thoroughly acquainted with the country, and who know the pitch of enthusiasm to which the people are now raised;—gentlemen, who are sensible, remarkably firm, and not to be intimidated; among others, Messrs. *Ruggles*, *Murray*, *Leonard*, and *Edson*, who have abandoned their dwellings to the mercy of the people, as have lately Messrs. *Loring* and *Pepperell*.

Civil Government is near its end; the Courts of Justice expiring one after another; and where there is no other reason for not suffering them, it is, that the Judges of the Inferiour Courts, as well as the Justices, are under the Governour's influence by the new Acts, though the said Acts don't take place, as to juries, till next month; but he may now turn them, the Judges, and Justices, out at pleasure, though he has as yet made no change in them.

Precepts are issued for the calling an Assembly in the beginning of next month, though uncertain whether the people will choose Representatives; but we may be assured, if chosen, that they will not act with the new Council; and, it is supposed, the project has been to annihilate the said Council, before meeting, to throw the refusal upon the Governour to act with the old Council, elected last sessions; so that we shall shortly be without law or Legislative powers.

The Judges of the Superiour Court have been with me, in a body, to represent the impossibility of carrying on the business of their Court, in any part of the Province; that the force there was by far too small to protect them every where, and, after all, no Jurors would swear in; that it was needless laying fines, which they could not do on Grand Juries, there being no law for it in the Province; and, withal, it would be in vain, the refusal being universal.

I mean, my Lord, to secure all I can by degrees; to avoid any bloody crisis as long as possible, unless forced into it by themselves, which may happen. His Majesty will, in the mean time, judge what is best to be done; but your Lordship will permit me to mention, that as it is judged here that it will be resolved to stem the torrent, and not yield to it, that a very respectable force should take the field. The regiments are now composed of small numbers; and irregulars will be very necessary in

Digitized by Google

this country, many of which, of one sort or other, I conceive, may be raised here. Nothing that is said at present can palliate; conciliation, moderation, reasoning, is over; nothing can be done but by forcible means.

I transmit your Lordship a minute of Council, and copies of attested papers and letters.

A vast concourse of people assembled this day, from various parts, about eight miles from this; they have frightened and pursued many obnoxious people, as they term them; nobody has asked assistance, and I have just received a letter from Mr. *Oliver*, the Lieutenant Governour, to beg I would, on no account, send any troops there, for that it would prove fatal to him.

Mr *Simpson*, another Counsellor, has just resigned.

EXTRACT OF A LETTER FROM THE HONOURABLE GOVERNOUR GAGE TO THE EARL OF DARTMOUTH, DATED BOSTON, SEPTEMBER 3, 1774.

In my letter of yesterday I just made mention of a letter in the moment received from Lieutenant Governour *Oliver*. That gentleman came to me yesterday about noon, and acquainted me that a number of people had passed his house in *Cambridge*, going into that town, which is about eight miles from this; but that he had talked to them, and they listened to his advice, to be quiet and return peaceably home, which they promised to do without making any disturbance. It was supposed they assembled in order to force Messrs. *Danforth* and *Lee* to resign their seats in Council, which they had done the day before, and on account of some ammunition belonging to the Province, in the Arsenal in *Cambridge*, which I had before sent a detachment to secure, and lodged it in Castle *William*. It was therefore concluded, that all objects being removed, for that they were satisfied of his being in the Council, as he was at the same time Lieutenant Governour, the people would immediately go away; and he therefore begged I would not think of ordering any troops there, as there would be no occasion for it, and it could only be productive of mischief. Some hours afterwards, three of the Commissioners of the Customs passed through *Cambridge*; saw great numbers of people assembled, but no noise, and no great insult offered them; but one of them, viz: Mr. *Hallowell*, against whom some of the chiefs of this place are piqued, sent people after him, and he was pursued almost to this town; persons were sent out, and returned with the report that all was quiet near the town, and no numbers seen. I expected to hear from the Sheriff, Mr. *Phips*, if any thing extraordinary happened at *Cambridge*, but received no further advice, till near six in the evening, when the letter which I have mentioned, and enclose, was brought me from the Lieutenant Governour, about which time the insurgents had finished their business, and went off, after forcing him to resign his seat in Council. I have found since, that when Mr. *Oliver* came first to me, it was in consequence of the people's desire, and of their assurances that no disturbance or violence would happen; and he was so confident in their promises, and of his own influence over them, as to go back to *Cambridge*, and in his way met the Sheriff, whom he persuaded to go with him. They thus both fell into the snare; for they obliged the Sheriff to sign a paper, as well as Mr. *Oliver*.

LETTER FROM A MEMBER OF PARLIAMENT TO COLONEL CHARLES LEE, DATED LONDON, SEPTEMBER 3, 1774.

I received your long letter with great pleasure, and will answer it as fully as I am able. You must have misunderstood me, in what I said of the Bill to alter the *Massachusetts* Government, if you imagined I had either concurred in, or even forborne to express my fullest disapprobation of it, when it was depending in the House. The fact is so much otherwise, that I fought it through every stage, almost alone, when most of the Opposition were attending the *New-Market* meeting or other occupations, equally entitled to be preferred to that duty. I may have said indeed, that I prefer the form of the *English* Government to that of any other country upon earth, because it appears to me most calculated to reconcile necessary restraint and natural liberty, and to draw the line between them. It is the Government I was born under, I am happy to live under, and would willingly die to preserve and transmit entire; but I look upon the first principle of that Constitution to be, that the whole must be governed by the will of the whole; and that any Government where the authority residing with the few is supported by any other power than that of the many, in consequence of their free concurrence and full approbation, is the worst of tyranny. Judge then, my dear friend, whether I could approve of tearing from a free and happy people that form of Government which had been purchased with the blood, and established by the wisdom of their ancestors; and of subverting that excellent polity, endeared to them by their prosperity, and sanctified by the most laudable of human predilections, a veneration for their ancestors, and an enthusiasm for the permanence of their liberties. *Nolumus Leges Angliæ mutari*, was the noblest expression that ever bore testimony to the spirit of a free Legislature. I think it as laudable at *Boston* now, as it was in *London* some centuries ago. So far I stand upon the ground of natural right and manly feeling—thus much I say because—*Homo sum*—but to descend to the humbler ground of policy, nothing can be so absurd or impolitick, as to shake a frame sanctified by long possession, for the caprice of a moment, or the fancies of a few; to sacrifice the wisdom of ages to the presumption of an hour; and to divert the stream of Government, which has fertilized the country, and enriched the people, by channels which it has gradually formed for itself, by surmounting or eluding all the obstacles it has met with in its course, from those channels, by dams raised by strange hands unacquainted with the country, which if they are not borne down by the torrent, must deluge the country, and destroy the ancient land-marks. If, therefore, I prefer in speculation the Government of *Virginia* to that of *Massachusetts Bay*, it is not from thinking that what appears best in the abstract, should be imposed on all; on the contrary, I am convinced that the minds of individuals and the manners of a people form and adapt themselves naturally and imperceptibly to the mode of Government under which they are born. The modifications of municipal institutions are in themselves indifferent, provided they are approved by the people; but it is of the essence of freedom, and common to all free Governments, that the people should be convinced the laws they live under are of their own choosing, and that there is no power on earth that can prolong their existence, or give force to their injunctions one hour after the disapprobation of the mass of the people is signified.

I have been the more full upon this subject, because I would not willingly be mistaken in my principles in so material a point. Now I am upon the subject of *Massachusetts*, I cannot help expressing my surprise that you should have been so far misinformed, as to have believed that I, amongst the rest, could speak with "approbation of that scoundrel *Hutchinson*;" so far from it, that I agree with you in the epithet, and was the only person in the House that declared my detestation of his character, and my conviction that his whole conduct had been that of a parricide, who had attempted to ruin his country, to serve his own little narrow selfish purposes. This I did in such pointed terms, that I was informed he had afterwards waited upon a friend of mine, who did not see his character in so just a light, to thank him for what he was pleased to call defending him against me. Be assured I shall never speak well of a man who recommends an abridgment of *English* liberties in any part of the globe where one spark remains unsmothered by corruption, and unextinguished by violence.

As to the *Quebec* Bill, I can with pleasure, assure you, that I opposed it with activity throughout; and though I could not overset it, I was at least fortunate enough to set a defined bound to despotism; and say, so far shalt thou go, and no further, by drawing the line which protected *New-York* and *Pennsylvania*; though I have since been told that *Burke* takes the merit to himself, but upon what grounds I know not, as I proposed the line without any communication with him.

As to myself I am out of Parliament, without any prospect of being in; and though I should have thought it infamous to have deserted my post and not endeavoured to get in, yet I hardly can say that I much regret being out, there is so little prospect of doing good. Yours, &c.

Digitized by Google

London, September 3, 1774.

By the general concord and union of our fellow-subjects in *America*, and by the Solemn League and Covenant they have entered into, to defend, support, and maintain their Charters, rights, and liberties, it is very plain that their publick virtue is not vitiated, nor their morals and principles corrupted and debauched; and therefore it may be clearly foreseen, that the attack now made upon them will fail, and will redound to their honour, and to the disgrace, if not punishment, of those who planned it. It is absolutely impossible to enslave millions of people possessing such immense territories, who are resolved at all risks and hazards to defend their rights and freedom; for while they retain such a virtuous publick spirit they will be invincible. Our arbitrary Minister having fully experienced the infamous corruption and total defect of all publick spirit in the majority of the Representatives of *Old England*, was probably led to imagine that the people were as corrupt and void of all publick virtue in the *New;* but in this he hath found himself egregiously mistaken. It now appears that our *American* brethren have a just value for their freedom, and are determined to support it; far from submitting to the attempt upon it, they have set us a glorious example for uniting in defence of our rights and liberties at home, and not to suffer them either to be taken from us by force, or stolen from us by fraud; and surely the people of *England* are not yet so totally sunk in dissipation, so debilitated by luxury, or vitiated by corruption, as not to perceive the indispensable duty and moral rectitude of their conduct, and to strive to imitate their illustrious precedent. It is therefore to be hoped that all honest *Englishmen*, all uncorrupted freemen and lovers of their country, will join hand and heart together, and enter into one common association to defend and support at the ensuing general election, that great right of the people, *the making of their own laws*, and which can no ways be maintained but by a free and uncorrupt choice of persons to represent them in Parliament. All the evils of the Nation, and all the grievances which the people now groan under, arise from corrupt and dishonest Representatives in Parliament; from having such persons therein, as have no kind of regard for the rights and interest of the people; as takes away every idea of a national representation, and turns such an Assembly into a meeting of the creatures of the Crown, wherein the people of *England* are no more essentially represented than the people of *America*.

EXTRACT OF A LETTER FROM LONDON, TO A CORRESPONDENT IN NEW-YORK, DATED SEPTEMBER 3, 1774.

The tools of Administration are at present more than usually calm; a calm that perhaps may be only a prelude to a storm. They are anxiously waiting to hear the result of the Congress, and, judging the *Americans* by themselves, were so sanguine in their expectations that the terrour of their armaments would frighten you into submission to their edicts, that they cannot yet erase the idea, but still expect you to beg mercy, cap in hand. An express was sent to General *Amherst*, who had a private conference, but the result is not known. It is said that it was proposed to him to go with one thousand *Hanoverians* to *America*, or the third regiment of the Guards, &c., and that Sir *William Draper* is appointed a Governour, and is going with troops (it is supposed) to *New-York*. *Mansfield* is gone to *France*, many think to concert measures with the *French* Court against *America*, or to bring in the Pretender. It is whispered that the friends at Court will themselves invite him, and lay the blame on the *Americans*. A similar conduct has been pursued with regard to the *Indians*, and with some of your Colony disputes about patents and boundaries.

Many of your friends here are horribly afraid that some of the baits laid by the Ministry to enslave you will succeed. It is said many of your leading men will be tempted by lucrative places, as agents or contractors for Government, in the purchase of wheat and other necessary articles; which, besides raising domestick enemies (the most dangerous of any) among yourselves, will answer the double purpose of reducing you to poverty, (in the midst of plenty) and then to slavery. Besides, it is proposed to lay many tempting advantages in the way of those who join in the scheme from which all others are to be excluded; in short, your virtue will be tried to the utmost, by those whose long practice and experience in all the arts of corruption will be but too likely to ensure them success, and will make it necessary to exert your utmost vigilance to guard against deception, and especially that you be not betrayed by those in whom you may confide amoung yourselves.

Your Committee disputes have been published in all the papers, over and over, and have been disadvantageous to your cause. Lord *Chatham*, and all your friends, are anxiously concerned at your critical situation; but your unaninity, and the spirit and propriety of your resolutions, rejoiced the heart of every friend to constitutional freedom, and has done the highest honour to *America*. Maintain your firmness and unanimity, and depend upon Heaven for success; hope nothing from the people here—but if you persevere, we shall soon join you by thousands; more and more daily espouse your cause, and, I believe it will shortly be as much ours as yours. It will not be worth while to send here any Deputies from the Congress—they would only be insulted and treated with contempt; but at home they may do all the business effectually. I expect fifteen hundred respectable people, of considerable property, will shortly remove to reside in *America;* but the Ministry, in order to discourage emigration, are endeavouring to make living there as uneasy as it is here.

EXTRACT OF A LETTER FROM LONDON, DATED SEPTEMBER 4, 1774.

The unanimity of the Colonies is an honour to your cause, and will make even your enemies respect you. The most embittered advocates for tyranny cannot help approving a love of liberty, and an undaunted sacrifice of every subordinate advantage for its support and preservation. Be as a body animated with one soul. Be firm and steady in all your operations; but, as you love liberty, as you wish success to its cause, as you desire to have your present struggle applauded through *Europe*, let your measures be concerted in a calm, open, and temperate manner. Riot and tumult will be construed as marks that your opposition proceeds from licentiousness, and of consequence that your cause is only supported by the multitude. Zeal and temper blended will discover a fixed and stationary love of freedom, not the mad impulses and ragings of passions. Let not any of your resolves, and if possible none of your productions, contain harsh reflections against *Great Britain*. Such heated publications alienate from you the affections of the people in *England*, and lead them to think you enemies to the name of *Briton;* whereas by mild and distinguishing measures you may gain them to your favour.

Petition and remonstrance seem to me the most probable mode of succeeding. Administration will be willing to come to an amicable settlement and adjustment of the bounds of your privileges, and the authority of Parliament, provided it might be done with safety to the dignity of Government. Is it not more reasonable, as well as more prudent, to attempt a settlement of your contradictory claims by treaty than by violence? Violence, if attended with success on either side will be injurious to both. An *Englishman* will reason that, though an *American* could not be justly taxed without the consent of the Representative, yet such a plea will not excuse him in destroying the property of any individual or body of *Englishmen;* that the *India* Company should, therefore, be indemnified by the *Bostonians*, and submission made for the insult offered to Government. To assert that this would be giving up the point in dispute, is the most ridiculous position that ever dropped from the pen of a raving politician. Is the making restitution for another's property destroyed, a concession of right in the injured party to tax you without your consent? Is the making a due submission and acknowledgment, when you have done wrong, to give Government a precedent of taxation without representation? These ideas have no more agreement than the paying a lawful debt has to that of being a slave, or a *French* horn to a hasty pudding.

Such pretences as these disgrace your cause, and give your enemies ground of triumph. While you contend against the injustice of others give a noble instance of your readiness to do justice, even to your enemies.

Digitized by Google

EXTRACT OF A LETTER FROM DEPUTY GOVERNOUR PENN TO THE EARL OF DARTMOUTH, DATED PHILADELPHIA, SEPTEMBER 5, 1774.

In my several letters of the 31st *May*, and the 4th *July*, I gave your Lordship an account of the temper and disposition of the people of *America* with respect to the several *Boston* Acts of Parliament, and of the measures which I then understood were intended to be pursued. And I am now to inform your Lordship that Deputies from the Colonies of *Massachusetts Bay*, *New-Hampshire*, *Rhode Island*, *Connecticut*, *New-York*, *New-Jersey*, *Pennsylvania*, the three Lower Counties, *Maryland*, *Virginia*, and *South Carolina*, have met, by appointment, in this city, as the most central place, and assembled this morning, for the first time, in general Congress, as it is called, to consult on the proper means of obtaining relief from hardships which they suppose to be entailed on the Colonies by those Acts of Parliament. It is said that Deputies are also expected from the Colonies of *North Carolina* and *Georgia*, but they have not yet made their appearance.

It is impossible to say what the result of their deliberations may be, but I shall not fail to inform your Lordship of them by the very first opportunity that offers after they are known. I think it, however, my indispensable duty to his Majesty to acquaint your Lordship that, from the best intelligence I have been able to procure, the resolution of opposing the *Boston* Acts, and the Parliamentary power of raising taxes in *America* for the purpose of raising a revenue, is, in a great measure, universal throughout the Colonies, and possesses all ranks and conditions of people. They persuade themselves there is a formed design to enslave *America*, and although the Act for regulating the Government of *Canada* does not immediately affect the other Provinces, it is nevertheless held up as an irrefragable argument of that intention. General, however, as the resolution is to oppose, there is great diversity of opinions as to the proper modes of opposition. Some are said to be for remonstrance alone upon a state of grievances and claims. Others are for a general, and others again for a partial non-exportation and non-importation, without any remonstrance. This perhaps may be the source of divisions which will not be easily got over.

EXTRACT OF A LETTER FROM GEORGIA, TO A GENTLEMAN IN NEW-YORK, DATED SEPTEMBER 7, 1774.

Some people here would suddenly enter into a non-importation agreement, but they are by far the minority; and indeed it would be highly imprudent and ungenerous for us to meddle at any rate with the disputes in which the rest of the Colonies are engaged, considering the pecuniary aid of Parliament we annually have, and do continue to receive; also our present situation with the *Creek Indians*, who refusing to give satisfaction for the depredations already committed on the back settlements, daily threaten us with fresh hostilities to the center, which we are by no means able to resist, as they can muster four thousand gun-men.

EXTRACT OF A LETTER FROM LIEUTENANT GOVERNOUR COLDEN TO THE EARL OF DARTMOUTH, DATED NEW-YORK, SEPTEMBER 7, 1774.

The destruction of Captain *Chambers's* tea, was so unexpected and sudden that no measures could be previously thought of to prevent it.

Afterwards the gentlemen of property and principal merchants attended the meetings of the populace, when called together by their former demagogues, who thereby have lost their influence, and are neglected. The populace are now directed by men of different principles, and who have much at stake. Many papers have been published in this city to expose the measures which had been proposed by the former demagogues in opposition to Government. Men now speak and publish sentiments in favour of Government, and argue upon the political subjects of the times, with much greater freedom and security than has been known here for some years past, which I hope is a sign that the licentious spirit which has governed the people to their great disgrace is checked. We have no more burning of effigies or putting cut-throat papers under people's doors.

I hope I am not deceived in thinking that the people of this Province will cautiously avoid giving any new offence to the Parliament, but great numbers are so fluctuating, that some unexpected incident may produce bad effects.

The five gentlemen whom I formerly informed your Lordship were appointed by this city to be their Delegates at the general Congress, went to *Philadelphia*, the place of meeting, last week. Seven counties of this Province neither appointed Delegates for themselves, nor concurred in the choice made by the city; and two counties have sent Delegates of their own. I found the city Delegates were embarrassed by this dissension of the people.

EARL OF DARTMOUTH TO GOVERNOUR PENN.

Whitehall, September 7, 1774.

SIR: I have received your letters of the 5th and 30th of *July*, and am very much obliged to you for the early intelligence they contain of publick occurrences within your Province; upon which I have only to observe that it has given the King great concern to find that his subjects in the different Colonies in *North America* have been induced, upon the grounds stated in their different Resolutions, to nominate Deputies to meet in general Congress at *Philadelphia*.

If the object of this Congress be humbly to represent to the King any grievances they may have to complain of, or any propositions they may have to make on the present state of *America*, such representation would certainly have come from each Colony with greater weight in its separate capacity, than in a channel of the propriety and legality of which there may be much doubt.

I fear however the measure is gone too far to encourage any hope that it has been retracted, and I can only express my wishes that the result of their proceedings may be such as not to cut off all hope of that union with the mother country which is so essential to the happiness of both.

The enclosed copy of my letter of this day's date to Lord *Dunmore*, (which I send you for your information) will inform you of the light in which the conduct of the people of *Virginia* towards the *Indians* upon the *Ohio* is considered by the King.

I am, sir, your most obedient humble servant,

DARTMOUTH.

Deputy Governour *Penn*.

EARL OF DARTMOUTH TO THE EARL OF DUNMORE.

Whitehall, September 8, 1774.

MY LORD: The Deputy Governour of *Pennsylvania* in his message to the House of Representatives, on the 18th of *July* last, asserts that the hostility of the *Indians* upon the River *Ohio*, which has spread such general alarm and distress throughout the back settlements, was occasioned by the unprovoked ill treatment of those *Indians* by the people of *Virginia*, who had barbarously murdered about eleven of the *Delawares* and *Shawanese* tribes, and that many friendly *Indians*, who had generously afforded protection to the persons and goods of *Indian* traders from the violence of some of their young warriors, and who were, at the risk of their own lives, escorting those traders to their friends near *Pittsburgh*, were, contrary to all faith, attacked, and some of them wounded by a party of *Virginians* sent out for the purpose by one *Conolly*, a militia captain, having a commission from the Government of *Virginia*.

My intelligence through a variety of other channels confirms these facts, and adds further that this *Conolly*, using your Lordship's name, and pleading your authority, has presumed to re-establish the Fort at *Pittsburgh*, which was demolished by the King's express orders; that he has destroyed the King's boats, which were kept there for the purpose of a communication with the *Illinois* country; and that parties were sent out by his authority, or under his direction, for the purpose of building forts lower down the River *Ohio*.

The duty I owe the King, and the regard I entertain for your Lordship, induce me to take the earliest opportunity of acquainting your Lordship with this information, to the end that the facts asserted, if not true, may be contradicted

Digitized by Google

by your Lordship's authority; but, if otherwise, which I cannot suppose to be the case, such steps may be taken as the King's dignity and justice shall dictate.

I am, &c., DARTMOUTH.

Earl of *Dunmore*.

Williamsburg, Virginia, September 8, 1774.

The Delegates from the counties, at the late Convention, having signified their opinion that the officers fees, since the expiration of the Act for regulating and collecting them, cannot be legally taxed, it seems none of the County Courts will proceed to do business until there be a session of the General Assembly; and the gentlemen of the General Court Bar, doubting the return of two of their body, who are appointed as Deputies for this Colony at the Congress, time enough to prepare for the approaching General Court, and convinced, if that honourable Court should then proceed to business, it would add much to the uneasiness of the present times, have thought it most ad-advisable (all these circumstances considered) now to countermand the attendance of such witnesses as may have been summoned, in order to save a great, and, probably, a fruitless expense to their clients. It is, therefore, presumable there will be no trial at the next General Court, except in criminal cases; in which all the Justices in the Colony are determined to proceed, for preserving that good order so necessary at this critical period.

Boston, September 8, 1774.

Last *Monday*, the 5th instant, the Selectmen of this town waited on his Excellency Governour *Gage*, to acquaint him that the inhabitants were much alarmed to find that he had ordered the breaking up the ground near the fortification on the *Neck*; and requested of his Excellency that he would explain to them his design in that extraordinary movement, that they might, thereby, have it in their power to quiet the minds of the people; when his Excellency replied to the following purpose: That he had no intention of stopping up the avenue to the town, or of obstructing the inhabitants, or any of the country people, coming in or going out of town as usual; that he had taken his measures, and that he was to protect his Majesty's subjects, and his Majesty's troops in this town; and that he had no intention of any thing hostile against the inhabitants.

Boston, September 9, 1774.

This day, the Selectmen of *Boston*, waited on his Excellency General *Gage*, with the following Address:

May it please your Excellency:

The Selectmen of *Boston*, at the earnest desire of a number of gentlemen of the town and country, again wait on your Excellency to acquaint you that since our late application, the apprehensions of the people, not only of this, but of the neighbouring towns, are greatly increased by observing the designs of erecting a fortress at the entrance of the town; and of reducing the metropolis, in other respects, to the state of a garrison. This, with complaints lately made of abuse from some of the guards, posted in that quarter, assaulting and forcibly detaining several persons who were peaceably passing in and out of the town, may discourage the market people from coming in with their provisions, as usual, and oblige the inhabitants to abandon the town. This event we greatly deprecate, as it will produce miseries which may hurry the Province into acts of desperation. We should, therefore, think ourselves happy if we could satisfy the people that your Excellency would suspend your present design, and not add to the distresses of the inhabitants, occasioned by the Port Bill, that of garrisoning the town.

JOHN SCOLLY, *Chairman of the Committee.*

TO WHICH HIS EXCELLENCY WAS PLEASED TO RETURN THE FOLLOWING ANSWER:

GENTLEMEN: When you lately applied to me respecting my ordering some cannon to be placed at the entrance of this town, which you term the erecting a fortress, I so fully expressed my sentiments, that I thought you were satisfied the people had nothing to fear from that measure, as no use would be made thereof unless their hostile proceedings should make it necessary; but as you have this day acquainted me that their fears are rather increased, I have thought proper to assure you that I have no intention to prevent the free egress and ingress of any person to and from the town, or reducing it to the state of a garrison; neither shall I suffer any under my command to injure the person or property of any of his Majesty's subjects; but as it is my duty, so it shall be my endeavour, to preserve the peace and promote the happiness of every individual; and I earnestly recommend to you, and every inhabitant, to cultivate the same spirit; and I heartily wish they may live quietly and happily in the town.

THOMAS GAGE.

To the Gentlemen Selectmen of the town of *Boston*.

SUFFOLK COUNTY (MASSACHUSETTS) RESOLUTIONS.

At a Meeting of the Delegates of every Town and District of the County of *Suffolk*, on *Tuesday*, the 6th of *September*, at the house of Mr. *Richard Woodward*, of *Dedham;* and by adjournment at the house of Mr. *Vose*, of *Milton*, on *Friday*, the 9th instant,

JOSEPH PALMER, Esquire, being chosen *Moderator*, and WILLIAM THOMPSON, Esquire, *Clerk*,

A Committee was chosen to bring in a Report to the Convention; and the following, being several times read, and put, paragraph by paragraph, was unanimously voted, viz:

Whereas the power, but not the justice, the vengeance, but not the wisdom, of *Great Britain*, which of old persecuted, scourged, and excited our fugitive parents from their native shores, now pursues us, their guiltless children, with unrelenting severity. And whereas, this then savage and uncultivated desert, was purchased by the toil and treasure, or acquired by the blood and valour of those our venerable progenitors; to us they bequeathed the dear-bought inheritance; to our care and protection they consigned it; and the most sacred obligations are upon us to transmit the glorious purchase, unfettered by power, unclogged with shackles, to our innocent and beloved offspring. On the fortitude, on the wisdom, and on the exertions of this important day, is suspended the fate of this new world, and of unborn millions. If a boundless extent of Continent, swarming with millions, will tamely submit to live, move, and have their being at the arbitrary will of a licentious Minister, they basely yield to voluntary slavery, and future generations will load their memories with incessant execrations. On the other hand, if we arrest the hand which would ransack our pockets; if we disarm the parricide which points the dagger to our bosoms; if we nobly defeat that fatal edict which proclaims a power to *frame laws for us in all cases whatsoever*, thereby entailing the endless and numberless curses of slavery upon us, our heirs, and their heirs forever; if we successfully resist that unparalleled usurpation of unconstitutional power, whereby our capital is robbed of the means of life; whereby the streets of *Boston* are thronged with military executioners; whereby our costs are lined and harbours crowded with ships of war; whereby the Charter of the Colony, that sacred barrier against the encroachments of tyranny is mutilated, and, in effect, annihilated; whereby a murderous law is framed to shelter villians from the hand of justice; whereby that unalienable and inestimable inheritance which we derived from nature, the Constitution of *Britain*, and the privileges warranted to us in the Charter of the Province, is totally wrecked, annulled, and vacated, posterity will acknowledge that virtue which preserved them free and happy; and while we enjoy the rewards and blessings of the faithful, the torrents of panegyrists will roll our reputations to the latest period, when the streams of time shall be absorbed in the abyss of eternity.—Therefore we have resolved, and do resolve,

1. That whereas his Majesty King *George* the Third, is the rightful successor to the Throne of *Great Britain*, and justly entitled to the allegiance of the *British* Realm, and agreeable to compact of the *English* Colonies in *America*; therefore, we the heirs and successors of the first planters of this Colony do cheerfully acknowledge the said *George* the Third to be our rightful Sovereign; and that

Digitized by Google

said covenant is the tenure and claim on which are founded our allegiance and submission.

2. That it is an indispensable duty which we owe to *God*, our country, ourselves, and posterity, by all lawful ways and means in our power, to maintain, defend, and preserve those civil and religious rights and liberties for which many of our fathers fought, bled, and died, and to hand them down entire to future generations.

3. That the late Acts of the *British* Parliament for blocking up the harbour of *Boston;* for altering the established form of Government in this Colony; and for screening the most flagitious violators of the laws of the Province from a legal trial, are gross infractions of those rights to which we are justly entitled by the laws of nature, the *British* Constitution, and the Charter of the Province.

4. That no obedience is due from this Province to either or any part of the Acts above mentioned; but that they be rejected as the attempts of a wicked Administration to enslave *America.*

5. That so long as the Justices of our Superiour Court of Judicature, Court of Assize, &c., and Inferiour Court of Common Pleas in this county, are appointed, or hold their places by any other tenure than that which the Charter and the laws of the Province direct, they must be considered as under undue influence, and are therefore unconstitutional officers, and as such, no regard ought to be paid to them by the people of this county.

6. That if the Justices of the Superiour Court of Judicature, Assize, &c., Justices of the Court of Common Pleas, or of the General Sessions of the Peace, shall sit and act during the present disqualified state, this county will support and bear harmless all Sheriffs and other Deputies, Constables, Jurors, and other Officers, who shall refuse to carry into execution the orders of said Court; and as far as possible to prevent the many inconveniences which must be occasioned by a suspension of the Courts of Justice, we do most earnestly recommend it to all creditors that they show all reasonable and every generous forbearance to their debtors, and to all debtors to pay their just demands with all possible speed; and if any disputes relative to debts or trespasses, shall arise which cannot be settled by the parties, we recommend it to them to submit all such cases to arbitration; and it is our opinion that the contending parties, or either of them, who shall refuse so to do, ought to be considered as co-operating with the enemies of this country.

7. That it be recommended to the Collectors of Taxes, Constables, and all other Officers, who have publick moneys in their hands, to retain the same, and not to make any payment thereof to the Provincial County Treasurer, until the Civil Government of the Province is placed upon a constitutional foundation, or until it shall otherwise be ordered by the proposed Provincial Congress.

8. That the persons who have accepted seats at the Council Board, by virtue of a mandamus from the King, in conformity to the late Act of the *British* Parliament, entitled "An Act for the regulating the Government of the *Massachusetts Bay*," have acted in direct violation of the duty they owe to their country, and have thereby given great and just offence to this people; therefore, resolved, that this county do recommend it to all persons who have so highly offended by accepting said departments, and have not already publickly resigned their seats at the Council Board, to make publick resignation of their places at said Board, on or before the 20th day of this instant *September;* and that all persons refusing so to do, shall, from and after that day, be considered by this county as obstinate and incorrigible enemies to this country.

9. That the fortifications begun and now carrying on upon *Boston Neck*, are justly alarming to this county, and give us reason to apprehend some hostile intention against that town; more especially as the Commander-in-chief has, in a very extraordinary manner, removed the powder from the Magazine at *Charlestown*, and has also forbidden the keeper of the Magazine at *Boston* to deliver out to the owners the powder which they had lodged in said Magazine.

10. That the late Act of Parliament for establishing the Roman Catholick religion and the *French* laws in that extensive country now called *Canada*, is dangerous in an extreme degree to the Protestant religion, and to the civil rights and liberties of all *America;* and therefore, as men and Protestant Christians, we are indispensably obliged to take all proper measures for our own security.

11. That whereas our enemies have flattered themselves that they will make an easy prey of this numerous, brave, and hardy people, from an apprehension that they are unacquainted with military discipline; we, therefore, for the honour, defence, and security of this county and Province, advise, as it has been recommended to take away all commissions from the officers of the militia, that those who now hold commissions, or such other persons be elected in each town as officers of the militia, as shall be judged of sufficient capacity for that purpose, and who have evidenced themselves the inflexible friends to the rights of the people; and that the inhabitants of these towns and districts who are qualified, to use their utmost diligence to acquaint themselves with the art of war as soon as possible, and do, for that purpose, appear under arms at least once every week.

12. That, during the present hostile appearances on the part of *Great Britain*, notwithstanding the many insults and oppressions which we most sensibly resent, yet, nevertheless, from our affection to his Majesty, which we have at all times evinced, we are determined to act merely upon the defensive, so long as such conduct may be vindicated by reason and the principles of self-preservation, but no longer.

13. That, as we understand it has been in contemplation to apprehend sundry persons of this county, who have rendered themselves conspicuous in contending for the violated rights and liberties of their countrymen, we do recommend, should such an audacious measure be put in practice, to seize and keep in safe custody every servant of the present tyrannical and unconstitutional Government, throughout the county and Province, until the persons so apprehended be liberated from the hands of our adversaries, and restored safe and uninjured to their respective friends and families.

14. That until our rights are fully restored unto us, we will, to the utmost of our power, and recommend the same to the other counties, withhold all commercial intercourse with *Great Britain*, *Ireland*, and the *West Indies*, and abstain from the consumption of *British* merchandise and manufactures, and especially of *East India* teas and piece goods, with such additions, alterations, and exceptions only, as the Grand Congress of the Colonies may agree to.

15. That, under our present circumstances, it is incumbent on us to encourage arts and manufactures among us by all means in our power; and that * * * * * * * * * * * be and hereby are appointed a Committee to consider of the best ways and means to promote and establish the same, and to report to this Convention as soon as may be.

16. That the exigencies of our publick affairs demand that a Provincial Congress be called to concert such measures as may be adopted and vigorously executed by the whole people; and we do recommend it to the several towns in this county to choose members for such a Provincial Congress, to be holden at *Concord*, on the second *Tuesday* of *October* next ensuing.

17. That this county, confiding in the wisdom and integrity of the Continental Congress, now sitting at *Philadelphia*, will pay all due respect and submission to such measures as may be recommended by them to the Colonies, for the restoration and establishment of our just rights, civil and religious, and for renewing that harmony and union between *Great Britain* and the Colonies so wished for by all good men.

18. That whereas, the universal uneasiness which prevails among all orders of men, arising from the wicked and oppressive measures of the present Administration, may influence some unthinking persons to commit outrage upon private property, we would heartily recommend to all persons of this community not to engage in any routs, riots, or licentious attacks upon the properties of any person whatsoever, as being subversive of all order and government; but, by a steady, manly, uniform, and persevering opposition, to convince our enemies that in a contest so important—in a cause so solemn, our conduct shall be such as to merit the approbation of the wise, and the admiration of the brave and free of every age and of every country.

19. That, should our enemies, by any sudden manœuvres, render it necessary to ask the aid and assistance of

Digitized by Google

our brethren in the country, some one of the Committee of Correspondence, or a Selectman of each town, or the town adjoining where such hostilities shall commence, or shall be expected to commence, shall despatch couriers with written messages to the Selectmen or Committees of Correspondence of the several towns in the vicinity, with a written account of such matter, who shall despatch others to Committees more remote, until proper and sufficient assistance be obtained; and that the expense of said couriers be defrayed by the county, until it shall be otherwise ordered by the Provincial Congress.

—

At a Meeting of Delegates from several Towns and Districts in the County of *Suffolk*, held at *Milton*, on *Friday* the 9th of *September*, 1774,

Voted, That Doctor *Joseph Warren* and Doctor *Benjamin Church*, of *Boston;* Deacon *Joseph Palmer*, *Germantown;* Captain *Lemuel Robinson*, *Dorchester;* Captain *William Heath*, *Roxbury;* Colonel *Ebenezer Thayer*, *Braintree; William Holden*, Esq., *Dorchester;* Colonel *William Taylor*, *Milton;* Captain *John Homans*, *Dorchester; Isaac Gardiner*, Esq., *Brookline;* Mr. *Richard Woodward*, *Dedham;* Captain *Benjamin White*, *Brookline;* Doctor *Samuel Gardiner*, *Milton; Nathaniel Summer*, Esq., *Dedham*, and Captain *Thomas Aspinwall*, *Brookline*, be a Committee to wait upon his Excellency the Governour, to inform him that the people of this county are alarmed at the fortifications making on *Boston Neck*, and to remonstrate against the same; and the repeated insults offered by the soldiery to persons passing and repassing into that town, and to confer with him upon these subjects.

Attest, WILLIAM THOMSON, *Clerk*.

—

To his Excellency the Honourable THOMAS GAGE, *Captain-General and Commander-in-chief of his Majesty's Province of* MASSACHUSETTS BAY.

May it please your Excellency:

The County of *Suffolk* being greatly, and in their opinion justly alarmed at the formidable appearance of hostility now threatening his Majesty's good subjects of this county, and more particularly of the town of *Boston*, the loyal and faithful capital of this Province; beg leave to address your Excellency, and represent that the apprehensions of the people are more especially increased by the dangerous design now carrying into execution, of repairing and manning the fortifications at the south entrance of the town of *Boston*, which when completed, may at any time be improved to aggravate the miseries of that already impoverished and distressed city, by intercepting the wonted and necessary intercourse between the town and country, and compel the wretched inhabitants to the most ignominious state of humiliation and vassalage, by depriving them of the necessary supplies of provisions for which they are chiefly dependent on that communication: we have been informed that your Excellency, in consequence of the application of the Selectmen of *Boston*, has indeed disavowed any intention to injure the town, in your present manœuvres, and expressed your purpose to be for the security of the troops and his Majesty's subjects in the town; we are at a loss to guess, may it please your Excellency, from whence your want of confidence in the loyal and orderly people of this county could originate; a measure so formidable, carried into execution from a pre-conceived, though causeless jealousy of the insincerity of his Majesty's troops and subjects in the town, deeply wounds the loyalty, and is an additional injury to the faithful subjects of this county, and affords them a strong motive for this application.

We therefore entreat your Excellency to desist from your design, assuring your Excellency that the people of this county are by no means disposed to injure his Majesty's troops; they think themselves aggrieved and oppressed by the late Acts of Parliament, and are resolved, by divine assistance, never to submit to them, but have no inclination to commence a war with his Majesty's troops, and beg leave to observe to your Excellency, that the ferment now excited in the minds of the people is occasioned by some late transactions, by seizing the powder in the Arsenal at *Charlestown*, by withholding the powder lodged in the Magazine of the town of *Boston* from the legal proprietors, insulting, beating, and abusing passengers to and from the town by the soldiery, in which they have been encouraged by some of their officers, putting the people in fear, and menacing them in their nightly patrole into the neighbouring town, and more particularly by the fortifying the sole avenue by land into the town of *Boston*.

In duty therefore to his Majesty, and to your Excellency, and for the restoration of order and security to this county, we, the Delegates from the several towns in this county, being commissioned for this purpose, beg your Excellency's attention to this our humble and faithful address, assuring you that nothing less than an immediate removal of the ordnance and restoring the entrance into that town to its former state, and an effectual stop of all insults and abuses in future, can place the inhabitants of this county in that peace and tranquillity in which every free subject ought to live.

His Excellency was waited on to know if he would receive the Committee with the above written Address, but desiring he might have a copy of it in a private way, that so when he received it from the Committee he might have an answer prepared for them, he was accordingly furnished with a copy. His Excellency then declared that he would receive the Committee on *Monday* at twelve o'clock.

Saturday, September 10, 1774.

GOVERNOUR GAGE'S ANSWER.

GENTLEMEN: I hoped the assurances I gave the Selectmen of *Boston* on the subject you now address me, had been satisfactory to every body. I cannot possibly intercept the intercourse between the town and the country; it is my duty and intent to encourage it; and it is as much inconsistent with my duty and intent to form the strange scheme you are pleased to suggest of reducing the inhabitants to a state of humiliation and vassalage, by stopping their supplies; nor have I made it easier to effect this than what nature has made it. You mention the soldiers insulting, beating, and abusing passengers as a common thing; an instance, perhaps, may be given of the bad behaviour of some disorderly soldiers; but I must appeal to the inhabitants of both town and country for their general good behaviour, from their first arrival to this town.

I would ask what occasion there is for such numbers going armed in and out of the town, and through the country, in an hostile manner? Or why were the guns removed privately in the night from the battery at *Charlestown*?

The refusing submission to the late Acts of Parliament I find general throughout the Province, and I shall lay the same before his Majesty. THOMAS GAGE.

Boston, September 12, 1774.

—

The Committee of the Delegates from the several towns in the County of *Suffolk*, who presented the Address to the Governour, on receiving his Answer met together, and having carefully perused the same, were unanimously of opinion that his Excellency's answer could not be deemed satisfactory to the county. And further, that his Excellency in his reply had been pleased to propose several questions, which, if unanswered by the Committee, would leave on the minds of persons, not fully acquainted with the state of facts, some very disagreeable impressions concerning the conduct and behaviour of the people in this county and Province. And the following Address was unanimously voted to his Excellency:

May it please your Excellency:

The answer you have been pleased to favour us with to the address of this day presented to you, gives us satisfaction, so far as it relates to your intentions; and we thank your Excellency for the declaration which you have made, that it is your duty and interest to encourage an intercourse between town and country; and we entreat your indulgence while we modestly reply to the questions proposed in your answer. Your Excellency is too well acquainted with the human heart, not to be sensible that it is natural for the people to be soured by oppression, and jealous for their personal security, when their exertions for the preservation of their rights are construed into treason and rebellion. Our liberties are invaded by Acts of the *British*

Digitized by Google

Parliament; troops are sent to enforce those Acts. They are now erecting fortifications at the entrance of the town of *Boston;* upon the completing these the inhabitants of the town of *Boston* will be in the power of a soldiery who must implicitly obey the orders of an Administration who have hitherto evinced no singular regard to the liberties of *America.* The town is already greatly impoverished and distressed by the operation of the barbarous Port Bill. Your Excellency, we are persuaded, from principles of humanity, would refuse to be an actor in the tragical scene that must ensue upon shutting up the avenues to the town, and reducing the inhabitants, by distress and famine, to a disgraceful and slavish submission; but that cruel work may possibly be reserved for a successor, disposed and instructed thereto. Daily supplies of provisions are necessary for the subsistence of the inhabitants of the town. The country disgusted and jealous at the formidable operations now carrying on, survey with horrour a plan concerted—whereby the inhabitants of the town of *Boston* may be imprisoned, and starved at the will of a military commander. They kindly invite them to abandon the town, and earnestly solicit them to share the homely banquet of peace in the country. Should their refusal involve them in miseries hitherto unheard of, and hardly conceived of, the country must stand acquitted, and will not hold their liberties so loosely as to sacrifice them to the obstinacy of their brethren in *Boston.*

Your Excellency has been pleased to order the powder from the Magazine in *Charlestown;* to forbid the delivery of the powder in the Magazine of *Boston* to the legal proprietors; to seize the cannon at *Cambridge,* and bring a formidable number from Castle *William,* which are now placed at the entrance of the town of *Boston;* and have likewise, in addition to the troops now here, been pleased to send for reinforcements to *Quebec* and other parts of the Continent. These things, sir, together with the disposition of the ships of war, we humbly think, sufficiently justify the proceedings for which your Excellency seems to be at a loss to account.

Your Excellency has suggested that nature has made it easy to cut off the communication between town and country. Our only request is, that the entrance into the town may remain as nature has formed it.

If security to his Majesty's troops is the only design in the late manœuvre, we beg leave to assure your Excellency that the most certain, and by far the most honourable method of making them secure and safe will be to give the people of the Province the strongest proof that no design is forming against their liberties. And we again solicit your Excellency, with that earnestness which becomes us on this important occasion, to desist from every thing which has a tendency to alarm them, and particularly from fortifying the entrance into the town of *Boston.*

We rely on your Excellency's wisdom and candour, that, in your proposed representation to our common Sovereign, you will endeavour to redeem us from the distresses which we apprehend were occasioned by the grossest misinformation; and that you will assure his Majesty that no wish of independency—no adverse sentiments or designs towards his Majesty or his troops now here, actuate his good subjects in this Colony, but that their sole intention is to preserve pure and inviolate those rights to which, as men and as *English Americans,* they are justly entitled, and which have been guarantied to them by his Majesty's royal predecessors.

A copy of the aforegoing was delivered to Mr. Secretary *Flucker,* by the Chairman, with a desire that he would, as soon as was convenient, present it to the Governour, and request his Excellency to appoint a time for receiving it in form. The Secretary informed the Chairman the ensuing day, that he had seen the Governour, and had given him the copy of the Address, but that he declined receiving it in form. The Chairman mentioned to him the importance of the business, declaring his belief that the troops were not in any danger; and that no person has, so far as he had been informed, taken any steps which indicated any hostile intention, until the seizing and carrying off the powder from the Magazine in the County of *Middlesex;* and that if any ill consequences should arise, that should affect the interest of *Great Britain,* the most candid and judicious, both in *Europe* and *America,* would consider the author of the ferment now raised in the minds of the people as accountable for whatever consequences might follow from it. He therefore desired the Secretary once more to make application to his Excellency, and to state the affair to him in that serious manner which the case seemed to require. The Secretary accordingly made a second application to the Governour; but received for answer, that he had given all the satisfaction in his power, and he could not see that any further argumentation upon the subject would be to any purpose.

Upon this the Committee were again convened, and it was unanimously resolved, that they had executed the commission entrusted to them by the county, to the utmost of their ability. And after voting the Reply to his Excellency's Answer, should be inserted in the publick papers as soon as possible, they adjourned without day.

It is observable, that every vote passed by the Delegates of the county, and by the Committee appointed to wait on the Governour, was unanimous.

New-York, September 15, 1774.

On *Friday* last numbers of the following Card were distributed about this city:

New-York, September 9, 1774.

A Card.—The thanks of the publick are presented to those worthy citizens, who have, to their immortal honour, nobly refused to let their Vessels for the base purpose of transporting troops, ammunition, &c., to oppress the brave defenders of *American* liberty, who are already suffering in the common cause. Such patriotick conduct merits applause, as much as a contrary one would the contempt and indignation of every generous mind.

Yesterday evening numbers of the following Handbill were distributed about this city:

To the Publick.—As the Merchants of this city have nobly refused letting their vessels to the tools of Government for the base purpose of transporting troops and military stores to *Boston,* for enforcing the cruel and arbitrary edicts of a corrupt Ministry, on that virtuous people, now suffering in the glorious cause of *American* freedom, it is therefore hoped that no Pilot will be found so lost to all sense of duty to his country, as to assist in that detestable work. Mr. *Francis Post* inadvertently engaged to make some chests for the transportation of arms; and Mr. *Jonathan Hampton,* in like manner, undertook to contract with house carpenters, for the purpose (as is supposed) of building barracks at *Boston;* but when their fellow-citizens represented to them the tendency of their conduct, they immediately declined the abominable service. After these laudable examples of the merchants and tradesmen of this city, there is no doubt but their patriotick conduct will be followed by all their fellow-citizens. But notwithstanding, should any sordid miscreant be found amongst us, who will aid the enemies of this country to subvert her liberties, he must not be surprised if that vengeance overtakes him, which is the reward justly due to parricides.

THE FREE CITIZENS.

New-York, September 14, 1774.

EARL OF DARTMOUTH TO LIEUT. GOVERNOUR COLDEN.

Whitehall, September 10, 1774.

SIR: I have received your letters of the 6th *July,* and 2d *August,* Nos. 3 and 4, and have laid them before the King.

You certainly are right in thinking that it is your duty to transmit a particular account of all publick occurrences in the Province under your Government and will not fail to embrace every opportunity that offers of writing to me.

The King has seen with concern that his subjects in the different Colonies in *North America,* have been induced upon the grounds stated in their different Resolutions, to nominate Deputies to meet in general Congress at *Philadelphia.*

If the object of this Congress be humbly to represent to the King any grievances they may have to complain of, or any propositions they may have to make on the present state of *America,* such representations would certainly have

Digitized by Google

come from each Colony with greater weight, in its separate capacity, than in a channel of the propriety and legality of which there may be much doubt.

I fear, however, the measure has gone too far to encourage any hope that it has been retracted; and I can only express my wish that the result of their proceedings may be such as may not cut off all hope of that union with the mother country which is so essential to the happiness of both.

Among the many objects that will deserve your attention in the present state of *America*, the contraband trade carried on between *New-York* and *Holland* is not the least important. The number of vessels that continually load in *Holland* for that Province is a melancholy evidence of the extent of that illicit commerce; and it is more particularly alarming now, from the intelligence received of very large quantities of gunpowder shipped there for *New-York*.

My information says that the *Polly*, Captain *Benjamin Broadhelp*, bound from *Amsterdam* to *Nantucket* has, among other articles, received on board no less a quantity than three hundred thousand pounds weight of gunpowder; and I have great reason to believe that considerable quantities of that commodity, as well as other military stores, are introduced into the Colonies from *Holland*, through the channel of *St. Eustatia*.

You will therefore, sir, with as much secrecy and prudence as possible, endeavour to inform yourself of the nature and extent of this contraband trade in general; and to attend particularly to the intelligence I now send you with respect to the ship *Polly*, Captain *Benjamin Broadhelp*.

It is most probable, that the object of her voyage will be completed before this reaches you; but if any measures can be fallen upon that may lead to a discovery of the circumstances above stated, it will be of great use, and may possibly suggest a means of putting a stop to so dangerous a correspondence. I am, sir, your most obedient humble servant, DARTMOUTH.

Lieutenant Governour *Colden*.

ISRAEL PUTNAM TO CAPTAIN TRUMBULL.

Pomfret, September 11, 1774.

DEAR SIR: As you were chosen by the Congress at *Norwich* to attend the Congress at *Hartford*, I thought it my indispensable duty to send you the copy of a letter I received from the Committee of Correspondence at *Boston*. And also an extract of a letter from Dr. *Young* to me, which is as follows:

"*Tuesday*, arrived at *Salem*, Captain *Fea*, in seven weeks from *London*; brought thirty-three chests of tea with her, consigned to *Smith* and *Atkinson*. They both waited on the Committee of Correspondence and assured them that they would do every thing in their power to return it, or dispose of it in any manner that would be agreeable to the people. *Smith* went early this morning to *Salem* to see about it, and this evening I am informed there are one hundred soldiers put on board the ship that brought the tea. Another great cargo is coming for *Portsmouth*, so that you see we are to be plagued with that detested weed. And nothing but a non-consumption agreement can save *America*."

The above extract, and the letter enclosed, may be very proper to be laid before the Congress at *Hartford*.

I am, &c., ISRAEL PUTNAM.

WILLIAM COOPER TO ISRABL PUTNAM.

Boston, September 7, 1774.

GENTLEMEN: Your kind letters of the 4th current, came yesterday to hand by your envoys. We immediately transmitted them to a Congress of our county, then to sit, where they had their effect. Nothing can alleviate the distresses of our brethren in this State prison, more than the countenance and assistence which on all occasions we receive from our generous fellow-countrymen. How soon we may need their most effectual support, we cannot determine; but agreeable to your wise proposal, shall give you authentick intelligence by express on such emergency.

Our military enemies in this place, by the request of the civil destroyers of our Constitution, are now with all diligence erecting a fortification at the south entrance of the town, which is the only avenue to it by land. Application has been made to the General to know his design, and to urge him to desist; informing him the people were greatly alarmed at being made prisoners within the walls of the town, and the communication of the country cut off by means of this fortress; he replied, that his design was for the protection of his Majesty's troops, and his good subjects, from the people who were rising in the county; and as he thought such defence necessary, he should not desist upon their application, but was determined to prosecute his intention. This, as it reasonably may, has produced a great ferment and uneasiness here; insomuch that a number of the most timorous seemed inclined to desert the town, while the unconstitutional Counsellors, Officers of the Customs, addressers, sycophants, and betrayers of all denominations, are flocking in.

We wait with impatience for the decision of the Congress. Another application will speedily be made to his Excellency concerning this formidable preparation, the result of which you will speedily be advised. We learn by private letters from *England*, that prodigious quantities of goods are now shipping for the Colony of *Rhode Island*, *New-York*, and *Philadelphia*. Can there be such base deserters of their country in *America*? Your non-consumption agreement must be diligently prosecuted and rigidly adhered to. Thus shall we defeat the selfish and ruinous designs of a detested cabal of traitors.

Thirteen transports set sail this morning for *Quebec*, to bring the troops from thence to *Boston*, and others are said to be gone to *New-York* to bring two regiments more from thence, and the *Jerseys*. Still more and more menace.

We are last evening informed that Governour *Gage* told a person embarking for *England* that he seized the powder in *Charlestown* Magazine on purpose to bring the people to an insurrection. It is more than probable he may repent the hasty experiment, as the late insurrection may eventually produce a glorious revolution.

We cannot but admire at the generous, brave, and patriotick spirit which actuated our noble friends in *Connecticut* on this occasion. The hour of vengeance comes lowering on; repress your ardour, but let us adjure you do not smother it. We wait with equal impatience to make a serious demand of right and justice, which if obtained in no other way must be thundered from the tongue of *Mars*, which shall penetrate the ears of Monarchs.

We are with due affection and esteem, your friends, &c.

Signed by order, and in behalf of the Committee of Correspondence for *Boston*,

WILLIAM COOPER, *Clerk*.

To Colonel *Israel Putnam*, Chairman of the Committee of Correspondence for *Brooklyn*, in the town of *Pomfret*.

A LETTER FROM WILLIAM COOPER TO A GENTLEMAN IN NEW-YORK.

Boston, September 12, 1774.

SIR: Last week I received your favour of the 26th ultimo, and showed your letter to some of the Committee appointed to receive donations and employ the poor.

I have to observe that our streets are supported by a common tax, and that the town did not pass any vote directing the Committee to lay out their money upon the streets, but left it entirely to their best judgment.

Enclosed you have a list of the names of the gentlemen appointed by the town for this important trust, who meet every day, *Saturday* and *Sunday* excepted.

I am directed by them to give you the following account of their proceedings. The Committee, after several consultations, notified the inhabitants that they should attend at *Faneuil* Hall, every afternoon for ten days, (Lord's day excepted) for all classes of people, suffering by the Port Bill, to lay their circumstances before them, that they might be employed, if possible, in their several departments; accordingly a great number appeared, of all classes of mechanicks and labourers, but of the latter a much greater number, whose circumstances called for immediate relief.

Digitized by Google

Several plans were proposed, but none that could be put into immediate execution and employ the mere labourer so effectually, as mending the pavements, upon which it was proposed to the Selectmen, who are overseers of the streets, that if they would undertake to mend the streets, the Committee would assist them in paying part of the labour, out of the donations collected for the employment of the poor; which was agreed to, and a great number of our most indigent inhabitants enabled to earn their bread; but being sensible that the money thus laid out could not make any returns for future use, they have for some time desisted. The Committee procured leave from the town to lay out a brick-yard upon the *Neck*, in which they employ upwards of eighty men a day in making bricks, which they are in hopes to sell for their cost. The Committee have agreed to build a house for sale, as soon as materials can be collected, and several vessels will be set up as soon as the ship-builders are out of some present employ, given them by private gentlemen, and the stocks shall be sufficient to undertake them; but, that the employment may be as universal as possible, the Committee have purchased a stock of wool, flax, and cotton, to be distributed to all the spinners, and are erecting looms for weaving them into baizes and shirt-cloth; they also distribute leather to the shoemakers and take their manufacture in pay, and with them, in part, pay labourers. The Committee are in daily expectation of a quantity of nail-rods, with which they hope to employ most of the blacksmiths through the winter; and they have reason to expect a quantity of hemp, which will enable the ropemakers to recall their journeymen.

It is hoped this short account of the proceedings of the Committee of Donations will meet with the approbation of the donors.

It must be acknowledged the Committee are charged with an important and laborious trust, it is, therefore requested that the most charitable construction may be put upon their conduct by those abroad, as it is impossible that any stranger can be acquainted with the various difficulties that attend this business. As the Committee have no interest but that of the publick to serve, they earnestly request the advice of all friends respecting the discharge of their commission, and engage that every plan proposed shall have a serious attention. It may not be improper to observe that the Committee have opened a regular set of books, in which they record all their proceedings, and give credit to the several Provinces, towns, and particular persons from whom they receive any donations.

The town of *Charlestown* being in the same predicament with this town, it has been mutually agreed, that seven per cent. of all the donations should be delivered to the town of *Charlestown*.

The number of persons, of all ranks, thrown out of employment, by the sudden and universal stagnation of business is very great. The Committee confine their employ to such as are immediately affected by the Port Bill, while the regular overseers take the usual care of the town's poor. I am, with great respect, sir, your most obedient servant, WILLIAM COOPER.

P. S. The Committee are about publishing to the world an account of their proceedings thus far. If some part of your collections should be invested in iron-rods for nails, it would be agreeable to the Committee. Your care in collecting subscriptions for this distressed town will be gratefully noticed and acknowledged.

A list of the names of the gentlemen appointed by the town of *Boston* to receive the donations, and for employing the poor sufferers by the Port Bill: Mr. *Samuel Adams*, *John Rowe*, Esquire, *Thomas Boylston*, Esquire, *William Phillips*, Esquire, Doctor *Joseph Warren*, Honourable *John Adams*, Esquire, *Josiah Quincy*, Esquire, Honourable *Thomas Cushing*, Esquire, Mr. *Thomas Inches*, Mr. *William Mollineaux*, Mr. *Nathaniel Appleton*, Captain *Fortesque Vernon*, Captain *Edward Proctor*, Mr. *John White*, Captain *Gibbons Sharp*, Captain *William Mackey*, Mr. *Thomas Greenough*, Captain *Samuel Partridge*, Honourable *Benjamin Austin*, Esquire, Mr. *Jonathan Mason*, Mr. *John Brown*, Mr. *James Richardson*, Mr. *Thomas Craffts*, Junior, Mr. *Henry Hill*, Mr. *Joshua Henshaw*, *David Jeffries*, Esquire, Treasurer of the town of *Boston* and of this Committee.

EXTRACT OF A LETTER FROM GOVERNOUR WENTWORTH TO THE EARL OF DARTMOUTH, DATED NEW-HAMPSHIRE, SEPTEMBER 13, 1774.

On the 8th instant, about sunset, arrived in the port of *Piscataqua*, the *Fox*, mast-ship, having on board thirty chests of *Bohea* tea, consigned to Mr. *Edward Parry*, of this town. Previous to this arrival it had been reported that such an event was expected. I therefore early instructed Captain *Cochran*, of his Majesty's Castle *William* and *Mary*, in this Province, to render all the aid and assistance in his power, upon the first application, as by the copy, No. 1, which I beg leave to enclose to your Lordship herewith. Accordingly Captain *Cochran*, always indefatigable in his duty, went off to the ship while at sea and proffered his service. Some few days before this arrival letters were received from *London*, mentioning the shipping of the tea to sundry persons, whence it became very publick.

A ship last week arrived at *Salem* with a quantity of tea on board, also confirmed the expectation of the like here. These things, added to a report from *Salem*, that the people would not admit the tea to be landed, entered, or pay the duty there, and the enthusiastick spirit of that Province daily gaining ground both there and here, notwithstanding my utmost efforts and vigilance, rendered the event of this importation more precarious than the former, and raised almost insurmountable obstacles against its preservation.

As soon as it was generally known that the tea was arrived here, the disquiet broke forth among the populace, and at a quarter past ten at night I received a letter, No. 2, from Mr. *Parry*, informing me of his windows being broken by a mob, and desiring protection. At half past ten I sent Mr. *McDonah*, my Private Secretary, and my brother, who happened to be at my house, to inquire of Mr. *Parry* what was necessary, and, if any danger, to offer him the protection of my house, which they did; but the attempted mob having subsided, he saw there was no danger, and remained quietly and safely in his own lodgings. At three-quarters past nine, A. M., of the ninth instant, Mr. *Parry* brought me a petition to the Governour and Council, praying the protection of the Government, as in the enclosed copy, No. 3, whereupon I convened the Council within an hour, and received advice from them to call in the Justices that were in town, and require their execution of their duty, which they with laudable prudence and firmness immediately proceeded upon, and with desirable success.

Mr. *Parry* and Captain *Norman* were informed of these proceedings, and by me told at the Council Board, that the Governour, Council, and Magistrates, would, upon the least notice, support and protect them and their property, and that we should all be in readiness. At six P. M., I adjourned till nine o'clock next morning, and sent for the Chief Justice, Sheriff, and Attorney General, from *Exeter*, where the Superiour Court was and is yet sitting; also Mr. *Gildman* and *Waldron*, from *Exeter* and *Dover*, to make a full Council. That nothing might be wanting to execute the law and preserve the publick peace, the Council sat till two o'clock; and no further application made, nor any appearance of riot or violence whatever, I proposed to the Council to consider and advise me what further was needful to be done upon the petition; this was referred to a Committee to report upon, and I adjourned them till *Monday*, the twelfth instant, at ten o'clock, A. M.

During this period, viz: the ninth and tenth instant, the town meetings were agitated. At length a Committee were chosen to consult with Mr. *Parry* and the Captain, who agreed to export the tea to *Halifax*, after being duly entered, and paying the duty. About five o'clock, P. M., of tenth, Mr. *Parry* and Captain *Norman* came to me and informed me of this agreement, and that they were obliged to the Government for their protection, which they imagined was no longer necessary on this occasion. However, I judged it prudent to meet the Council on the adjournment, and to have the Council convened in the afternoon, as there was a town meeting sitting, and I could not be certain of established quiet till that was over. The vessel with the tea sailed on the eleventh instant, with a fair wind, for *Halifax*, and the town is in peace. The whole proceed-

Digitized by Google

ings in Council, on this affair, I beg leave herewith to transmit to your Lordship in the papers, No. 4.

Notwithstanding, I can still have the pleasure to represent to your Lordship that this Province continues more moderate than any to the Southward; yet, at the same time, truth requires me to suggest, that the union of the Colonies in sentiment is not divided or lost in *New-Hampshire*, although they have hitherto been prevailed upon to abstain from acts of general violence and outrage, and the laws have their course. How long it will remain so is impossible to foresee. I confess much good may not reasonably be counted upon, while the unhappy distractions in the *Massachusetts Bay* gain ground, and spread with such violence as cannot but be extremely deplored by every considerate man.

EXTRACT OF A LETTER FROM FREDERICKSBURG, VIRGINIA, SEPTEMBER 14, 1774.

Since Colonel *Preston's* letter to you, we have advice, by one *Bell*, who is just arrived in this town from *Kentucky*, that *Hancock Taylor* and *James Strother* were both killed as they were returning from the mouth of that river, where they had been to survey some lands. *Hempenstall*, who was missing when Colonel *Preston* wrote to you, is since come in; he was with *Taylor* and *Strother* when they were fired upon by the *Indians*. *Taylor* lived several days after he received his wounds, and came with *Hempenstall* and *Bell* at least a hundred miles towards the settlements. *John Willis*, *John Ashby*, and several others, are still missing, but they are gone down the river it is believed.

Very liberal contributions have been made, in this place, for the relief of the poor in *Boston*. Mr. *Mann Page*, Junior, one of our Representatives, has taken uncommon pains to promote the subscriptions, and I dare say his most sanguine expectations are fully answered.

JOSEPH SPENCER TO GOVERNOUR TRUMBULL.

East Haddam, September 14, 1774.

HONOURED SIR: Doctor *Beebe*, who will deliver this, will wait on your Honour in hopes of the favour of your Honour's advice with respect to an unhappy affair that concerns himself. The zeal of people here, in general, runs very high for what is called Liberty; and there being a few amongst us that don't agree with the rest, who are are called Tories, many people here have thought proper to visit the Tories and demand some satisfaction with relation to their principles and practices; and they have accordingly visited several in this society, and I think they have, except Doctor *Beebe*, given them satisfaction. They have, a large number of them, visited the Doctor this week, and he refused to say any thing that gave satisfaction, and the people have been so rough with him as to give him the new fashion dress of tar and feathers; and he thinks himself extremely abused, and has been desirous that I would grant surety of the peace against a few of them, but I declined; he seems to think he is obliged, in duty, to prosecute some of them; but, however, has finally applied to your Honour for advice as to the necessity or expediency of his prosecuting in this case. I hope, also myself, to have your Honour's advice as to my duty with respect to signing a precept for the Doctor in this case. I believe if one should be granted, it will not be executed to any advantage, without force from abroad to govern our people; for although these rough measures, lately taken place with us, are contrary to my mind, yet I am not able to prevent it at present.

I am, honoured sir, your Honour's most obedient and humble servant, JOSEPH SPENCER.

To *Jonathan Trumbull*, Governour.

Norwich, Connecticut, September 15, 1774.

A correspondent of the *Packet* begs leave to propose to the consideration of the publick, since the grand *American* controvery grows, and daily appears more serious, whether it is not expedient, very important and necessary, for the Colonies, forthwith, to raise an *Army of Observation*, and send it near the expected scene of action; and let them be increased, from time to time, as our enemies increase, and kept in constant exercise and discipline. A preparation and readiness for the defensive or offensive operations may, and often has, prevented the necessity of execution; but, if necessity does take place, as there is a great probability it will, should we not, in such a case, be in an infinitely better situation than to have our scattered forces, though almost innumerable, to collect from all parts of the Continent, after our antagonists are well fortified; their numbers full; and have struck some important and fatal blow.

At a Meeting of Delegates, from the Towns in the Counties of *Hartford*, *New-London*, and *Windham*, and a part of the County of *Litchfield*, held at *Hartford*, in *Connecticut*, on the 15th of *September*, 1774,

WILLIAM WOLCOTT, Esquire, *Chairman*,
Captain SAMUEL WYLLYS, *Clerk*.

This Meeting taking into their serious consideration the absolute necessity of a non-consumption agreement, as shall be recommended by the general Congress of Delegates from all the free *British* Colonies in *America*, now convened at *Philadelphia*, and also that their opinion and resolution thereon hath not been yet fully made known to the Delegates from this Colony in said Congress,

Do Declare and Resolve, That, in case the said general Congress shall recommend a non-importation of *British* goods only, or of *British* and *West India* goods, we will enter into a solemn contract and agreement not to purchase or consume any articles that shall be prohibited by such non-importation agreement, and use our utmost endeavours to render the same general and effectual; and we do hereby make known that we have, in general, been assured, by the towns we represent, that they will readily accede to, adopt, and religiously observe such non-consumption agreement, as aforesaid.

And whereas this meeting is informed that great quantities of *English* and *India* goods are ordered by sundry sordid and avaricious men, in our neighbouring Colonies, to be purchased in *England*, and imported this fall, to give them an unreasonable advantage, and prevent the salutary effects of a non-importation agreement,

Resolved, That such mercenary wretches, whose avarice can seek for gratification in the distress and ruin of their country, are wholly unworthy of our confidence, friendship, or support; and, that our non-consumption agreement may be useful to any good purpose, we will not purchase any merchandise of them, or transact any business for them, or suffer them to transact any for us, but will wholly withdraw from them, and leave them to the consolation of possessing and contemplating the curious moments of *British* industry and *American* slavery, which they would so greedily amass to themselves for such sordid and wicked purposes; and shall consider in the same light, and treat in the same manner, every person that shall purchase any such goods of them, or do business for them, or employ them in their business.

Resolved, That the Committees of Correspondence for the several towns we represent be desired to make diligent inquiry after the persons who have ordered goods, as aforesaid, and inform the next County and Colony Meeting of what they shall discover, that their names may be published, their conduct exposed, and their persons avoided.

Resolved, That if any merchant or trader in the towns aforesaid, shall attempt to engross any great or unusual quantity of goods, with design to forestall and elude a non-importation agreement, we will find ways and means, without violating his private rights, to defeat his views, and make him sensible that virtue and publick spirit will be more for his interest, than low selfishness and avarice can be.

These measures, dictated by necessity, we enter upon for the preservation of our liberties, which we have received from our Creator, and may not resign or suffer to be ravished from us; at the same time, it is the warmest wish of our hearts, that the wisdom and equity of the *British* Parliament may relieve us from our fears and danger, and that we may once more, and forever, look up to our parent country with confidence and pleasure; and, secure of our own rights, contribute all in our power to promote the

Digitized by Google

honour, interest, and happiness of our elder brethren in *Great Britain;* and,

Whereas we cannot yet be advised what measures the general Congress will recommend, and therefore are unable at present to adjust the particulars of a non-consumption agreement, we think it may be of use to the merchants and traders in the aforesaid towns, to be made acquainted with our resolutions aforesaid, and that we determine in proper time to carry them into execution.

Resolved, That the thanks of this meeting be given the Committee of Correspondence for the town of *Hartford*, for their care and attention to the interest of the publick, in calling this meeting; and that they be desired to call a Colony Meeting, at a suitable time and place, to finish the business now begun and entered upon, taking the advice of the Committee of Correspondence for the towns of *Windsor*, *Wethersfield*, and *Middletown* therein.

The foregoing resolutions and resolves, voted and passed *nemine contradicente.*

SAMUEL WYLLYS, *Clerk of the Meeting.*

PENNSYLVANIA COUNCIL.

At a Council held at *Philadelphia*, on *Thursday*, 15th *September*, 1774,

Present: The Honourable *John Penn*, Esquire, Governour, *William Logan*, *Richard Peters*, *James Tilghman*, *Edward Shippen*, Junior, and *Benjamin Chew*, Esquires.

The Council having some time since represented to the Governour the absolute necessity of establishing, by an *ex-parte* Proclamation, the lines of jurisdiction between the Province of *Maryland* and the Province of *Pennsylvania* and Counties of *New-Castle*, *Kent*, and *Sussex*, on *Delaware*, according to the lines and boundaries agreed upon, run and marked by the Commissioners appointed for that purpose by the Proprietaries of the said respective Provinces, and the Governour having, with the consent and concurrence of the Honourable *Thomas Penn*, Esquire, in *England*, approved of the said measure, a draught of a Proclamation had been accordingly prepared, and is now laid before the Board, which, being read and duly considered, was agreed to be issued, and ordered to be published in the several newspapers of this Province, and a number of printed copies thereof made and dispersed through the Province and the lower counties on *Delaware*. The Proclamation follows in these words, viz:

By the Honourable JOHN PENN, *Esquire, Governour and Commander-in-chief of the Province of* PENNSYLVANIA, *and Counties of* NEW-CASTLE, KENT, *and* SUSSEX, *on* DELAWARE:

A PROCLAMATION.

Whereas, in pursuance of certain Articles of Agreement made the tenth day of *May*, Anno Domini 1732, between *Charles* Lord *Baltimore*, Proprietor of the Province of *Maryland*, and the honourable the Proprietaries of the Province of *Pennsylvania* and Counties of *New-Castle*, *Kent*, and *Sussex*, on *Delaware*, and of the Decree of the Lord High Chancellor of *England*, bearing date the fifteenth day of March, Anno Domini 1750, for the specifick performance and execution of the said Articles; and also in pursuance of certain other Articles of Agreement made the fourth day of *July*, Anno Domini 1760, between the Right Honourable *Frederick* Lord *Baltimore*, son and heir of the said *Charles* Lord *Baltimore*, and the honourable the Proprietaries of the said Province and counties; and of one other Decree of the Lord High Chancellor of *England*, bearing date the sixth day of *March*, 1762, for the specifick performance of the said last mentioned Articles; the several lines mentioned and described in the said Articles, and thereby finally agreed upon and settled by the said parties to be and forever remain the boundaries and division lines between the said Provinces and Counties; have been run by Commissioners, for that purpose appointed and authorized by the said respective Proprietors, and marked out in exact conformity to the said Articles, with visible stones, pillars, and other land marks, as by the said Articles and Decrees, and the return of the said Commissioners, under their hands and seals, and an exact plan or map of the lines, so as aforesaid by them run and marked may at large appear. And whereas, in the year 1767, a joint petition was referred to his present most gracious Majesty by the said *Frederick* Lord *Baltimore*, and the Proprietaries of the said Province and Counties, reciting the above mentioned Articles and Decrees, and setting forth that their Commissioners were then proceeding in the work; that they, the said Proprietors, were desirous, as much as in them lay, to quiet the minds of all his Majesty's subjects inhabiting in the lately disputed parts of the said Provinces, and three Lower Counties, and to promote the peace and welfare of those parts. And in order to give a further testimony of their firm agreement, and that a final end and period had been put to all their contests and litigations by the said Agreement of 1760, they, by their said petition, most humbly prayed his Majesty that he would be most graciously pleased to give his royal allowance, ratification, and confirmation of the several and respective Articles of Agreement and enrolled Decrees above mentioned, and every article, clause, matter, and thing in them, and each of them contained, and that the same might be forever established between them. Whereupon his Majesty, by his Order in Council, dated the eleventh day of January, 1769, was pleased to signify his royal approbation of the said agreements and proceedings mentioned in the petition of the said Proprietaries. Whereof as well the Proprietaries of the said Provinces, as all others whom it might concern, were ordered to take notice and govern themselves accordingly, as by the said petition and royal order may more at large appear. I have, therefore thought fit, by the advice of the Council, to issue this my Proclamation, to publish and make known all and singular the premises to all whom it may concern, hereby requiring all persons dwelling and residing to the northward and eastward of the lines and boundaries so as aforesaid run and marked between the Provinces of *Maryland* and *Pennsylvania*, as far to the westward as the Province of *Maryland* extends, to yield obedience to the laws of the said Province and Counties, and govern themselves according thereto. And I do also require all Magistrates, Sheriffs, and other officers of justice appointed, or to be appointed, in the said Province and Counties, to put in execution the respective laws thereof, against all offenders within the lines and limits aforesaid, as they will answer the contrary at their peril.

Given under my hand and the great seal of the said Province of *Pennsylvania*, at *Philadelphia*, the fifteenth day of *September*, in the year of our Lord one thousand seven hundred and seventy-four, and in the fourteenth year of the reign of our Sovereign Lord *George* the Third, by the grace of *God*, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, and so forth.

JOHN PENN.

By his Honour's command,

JOSEPH SHIPPEN, Jun., *Secretary.*

GOD *save the King.*

N. B. The Land Office is not yet open for taking up vacant lands in the Lower Counties, or receiving applications for the same. Whenever it is thought proper to open the office for that purpose, publick notice thereof will be given.

By his Excellency JOHN, *Earl of* DUNMORE, *Lieutenant and Governour-General in and over his Majesty's Colony and Dominion of* VIRGINIA, *and Vice Admiral of the same:*

A PROCLAMATION.

Whereas, the rapid settlement made on the west side of the *Alleghany* Mountains, by his Majesty's subjects, within the course of these few years, has become an object of real concern to his Majesty's interest in this quarter. And whereas, the Province of *Pennsylvania* have unduly laid claim to a very valuable and extensive quantity of his Majesty's territory; and the Executive part of that Government, in consequence thereof, has most arbitrarily and unwarrantably proceeded to abuse the laudable advancements in this part of his Majesty's Dominions, by many oppressive and illegal methods, in the discharge of this imaginary authority. And whereas, the ancient claim laid to this

Digitized by Google

country by the Colony of *Virginia*, founded in reason upon pre-occupancy, and the general acquiescence of all persons, together with the instructions I have lately received from his Majesty's servants, ordering me to take this country under my administration; and as the evident injustice manifestly offered to his Majesty by the immediate strides taken by the Proprietors of *Pennsylvania*, in prosecution of their wild claim to this country, demand an immediate remedy, I do hereby, in his Majesty's name, require and command all his Majesty's subjects west of the *Laurel* Hill, to pay a due respect to this my Proclamation, strictly prohibiting the execution of any act of authority on behalf of the Province of *Pennsylvania*, at their peril, in this country; but, on the contrary, that a due regard and entire obedience to the laws of his Majesty's Colony of *Virginia* under my administration, be observed, to the end that regularity may ensue, and a just regard to the interest of his Majesty in this quarter, as well as to the subjects in general, may be the consequence.

Given under my hand and seal, at Fort *Dunmore*, *September* 17th, 1774. DUNMORE.

By his Excellency's command.

GOD *save the King*.

Quebec, September 22, 1774.

On *Sunday* afternoon, *September* 17, about five o'clock, arrived in the basin before this city, the ship *Canadian*, Captain *William Abbott*, in sixty days from *Cowes*, having on board his Excellency Major General *Carleton*, Captain-General, Governour, and Commander-in-chief of the Province of *Quebec*, Lady *Maria Carleton*, with her two children, and Lord Viscount *Pitt*, son to the Earl of *Chatham*. They landed on the beach about six, under a discharge of cannon, where they were received by the Lieutenant Governour, the citizens, and a numerous concourse of people, who expressed their joy on the occasion, by repeated acclamations of *long live the King*. The regiments in garrison under arms, lined the streets on both sides, from the landing place to the Castle of *St. Louis*, the several officers paying military honours to the General as he passed; and in the evening, the religious houses and many of those of the principal inhabitants of the upper town, were handsomely illuminated.

On his Excellency's landing, he was complimented with the following Address, by the Chevalier *De Lanaudiere*:

"SIR: The arrival of your Excellency in this Province has filled the minds of the citizens with joy and gratitude, on account of your known good disposition towards them. May Heaven grant a long and happy life to so illustrious a hero, for which our prayers are daily offered, and for the health of your amiable consort, whom we shall ever hold in the most respectful remembrance."

TRANSLATION OF THE ADDRESS OF THE CLERGY.

To his Excellency GUY CARLETON, Esq., *Major General and Commander-in-chief over the Province of* QUEBEC.

SIR: Permit us, when we congratulate your Excellency on your happy return, likewise to felicitate ourselves and the Province, on having you for the protector of our laws and religious liberties. History will rank your name among the bravest of warriors and the wisest of politicians; but gratitude is already imprinted in the heart of every *Canadian*. We know with what firmness you have supported our interests, and the testimony you bore of our fidelity to his most gracious Majesty and the Parliament. We want words to express our sincere gratitude; but the universal joy, and the fervent expressions of allegiance, those publick demonstrations on the moment of your Excellency's arrival with your worthy family, are proofs too convincing to need any arguments to support them.

Your name will be ever held in the highest esteem in *Canada*, and you will always find the Clergy to be good and faithful subjects.

JOHN OLIVER, *Bishop of Quebec*.
H. F. GRAVE, *Superiour of the Seminary*.
LOUIS AUG. DE GLAPION, *Superiour General of the Jesuits*.
EMANUEL CRESPEL, *Superiour of the Recollets*.

To his Excellency GUY CARLETON, Esq., *Captain-General and Commander-in-chief of the Province of* QUEBEC, *&c., &c.*

May it please your Excellency:

We, his Majesty's *Canadian* subjects in the city of *Quebec*, are deeply impressed with the most lively gratitude for the protection your Excellency has afforded us; and the care and solicitude you have taken to render us happy and easy, call upon us to congratulate you on your happy arrival in this Metropolis.

Suffer us to express the satisfaction we feel for the favour which his most excellent Majesty our Sovereign Lord has conferred on us, by placing you, sir, (who are very justly styled our protector and father,) at our head, to rule over us; to guide and establish the Government of this Province upon a happy, firm, and lasting foundation, by putting in force the Act which his most gracious Majesty and his Parliament have been pleased to pass for this Province. We know what we owe to your Excellency alone; the gracious treatment of his most sacred Majesty and the Parliament are obligations we never shall forget, but always acknowledge with the most respectful gratitude.

We desire, through you, to offer at the foot of the Throne of our most gracious and beloved Sovereign, our assurances of the most profound respect, our attachment and inviolable fidelity, (confirmed by an oath,) and to assure him that he has no subjects more faithful or dutiful than the *Canadians*; and that we will be, at all times and on all occasions, ready to sacrifice our lives and fortunes in the defence of his sacred person, his Crown, his Parliament, and his arms. Knowing your prudence, moderation, equity, the uprightness and goodness of your heart, we flatter ourselves your administration will prove propitious to our wishes; and that your Excellency will be pleased, according to the tenour of the Act you have obtained in our favour, to suffer us to participate in the rights and privileges of *English* citizens.

We shall never cease to offer up our prayers to Heaven for the prosperity and preservation of your Excellency, her Ladyship, your illustrious consort, and your family, who will forever be held dear in the remembrance of the *Canadians*.

CÆSAR RODNEY TO CAPTAIN THOMAS RODNEY.

Philadelphia, Saturday, September 17, 1774.

SIR: By express which arrived here yesterday from the Committee of the town of *Boston* to the Continental Congress, we are informed the County of *Suffolk*, of which the town of *Boston* is the capital, had entered into certain resolutions, a copy of which was enclosed us, generally to the purport of not suffering the Commander-in-chief to execute the Act of Parliament changing their Government, by persuading, protecting, and compelling officers under the new regulation to resign, and by a refusal in jurymen to serve, &c. That they have ordered all those able to bear arms, to keep in readiness to defend their inherent rights, even with loss of blood and treasure; that they are determined not to injure the General, or any of the King's troops, unless compelled thereto by an attack made by the troops on them. They complain of the General seizing of the powder at *Cambridge*, which they say was private property; and also, that he is now fortifying the only pass that leads from the town of *Boston* into the country, from whence the inhabitants of the town are daily supplied. This pass is a narrow neck of land about one hundred and twenty yards wide, at which he has placed a number of troops and twenty-eight cannon; that the country people passing and repassing this place, are suffered to be insulted by the soldiery; and that the inhabitants feared, (from those movements of the General,) he had designs of apprehending and sending to *England* those persons who have stood foremost in the great cause of liberty; that, in consequence of his conduct, and those their suspicions, the inhabitants of *Suffolk* sent, (by a Committee appointed for that purpose,) an address to the General, inquiring the cause of his stopping up and fortifying the pass, seizing and securing the magazines, &c., and their disapprobation of his conduct, and that they had no intention to assault either him or his soldiers; but that, if he continued to block up

Digitized by Google

the pass, and thereby prevent them of the only means of supplying the town with necessaries, they should look upon it as a commencement of hostilities. Upon the whole, they sent an express to the general Congress here, for their instructions as to their future conduct. The Congress met on that business this day, and have resolved thereon, which you will see in the "*Packet*" of *Monday*, being ordered immediately to be printed, as well that the General as the people might know what they thought of the matter.

I am yours, &c., CÆSAR RODNEY.

Captain *Thomas Rodney*.

SAMUEL ADAMS TO DOCTOR CHAUNCY.

Philadelphia, September 19, 1774.

REVEREND SIR: I have had the pleasure of receiving a letter from you since my arrival in this city. Our friend, Mr. *Quincy*, informed me before I left *Boston*, of his intention to take a passage for *England*. I am persuaded he may do great service to our country there. Agreeably to his and your requests, I have desired gentlemen here to make him known to their friends and correspondents.

Last *Friday* Mr. *Revere* brought us the spirited and patriotick Resolves of our County of *Suffolk*. We laid them before the Congress. They were read with great applause, and the enclosed Resolutions were unanimously passed, which give you a feint idea of the spirit of the Congress. I think I may assure you that *America* will make a point of supporting *Boston* to the utmost. I have not time to enlarge, and must therefore conclude with assuring you that I am, with great regard, your affectionate and humble servant, SAMUEL ADAMS.

CÆSAR RODNEY TO MR. THOMAS RODNEY.

Philadelphia, Monday, September 19, 1774.

SIR: Sometime ago I do not doubt but you were all much alarmed, on a report that the King's ships were firing on the town of *Boston*. When that news came to this city the bells were muffled, and kept ringing all that day; however, in a few days after, that news was contradicted here, and hope by this time it is so with you. By some late very authentick accounts from *Boston* Government to the gentlemen of that place now at the Congress, we are informed that there was about three days between this report's passing through the *Massachusetts* and *Connecticut* Governments, and its being contradicted; that when the expresses went to contradict this false report, they found in those two Governments, in different parties, upwards of fifty thousand men, well armed, actually on their march to *Boston*, for the relief of the inhabitants; and that every farmer who had a cart or wagon, (and not able to bear arms,) was with them, loaded with provisions, ammunition, &c., all headed by experienced officers, who had served in the late *American* war; and that vast numbers more were preparing to march. Upon the news being contradicted, they returned peaceably to their several places of abode; but not till they had sent some of their officers, from the different parties, to *Boston* to know the real situation of affairs there, and to direct them what principal officers in the different parts of the country they should hereafter send expresses to, in case they should stand in need of their assistance. It is supposed by some of the friends of liberty at *Boston*, that the alarm was set on foot by some of the friends to the Ministerial plan, in order to try whether there was that true valour in the people. If this was the case, I suppose you will think with me, that, by this time, they can have no doubts remaining. Indeed, I think it is proved by the General's own conduct; for, ever since that, he has been fortifying himself, which, I imagine, is more for his own security than to attack the inhabitants.

I am yours, &c., CÆSAR RODNEY.

Mr. *Thomas Rodney*, *Dover*.

EXTRACT OF A LETTER FROM CÆSAR RODNEY TO MR. THOMAS RODNEY.

Philadelphia, September 24, 1774.

SIR: Mr. *R. Penn* is a great friend of liberty, and has treated the gentlemen Delegates with the greatest respect. More or less of them dine with him every day; and his brother wishes his station would admit of his acting the same part. All these matters are for your own private speculation, and not for publick view. By this you may see that some people with you are mistaken in their politicks, and you may also take for granted every body here is not well pleased with the coalition of the two brothers.

I am, as usual, your friend and humble servant,

CÆSAR RODNEY.

Mr. *Thomas Rodney*.

PENNSYLVANIA ASSEMBLY.

Monday, September 19, 1774.—Mr. Speaker, with nineteen Members met, pursuant to adjournment; and a quorum not appearing, they adjourned to four o'clock to-morrow afternoon.

Tuesday, September 20.—*Ordered*, That Mr. *Miles* and Mr. *Humphreys* wait on the Governour, and acquaint him, that the House having met, in pursuance of their adjournment, they are ready to receive any business he may be pleased to lay before them.

Mr. *Rhoads* delivered at the table a Letter to the Committee of Correspondence from *Benjamin Franklin*, Esq., dated *London*, the seventh of *May* last, acquainting them with the result of the Board of Trade on sundry Acts of the General Assembly of this Province, passed *February* the 26th, 1773, and that two other Acts of the same sitting will probably be repealed, for certain reasons mentioned in the said Letter.

Wednesday, September 21.—The Members appointed to wait on the Governour with the Message of yesterday, reported that they had delivered the same according to order, and that his Honour was pleased to say, he had no business at present to lay before the House.

September 26.—The Governour, by Mr. Secretary, sent down a written Message to the House, which was read, by order, and follows in these words, viz:

GENTLEMEN: As it does not appear to me that the causes of the unhappy *Indian* disturbances are yet at an end, but, on the contrary, that the Governour of *Virginia* is still prosecuting an expedition against the *Shawanese*, I cannot avoid recommending to your consideration the expediency of keeping the troops employed by this Government, or at least a part of them, in pay till our affairs upon the frontiers may happily have a more favourable aspect.

JOHN PENN.

September 28.—A Remonstrance from the Overseers of the Poor of the City of *Philadelphia* was presented to the House, setting forth that the sum of money granted last year by the Legislature for the relief and support of such aged, sick, and infirm Neutrals as are yet residents in the said city, is wholly laid out for the purpose for which it was granted, as by the accounts herewith laid before the House will appear; that the Remonstrants therefore think it their duty to inform the honourable House, that there is at present a considerable number of the said Neutrals, who, from their age, sickness, or infirmities, are incapable of supporting themselves, and must suffer greatly, unless speedy and constant supplies are afforded them in such manner as their particular circumstances may from time to time require. That the Remonstrants therefore request the House will be pleased to take the premises into consideration, and grant such relief therein as shall appear necessary.

Ordered to lie on the table.

The House resumed the consideration of the Governour's Message of the 26th instant, and, after some debate thereon, the question being put by the Speaker, whether one hundred men (officers included) of the rangers, now employed on the frontiers, shall be kept up, and continued in pay till the meeting of the next Assembly?

Carried in the affirmative.

Resolved, That it be, and is hereby recommended to the succeeding Assembly to make provision for paying and victualling the said one hundred rangers until the 14th of *October* next.

An Answer to his Honour's Message being then drawn at the table, and agreed to, it was ordered to be transcribed.

Digitized by Google

September 29.—The Answer of the House to the Governour's Message being transcribed according to order, was signed by the Speaker, and is as follows, viz:

May it please your Honour:

The House taking into their consideration your Message of the 26th instant, recommending the expediency of keeping up the troops employed by this Government, "or a part of them," have agreed to continue one hundred men (officers included) until the meeting of the next Assembly, and have recommended it over to that Assembly to make provision for their support and maintenance.

Signed by order of the House,

JOSEPH GALLOWAY, *Speaker.*

September 29, 1774.

Upon motion, the Petition from the Overseers of the Poor of the City of *Philadelphia*, in behalf of the *French* Neutrals, was again read, and, after some debate thereon,

Ordered, That the Provincial Treasurer do pay into the hands of the Overseers of the Poor of the City of *Philadelphia*, the sum of one hundred pounds, for the relief and support of the said *French* Neutrals.

EXTRACT OF A LETTER FROM THE HONOURABLE GOVERNOUR GAGE TO THE EARL OF DARTMOUTH, DATED BOSTON, SEPTEMBER 20, 1774.

Since my letters by the *Scarborough*, ship of war, I have received some letters and papers, which I transmit your Lordship, relative to the proceedings in the distant counties against the Courts of Justice, and Resolves of a County Meeting.

It is needless to trouble your Lordship with daily publications of determined resolutions not to obey the late Acts of Parliament, or to allow any civil officer acting under them, from the Governour to the Justice, to be constitutional officers.

They talk of fixing a plan of Government of their own, and it is somewhat surprising, that so many of the other Provinces interest themselves so much in the behalf of this. I find they have some warm friends in *New-York* and *Philadelphia*, and I learn by an officer that left *Carolina*, the latter end of *August*, that the people of *Charlestown* are as mad as they are here.

The country people are exercising in arms, in this Province, *Connecticut*, and *Rhode Island*, and getting magazines of arms and ammunition in the country, and such artillery as they can procure, good and bad.

They threaten to attack the troops in *Boston*, and are very angry at a work throwing up at the entrance of the town; on which account I have had two messages from the Selectmen, and a third from the County of *Suffolk*.

People are daily resorting to this town for protection; for their is no security for any person deemed a friend to Government, in any part of the country. Even places always esteemed well affected have caught the infection. The Commissioners of the Customs have thought it no longer safe or prudent to remain at *Salem*, considering the present distracted state of every part of the Province, and are amongst others come into the town, where I am obliged likewise now to reside on many accounts.

Mr. *Willard* has been obliged to resign his seat in Council since my last. The rest remain firm, notwithstanding daily threats of plunder, devastation, and ruin, and even of assassination.

WORCESTER COUNTY (MASSACHUSETTS) RESOLUTIONS.

At a Convention of Committees for the County of *Worcester*, held by adjournment at the Court House, on the 29th of *August*, 1774, and continued by adjournments to the 21st of *September*, the following Votes and Resolves passed, viz:

Voted, That if there be an invasion, or danger of an invasion, in any town in this county, then, such town shall, by their Committee of Correspondence, or some other proper persons, send letters by post immediately to the Committees of the adjoining towns, who shall send to the other Committees in the towns adjoining them, that they all come properly armed and accoutred to protect and defend the place invaded.

Voted, That it be recommended to the military officers in this county that they resign their offices to their respective Colonels.

Voted, That the field officers in this county resign their offices, and publish such resignation in all the *Boston* newspapers.

Voted, That it be recommended to the several towns in this county to choose proper and a sufficient number of military officers for each of their towns.

Voted, To accept the Report of the Committee respecting the civil officers of this county, which is as follows:

Whereas the late Act of Parliament, entitled "An Act for the better regulating his Majesty's Government of the *Massachusetts Bay*," is evidently designed to prevent any civil officers from holding their places by virtue of the Charter thereof; and as it is necessary to have officers till further provision may be made; Therefore,

Resolved, That the Justices of the Peace for this county, who were in said office the last day of *June* past, except *Timothy Ruggles*, *John Murray*, and *James Putnam*, Esquires, be hereby directed to act in said office as single Justices, except in judicial proceedings merely civil; also, that the Judges of Probate, Sheriff, and Coroners who were in said offices on the last day of *June* past, exercise their respective offices till the Provincial Congress, proposed to sit at *Concord*, on the second *Tuesday* of *October* next, notwithstanding any pretended supersedeas that may be sent them, or any of them, or any Proclamation designed to prevent them from holding and exercising their said offices; and we hereby also recommend to the people in this county that they consider and treat them as being in their said offices, and support and defend them in the execution thereof, according to the laws of this Province.

Voted, As the opinion of this body, that the Sheriff do not adjourn the Superiour Court, appointed by law to be held this day, and that he retain such as are or may be committed as criminals in his custody until they have a trial.

Resolved, That as the ordinary Courts of Justice will be stayed in consequence of the late arbitrary and oppressive Act of the *British* Parliament, we would earnestly recommend it to every inhabitant of this county to pay his just debts as soon as possible, without any disputes or litigations; "and if any dispute concerning debts or trespasses should arise, which cannot be settled by the parties, we recommend it to them to submit all such cases to arbitration; and if the parties, or either of them, shall refuse so to do, they ought to be considered as co-operating with the enemies of this country."

Voted, To accept the Report of the Committee relative to the instructing the Representatives for this county, which is as follows:

That it be recommended to the several towns and districts, that they instruct their Representatives who may be chosen to meet at *Salem*, in *October* next, absolutely to refuse to be sworn by any officer or officers but such as are or may be appointed according to the Constitution, or to act as one branch of the Legislature in concert with the other, except such as are or may be appointed and supported according to the Charter of this Province; and they refuse to give their attendance at *Boston* while the town is invested with troops and ships of war; and should their be any thing to prevent their acting with such a Governour and Council, as is expressly set forth in the Charter, that then they immediately repair to the town of *Concord*, and there join in a Provincial Congress with such other Members as are or may be chosen for that purpose, to act and determine on such measures as they shall judge proper to extricate this Colony out of their present unhappy circumstances.

Voted, That it be recommended to the several towns and districts in this county that they provide themselves immediately with one or more field pieces, mounted and fitted for use; and also a sufficient quantity of ammunition for the same; and that the officers appoint a suitable number of men out of their respective companies, to manage said field pieces.

Whereas the people of this county are under solemn obligations not to purchase any goods that shall be imported from *Great Britain* after the last day of *August*, 1774,

Digitized by Google

which they determine most sacredly to adhere to until our many grievances be redressed; therefore,

Voted, That it be recommended, and we do earnestly recommend it to the Committees of Correspondence or Selectmen in the several sea-port towns in this Province to appoint, or cause to be appointed, Committees to inspect the imports that have been or shall be made since the last day of *August* aforesaid, and publish all such in the *Boston* newspapers, with the names of the importers, that so we may carefully avoid all such in our dealings for the future.

Voted, To choose a Standing Committee for the county, to correspond with the Committees of Correspondence for the several counties, and elsewhere, as they shall think proper; also, to prepare matters proper to lay before this body at their several meetings; to give the earliest intelligence to the several Committees in this county of any new attack upon the liberties of this people, and call a County Convention at any time, as occasion may require.—Therefore,

Voted, That the Committees of Correspondence for the towns of *Worcester* and *Leicester*, be a Committee for the purposes aforesaid; and that Messrs. *Thomas Denny*, *Joseph Henshaw*, and *Joshua Bigelow*, be added to the above Committee.

Voted, To take notice of Mr. Sheriff *Chandler*, for carrying an Address to Governour *Gage*.

Voted, That a Committee wait on the Sheriff, and require his attendance before this body, for presenting, (with others, the Justices of the County of *Worcester*,) the Address to Governour *Gage*.

Voted, That the following Declaration, signed by the Sheriff, should be accepted:

"Whereas the Convention of Committees have expressed their uneasiness to the Sheriff of this county, now present before the Convention, for presenting, with others, an Address to Governour *Gage*, which he frankly declares was precipitately done by him; though he is sorry for it, and disclaims any intention to do any thing against the minds of the inhabitants of this county; and had he known it would have given offence, he would not have presented said Address. G. CHANDLER."

As the several Regiments in this county are large and inconvenient, by the increase of its inhabitants since the first settlement of said regiments—Therefore,

Voted, That they be divided into seven distinct Regiments, in the following manner, viz:

1st. *Worcester*, *Leicester*, *Holden*, *Spencer*, and *Paxton*.

2d. *Sutton*, *Oxford*, *Sturbridge*, *Charlton*, and *Dudley*.

3d. *Lancaster*, *Bolton*, *Harvard*, *Lunenburgh*, *Leominster*, *Fitchburgh*, *Ashburnham*, and *Westminster*.

4th. *Brookfield*, *Western*, *Braintree*, *Hardwick*, and *Oakham*.

5th. *Rutland*, *Hutchinson*, *Petersham*, *Athol*, *Templeton*, *Winchendon*, *Royalston*, *Hubbardstown*, and *Princeton*.

6th. *Southboro'*, *Westboro'*, *Northboro'*, *Shrewsbury*, and *Grafton*.

7th. *Mendon*, *Uxbridge*, *Northbridge*, *Upton*, and *Douglass*.

Voted, That it be recommended to the several towns in this county to choose proper, and a sufficient number of military officers for each of their towns; and that the Captains, Lieutenants, and Ensigns in each regiment, who are chosen by the people, do convene on or before the tenth day of *October* next, at some convenient place in each regiment, and choose their field officers, to command the militia, until they be constitutionally appointed; and that it be recommended to the officers in each town in this county, to enlist one-third of the men in their respective towns, between sixteen and sixty years of age, to be at a minute's warning; and that it be recommended to each town in this county to choose a sufficient number of men as a Committee to supply and support those troops that shall move upon any emergency.

Voted, That this meeting be adjourned to the first *Tuesday* in *December* next.

WILLIAM HENSHAW, *Clerk*.

Boston, September 26, 1774.

At a Meeting of the Freeholders of this town, on *Wednesday*, the 21st instant, at *Faneuil* Hall, the following gentlemen were chosen to represent them in the General Assembly, to be held on the 5th of next month, viz: the Honourable *Thomas Cushing*, Esquire, Mr. *Samuel Adams*, the Honourable *John Hancock*, Esquire, and *William Phillips*, Esquire; and on *Friday*, the town made choice of Dr. *Joseph Warren*, Dr. *Benjamin Church*, and Mr. *Nathaniel Appleton*, to serve as Delegates in the Provincial Congress, to be held at *Concord*, on the second *Tuesday* in *October* next, in addition to the four Representatives of this town; and the following Instructions for our Representatives were voted, viz:

GENTLEMEN: As we have chosen you to represent us in the Great and General Court, to be holden at *Salem*, on *Wednesday*, the 5th of *October* next ensuing, we do hereby instruct you, that in all your doings, as members of the House of Representatives, you adhere firmly to the Charter of this Province, granted by their Majesties King *William* and Queen *Mary*, and that you do no act which can possibly be construed into an acknowledgment of the validity of the Act of the *British* Parliament for altering the Government of the Province of *Massachusetts Bay*; more especially that you acknowledge the Honourable Board of Counsellors elected by the General Court, at their session in last *May*, as the only rightful and constitutional Council of this Province. And we have reason to believe, that a conscientious discharge of your duty will produce your dissolution as an House of Representatives; we do hereby empower and instruct you to join with the members, who may be sent from this and the other towns in the Province, and to meet with them at a time to be agreed on in a General Provincial Congress, to act upon such matters as may come before you, in such a manner as shall appear to you most conducive to the true interest of this town and Province, and most likely to preserve the liberties of all *America*.

CUMBERLAND COUNTY (MASSACHUSETTS) RESOLVES.

At a Meeting of the following gentlemen chosen by the several towns in the County of *Cumberland*, held at *Falmouth*, in said county, on the 21st day of *September*, 1774, at the house of Mrs. *Greele*, viz: from

FALMOUTH, The Honourable *Enoch Freeman*, Esquire, *Stephen Longfellow*, Esquire, Mr. *Richard Codman*, Captain *John Waite*, Mr. *Enoch Ilsley*, Mr. *Samuel Freeman*.

SCARBOROUGH, Captain *Timothy McDaniel*, Captain *Reuben Fogg*, Mr. *Joshua Fabyan*.

NORTH YARMOUTH, Mr. *John Lewis*, *David Mitchell*, Esquire, Messrs. *Jonathan Mitchell*, *John Gray*, *William Cutter*.

GORHAM, *Solomon Lombard*, Esquire, *William Gorham*, Esquire, Captain *Edmund Phiney*, Captain *Briant Morton*, Mr. *Joseph Davis*.

CAPE ELIZABETH, Dr. *Clement Jordon*, Messrs. *Peter Woodbury*, *Samuel Dunn*, Captain *Judah Dyer*, Dr. *Nathaniel Jones*, Mr. *George Strout*.

BRUNSWICK, Messrs. *Samuel Thompson*, *Samuel Stanwood*, Captain *Thomas Moulton*.

HARPSWELL, Mr. *Joseph Ewing*, Captain *John Stover*, Mr. *Andrew Dunning*.

WINDHAM, Messrs. *Zerubabel Honywell*, *Thomas Trott*, *David Barker*.

NEW-GLOUCESTER, Messrs. *William Harris*, *Isaac Parsons*.

The Hon. *Enoch Freeman*, Esq., was chosen Chairman, Mr. *Samuel Freeman*, Clerk.

A Committee from the body of people, who were assembled at the entrance of the town, waited on this Convention to see if they would choose a Committee of one member out of each town to join them, to wait upon Mr. Sheriff *Tyng* to see whether he would act in his office, under the late act of Parliament for regulating the Government.

On a motion made, *Voted*, that a messenger be sent to the said Sheriff *Tyng*, to desire his attendance at this Convention. A messenger then waited upon Mr. *Tyng*, with the following Billet, viz:

Digitized by Google

"Mr. Sheriff *Tyng's* company is desired at the Con-
"vention of the County, now sitting at Mrs. *Greele's*.
"SAMUEL FREEMAN, Clerk.

"Wednesday, September 21st, 1774, 11 o'clock, A. M."

Mr. *Tyng* accordingly attended, and after some interrogations, subscribed to the following Declaration, viz:

County of Cumberland, Falmouth, September 21, 1774.

"Whereas, great numbers of the inhabitants of this county are now assembled near my house, in consequence of the false representations of some evil-minded persons, who have reported that I have endeavoured all in my power to enforce the late Acts of Parliament, relating to this Province: I do hereby solemnly declare, that I have not in any way whatever acted or endeavoured to act in conformity to said Acts of Parliament; and in compliance with the commands of the inhabitants so assembled, and by the advice of a Committee from the several towns of this county now assembled in Congress, I further declare I will not as Sheriff of said county, or otherwise, act in conformity to, or by virtue of said Acts, unless by the general consent of the said county. I further declare, I have not received any commission inconsistent with the Charter of this Province, nor any commission whatever, since the first day of *July* last. WILLIAM TYNG."

"*County of* CUMBERLAND:

"At the Convention of Committees from the several towns in the said county, held at the house of Mrs. *Greele*, in *Falmouth*, in said county, *September* 21, 1774, voted that the foregoing, by *William Tyng*, Esq., subscribed, is satisfactory to this Convention.

Attest, SAMUEL FREEMAN."

The Convention then formed themselves into a Committee, to accompany Mr. *Tyng* to the body of the people, to present the above Declaration, and adjourned to the old Town House, at 3 o'clock, P. M.—the deliberation to be in publick.

The Committee accordingly went with Mr. *Tyng*, who read the Declaration to the people, which they voted to be satisfactory, and after refreshing themselves, returned peaceably to their several homes.

Three o'clock, P. M. Met according to adjournment.

Voted, That Mr. *Samuel Freeman*, *Solomon Lombard*, Esq., *Stephen Longfellow*, Esq., *David Mitchell*, Esq., *John Lewis*, Captain *John Waite*, *Samuel Thompson*, Captain *Timothy McDaniel*, Doctor *Nathaniel Jones*, *Isaac Parsons*, *Enoch Freeman*, Esq., *David Barker*, and Captain *John Stover*, be a Committee to draw up the sentiments of this Convention, and report the same at the adjournment.

Then adjourned to *Thursday* morning at eight o'clock.

—

September 22d. Met according to adjournment, when the Committee presented the following Report, which, after being read paragraph by paragraph, was unanimously accepted, viz:

The great concern with which the people of this county view the increasing differences which now subsist between the mother country and the Colonies, and the dark prospect which some late Acts of the *British* Parliament have in particular opened to them, has occasioned the several towns herein represented, to choose Committees for this "Convention, to consider what measures it would be "thought expedient to adopt for the general interest of "the county, in the present alarming situation of our publick affairs;" we, therefore, the said Committees, pursuant to the request of our respective towns, guided by a strong attachment to the interests of our oppressed country, think it proper, with respect and deference to our brethren in other counties, to make known our minds, as follows:

We think it the indispensable duty of every subject of the *English* Constitution, for our own sakes, as well as that of future generations, to use his utmost care and endeavour, according to the station he is in, to preserve the same inviolate and unimpaired; for we regard it not only as the foundation of all our civil rights and liberties, but as a system of Government the best calculated to promote the people's peace and happiness. And we lament, that in the present Administration there are men so lost to all the principles of honour, equity, and justice, as to attempt a violation of the rights which we have long enjoyed, and which while we profess ourselves, as we now declare we do, allegiant subjects to *George* the Third, our rightful Sovereign, we have a right still to enjoy entire and unmolested; and it is a melancholy consideration, that the acknowledged head of this respected State, should be induced to pass his sanction to such laws as tend to the subversion of that glorious freedom which preserves the greatness of the *British* Empire, and gives it reputation throughout all the Nations of the civil world. It is too apparent that the *British* Ministry have long been hatching monstrous Acts to break our Constitution, and some they have at length brought forth. We think the Colonies deserve a better treatment from his Majesty, than this which he assents to. We are his loyal subjects and merit his regard; and cannot help thinking that, if he would pursue his own unbiassed judgment, and lay aside the selfish counsel of wicked and designing men, he and his subjects would be mutually happy, and provocations on both sides cease. But since the Ministry have borne their tyranny to such a length as to endeavour to execute their wicked designs by military force in our Metropolis, we fear it is their aim to introduce despotick monarchy. But though their tyranny and oppression seems now with hasty strides to threaten all the Colonies with ruin and destruction, we hope no vengeance will affright, no wiles allure us, to give up our dear-bought liberty, that choisest boon of Heaven, which our fathers came into these regions to enjoy, and which we, therefore, will retain while life enables us to struggle for its blessings.

We believe our enemies supposed we must submit, and tamely give up all our rights. It is true a vigorous opposition will subject us to many inconveniences; but how much greater will our misery be if we relinquish all we now enjoy, and lay our future earnings at the mercy of despotick men? We cannot bear the thought; distant posterity would have cause to curse our folly, and the rising generation would justly execrate our memory. We therefore recommend a manly opposition to those cruel Acts, and every measure which despotism can invent to "abridge our *English* liberties;" and we hope that patience will possess our souls till Providence shall dissipate the gloomy cloud, and restore to us our former happy state.

The late Act for regulating the Government of this Province, we consider, in particular, as big with mischief and destruction; tending to the subversion of our Charter and our Province laws; and, in its dire example, alarming to all the Colonies. This, through the conduct of some enemies among ourselves, will soon bring us into difficulties, which will require some able council to remove. We therefore recommend to each town in this county to instruct their several Representatives to resolve themselves, with the other Members of the House, at their approaching session, into a Provincial Congress for this purpose.

To this Congress we shall submit the general interests of the Province; but for the particular benefit of this county, we do advise and recommend—

1. That the Justices of the Sessions and Court of Common Pleas, and every civil officer in this county, whom no authority can remove, but that which constituted them agreeable to Charter and our own Provincial laws, would religiously officiate in their several departments, as if the aforesaid Act had never been invented; and that every private person would pay a strict obedience to such officers; be always ready to protect and support them, and promote a due observance of our own established laws. And if any person whatsoever shall henceforth, in any manner, dare to aid the operation of the said tyrannick Act, they should be considered as malignant enemies to our Charter rights, unfit for civil society, and undeserving of the least regard or favour from their fellow-countrymen.

2. That every one would do his utmost to discourage law suits, and likewise compromise disputes as much as possible.

3. That it be recommended to the Honourable *Jeremiah Powell*, Esq., and *Jedediah Preble*, Esq., constitutional Counsellors of this Province, residing in this county, that they would take their places at the Board the ensuing session as usual.

4. We cannot but approve of the recommendation given by the Convention of *Suffolk* County, to the several Col-

Digitized by Google

lectors of Province taxes, not to pay one farthing more into the Province treasury, until the Government of the Province is placed on a constitutional foundation; or until the Provincial Congress shall order otherwise; and we recommend the same to the several Collectors of this county. But we think it the duty of the several Collectors of county, town, and district taxes, to perfect their collections, and pay the same into their several treasuries as soon as possible. And here we think it proper to observe, that though we do not coincide in every instance with our *Suffolk* brethren, which may be owing to a want of knowing all the circumstances of affairs, yet we highly applaud their virtuous zeal and determined resolutions.

5. We recommend to every town in this county charitably to contribute to the relief of our suffering brethren in our distressed Metropolis.

6. Lest oppression, which maketh even wise men mad, should hurry some people into tumults and disorders, we would recommend that every individual in the county use his best endeavours to suppress, at all times, riots, mobs, and all licentiousness; and that our fellow-subjects would consider themselves, as they always are, in the presence of the great *God*, who loveth order, and not confusion.

7. That when a general non-importation agreement takes place, we shall look upon it to be the duty of every vender of merchandise to sell his goods at the present rates; and if any person shall exorbitantly enhance the prices of his goods, we shall look upon him as an oppressor of his country; and, in order to prevent imposition in this respect, we recommend that a Committee be chosen in each town to receive complaints against any who may be to blame herein; and if he shall refuse to wait on such Committee, on notice given, or be found culpable in this respect, his name shall be published in the several towns in the county, as undeserving of the future custom of his countrymen.

8. That every one who has it in his power would improve our breed of sheep, and, as far as possible, increase their number; and also encourage the raising of flax, and promote the manufactures of the country.

9. As the very extraordinary and alarming Act for establishing the Roman Catholick religion and *French* laws in *Canada*, may introduce the *French* or *Indians* into our frontier towns, we recommend that every town and individual in this county should be provided with a proper stock of military stores, according to our Province law; and that some patriotick military officers be chosen in each town to exercise their several companies, and make them perfect in the military art.

10. Our general grievances being the subject of deliberation before the Continental Congress, renders it inexpedient to consider them particularly. On their wisdom we have a great dependence, and we think it will be our duty to lay aside every measure to which we have advised, that may be variant from theirs, and pay a due regard to their result.

And now we think it proper to declare, that as we have been recounting the hardships we endure by the machinations of our enemies at home, we cannot but gratefully acknowledge our obligations to those illustrious worthies, our friends of the minority, who constantly opposed this wicked measure, and would heartily wish that some great and good men would invent and mark out some plan that will unite the parent state to these its Colonies, and thereby prevent the effusion of Christian blood. Then,

Voted, That every Member of this Convention be severally interrogated whether he now has, or will hereafter take any commission under the present Act of Parliament for regulating the Government of this Province.

The Members were accordingly interrogated, and each and every of them answered in the negative.

Voted, That the several Committees which compose this Convention, or the major part of each, be and hereby are desired to interrogate the civil officers and other persons whom they may think fit, in their respective towns, whether they now have or will hereafter take any commission under the aforesaid Act.

Voted, That the whole proceedings of this Convention be by the Clerk transmitted to the press, and also to the Town Clerks in the respective towns in this county, as soon as may be.

Voted, That this Convention be continued, and that the Committee of *Falmouth*, or the major part of them, be and hereby are empowered, on any occasion that in their opinion requires it, to notify a meeting of the Delegates thereof, at such time and place as they may think proper, setting forth the occasion thereof.

Voted, That the thanks of this Convention be given to the Honourable *Enoch Freeman*, Esq., for his faithful services as Chairman.

SAMUEL FREEMAN, *Clerk*.

Boston, September 24, 1774.

At a Meeting of the Selectmen and Committee of Correspondence of *Boston*, *September* 24, 1774:

Our friends in the neighbouring towns and country in general, having expressed their uneasiness lest the workmen in this town, by assisting the army in building barracks, would give occasion of umbrage to their friends who dwell more remote, whether in this or the neighbouring Colonies, particularly to our brethren of *New-York*, who have nobly rejected the application of the Barrack-master for mechanics and other assistants from that place; therefore, having debated this matter, in compliance with the applications of our friends in the country, it is the opinion of this Joint Committee, that should the mechanicks or other inhabitants of this town assist the troops, by furnishing them with artificers, labourers, or materials of any kind, to build barracks or other places of accommodation for the troops, they will probably incur the displeasure of their brethren, who may withhold their contributions for the relief of the town, and deem them as enemies to the rights and liberties of *America*, by furnishing the troops with conveniences for their residence and accommodation in this town.

TO THE PRINTERS OF THE BOSTON GAZETTE.

Boston, September 24, 1774.

As I have been informed that the conduct of some few persons of the Episcopal denomination, in maintaining principles inconsistent with the rights and liberties of mankind, has given offence to some of the zealous friends of this country, I think myself obliged to publish the following extract of a letter, dated *September* 9, 1774, which I received from my worthy and patriotick friend, Mr. *Samuel Adams*, a Member of the Congress now sitting in *Philadelphia*, by which it appears, that however injudicious some individuals may have been, the gentlemen of the established Church of *England* are men of the most just and liberal sentiments, and are high in the esteem of the most sensible and resolute defenders of the rights of the people of this Continent; and I earnestly request my countrymen to avoid every thing which our enemies may make use of to prejudice our Episcopal brethren against us, by representing us as disposed to disturb them in the free exercise of their religious privileges, to which we know they have the most undoubted claim; and which, from a real regard to the honour and interest of my country, and the rights of mankind, I hope they will enjoy as long as the name of *America* is known in the world. J. WARREN.

"After settling the mode of voting, which is by giving each Colony an equal voice, it was agreed to open the business with prayer. As many of our warmest friends are members of the Church of *England*, I thought it prudent, as well on that as some other accounts, to move that the service should be performed by a clergyman of that denomination. Accordingly, the lessons of the day and prayer were read by the Reverend Doctor *Duché*, who afterwards made a most excellent extemporary prayer, by which he discovered himself to be a gentleman of sense and piety, and a warm advocate for the religious and civil rights of *America*."

Rye, New-York, September 24, 1774.

We the subscribers, Freeholders and Inhabitants of the town of *Rye*, in the County of *Westchester*, being much concerned with the unhappy situation of publick affairs, think it our duty to our King and country, to declare that we have not been concerned in any resolutions entered into, or measures taken, with regard to the disputes at present subsisting with the mother country. We also testify our

Digitized by Google

dislike to many hot and furious proceedings in consequence of said disputes, which we think are more likely to ruin this once happy country, than remove grievances, if any there are.

We also declare our great desire and full resolution to live and die peaceable subjects to our gracious Sovereign King *George* the Third, and his laws.

Isaac Gidney,	Jonathan Kniffen,	Charles Thaell, Esq.,
Daniel Irwin,	James Jameson,	James Wetmore,
Silemon Halsted,	Andrew Carhart,	Gilbert Brundige,
Abraham Wetmore,	John Buflot,	John Kniffen,
Roger Park,	Thomas Brown,	William Brown,
James Budd,	Seth Purdy,	Joseph Clark,
John Collum,	Gilbert Thaell,	John Park,
Roger Kniffen,	Gilbert Thaell, Jun.,	Joseph Purdy,
Thomas Kniffen,	Disbury Park,	James Gedney,
Henry Bird,	Isaac Brown,	Joshua Gedney,
John Hawkins,	Joseph Merrit, Jun.,	Jonathan Budd,
Gilbert Merrit, Esq.,	Major James Horton,	James Purdy,
Robert Merrit,	Peter Florence,	Ebenezer Brown,
Andrew Merrit,	Jonathan Gedney,	Ebenezer Brown, Jr.,
John Carhart,	Nathaniel Sniffin,	John Adee,
Roger Merrit,	William Armstrong,	John Slater,
Archibald Tilford,	John Guion,	Henry Slater,
Israel Seaman,	Sol. Gidney,	Nathaniel Purdy,
Isaac Anderson,	James Hains,	Benjamin Kniffen,
Adam Seaman,	Elijah Hains,	Andrew Kniffen,
William Hall,	Bartholomew Hains,	Joseph Wilson,
John Willis,	Thomas Thaell,	Nehemiah Wilson,
Rievers Morrel,	John Affroy,	Thomas Wilson,
Capt. Abrm. Bush,	Gilbert Hains,	Benjamin Wilson,
Nehem'h Sherwood,	Dennis Lary,	Gilbert Morris, Jr.,
Abraham Miller,	Hack. Purdy,	*Tim. Wetmore, Esq.,
Andrew Lyon,	Joshua Purdy,	James Hart.
William Crooker,	Roger Purdy,	

Rye, October 17, 1774.

We the subscribers, having been suddenly and unwarily drawn in to sign a certain paper published in Mr. *Rivington's Gazetteer*, of the 13th instant; and being now, after mature deliberation, fully convinced that we acted preposterously, and without adverting properly to the matter in dispute between the mother country and her Colonies, are therefore sorry that we ever had any concern in said paper, and we do by these presents utterly disclaim every part thereof, except our expressions of loyalty to the King, and obedience to the constitutional laws of the Realm.

Abraham Miller,	William Brown,	Andrew Lyon,
William Crooker,	Gilbert Brunidge,	Gilbert Merrit,
James Jameson,	Israel Seaman,	John Carehart,
Andrew Carehart,	John Willis,	John Slater,
John Buflot,	Adam Seaman,	Isaac Anderson.

New-York, September 24, 1774.

At a Meeting of the Committee of Mechanicks of this city, at the house of Mr. *David Philips*, a Letter to them was received from the Mechanicks of the town of *Boston*, which being read, it was resolved unanimously that the same be printed, and is as follows:

Boston, September 8, 1774.

Gentlemen: General *Gage* being determined to cut off the communication of this town with the country, by fortifying the sole pass between them, by land, has applied to several tradesmen in this town, and found none base enough to engage in so villainous an enterprise. And it is now said he intends to apply to *New-York* for workmen to complete his designs. Our tradesmen, therefore, apprehending that your zeal for the common safety is not less to be depended upon than their own, requested us to give you the earliest intimation of the matter, that you might take your measures accordingly.

We cannot entertain a doubt but the tradesmen of *New-York* will treat an application of this kind as it deserves. The subject is of the last importance; and for any one part of *America* to shew a readiness to comply with measures destructive of any other part, will inevitably destroy that confidence so necessary to the common salvation.

We are, gentlemen, your friends and fellow-countrymen,
By order of the Committee,

John Warren, *Chairman.*

To the Committee of Mechanicks of the City of *New-York.*

Upon which it was *unanimously Resolved*, That the thanks of this Committee be returned to those worthy Mechanicks of this city, who have declined to aid or assist in the erecting of fortifications on *Boston Neck*, which, when completed, would probably be improved to spill the blood of their fellow-subjects in the *Massachusetts Bay*; cut off the communication with the country, whereby the soldiery might be enabled to inflict on that town all the distresses of famine, and reduce those brave and loyal people to terms degrading to human nature, repugnant to Christianity, and which, perhaps, might prove destructive of *British* and *American* liberty.

Resolved, Likewise, that the thanks of this Committee be returned to those merchants of this place, for their truly worthy and patriotick conduct, who have virtuously refused to let their vessels to transport the army and the horrid engines of war, for the detestable purpose of destroying his Majesty's faithful subjects in the *Massachusetts Bay*; who are a people well known to have been constant in supporting, and firm in defending, the Protestant succession, as settled in the illustrious House of *Hanover*.

Signed by order, and in behalf of the Committee of Mechanicks,

Abel Hardenbrook, Jun., *Chairman.*

COPY OF A LETTER FROM THE HONOURABLE GOVERNOUR GAGE TO THE EARL OF DARTMOUTH, DATED BOSTON, SEPTEMBER 25, 1774.

My-Lord: The enclosed extract of a letter from General *Haldimand*, with a printed bill posted at *New-York*, serve to shew a bad disposition of too many in that place; but I hope the General will find means to secure the stores, and that the transports will get up to the town to receive them. It was found impossible to put the troops under cover here without erecting some temporary lodgements; and on the supposition that workmen could not be procured here, it was thought expedient to send to *New-York*; but the printed bill deterred the carpenters of that place from coming here, whilst, contrary to what was imagined, the *Boston* artificers have undertaken our work.

The messages and addresses delivered by me to the Selectmen of *Boston*, and the Delegates of the County of *Suffolk*, concerning a work at the entrance of the town, where I propose to lodge a regiment, was mentioned to your Lordship in a former letter, and I now transmit printed copies of them. Your Lordship will observe that the Delegates complain of misinformation, and deny a wish of independency.

Many members are chosen for the General Court that was appointed to meet at *Salem*, on the fifth of next month, and I have information that the old Council has been summoned to attend there. The new Council, appointed by the King, who have taken refuge in this town, dare not attend at *Salem*, unless escorted there and back again by a large force, which as affairs are circumstanced will answer no end. The Assembly will not act with them, and I cannot act with the old Council, so that nothing but confusion can arise from a meeting of the General Court, on which account I mean to fall on measures to postpone the sessions.

We hear of nothing but extravagances in some part or other, and of military preparations from this place to the Province of *New-York*, in which the whole seems to be united. Upon a rumour, propagated with uncommon despatch through the country, that the soldiers had killed six people, and that the ships and troops were firing upon *Boston*, the whole country was in arms and in motion, and numerous bodies of the *Connecticut* people had made some marches before the report was contradicted.

Your Lordship will know, from various accounts, the extremities to which affairs are brought, and how this

* The above paper, like many others, being liable to misconstruction, and having been understood by many to import a recognition of a right in the Parliament of *Great Britain* to bind *America* in all cases whatsoever, and to signify that the Colonies labour under no grievances, which is not the sense I meant to convey, I think it my duty to explain my sentiments upon the subject, and thereby prevent future mistakes. It is my opinion that the Parliament have no right to tax *America*, though they have a right to regulate the trade of the Empire. I am further of opinion, that several Acts of Parliament are grievances, and that the execution of them ought to be opposed in such manner as may be consistent with the duty of a subject to our Sovereign; though I cannot help expressing my disapprobation of many violent proceedings in some of the Colonies.

November 3, 1774. Timothy Wetmore.

Digitized by Google

Province is supported and abetted by others beyond the conception of most people, and foreseen by none. The disease was believed to have been confined to the town of *Boston*, from whence it might have been eradicated, no doubt, without a great deal of trouble, and it might have been the case some time ago; but now it is so universal there is no knowing where to apply a remedy.

I am, &c., THOMAS GAGE.

P. S. I enclose two Resolutions of the Congress, just arrived from *Philadelphia*, approving the Resolutions of the County of *Suffolk*, in this Province, transmitted in my letter to your Lordship, No. 13. T. G.

MEETING OF FREEHOLDERS OF MIDDLESEX, ENGLAND.

Account of the transactions at the Meeting, at *Mile End*, of the Freeholders of the County of *Middlesex*, on the 26th of *September*, 1774.

At twelve o'clock about forty Freeholders were assembled, who had paid each one shilling for admittance. They now began to come in faster, and several gentlemen refused to pay the admittance money. At this instant the two Sheriffs arrived, and a contest arose about paying the previous shilling, which at length subsided on the Sheriffs agreeing to give ten guineas for the use of the room, and those gentlemen who had paid received their money again, and the doors were thrown open. About one o'clock the Sheriffs took the chair, and Mr. Sheriff *Sayre* having apologized for the obstruction that had happened, which arose from a misunderstanding between the Under Sheriff and the master of the house, the business began.

Mr. *Sayre*, in a very handsome speech, reminded the Freeholders of the very important occasion of their being assembled; he expatiated on the rights and privileges of *Englishmen*, and hoped they would, while they were yet at liberty to assemble, nominate such men for their Representatives in Parliament as would be zealous to transmit their rights to the latest posterity.

Mr. Sheriff *Lee* then desired leave to read a letter which intimated the wish of several gentlemen to know whether persons possessed of freeholds in *London* had a right to vote as freeholders of *Middlesex*, and requesting that the question might be agitated at the *Mile End* Meeting; but no person in company avowing the latter, the matter subsided.

A Freeholder now moved that the gentlemen to be returned as proper persons to represent the county in Parliament, should sign a declaration to the following effect: That they would endeavour to obtain Acts for shortening the duration of Parliament; for limiting the number of placemen and pensioners, &c.; and to procure the repeal of the *Quebec* Act; the *Boston* Port Bill; the Bill for the administration of justice in the Province of the *Massachusetts*, and the Bill to subject persons offending in *America* to be brought to *England* for trial.

Mr. *Sawbridge* proposed, in addition hereto, that the candidates should also sign a general declaration of their principles as being founded on those of the Revolution. After some debate, the last article was put separately, and when it had appeared that it was the general sense of the Freeholders that this article should make part of the declaration to be signed by the candidates, a gentleman objected to the proceedings as irregular, insisting that the other part of the proceedings should have been first proposed. This occasioned some hesitation, till Mr. *Sawbridge* set the company right by informing them that it was a rule in the House of Commons, when any question was proposed, and an amendment afterwards offered, to submit the amendment first, and then the whole question as amended. The whole conditions were, therefore, now submitted to the opinions of the Freeholders, which, with only seven dissenting hands, were, that the candidates should sign a declaration to the purport above mentioned.

Mr. *Wilkes* declared his perfect willingness to sign the paper, and said that Mr. *Glynn* had seen all of it but the proposed amendment, which he was likewise willing to sign. There seemed to be no doubt of Mr. *Glynn's* equal readiness to sign the declaration respecting the Revolution principles; and it was proposed, first the name of each candidate separately, and then both together, "That *John* "*Wilkes* and *John Glynn*, Esquires, be proper persons to "represent this county in Parliament, on condition of their "signing the above mentioned obligation;" to which all hands, except about five, readily assented with the loudest plaudits.

The following is a copy of the Engagement signed by *John Wilkes* and *John Glynn*, Esquires.

We (*John Wilkes* and *John Glynn*) do solemnly promise and engage ourselves to our constituents, if we have the honour of being chosen the Representatives in Parliament of the County of *Middlesex*, that we will endeavour, to the utmost of our power, to restore and defend the excellent form of government modelled and established at the Revolution, and to promote acts of Legislature for shortening the duration of Parliaments; for excluding placemen and pensioners from the House of Commons; for a more fair and equal representation of the people; for vindicating the injured rights of the Freeholders of this county, and the whole body of electors of this United Kingdom; and an Act for the repeal of the four late Acts respecting *America;* the *Quebec* Act, establishing Popery, and the system of *French Canadian* laws in that extensive Province; the *Boston* Port Act; the Act for altering the Charter of the Province of *Massachusetts Bay;* and the Act for the trial in *Europe* of persons accused of criminal offences in *America;* being fully persuaded that the passing of such Acts will be of the utmost importance for the security of our excellent Constitution, and the restoration of the rights and liberties of our fellow-subjects in *America*

JOHN WILKES,
JOHN GLYNN.

EXTRACT OF A LETTER FROM WORCESTER, DATED SEPTEMBER 27, 1774.

Yesterday we had a meeting of all the male inhabitants from the age of sixteen to seventy, who formed themselves into companies and proceeded to the choice of officers; those who held their commissions under Governour *Hutchinson* (except a few) having resigned them. One-third part of the inhabitants were appointed to be in readiness to march to whatever place their assistance may be wanting.

On *Friday* next there will be a meeting of the County Committee, in order to remonstrate to General *Gage* respecting his fortifications at the only entrance by land into our much esteemed capital.

Boston, September 27, 1774.

A few days ago General *Gage* paid for, and deposited in his Majesty's Magazine, a quantity of military stores, which had been provided many years since at the desire of Colonel *Bradstreet*, and had laid from that time on the hands of Mr. *Scott*. The Selectmen and the Committee of Correspondence sent for Mr. *Scott*, and told him he deserved immediate death for selling warlike stores to the enemy; and a number of people instantly assembled to put this sentence in execution; but Mr. *Scott* was so fortunate as to make his escape; his house however suffered very much before the people separated, at the desire of the Selectmen.

Dr. *Warren*, the President of the Committee of Correspondence, came about nine o'clock at night to the General, acquainting him that he was to write to the Congress immediately, and he desired for their information, that the General would answer the following questions: viz: What is the meaning of the fortifications? What is the meaning that the General buys military stores? Are the people at *Boston* to be made hostages, in order to compel the people of the country to comply with the new laws?

Dr. *Warren* received for answer, that as the country people were all armed, and collecting cannon and military stores from all quarters, which, as they were not soldiers by profession, or under the least apprehension of any invasion, could indicate nothing but their intention of attacking his Majesty's forces in that town, it became therefore the General, and it would be inexcusable in him to neglect to provide for their defence, and to enable them effectually to resist the attempts which it is no longer doubtful the people meditate against them. That the very construction of the fortifications show them to be defensive; and every body

Digitized by Google

might easily discern that they are not calculated, in any respect, to annoy the town or disturb the inhabitants, or even to lay them under the least restraint. That it is notorious that many cannon have been conveyed, notwithstanding the works, from thence; and arms are carried out openly by every man that goes out of *Boston* without molestation.

That though the General, to ease the town of the burden of furnishing quarters for the troops, and to keep the troops from every possibility of giving offence to the inhabitants, hath ordered barracks to be erected for them, which he conceives to be of equal utility to the town as to the troops, nevertheless the Selectmen and the Committee have ordered all the workmen to quit this employ, though they were paid by the King. That orders are given to prevent all supplies for *English* troops. Straw, purchased for their use, is daily burnt; vessels, with bricks, sunk; carts, with wood, overturned; and thus even the property of the King is destroyed in every manner in which it can be effected. Yet such is the General's desire to preserve to the last, as far as in his power, the peace and quiet of the people, that all these disorders, though not the effect of rash tumult, but of evident system, are endured with patience. There can therefore be no reality in the apprehensions which it appears the people conceive of dangerous designs entertained by the troops against them, when these very people are not afraid to provoke the troops by every wanton insult they can devise.

Boston, September 27, 1774.

At a Meeting of the several Committees of the Towns of *Boston, Roxbury, Dorchester, Watertown, Charlestown, Cambridge, Mistick, Dedham, Milton, Malden, Braintree, Woburn*, and *Stow, September* 27th, the following Resolves and Vote were passed, viz:

Whereas the inhabitants of the towns of *Boston* and *Charlestown*, by the operation of the detested and oppressive Port Bill, are now suffering unspeakable distress, arising from the entire prohibition of commerce, and the transportation of even necessaries of life by water, from one town to another: And whereas, in addition to the severity of said execrable Bill, General *Gage*, the military commander of this Province, and the Admiral on this station, are now in exercise of the most licentious and arbitrary acts of oppression, by withholding provisions from this town, allowed by said Act of Parliament, by embarrassing, unnecessarily detaining, and thereby preventing the usual supplies of fuel to said town; by harassing, insulting, and vilifying the inhabitants passing and repassing to and from the town of *Boston;* by alarming the people with the most formidable fortifications at the entrance of said town; by continuing and increasing their apprehensions, with a design of erecting batteries and pickets to surround the town; thereby to awe and intimidate, if not to subjugate the inhabitants to a tame and unresisting state of servitude:

Therefore, Resolved, That it is the opinion of these Joint Committees, that should any person or persons, inhabitants of this or the neighbouring Provinces, supply the troops now stationed in the town of *Boston*, acting in open hostility to the persons and properties of the inhabitants, with labour, lumber, joists, spars, pickets, straw, bricks, or any materials whatsoever, which may furnish them with requisites to annoy or in any way distress said inhabitants, he or they so offending shall be held in the highest detestation; be deemed the most inveterate enemies of this people; and ought to be prevented, opposed, and defeated, by all reasonable means whatsoever.

Voted, That it is the opinion of the Committees, that Committees of Observation and Prevention should be appointed by each town, particularly in *Roxbury, Milton, Dedham, Cambridge, Braintree, Mistick, Charlestown*, and *Watertown*, and that the Committees of Correspondence be desired to appoint Committees to see that the Resolves of the Joint Committees entered into this day be faithfully executed.

The following is a copy of a Letter which was sent to every Town and District in this Province:

Boston, September 27, 1774.

GENTLEMEN: The Committees of Correspondence of this and several of the neighbouring towns, have taken into consideration the vast importance of withholding from the troops now here, labour, straw, timber, slitwork, boards, and in short, every article excepting provisions, necessary for their subsistence; and being under a necessity from their conduct of considering them as real enemies, we are fully satisfied that it is our bounden duty to withhold from them every thing but what mere humanity requires; and therefore we must beg your close and serious attention to the enclosed resolves, which were passed unanimously. And as unanimity in all our measures in this day of severe trial is of the utmost consequence, we do earnestly recommend your co-operation in this measure, as conducive to the good of the whole. We are, &c., your friends and fellow-countrymen.

Signed by order of the Joint Committee.

EXTRACT OF A LETTER FROM COLONEL WILLIAM PRESTON, DATED FINCASTLE, SEPTEMBER 28, 1774.

That part of the army under the command of Colonel *Lewis*, which is to meet Lord *Dunmore* at the mouth of the *Great Kenhawa*, or *New* River, assembled at the *Great Levels* of *Greenbrier*, to the amount of about fifteen hundred rank and file. Colonel *Charles Lewis* marched with six hundred men on the 6th instant, for the mouth of *Elk*, a branch of *New* River, which empties some distance below the Falls, there to build a small Fort, and prepare canoes. Colonel *Andrew Lewis* marched with another large party the 12th instant, for the same place; and Colonel *Christian* was to march yesterday with the remainder, being about four hundred, and the last supply of provisions. This body of militia being mostly armed with rifle guns, and a great part of them good woodsmen, are looked upon to be at least equal to any troops for the number that have been raised in *America*. It is earnestly hoped that they will, in conjunction with the other party, be able to chastise the *Ohio Indians* for the many murders and robberies they have committed on our frontiers for many years past.

On the 8th instant, one *John Henry* was dangerously wounded, and his wife and three children taken prisoners, on the head of *Clinch* River. The man at that time made his escape, but is since dead of his wounds. The same day a man was taken prisoner by another party of the enemy on the north fork of *Holston*. On the 13th a soldier was fired upon by three *Indians* on *Clinch* River; but, as he received no hurt, he returned the fire, and it is believed killed an *Indian*, as much blood was found where he fell, and one of the plugs which burst out of his wound was also found. The soldier was supported by some men who were near, and gave the two *Indians* a chase; who, it is supposed threw the wounded one into a deep pit that was near. These parties of the enemy were pursued several days by Captain *Daniel Smith*, who could not overtake them, they having stolen horses to carry them off.

On the 23d, two negroes were taken prisoners at *Blackmore's* Fort, on *Clinch* River, and a great many horses and cattle shot down. On the 24th, a family was killed and taken at *Reedy* Creek, a branch of *Holston*, near the *Cherokee* line; and on *Sunday* morning, the 25th, hallooing, and the report of many guns were heard at several houses, but the damage done was not known when the express came away. These last murders are believed to be perpetrated by the *Cherokees*, as two men lately returned from that country and made oath that two parties had left the towns, either to join the *Shawanese* or fall upon some of our settlements; and that the *Cherokees* in general appeared in a very bad temper, which greatly alarmed the traders.

It is impossible to conceive the consternation into which this last stroke has put the inhabitants on *Holston* and *Clinch* Rivers, and the rather, as many of their choice men are on the expedition, and they have no ammunition. Two of these people were at my house this day, and, after travelling above an hundred miles offered ten shillings a pound for powder; but there is none to be had for any money. Indeed it is very alarming; for should the *Cherokees* engage in a war at this time it would ruin us, as so many men are out, and ammunition so scarce. Add to this the strength of those people, and their towns being so near our settlements on *Holston*.

Digitized by Google

EXTRACT OF A LETTER RECEIVED IN LONDON FROM MARYLAND, DATED SEPTEMBER 28, 1774.

The general Congress is now sitting, and consists of Deputies from every Colony on the Continent, except *Quebec* and the two *Floridas*. You shall hear soon again from me if they do not recommend a stop to all mercantile commerce with *Great Britain*. This Congress is truly respectable. It consists of about seventy Members, men of integrity, men of talents, chosen without solicitation, bribery, or corruption; chosen only on account of their integrity and talents. I will not compare them to the House of Commons in point of fortune and property; but I will not degrade them by making it a doubt whether the *American* Congress does not excel both Houses of Parliament in honour, honesty, and publick spirit. All your publick papers tell us both Houses of Parliament are corrupt and venal; their acts against *America* speak them tyrannical. Why is *England* put to the immense expense of sending troops and ships of war to awe us into obedience; is she able, under such a load of debts, to bear an increase? Is the Ministry weak enough to think we shall draw the sword, when patience and forbearance of commerce will very effectually answer our purpose? *America* does not yet contain five millions of souls. In fifty years, according to the common course of population, she may contain at least sixty millions. Will *Great Britain* then pretend to tax us, and enforce payment by her troops and Navy?

New-York, September 29, 1774.

Yesterday great numbers of the following, in a Handbill, were distributed in this city:

To the Publick.—An application having been made to the Merchants of *Philadelphia*, by the Agents of the *British* Ministry, for supplying the troops now in the town of *Boston*, and parts adjacent, with blankets and other necessaries; and they conceiving that the complying with the said offer would be attended with the most fatal consequences to the common cause of *America* (by enabling General *Gage* to continue his despotick and arbitrary designs against our distressed brethren in that devoted capital) nobly and generously refused, thereby sacrificing their private interest to the publick good. And, a report prevailing, that a number of persons in this city have, inconsiderately, contracted to furnish the Ministerial Agents with sundry articles for the aforesaid purpose, contrary to the sense of the Continental Congress, as appears by their resolves respecting the town of *Boston* and Province of *Massachusetts Bay*, a body of freeholders and freemen convened at the house of *William Marriner* yesterday evening in order to take the said report into consideration. And being deeply impressed with the distressing consequences that such imprudent conduct will be productive of to their already greatly oppressed fellow-subjects, appointed a Committee to wait on those gentlemen who may have engaged, as aforesaid, in order to learn a true state of the case, and obtain their answer in writing, and also report the same, this evening, at five o'clock, at the house of *Edward Bardin*, to the inhabitants of this city, then and there to be convened. This is, therefore, to notify all the friends of liberty there to attend the delivery of the said report, and adopt such measures as the exigency of this alarming occasion may require.

New-York, September 28, 1774.

In consequence of the above Notice there was a very numerous meeting at the time and place appointed, when several reports were made, and resolutions entered into, but as the time was not sufficient to finish the business, the Meeting was adjourned till this evening at six o'clock, at the same place.

PROVINCE OF MASSACHUSETTS BAY.

By the Governour.—A PROCLAMATION.

Whereas, on the first day of *September*, instant, I thought fit to issue writs for calling a Great and General Court or Assembly, to be convened and held at *Salem*, in the County of *Essex*, on the fifth day of *October* next; and whereas, from the many tumults and disorders which have since taken place, the extraordinary Resolves which have been passed in many of the counties, the Instructions given by the town of *Boston*, and some other towns, to their Representatives, and the present disordered and unhappy state of the Province, it appears to me highly inexpedient that a Great and General Court should be convened at the time aforesaid; but that a session, at some more distant day, will best tend to promote his Majesty's service and the good of the Province. I have, therefore, thought fit to declare my intention not to meet the said General Court at *Salem*, on the said fifth day of *October* next. And I do hereby excuse and discharge all such persons as have been, or may be, elected and deputed Representatives to serve at the same, and giving their attendance, any thing in the aforesaid writs contained to the contrary notwithstanding; whereof all concerned are to take notice and govern themselves accordingly.

And the Sheriffs of the several counties, their Under Sheriffs or Deputies, and the Constables of the several towns within the same, are commanded to cause this Proclamation to be forthwith published and posted within their Precincts.

Given at *Boston*, the twenty-eighth day of *September*, seventeen hundred and seventy-four, in the fourteenth year of the reign of our Sovereign Lord *George* the Third, by the grace of *God*, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

THOMAS GAGE.

By his Excellency's command,

THOMAS FLUCKER, *Secretary*.

GOD *save the King*.

EXTRACT OF A LETTER FROM THE COMMITTEE OF CORRESPONDENCE FOR THE TOWN OF BOSTON TO THE CONGRESS, DATED SEPTEMBER 29, 1774.

Yesterday it appeared that *Joseph Scott*, Esquire, had sold to the army a number of cannon, some cohorns, shells, chain, and other shot. Upon the matter being discovered, and Mr. *Scott's* being acquainted with the resentments of the people, he forbade the party who were sent for them to take them away; they nevertheless proceeded and carried them on board their ships. This created much disturbance, and a guard was offered to Mr. *Scott* by the General; but Mr. *Scott* was informed that no military guard could save him, and would but stimulate the people to acts of greater violence. Many gentlemen, who foresaw what must have ensued, endeavoured to dissuade the people from attacking the house; and, finally, some persons engaged, that if no guard was set to the house they would do all in their power to disperse the people. This was complied with, and the exertions of the gentlemen of the town proved effectual, some dirt and filth thrown upon his warehouse being all the injury he sustained. We have given an account of this affair because we expect some untrue representation will be made, perhaps much to the disadvantage of the town.

London, October 1, 1774.

Yesterday his Majesty came from *Kew* to *St. James's*, where there was a levee, and afterwards a Council was held, at which the Lord Chancellor, Lord *North*, the Lords *Dartmouth* and *Barrington*, &c., assisted, when his Majesty signed the following Proclamation for dissolving the Parliament, and for calling another:

BY THE KING.

A Proclamation for Dissolving this present Parliament, and declaring the Calling of another.

GEORGE R.

Whereas we have thought fit, by and with the advice of our Privy Council, to dissolve this present Parliament, which now stands prorogued to *Tuesday*, the 15th day of *November* next; we do, for that end, publish this our Royal Proclamation, and do hereby dissolve the said Parliament accordingly; and the Lords Spiritual and Temporal, and the Knights, Citizens, and Burgesses, and the Commissioners for shires and burghs, of the House of Commons, are discharged from their meeting and attend-

Digitized by Google

ance on *Tuesday*, the said 15th day of *November* next. And we, being desirous and resolved, as soon as may be, to meet our people and to have their advice in Parliament, do hereby make known to all our loving subjects our royal will and pleasure to call a new Parliament. And do hereby further declare, that with the advice of our Privy Council, we have this day given order to our Chancellor of *Great Britain* to issue out writs in due form for calling a new Parliament, which writs are to bear test on *Saturday* the first of *October* next, and to be returnable on *Tuesday* the 29th of *November* following.

Given at our Court at *St. James's*, the 30th of *September*, 1774, in the fourteenth year of our reign.

God *save the King*.

Philadelphia, October 1, 1774.

Among the variety of means that have been proposed for obtaining a repeal of the three *Boston* Bills, (as they are called,) and the Tea Act, a general non-remittance is one. This proposal stands condemned by many, merely from its supposed injustice. It may, perhaps, with some propriety, be compared to a sheep in a wolf's coat; and if so, the general disapprobation it has met with is not at all to be admired at. We are apt to judge from appearances, without sufficiently examining the nature and merits of the cause; and our prejudices frequently lead us into hasty and wrong conclusions. Thus, a sheep in a wolf's coat, however harmless and useful the animal might be, would probably, on its first appearance, be condemned and destroyed. And as we are all, from our cradles, prejudiced against and taught to detest the fraudulent withholding of a debt, therefore, whatever bears such appearance, though, perhaps, from certain concomitant circumstances rendered perfectly just, shall, like the sheep in the wolf's coat, be instantly condemned.

In order, however, a little to divest ourselves of this prejudice, let us suppose that two neighbours, A and B, for instance, have dealt together and supported a good understanding many years; but that A, at length, takes it in his head, without any cause or provocation, to seize and detain one of B's children, with a design to enslave it; that B is at this time one hundred pounds in debt to A, and has no way to prevail on him to relinquish his child, but by withholding payment till he does; and then ask yourselves seriously, whether, in this case, it would really be unjust to withhold payment; or rather, whether the purest laws of *God* and nature, would not absolutely enjoin and require it? Must not the parent who would voluntarily, in such case, put the means of his child's redemption out of his power, for only the frivolous purpose, comparatively speaking, of paying a debt, be totally destitute of the generous feelings of compassion, or utterly ignorant of the real value of liberty.

But the people of *Great Britain*, (among whom our creditors are included,) are not only endeavouring to enslave our children, but enslave us also. The means we see are already contrived, and with horrid force carrying into execution. And if to obtain freedom for an individual, a just debt ought to be withheld, surely to obtain it for and secure it to millions, will justify an act of the same nature. If payment in that case would have been criminal, must it not be infinitely more so in this? Where so great and general a good is depending, to give up any part of the means requisite for obtaining it, must approach near to unpardonable.

I said the people of *Great Britain* are endeavouring to enslave us. I consider their conduct in that light. The Acts which have that tendency were passed by their Deputies—by their servants, and they have not so much as remonstrated against them. Their silence is an evidence of consent. But we have further evidence. Our friends in Parliament, by way of complaint, openly declared that the people of that country approve those measures, and wish to see them carried into execution as much as the majority of that House. The Minister might invent, and the Parliament might enact, but it is the people that are to support and enforce them.

It is, therefore, *Great Britain*, in her collective capacity, that we have to dispute with; which seems to render the most general and powerful mode of opposition that we can possibly devise and carry into execution, consistent with the laws of *God* and our country, absolutely necessary. Partial measures, it is true, may irritate—they may distress and even ruin many individuals, both at home and here; but an arbitrary Minister, with a venal Parliament at his heels, will easily brave the storm of their resentment. Whereas, if we adopt measures that will send distress to every part of the whole Empire, our enemies must soon yield to the force of our argument. Here, I presume, will be the time for us to remonstrate; to send the mother country a state of our grievances, with a boundary line sketched out between her power and our own. Being convinced of her errour in supposing herself omnipotent, she may, perhaps, have an ear to hear, and a heart to yield to right reason.

Nor can I but be of opinion, that we shall stand firmer to our engagements, in a short, general, and vigorous opposition, that will diffuse its burden and loss upon us all, than in a partial lingering one, borne only by a few. To throw the whole burden of the contest on our dry goods merchants, appears too replete with injustice to bear a vindication. If we all wish to partake of the advantage, let us all be willing to pay a part of the price.

The farmer, who insists that the dry goods merchant shall cease to import, though the measure should even deprive him of bread; and yet, through fear of some frivolous loss to himself, very wisely protests against non-exportation, certainly merits the utmost contempt. Nor does the farmer, in this case, stand alone. The miller lays claim to publick spirit; talks loudly for liberty; and also insists upon a non-importation; and in order to enforce the scheme upon the merchant, will readily agree to a general non-consumption; but no sooner is non-exportation sounded in his ear, than his mighty publick spirit, like *Milton's* devils at their Pandemonium consultation, is instantly dwarfed. "My interest, sir! I cannot part with that! "Alas! if a general non-exportation takes place, what shall "I do with my mill?"

Liberty is, in this good man's opinion, a Goddess, and he passionately wishes to live under the benign influence of her smiles; and yet, rather than forego the profits of his mill for the space of a year, this goddess of his may perish, and his country be bound in ever-during chains of slavery. Oh! shameful partiality! Shameful meanness! Such selfish souls even taint the very air they breathe in; their disorder is infectious and spreads among the people; our councils are enfeebled by the schisms they produce; and the laudable spirit of liberty is sickened by their breath.

We have, however, farmers and millers who breathe forth sentiments of a different nature; and who well deserve to be ranked with the foremost of our patriots.

Soon after *William* the Third came to the Crown of *Great Britain*, there appeared divisions amongst the people respecting his right. The Parliament empowered him to borrow money on his revenues; and the advice of his friends was, borrow what you can; the more you borrow the more friends you make; interest is a stronger tie than principle. The King took their advice, and soon secured in his favour the moneyed part of the Nation.

The same reason will operate in favour of non-remittance. The more we owe the *British* merchants, the more they will exert themselves in our behalf. In proportion to the debt, it will ever be their interest to ward off such measures as may tend to work our ruin, or cause us to revolt. But the moment we pay them their demands, we release them from this obligation; and, in some degree, set them at liberty to unite with our enemies in working our ruin. They may, perhaps, find other customers for their goods; but the debts we owe them they can never expect to receive from any other quarter; and, therefore, should we be drove to the utmost extremity, they are sure of losing the whole. Nor will this loss affect them only, for it must very sensibly affect the Nation in general.

It is I know said, that some of these creditors are our friends; and that it would be unjust to do any thing tending to injure them. But then it is also said, and as truly, that necessity has no law. We are, indeed, very sorry that *British* measures have laid us under the disagreeable necessity of using means of opposition injurious to *British* merchants; and more especially such as are really our friends. But I know of no law either moral or divine, that

Digitized by Google

requires us to love our friends better than ourselves. If the best friends we have should be unfortunately obliged to suffer with us, all that they can ask, or we can grant, consistent with the laws of nature and self-preservation, will only be to sympathize with them in their affliction, and endeavour to obtain their relief by obtaining our own. They must have too much good sense, I presume, to think hard of us for adopting a measure so essential to our preservation. They know, they feel, that self-preservation is the first law of nature, and that it ought to be, above all others, religiously regarded. Their breasts may indeed swell with indignation against the men whose callous and corrupt hearts have compelled us to do things so injurious to them and unpleasant to ourselves.

Whatever the *British* merchants might lose, however, by a general non-remittance, I am clearly of opinion they would lose far more by a general non-importation. For although non-remittance will operate most speedily, and, with regard to influencing their conduct, probably do us most service; yet, upon a supposition that trade will again revive, and remittance be made, it must do them less damage; they will then have the satisfaction of receiving their whole original demands, with interest. Whereas, if a non-importation takes place, their usual profits on trade thereby withheld, together with the losses on perishable articles, and the interest on the value of goods lying upon their hands, must be dead loss to them forever; which will probably far exceed any loss that could possibly attend their lying out of their money. But then, if matters should be carried so far as to prevent remittances ever being made, their loss must be prodigious; and this is what it will put them upon to prevent; and the fear of this, we may reasonably suppose, will stimulate them to exert every nerve in our favour.

When I consider the importance of what we are contending for, I own I cannot but think it would betray a great weakness in us to decline adopting any one salutary measure, either through fear of loss to our friends or to ourselves. If every means in our power to use will no more than insure us success, how fatal may prove the disuse of any one? Hath it not been consistent with the wisdom of whole Empires, to spend great part of their wealth, and the purest of their blood, in defence of their liberty? And when their dreadful struggles have been crowned with success, have they not ever thought the enjoyment far superiour to the price it cost them?

If it is *Britain* collectively that we have to contend with, then in this as in all other national contests, the innocent must unavoidably suffer with the guilty—our friends with our foes. It is impossible for us to point our weapons against our enemies only; or, indeed, in this case, to point them against the principals at all. But it is not impossible for us so to wound a lion in his foot as soon to disorder his whole body, and grievously sicken his head.

We are not now to consider what will affect individuals in *Britain;* but what will affect *Britain* in general. We ought not to regard the sentiments and conduct of particular persons there, so as to model our measures to screen them; but we ought to attend to and regard the sentiments of *Britain* collectively as one great individual; and in like collective capacity ought we to consider ourselves, and also to act.

If, then, *Britain* has a demand of debt against us, and we a demand of a different nature, but superiour in value, against her; with what propriety or justice can she expect payment, when she refuses to allow us our superiour demand? We must certainly, agreeable to the strictest rules of honesty, and the general practice between neighbour and neighbour, have clearly a right to withhold payment until she condescends to come to a settlement. When this settlement is obtained, and the demands on each side are fully and fairly stated, and the balance struck; this balance, whether it falls in favour of her or of us, will be the sum total that ought to be paid. But as the articles of our demand against her are inconceivably valuable, being no less than liberty, peace, and a free trade, I believe we may venture to anticipate the settlement, and safely conclude that the balance will certainly prove in our favour; and that it will be by much too high for all the wealth in *Britain* to pay. And if this be the case, as I presume it is, then it will necessarily follow that she can never have a balance in her favour, nor equitable demand of debt against us, until those three articles of our demand are again restored to our possession.

As these articles, however, are seldom if ever met with in books of account, some people may, perhaps, affect to sneer at their being considered as articles of charge, proper to balance the demand of debt the mother country has against us. But whatever ideas, with regard to proper articles of charge, custom may have riveted in these men's heads, I imagine the unprejudiced will conceive with me, that whatsoever is of value to mankind is, with mankind, a proper article of charge. And our lawyers will tell these gentlemen, that whoever illegally deprives another of his liberty, peace, or trade, is not only liable to a charge therefor, but to an action also.

And if *Britain* denies us the benefit of the law, for the recovery and enjoyment of those invaluable articles of our demand against her; totally refusing to listen to our plea of legal constitutional rights—of solemnly granted Charter privileges, and of her faith plighted and confirmed to our forefathers, she sets us a striking example to deny her merchants the benefit of the law and the assistance of our courts, for the recovery of their demands against us; even though we had no equitable right to withhold them. Such equitable right, however, I suppose really and fairly to exist; and yet am I far from holding it just, that those merchants, if innocent with regard to the malepractices which gave that right existence, should bear the loss; for their rulers, who have so wantonly and wickedly brought the mischief on them, ought, no doubt, upon the purest principles of equity, to make them whole.

And now, before I conclude, let me just observe, that I remember to have seen in some of our papers, a very sounding protest against a resolution of a respectable county, in a neighbouring Colony, in favour of shutting our courts against the *British* merchants, in order to withhold payment for a time. The protesters might possibly imagine that such high terms of censure as they were pleased to express their disapprobation in, would awe people into a detestation of the measure, without considering the ground on which it was proposed. In this, perhaps, they were not wholly mistaken. It frequently happens that we are misled to condemn an effect, without first comparing it with and weighing it against the cause that produced it. To withhold a just debt without just cause, would certainly be wrong; but then, to withhold a just debt with just cause, would as certainly be right. I have not only endeavoured to show that such just cause may exist, but also that it really does exist, in the case now depending between us and the mother country, and which gave rise to the resolve I just now mentioned. If I have been so happy as to succeed in these two points, then I presume it will follow, that to stop payment agreeable to the spirit and design of that resolve, will neither injure our consciences as Christians, nor our credit as traders.

EXTRACT OF A LETTER FROM THE HONOURABLE GOVERNOUR GAGE TO THE EARL OF DARTMOUTH, DATED BOSTON, OCTOBER 3, 1774.

My Lord: Your Lordship's letter of the 3d of *August*, No. 8, was received on the 27th ultimo, and its duplicate by packet next day. The change that has happened in the affairs of this country, your Lordship will have been made acquainted with, since the date of the above despatch, from various parts, and know with what violence the other Colonies have espoused the cause of the *Massachusetts Bay*, though some more moderate than others. The Congress is still sitting, and from some previous resolves they have published, particularly one transmitted your Lordship, approving the resolves of *Suffolk* County, and another recommending non-importation, we do not expect much good from their deliberations.

I mentioned to your Lordship my intention to postpone meeting the Assembly, and you will see the Proclamation to that end in the enclosed papers, together with the resolves of *Worcester*, and some publications against supplying the King's troops with necessaries; so that I was premature in telling your Lordship that the *Boston* artificers would work for us. This refusal of all assistance has thrown us into difficulties, but I hope to get through them,

Digitized by Google

and to be able to put the troops under cover, though not so comfortably as I could wish.

I do not find that the spirit abates any where, for it is kept up with great industry.

They are shortly to have a Provincial Congress in this Colony, composed chiefly of the Representatives lately chosen to meet at *Concord*, where it is supposed measures will be taken for the government of the Province.

DEPUTY GOVERNOUR PENN TO THE EARL OF DARTMOUTH.

Philadelphia, October 3, 1774.

My Lord: Since I had the honour to write to your Lordship on the 6th of last month, the Congress of Deputies from the several Colonies have continued sitting in this city; but as they have agreed to keep all their proceedings secret, I have it not as yet in my power to transmit to your Lordship any account thereof, except what they themselves have published in the newspapers, which is comprised in three resolves. One of them is a request to the merchants in the several Colonies not to send any orders to *Great Britain* for goods, and to direct the execution of all orders already sent to be suspended until the sense of the Congress, on the means to be taken for the preservation of the liberties of *America* be made publick. The other two are expressive of their feelings for the sufferings of the people of *Massachusetts Bay;* their approbation of a set of resolves entered into by the Delegates of the County of *Suffolk*, in that Province, and their opinion that the contributions from all the Colonies for supplying the necessities of the people of *Boston*, ought to be continued as long as their occasions may require. But as these resolves, as well as those of the County of *Suffolk*, are inserted at large in the public newspapers, I beg leave to enclose two of the papers which contain them, and as soon as any further transactions of the Congress are made known, I shall not fail to communicate them to your Lordship by the first opportunity.

I have the honour to be, &c.,

John Penn.

EXTRACT OF A LETTER FROM LONDON, TO A GENTLEMAN IN NEW-YORK, DATED OCTOBER 3, 1774.

The critical situation of affairs at present, and the important consequences which will flow from the conduct of your Congress, are very interesting to every lover of his country, and have induced me to address to you a few indigested sentiments on the topicks of the day.

The grounds on which your opposition to the claims of Parliament are founded seem to be consonant to natural equity and the first principles of civil society. The proper mode of asserting your liberties is at present the material question. No person loves *America* and the rights of mankind more than I do; you will, therefore, if I should happen to differ in sentiment with you, impute that difference rather to defect of knowledge, than want of zeal for the interest in the cause in which you are engaged.

I have ever been an enemy to all attempts of deciding the present contest by violence; the issue of which is generally not owing to the goodness of a cause, but to superiour strength or art, and the ill consequences are as commonly felt as well by the successful as the subdued. The dispute between *America* and *Great Britain* is a dispute between two grand branches of the same state, and therefore an injury done to either must be detrimental to the common body. In this view every person of prudence must have seen the propriety of avoiding the introduction of violence, and the wisdom of endeavouring to settle the difference by friendly debate and argument. On this foot I confess I disapprove of the conduct of the *Bostonians*, in first recurring to force by violently destroying the teas of the Company. Any excuse drawn from the danger of their being purchased by their own people is an argument against their virtue, and an inadmissible plea: because, if the teas had been landed without their consent, and the duties (which is putting it in the most favourable light) paid without their concurrence, it could never have been urged as a precedent against them. I mean not this as an apology for the severe measures which have been adopted against them. The *Boston* Port Bill seems to be replete with injustice and cruelty, and utterly indefensible; yet as they were undoubtedly aggressors, by their rashness and violence, it would have been an honour to your cause if their proceedings had been disavowed, and a compensation made at the same time that you declared your resolutions of supporting them in defence of the same general rights, and of uniting in the maintenance of your common liberties.

The instructions of the *Philadelphians* to their Committee are drawn up with the true spirit of patriotism, and have gained more proselytes to your cause than any other procedure; the prudence, love of liberty, and attachment to *Great Britain*, which they breathe, and the firmness and moderation which they express, are more alarming to your opponents than all the enthusiastick ravings and indiscriminate abuse which have been poured out from every quarter. In a letter which I wrote you some time since, I briefly stated the mode of conduct, which, if your Congress pursued, it was thought by men acquainted with the views of Government, would tend to the amicable adjustment of the present unhappy dispute: "That if the Members of your Congress unitedly advise their several Assemblies to present an humble and resolute petition, stating what you demanded as your rights, and what you would concede; such a petition from your Assemblies would be attended to, and perhaps produce a Convention which might terminate in a firm and lasting settlement of the dispute." I am afraid that letter came too late to be of any service, as well as others on the same subject, addressed to persons of some weight amongst you.

The Congress has, I suppose, by this time met, and the *decisive* measure been adopted. Whatever it may be, let me conjure you, as a lover of your country, to promote mild and peaceful measures; if the sword of civil war is once unsheathed, mutual injuries will but produce the more raging animosity, and those who are now your friends may become your enemies.

Some time since I scarce met a person who was not violently opposed to you from indignation at the insult which they conceived was offered by the destruction of the teas at *Boston;* since that time their resentment has been subsiding, and an unforeseen incident made them loud in your favour, and as vindictive against the Ministry. You have undoubtedly seen the *Quebec* Bill, and carefully considered its contents; occasion has been taken from it to attack the Ministry as friends to Popery, and to represent them as intending by it to induce the Papists to assist in reducing the Protestants in *America* to slavery. The project has answered beyond expectation; the cry of the enjoyment of Popery, and the cruelties exercised against you, has reached all parts of the country, and inflamed the people with zeal in your favour, and indignation against the Administration.

As the issue of your Congress would be the subject of the most important debates, and probably require vigorous measures, it was thought proper to dissolve the present Parliament, and suddenly issue out writs for a new one; for it was judged that if the present, or rather late members, had been obliged to use measures against you which were unpopular, they might not have had a chance of being re-elected, but a majority unfavourable to the Ministry brought in, the consequences of which you may easily conjecture. All parties are now, therefore, busy in making interest for the ensuing election.

The election for Mayor of *London* is now carrying on, and there is no doubt but Mr. *Wilkes* will be appointed to that office. Mr. *Bull* and he are candidates in opposition to *Esdale* and *Kennet*, two Ministerial gentlemen. You will ask me whether the Ministry will be able to gain a majority in the ensuing Parliament? Had not the House been so artfully and unexpectedly dissolved, I am of opinion that they would not; but by this project they will undoubtedly succeed, as they have had an advantage of making their interest sure, while their opponents were off their guard; and to leave those measures, which would have been fatal to them, to the sanction of the future Parliament.

The bulk of the people, especially of the lower class, is now in your favour, but if you adopt violent measures, I dare assert that they will not continue so. Should any of their countrymen be insulted in *America;* should the blood of any of the soldiery be shed, national pride (which

Digitized by Google

is so characteristick in all their wars) will prompt them to espouse the cause of this country against you, and to look upon the quarrel as not with the Ministry only, but with them. On this account, as well as from the uncertainty and miseries which will flow from a contest by force, I entreat you to exert your influence in the promotion of moderate councils and measures; let not persons who are desirous of change, and fond of confusion and disorder (because from them they can expect that eminence which they are not willing to aspire after by the slow methods of industry) assume the lead in your deliberations, but men whose honesty and wisdom have been long tried by their fellow-citizens, and whose property may give you security of their being really interested in the welfare of the community."

MEETING OF THE LIVERY OF LONDON, AT GUILDHALL, OCTOBER 3, 1774.

Pursuant to advertisements in the publick papers for that purpose, there appeared at *Guildhall*, on *Monday* afternoon, *October* 3, a very numerous and respectable part of the Livery, to nominate four gentlemen to represent this great city in the ensuing Parliament.

Mr. *Stavely* being voted into the chair, he opened the business of the meeting in a very spirited speech, wherein he set forth the vast importance of the business about which they were met; that the eyes of the whole Nation were upon them; and this being the first city in the world, it was expected they would set a glorious example, and not elect any persons but such as were known friends to liberty, not only by professions, but experience. He begged the Livery to consider that such another opportunity would not offer itself for seven years, a time, in his opinion, much too long; that they ought to consider and proceed on their business with coolness, candour, and deliberation; that were we only to cast our eyes to *America*, we should see to what a dreadful situation those brave people were reduced, through the iniquitous conduct of the late corrupt Houses of Parliament, and the unanimity the *Americans* have shewn to resist all such arbitrary acts; and the noble struggle they make to preserve their liberties, ought to be an example to us; that we might depend upon it the persons who wished to enslave *America*, would, if it lay in their power, shackle us.

After Mr. *Stavely* had concluded, Mr. *Compton* moved, that a paper of Instructions, which had been drawn up by a very respectable Committee, for the candidates to sign before they were put in nomination, might be read; which was accordingly read, and is as follows:

"We do most solemnly promise and engage ourselves to our constituents, if we have the honour of being chosen to represent this city in Parliament, that we will endeavour, to the utmost of our power, to restore and defend the excellent form of Government modelled and established at the Revolution; and promote and procure, and having procured, to maintain and continue Acts of the Legislature for shortening the duration of Parliaments; for excluding pensioners and placemen from sitting in the House of Commons; for subjecting each candidate for a seat in Parliament to an oath against his having used bribery, or any other illegal or unconstitutional means of gaining his election; for establishing a more fair and equal representation of the people in Parliament; for vindicating the injured rights of the freeholders of *Middlesex*, and through them, of the whole body of electors in this United Kingdom; for restoring to our fellow-subjects the essential right of taxation by Representatives of their own free election, and for repealing the universal excise which has lately been substituted in the Colonies instead of the laws of Customs; for repealing the four late iniquitous Acts respecting *America*, viz: the *Quebec* Act, establishing Popery, and the arbitrary system of *French Canadian* laws in that extensive Province; the *Boston* Port Act; the Act for altering the Charter of the Province of *Massachusetts Bay*; and the Act for the trial in *Europe* of persons accused of criminal offences in *America*; being fully persuaded that the passing such Acts will be of the utmost importance for the security of our excellent Constitution, and the restoration of the rights and liberties of our fellow-subjects in *America*. We do also solemnly promise never to accept from the Crown, or its Ministers, place, pension, contract, title, gratuity, or emolument of any kind whatsoever; and we do farther promise to follow, on all occasions, such instructions as our constituents, in Common Hall assembled, shall think proper to give us."

Mr. *Wilkes* then came forward, and addressed the Livery to the following purport:

"GENTLEMEN OF THE LIVERY: Last year, on the vacancy of a person to represent you in Parliament, I had the honour to nominate our present excellent Chief Magistrate, knowing him to be a person of an upright, honest, and fair character. I so far succeeded, gentlemen, in my wishes, as to see him elected; and I trust that his conduct, through a long and interesting session of Parliament, has been such as will merit your future favours: therefore, gentlemen, if he has no objection to sign the articles proposed, I will, with your permission, nominate him again for the same important trust."

After Mr. *Wilkes* had concluded, the Chairman acquainted the Livery, that the Lord Mayor, the Aldermen *Crosby*, *Sawbridge*, and *Hayley*, had subscribed to the articles proposed.

On this declaration of the Chairman, *W. Baker*, Esquire, came forward, and informed the Livery that it might appear rather extraordinary that he should offer himself a candidate, and at the same time refuse to sign their articles. He commented upon each article separately, and objected to that one which obliges the candidate to vote for the expulsion of all placemen and pensioners; observing, that some men in office were necessary for the carrying on business, therefore, in his opinion, the number ought to be limited; that as to repealing the *Quebec* Act, the *Boston* Port Bill, the Bill for regulating the Government of *Massachusetts Bay*, and the Bills for trials of persons in *England* accused of crimes in *America*, he thought they ought to be repealed; that he had given his vote against those Acts, yet he did not choose to be tied down in articles, as it was his firm opinion that a Member should approach the doors of the House of Commons free as the open air. He was proceeding, but the Livery became very clamorous, crying out sign or decline. He attempted several times after to speak, but was not suffered; upon which *William Lee*, Esquire, one of the late Sheriffs came forward, and addressed the Livery to the following effect:

"GENTLEMEN OF THE LIVERY: I beg your attention; I promise you, on my word, I will not detain you three minutes. I think there is something so extraordinary in the behaviour of the gentleman who spoke last as to merit notice. He solicits your favour, and in the same breath refuses to sign your requisition. When a person becomes your Representative he is your servant, and consequently ought to do as his masters direct."

Mr. *Baker* attempted to answer him, but the Livery would not allow him to speak; upon which the Chairman put up the Lord Mayor, Aldermen *Crosby*, *Sawbridge*, and *Hayley*, separately. Each had a very great show of hands and many loud claps, huzzas, &c., after which *W. Baker*, Esquire, was nominated, when there appeared for him a few hands, but many hisses. The Chairman then called aloud several times to know if any gentleman had any other person to nominate, when Mr. *Townsend* nominated *Richard Oliver*, Esquire; but on his name being put up, there was groaning and hissing for near five minutes, and but few hands held up.

The Chairman then declared the choice to have fallen on Messrs. *Bull*, *Crosby*, *Sawbridge*, and *Hayley*; upon which the Lord Mayor came forward and addressed the Livery as follows:

"GENTLEMEN OF THE LIVERY: I return you my sincerest thanks for the honour you have conferred on me, by again nominating me to represent you in Parliament. Should I be the happy object of your choice, depend upon my serving you to the utmost of my abilities."

Mr. *Crosby* next came forward, and addressed the Livery to the following purport:

"GENTLEMEN OF THE LIVERY: I return you my sincerest thanks for the honour you have conferred on me, and I assure you that I will live and die in the cause of

Digitized by Google

liberty. Should I be so fortunate as to be elected, I will do the utmost in my power to protect your rights and franchises."

Mr. *Sawbridge* next came forward, saying,

"GENTLEMEN OF THE LIVERY: I return you my most cordial thanks for the high opinion you have expressed of my past, and the great confidence you put in my future conduct. I have been bred up in the principles of liberty, and I assure you I will remain in the same until the latest hour of my life."

Mr. *Hayley* next addressed the Livery, as follows:

"GENTLEMEN OF THE LIVERY: It is now my turn to express my duty to you for the generous support I have met with to-day. Should I gain the honour I now solicit, depend upon my exerting the utmost of my abilities to do you justice."

The above speeches were received with loud shouts of applause, after which a motion was made that the Resolutions and Nominations should be published; which being agreed to, Mr. *Baker* came forward and acquainted the Livery, that although he had not been fortunate enough to meet with so cordial a reception as he imagined, owing to his not having signed the articles, for reasons which he had mentioned; yet at the same time informed the Livery, that he would stand the poll to the last, and doubted not but between this and the poll, his character, both in publick and private life, would be well known, and be of such a cast as to gain him many friends.

Mr. *Lee* then moved, that the thanks of the Hall be given to Mr. *Stavely* for his impartial and spirited conduct as Chairman of that meeting, which was unanimously consented to, and thus ended the business of the day.

EXTRACT OF A LETTER FROM LIEUTENANT GOVERNOUR COLDEN TO THE EARL OF DARTMOUTH, DATED NEW-YORK, OCTOBER 5, 1774.

By my letter of the 7th of *September* your Lordship would find I entertained hopes that the people of this Province would adopt moderate measures, and avoid giving any new offence to the Parliament. I knew such were the sentiments of the farmers and country people in general who make a great majority of the inhabitants.

A great deal of pains has been taken to persuade the counties to choose Delegates for the Congress, or to adopt those sent by this city. Several of the counties have refused to be concerned in the measure. In *Queen's* County, where I have a house, and reside the summer season, six persons have not been got to meet for the purpose; and the inhabitants remain firm in their resolution not to join in the Congress. In the counties that have joined in the measures of the city, I am informed the business has been done by a very few persons, who took upon themselves to act for the freeholders. A gentleman who was present when the Delegates were chosen in *Orange* County, says there were not twenty persons at the meeting, though there are above a thousand freeholders in that county; and I am told the case was similar in other counties that are said to have joined in the Congress.

The violent men in this city, who lost the lead among the people when the Committee of fifty-one were appointed, as mentioned in my former letters to your Lordship, hoped they had got an opportunity to regain their importance, and to throw the city into confusion, on occasion of orders which were received by some of our merchants to furnish articles wanted by the army at *Boston*. These violent men last week called a meeting of the citizens, which few but the lower class of people attended, and not a great many of them; yet they had the impudence to send a Committee to the merchants who were engaged in supplying the articles wanted by the army at *Boston*, with a very impertinent message, and endeavoured to deter them and all others from furnishing the army and transports with any thing whatever. These maœuvres occasioned some bustle among the people for a few days, and obliged the Committee of fifty-one to desire a meeting of the inhabitants on *Friday* last, when a large body of the principal people and merchants appeared, and declared, that those who had taken upon them to threaten the merchants had acted without any authority from the publick, and that they highly disapproved of their conduct, which has once more silenced the turbulent factious few, who are never easy when the people are quiet and orderly. The merchants now go on completing their orders without farther interruption.

It is my duty to give your Lordship the best information I am able of the disposition of the people of this Province. With this view I mention the most material transactions among them. It is extremely difficult at such times to give an opinion of what may happen. The most trifling unforeseen incident may produce the greatest events. I have already said, my Lord, that I am well assured almost the whole inhabitants in the counties wish for moderate measures; they think the dispute with *Great Britain* is carried far enough, and abhor the thoughts of pushing it to desperate lengths. In the city, a large majority of the people wish that a non-importation agreement may not be proposed, and were very much surprised on finding that such a measure would probably be resolved on by the Congress. I have some hopes that our merchants will avoid a non-importation agreement, even if proposed by the Congress. I am certain a majority of the most considerable are convinced it is a wrong measure, and wish not to come into it, but whether they will have resolution enough to oppose the sentiments of all the other Colonies, can only be known when they are put to the trial.

The speeches in Parliament, and other inflammatory papers published in *London*, and reprinted in *America*, make the worst impression on the minds of the people. They are opposed in this place by publishing more papers in favour of Administration, and against measures which must be offensive to Parliament, than in all the other Colonies put together.

New-York, October 5, 1774.

By Mr. *Revere*, who left *Boston* on *Friday* last, and arrived here last night, in his way to the general Congress, we have received certain intelligence that the Carpenters and Masons, who had inadvertently undertaken to erect barracks for the soldiers in that town, upon being informed that it was contrary to the sentiments of their countrymen, unanimously broke up, and returned to their respective homes, on the 26th of last month; which, it is hoped, will convince the mechanicks of this city, how disagreeable it will be to the inhabitants of that place, for them to afford any manner of assistance to those who are made subservient to the destruction of our *American* brethren.

The following Handbill was brought by Mr. *Revere* from *Boston:*

Whoever has candidly traced the rapid growth of these Colonies from their little beginnings to their present flourishing state in wealth and population, must eye the distinguished hand of Heaven, and impress every mind with a humble confidence that "no design formed against us shall prosper." The poor devoted town of *Boston* has suffered, and is still suffering all that the unmerited malice of men and devils could invent for her destruction; but although impoverished and distressed, she is not yet subjugated and enslaved; though immured within the fortresses of their enemies, the free and generous bosoms of the inhabitants beat strongly in the cause of liberty. But it appears that the measure of Ministerial wrath is not yet full; that detested parricide *Hutchinson* has vaunted to his few friends, that should the people submit to the villainous exactions of the present Governmental knot of tyrants,* "yet still "the town of *Boston* would forever remain a garrisoned "town," as a check upon the country, lest they should hereafter be induced to clamour against the edicts of their sovereign lords and masters the *British* Prliament.

The following plan was providentially detected, and is now offered to the publick, with this solemn question—Will the people sit tame and inactive spectators of the hostile designs of our inveterate enemies, and exercise such degrees of moderation and forbearance as to suffer those

* This is a fact founded on the authority of a respectable gentleman of this town, lately arrived from *London*, who there had it from Mr. *Hutchinson's* own mouth.

Digitized by Google

enemies to complete their works, and so far effect their dangerous purpose, that resistance would finally be in vain?

"MEMORANDUMS FOR A REPORT.—We have agreeably to your commands viewed and inquired what cover can be hired, with the consent of the proprietors, for the troops next winter.

"We find that out-houses, distilleries and store houses can be hired to contain the Sergeants &c., and private men of four regiments. That as these want fire-places, windows, and even floors, the expense of setting up these, and for rent and returning them in the condition they now stand, will be nearly to one thousand pounds a regiment. This expense would be greatly lessened, and the troops more comfortably quartered, if the publick buildings, such as the manufacturing house, &c., can be appropriated for the accommodation of the troops.

"It appears that barracks can be built on a more thrifty footing than they can be hired, and fitted up. But as nobody in this place will aid such works, Captain *Montrefor* with the assistance he can at present depend upon, thinks he cannot undertake to furnish barracks before the end of *November*, for more than three regiments; the officers of one of these regiments to be quartered.

"It appears, on inquiry, difficult to find houses for quartering officers of the regiments, whose private men are to be lodged in out-houses; lodging money should be given to officers whom we cannot provide for.

"In choosing situations for barracks to be built, it might be wished to place them so as to make the present erection part of some general plan that may be formed, with a view of commanding the obedience of the town on future occasions; but if they are confined to situations where the ground is reputed to belong to the publick, we would propose to build barracks for two regiments, including officers, on the Common, or on a field near it, which could be hired or purchased from Mr. *Brattle*.

"To put two companies into a solid barrack or block house, on the top of *Bacon* Hill, which should be enclosed with a trench and pallisade.

"A barrack should be built on *Fort* Hill, which might lodge eight companies and the Artillery.

"As soon as it is proper to let each regiment have its quarters, their efforts to get themselves lodged would contribute greatly to have the work finished early."

TO THE INHABITANTS OF NEW-YORK.

New-York, October 6, 1774.

It has been clearly and fully proved that the Assemblies or Parliaments of the *British* Colonies in *America* have an exclusive right, not only of taxation, but of legislation also; and that the *British* Parliament, so far from having a right to make laws binding upon those Colonies in all cases whatsoever, has really no just right to make any laws at all binding upon the Colonies.

Yet, notwithstanding this inherent right of the Colonies, and their having, by their Representatives, actually asserted their sole right of taxation, the writers in favour of the *British* Administration generally take for granted the right of *Great Britain* as claimed by her Parliament, and emphatically call that Administration Government. One who styles himself a *New-York Freeholder*, is of that class. In Mr. *Gaine's* paper of 19th *September*, after painting the horrours of a civil war, he asserts, that "*America* is now threatened with a civil war," which he seems to confound with a foreign invasion; for he presently terms it entering "into a war with *Great Britain*." As he has displayed his eloquence in describing the calamities of a civil war, it would have been but fair in him, with equal elegance, to have painted the miseries of slavery; for the *Americans* can be no other than slaves, in the most absolute sense, if a *British* or any foreign power has a right to their all. I shall, without attempting a description of the horrours of slavery, only observe, that even a civil war, which is the most cruel of all wars, is a less evil than slavery; for that can be only temporary, but slavery, once established, becomes an entail upon posterity, perhaps perpetual; and certainly that evil which is entailed for generations is more to be dreaded than an evil that in its nature can be only for a time; nor does a civil war always terminate in tyranny. If it was fatal to the liberties of *Rome*, it was propitious of those of *England*. The *Romans* contended for ambitious citizens, the *English* for their liberties.

After alarming us with the miseries of civil war, he would terrify us with the power of *Great Britain*. I believe no one doubts the naval power of *Great Britain* being very great. They may beat down all the sea-port towns which are accessible to large ships; a *French* fleet may do the same, though they have not so formidable a fleet as the *English*. But to what purpose? Will the destroying one or more towns on the sea-coast give any Nation the possession of this country without the consent of the inhabitants? If it will not, to what end destroy? This is really describing the *British* Nation as more cruel than any of their neighbours, contrary to their natural character. For since the reformation of manners in *Europe*, I don't recollect an instance of a declared enemy destroying open towns by any of their Princes. This is a piece of barbarity that some bucaniers have exercised upon the *Spanish* settlements in *America*, but surely they are not an example to one of the first Kingdoms in *Europe*. But supposing an event so unlikely to happen, the consequences are not so much to be dreaded as slavery. Earthquakes, hurricanes, conflagrations, are terrible things, and produce still more dire effects than a bombardment, yet, in a very few years, many cities that have suffered these calamities, have risen again to splendour. The instances are too many and recent to require illustration. But from slavery when have a people recovered? how rare the instances! As for the "veterans now in the country or that may be sent hereafter," allowing them all due merit as mere soldiers, they can do very little harm; but it ought to be remembered that they are men as well as soldiers; it is not to be presumed that their profession as soldiers will generally divest them of a prior character which they derive from human nature; it is not to be supposed they would act contrary to the latter, their superiour character. The *Indians* are now held up *in terrorem;* they may do some mischief to the back settlements, they have heretofore done it—yet population has increased in this country at a rapid rate. The *New England* Colonies had to deal with both *French* and *Indians*, without assistance from *Great Britain*, and drove them back to the interiour parts; this they did, and still more, they even assisted their neighbours. It is only of late years that any of the old Colonies had any *British* troops (excepting four independent companies in *New-York* Government.) They, however, did very well without them, although the *Indians* were then more numerous, and assisted by the *French*. But why is mention made of the *Indians?* Are the *British* troops now employed against them? or are they placed in the frontiers for garrisons? They have been withdrawn from those places, at least from many of them, to protect the tax gatherers of the duties, in consequence of *British* usurpation.

Whether or not the *Indians* are now "let loose on our back settlements," or may be hereafter let loose, for the horrid purpose of scalping, they are not more formidable at this time than they were formerly, when the first *English* settlers, though few in number, were more than a match for them and drove them out. However, Mr. *Freeholder* does not pay any great compliment to *British* Administration by saying the *Indians* would infallibly be let loose on our back settlements to scalp, &c.* Although

* The *British* Colonies in *America* have been, for many years past, not only injured and oppressed, but treated with every species of insolence and contempt by the Ministry in *England*, who have frequently insulted them, even with wantonness. Among numerous instances of this that might be produced, I think the following a remarkable one: We all remember that a few years ago, we were told by the Ministry that his Majesty had been graciously pleased to resign the management of *Indian* affairs to the Colonies contiguous to the several *Indian* Nations respectively. The favour thus conferred upon the Colonies I take to be, that of allowing them to be at the expense of making presents to the *Indians*, which they, through an absurd custom, conceived to be rightfully due to them, or of guarding against the effects of their resentment if those presents were withheld. According to this new regulation, the presents from *England* to the *Indians* were discontinued, the regular troops from the outposts and forts on the back settlements and frontiers, the only places in *America* where, in time of peace, they could be of any manner of service, were withdrawn; the fortifications were demolished, and the inhabitants left defenceless, and exposed to a cruel and exasperated enemy. These were all the advantages, that I know of, that his Majesty's Ministers were graciously pleased to confer upon the Colonies by this new regulation, for which, it was intimated, that they were expected to be ex-

Digitized by Google

they and the *Canadians* should be "at the beck of Government." The regular troops introduced here last war, were rather for conquest than defence, and that conquest was in a good measure effected by the assistance of the Colonists, who, for their pains, have those very conquests which were partly achieved with their own blood and treasure, now held up as a rod to subjugate them to their fellow-subjects in *Great Britain*. For which purpose the regular troops have been kept in this country ever since the last war.

Notwithstanding the *New-York Freeholder* has so elegantly described the miseries of a civil war, he says, "what has been said hitherto is on the supposition that all the *British Americans* would unite in a war against *Great Britain*." How then would it be a civil war? He thinks, however, that this could not happen, and asks, "are not "several Provinces as much in the hands of Government as "*Canada*?" I know of none that are; most of the Governments are indeed Royal Governments, but surely that don't affect their rights—would that tie their hands from asserting and defending their liberties? The contrary is, I apprehend, generally understood here. He indeed says, "were a war to break out the *Americans* themselves would be divided." Very truly said, if a civil war should happen to break out there would be a civil war. Wherefore then would he insinuate that an opposition to the tyrannical claims and usurpations of *Great Britain*, should be deemed a civil war? Or, if the *Americans* should be compelled to take up arms to defend their liberties, why must it be construed that they make war against the King? Should the *British* Parliament think proper to legislate for, and tax *Hanover*, and the Act should be signed by the King, does any one imagine the *Hanoverians* would pay any regard to such Act? Or, if the *British* Parliament should take upon themselves to alter the form of their Government, would they submit? There can be no doubt but that they would defend their Constitution with arms against whoever was to attempt enforcing their submission; nor by their doing so would they forfeit their allegiance to their Prince.

The introducing the last rebellion in *Scotland* as a case in point, or as any parallel to the present disputes, is not a mark of the *Freeholder's* candour, even if a civil war was certain; and if he does not adduce it as a case in point, it is invidious; that it is not a parallel case, is plain to the most common understanding; for the rebellion in *Scotland* was not for grievances unredressed, liberties invaded, or oppression; no, it was an attachment to the person of the Pretender, a competitor to the *British* Crown against the late King. What is there similar between that rebellion and the disputes in *America*? The *Americans* are loyal to their Sovereign King *George* the Third. It is much to be doubted if there is a single native of *North America*, who is a *Jacobite*; they have no dispute with the King as exercising his rightful authority as King of these Colonies; it is against the usurpations of the Parliament of *Great Britain*—they contend for their most sacred rights as freemen, invaded by that Parliament—which claims the disposal of them as their slaves, and are doing their utmost effectually to exert those claims. Therefore, to introduce the *tears of Scotland*, seems merely for the sake of the unhappy issue to the Pretender and his adherents. Had the *Freeholder* been candid enough to introduce a case in point, he could not well be at a loss for one—he cannot be supposed ignorant of the rise of the states of *Holland*; the encroachments which *Philip* the Second, King of *Spain*, made on the civil and religious liberties of his subjects in the *Netherlands*, produced a revolt of seven from seventeen Provinces; and notwithstanding the very great power of *Philip*, his having an army of twenty thousand veterans (esteemed the best soldiers in *Europe*) in the neighbourhood, commanded by the ablest General of his time, and the assistance he drew from the Provinces which did not revolt, yet, under all these disadvantages, in the course of some years (with some small assistance from *England* and *France*) they effected their liberty, though not without spending some of their best blood; nor could it be expected otherwise in a contest of such importance, against a Prince as obstinate and cruel as he was powerful.

This case, although it be very much like the present dispute between *Great Britain* and the Colonies—save only that *Philip* was the lawful Sovereign of those Provinces, and the Parliaments of *Great Britain* have only their own claim of sovereignty, yet, the *Freeholder* did not choose it for a parallel, perhaps, because it had an happy issue, which would not so well answer the intention of intimidating the *Americans*, in order to their submission to the usurpations of the *British* Parliament.

In Mr. *Gaine's* paper of the 26th *September* is another letter from a *New-York Freeholder*, who again introduces his subject with a pathetick declaration on the miseries of a civil war. It might be imagined that, by a civil war, he would mean any forcible resistance to the unconstitutional measures pursued by the *British* Administration, did he not make mention of, "friends, brethren, parents, and children imbruing their hands in each others' blood." If the inhabitants of this Continent were not very generally determined to oppose those measures; if they were not resolved to refuse submission to the usurpations of the *British* Parliament; or that the advocates for despotism were numerous, and would risk their *all* in favour of those usurpations, there might perhaps be some reason to fear a civil war; but such a fear will appear to be groundless, when it is considered that by far the most of the Colonies, although not absolutely unanimous, yet have so very great a majority who are ready to defend their liberties, that the very few who may differ from them would hardly attempt to counteract their brethren and friends with force. In a single Colony, or perhaps a few Colonies, though the majority, in support of their liberties, may not appear so great, it is, however, by much too formidable for the few enemies of *American* liberty to venture upon so hardy an undertaking, as by force of arms to oppose such measures as may be adopted by the great number of the friends of freedom in defence of their liberties. If such enemies there be, their situation must be truly deplorable, as they would be deemed traitors to their King and country, notwithstanding their acting in virtue of any commission from Administration, founded on unconstitutional Acts of the *British* Parliament; "for an illegal commission is so far from con-"veying a power unto any man to act, that it is a greater "crime to do any thing upon the imaginary authority of it, "than it would be to commit the same fact without all "colour and pretence of power and warrant, seeing, the in-"jury of the one case doth affect and terminate in him that "receives it; whereas, in the other, it affects the King, "the Government, and the whole body of the people."—*Lord* SOMMERS's *Judgment*, &c.

Now as the King cannot lawfully in *Great Britain*, by his sole authority, make any law that an officer can be either bound or authorized to act upon, (seeing a law to be binding there must have the sanction of Parliament) in like manner, the King with his *British* Parliament cannot rightfully make any law which ought to be binding upon the Colonies. As the King with his Parliament of *Great Britain* will be, at most, to the Colonies, what the King alone is to *Great Britain*; but to speak more properly,

tremely thankful to his Majesty; and thanks were accordingly returned for the supposed favour by some of the Colony Assemblies—when, by the following anecdote, and many other circumstances, we have the greatest reason to think that this very measure, for which the thanks of the Colonies were required and obtained, was planned with the most hostile intentions against them, or to subject them to the unconstitutional, arbitrary power of a *British* Parliament, and reduce them to the condition of slaves.

The substance of the following Conversation happened to be in the hearing of an inhabitant of *New-York*, of which he is willing to make oath if necessary:

Sometime in *March*, 1769, being in company with Colonel *R*——, (then quartered in *Philadelphia*, but since embarked for *Ireland*) in the course of conversation, he mentioned the breaking up of the frontier garrisons, recalling the troops, and discontinuance of the usual presents to the *Indians*, as measures that would certainly be attended with very serious consequences to the Colonies; for that the *Indians* were very insolent before he left *Michilimackinack*, and that he daily expected to hear of their committing hostilities.

Being asked by an inferior officer, what could be the reason of such a great and sudden alteration in *Indian* affairs? He replied, it was supposed to originate at Head Quarters, as a scheme that would inevitably engage the attention of the Colonies, and of which Administration might avail itself. That in all probability it would lessen Sir *William Johnson's* influence and income, of which the Commander-in-chief was then supposed to be jealous.

The foregoing intelligence from Colonel *R*——, was confirmed to the person who heard it, by two other officers with whom he was soon after in company.

Query. Is not the above account of the design of the Acts, relative to *Indian* affairs further corroborated by the Acts themselves, notwithstanding the ministerial puffs of the majestick emanation which graciously favoured the Colonies, with the liberty of providing for the exigencies of the *Indian* trade, &c.

Digitized by Google

the Lords and Commons of *Great Britain* having no constitutional right to act or do any thing that will be binding upon the Colonies, the only legal power in *Great Britain* respecting the Colonies, centres in the person of the King our Sovereign; and every Act passed there which respects *America*, receives no more authority than what it may derive from the King's assent to such Act; but as that amounts really to no more than a law made by the King's sole authority, which by the Constitution is not binding on the subject, the Colonies cannot in duty be bound to obey any such law. The law binding of right in the Colonies is that law only which is enacted in the Colonies, and receives the King's assent, either in person or by his Representative; and all officers acting by virtue of any other than a law according to the Constitution, will fall within the description above cited from Lord *Sommers*.

The *New-York Freeholder* has with much art endeavoured to reduce the rise of the present disputes with *Great Britain* to the three penny duty on tea. It is a pity that abilities should be prostituted to give a false colouring to facts, which, without that disguise, appear in their true light to a common understanding; without it, it is very clear that the contention is not about the three penny duty only, but the claim of taxation by the *British* Parliament, and their actual exercise of the powers founded on that claim, over the Colonies. The precedents which he has alleged do not invalidate my preceding argument; for though it be granted that the Colonies have not opposed the operation of those precedents, it neither proves the Parliamentary right for having exercised that power, nor deprives the Colonists of their right of asserting and resuming all those rights usurped from them; and they are at any time at full liberty to oppose their future operation; any acquiescence on their part in time passed notwithstanding; for the bare submission to power unconstitutionally exercised, does in no wise confer right to those who thus exercise it, any more than it confers right to a robber, who by force obtains a submission from those whom he despoils; nor will it render the case better if the submission be obtained by deception; nor indeed may any people rightfully surrender any of their rights, further than necessary for the publick good; if they do, such surrender will be a mere nullity. The *Freeholder* very kindly assigns a reason in behalf of the *British* Parliament for the Tea Act. He says, "that "commercial states should always encourage the consump- "tion of their own manufactures, which is of general utility, "as it promotes industry; but articles of foreign luxury, "and tea is one, are the proper objects of taxation, &c." I don't recollect to have any where read that the *British* Parliament ever pretended this as the motive for their taxation of the *Americans*, but rather have avowed it as a test of their right to tax them. Be their motive what it may, he treats the Act as if made by rightful authority, when he knows that the right to that authority is the very thing which the Colonists disclaim.

In the same manner he takes it for granted that the *East India* Company had a good right to send their tea to *America*; when it is well known that the intention of it was generally understood to be expressly to enforce the Tea Act, as the duty was payable when the tea was landed. This was clearly the view of the Ministry; and the *East India* Company's tea was made use of as an instrument for affecting that purpose. Why then talk of individuals? It was in the light of an instrument of destruction to *American* liberty that their tea was considered; yet notwithstanding it was thus considered, the people at *Boston* made use of every method in their power for its preservation, consistent with their getting clear of it, without having it landed there; but that was the point insisted on—that was the desirable thing so earnestly sought for by the Ministerial agents; otherwise the tea might have been preserved by being secured in the Castle, or by the King's ships. These agents therefore left the people no alternative but to destroy it, or suffer it to be entered for duty.—To compare it then with the Stamp papers shows what candour may be expected from this writer. The Stamp papers were liable to no duty on being landed and stored—the tea was liable; whether that at *Charlestown* paid the duty, is what I cannot affirm or deny; the Act requires the payment.

The *Freeholder's* feeble attempt to apologize for the severity of the *Boston* Port Bill, and other Acts relative to that Province, is at once a proof of his willingness for that service, and of the indefensibility of those tyrannical Acts, since even with his abilities he passes over them briefly. But what can be said in the defence of them which may not with equal propriety be said in defence of every species of usurpation and cruelty which disgrace the history of mankind?—the difference between them being rather in degree than kind. The severity of the *Boston* Port Bill, singly considered, will render it the abhorrence of all good men, even supposing the *British* Parliament had a just right to the sovereignty of that Province; but when viewed in the light of usurpation, as having no rightful authority to act as they have, it adds the highest injustice to cruelty. The opposition to the Board of Commissioners, &c., the impeachment of the Chief Justice of both Houses, has been vindicated, and the two Houses have fully justified their conduct, notwithstanding any thing "determined after a full hearing." After the *Freeholder's* declaration of his impartiality, &c., he again recurs to his topick of a civil war, and asserts that the Colonies South of *New England* have really no other contest with the parent state but the three penny duty on tea, "and that if they should be plunged "any deeper, or further involved in trouble, they will un- "deniably be dragged into it by the *Massachusetts Bay*." Does he not know the contrary to be true? Can he expect this to be believed on his bare assertion? Does he really believe it himself? His compliments to the *American* people will not palliate this insult to their understandings, nor atone for his apparent design of disuniting them. He says, "an *American* Constitution, not a civil war, is what will relieve them." I have not heard it asserted that a civil war was to be sought after for *relief!* But a manly defence of their sacred rights, even by force of arms, whenever absolutely necessary against a foreign force, may and probably will insure effectual relief.

An *American* Constitution is what is required; however, it ought to be remembered, that such a Constitution is required as a matter of right, not as a grace to be obtained by petition to the Parliament of *Great Britain*, who have indeed no true authority for that purpose. Let that august Assembly only relinquish all pretence of right to govern the *British* Colonies in *America*, and leave that to whom it solely and exclusively belongs, namely, the King, our lawful Sovereign, with his Parliament in the respective Colonies, and the *Americans* have a Constitution without seeking further; then would the Colonies be united with *Great Britain* by the strong ties of mutual interest and sincere affection, without any jealousies or resentment; the cause taken away, the effects would cease; and the strictest harmony, cemented by the bands of ancient consanguinity and similarity of manners, would take place, which would probably continue for ages united under one and the same head of the whole *British* Empire.

He asks, "But does not Parliament claim a right to tax "the Colonies, which must in the end enslave them?" He admits that the Parliament "*asserts* this claim;" and says, "but whilst it proceeds no further, it cannot hurt us. "It is sufficiently balanced by our assertions to the con- "trary." Had he been able to prove that they had barely asserted it, he had done something to the purpose; but there being such glaring proofs to the contrary, one may reasonably ask him what he means by saying, "But "surely it is time enough to run to extremities when the "claim is oppressively put in execution." Need he be told that this is already done? The *Boston* Port Bill is a proof, with a witness. Or does he think, that, not sufficiently oppressive, or oppressively put in execution, but that the *Americans* must wait till the "Harpies of taxa- "tion were actually and every-where tearing our substance "from us?" I think it justifiable to say, that then it would be rather too late for obtaining an adequate remedy. He asks, "What, is *America* then to be exempted wholly "from the burthen of supporting Government?" Here again he calls the *British* Administration (which, with respect to its exercise in *America*, is mere tyranny) emphatically *Government*; and from the great obligations he supposes *British America* lies under to *Great Britain*, he thinks we ought to bear our just share of the burthen of National expense. Let me ask, wherefore? It is very certain that *British America* has her own expenses of

Digitized by Google

constitutional Government; which, notwithstanding its economy, is considerable, and, upon emergencies, so great as to be burthensome; and if the *American* Governments were to lavish on the administrators of Government large salaries, and pay a long list of pensioners, according to the present mode in *Great Britain*, they must be very soon ruined. What reason then for their contributing towards the *extravagance* of the parent state? He says, he is "not so ungrateful as to forget the vast obligations we are "under to *Great Britain* for her fostering parental protec-"tion and aid on every occasion, when necessary." He would have been better understood, had he pointed them out; for it is well known that *Great Britain*, while the Colonies were really in an infant state, left them to themselves; her attention to them began with their importance; when the Parliament of *Great Britain* found they could be benefitted by them, and Administration have places for the support of Court dependents; and latterly their fears, lest some other power might obtain footing on this Continent, to their damage, is a sufficient reason for their occasionally guarding against such an event. Where, then, the *vast obligations*?

An exclusive trade to these Colonies is much more than an equivalent for the protection afforded. *Great Britain* has lent the same, or greater, occasional assistance to *Portugal*, for only a partial trade, and perhaps on the score of keeping a balance of power; and without doubt they find their account in so doing. Why then should the protection afforded this country be rated so highly? And yet highly as this protection is rated, it is certain that in the war before the last, it afforded the Colonies no security from an invasion by a very formidable armament; for, notwithstanding the naval power of *Great Britain*, or any thing done by the *British* Government to prevent it, *Boston*, which was the designed victim to that *French* armament, might have been laid in ruins. It was the Divine Providence *only* that protected that town. The exertions of the Province of *Massachusetts Bay* in favour of *Great Britain*, rendered her the subject of *French* resentment at that time; at present, the same Province is the object of resentment of *British* Administration for her exertions in favour of *British*, as well as *American* freedom. As her protection from a *French* invasion was not the arm of *flesh*, so, may the same Divine protection shield her and all these Colonies from the dominion of tyranny; and may virtue, liberty, and peace, have their abode, and flourish in this land for ages yet to come.

STAMFORD (CONNECTICUT) TOWN MEETING.

At a Meeting of the Inhabitants of the Town of *Stamford*, legally warned and convened on the 7th day of *October*, 1774.

The inhabitants of this town, sensibly affected with the distresses to which the town of *Boston* and Province of *Massachusetts Bay* are subjected by several late unconstitutional Acts of the *British* Parliament, and also viewing the *Quebec* Bill, whereby the Roman Catholick religion is established over a great part of his Majesty's extensive Continent of *America*, as an attempt not barely to destroy our *civil liberties*, but as an open declaration that our *religious privileges*, which our fathers fled their native country to enjoy, are very soon to be abolished, (hoping to convince the people of this extensive Continent, that, notwithstanding our long silence, we are by no means unwilling to join with our sister towns to assert our just rights, and oppose every design of a corrupt Ministry to enslave *America*,) do declare, that we acknowledge our subjection to the Crown of *Great Britain*, and all the constitutional powers thereto belonging, as established in the illustrious House of *Hanover*, and that it is our earnest desire that the same peaceable connection should subsist between us and the mother country that has subsisted for a long time before the late unconstitutional measures adopted by the Parliament of *Great Britain*; and we hope that some plan will be found out by the general Congress to effect the reconciliation we wish for. Yet we are determined, in every lawful way, to join with our sister Colonies, resolutely to defend our just rights, and oppose all illegal and unconstitutional Acts of the *British* Parliament that respect *America*.

That we are pleased that a Congress of Deputies from the Colonies is now met at *Philadelphia*, and, relying upon the wisdom of that body, we declare that we are ready to adopt such reasonable measures as shall by them be judged for the general good of the inhabitants of *America*.

Voted, That Messrs. *John Lloyd* and *Samuel Hulton*, Captain *Samuel Youngs*, Captain *David Hait*, and *Charles Weed*, be a Committee to receive subscriptions for the supply of the poor in the town of *Boston*, who suffer in consequence of an Act of Parliament, called the Port Act; and that the said Committee cause any thing that shall be collected to be transported to the care of the Committee of Ways and Means in the town of *Boston*, to be employed by them as they shall think fit.

The above is a true copy of record, it being a very full meeting—almost an unanimous vote.

S. JARVIS, *Town Clerk*.

EXTRACT OF A LETTER, DATED LONDON, OCTOBER 8, 1774.

Never did I feel myself so anxious about publick affairs as at this moment. Our own interest is intimately connected with the perseverance of our *American* brethren in their opposition to the tyranny of our Government. Should they continue firm, it will be scarcely possible that they should not succeed in preserving their liberties: and the preservation of their liberty ought to be an object of the last concern to all in this country; for it is only among them we can hope to find it, after luxury, dissipation, a servile Parliament, and an overwhelming load of debts and taxes have completed its ruin here. I cannot help believing that this will be the last struggle which *America* will have with us; if they are now steady, and succeed, they will have no reason to fear any future attempts to enslave them. But if they now submit, they will be subdued for ever, and the only nursery of freemen now in the world will be lost. May Heaven avert such a calamity! I cannot indeed imagine a state of worse slavery than that in which the Colonies would be were they, on this occasion, to submit,—to be not only subject to many hard restraints in acquiring their property, but to hold it, after being acquired, at the discretion of our rulers; to have no constitution of Government of their own, but to have their laws made and their Governments modelled by a Legislature on the other side of the *Atlantic*, which cannot judge of their circumstances, in which they have no voice, and all whose acts are but little more than the echoes to the will of the fool of the tyrant who happens to be Minister in this country. What an abject condition would this be! The present state of our Parliament is such that it is our own greatest calamity to be govered by it. How base would it be to wish the *Americans* involved in the same calamity? The mode of opposition which the *Americans* are likely to adopt must do them the greatest service, by checking luxury among them, and obliging them to save the money they now spend among us in purchasing superfluities, at the same time it must eventually injure us; for such are our present circumstances, that we hang upon the *American* trade, and the loss of it would sink the revenue, and soon bring on riots and insurrections, and a publick bankruptcy. But I am not frightened by these consequences; the preservation of *American* liberty I think of unspeakably more importance than any temporary sufferings which can come upon us. I also consider our present state as so corrupt, and our excellent Constitution of Government as so entirely subverted by the unbounded influence of the Crown, that my only hope arises from the prospect of a convulsion (dreadful while it lasts) which shall destroy artificial wealth and all the means of corruption; reduce us to poverty and simplicity, overturn the whole present system of policy, and be followed by the re-establishment of publick liberty and virtue.

I have been concerned to see in the *Pennsylvania* Instructions to their Deputies, a proposal that, previous to any other measures, a memorial or remonstrance should be presented to our Government. The Colonies have, I think, already sufficiently tried such methods as these. Our Government, if consistent, would not receive any memorial from an Assembly which they consider as illegal; it is now too late for negotiation; nor can it issue in any

Digitized by Google

good to the *American* cause. Vigorous measures alone can be successful; and some think that, had the *Americans* fled immediately to the last resource the quarrel might by this time have been almost decided; for the present Ministry could not have found supplies for so horrid a service, and a change of men and measures must have soon taken place.

The sentiments I have expressed are those of the greatest part of my acquaintance, some of whom are persons of the first weight. I choose to mention this because I wish the *Americans* not to direct their resentment against all, indiscriminately, in this country; they may be assured that they have a large body of friends here, who, from a sense they have of the rights of human nature, detest what has been done against them. Perhaps the most provoking and mean of all the measures against them is the *Quebec* Bill, the plain design of which is to fix a body of Popish slaves behind them, subject to the King's will, who may serve as a curb upon them.

MASSACHUSETTS PROVINCIAL CONGRESS.

Wednesday, October 5, 1774, the Members chosen in consequence of Governour *Gage's* last writs for calling a General Assembly, met at the Court House in *Salem*, pursuant to the precepts; and, after waiting a day without being admitted to the usual oaths, which should have been administered by the Governour or other constitutional officers; and having chosen the Honourable *John Hancock*, Esq., to be their Chairman, and *Benjamin Lincoln*, Esq., Clerk, they proceeded to business, and passed the following Resolves:

PROVINCE OF THE MASSACHUSETTS BAY,
In the Court House at SALEM, OCTOBER 7, 1774.

Whereas, his Excellency *Thomas Gage*, Esq., did issue writs bearing date the first of *September* last, for the election of Members to serve as Representatives in a Great and General Court, which he did "think fit and appoint" to be convened and holden the fifth day of *October* instant, at the Court House in this place. And whereas, a majority of Members duly elected in consequence of said writs, did attend at said Court House the time appointed, there to be qualified according to Charter for taking seats and acting as Representatives in said Great and General Court; but were not met by the Governour, or other constitutional officer or officers by him appointed for administering the usual oaths, and qualifying them thereto. And whereas, a Proclamation, bearing date the 28th day of *September* last, and published in sundry newspapers, with the signature of his Excellency, contains many reflections on this Province, as being in a tumultuous and disorderly state; and appears to have been considered by his Excellency as a constitutional discharge of all such persons as have been elected in consequence of his Excellency's said writs. The Members aforesaid so attending, having considered the measures which his Excellency has been pleased to take by his said Proclamation, and finding them to be unconstitutional, unjust, and disrespectful to the Province, think it their duty to pass the following Resolves:

Therefore, resolved, As the opinion of said Members:

1st. That by the Royal Charter of the Province, the Governour, for the time being, is expressly obliged to convene, "upon every last *Wednesday* in the month of *May*, "every year forever, and at such other times as he shall "think fit, and appoint a Great and General Court." And, therefore, that as his Excellency had thought fit, and by his writ appointed a Great and General Court to be convened on the fifth day of *October*, instant, his conduct in preventing the same, is against the express words, as well as true sense and meaning of the Charter, and unconstitutional; more especially as, by Charter, his Excellency's power "to adjourn, prorogue, and dissolve, all Great and General Courts," doth not take place after said Courts shall be appointed, until they have first "met and convened."

2dly. That the constitutional Government of the inhabitants of this Province, being by a considerable military force at this time attempted to be superseded and annulled; and the people, under the most alarming and just apprehensions of slavery, having, in their laudable endeavours to preserve themselves therefrom, discovered, upon all occasions, the greatest aversion to disorder and tumult, it must be evident to all attending to his Excellency's said Proclamation, that his representations of the Province as being in a tumultuous and disordered state, are reflections the inhabitants have by no means merited; and, therefore, that they are highly injurious and unkind.

3dly. That, as the pretended cause of his Excellency's Proclamation for discharging the Members elected by the Province in pursuance of his writs, has for a considerable time existed, his Excellency's conduct in choosing to issue said Proclamation, (had it been in other respects unexceptionable,) but a few days before the Court was to have been convened, and thereby unavoidably putting to unnecessary expense and trouble a great majority of Members from the extremities of the Province, is a measure by no means consistent with the dignity of the Province; and, therefore, it ought to be considered as a disrespectful treatment of the Province, and as an opposition to that reconciliation between *Great Britain* and the Colonies so ardently wished for by all the friends of both.

4thly. That some of the causes assigned as aforesaid for this unconstitutional and wanton prevention of the General Court, have, in all good Governments, been considered among the greatest reasons for convening a Parliament or Assembly; and, therefore, the Proclamation is considered as a further proof, not only of his Excellency's disaffection towards the Province, but of the necessity of its most vigorous and immediate exertions for preserving the freedom and Constitution thereof.

Upon a motion made and seconded,

Voted, That the Members aforesaid do now resolve themselves into a Provincial Congress, to be joined by such other persons as have been or shall be chosen for that purpose, to take into consideration the dangerous and alarming situation of publick affairs in this Province, and to consult and determine on such measures as they shall judge will tend to promote the true interest of his Majesty, in the peace, welfare, and prosperity of the Province.

BENJA. LINCOLN, *Clerk*.

At a Congress of Delegates for the several Towns and Districts, in the Province of the *Massachusetts Bay*, in *New England*, convened at *Salem*, on *Friday* the seventh day of *October*, A. D., 1774; with a list of persons chosen to represent them in the same.

FOR THE COUNTY OF SUFFOLK.

BOSTON.—The Honourable *Thomas Cushing*, Esquire, Mr. *Samuel Adams*, the Honourable *John Hancock*, Esq., Doctor *Joseph Warren*, Doctor *Benjamin Church*, Mr. *Nathaniel Appleton*.

ROXBURY.—Captain *William Heath*, Mr. *Aaron Davis*.

DORCHESTER.—Captain *Samuel Robinson*.

MILTON.—Captain *David Rawson*, Mr. *James Boice*.

BRAINTREE.—*Ebenezer Thayer*, Esquire, Mr. *Joseph Palmer*, *John Adams*, Esquire.

WEYMOUTH.—Mr. *Nathaniel Bailey*.

HINGHAM.—*Benjamin Lincoln*, Esquire.

COHASSET.—Mr. *Isaac Lincoln*.

DEDHAM.—The Honourable *Samuel Dexter*, Esquire, Mr. *Abner Ellis*.

MEDFIELD.—Mr. *Moses Bullin*, Captain *Seth Clark*.

WRENTHAM.—Mr. *Jabez Fisher*, Mr. *Lemuel Collock*.

BROOKLINE.—Capt. *Benjamin White*, *William Thompson*, Esquire, Mr. *John Goddard*.

STOUGHTON *and* STOUGHTONHAM.—Mr. *Thomas Crane*, Mr. *John Withington*, Mr. *Job Swift*.

WALPOLE.—Mr. *Enoch Ellis*.

MEDWAY.—Captain *Jonathan Adams*.

NEEDHAM.—Captain *Eleazer Kingsbury*.

BELLINGHAM.—Mr. *Luke Holbrook*.

CHELSEA.—Mr. *Samuel Watts*.

HULL.—(None.)

COUNTY OF ESSEX.

SALEM.—Mr. *John Pickering*, Junior, Mr. *Jonathan Ropes*, Junior.

DANVERS.—Doctor *Samuel Holten*.

IPSWICH.—Capt. *Michael Farley*, Mr. *Daniel Noyce*.

NEWBURY.—Honourable *Joseph Gerrish*, Esq.

Digitized by Google

NEWBURYPORT.—Captain *Jonathan Greenleaf.*
MARBLEHEAD.—*Jeremiah Lee*, Esq., *Azor Orne*, Esq., Mr. *Elbridge Gerry.*
LYNN.—*Ebenezer Burrill*, Esq., Captain *John Mansfield.*
ANDOVER.—Mr. *Moody Bridges.*
BEVERLY.—Captain *Josiah Batcheldor.*
ROWLEY.—Mr. *Nathaniel Meghill.*
SALISBURY.—Mr. *Samuel Smith.*
HAVERHILL.—*Samuel White*, Esquire, Mr. *Joseph Haynes.*
GLOUCESTER.—Captain *Peter Coffin.*
TOPSFIELD.—Captain *Samuel Smith.*
BOXFORD.—*Aaron Wood*, Esquire.
AMESBURY.—*Isaac Merrill*, Esquire.
BRADFORD.—Captain *Daniel Thurston.*
WENHAM.—Mr. *Benjamin Fairfield.*
MANCHESTER.—Mr. *Andrew Woodbury.*
METHUEN.—Mr. *James Ingles.*
MIDDLETON.—Captain *Archelus Fuller.*

COUNTY OF MIDDLESEX.

CAMBRIDGE.—Honourable *John Winthrop*, Esq., Captain *Thomas Gardner*, Mr. *Abraham Watson.*
CHARLESTOWN.—Mr. *Nathan Gorham*, Mr. *Richard Devens*, Doctor *Isaac Foster*, *David Cheever*, Esquire.
WATERTOWN.—Captain *Jonathan Brown*, Mr. *John Remington*, Mr. *Samuel Fisk.*
WOBURN.—Mr. *Samuel Wyman.*
CONCORD.—Captain *James Barrett*, Mr. *Samuel Whitney*, Mr. *Ephraim Wood*, Junior.
NEWTON.—*Abraham Fuller*, Esq., Mr. *John Pigeon*, Mr. *Edward Durant.*
READING.—Mr. *John Temple*, Mr. *Benjamin Browne.*
MARLBOROUGH.—Mr. *Peter Bent*, Mr. *Edward Barnes*, Mr. *George Brigham.*
BILLERICA.—*William Stickney*, Esq., Mr. *Ebenezer Bridge.*
FRAMINGHAM.—*Joseph Haven*, Esq., Mr. *Browne*, Captain *Josiah Stone.*
LEXINGTON.—Mr. *Jonas Stone.*
CHELMSFORD.—Mr. *Simeon Spaulding*, Mr. *Jonathan Williams Austin*, Mr. *Samuel Perham.*
SHERBURN.—Captain *Samuel Bullard*, Mr. *Jonathan Lealand.*
SUDBURY.—Mr. *Thomas Plimpton*, Captain *Richard Heard*, Mr. *James Mosman.*
MALDEN.—Captain *Ebenezer Harnden*, Captain *John Dexter.*
MEDFORD.—Mr. *Benjamin Hall.*
WESTON.—*Samuel P. Savage*, Esq., Captain *Braddyl Smith*, Mr. *Josiah Smith.*
HOPKINTON.—Captain *Thomas Mellin*, Captain *Roger Dench*, Mr. *James Mellin.*
WALTHAM.—Mr. *Jacob Bigelow.*
GROTON.—*James Prescott*, Esquire.
SHIRLEY.—Captain *Francis Harris.*
PEPPERELL.—Captain *William Prescott.*
STOW.—*Henry Gardner*, Esquire.
TOWNSHEND.—Mr. *Jona. Stow*, Captain *Daniel Taylor.*
ASHBY.—Mr. *Jonathan Locke*, Captain *Stone.*
STONEHAM.—Captain *Samuel Sprague.*
WILMINGTON.—Mr. *Timothy Walker.*
NATICK.—Mr. *Hezekiah Broad.*
DRACUT.—Mr. *William Hildreth.*
BEDFORD.—Mr. *Joseph Ballard*, *John Read*, Esq.
HOLLISTON.—Captain *Abner Perry.*
TEWKSBURY.—Mr. *Jonathan Brown.*
ACTON.—Mr. *Josiah Hayward*, Mr. *Francis Faulkner*, Mr. *Ephraim Hapgood.*
WESTFORD.—Mr. *Joseph Reed*, Mr. *Zaccheus Wright.*
LITTLETON.—Mr. *Abel Jewett*, Mr. *Robert Harris.*
DUNSTABLE.—*John Tyng*, Esq., *James Tyng*, Esq.
LINCOLN.—Captain *Eleazer Brooks*, Mr. *Samuel Farrar*, Captain *Abijah Pierce.*

COUNTY OF HAMPSHIRE.

SPRINGFIELD.—Doctor *Charles Pynchon*, Captain *George Pynchon*, Mr. *Jonathan Hale*, Junior.
WILBRAHAM.—Mr. *John Bliss.*
LUDLOW.—Mr. *Joseph Miller.*
WEST SPRINGFIELD.—Mr. *Benjamin Ely*, Doctor *Chauncy Brewer.*
NORTHAMPTON.—*Seth Pomeroy*, Esquire, Honourable *Joseph Hawley*, Esquire.
SOUTHAMPTON.—Mr. *Elias Lyman.*
HADLEY.—Mr. *Josiah Pierce.*
SOUTH HADLEY.—Mr. *Noah Goodman.*
AMHERST.—Mr. *Nathaniel Dickerson*, Junior.
GRANBY.—Mr. *Phineas Smith.*
HATFIELD.—Mr. *John Dickerson.*
WHATELY.—(None.)
WILLIAMSBURGH.—(None.)
DEERFIELD.—Mr. *Samuel Barnard*, Junior.
GREENFIELD.—Mr. *Daniel Nash.*
SHELBURN.—Mr. *John Taylor.*
CONWAY.—Mr. *Thomas French.*
WESTFIELD AND SOUTHWICK.—Captain *John Mosely*, Mr. *Elisha Park.*
SUNDERLAND.—Mr. *Israel Hubbard.*
MONTAGUE.—Doctor *Moses Gunn.*
BRIMFIELD.—Mr. *Timothy Danielson.*
SOUTH BRIMFIELD.—Mr. *Daniel Winchester.*
MONSON.—Mr. *Abel Goodale.*
NORTHFIELD.—Mr. *Phineas Wright.*
GREENVILLE.—*Timothy Robinson*, Esquire.
NEW SALEM.—Mr. *William Page*, Junior.
COLRAIN.—Captain *Thomas McGee.*
BELCHERTOWN.—Captain *Samuel Howe.*
WARE.—Mr. *Joseph Foster.*
MURRAYSFIELD.—(None.)
WARWICK.—Captain *Samuel Williams.*
CHARLEMONT.—Mr. *Hugh Maxwell.*
ASHFIELD.—(None.)
WORTHINGTON.—Captain *Nahum Eager.*
GREENWICH.—Mr. *John Rea.*
SHUTESBURY.—(None.)
CHESTERFIELD.—(None.)
NORTHWICH.—Mr. *Ebenezer Meacham.*
EDGECOMB.—(None.)
LEVERETT.—(None.)
PALMER.—Mr. *David Spear.*

COUNTY OF PLYMOUTH.

PLYMOUTH.—Honourable *James Warren*, Esquire, Mr. *Isaac Lothrop.*
SCITUATE.—*Nathan Cushing*, Esquire, Mr. *Gideon Vinal*, Mr. *Barnaby Little.*
MARSHFIELD.—Mr. *Nehemiah Thomas.*
MIDDLEBOROUGH.—Captain *Ebenezer Sprout.*
HANOVER.—Captain *Joseph Cushing.*
ROCHESTER.—Captain *Ebenezer White.*
PLYMPTON.—Mr. *Samuel Lucas.*
PEMBROKE.—Mr. *John Turner*, Captain *Seth Hatch.*
ABINGTON.—Captain *Woodbridge Brown*, Doctor *David Jones.*
BRIDGEWATER.—Captain *Edward Mitchell*, Doctor *Richard Perkins.*
KINGSTON.—*John Thomas*, Esquire.
DUXBURY.—Mr. *George Partridge.*
HALIFAX.—(None.)
WAREHAM.—(None.)

COUNTY OF BARNSTABLE.

BARNSTABLE.—*Daniel Davis*, Esquire.
SANDWICH.—Mr. *Stephen Nye.*
YARMOUTH.—Captain *Elisha Bassett.*
EASTHAM AND WELFLEET.—Mr. *Naaman Holbrook.*
HARWICH.—Mr. *Benjamin Freeman.*
FALMOUTH.—Mr. *Moses Swift.*
CHATHAM.—Captain *Joseph Doane.*
TRURO.—Mr. *Benjamin Atkins.*

COUNTY OF BRISTOL.

TAUNTON.—*Robert Treat Paine*, Esquire, Doctor *David Cobb.*
REHOBOTH.—Captain *Thomas Carpenter*, *Timothy Walker*, Esquire.
SWANSEY *and* SHAWAMET.—Colonel *Cole*, Captain *Levi Wheaton.*
DARTMOUTH.—*Benjamin Aikin*, Esquire.
NORTON *and* MANSFIELD.—Mr. *Eleazer Clap.*

Digitized by Google

ATTLEBOROUGH.—Mr. *Ebenezer Lane*, Captain *John Daggett*.
DIGHTON.—*Elnathan Walker*, Esquire, Doctor *William Baylies*.
FREETOWN.—(None.)
EASTON.—Mr. *Eliphalet Leonard*, Capt. *Zeph. Keith*.
RAYNHAM.—Mr. *Benjamin King*.
BERKLEY.—(None.)

COUNTY OF YORK.

YORK.—Captain *Daniel Bragdon*.
KITTERY.—*Charles Chauncy*, Esquire, *Edward Cutts*, Esquire.
WELLS.—Mr. *Ebenezer Sayer*.
BERWICK.—Captain *William Gerrish*.
BIDDEFORD.—Mr. *James Sullivan*.
PEPERELBOROUGH—(None.)
LEBANON.—(None.)
SANDFORD.—(None.)
BUXTON.—(None.)

COUNTY OF DUKES.

EDGARTOWN.—(None.)
CHILMARK.—*Joseph Mayhew*, Esquire.
TISBURY.—Mr. *Ranford Smith*.

COUNTY OF NANTUCKET.

SHERBURN.—(None.)

COUNTY OF WORCESTER.

WORCESTER.—Mr. *Joshua Bigelow*, Mr. *Timothy Bigelow*.
LANCASTER.—Captain *Asa Whitcomb*, Doctor *William Dunsmore*.
MENDON.—*Joseph Dorr*, Esq., Mr. *Edward Rowson*.
BROOKFIELD.—*Jedediah Foster*, Esquire, Captain *Jeduthan Baldwin*, Captain *Phineas Upham*.
OXFORD.—Captain *Ebenezer Learned*, Doctor *Alexander Camel*.
CHARLTON.—Captain *Jonathan Tucker*.
SUTTON.—Captain *Henry King*, Mr. *Edward Putnam*.
LEICESTER, SPENCER, *and* PAXTON.—Colonel *Thomas Dennie*, Captain *Joseph Henshaw*.
RUTLAND.—Mr. *Daniel Clap*.
RUTLAND DISTRICT.—Mr. *John Mason*.
OAKHAM.—Mr. *Jonathan Bullard*.
HUBBARDSTON.—Mr. *John Clark*.
WESTBOROUGH.—Captain *Stephen Maynard*, Doctor *James Hawse*.
NORTHBOROUGH.—Mr. *Levi Bridgham*.
SHREWSBURY.—Honourable *Artemas Ward*, Esquire, Mr. *Phineas Hayward*.
LUNENBURGH *and* FITCHBURGH.—Captain *George Campbell*, Captain *Abijah Sterns*, Captain *David Goodridge*.
UXBRIDGE.—Captain *Joseph Reed*.
HARVARD.—Mr. *Joseph Wheeler*.
BOLTON.—Captain *Samuel Baker*, Mr. *Ephraim Fairbanks*.
PETERSHAM.—Captain *Ephraim Doolittle*.
SOUTHBOROUGH.—Captain *Jonathan Ward*.
HARDWICK.—Capt. *Paul Mendal*, Mr. *Stephen Rice*.
WESTERN.—Mr. *Gershom Makepeace*.
STURBRIDGE.—Captain *Timothy Parker*.
LEOMINSTER.—*Thomas Legate*, Esquire, Mr. *Israel Nichols*.
DUDLEY.—*Thomas Cheney*, Esquire.
UPTON.—Mr. *Abiel Sadler*.
NEW-BRAINTREE.—Captain *James Wood*.
HOLDEN.—Mr. *John Child*.
DOUGLASS.—Mr. *Samuel Jenison*.
GRAFTON.—Captain *John Goulden*.
ROYALSTON.—Mr. *Henry Bond*.
WESTMINSTER.—Mr. *Nathan Wood*, Mr. *Abner Holden*.
TEMPLETON.—Mr. *Jonathan Baldwin*.
ATHOL.—Mr. *William Bigelow*.
PRINCETON.—Mr. *Moses Gill*, Captain *Benjamin Holden*.
ASHBURNHAM.—Mr. *Jonathan Taylor*.
WINCHENDON.—Mr. *Moses Hale*.
WOODSTOCK.—(None.)
NORTHBRIDGE.—Mr. *Samuel Baldwin*.

COUNTY OF CUMBERLAND.

FALMOUTH *and* CAPE ELIZABETH.—*Enoch Freeman*, Esquire.
SCARBOROUGH.—Mr. *Samuel March*.
NORTH YARMOUTH.—Mr. *John Lewis*.
GORHAM.—*Solomon Lombard*.
BRUNSWICK *and* HARPSWELL.—Mr. *Samuel Thompson*.

COUNTY OF LINCOLN.—(None.)

COUNTY OF BERKSHIRE.

SHEFFIELD, GREAT BARRINGTON, EGREMONT, *and* ALFORD.—*John Fellows*, Esquire, Doctor *William Whiting*.
STOCKBRIDGE *and* WEST STOCKBRIDGE.—Mr. *Thomas Williams*.
TYRINGHAM.—Captain *Giles Jackson*.
PITTSFIELD.—*John Browne*, Esquire.
RICHMOND.—(None.)
LENOX.—Mr. *John Patterson*.
BECKET.—Mr. *Jonathan Wadsworth*.

The Congress proceeded to the choice of a Chairman, when the

Honourable JOHN HANCOCK, Esquire, was elected.
BENJAMIN LINCOLN, Esquire, was chosen Clerk.

Upon a motion, *Voted*, That the Congress be adjourned to the Meeting House in *Concord*.

—

Tuesday, October 11, 1774.

The Congress having met at *Salem*,

Upon a motion, the question was put, whether they would reconsider their vote relative to the appointing a Chairman, and then proceed to the choice of a President, by written votes, and passed in the affirmative.

Upon a motion, *Ordered*, That Captain *Heath*, the Honourable Mr. *Dexter*, and the Honourable Colonel *Ward*, be a Committee to count and sort the votes for a President.

The Congress proceeded to bring in their votes for a President, and the Committee having counted and sorted the same, reported that the Honourable *John Hancock*, Esquire, was chosen.

The Congress then appointed *Benjamin Lincoln*, Esq., Secretary.

Upon a motion, *Ordered*, That Captain *Barret*, Doctor *Warren*, and the Honourable Colonel *Ward* be a Committee to wait on the Reverend Mr. *Emerson*, and desire his attendance on the Congress, that the business might be opened with Prayer.

The Committee appointed to wait on the Reverend Mr. *Emerson*, reported that they had attended to that service, and that the Reverend Mr. *Emerson* would soon attend on the Congress agreeable to their desire.

Adjourned to three o'clock this afternoon.

Three o'clock, P. M.—The Congress is further adjourned to half after eight o'clock to-morrow morning.

—

Wednesday, October 12, 1774.

Congress met agreeable to adjournment.

Upon a motion, *Ordered*, That Major *Fuller*, Colonel *Prescott*, Doctor *Warren*, and Doctor *Holten*, be appointed to return the Congress when necessary, in order the more easily to ascertain a vote, and that they observe the following Divisions, viz:

The wall pews on the right of the desk for one division; those on the left for another; the men's seats and the pews adjoining them, a third; the women's seats and the pews adjoining them, the fourth.

Upon a motion, the question was put whether the several Resolutions entered into by the Counties respectively, be now read, and passed in the affirmative. They were read accordingly.

Resolved, That a Doorkeeper be appointed.

Resolved, That Captain *Barret* be desired to appoint some suitable person for a Doorkeeper; he appointed accordingly Mr. *Jeremiah Hunt* for that purpose.

Ordered, That the Honourable *John Hancock*, Esquire, Honourable *Joseph Hawley*, Esquire, Doctor *Warren*, Honourable *Samuel Dexter*, Esquire, Honourable Colonel *Ward*, Honourable Colonel *Warren*, Captain *Heath*,

Digitized by Google

Colonel *Lee*, Doctor *Church*, Doctor *Holten*, Mr. *Gerry*, Colonel *Tyng*, Captain *Roberson*, Major *Foster*, and Mr. *Gorham*, be a Committee to take into consideration the state of the Province, and report as soon as may be.

Adjourned to three o'clock this afternoon.

Afternoon.

Adjourned to nine o'clock to-morrow morning.

—

Thursday, October 13, 1774.

Congress met agreeable to adjournment.

Adjourned to three o'clock this afternoon.

Afternoon.

The Committee on the State of the Province, reported the following Message to his Excellency. The same was considered and accepted by the Congress, with one dissenting voice only, and the President requested to attest the same.

May it please your Excellency:

The Delegates from the several Towns in the Province of the *Massachusetts Bay*, having convened in general Congress, beg leave to address your Excellency:—The distressed and miserable state of the Province, occasioned by the intolerable grievances and oppressions to which the people are subjected, and the danger and destruction to which they are exposed, of which your Excellency must be sensible, and the want of a General Assembly have rendered it indispensably necessary to collect the wisdom of the Province by their Delegates in this Congress, to concert some adequate remedy for preventing impending ruin, and providing for the publick safety.

It is with the utmost concern we see your hostile preparations which have spread such alarm throughout this Province and the whole Continent, as threatens to involve us in all the confusion and horrours of a civil war; and while we contemplate an event so deeply to be regretted by every good man, it must occasion the surprise and astonishment of all mankind, that such measures are pursued against a people whose love of order, attachment to *Britain*, and loyalty to their Prince, have ever been truly exemplary. Your Excellency must be sensible that the sole end of Government is the protection and security of the people. Whenever therefore that power, which was originally instituted to effect these important and valuable purposes, is employed to harass, distress or enslave the people, in this case it becomes a curse rather than a blessing.

The most painful apprehensions are excited in our minds by the measures now pursuing. The rigorous execution of the Port Bill, with improved severity, must eventually reduce the capital and its numerous dependencies to a state of poverty and ruin. The Acts for altering the Charter and the administration of justice in the Colony, are manifestly designed to abridge this people of their rights, and to license murders; and if carried into execution, will reduce them to a state of slavery. The number of Troops in the capital, increased by daily accession drawn from the whole Continent, together with the formidable and hostile preparations which you are now making on *Boston Neck*, in our opinion greatly endanger the lives, liberties and properties, not only of our brethren in the town of *Boston*, but of this Province in general. Permit us to ask your Excellency, whether an inattentive and unconcerned acquiescence to such alarming, such menacing measures, would not evidence a state of insanity; or, whether the delaying to take every possible precaution for the security of this Province, would not be the most criminal neglect in a people heretofore rigidly and justly tenacious of their constitutional rights?

Penetrated with the most poignant concern, and ardently solicitous to preserve union and harmony between *Great Britain* and the Colonies, so indispensably necessary to the wellbeing of both, we entreat your Excellency to remove that brand of contention, the Fortress at the entrance of *Boston*. We are much concerned that you should have been induced to construct it, and thereby causelessly excite such a spirit of resentment and indignation as now generally prevails.

We assure you sir, that the good people of this Colony never have had the least intention to do any injury to his Majesty's troops; but on the contrary most earnestly desire that every obstacle to treating them as fellow-subjects may be immediately removed; but are constrained to tell your Excellency, that the minds of the people will never be relieved till those hostile works are demolished; and we request you, as you regard his Majesty's honour and interest, the dignity and happiness of the Empire, and the peace and welfare of this Province, that you immediately desist from the Fortress now constructing at the South entrance into the town of *Boston*, and restore the pass to its natural state.

Upon a motion,

Ordered, That a fair copy of the foregoing Report be taken and presented to his Excellency *Thomas Gage*, Esquire, and that a Committee be appointed to wait upon him early to-morrow morning with the same. Accordingly, Colonel *Lee*, Honourable Colonel *Ward*, Colonel *Orne*, Captain *Gardner*, *Henry Gardner*, Esq., Mr. *Devens*, Mr. *Gorham*, Captain *Brown*, Colonel *Pomeroy*, Honourable Colonel *Prescott*, Colonel *Thayer*, Mr. *Williams*, Captain *Heath*, Captain *Upham*, Mr. *Barnes*, Captain *Doolittle*, Mr. *Lothrop*, Major *Thompson*, Mr. *Palmer*, Mr. *Pickering*, and Captain *Thompson*, were appointed.

Resolved, That when this Congress shall adjourn over the Sabbath, that it be adjourned to the Court House in *Cambridge*.

Then the Congress adjourned till to-morrow morning, nine o'clock.

—

Friday, October 14, 1774.

Resolved, That the Message of his Excellency be printed in the *Boston* newspapers.

Adjourned to three o'clock this afternoon.

Afternoon.

The Committee on the State of the Province reported the following Resolve, which was read, considered and accepted, and ordered that it be printed in the *Boston* newspapers, and attested by the Secretary.

Resolved, That the several Constables and Collectors of Taxes throughout the Province, who have or shall have any Moneys in their hands collected on Province Assessments, be advised not to pay the same, or any part thereof, to the Honourable *Harrison Gray*, Esq., but that such Constables and Collectors, as also such Constables and Collectors as have or shall have any County Moneys in their hands, take and observe such orders and directions touching the same, as shall be given them by the several Towns and Districts by whom they were chosen. And that the Sheriffs and Deputy Sheriffs of the several Counties in the Province, who have in their hands any Province Moneys, be also advised not to pay the same to the said *Harrison Gray*, Esq., but that they retain the same in their hands respectively, until the further advice of a Provincial Congress, or order from a constitutional Assembly of this Province. And that the present Assessors of the several Towns and Districts in the Province be advised to proceed to make assessments of the Tax granted by the Great and General Court of the Province at their last *May* session, and that such assessments be duly paid by the persons assessed, to such person or persons as shall be ordered by the said Towns and Districts respectively. And the Congress strongly recommend the payment of the Tax accordingly.

The Congress then adjourned to the Court House in *Cambridge*, there to meet on *Monday* next, at ten o'clock in the forenoon.

—

Monday, October 17, 1774.

The Congress met according to adjournment, and adjourned to the Meeting House in *Cambridge*.

Upon a motion,

Ordered, That Captain *Gardner*, Mr. *Watson*, and Mr. *Cheever*, be a Committee to wait on the Reverend Dr. *Appleton*, and desire that he would attend the Congress and open the meeting with Prayer.

The Committee reported that they had waited on the Reverend Dr. *Appleton*, and delivered the message, and that he would wait on the Congress immediately.

Upon a motion, the question was put, whether application be made to the Governour of the College, for leave

Digitized by Google

for the Congress to sit in the New Chapel, and passed in the negative.

Resolved, That the seats now chosen by the Members in Congress, and those which may be chosen by them in future upon their first coming into the same, be their seats during the session thereof.

Resolved, That the Congress be returned in Divisions as agreed on at *Concord*.

Mr. President informed the Congress that he had in his hand his Excellency's Answer to our Message to him of the thirteenth instant, directed to Colonel *Lee*, the Honourable Colonel *Ward*, Colonel *Orne*, Captain *Gardner*, *Henry Gardner*, Esq., Mr. *Devens*, Mr. *Gorham*, Captain *Brown*, Colonel *Pomeroy*, Honourable Colonel *Prescott*, Colonel *Thayer*, Mr. *Williams*, Captain *Heath*, Captain *Upham*, Mr. *Barnes*, Captain *Doolittle*, Mr. *Lothrop*, Major *Thompson*, Mr. *Palmer*, Mr. *Pickering*, and Captain *Thompson*, said to be a Committee to wait on his Excellency with a Message.

GENTLEMEN: The previous menaces daily thrown out, and the unusual warlike preparations throughout the country, make it an act of duty in me to pursue the measures I have taken in constructing what you call a Fortress, which, unless annoyed, will annoy nobody.

It is surely highly exasperating, as well as ungenerous, even to hint that the lives, liberties or properties of any persons, except avowed enemies, are in danger from *Britains*; *Britain* can never harbour the black design of wantonly destroying, or enslaving, any people on earth. And notwithstanding the enmity shewn the King's Troops, by withholding from them almost every necessary for their preservation, they have not as yet discovered the resentment which might justly be expected to arise from such hostile treatment.

No person can be more solicitous than myself to procure union and harmony between *Great Britain* and her Colonies, and I ardently wish to contribute to the completion of a work so salutary to both countries: But an open and avowed disobedience to all her authority, is only bidding defiance to the mother country, and gives little hopes of bringing a spirited Nation to that favourable disposition, which a more decent and dutiful conduct might effect.

Whilst you complain of Acts of Parliament that make alterations in your Charter, and put you in some degree on the same footing with many other Provinces, you will not forget that by your assembling, you are yourselves subverting that Charter, and now acting in violation of your own Constitution.

It is my duty therefore, however irregular your application is, to warn you of the rock you are upon, and to require your to desist from such illegal and unconstitutional proceedings. THOMAS GAGE.

Province House, October 17, 1774.

Resolved, That his Excellency's Answer be committed to the Committee on the State of the Province.

Ordered, That the Letters on his Honour's table, said to be wrote by the Reverend Mr. *Peters*, be committed to the Committee on the State of the Province.

Adjourned to three o'clock this afternoon.

Afternoon.

Resolved, That in the absence of the President, the Secretary have power to adjourn the Congress.

Ordered, That the Committee appointed to wait on the Reverend Dr. *Appleton* this morning to desire his attendance on the Congress, and open the meeting with Prayer, again wait on him, and return him the Thanks of this Congress for his attendance and prayer with them this morning; and desire that he would officiate as their Chaplain during their session here.

Adjourned until to-morrow morning, nine o'clock.

—

Tuesday, October 18, 1774.

Congress met pursuant to adjournment.

Ordered, That the Galleries now be cleared, and the Doors of the House be kept shut, during the debates of the Congress, until the further order thereof.

Resolved, That a Doorkeeper be appointed; and that the Members of the Town of *Cambridge* appoint some suitable person for that purpose. Mr. *Darling* was appointed accordingly.

Adjourned to three o'clock this afternoon.

Afternoon.

Moved, That the Congress now determine whether they will, or will not, reply to his Excellency's Answer.

After some debate thereon, the question was put, whether the Congress will make a Reply to his Excellency's Answer; and it passed in the affirmative.

Adjourned to ten o'clock to-morrow morning.

—

Wednesday, October 19, 1774.

Ordered, That the Doorkeeper see that the Galleries be now cleared.

The Committee on the State of the Province reported a Reply to his Excellency's Message. The same was read and ordered to be recommitted.

Ordered, That Captain *Heath*, Major *Fellows*, Colonel *Thomas*, Captain *Gardner*, and Colonel *Pomeroy*, be a Committee to make as minute an inquiry into the present state and operations of the Army as may be and report.

Afternoon.

Ordered, That no Members be called out.

The Committee on the State of the Province reported an Answer to his Excellency's Message; which, having been read and considered, paragraph by paragraph, was ordered to lie on the table.

Adjourned to nine o'clock to-morrow morning.

—

Thursday, October 20, 1774.

The Committee appointed to make inquiry into the state and operations of the Army reported. The Report, after being read, was ordered to lie on the table.

Afternoon.

Resolved, That a Committee be appointed to consider what is necessary to be now done for the Defence and Safety of the Province.

Resolved, That the Committee consist of thirteen, viz: two in the County of *Suffolk*, and one in each other County who have returned Members to this Congress.

Resolved, That each County appoint its own member.

The Members of the several Counties retired, soon returned and reported that they had made choice of the following gentlemen respectively, viz:

SUFFOLK.—The Honourable *Samuel Dexter*, Esq., and Captain *Heath*;
MIDDLESEX.—Captain *Gardner*;
ESSEX.—Colonel *Orne*;
HAMPSHIRE.—Major *Hawley*;
PLYMOUTH.—Colonel *Thomas*;
BARNSTABLE.—*Daniel Davis*, Esq.;
BRISTOL.—Colonel *Walker*;
YORK.—*Edward Cutts*, Esq.;
DUKES.—Mr. *Smith*;
WORCESTER.—Colonel *Ward*;
CUMBERLAND.—Major *Freeman*;
BERKSHIRE.—Major *Fellows*;

Upon a motion,

Ordered, That the gentlemen appointed by the several Counties respectively be a Committee for the purpose aforesaid.

The Committee on the State of the Province reported a Resolve relative to the payment and collecting of the outstanding Rates and Taxes; the same being read was ordered to be recommitted.

Upon a motion,

Ordered, That the Answer to his Excellency's Message remain on the table.

Adjourned to nine o'clock to-morrow morning.

—

Friday, October 21, 1774.

Congress met agreeable to adjournment.

Ordered, That Mr. *Gerry*, Colonel, *Warren* and Colonel *Lee*, be a Committee to report a Letter to the Selectmen, Overseers of the Poor, Committee of Correspondence, and Committee of Donations, for the Town of

Digitized by Google

Boston, desiring their attendance at this Congress, to consult measures for the preservation of the Town of *Boston* at this alarming crisis.

Upon a motion, the question was put, whether the Congress will now assign a time when they will take into consideration the propriety of recommending a day of Publick Thanksgiving throughout this Province, and passed in the affirmative; and three o'clock this afternoon was assigned for that purpose.

Upon a motion, the question was put, whether a time be now assigned to take into consideration the propriety of appointing an Agent or Agents, to repair to the Government of *Canada*, in order to consult with the inhabitants thereof and settle a friendly correspondence and agreement with them, and passed in the affirmative; accordingly five o'clock this afternoon was appointed for that purpose.

The Committee appointed to report a Letter to the Selectmen of the town of *Boston*, and others, reported a Letter accordingly, which was read and accepted, and the President requested to sign the same.

Ordered, That the gentlemen wrote to and expected from *Boston*, be requested to bring with them six or eight of *Rivington's* late newspapers.

The Committee on the State of the Province, reported several Resolves relative to the Counsellors and others who have acted in obedience to the late Act of Parliament for altering the Civil Constitution of this Government, and are now in *Boston*. The same being read and considered, was ordered to be recommitted for amendments; which was accordingly recommitted, amended, reported, accepted, and ordered to be printed in all the *Boston* newspapers, and is as followeth, viz:

Whereas, sundry persons now in *Boston*, have, as mandamus Counsellors, or in other capacities, accepted or acted under commissions or authority derived from the Act of Parliament passed last session, for changing the form of Government and violating the Charter of this Province; and by such disgraceful, such detestable conduct, have counteracted not only the sense of this Province, but of the United *American* Colonies, in Grand Congress expressed:

Therefore, Resolved, That the persons aforesaid who shall not give satisfaction to this injured Province and Continent, within ten days from the publication of this Resolve, by causing to be published in all the *Boston* newspapers, acknowledgments of their former misconduct, and renunciations of the commissions and authority mentioned, ought to be considered as infamous betrayers of their country; and that a Committee of Congress be ordered to cause their names to be published repeatedly, that the inhabitants of this Province, by having them entered on the Records of each town, as Rebels against the State, may send them down to posterity with the infamy they deserve; and that other parts of *America* may have an opportunity of stigmatizing them in such way as shall effectually answer a similar purpose.

Resolved, That it be and hereby is recommended to the good people of this Province, so far to forgive such of the obnoxious persons aforesaid, who shall have given the satisfaction required in the preceding Resolve, as not to molest them for their past misconduct.

Ordered, That Major *Thompson*, Mr. *Devens*, and Mr. *Watson*, be a Committee to cause the names of sundry persons now in *Boston*, having, as mandamus Counsellors, or in other capacities, accepted or acted under commission or authority derived from the Act of Parliament passed last session, for changing the form of Government and violating the Charter of this Province, to be published repeatedly, in case they shall not, within ten days, give satisfaction to this injured Province, by causing to be published in all the *Boston* newspapers, acknowledgments of their misconduct, and renunciations of the commissions and authority aforesaid.

Ordered, That Mr. *Appleton*, Mr. *Gill*, Mr. *Pickering*, Mr. *Legate*, and Major *Thompson*, be a Committee to report a Non-consumption Agreement relative to *British* and *India* goods.

Ordered, That Mr. *Palmer*, Captain *Doolittle*, Captain *Greenleaf*, Doctor *Foster*, and Colonel *Danielson*, be a Committee to report a Resolve recommending the total disuse of *India* Teas.

Adjourned to three o'clock this afternoon.

Afternoon.

Mr. President informed the Congress that he had in his hands a number of *Rivington's* newspapers; Whereupon,

Ordered, That Mr. *Gerry*, Captain *Farley*, and Doctor *Church*, be a Committee to look over the same; and if any thing therein should appear to have been written with a design to injure this Province, that they report it to the Congress.

Ordered, That Mr. *Gill*, Major *Fuller*, Colonel *Prescott*, Mr. *Hall*, Mr. *Gardner*, of *Stow*, Mr. *Davis*, and Captain *Upham*, be a Committee to wait on the gentlemen, Selectmen, and others, expected from *Boston*, and conduct them to this body.

The gentlemen Selectmen, Overseers of the Poor, Committee of Correspondence, and Committee of Donations, being introduced, a free conversation was had with them on means for preserving the town of *Boston* at this alarming crisis.

The Committee appointed to bring in a Resolve recommending the total disuse of *India* teas in this Province, reported. The Report was read and accepted, and is as followeth:

Whereas, the unnecessary and extravagant consumption of *East India* Teas in time past, has much contributed to the political destruction of this Province; and as Tea has been the mean by which a corrupt Administration have attempted to tax, enslave, and ruin us; Therefore,

Resolved, That this Congress do earnestly recommend to the people of this Province an abhorrence and detestation of all kinds of *East India* teas, as the baneful vehicle of a corrupt and venal Administration, for the purpose of introducing despotism and slavery into this once happy country; and that every individual in this Province ought totally to disuse the same. And it is also recommended that every Town and District appoint a Committee to post up in some publick place the names of all such in their respective Towns and Districts, who shall sell or consume so extravagant and unnecessary an article of luxury.

The Committee appointed to consider what is necessary to be done for the defence and safety of this Province, reported. The Report was read, and ordered that the consideration thereof be referred until to-morrow morning.

Adjourned to nine o'clock to-morrow morning.

—

Saturday, October 22, 1774.

The Congress resumed the consideration of the Report of the Committee appointed to consider what is necessary to be done for the defence and safety of this Province; and ordered the same to be recommitted for amendments.

Ordered, That the Honourable *John Winthrop*, Esq., Mr. *Wheeler*, and Mr. *Lombard*, be a Committee to bring in a Resolve recommending to the people of this Province that they observe a day of Publick Thanksgiving throughout the same; and that they sit immediately.

Resolved, That the consideration of the propriety of sending Agents to *Canada* be referred to the next meeting of this Congress.

Ordered, That Mr. *Cushing*, of *Scituate*, Captain *Doolittle*, Mr. *Williams*, and Mr. *Palmer*, be joined to the Committee appointed to prepare a Non-consumption Agreement relative to *British* and *India* goods; and that the Committee sit forthwith.

Moved, That a Committee be appointed to bring in a Resolve relative to the King's Troops providing themselves with straw. After a long debate had thereon, the question was ordered to subside.

The Committee appointed to bring in a Resolve recommending to the people of this Province to observe a day of Publick Thanksgiving throughout the same, reported; which Report was read, amended, and accepted, and is as followeth, viz:

From a consideration of the continuance of the Gospel among us, and the smiles of Divine Providence upon us with regard to the seasons of the year, and the general health which has been enjoyed; and in particular, from a consideration of the union which so remarkably prevails, not only in this Province, but throughout the Continent, at this alarming crisis, it is resolved, as the sense of this Congress, that it is highly proper that a day of Publick Thanksgiving should be observed throughout this Prov-

Digitized by Google

ince; and it is accordingly recommended to the several religious assemblies in the Province, that *Thursday*, the fifteenth day of *December* next, be observed as a day of Thanksgiving, to render thanks to Almighty *God* for all the blessings we enjoy; and, at the same time, we think it incumbent on this people to humble themselves before *God*, on account of their sins, for which he hath been pleased, in his righteous judgment, to suffer so great a calamity to befall us as the present controversy between *Great Britain* and the Colonies; as also to implore the Divine blessing upon us, that, by the assistance of his grace, we may be enabled to reform whatever is amiss among us, that so *God* may be pleased to continue to us the blessings we enjoy, and remove the tokens of his displeasure, by causing harmony and union to be restored between *Great Britain* and these Colonies, that we may again rejoice in the smiles of our Sovereign, and in possession of those privileges which have been transmitted to us, and have the hopeful prospect that they shall be handed down to posterity under the Protestant succession in the illustrious House of *Hanover*.

Afternoon.

The Report of the Committee appointed to consider what is necessary to be done for the Defence and Safety of the Province, being amended, was again read, and ordered to be recommitted for further amendment; and was committed accordingly.

Resolved, That the order recommending that a day of Thanksgiving be observed throughout this Province, be printed, and a copy thereof sent to all the religious assemblies in this Province; and that the President sign the same.

Ordered, That Mr. *Appleton*, Doctor *Foster*, and Mr. *Devens*, be a Committee to agree with Messrs. *Edes* and *Gill*, to print the Resolve entered into by this Congress, recommending to the inhabitants of this Province to observe a day of Publick Thanksgiving; and that they send a copy thereof to all the religious assemblies therein.

Adjourned to *Monday* next, at ten o'clock, A. M.

—

Monday, October 24, 1774.

The Report of the Committee appointed to consider what is necessary to be done for the defence and safety of the Province, being amended, was taken into consideration, and a long debate had thereon.

Adjourned to three o'clock, P. M.

Afternoon.

Congress met pursuant to adjournment.

Ordered, That Colonel *Lee*, Mr. *Palmer*, Captain *Batcheldor*, Captain *Keith*, and Colonel *Orne*, be a Committee to consider of and report to this Congress the most proper time for this Province to provide a stock of Powder, Ordnance, and Ordnance Stores; and that they sit forthwith.

Ordered, That the Committee appointed to bring in a Non-consumption Agreement, report forthwith.

Resolved, That the debates had in Congress this afternoon, and that all those which may be had in future, be kept secret by the Members thereof, until leave shall be had from the Congress to disclose the same.

Ordered, That Mr. *Bliss* wait upon the Committee appointed to consider of the most proper time for this Province to provide themselves with Powder, Ordnance, &c. He waited on the Committee accordingly, and reported that they would attend on the Congress in a few minutes. The Committee came in accordingly, and reported, as their opinion, that now was the proper time for the Province to procure a stock of powder, ordnance, and ordnance stores.

Ordered, That Colonel *Lee*, Mr. *Palmer*, Captain *Batcheldor*, Captain *Keith*, Colonel *Orne*, Captain *Gardner*, Captain *Heath*, Colonel *Warren*, and Colonel *Pomeroy*, be a Committee to take into consideration and determine what number of Ordnance, what quantity of Powder and Ordnance Stores will be now necessary for the Province stock, and estimate the expense thereof.

The Congress resumed the consideration of the Report of the Committee appointed to consider what is necessary to be done for the defence and safety of the Province, and ordered it to be recommitted for further amendments, and that Captain *Roberson*, Major *Foster*, Captain *Bragdon*, and Mr. *Gerry*, be added to the Committee.

Adjourned till to-morrow morning, nine o'clock.

Tuesday, October 25, 1774.

Congress met agreeable to adjournment.

Ordered, That the Committee appointed to report a Non-consumption Agreement, sit forthwith.

Mr. *Wheeler* brought into Congress a Letter directed to Doctor *Appleton*, purporting the propriety, that while we are attempting to free ourselves from our present embarrassments, and preserve ourselves from slavery, that we also take into consideration the state and circumstances of the Negro Slaves in this Province. The same was read, and it was moved that a Committee be appointed to take the same into consideration. After some debate thereon, the question was put, whether the matter now subside, and it passed in the affirmative.

Ordered, That Mr. *Patterson*, Mr. *Devens*, and Doctor *Holten*, be a Committee to inquire into the state of all the stores in the Commissary General's office.

Upon a motion, the question was put, whether a Committee be appointed to take into consideration the propriety of having the Donations which shall be made to the Poor of the town of *Boston*, stored in the country, and passed in the negative.

Resolved, That four o'clock this afternoon be assigned to take into consideration the state of the Executive Courts throughout this Province.

Ordered, That the Committee appointed to inquire into the state of all the Stores in the Commissary General's office, report forthwith.

Afternoon.

Ordered, That the Doorkeeper be directed to call in the Members.

The Committee appointed to take into consideration what number of Ordnance, what quantity of Powder and Ordnance Stores are now necessary for the Province stock, and estimate the expense thereof, reported. The Report was read, considered, and accepted; which is as followeth:

The Committee appointed to take into consideration and determine what number of Ordnance, quantity of Powder and Ordnance Stores will be necessary for the Province stock at this time, and estimate the expense, beg leave to report the following schedule of articles as necessary to be procured at this time, in addition to what we are already possessed of, with the estimate of expenses attendant, amounting in the whole to ten thousand seven hundred and thirty-seven pounds, viz:

16 field pieces, 3 pounders, with carriages, irons, &c.; wheels for ditto, irons, sponges, ladles, &c., *a* £30 - - -	£480 0 0
4 ditto, 6 pounders, with ditto, *a* £38 -	152 0 0
Carriages, irons, &c, for 12 battering cannon, *a* £30 - - - - -	360 0 0
4 mortars, and appurtenances, viz: 2 8-inch and 2 13-inch, *a* £20 - - -	80 0 0
20 tons grape and round shot, from 3 to 24 lb., *a* £15 - - - -	300 0 0
10 tons bomb-shells, *a* £20 - -	200 0 0
5 tons lead balls, *a* £33 - - -	165 0 0
1,000 barrels powder, *a* £8 - -	8,000 0 0
Contingent charges - - -	1,000 0 0
	10,737 0 0

In addition to the above estimate,

Ordered, That there be procured 5,000

arms and bayonets, *a* £2 - -	10,000 0 0
And 75,000 flints - - -	100 0 0
	£20,837 0 0

Ordered, That all the matters which shall come under consideration before this Congress, be kept secret, and that they be not disclosed to any but the Members thereof, until the further order of this body.

The Committee appointed to consider what is necessary to be done for the defence and safety of the Government, reported. The Report was read.

Adjourned to eight o'clock to-morrow morning.

—

Wednesday, October 26, 1774.

Congress met pursuant to adjournment.

The Congress resumed the consideration of the Report

Digitized by Google

of the Committee appointed to consider what is necessary to be done for the defence and safety of the Province, and ordered that it be read and considered by paragraphs.

Adjourned to three o'clock this afternoon.

Afternoon.

Ordered, That the Doorkeeper be directed to call in the Members.

The Congress then resumed the consideration of the above Report, relative to what is necessary to be done for the defence and safety of the Province, and ordered that it be recommitted for amendments; which was amended, read, and accepted, almost unanimously, and is as followeth, viz:

Whereas, in consequence of the unhappy disputes between *Great Britain* and the Colonies, a formidable body of troops, with warlike preparations of every sort, are already arrived at, and others destined for the metropolis of this Province; and the express design of their being sent is to execute Acts of the *British* Parliament utterly subversive of the Constitution of the Province. And whereas, his Excellency General *Gage* has attempted, by his troops, to disperse the inhabitants of *Salem*, whilst assembled to consult measures for preserving their freedom, and to subjugate the Province to arbitrary government; and proceeding to still more unjustifiable and alarming lengths, has fortified against the country the capital of the Province, and thus greatly endangered the lives, liberties, and properties of its oppressed citizens; invaded private property, by unlawfully seizing and retaining large quantities of ammunition in the arsenal at *Boston*, and sundry pieces of ordnance and warlike stores of all sorts, provided at the publick expense for the use of the Province; and by all possible means endeavoured to place the Province entirely in a defenceless state; at the same time having neglected and altogether disregarded the assurances from this Congress of the pacifick disposition of the inhabitants of the Province, and entreaties that he would cease from measures which tended to prevent a restoration of harmony between *Great Britain* and the Colonies.

Wherefore, it is the opinion of this Congress, that notwithstanding nothing but slavery ought more to be deprecated than hostilities with *Great Britain;* notwithstanding the Province has not the most distant design of attacking, annoying, or molesting his Majesty's troops aforesaid; but, on the other hand, will consider and treat every attempt of the kind, as well as all measures tending to prevent a reconciliation between *Great Britain* and the Colonies, as the highest degree of enmity to the Province; nevertheless, there is great reason, from the consideration aforesaid, to be apprehensive of the most fatal consequences, and that the Province may be in some degree provided against the same; and under full persuasion that the measures expressed in the following Resolutions are perfectly consistent with such Resolves of the Continental Congress, as have been communicated to us;

Resolved, That * be a Committee of Safety, to continue in office until the further orders of this or some other Congress or House of Representatives of the Province; whose business it shall be most carefully and diligently to inspect and observe all and every such person and persons as shall, at any time, attempt or enterprise the destruction, invasion, detriment, or annoyance of this Province, &c.; which said Committee, or any five of them, (provided always, that not more than one of the said five shall be an inhabitant of the town of *Boston*,) shall have power, and they are hereby directed, whenever they shall judge it necessary for the safety and defence of the inhabitants of this Province, and their property, against such person or persons as aforesaid, to alarm, muster, and cause to be assembled, with the utmost expedition, and completely armed, accoutred, and supplied with provisions sufficient for their support in their march to the place of rendezvous, such and so many of the militia of this Province, as they shall judge necessary for the ends aforesaid, and at such place or places as they shall judge proper, and then to discharge them as soon as the safety of the Province shall permit. And this body do most earnestly recommend to all the officers and soldiers of the militia in this Province, who shall from time to time, during the commission of the said Committee, receive any call or order from the said Committee, to pay the strictest obedience thereto, as they regard the liberties and lives of themselves and the people of this Province.

Also, Resolved, That * * * * * * * * * * * * * * * * * * or the major part of them, be a Committee, in case of any such muster and assembling of the militia as aforesaid, to make such provision as shall be necessary for their reception and support, until they shall be discharged by the order of the said Committee of Safety; and also sufficient provisions to support them in their return to their respective homes; and shall also, without delay, purchase and provide, upon the credit of the moneys already granted by the Province, not paid into the Treasury, so many pieces of cannon and carriages for the same, small arms, such quantities of ammunition and ordnance stores as they shall judge necessary, not exceeding the value of twenty thousand eight hundred and thirty-seven pounds, to be deposited in such secure places as the said Committee of Safety shall direct.

Also, Resolved, That * * * * * * * * * * * * * * * * * * be and they hereby are appointed officers to command, lead, and conduct, such of the militia as shall be mustered and assembled by order of the said Committee of Safety, in manner and for the purposes aforesaid, so long as they shall be retained by the said Committee of Safety, and no longer, who shall, while in the said service, command in the order in which they are above named.

Also, Resolved, That all the said officers and soldiers who may be mustered and retained in service by the above said Committee of Safety, for the purpose aforesaid, shall be entitled to such an allowance from this Province, as shall be adequate to their services from the time that they shall march from their respective places of abode, until they shall be discharged from the said service, and reasonable time for their return home.

Also, Resolved, That it be recommended to the several companies of militia in this Province, who have not already chosen and appointed officers, that they meet forthwith and elect officers to command their respective companies; and that the officers so chosen assemble as soon as may be; and where the said officers shall judge the limits of the present regiments too extensive, that they divide them and settle and determine their limits, and proceed to elect field officers to command the respective regiments so formed; and that the field officers so elected, forthwith endeavour to enlist one quarter, at the least, of the number of the respective companies, and form them into companies of fifty privates, at the least, who shall equip and hold themselves in readiness, on the shortest notice from the said Committee of Safety, to march to the place of rendezvous; and that each and every company so formed choose a captain and two lieutenants to command them on any such emergent and necessary service as they may be called by the Committee of Safety aforesaid; and that the said captains and subalterns so elected from the said companies into battalions, to consist of nine companies each; and the said captains and subalterns of each battalion so formed, proceed to elect field officers to command the same. And this Congress doth most earnestly recommend that all the aforesaid elections be proceeded in and made with due deliberation and patriotick regard for the publick service.

Also, Resolved, That, as the security of the lives, liberties, and properties of the inhabitants of this Province, depend, under Providence, on their knowledge and skill in the art military, and in their being properly and effectually armed and equipped, it is therefore recommended that they immediately provide themselves therewith; that they use their utmost diligence to perfect themselves in military skill; and that, if any of the inhabitants are not provided with arms and ammunition according to law, and that, if any Town or District within the Province, is not provided with the full town stock of arms and ammunition, according to law, that the Selectmen of such Town or District take effectual care, without delay, to provide the same.

Resolved, That the blanks in the foregoing Report be filled up to-morrow morning at ten o'clock; and that the Committees and Officers therein recommended be chosen by ballot.

Resolved, That a Committee be appointed to prepare, in the recess of this Congress, a well digested Plan for the Regulating and Disciplining the Militia, placing them in every respect on such a permanent footing as shall render

Digitized by Google

them effectual for the preservation and defence of the good people of this Province.

Ordered, That Captain *Heath*, Captain *Gardner*, Mr. *Bigelow*, Colonel *Orne*, and Colonel *Thayer*, be a Committee to take into consideration what Exercise will be best for the people of this Province at this time to adopt, and report.

Adjourned to nine o'clock to-morrow morning.

—

Thursday, October 27, 1774.

The Order of the Day was moved for.

Ordered, That Colonel *Warren*, Doctor *Holten*, and Colonel *Lee*, be a Committee to sort and count the votes for the Committees and Officers this day to be elected.

Resolved, That the Congress will proceed to the choice of the Committee of Safety, which is to consist of nine members, viz: three in the town of *Boston*, and six in the country, in the manner following, viz: they will give their votes first for the three members of the town of *Boston*, and then for the six in the country.

The Congresss accordingly proceeded to bring in their votes for the three members of the town of *Boston*, and the Committee appointed to count and sort the votes, reported that the following gentlemen were chosen, viz: Honourable *John Hancock*, Esquire, Doctor *Warren*, and Doctor *Church*.

The Congress then proceeded to bring in their votes for six gentlemen of the country; after sorting and counting the same, the Committee reported that the following were chosen, viz: Mr. *Devens*, Captain *White*, of *Brookline*, Mr. *Palmer*, *Norton Quincy*, Esquire, Mr. *Watson*, and Colonel *Orne*.

Afternoon.

The Congress proceeded to bring in their votes for five Commissaries; and the Committee having sorted and counted the votes, reported that the following gentlemen were chosen, viz: Mr. *Cheever*, Mr. *Gill*, Colonel *Lee*, Mr. *Greenleaf*, Colonel *Warren*.

Upon a motion made by Colonel *Warren*, that he might be excused from serving on the Committee for Supplies; and having offered his reasons therefor, the question was put, whether he be excused from serving on said Committee, and passed in the affirmative.

The Congress then proceeded to bring in their votes for a person to serve in the place of Colonel *Warren*, who hath been excused, and after sorting and counting the same, they reported that Colonel *Lincoln* was chosen.

It was then moved, that the Congress proceed to the choice of three General Officers; and, *Resolved*, That they would first make choice of the gentleman who should have the chief command; and the Committee having sorted and counted the votes, reported that the Honourable *Jedediah Preble*, Esquire, was chosen.

The Congress then proceeded to bring in their votes for the second in command, and the Committee having sorted and counted the votes, reported the Honourable *Artemas Ward*, Esquire, was chosen.

The Congress then proceeded to bring in their votes for the third in command, and the Committee having sorted and counted the votes, reported that Colonel *Pomeroy* was chosen.

The Congress then proceeded to bring in their votes for a Committee to set in the recess of this Congress, agreeable to the Resolve of yesterday, and the Committee having sorted and counted the votes, reported that the following gentlemen were chosen, viz:

The Honourable *Joseph Hawley*, Esquire, Honourable *John Hancock*, Esquire, Honourable *Samuel Dexter*, Esquire, Mr. *Elbridge Gerry*, Captain *Heath*, Major *Foster*, Honourable *James Warren*, Esquire.

Resolved, That to-morrow morning, nine o'clock, the Congress will take into consideration the propriety of appointing a Receiver General.

Ordered, That the Members be enjoined to attend, and that they do not absent themselves for any cause save that of absolute necessity.

Resolved, That the Replication of his Excellency's Answer which was ordered to lie on the table for the Members to review, be now taken up and recommitted for some amendments.

Upon a motion the question was put, whether the Honourable *Samuel Danforth*, Esquire, be desired to attend this Congress upon the adjournment, and passed in the negative.

Upon a motion, the question was put, severally, whether the Honourable *James Pitts*, Esquire, Honourable *Artemas Ward*, Esquire, Honourable *Benjamin Greenleaf*, Esquire, Honourable *Caleb Cushing*, Esquire, Honourable *Samuel Phillips*, Esquire, Honourable *Richard Derby*, Esquire, Honourable *James Otis*, Esquire, Honourable *William Seaver*, Esquire, Honourable *Walter Spooner*, Esquire, Honourable *Benjamin Chadburn*, Esquire, Honourable *Jedediah Preble*, Esquire, and the Honourable *George Leonard*, Esquire, be desired to attend this Congress at the next meeting upon the adjournment, and passed in the affirmative.

The question was then put, whether the Honourable *John Erving*, Esq., and the Honourable *Jeremiah Powell*, Esquire be desired also to attend this Congress, upon its being evident that they had not accepted, and upon their having given full assurances that they would not accept of their commission as mandamus Counsellors, and it passed in the affirmative.

Ordered, That Mr. *Cushing*, Colonel *Prescott*, and Captain *Greenleaf*, be a Committee to bring in a Resolve inviting the Counsellors aforesaid to attend accordingly.

Adjourned till to-morrow morning, nine o'clock.

—

Friday, October 28, 1774.

The Order of the Day was moved for.

Resolved, That the Congress now proceed to the choice of a Receiver General.

Ordered, That Colonel *Warren*, Doctor *Holten*, and Colonel *Lee*, be a Committee to count and sort the votes for a Receiver General.

The Congress then proceeded to bring in their votes for a Receiver General; the Committee having counted and sorted the same, reported that the Honourable *Samuel Dexter*, Esquire, was chosen. But upon a motion by him made, that he might be excused from serving in that office, and having offered his reasons for his motion, the question was put, whether he be excused accordingly, and it passed in the affirmative.

Resolved, That the choice of a Receiver General be put off till three o'clock this afternoon.

The Committee on the State of the Province reported a Resolve, relative to the removal of the inhabitants of the town of *Boston* from thence, which was read.

Afternoon.

Upon a motion made by Mr. *Greenleaf*, one of the Committee for providing stores, that he might be excused from serving in that office, and having offered his reasons for his motion, the question was put, whether he be excused accordingly, and it passed in the affirmative.

The Congress resumed the consideration of the Report of the Committee, recommending the removal of the inhabitants of the town of *Boston* from thence. Ordered to be recommitted, and that the Committee sit forthwith.

Resolved, That the Congress now proceed to the choice of a Receiver General. The votes being carried in, and the Committee having sorted and counted the same, reported that *Henry Gardner*, Esquire, was chosen.

Resolved, That the Congress now proceed, according to their order in the forenoon, to bring in their votes for the choice of a person to fill up the Committee for providing stores, in the place of Mr. *Greenleaf*, who was excused. The Committee having sorted and counted the same, reported that Mr. *Benjamin Hall* was chosen.

The Committee on the State of the Province reported a Resolve relative to the Collecting and Paying the outstanding Taxes, which was read and accepted; but, upon a motion, the above vote was reconsidered, and the Report was committed to Major *Hawley*, Mr. *Gerry*, and Major *Foster*, for amendments, which was done, was again considered and accepted, and is as followeth, viz:

Whereas, the Moneys heretofore granted and ordered to be assessed by the General Court of this Province, and not paid into the Province Treasury, will be immediately wanted to supply the unexpected and pressing demands of this Province, in its present distressed circumstances, and

Digitized by Google

it having been recommended by this Congress that the same should not be paid to the Honourable *Harrison Gray*, Esquire, for reasons most obvious; Therefore,

Resolved, That *Henry Gardner*, Esquire, be, and he hereby is, appointed Receiver General until the further order of this or some other Congress, or House of Representatives of this Province, whose business it shall be to receive all such moneys as shall be offered to be payed into his hands for the use of the Province by the several Constables, Collectors, and other persons, by order of the several Towns or Districts, and to give his receipt for the same; and the same moneys to pay out to the Committee of Supplies, or a major part of them, already appointed by this Congress, or the order of said Committee, or the major part of them, for the payment of such disbursements as they shall find to be necessary for the immediate defence of the inhabitants of this Province. And it is hereby recommended to the several Towns and Districts within this Province, that they immediately call Town and District Meetings, and give directions to all Constables, Collectors, and other persons who may have any part of the Province Money collected by Taxes of such Towns or Districts in their respective hands or possession, in consequence of any late order and directions of any Towns or Districts, that he or they immediately pay the same to the said *Henry Gardner*, Esq., for the purposes aforesaid.

And it is also recommended, that the several Towns and Districts in said directions signify and expressly engage, to such Constables, Collectors, or other persons, who shall have their said moneys in their hands, that their paying the same in manner as aforesaid, and producing a receipt therefor, shall ever hereafter operate as an effectual discharge to such persons for the same. And it is hereby recommended, that the like order be observed respecting the Tax ordered by the Great and General Court at their last *May* session.

And it is hereby further recommended to all Sheriffs who may have in their hands any moneys belonging to the Province, that they immediately pay the same to the said Receiver General, for the purposes aforesaid, taking his receipt therefor.

And the said *Henry Gardner*, Esquire, the Receiver General, shall be accountable to this or some other Congress or House of Representatives of this Province, for whatever they shall do touching the premises. And to the end that all the moneys heretofore assessed in pursuance to any former grants and orders of the Great and General Court or Assembly of this Province, and hitherto uncollected by the several Constables and Collectors, to whom the several lists of assessments thereof were committed, may be effectually levied and collected, and also to the end, that all the moneys granted, and ordered to be assessed by the General Court at their session in *May* last, which have been assessed, or which may be assessed, may be also speedily and punctually collected, it is earnestly recommended by this body, to the several Constables and Collectors respectively, who have such assessments in their hands, or to whom any assessments yet to be made, may be committed by the Assessors of any Towns or Districts, that in the levying and collecting the respective part or proportion of the total of such assessments, therein set down to the several persons named therein, they should act and proceed in the same manner as is expressed and prescribed in the form of a Warrant given and contained in one act or law of this Province, entitled, "An Act prescribing the form of a Warrant for collecting of Town Assessments," &c. And it is also hereby strongly recommended to all the inhabitants of the several Towns and Districts in this Province, that they, without fail, do afford to their respective Constables and Collectors all that aid and assistance which shall be necessary to enable them in that manner to levy the contents of such assessments, and that they do oblige and compel the said Constables and Collectors to comply with and execute the directions of this Resolve, inasmuch as the present most alarming situation and circumstances of this Province does make it absolutely necessary for the safety thereof.

Ordered, That Mr. *Appleton*, Mr. *Cushing*, and Mr. *Palmer* be a Committee to bring in a Resolve relative to a Non-consumption Agreement.

Ordered, That Major *Hawley*, Mr. *Cushing*, and Mr. *Gerry*, be a Committee to prepare and bring in a Resolve relative to an Equal Representation of the Province in Congress at the next meeting thereof.

The Committee appointed to bring in a Resolve inviting the constitutional Counsellors of this Province to attend this Congress at the next meeting thereof upon adjournment, reported; which Report was read and accepted, and is as followeth, viz:

Resolved, That the Honourable *John Erving*, Esquire, Honourable *Samuel Pitts*, Esquire, Honourable *Artemas Ward*, Esquire, Honourable *Benjamin Greenleaf*, Esquire, Honourable *Caleb Cushing*, Esquire, Honourable *Samuel Phillips*, Esquire, Honourable *Richard Derby*, Esquire, Honourable *James Otis*, Esquire, Honourable *William Seaver*, Esquire, Honourable *Walter Spooner*, Esquire, Honourable *Jeremiah Powell*, Esquire, Honourable *Benjamin Chadburn*, Esquire, Honourable *Jedediah Preble*, Esquire, and the Honourable *George Leonard*, Esquire, constitutional Members of his Majesty's Council of this Colony, by the Royal Charter, chosen to said office last *May* session, be desired to give their attendance at the next meeting of this Congress upon adjournment, that this body may have the benefit of their advice upon the important matters that may then come under consideration. And the Secretary of this Congress is hereby directed to transmit to those gentlemen severally a copy of this Resolve.

The Committee appointed to bring in a Resolve relative to a Non-consumption Agreement, reported. The Report was read and ordered to be committed for amendments. It was accordingly amended, read again, and accepted, and is as followeth, viz:

Whereas, this Province have not, as yet, received from the Continental Congress such explicit directions respecting Non-importation and Non-consumption Agreements as are expected; and whereas, the greatest part of the inhabitants of this Colony have lately entered into Non-importation and Non-consumption Agreements, the good effects of which are very conspicuous. Therefore,

Resolved, That this Congress approve of the said Agreements, and earnestly recommend to all the inhabitants of this Colony, strictly to conform to the same, until the further sense of the Continental or the Provincial Congress is made publick. And further, this Congress highly applaud the conduct of those patriotick Merchants who have generously refrained from importing *British* goods since the commencement of the cruel *Boston* Port Bill; at the same time reflect with pain on the conduct of those who have sordidly preferred their private interest to the salvation of their suffering country, by continuing to import as usual; and recommend it to the inhabitants of the Province that they discourage the conduct of said Importers by refusing to purchase any articles whatever of them.

Resolved, That the foregoing Report be published.

The Committee appointed to inquire into the state of the warlike stores in the Commissary General's office, reported; and it was thereupon

Ordered, That Captain *Heath*, Doctor *Warren*, and Doctor *Church*, be a Committee to take care of, and lodge in some safe place in the country, the warlike stores now in the Commissary General's office, and that the matter be conducted with the greatest secrecy.

Resolved, That the Committee of Correspondence of the town of *Worcester* be desired to take proper care that the bayonets, the property of this Province, now in the hands of Colonel *Chandler*, be removed to some safe place at a distance from his house.

Adjourned to nine o'clock to-morrow morning.

—

Saturday, October 29, 1774.

The Committee appointed to take into consideration what Military Exercise is best for the people of this Province now to adopt, reported; the Report was read and accepted, and

Ordered, That Major *Foster* bring in a Resolve accordingly; who, in obedience to the above order, reported the following Resolve, which was read and accepted, and ordered to be published in the *Boston* newspapers:

Resolved, That it be recommended to the inhabitants of this Province, that in order to their perfecting themselves in the Military Art, they proceed in the method ordered by his Majesty in the year 1764, it being, in the opinion

Digitized by Google

of this Congress, best calculated for appearance and defence.

Upon a motion, the question was put, whether the Congress will now go into the consideration of the propriety of keeping the Records of the County of *Suffolk* in the Town of *Boston*, and passed in the affirmative.

After a very considerable debate on the question, it was ordered that the matter now subside.

Resolved, That the consideration of the state of the Executive Courts in the Province be referred to the next meeting of this Congress.

Ordered, That Captain *Gardner*, Mr. *Wheeler*, and Mr. *Watson*, be a Committee to wait on the Reverend Doctor *Appleton*, with Thanks of this body for his constant attendance on, and praying with them, during their session in the Town of *Cambridge*.

Ordered, That the payment of the several expenses of this Congress be referred until the next meeting thereof.

Resolved, That the Committee of Safety be desired to write to the Continental Congress, showing them the grounds and reasons of our proceedings, and enclose them a copy of our Votes and Resolutions.

Ordered, That Major *Foster*, Doctor *Holten*, and Mr. *Appleton*, be a Committee to look over the Resolves and Orders of this Congress, and point out what is necessary now to be made publick.

The Committee appointed to wait on the Reverend Doctor *Appleton* with the Thanks of this Congress, reported that they had attended to that service, and that the Doctor informed them that the Congress were welcome to his services, and that he wished them the blessing of Heaven.

Resolved, That when this Congress shall adjourn that it be adjourned to the 23d day of *November* next, at ten o'clock in the forenoon, then to meet at this place.

The Committee on the State of the Province having amended the Replication to his Excellency's Answer to our Message to him, the same being read, was accepted unanimously.

Ordered, That Captain *Heath*, Captain *White*, Captain *Gardner*, Mr. *Cheever*, and Mr. *Deaven*, be a Committee to wait on his Excellency with the following Replication to his Excellency:

May it please your Excellency:

The Province having been repeatedly alarmed by your Excellency's unusual and warlike preparations since your arrival into it, and having by this Congress expressed a reasonable expectation that you would desist from, and demolish your Fortifications on *Boston Neck*, it must afford matter of astonishment not only to the Province, but the whole Continent, that you should treat our importunate applications with manifest insensibility and disregard.

The Congress are possessed of a writing with your signature, which purports itself to be a Message to this body, although addressed to sundry gentlemen by name, who, officiating as our Committee, presented an Address to your Excellency. We are surprised at your saying, that "what we call a Fortress, unless annoyed, will annoy nobody;" when, from your acquaintance with the Constitution of *Britain*, and of the Province over which you have been by his Majesty commissioned to preside, you must know that barely keeping a Standing Army in the Province, in time of peace, without consent of the Representatives, is against law, and must be considered as a great grievance to the subject—a grievance which this people could not, with a due regard to freedom, endure, was there not reason to hope that his Majesty, upon his being undeceived, would order redress? Is it not astonishing then, sir, that you should have ventured to assert that a "fortress," by whatever name your Excellency is pleased to call it, which puts it in the power of the Standing Army which you command to cut off the communication between the country and the capital of this Province; to imprison the many thousand inhabitants of the Town of *Boston*; to insult and destroy them upon the least, or even without any provocation, and which is evidently a continual annoyance to that oppressed community, "unless annoyed, will annoy nobody?"

A retrospect of your Excellency's conduct, since your late residence in this Province, we conclude will convince you of that truth, the mere hinting of which, you tell us, "is highly exasperating as well as ungenerous." We presume your Excellency will not deny that you have exerted yourself to execute the Acts made to subvert the Constitution of the Province, although your Excellency's connections with a Ministry inimical to the Province, and your being surrounded by men of the worst political principles, preclude a prospect of your fully exercising towards this Province your wonted benevolence and humanity; yet, sir, we pray you to indulge your social virtues so far as to consider the necessary feelings of this people under the hand of oppression. Have not invasions of private property, by your Excellency, been repeatedly made at *Boston*? Have not the inhabitants of *Salem*, whilst peaceably assembled for concerting measures to preserve their freedom, and unprepared to defend themselves, been in imminent danger from your Troops? Have you not, by removing the Ammunition of the Province, and by all other means in your power, endeavoured to put it in a state utterly defenceless? Have you not expressly declared that "resentment might justly be expected" from your Troops, merely in consequence of a refusal of some inhabitants of the Province to supply them with property undeniably their own? Surely these are questions founded on incontestible facts, which, we think, must prove that while the "avowed enemies" of *Great Britain* and the Colonies are protected by your Excellency, the lives, liberties, and properties of the inhabitants of the Province, who are real friends to the *British* Constitution, are greatly endangered, whilst under the control of your Standing Army.

It must be matter of grief to every true *Britain*, that the honour of *British* Troops is sullied by the infamous errand on which they are sent to *America*; and whilst in the unjust cause, in which you are engaged, menaces will never produce submission from the people of this Province. Your Excellency as well as the Army can only preserve your honour by refusing to submit to the most disgraceful prostitution of subserving plans so injurious, so notoriously iniquitous and cruel to this people.

Your Excellency professes to be solicitous for "preserving union and harmony between *Great Britain* and the "Colonies;" and we sincerely hope that you will distinguish yourself by exertions for this purpose; for should you be an instrument of involving in a civil war this oppressed and injured land, it must forever deprive you of that tranquillity which finally bids adieu to those whose hands have been polluted with innocent blood.

Your Excellency reminds us of the spirit of the *British* Nation; we partake, we rejoice in her honours, and especially revere her for her great national virtues; we hope she never will veil her glory, or hazard success by exerting that spirit in support of tyranny.

Your Excellency's strange misconception of facts is not less conspicuous in the close of your Message than in many other parts of it. You have suggested that the conduct of the Province, for supporting the Constitution, is an instance of its violation. To declare the truth, relative to this matter, must be a full vindication of our conduct therein.

The powers placed in your Excellency, for the good of the Province, to convene, adjourn, prorogue, and dissolve the General Court, have been perverted to ruin and enslave the Province, while our constituents, the loyal subjects of his Majesty, have been compelled for the laudable purposes of preserving the Constitution, and therein their freedom, to obtain the wisdom of the Province in a way which is not only justifiable by reason, but under the present exigencies of the State, directed by the principles of the Constitution itself; warranted by the most approved precedent and examples, and sanctified by the *British* Nation, at the Revolution; upon the strength and validity of which precedent the whole *British* Constitution now stands, his present Majesty wears his Crown, and all subordinate officers hold their places. And although we are willing to put the most favourable construction on the warning you have been pleased to give us of the "rock on which we are," we beg leave to inform you that our constituents do not expect that, in the execution of that important trust which they have reposed in us, we should be wholly guided by your advice. We trust, sir, that we shall not fail in our duty to our country and loyalty to our King, or in a proper respect to your Excellency.

Digitized by Google

Resolved, That the foregoing Replication to his Excellency's Answer be published in the newspapers.

Ordered, That Major *Hawley*, Colonel *Lee*, and Mr. *Gerry*, be a Committee to extract such parts of the Resolves which passed in this Congress, the 26th and 28th current, and are necessary now to be published; who reported as followeth:

Whereas it has been recommended by this Congress that the Moneys heretofore granted and ordered to be assessed by the General Court of this Province, and not paid into the Province Treasury, should not be paid to the Honourable *Harrison Gray*, Esquire, for reasons most obvious.

Therefore, *Resolved*, That *Henry Gardner*, Esquire, of *Stow*, be, and hereby is, appointed Receiver General until the further order of this or some other Congress or House of Representatives of this Province, whose business it shall be to receive all such Moneys as shall be offered to be paid into his hands for the use of the Province, by the several Constables, Collectors, or other persons, by order of the several Towns or Districts, and to give his receipt for the same. And it is hereby recommended to the several Towns and Districts, within this Province, that they immediately call Town and District Meetings, and give directions to all Constables, Collectors, and other persons who may have any part of the Province Tax of such Town or District in their respective hands or possession, in consequence of any late order and directions of any Town or District, that he or they immediately pay the same to the said *Henry Gardner*, Esquire, for the purposes aforesaid. And it is also recommended that the several Towns and Districts in said directions signify and expressly engage to such Constable, Collector, or other persons as shall have their said Moneys in their hands, that their paying the same to *Henry Gardner*, Esquire, aforesaid, and producing his receipt therefor, shall ever thereafter operate as an effectual discharge to such persons for the same. And it is hereby recommended that the like order be observed respecting the Tax ordered by the Great and General Court at their last *May* sessions. And it is further recommended to all Sheriffs or Deputy Sheriffs, or Coroners who may have in their hands any Moneys belonging to the Province, that they immediately pay the same to the said Receiver General, taking his receipt therefor. And the said *Henry Gardner*, Esquire, the Receiver General, shall be accountable to this or some other Congress or House of Representatives of this Province.

And to the end that all the Moneys heretofore assessed in pursuance of any former grants and orders of the Great and General Court or Assembly of this Province, and hitherto uncollected by the several Constables and Collectors to whom the several lists of assessment thereof were committed, may be effectually levied and collected; and also to the end that all the Moneys granted or ordered to be assessed by the General Court at their sessions in *May* last, which have been assessed, or which may be assessed, may be also speedily and punctually collected, it is earnestly recommended by this body to the several Constables and Collectors, respectively, who have such assessments in their hands, or to whom any assessments yet to be made may be committed by the assessors of any Towns or Districts, that, in levying and collecting the respective part or proportion of the total of such assessments therein set down to the several persons named therein, they should act and proceed in the same way and manner as is expressed and provided in the form of a warrant, given and contained in one Act or Law of this Province, entitled "An Act prescribing the form of a Warrant for collecting of Town Assessments," &c.

And it is hereby strongly recommended to all the inhabitants of the several Towns and Districts in this Province, that they without fail do afford to their respective Constables and Collectors all that aid and assistance which shall be necessary to enable them in that manner to levy the contents of such assessments; and that they do oblige and compel the said Constables and Collectors to comply with and execute the directions of this Resolve; and inasmuch as the present most alarming situation and circumstances of this Province do make it absolutely necessary for the safety thereof.

Whereas, in consequence of the present unhappy disputes between *Great Britain* and the Colonies, a formidable body of Troops, with warlike preparations of every sort, are already arrived at, and others destined for the metropolis of this Province; and the express design of their being sent is to execute Acts of the *British* Parliament utterly subversive of the Constitution of the Province; and whereas his Excellency General *Gage* has attempted by his Troops to disperse the inhabitants of *Salem*, whilst assembled to consult measures for preserving their freedom, and to subjugate the Province to arbitrary Government; and, proceeding to still more unjustifiable and alarming lengths, has fortified against the country the capital of the Province, and thus greatly endangered the lives, liberties, and properties of its oppressed citizens; invaded private property by unlawfully seizing and retaining large quantities of Ammunition in the arsenal at *Boston*, and sundry pieces of Ordnance in the same Town; committed to the custody of his Troops the Arms, Ammunition, Ordnance, and warlike Stores of all sorts, provided at the publick expense, for the use of the Province; and by all possible means endeavoured to place the Province entirely in a defenceless state, at the same time having neglected and altogether disregarded assurances from this Congress of the pacifick dispositions of the inhabitants of the Province, and entreaties that he would cease from measures which tended to prevent a restoration of harmony between *Great Britain* and the Colonies:

Wherefore it is the opinion of this Congress, that notwithstanding nothing but slavery ought more to be deprecated than hostilities with *Great Britain*, notwitstanding the Province has not the most distant design of attacking, annoying, or molesting his Majesty's Troops, aforesaid, but on the other hand will consider and treat every attempt of the kind, as well as all measures tending to prevent a reconciliation between *Great Britain* and the Colonies as the highest degree of enmity to the Province, nevertheless there is great reason, from the considerations aforesaid, to be apprehensive of the most fatal consequences; and that the Province may be in some degree provided against the same, and under full persuasion that the measures expressed in the following Resolves are perfectly consistent with such Resolves of the Continental Congress as have been communicated to us, it is resolved, and hereby recommended to the several Companies of Militia in this Province, who have not already chosen and appointed officers, that they meet forthwith, and elect officers to command their respective Companies; and that the officers so chosen assemble as soon as may be; and where the said officers shall judge the limits of the present Regiments too extensive that they divide them, and settle and determine their limits, and proceed to elect field officers to command their respective Regiments; and that the field officers, so elected, forthwith endeavour to enlist one-quarter, at least, of the number of the respective Companies, and form them into Companies of fifty Privates, at the least, who shall equip and hold themselves in readiness to march at the shortest notice; and that each and every Company, so formed, choose a Captain and two Lieutenants to command them on any necessary and emergent service, and that the said Captain and Subalterns, so elected, form the said Companies into Battalions, to consist of nine Companies each, and that the Captain and Subalterns of each Battalion, so formed, proceed to elect field officers to command the same. And the Congress doth most earnestly recommend that all the aforesaid elections be proceeded in and made with due deliberation and generous regard to the publick service.

Also Resolved, That the security of the lives, liberties, and properties of the inhabitants of this Province depends, under Providence, on their knowledge and skill in the Art Military, and in their being properly and effectually armed and equipped; if any of said inhabitants are not provided with Arms and Ammunition, according to law, that they immediately provide themselves therewith, and that they use their utmost diligence to perfect themselves in the military skill; and that if any Town or District within the Province is not provided with the full Town stock of Arms and Ammunition, according to law, that the Selectmen of such Town or District take effectual care, without delay, to provide the same.

Digitized by Google

The Committee on the State of the Province, reported a Resolve relative to the Removal of the inhabitants of the Town of *Boston*. After the same was read and some debate had thereon, the question (upon a motion made) was put, whether the matter now subside, and it passed in the affirmative.

Resolved, As the opinion of this Congress, that *Cambridge* is the most eligible place for the Committee of Safety, at present, to sit in.

Resolved, That two gentlemen be added to the Committee of Safety.

Ordered, That Colonel *Prescott*, Doctor *Holten*, and Mr. *Gill*, be a Committee to count and sort the votes for two gentlemen to be added to the Committee of Safety.

The Congress then proceeded to bring in their votes. After counting and sorting the same, the Committee reported that Mr. *Pigeon* and Captain *Heath* were chosen.

Resolved, That the extracts of the Resolves, relative to the Militia, which passed this day be printed, and a copy thereof sent to all the Towns and Districts in this Province.

The Congress adjourned till the 23d day of *November* next, at ten o'clock in the forenoon, then to meet in this place.

EXTRACT OF A LETTER FROM A GENTLEMAN IN MONTREAL, TO HIS FRIEND IN NEW-YORK, DATED OCTOBER 9, 1774.

I must beg leave to trouble you to get the enclosed printed in Mr. *Holt's* Paper as soon as possible. The paper contains the Resolves of all the *English* inhabitants of *Montreal*, at a full meeting, where they showed their abhorrence of the *Quebec* Act, which establishes the *French* laws in this Province, and puts the lives and properties of every person in it in the power of the Governour, who, when the Act takes place, will have a much greater power than a *Spanish* Viceroy.

The *Canadians*, in general, are greatly alarmed at being put under their former laws, of which they had long severely felt the bad effects; though the *French* Noblesse and gentry, indeed, are very well pleased with the new Act, which restores the old, as they expect to lord it over the industrious farmer and trader, and live upon their spoils, as they did before the conquest. These latter, though greatly dissatisfied and alarmed at this Act, dare not complain, for fear of the displeasure of their Priests, who rule and govern this whole country as they please; however, all the *English* in the Province (except a few tools and dependants of the Governour) are unanimous, and determine to struggle hard to obtain a repeal of this abominable Act; which, if continued, would greatly hurt the trade of *New-York* and the other Colonies joining on us. It has been said that some *Canadian* regiments would be raised and sent against you; but depend on it none will go willingly, except their officers; and for the others, it will require a regiment of soldiers to a regiment of *Canadians*, to oblige them to go; besides, they cannot, without ruining the country, spare two thousand men out of it.

"At a General Meeting of the *English* Inhabitants of the Town of *Montreal*, to consult on the most proper and best method to represent to his Majesty and the Parliament a true state of this Province, by acquainting them of the share we have of the trade; the landed property we possess; the miserable state we found this Province in, and the flourishing state we have brought it to;—the recompense we are to receive by a late Act of Parliament, is, to be deprived of those valuable parts of our Constitution—the trial by jury and the Habeas Corpus Act, and subjected to laws made by a Legislative Council, composed of people entirely dependent on the Governour, and agreeable to the despotick laws of *France*. And that if such an Act takes place, as we shall have no security for our property nor religion, (the Roman Catholick religion being by said Act the established religion of the country,) we must be reduced to the unhappy necessity of living as slaves, or abandoning the country and a great part of our property; and the Province must return to its former miserable situation. There was the greatest unanimity amongst the *English*, when the following gentlemen, viz: *Thomas Walker*, Esq., *Isaac Todd*, Esq., Mr. *James Price*, Mr. *John Blake*, Mr. *Alexander Paterson*, and Mr. *John Porteus*, were chosen a Committee to repair to *Quebec*, to act in conjunction with the *English* there on this alarming occasion. They likewise entered into a very generous subscription for the expense that might attend their obtaining relief."

ELIPHALET DYER, ROGER SHERMAN, AND SILAS DEANE, TO GOVERNOUR TRUMBULL.

Philadelphia, October 10, 1774.

SIR: We arrived in this city the 1st of *September* last, and the Delegates from *Virginia*, *North Carolina*, and *New-York*, not being come, the Congress was not formed until the fifth, when the Honourable *Peyton Randolph*, Esquire, was unanimously chosen President, and *Charles Thomson*, Esquire, Secretary. A list of the Members we enclose.

The mode of voting in this Congress was first resolved upon; which was, that each Colony should have one voice; but as this was objected to as unequal, an entry was made on the Journals to prevent its being drawn into precedent in future.

Committees were then appointed to state *American* rights and grievances, and the various Acts of the *British* Parliament which affect the trade and manufactures of these Colonies. On these subjects the Committees spent several days, when the Congress judged it necessary, previous to completing and resolving on these subjects, to take under consideration that of ways and means for redress.

On the 16th arrived an express from *Boston*, with letters to the Delegates, and the *Suffolk* Resolves. These were laid before the Congress, and were highly approved of and applauded, as you will see by the enclosed paper of the 19th, in which the proceedings of the Congress thereon is published at large by their order. A general non-importation of *British* goods and manufactures, or of any goods from thence, appearing to the Congress one of the means of redress in our power, and which might probably be adopted to prevent future difficulties and altercations on this subject, among those who might now, or for some time past had been sending orders for goods, the Congress unanimously came into the enclosed Resolution on the 22d, and the same was ordered to be published immediately. Since this a non-importation and non-consumption of goods, &c., from *Great Britain* and *Ireland*, from and after the first of *December* next, has been unanimously resolved on; but to carry so important a Resolution into effect, it is necessary that every possible precaution should now be taken, on the one hand to prevent wicked and desperate men from breaking through and defeating it, either by fraud or force, and on the other, to remove as far as possible every temptation to or necessity for the violation thereof. For this a Committee is appointed, who, not having as yet completed their report, nothing is published particularly on this subject, more than what we now are at liberty in general to relate.

We have the pleasure of finding the whole Congress, and through them the whole Continent, of the same sentiment and opinion of the late Proceedings and Acts of the *British* Parliament; but, at the same time, confess our anxiety for greater despatch of the business before us than it is in our power, or perhaps in the nature of the subject, to effect.

An assembly like this, though it consists of less than sixty members, yet, coming from remote Colonies, each of which has some modes of transacting publick business peculiar to itself—some particular Provincial rights and interests to guard and secure, must take some time to become so acquainted with each one's situations and connections, as to be able to give an united assent to the ways and means proposed for effecting what all are ardently desirous of. In this view, our President, though a gentleman of great worth, and one who fills and supports the dignity of his station to universal acceptance, yet cannot urge forward matters to an issue with that despatch which he might in a different assembly. Nor, considering the great importance of something more than a majority, an unanimity, would it be safe and prudent—unanimity being, in our view, of the last importance. Every one must be heard even on those points or subjects which in themselves are not of the last import-

Digitized by Google

ance; and, indeed, it often happens, that what is of little or no consequence to one Colony, is of the last to another.

We have thus hinted to your Honour our general situation, which we hope will account for our being delayed here beyond the time which either the Colony or we ourselves expected.

Though our private concerns and connections, as well as the publick expectation and interest of the Colony, urge us to make all possible despatch, yet, as we find it would not only be of dangerous consequence, but perhaps impracticable to attempt pushing matters to a decision faster than they now come to it in the course they now are, we find it most prudent patiently to wait the issue. We shall be able to write you more particularly in a few days, but could not omit this opportunity of writing thus far on the subject of our Delegation here.

We take the liberty to enclose a copy of Lord *Dunmore's* Proclamation, [dated Fort *Dunmore*, *September* 17,] on which we shall only say it appears in some parts of it very extraordinary, and would occasion much greater speculation here than it does, were it not that few or none, save the Proprietors, consider themselves interested in the controversy; and the whole attention of the publick is taken up on more important subjects.

Laurel Hill is about forty miles on this side of *Fort Du Quesne*, alias *Fort Pitt*, and is a range of mountains running northerly nearly in a line with the west boundary of the Province of *Maryland*, and cuts off from this Province one whole County lately erected, by the name of *Westmoreland*. His Lordship is now in those parts near the *Ohio*, with an Army of fifteen hundred *Virginians*, reducing the *Indian* Tribes to subjection, or driving them off the land.

We cannot be positive as to the time of our return, but hope to be at *New-Haven* before the rising of the Assembly, and may probably be able to write with greater certainty in our next. We are, with the greatest respect, your Honour's most obedient and most humble servants,

ELIPHALET DYER,
ROGER SHERMAN,
SILAS DEANE.

P. S. Since writing the above, we see the Resolutions of the Congress, *Suffolk* County, &c., are printed in the Commissioners' papers, therefore judge it unnecessary to enclose them.

Newport (Rhode Island) October 17, 1774.

On *Tuesday*, the 11th instant, arrived here the ship *Charlotte*, Captain *Rogers*, from *London*, which he left the 15th of *August*, and brought with him Mr. *Samuel Dyre*, of *Boston*, who gives this account of himself: That, on the 6th of *July* last, early in the morning, he was kidnapped by the soldiers in *Boston*, in consequence of orders from Colonel *Maddison*, and carried into the camp, confined in irons, and kept so till early the next morning, when he was conveyed on board the *Captain*, Admiral *Montagu*, still in chains. When he was first confined in the camp, Colonel *Maddison* asked him who gave him orders to destroy the tea; to which he replied, nobody. The Colonel said he was a damned liar, it was King *Hancock* and the damned Sons of Liberty; and if he did not tell he should be sent home in the ship *Captain*, where he should be hung like a dog; then told him to prepare a good story, as General *Gage* would come to examine him, &c.; but General *Gage* never did come. He was kept on board the Admiral's ship three or four days, in irons, before she sailed. When the ship arrived at *Portsmouth*, *Dyre* was sent up to *London* in irons, and examined three times before Lord *North*, Lord *Sandwich*, and the Earl of *Dartmouth*, respecting the destruction of the tea; but finding nothing against him, they sent him back to the ship in irons; and when he got on board again he was discharged, without receiving one farthing of wages. He then travelled up to *London*, seventy miles, having but six coppers in his pocket, and made his complaint to the Lord Mayor, who treated him with great humanity, as did the Sheriffs of *London*, and many other gentlemen; who will supply him with any sum of money to carry on a suit against those Governmental kidnappers in *Boston*, in case he can prove his charge, for which purpose he set out for *Boston* the day he arrived here. *Dyre* farther said, he was offered purses of guineas in *England*, to accuse certain gentlemen in *Boston* with ordering him to help to destroy the tea. Mr. *Lee*, one of the Sheriffs of *London*, wrote several letters by *Dyre*, in his favour, to some gentlemen in *Boston*.

By the Honourable JOHN PENN, Esquire, *Governour and Commander-in-chief of the Province of* PENNSYLVANIA, *and Counties of* NEW-CASTLE, KENT, *and* SUSSEX, *on* DELAWARE:

A PROCLAMATION.

Whereas, I have received information that his Excellency the Earl of *Dunmore*, Governour-General in and over his Majesty's Colony of *Virginia*, hath lately issued a very extraordinary Proclamation, setting forth, "that the "rapid settlement made on the West of the *Alleghany* "Mountains, by his Majesty's subjects, within the course "of these few years, had become an object of real concern "to his Majesty's interest in that quarter; that the Prov-"ince of *Pennsylvania* had unduly laid claim to a very "valuable and extensive quantity of his Majesty's territory; "and the Executive part of that Government, in conse-"quence thereof, had most arbitrarily and unwarrantably "proceeded to abuse the laudable adventurers in that part "of his Majesty's Dominions, by many oppressive and ille-"gal measures, in discharge of their imaginary authority; "and that the ancient claim laid to that country by the "Colony of *Virginia*, founded in reason, upon pre-occupan-"cy, and the general acquiescence of all persons, together "with the Instruction he had lately received from his Ma-"jesty's servants, ordering him to take that country under "his administration; and as the evident injustice manifestly "offered to his Majesty, by the immoderate strides taken "by the Proprietaries of *Pennsylvania*, in prosecution of "their wild claim to that country, demanded an immediate "remedy, he did thereby, in his Majesty's name, require "and command all his Majesty's subjects west of the *Laurel* "Hill, to pay a due respect to his said Proclamation, there-"by strictly prohibiting the execution of any act of autho-"rity on behalf of the Province of *Pennsylvania*, at their "peril, in that country; but, on the contrary, that a due "regard and entire obedience to the laws of his Majesty's "Colony of *Virginia*, under his administration, should be "observed, to the end that regularity might ensue, and a "just regard to the interest of his Majesty in that quarter, "as well as to his Majesty's subjects, might be the conse-"quence."

And whereas, although the Western Limits of the Province of *Pennsylvania*, have not been settled by any authority from the Crown, yet it has been sufficiently demonstrated by lines accurately run by the most skilful artists, that not only a great tract of country West of the *Laurel* Hill, but *Fort Pitt* also, are comprehended within the Charter bounds of this Province, a great part of which country has been actually settled, and is now held under grants from the Proprietaries of *Pennsylvania*; and the jurisdiction of this Government has been peaceably exercised in that quarter of the country, till the late strange claim set up by the Earl of *Dunmore*, in behalf of his Majesty's Colony of *Virginia*, founded, as his Lordship is above pleased to say, "in reason, pre-occupancy, and the general acquiescence of all persons;" which claim to lands within the said Charter limits, must appear still the more extraordinary, as his most gracious Majesty, in an Act passed the very last session of Parliament, "for making more "effectual provision for the government of the Province of "*Quebec*," has been pleased, in the fullest manner, to recognise the Charter of the Province of *Pennsylvania*, by expressly referring to the same, and binding the said Province of *Quebec* by the Northern and Western bounds thereof. Wherefore, there is the greatest reason to conclude, that any instructions the Governour of *Virginia* may have received from his Majesty's servants, to take that country under his administration, must be founded on some misrepresentation to them respecting the Western extent of this Province. In justice, therefore, to the Proprietaries of the Province of *Pennsylvania*, who are only desirous to secure their own undoubted property from the encroachment of others, I have thought fit, with the advice of the

Digitized by Google

Council, to issue this my Proclamation, hereby requiring all persons West of the *Laurel* Hill, to retain their settlements as aforesaid made under this Province, and to pay due obedience to the laws of this Government; and all Magistrates and other Officers who hold commissions or offices under this Government, to proceed as usual in the administration of justice, without paying the least regard to the said recited Proclamation, until his Majesty's pleasure shall be known in the premises; at the same time strictly charging and enjoining the said inhabitants and Magistrates to use their utmost endeavours to preserve peace and good order.

Given under my hand and the great seal of the said Province, at *Philadelphia*, the twelfth day of *October*, in the year of our Lord one thousand seven hundred and seventy-four, and in the fourteenth year of the reign of our Sovereign Lord *George* the Third, by the grace of *God*, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, and so forth. JOHN PENN.

By his Honour's command,

EDWARD SHIPPEN, Jr., *Secretary*.

GOD *save the King*.

Charlestown, S. C., October 17, 1774.

On *Wednesday* last the General Committee of this Colony chose a Committee of Inquiry to see that no *India* teas, from any place whatever, be imported or landed here, and ordered the following Advertisement to be published in the *Gazette:*

Charlestown, October 12, 1774.

The General Committee most earnestly recommend and request of those inhabitants of this Colony, who have not yet signed an Agreement for Non-consumption of *India* teas after the first day of *November* next, that they will subscribe the said Agreement as soon as possible, for which purpose copies thereof will be lodged in the hands of the gentlemen who were chosen to represent the several Parishes on the said Committee.

Information having been this morning given to the Chairman of the General Committee, that a day or two ago an order had been received by a gentleman in trade here, for the immediate purchase of a very large quantity of gunpowder for exportation; and many of the inhabitants appearing to be greatly alarmed thereat, in order to quiet the minds of the people, the said Committee was assembled, made every necessary inquiry, and came to the following Resolutions, viz:

That, as it appeared to the said Committee, upon the inquiries they had made, that there is at present a scarcity of both Arms and Ammunition, so it is their opinion that it will be extremely imprudent, and might be attended with very bad consequences to export of either.

That the gentleman to whom the above mentioned order was sent, be therefore applied to, and requested not to execute the same.

(The gentleman being accordingly sent for, he readily complied with the requisition made.)

That this Committee do also advertise all the gentlemen in trade, and others, to forbear exporting, or purchasing for exportation, any arms or ammunition whatsoever, during the present scarcity and gloomy appearance of publick affairs; and,

That the above Resolves be forthwith made publick.

One of the reasons which induced the Committee to come into the foregoing Resolutions, we may presume, was, that the inhabitants of this Colony, being always in a more peculiarly critical situation than those of any other, ought, therefore, never to be without the most ample supply of Arms and Ammunition, more especially at this time, when the extraordinary warlike preparations making by the *Spaniards*, both in *Europe* and *America*, particularly so near as at the *Havana*, do not promise a long continuance of peace, but rather strongly point out to us a necessity of immediately preparing for the defence of this valuable country, by a diligent application to acquire a thorough knowledge of the use of arms and discipline, which might easily be obtained without materially interfering with business, by devoting every *Saturday* afternoon to training, instead of confining ourselves to the very letter of the militia law.

CONNECTICUT ASSEMBLY.

Anno Regni Regis Georgii Tertii, 14to.

At a General Assembly of the Governour and Company of the *English* Colony of *Connecticut*, in *New England*, in *America*, holden at *New-Haven*, in said Colony, on the second *Thursday* of *October*, being the thirteenth day of said month, and continued by several adjournments, to the fourth day of *November* next following, Annoq. Dom. 1774.

Resolved by this Assembly, That the several Towns in this Colony be ordered, and they are hereby ordered to provide as soon as may be, double the quantity of Powder, Balls, and Flints, that they were before by law obliged to provide, under the same directions and penalties as by law already provided.

Resolved by this Assembly, That his Honour, the Governour be, and he is hereby directed to cause six hundred copies of the Queries from the Secretary of State, dated the 5th *July*, 1773, and the Answers thereto, prepared by his Honour, and laid before this Assembly, to be printed, and cause the same to be distributed to the several Towns in this Colony in proportion to their list of estates.

Resolved by this Assembly, That proper Carriages for the Cannon at *New-London* be procured, and properly mounted; and that the Arms and Accoutrements in store there be cleansed, repaired, and kept fit for service, and that a suitable quantity of Powder and Cannon Balls be speedily provided; and that *Jabez Huntington* and *Joseph Spencer*, Esquires, be a Committee for the purpose aforesaid, to view and examine the state of the Battery at said *New-London*, and to report their opinion as to the expediency of repairing the same, and in what manner, and the amount of the expense thereof.

Whereas a sum of Money is necessary for payment of incidental charges of Government, *Be it therefore enacted by the Governour, Council, and Representatives in General Court assembled, and by the authority of the same*, That there be forthwith imprinted the sum of fifteen thousand Pounds, in Bills of Credit in this Colony, equal to lawful money of suitable denominations, as the Committee herein appointed shall direct, and of the same tenor with the late emission of Bills of Credit of this Colony, without interest, payable at or before the second day of *January*, 1777, and dated the second day of *January*, 1775; and *William Pitkin*, *George Wyllys*, *Elisha Williams*, *Benjamin Payne*, and *Thomas Seymour*, Esquires, or any three of them, are appointed a Committee for the purpose aforesaid, to take care that said Bills be imprinted with all convenient speed, and to sign and deliver the same to the Treasurer of this Colony, taking his receipt therefor; and the said Committee shall be sworn to a faithful discharge of their trust; and the said Treasurer is hereby directed to pay out said Bills according to the orders of Assembly. And for providing an ample and sufficient fund to call in, sink, and discharge the aforesaid sum to be emitted as aforesaid,

Be it enacted by the authority aforesaid, That a Tax of one penny on the pound be, and is hereby granted and ordered to be levied on all the Polls and rateable Estate in this Colony, according to the list thereof, brought into this Assembly, *October*, A. D. 1774, with the additions, and also a further Tax of one penny on the pound be, and is hereby granted and ordered to be levied on all the Polls and rateable Estate in this Colony, according to the list thereof to be brought into this Assembly, in *October*, 1775, with the additions; which taxes shall be collected and paid into the Treasury of this Colony, viz: one half by the last day of *December*, 1775, and the other half by the last day of *December*, 1776, which taxes may be discharged by paying the Bills emitted by the Colony, or lawful money; and the Treasurer of this Colony is hereby ordered and directed to send forth the Warrants for collecting the same accordingly.

The Committee appointed by this Assembly at their session at *Hartford*, in *May* last, on the Memorial of the *Mohegan Indians*, having made their Report to this Assembly, and the same having been accepted and approved, it is now

Resolved, That the following Instructions and Regula-

Digitized by Google

tions be given, and they are hereby given to the Overseers for the time being, appointed or to be appointed by this Assembly for said *Mohegan Indians:*

1st. That the said Overseers at all times treat the said *Indians* with paternal care and tenderness, and are held obliged to assist them by their friendly and parental advice.

2d. That the said Overseers have full power and authority, and they are hereby authorized and empowered in the name of said *Indians*, to institute, bring forward, and prosecute to final judgment and execution, any suit or action against any person or persons that shall commit any trespass on the lands or possessions of the said *Mohegan Indians*, and shall be accountable for any sum or sums they may recover.

3d. If any *Indian* shall trespass upon the lands, goods, or possessions of any other *Indian*, upon complaint thereof made to said Overseers, they or any two of them are hereby ordered and directed to notify the parties to appear before them at such time and place as they shall appoint, when and where they shall proceed to hear and determine the case between them, and award such damages as they shall think just and reasonable to the party injured; and if the person adjudged to pay damages, shall neglect or refuse to pay the same, the said Overseers are hereby empowered to stop so much of the then next dividend of rent money belonging to such person so refusing, and pay and deliver the same over to him or them, to whom the same may be awarded in satisfaction of such award.

4th. When it shall so happen that any particular *Indian* or *Indians* shall want to take up any land for improvement in severalty, such person or persons shall apply to said Overseers, who are hereby to set out by meets and bounds to such person or persons such a quantity of land for improvement as they shall think just and reasonable, and whoever shall enter on any land without the approbation of said Overseers shall be deemed trespassers.

5th. And whereas since the death of their late Sachem, and their declining to choose a successor, there will be money due for rent of lands to the said *Indians*, as a common and undivided interest, the said Overseers are hereby directed to distribute the same to and among the families of said *Indians*, after deducting such sum as the said *Indians* shall agree upon, or shall be found necessary for the relief of the poor among them, and other publick charges, and so from time to time hereafter, as they shall have the common interest in their hands, observing as much as may be an equality among the families; and when any receive more benefit in the improvement of the land, it shall be considered in the distribution of the rent money.

6th. And no person to cut or carry away any timber, wood, or stones, except for their own buildings, firing, and fences, without liberty from the Overseers, upon the penalty said Overseers shall lay upon them, not exceeding for each offence treble the value of the timber, wood, or stone, so cut or carried away.

—

MEMORIAL OF ZEBULON BUTLER, OF WESTMORELAND.

To the Honourable General Assembly of the Colony of CONNECTICUT, *to be holden at* NEW-HAVEN, *in said Colony, on the second* THURSDAY *of* OCTOBER, *instant.*

The Memorial of *Zebulon Butler*, Esquire, and *Joseph Sluman*, of *Westmoreland*, in the County of *Litchfield*, and Colony of *Connecticut*, Agents for said Town of *Westmoreland*, also for the Proprietors and Settlers of lands lying within this Colony West of the West line of said *Westmoreland*, in the name and behalf of their constituents aforesaid, humbly show: That your Honours from principles of patriotick affection for the interests and emolument of this Colony, the increase and growth of its wealth and numbers, by and with advice of the principal Crown lawyers in *England*, Council to his Majesty, did at a General Court holden at *New-Haven*, in said Colony, on the second *Thursday* of *October*, A. D. 1773, resolve and declare that extent of country lying West of the West line of the Province of *New-York*, and within the limits and boundaries of the Charter and Patent of King *Charles* the Second to the Governour and Company of the *English* Colony of *Connecticut*, made and passed in the fourteenth year of his reign, was granted and confirmed to this Colony to hold, and according to the tenour of said Charter and Patent in free and common soccage, not in capite, &c., according to the tenour of *East Greenwich*, in the County of *Kent*; and that the same is within the jurisdiction of this Colony; and that your Honours would assert your right to and jurisdiction over the same.

And your Honours, to promote the wealth, increase, and future glory of this Colony, in pursuance of your Declaration and Resolve aforesaid, did, at a General Court, holden at *Hartford*, by adjournment, on the second *Wednesday* of *January*, A. D., 1774, incorporate and constitute a Town therein by the name of *Westmoreland*, with all the rights, franchises, immunities, and prerogatives which other Towns in this Colony are by law invested, and annex said Town to the County of *Litchfield*, and appointed civil authority therein;—And your Memorialists with their families, now at said Town of *Westmoreland*, consist of about one hundred and twenty-six persons, whose land that belongs to them lieth on the West Branch of the *Susquehannah* River, who are now waiting to remove themselves and settle thereon;—And your Memorialists, who are Proprietors and Settlers of the land lying West of your said Town of *Westmoreland*, and within the limits and jurisdiction of the Colony of *Connecticut* with their families, are upwards of two hundred families;—And your Memorialists having (from their birth and education) a most inviolable attachment to the Constitution and Government of your Honours, and impressed with sentiments of loyalty, affection, and zeal for the present and future greatness, tranquillity, and glory of this Colony; principles which in a far more eminent manner reside in your Honours' minds, and guide and influence all your publick measures, beg leave humbly to approach your Honours as the great *parens patriæ*, the supreme power within this Colony, with grateful sentiments for your Honours' care for our good, peace, and safety heretofore exercised towards us, by incorporating us of said *Westmoreland* into a Town, do trust that the same benevolent intentions still influence your Honours, and that nothing will be wanting on the part of your Honours, to perfect the good which is begun towards us your dutiful subjects, who were but few in number when we first come up hither, but now by the good hand of our *God* upon us, are become a multitude; and to observe that the jurisdiction erected by your Honours, is inadequate to answer the ends and purposes of Government in our situation, for that all our writs which are not cognizable before a single Minister, are returnable to *Litchfield*, which necessarily occasions an enormous expense to the suiters—And our not having any jail, and being unable by law to transport any man's person across the Province of *New-York*, it being another jurisdiction, executions are thereby rendered in a great measure ineffectual; debtors enabled to avoid payment of their just debts; and criminals of every kind, almost, to escape justice; by reason whereof, your Memorialists are greatly embarrassed, perplexed, and exposed; living under civil Governments without most of its benefits; living in such a situation as that, it cannot with only the power already given be thoroughly administered, nor the noble end and design thereof fully answered;—And as many of your Memorialists, who are settlers and proprietors of lands lying West of said Town of *Westmoreland* within this Colony, labour under great difficulties, in continuing and proceeding in our just claims and settlements, without civil Government established amongst us;—And to relinquish our settlements and lands acquired with great hazard, labour, and expense, will be attended with risk of a total loss of them both to this Colony, and your Memorialists. And whereas the constituting and erecting a County within the following limits and boundaries, viz: to extend West to the Western boundaries of the *Susquehannah* purchase; and to bound North and South on the Colony line, exclusive of that part of said purchase, as is taken off by the line lately settled with the *Indians* at Fort *Stanwix*, invested with powers, privileges, jurisdictions, &c., which other Counties in this Colony are, viz: that of having and holding County Courts, and Courts of Probate, having a Sheriff, a jail, &c., would remedy most of the difficulties which your Memorialists labour under, and make your Memorialists happy and comfortable: Or if your Honours should not think it best at this time to erect a County, &c., as prayed for, that your Honours would at this time either extend the limits of said Town of *Westmoreland* to the Western boundaries of *Susquehannah*

Digitized by Google

purchase, and North and South on the Colony line, exclusive of the land taken off by the *Indians'* line as above, or divide the same into two Towns by the Easternmost Branch of said *Susquehannah* River, and to extend as above described, or in some other way grant relief to your Memorialists, as in your wisdom you shall think best; and your Memorialists as in duty bound shall ever pray.

Dated at New-Haven, October 15, 1774.

ZEBULON BUTLER,
JOSEPH SLUMAN.

GENERAL ASSEMBLY, MAY, 1775.—*In the Lower House.*

Question put, whether any should be granted, or the above, and resolved in the affirmative.

Question put, whether Jurisdiction should be extended, and resolved in the affirmative.

Question put, whether a County Court, with proper power and jurisdiction, and a Court of Probate be erected, as prayed for, and resolved in the affirmative; and also that a Military Establishment be there made; and Captain *Butler* is desired to bring in a Bill for said purpose.

RICHARD LAW, *Clerk.*

GENERAL ASSEMBLY, MAY, 1775.—*In the Upper House.*

Question put, whether the Bounds of the Town of *Westmoreland* shall be extended agreeable to the boundaries mentioned in the Memorial for the limits of a County, &c.; Resolved in the affirmative.

Question put, whether a County Court with proper powers, &c., should be erected, &c., and resolved in the negative. And a question put, whether a Court of Probate, with proper powers should be erected &c., and resolved in the affirmative; and resolved, also, that a military establishment be there made, and that a Bill, &c.

GEORGE WYLLYS, *Secretary.*

Concurred in the Lower House. RICHARD LAW, *Clerk.*

In the Lower House, question put, whether the consideration of this Memorial be referred to the General Assembly in *May* next; resolved in the affirmative. RICHARD LAW, *Clerk.*

Concurred in the Upper House. GEORGE WYLLYS, *Secretary.*

MEMORIAL OF EBENEZER HAZARD, OF NEW-YORK.

To the Honourable the General Assembly of the Colony of CONNECTICUT, *now convened at* HARTFORD.

The Memorial of *Ebenezer Hazard*, of the City and Province of *New-York*, Bookseller and Stationer, as well in behalf of himself, as of those who now are, or hereafter may become his associates: Humbly showeth,

That *Samuel Hazard*, late of the City of *Philadelphia*, in the Province of *Pennsylvania*, Merchant, (father of your Memorialist,) actuated by motives truly benevolent, humane, and patriotick, projected a scheme for the settlement of a new Colony to the Westward of the said Province of *Pennsylvania*;—which Scheme was as follows, viz:

SCHEME *for the Settlement of a new Colony to the Westward of* PENNSYLVANIA; *for the Enlargement of his Majesty's Dominions in* AMERICA; *for the further Promotion of the Christian Religion among the* INDIAN *Natives, and for the more effectual securing them in his Majesty's Alliance.*

That humble application be made either to his Majesty or the General Assembly of *Connecticut*, or to both, as the case may require, for a grant of so much land as shall be necessary for the settlement of an ample Colony, to begin at the distance of one hundred miles Westward of the Western boundaries of *Pennsylvania*, and thence to extend one hundred miles to the Westward of the River *Mississippi;* and to be divided from *Virginia* and *Carolina* by the great chain of mountains that runs along the Continent from the Northeastern to the Southwestern parts of *America*.

That humble application be made to his Majesty for a Charter to erect said Territory into a separate Government, with the same privileges which the Colony of *Connecticut* enjoys, and for such supplies of arms and ammunition as may be necessary for the safety and defence of the settlers, and that his Majesty would also be pleased to take the said new Colony under his immediate protection.

That application be made to the Assemblies of the several *British* Colonies in *North America* to grant such supplies of money and provisions as may enable the settlers to secure the friendship of the *Indian* Natives, and support themselves and families till they are established in said Colony in peace and safety, and can support themselves by their own industry.

That at least twelve Reverend Ministers of the Gospel be engaged to remove to the said new Colony, with such numbers of their respective congregations as are willing to go along with them.

That every person from the age of fourteen and upward, (slaves excepted,) professing the Christian Religion, being Protestant subjects of the Crown of *Great Britain*, and that will move to said new Colony with the first settlers thereof, shall be entitled to a sufficient quantity of land for a good plantation, without any consideration money, and at the annual rent of a pepper corn; said plantation to contain at least three hundred acres, two hundred acres of which to be such land as is fit for tillage or meadow.

That every person under the age of fourteen years (slaves excepted) who removes to said Province with the first settlers thereof, as well as such children as shall be lawfully born to said first settlers in said Province, or in the way to it, shall be entitled to three hundred acres of land when they come to the age of twenty-one years, without any purchase money, at the annual quit-rent of two shillings for every hundred acres; the quit-rent arising from such lands to be applied to the support of Government, the propagation of the Christian Religion among the *Indian* Natives, and the relief of the poor, the encouragement of learning, and in general to such other publick uses as shall be judged by the Legislature of the Province to be most conducive to the general good.

That every person who is entitled to any land in the Province shall be at liberty to take it up when they please, but when taken up shall be obliged to clear and fence at least fifteen acres, on every farm of three hundred acres, within five years after the appropriation of said land, and also to build a dwelling house of at least fifteen feet square, with a good chimney, on the premises within the said term, on pain of forfeiting said land. That the said plantations shall be laid out in townships, in such manner as will be most for the safety and convenience of the settlers.

That in order to prevent all jealousies and disputes about the choice of said plantations, they shall be divided by lot.

That as soon as possible, after a sufficient number of persons are engaged, a proper Charter obtained, and the necessary preparations are made for the support and protection of the settlers, a place of rendezvous shall be appointed, where they shall all meet, and from whence they shall proceed in a body to the new Colony; but that no place of rendezvous shall be appointed till at least two thousand persons, able to bear arms, are actually engaged to remove, exclusive of women and children.

That it be established as one of the fundamental laws of the Province, that Protestants of every denomination who profess the Christian Religion; believe the Divine authority of the Sacred Scriptures of the Old and New Testament; the doctrine of the Trinity of persons in the Unity of the Godhead, and whose lives and conversations are free from immorality and profaneness, shall be equally capable of serving in all posts of honour, trust, or profit, in the Government, notwithstanding the diversity of their religious principles in other respects. But that none of any denomination whatsoever who have been guilty of profaning the name of *God*, of lying, drunkenness, or any other of the grosser immoralities, either in their words or actions, shall be capable of holding any office in or under the Government, till at least one year after their conviction of such offence. The christianizing the *Indian* Natives, and bringing them to be good subjects, not only to the Crown of *Great Britain*, but to the King of all Kings, being one of the essential designs of the proposed new Colony, it is a matter of the utmost importance that these poor ignorant Heathen should not be prejudiced against the Christian Religion, by the bad lives of those in authority.

That Protestants of every denomination who profess the Christian Religion, shall have the free and unlimited exercise of their religion, and shall be allowed to defend it, both from the pulpit and the press, so long as they remain peaceable members of civil society, and do not propagate principles inconsistent with the safety of the state.

That no member of the Church of *Rome* shall be able to hold any lands, or real estate, in the Province, nor be allowed to be owners of, or have any arms or ammunition in their possession, on any pretence whatsoever; nor shall any Mass Houses or Popish Chapels be allowed in the Province.

That no person shall be obliged to pay any thing towards the support of a Minister of whose congregation he is not a member, or to a church to which he does not belong.

That the *Indians* shall, on all occasions, be treated with the utmost kindness, and every justifiable method taken to gain their friendship; and that whoever injures, cheats, or makes them drunk, shall be punished with peculiar severity.

That as soon as the Province is able to support Missionaries, and proper persons can be found to engage in the affair, a fund shall be settled for the purpose, and Missionaries sent among the neighbouring *Indian* Nations: that it shall, in all time coming, be esteemed as one of the first and most essential duties of the Legislature of the Province, by every proper method in their power, to endeavour to spread the light of the glorious Gospel among the *Indians* in *America*, even to its most Western bounds.

That as the conversion of the *Indians* is a thing much to be desired, from the weightiest considerations, both of a religious and political nature, and since the Colony, during its infancy, will be unable to provide the necessary funds for that purpose, some proper person or persons shall be sent to *Europe*, duly authorized from the Government, to ask assistance of such as desire to promote that great and good work.

To his Majesty *George* the Second, by the grace of *God*, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, and so forth.

*The humble Address of ***** persons, Inhabitants of his Majesty's Plantations in* NORTH AMERICA.

May it please your Majesty:

We, the subscribers, being of the number of your Majesty's most dutiful and loyal subjects, inhabiting the *British* Plantations in *North America*, beg leave, with the utmost humility, to approach your Majesty's presence, by this token of our duty and regard, which we are encouraged to lay at the feet of our Sovereign, not only from the ideas we entertain of its being at all times agreeable to your Majesty to receive assurances of the loyalty and affection of your good subjects, but also from an apprehension that such proofs of sincere regard to the substantial interests of your Crown and Kingdoms, and thousands of your good people of *America*, as we have now to lay before your Majesty, will afford a more sold satisfaction (at a time when all your *American* Dominions are threatened either with present or future ruin) than the most pompous professions of duty and loyalty, unaccompanied with corresponding actions. Emboldened by this confidence, we beg leave to assure your Majesty, that we behold with horrour and indignation the schemes which have long been secretly laid (and which our perfidious neighbours at length are openly executing) for the ruin and destruction of all your Majesty's Dominions in *America*. We are affected with equal horrour and detestation at the prospect of that slavery to an arbitrary Prince and Popish church, which the completion of those schemes would necessarily bring upon us and our posterity; with a proportionable gratitude we behold your Majesty's paternal care in sending fleets and armies for our protection when we are unable to protect ourselves, and when it is out of our power, without such aid, to prevent that misery that seems to be breaking in upon us like a flood, and

Digitized by Google

which, if not seasonably prevented, would deluge the whole land in ruin. In such a situation as this we should think ourselves inexcusable if we were either insensible of your Majesty's kindness, or unwilling to contribute our mite towards repelling the common danger. Being bound then by the double ties of duty and gratitude to your Majesty, and by that regard to the dignity of your Crown, to our country, our posterity, and our holy religion, that ought to fill the breasts of every friend to liberty and the Protestant cause, we are now come, with the deepest humility, to offer our service in such a way as we verily believe will (if your Majesty is pleased to accept thereof,) promote the interest of your Crown and Kingdoms, and contribute to the safety of your *American* Plantations in the most effectual manner within the compass of our power. The service that we humbly offer, and of which we pray your Majesty's acceptance, is that of laying (as far as in us lies) a foundation for preventing the encroachments of the *French*, and for extending your Dominions in *America*, by removing with our families and fortunes to the new Colony beyond the *Alleghany* Mountains, which the scheme that is now laid at your Majesty's feet proposes, if it shall be found agreeable to your Royal pleasure to order such settlement, and graciously to grant such aid to the design as will be necessary for carrying it into execution.

And as the wise and seasonable measures which your Majesty, at a vast expense, has been pleased to take for the security of your *American* Dominions, affords the most unquestionable proofs of your Majesty's regard for their safety, so we doubt not your Royal wisdom and penetration has discovered the necessity and importance of settling strong and numerous Colonies in the neighbourhood of the *Ohio* and *Mississippi*, as well for the securing those important parts of your Dominions, as for doing it in a manner the least burdensome and the most advantageous to your good subjects of *Great Britain* and *America*.

Our most humble prayer therefore is, that your Majesty will graciously be pleased to grant such countenance and assistance to the present scheme for settling a new Colony, as will be necessary for the encouragement of a people on whose fidelity your Majesty may with the utmost confidence rely, and who, at the same time, esteem themselves bound by the most sacred and indissoluble ties, to hand down the blessings of civil and religious liberty inviolate to their posterity. And will our gracious Sovereign be pleased to permit us to hope for that favour from his Royal benignity which our zeal for his service and our country's cause inclines us with? Having cheerfully made a tender of our best service, what now remains is, to offer up our humble fervent prayers to Almighty *God*, the Sovereign Ruler of the universe, by whom Kings reign and Princes decree judgment, that he would be pleased to crown your Majesty's arms with success, that your enemies may flee away and return no more; that your Majesty's life may long be continued a blessing to your people, and full of happiness to yourself; that when death puts a period to your reign on earth, your Majesty may receive a crown of immortal glory, and that there never may be wanting one of your illustrious race to sway the *British* scepter in righteousness. These then may it please your Majesty are our wishes, and these shall be our prayers.

Dated at *Philadelphia*, *July* 24, 1755.

That the said *Samuel Hazard*, sensible of the claim of the Colony of *Connecticut* to the lands upon which we proposed settling a new Colony, made humble application to the Honourable the General Assembly of the said Colony of *Connecticut* for a release of their claim to the said lands. His Memorial, containing the application aforesaid, bears date *May* 8th, 1755, and is in the words following, viz:

To the Honourable General Assembly of the *English* Colony of *Connecticut*, in *New England*, in *America*, now sitting at *Hartford*, viz: *Thursday*, *May* 2, 1755:

The Memorial of *Samuel Hazard*, of the City of *Philadelphia*, in the Province of *Pennsylvania*, in *America*, Merchant: Humbly showeth,

That your Memorialist hath projected a scheme for the settlement of a new Colony to the Westward of *Pennsylvania*, a copy of which is hereunto annexed.

That he hath already engaged three thousand five hundred and eight persons, able to bear arms, to remove to the said new Colony, on the footing of said scheme, and does not in the least doubt of being able to procure ten thousand if it takes effect.

That among those already engaged are nine Reverend Ministers of the Gospel; a considerable number of persons who are in publick offices under the Governments of *Pennsylvania* and *New-Jersey*, as well as great numbers of persons of good estates, of the best characters for sobriety and religion in said Provinces, but more especially in the Province of *Pennsylvania*.

That it must be manifest to your Honours, and to every thinking person who has the slightest acquaintance with the state of the *American* Colonies, that it is of the last importance to their safety to have a new Colony settled in the country, which the present scheme proposes; and that such a settlement in the hands of a sober, prudent, and industrious people, who would treat the *Indians* in such a manner as both the rules of the Gospel, and good policy require, would (with the ordinary smiles of Providence) be attended with the happiest consequences to *Great Britain* and all the *American* Plantations.

That whoever will be at the pains to inform himself of the state and situation of that country, must be convinced, that if it be not seasonably settled, it will be impossible to secure it to the Crown of *Great Britain*, without running into an expense that would be an intolerable burden to the Nation or ruinous to the Plantations.

That as the designs of the *French* have long been obvious to every intelligent inquirer, so the fatal consequences of their destructive schemes are too horrid to be disregarded by any whose breasts are capable of those impressions which ought naturally to flow from a well-guided affection to their *God*, their King, their country, and the human species. Were your Memorialist to pursue the consequences of those schemes through all the scenes of blood, of rapine, and of violence, and through all the mazes of Popish errour and superstition, that they would naturally lead him, it would take up too much of your Honours' time, and be as disagreeable, as it would be tedious. Your Memorialist however, begs leave just to remind your Honours, that it is easy to demonstrate by rational arguments, that if the *French* are suffered to establish themselves in the country about the *Ohio* and *Mississippi*, that all *America* and *Great Britain* too must in the end fall a sacrifice to *France*, unless some remarkable interposition of Divine Providence prevent it.

That as these consequences can by no means be prevented, without prodigious expense, and vast as well as numerous inconveniences, but by the settlement of a new Colony, so it is absolutely necessary to have such settlement made by a sober, prudent, and orderly people, who would treat the *Indians* in such a manner as would gain their affections, as well as of those whose fidelity to the King could safely be relied on; for that the great and important ends which ought principally to be regarded in settling a new Colony about the *Ohio* and *Mississippi* will not be answered either by a herd of banditti, or a Colony of foreigners, is obvious at first view. Your Memorialist therefore persuades himself that such schemes as would engage persons of the above character, will not be suffered to drop, and become abortive for want of that assistance which your Honourable Assembly alone can give.

That as this Colony cannot be supposed to have people enough to spare to settle such vast Territories as are included within the limits of their Charter, as your Memorialist conceives, that when your Honours have considered the character and dispositions of the various Southern Provinces, it will manifestly appear, that any considerable numbers of persons fit to be depended upon for their fidelity to the King, cannot be found among any of the various religious denominations which inhabit those Provinces, except the Church of *England*, the Presbyterians, the Quakers, and the Baptists.

That as the members of the Church of *England* in those Provinces have not shown a disposition to remove into the wilderness to settle new Colonies, but are principally obliged to Presbyterians to the Northward for any settlements that are made on the frontiers, even of their own Provinces, it will be in vain to expect them to settle the proposed Colony. Nor would it be more reasonable to expect the Quakers, who are principled against war, to remove and defend the country; and since the Baptists are but few in number, and by no means sufficient for the purpose, it remains that Presbyterians must settle that country, or it must be left exposed to the *French*.

That as your Memorialist has already engaged so great a number of Presbyterians to remove, if this scheme takes effect, so he humbly conceives, that if they, and such others as he can still engage, are not suitably and seasonably encouraged, it will be in vain to attempt to settle Colonies from among them.

That as this Colony cannot settle those lands themselves, so your Memorialist is far from supposing that they will suffer their claims to hinder the settlement of that country by others, at a time when the safety and wellbeing of all the *British* Plantations in *America*, and even of *Great Britain* itself, is so highly interested in such settlements, and this he apprehends there is great reason to fear will in fact be the case if this Assembly does not at this present session transfer or relinquish their right to that country, in such a manner as will remove all obstacles to their claim out of the way of the present scheme; for as your Memorialist has already been at great expense of money and time to bring the scheme thus far to maturity, he shall (notwithstanding the success he has had in engaging three thousand five hundred and eight persons to remove,) hardly judge it consistent with the duties he owes either to them or his own family, to proceed any further in the affair, if he does not now succeed in his petition to this Honourable Assembly; and as he must spend the remainder of his days in this important service if the scheme goes on, so the thoughts of leaving his children, with many thousands of others, liable to disputes about every inch of ground that they possess, after having purchased it with the peril of their lives, would be such an objection both to them and him, as will hardly be got over. Nor will it be amiss to inform your Honours, that if those who are now willing to settle that country are once discouraged, and the spirit which at this time prevails among them is lost, it will be no easy task to revive it again.

That however arguments of a religious nature are esteemed in some places, your Memorialist presumes it will be no transgression to lay some stress upon them before this Honourable Assembly. He therefore begs leave to say, that as the Charter of this Colony expressly declares, that his Majesty's principal design in the Grant made to them, was the conversion of the *Indians* to Christianity, so your Honours will easily see that this scheme duly executed, would have a happy tendency to answer that important end; nor can your Memorialist help entertaining some distant hopes that it would be one mean at least (however small) of preparing the way for carrying the pure Religion of the Gospel, free from Popish superstition and Pagan idolatry, to the ends of the *American* Earth; for, surely the time will come, when *God's* name shall be great among the Heathen, from the rising of the sun to the going down thereof.

That as the mightiest arguments, both of a religious and political nature, might with the greatest truth and justice be urged in favour of the present scheme, so your Memorialist persuades himself that the inclinations of this Honourable Assembly to serve the real and important interests of their King and country, and to promote the best good of mankind, will be instead of a thousand arguments to excite them to it.

That as your Memorialist really means to do an important service to King and country, and to posterity by his scheme, so he is cheerfully willing that your Honours should take any measure they please to guard against the abuse of any right that they may grant to the country proposed to be settled, so as it does not prevent or hinder the important designs which the scheme proposes; nor does he desire that right on any other terms than that of his *bona fide* procuring the actual settlement of at least three thousand persons, able to bear arms, (or even a greater number) in that country, within any reasonable term that shall be limited and appointed for that purpose.

Your Memorialist therefore humbly prays that this Honourable Assembly will be pleased to transfer or relinquish their right to the lands mentioned in the scheme hereunto annexed, in such manner as shall be necessary for carrying said scheme into execution, or to so much of it as shall be absolutely necessary for answering the ends proposed by said scheme. And your Memorialist, as in duty bound, shall ever pray.

Dated at *Hartford*, *May* 8, 1755. SAMUEL HAZARD.

That the said General Assembly of the Colony of *Connecticut*, having taken the matter into their serious consid-

Digitized by Google

eration, and being fully sensible of the utility and great importance of the design, did, at a meeting at *Hartford*, on the second *Thursday* of *May*, 1755, freely relinquish and give up to the said *Samuel Hazard*, for himself and in trust for those concerned, all the right, claim, or challenge, which was or might be made to such country or territory, by the Governour and Company of this Colony, as appears by the following Act, which is of the Record, viz:

At a Meeting of the General Assembly of the Governour and Company of the Colony of *Connecticut*, holden at *Hartford*, on the second *Thursday* of *May*, 1755.

Whereas, *Samuel Hazard*, of the City of *Philadelphia*, in the Province of *Pennsylvania*, Merchant, by his Petition or Memorial, preferred to the Governour and Company of this Colony, in the sessions of this present Assembly, hath shown that he hath projected a scheme for settling a new Colony within his Majesty's Dominions, to begin at the distance of one hundred miles Westward of the Westerly boundaries of *Pennsylvania*, and thence extend one hundred miles to the Westward of *Mississippi*, and to be divided from *Virginia* and *Carolina* by the great chain of mountains that run along the Continent from the Northeast to the Southwest parts of *America;* and hath represented and set forth the ends and motives, as well as the general plan thereof; and that as it is apprehended the said country, or a considerable part thereof, is situate and comprehended within the ancient lines and boundaries of the grant made by the Royal Charter given by his late Majesty, King *Charles* the Second, to the Governour and Company of this Colony, in the year of our Lord 1602; so there may arise an objection against his proceeding in so important an undertaking, unless the same be removed; and therefore has petitioned this Assembly for a grant or release to him of such right or claim as is, or may be supposed to be vested in said Governour and Company, that he might without any objections from that quarter, make his humble applications to his Majesty for his Royal grant and favour in the premises for the end and purposes aforesaid, as by the said Memorial and Scheme thereto annexed. Reference being thereunto had, may more fully and at large appear.

Whereupon this Court having taken the matter into their serious consideration, and apprehending the settlement of a Colony in the country aforesaid, with such limits and boundaries as his Majesty shall think proper on the plan aforesaid, or in some measure agreeable thereto, for the investing and securing of the rights, properties, and privileges of the Settlers, will greatly promote his Majesty's interest; secure his Dominions; and have a most happy tendency for the protection and defence of the *British* Plantations in *America*, and be an eminent means to win and invite the Natives of the country to the knowledge and obedience of the only true *God* and Saviour of mankind, and the Christian faith, and therein answer that which is expressed in the said Royal Charter to be the principal end of this Plantation; therefore this Court do most humbly recommend the said *Samuel Hazard*, and those who may undertake with him in this great and important design, to his sacred Majesty's gracious favour and notice; and if it may be consistent with his Royal wisdom and pleasure to order and direct the settlement of a Colony in the country, or part thereof; and grant unto said Petitioner, and those who shall engage therein, such lands, rights, privileges, and immunities as his Majesty shall be graciously pleased to determine for the purpose aforesaid,

This Court do declare their free consent thereunto; and for promoting so extensive and beneficent a design, *do freely relinquish and give up to the said* Samuel Hazard *for himself, and in trust for those concerned, and to be engaged therein, all the right, claim, or challenge that is or may be made to such country, or territories as his Majesty shall judge proper to settle as aforesaid, by the Governour and Company aforesaid, or any from them, that no objection or obstruction may arise, be made, or suggested against so great a service for our King and country, on account of such claim or right, or by pretence or colour thereof.*

Provided the Petitioner obtain his Majesty's Royal Grant and order for settling the said Colony, and proceed therein, under, and according to such limitations, restrictions, and orders, as his Majesty shall be pleased to appoint.

That the said *Samuel Hazard* having obtained from the General Assembly the before recited release of their claim; and in confident dependence upon it, proceeded in the matter with a spirit becoming the importance of the undertaking; and at a very great expense of money and time, and with much trouble, procured the subscription of between four and five thousand persons, able to bear arms, some of whom were worth thousands, and great numbers of persons of the best character for sobriety and religion, among whom were fifteen ministers; and some "bore publick offices in *Pennsylvania* and *New-Jersey;*" all of whom agreed to remove with their families to the proposed Colony, and become settlers there, as your Honours' Memorialist collects from copies of his father's Letters now in his possession.

That, as your Honours' Memorialist well remembers, the said *Samuel Hazard* had frequent meetings of *Indians* at his house, with whom he treated about the said country and territories.

That it appears from the said *Samuel Hazard's* Letters, that he personally explored that part of the country proposed for the situation of the new Colony; that he had corresponded with some of the nobility, and with other persons of note and influence in *England*, who appear to have favoured and encouraged the design; and that having, as he apprehended, brought the scheme to a proper degree of maturity, he proposed embarking for *England* in the fall of the year 1758, in order to procure its final accomplishment.

That his death, in *July*, 1758, prevented his completing his design, and your Memorialist was left an infant, and his father's associates without a guide sufficient to conduct so important an enterprise.

That your Honours' Memorialist proposes carrying into execution the Plan laid by his father, as nearly as the alteration of the times and circumstances of things will permit. He does not mean to trouble your Honours with a tedious repetition of the many and cogent arguments urged by his deceased father in his Memorial, in favour of such settlement; nor minutely to show how far the same reasons still operate respecting the prosecution of that design. These must be fresh in your Honours' memories, as the Petition and Plan annexed have been just now read in your hearing. He begs leave, however, just to observe, that they all remain in equal force at this day, that of making the proposed settlement a frontier against the *French*, only excepted; instead of which the cession of Territory West of the *Mississippi*, by the last Treaty of Peace, to the *French*, and the subsequent one made by them of the same territory, to the Crown of *Spain*, is worthy of serious consideration. He begs leave further to suggest, under this head, the peculiar necessities of the present times, as an additional reason for the immediate settlement of the Western lands. Many who are otherwise disposed, are thereby obliged to turn their attention to agriculture; and for these a proper provision is now more than ever become necessary; as the experience of the present day demonstrates that populous sea-port Towns cannot now, as formerly, afford employment to multitudes of industrious Mechanicks; and, instead of serving as a protection and defence for us, are used by the enemies of *America* as their most effectual engine at once to crush our manufactures and subvert our liberty.

That your Memorialist has already considerable interest engaged towards making the proposed settlement, and apprehends, that adding such persons in this Colony as would join in the undertaking, to such of his father's associates as still remain and are willing to proceed upon this business, he could, in a reasonable time, have two thousand actual settlers upon the land, which may now, with great propriety, be styled a *vacuum domicilium*, as it has no Christian or civilized inhabitants, and but very few even of the natives now remain there.

That your Honours' Memorialist apprehends his Majesty, considering what has been already done respecting this matter, and for political reasons, which it is unnecessary to mention at present, would be easily induced to grant liberty of erecting a new Colony to the Westward of *Pennsylvania;* but, as your Honours' Memorialist considered himself as under obligations to the Colony of *Connecticut*, for their kindness to his father, and thinks himself in honour bound to consult their interest as well as his own, he wishes not to be obliged to carry the matter to *England;* but proposes to your Honours a settlement under the claim and jurisdiction of the Colony of *Connecticut*, and humbly offers to your Honours' consideration the following conditions, viz:

1st. That whereas the Honourable General Assembly, at their meeting in *May*, 1755, released to your Memorialist's father their claim to lands, beginning at the distance of one hundred miles Westward of the Westerly bounds of *Pennsylvania*, and thence to extend one hundred miles to the Westward of *Mississippi*. And whereas, by the last Treaty of Peace, the one hundred miles beyond the *Mississippi*, included in the aforesaid release, were ceded by the Crown of *Great Britain* to *France;* that, therefore, a release or quit-claim may be given by your Honours to your Memorialist and his associates, of the right of the Governour and Company to lands beginning at the Western boundary of *Pennsylvania*, and thence extending to the *Mississippi*.

2d. That your Honours' Memorialist and his associates, or their attorney, may have uninterrupted access to and

Digitized by Google

the free use of such authentick documents, conveyances, records, and other writings, as may be useful in ascertaining, prosecuting, and establishing the claim under this Colony, whenever it may be necessary to refer thereunto for those purposes.

3d. That the whole expense of defending the claim of this Colony to such lands as shall be granted to your Honours' Memorialist and his associates; and also the whole expense attending the exercise of jurisdiction in the proposed settlement, shall be defrayed by your Memorialist and his associates.

4th. That the purchase of the native right shall be made wholly at the expense of your Memorialist and his associates.

5th. That your Memorialist and his associates shall pay into the Publick Treasury of this Colony ten thousand pounds lawful money, in such annual payments as your Honours shall see meet to appoint; the first annual payment to be made within one year after the date of the grant or quit-claim.

Respecting a grant upon the conditions aforesaid, your Honours' Memorialist begs leave, with due submission, to suggest, that as it will not interfere with any preceding grant, either from the Crown of *Great Britain* or any of the Colonies, it of consequence cannot involve this Colony in any dispute or litigation of any kind whatever; and that as all expenses respecting the defence of the claim, the exercise of jurisdiction, and the purchase of the native right, will fall upon your Memorialist and his associates, the Colony Treasury cannot be impoverished by such a grant being made; but, on the contrary, will be much enriched by the ten thousand pounds to be paid into it, the income of which may serve to give additional support to the College at *New-Haven*, or the inferiour but important Seminaries throughout the Colony, or may greatly contribute to the publick emolument, in such other way as to your Honours' superiour wisdom may seem meet. More need not be added here, as your Honours will doubtless see the benign aspect the foregoing Plan has upon the interest of the Colony in general; and,

Your Memorialist, therefore, humbly prays your Honours for a release or quit-claim to him and his associates, of the right of the Governour and Company to the lands before mentioned, beginning at the Western boundary of *Pennsylvania*, and extending from thence to the River *Mississippi*, together with your Honours' right to the said River, upon the foregoing conditions; or, if your Honours should not approve of the conditions aforesaid, that a Committee of your Honourable Body may be appointed to confer with him, and the grant aforesaid be made upon such conditions as may be agreed to. And your Memorialist, as in duty bound, shall ever pray, &c. EBEN. HAZARD.

Hartford, May 27, 1774.

GENERAL ASSEMBLY, *May*, 1774.

In the Lower House, the question was put, whether the prayer of this Memorial should be granted, and resolved in the negative.

Test, WM. WILLIAMS, *Clerk*.

In the Upper House, the question was put, whether the prayer of this Memorial should be granted, and resolved in the negative.

Test, GEORGE WYLLYS, *Secretary*.

EXTRACT OF A LETTER FROM SIR JAMES WRIGHT, BART. TO THE EARL OF DARTMOUTH, DATED SAVANNAH, OCTOBER 13, 1774.

MY LORD: In my letter of the 24th *August*, No. 26, I mentioned that some Protests and Dissents were preparing in different parts of the Province which were not then completed. These were not sent to Town till lately, and only published in yesterday's paper, and which I now enclose; they have been wrote by the people themselves, just in their own way, as your Lordship will see by the style. However they certainly show that the sense of the people in this Province is against any Resolutions, and that those attempted by a few in *Savannah*, are held in contempt.

ADDRESS FROM THE COUNTY OF WORCESTER, PRESENTED TO HIS EXCELLENCY THE GOVERNOUR, OCTOBER 14, 1774.

To his Excellency THOMAS GAGE, *Esquire, Governour of his Majesty's Province of* MASSACHUSETTS BAY, *and Commander-in-chief of the King's Forces in* NORTH AMERICA.

May it please your Excellency:

The people of the County of *Worcester* being earnestly solicitous for the peace and welfare of the Province in general, cannot view the measures now pursuing by your Excellency but with increasing jealousy, as they apprehend there has not, nor does at present exist, any just occasion for the formidable hostile preparations making on the *Neck*, leading to our distressed capital.

It is a matter of such notoriety, that your Excellency must be sensible there was not the least opposition made to obstruct the introduction of the King's Troops at their first landing, nor have the people since that time discovered any intention to disturb them, till your Excellency was pleased to order the seizure of the Powder in the Arsenal at *Charlestown*, in a private manner, which occasioned the report that a skirmish had happened between a party of the King's Troops and the people at *Cambridge*, in which several of the latter fell; this caused the people to arm and march from divers parts of the country; but no sooner was that report proved false than they returned peaceably to their respective homes.

The inhabitants of the Province in general, and Town of *Boston*, have never given cause for those cruel and arbitrary Acts for blockading their Harbour and subverting the Charter, by altering the Civil Government of the Province, which, however, this people are determined, by the Divine favour, never to submit to but with their lives, notwithstanding they are aggrieved at the King's displeasure against them, through the instigation of artful and designing men.

This County finds it difficult to comprehend the motives for the present hostile parade, unless it be in consequence of some preconcerted plan to subject the already greatly distressed Town of *Boston* to mean compliances or military contributions. They are equally at a loss to account for your Excellency's conduct towards the County of *Suffolk*, as in your Answer to their Address, remonstrating against fortifying the only avenue to the Town, which by that means may, in some future time, be improved to cut off the communication between town and country, and thereby reduce the miserable inhabitants to the greatest straits, your Excellency is pleased, in answer, to observe, that you had not made it easier to effect this, than what nature has made it; if so, the country cannot conceive why this expense and damage of the Town to no purpose.

Your Excellency is likewise pleased to take notice of the general good behaviour of the Soldiers, but at the same time pass over that part, complaining of the detention of private property, and proceed to answer by way of quere, to which you would not permit a reply. This County are constrained to observe, they apprehend the people justifiable in providing for their own defence, while they understood there was no passing the *Neck* without examination, the Cannon at the North Battery spiked up, and many places searched, where Ammunition was suspected to be, and if found, seized; yet as the people have never acted offensively, nor discovered any disposition so to do, till as above related, the County apprehend this can never justify the seizure of private property.

It is with great anxiety this County observes the wanton exercise of power in the Officers of the Customs at *Salem*, and on board the King's ships, respecting the article of Fuel destined for the use of the inhabitants of *Boston*, who are obliged to have it with the additional charge of landing and reloading at *Salem*, before it can proceed; when your Excellency must be sensible the Act, which is the professed rule of conduct, expressly excepts Fuel and Victuals, which may be brought to *Boston* by taking on board one or more Officers at *Salem*, (without the aforesaid charge) while that destined for the Troops proceeds direct, free from the same. There are many other things which bear extremely hard on the inhabitants, while they are prohibited

Digitized by Google

from transporting the smallest article from one part of the Town to another, water-borne, without danger of a seizure, or to get hay, cattle, &c., from any of the islands, notwithstanding there is no other way of transportation.

Your Excellency, we apprehend, must have been greatly misinformed of the character of this people to suppose such severities tend either to a submission to the Acts, or reconciliation with the Troops; and the County are sorry to find the execution of the Acts attempted with an higher hand than was intended, unless the Acts themselves should be thought too lenient.

Bringing into the Town a number of Cannon from Castle *William*, sending for a further reinforcement of Troops, with other concurring circumstances, strongly indicating some dangerous design, has justly excited in the minds of the people apprehensions of the most alarming nature, and the authors must be held accountable for all the blood and carnage made in consequence thereof. Therefore this County, in duty to *God*, their country, themselves, and posterity, do remonstrate to, and earnestly desire your Excellency, as you regard the service of the King, and the peace and welfare of the Province, to desist from any further hostile preparations, and give the people assurances thereof by levelling the Intrenchments and dismantling the Fortifications, which will have a tendency to satisfy their doubts, and restore that confidence so essential to their quiet and his Majesty's service.

By order of the Convention of Committees for the County of *Worcester*.

HIS EXCELLENCY'S ANSWER.

GENTLEMEN: I have repeatedly given the strongest assurances that I intended nothing hostile against the Town or Country, and therefore desire you to ease the minds of the people against any reports that may have been industriously spread amongst them to the contrary; my wish is to preserve peace and tranquillity.

With respect to the execution of the Port Bill, it is a matter belonging to other departments; and if any thing is done, not warranted by said Act, the law is open for redress. THOMAS GAGE.

PENNSYLVANIA ASSEMBLY.

At an Assembly held at *Philadelphia*, the fourteenth day of *October*, Anno Domini 1774, P. M.

By the Returns of the Sheriffs of the several Counties, it appears that the following gentlemen were duly elected and chosen to serve in Assembly as Representatives of the freemen of the Province of *Pennsylvania*, for the ensuing year, viz:

For the County of PHILADELPHIA.—*George Gray, Henry Pawling, John Dickinson, Joseph Parker, Israel Jacobs, Jonathan Roberts, Michael Hillegas, Samuel Rhoads.*

For the City of PHILADELPHIA.—*Thomas Mifflin, Charles Thomson.*

For the County of BUCKS.—*John Brown, John Foulke, William Rodman, Benjamin Chapman, Joseph Galloway, Robert Kirkbride, Gerardus Wynkoop, John Haney.*

For the County of CHESTER.—*Benjamin Bartholomew, John Jacobs, Joseph Pennock, James Gibbons, Isaac Pearson, Charles Humphreys, John Morton, Anthony Wayne.*

For the County of LANCASTER.—*James Webb, Joseph Ferree, Matthias Slough, George Ross.*

For the County of YORK.—*James Ewing, Michael Swoope.*

For the County of CUMBERLAND.—*Wm. Allen, John Montgomery.*

For the County of BERKS.—*Edward Biddle, Henry Chreist.*

For the County of NORTHAMPTON.—*Wm. Edmonds.*

For the County of BEDFORD.—*Bernhard Dougherty.*

For the County of NORTHUMBERLAND.—*Sam. Hunter.*

For the County of WESTMORELAND.—*Wm. Thompson.*

A quorum of the Representatives being met, proceeded, according to the Charter of Privileges and Laws of this Province, to the choice of a Speaker, when *Edward Biddle*, Esquire, was unanimously chosen Speaker for the ensuing year, and placed in the Chair accordingly.

Ordered, That Mr. *Gray*, Mr. *Mifflin*, Mr. *Brown*, Mr. *Bartholomew*, Mr. *Webb*, Mr. *Swoope*, and Mr. *Edmonds*, be a Committee to wait on the Governour and acquaint him, that, pursuant to the Charter of Privileges and the Laws of this Province, a quorum of the Representatives being met, have chosen a Speaker for the ensuing year, and request to know at what hour to-morrow his Honour will be pleased to receive the House, that they may present their Speaker for his approbation.

The House adjourned to nine o'clock, to-morrow morning.

October 15.—The House met pursuant to adjournment.

The Members appointed to wait on the Governour with the Message of last night, reported they had delivered the same, according to order, and that his Honour was pleased to say he would be in the Council Chamber at eleven o'clock this morning, to receive the House with their Speaker.

A Message by Mr. Secretary:

"SIR: The Governour is at the Council Chamber, and "requires the attendance of the House, to present their "Speaker."

Then Mr. Speaker, with the whole House, waited on the Governour, and, being returned from the Council Chamber, the Speaker resumed the Chair, and reported that the House had waited on his Honour, and presented their Speaker, of whom the Governour had been pleased to approve, and that he (the Speaker) had then, in the name and on behalf of the House, claimed their usual privileges, viz:

First. That the Members of the House, during their sitting, may enjoy freedom of Speech in all their propositions and debates.

Secondly. That they may, at all seasonable times, have free access to the Governour, the better to enable them to discharge the business of the publick.

Thirdly. That their persons and estates may be free from all manner of arrests, molestations, and injuries during the time of accustomed privilege.

Fourthly.—That the Governour would be pleased to take no notice of any report concerning any matter or thing moved or debated in the House, until the same shall be passed into Resolves, nor give the least credit to such report.

Fifthly. That his own (the Speaker's) unwilling mistakes may be excused, and not imputed to the House, but that he may have liberty of resorting to them for an explanation of their true intent and meaning, and of reporting the same to the Governour.

All which he had claimed as the just and indefeisible rights and privileges of the freemen of the Province of *Pennsylvania*, derived and confirmed to them by the Laws and Charter of the said Province; and that the Governour was pleased to say, "They were the undoubted rights and "privileges of the House, in which they might rely on his "protection."

The Qualification by law appointed to be taken by Members of Assembly, and the test of Abjuration, being prepared, were then taken and subscribed, first by Mr. Speaker, in the Chair, and afterwards by the Members present, in their order.

Resolved, unanimously, That *John Dickinson*, Esquire, be, and he is hereby, added to the Committee of Deputies appointed by the late Assembly of this Province to attend the General Congress now sitting in the City of *Philadelphia* on *American* Grievances.

Resolved, That this House will provide an Entertainment, to be given on *Thursday* next, to the Deputies from the several Colonies attending publick business in this City.

Ordered, That Mr. *Gray*, Mr. *Hillegas*, Mr. *Mifflin*, Mr. *Rodman*, Mr. *Pearson*, Mr. *Wayne*, and Mr. *Ross*, with the Speaker, be a Committee to provide and superintend the said Entertainment, and that Mr. Speaker do invite the gentlemen of the Congress accordingly.

It being represented by Mr. *Hillegas*, that *Cayashuta*, an *Indian* Chief of note, and a friend to this Province, is now in Town and in want of some necessaries:

Ordered, That Mr. *Hillegas* do procure the necessaries requested by the said *Indian* Chief, defray his expenses while in Town, and present him with the sum of ten pounds, in behalf of this Government.

Digitized by Google

October 17, P. M.—The Governour, by Mr. Secretary, sent down a written Message to the House, which was read by order, and is as follows, viz:

GENTLEMEN: By the latest intelligence from the Westward, the Earl of *Dunmore* was set out on an expedition down the *Ohio* against the *Shawanese Indians*, and it is very uncertain as yet whether the troubles on the Frontiers may subside: I therefore find it incumbent on me to recommend to your consideration the propriety of keeping in pay, for a longer time, the Rangers employed by this Government; or taking such other measures as you may judge, on this occasion, most proper for the publick security. JOHN PENN.

October 17, 1774.

October 19, 1774.—The House resumed the consideration of the Governour's Message of the seventeenth instant, relative to the Rangers employed on the Frontiers, and after some time spent therein,

Resolved, That the said Rangers be continued in pay until the first day of *November* next, and then disbanded, it not appearing to the House that their service on the Frontiers is any longer necessary.

Resolved, That *George Gray*, *Michael Hillegas*, *Thos. Mifflin*, and *Charles Humphreys*, Esquires, or any three of them, with the consent and approbation of the Governour of this Province for the time being, may draw orders on the Provincial Treasurer for any sum not exceeding fourteen hundred and fifty pounds, to be disposed of in discharging the arrears of pay, and the expense of victualling the said Rangers; the said sum to be paid out of the moneys remaining in his hands by virtue of an Act of Assembly, passed the twenty-ninth of *September* last, entituled "An Act for the Support of the Government of this "Province, and Payment of the Publick Debts."

Ordered, That Mr. *Mifflin*, Mr. *Thomson*, and Mr. *Rodman*, be a Committee to prepare and bring in a draught of an Answer to the Governour's Message.

The Committee appointed to prepare an Answer to the Governour's Message, reported they had essayed a draught for that purpose, which being agreed to by the House, was transcribed by order, and follows in these words, viz:

"*May it please your Honour:*

"Having taken into our consideration the matter referred to us, in your Message of the seventeenth instant, we are of opinion that the Rangers employed by this Government should be disbanded by the first of *November* next, as their service on the Frontiers does not appear to us to be any longer necessary.

"We have provided, agreeable to the Resolution sent herewith, for the payment of the arrears that may be due, and for the incidental charges that have accrued for this service.

"As the safety of the Province, in a great measure, depends upon having a supply of Arms ready on any emergency, we trust your Honour will give orders, at the time of disbanding the men, that the Arms with which you have supplied them, may be collected and deposited in some place of security.

"Signed by order of the House,

"EDWARD BIDDLE, *Speaker*.

"October 19, 1774."

Ordered, That Mr. *Gray* and Mr. *Rodman* wait on the Governour with the foregoing Answer to his Message, and acquaint him that the House incline to adjourn to *Monday*, the fifth of *December* next, if he has no objection thereto.

The Members appointed to wait on the Governour, reported they had delivered the Answer of the House, and their Verbal Message, according to order, and that his Honour was pleased to say he had no objection to the time of adjournment proposed by the House.

October 21.—The House then adjourned to *Monday*, the fifth of *December* next, at four o'clock, P. M.

Williamsburg, Friday, October 14, 1774.

This day an Express arrived from his Excellency the Governour, who has sent copies of several Speeches that passed between him and the Chiefs of the *Six Nations* and *Delawares;* wherein they greatly disapprove of the murders and outrages committed by the *Shawanese*, and promise to use their best endeavours to bring them to a treaty with his Excellency, when it is hoped a permanent peace will be established, and an end put to an *Indian* war, so ruinous to the Frontier inhabitants, as well as expensive to the country.

COUNCIL BETWEEN LORD DUNMORE AND THE INDIANS.

At a Council held with the *Indians:* Present, his Excellency the Right Honourable the Earl of *Dunmore*, Lieutenant and Governour of *Virginia*, &c., *Alexander McKee*, Esquire, Deputy Agent, &c.; *Indians—Delawares*, King *Custologa*, Captain *White Eyes*, and *Pluggy*, a *Six Nation* Chief, and sundry others.

Captain *White Eyes* spoke:

First.—Brother: I wipe the sweat and dust from your eyes by this string, and remove the fatigue that you have had during your journey; and also, I clear and open your ears, that you may readily comprehend and hear what your brothers have now to say to you; I also remove every concern from your heart, owing to any bad impressions which have been made upon you during your journey to this place, that you may believe the sincerity of us towards you and all our brethren the *English*. *(A String.)*

Second.—Brother: I will now inform you of what I know concerning the *Shawanese*. Our uncles, the *Mohawks*, have been sent by the *Shawanese* here, in order to know in what manner they should act, so as to be admitted to a conference with their brethren, the *English* of *Virginia*. Our uncles, the *Mohawks*, desire to inform you that the principal men of that Nation continue to hold fast by the ancient chain of friendship; but that some foolish young men had loosened their hands therefrom, and that it was not in their power to prevent them heretofore. Brother, I have now told you of what our uncles, the *Mohawks*, have told us, of what the Chiefs of the *Shawanese* say, and hope you will be strong, and consider upon what you may have to say to them, that whenever you choose to speak, we may be ready to join you in so doing.

Third.—Brother: I desire you to listen to your brethren, the *Five Nations* and *Mohawks*, the *Wyandots*, and also your brethren the *Delawares*. These are the people who have taken pains to keep every thing quiet since those unhappy troubles. All the Western Nations are quiet, but keep their eyes fixed upon this quarter. Brother, I am rejoiced to see you, as I was troubled and afraid before; but now my apprehensions are dispersed on seeing you, which is the cause of my pleasure. Brother, I now esteem our women and children restored to life upon your arrival, and that even the foolish young people will have reason to be thankful on the conclusion of the present prospect. *(A String.)*

Fourth.—Brother: I desire you to listen to us few of the numerous Chiefs who formerly were of our Nations; as the few now remaining have a due remembrance of the friendship subsisting between our forefathers. Brother, during the trouble which happened, owing to foolish people, I was apprehensive it might be the cause of universal trouble, so as to have shook our amity, and weakened the ancient friendship between us. Brother, I tell you that I am extremely rejoiced at your arrival here, as you are esteemed our elder brother; and I hope that, as you have it amply in your power, you will restore our ancient friendship, and establish it upon the former good footing; to promote which we will contribute our weak endeavours, by affording all our assistance. *(A Belt.)*

This is what your brethren have to say to you who are here present.

His Lordship said:

I am much obliged to you for this mark of your friendship, and I will consider of what you have said, and shall return you an answer hereafter.

His Excellency's Answer to the *Delawares* and *Six Nation* Chiefs.

Brethren: I now wipe the tears from your eyes, which you may have shed for the loss of any of your people. I remove the grief from your hearts which it may have oc-

Digitized by Google

casioned. I also clear your ears from any bad reports, that you may now look upon your brethren, the *Virginians*, with friendship, and that you may believe what I am about to say to you in your hearts, and receive it with pleasure. *(A String.)*

Brethren: With these trifling goods I cover the graves of your deceased friends, that the remembrance of your grief upon that occasion may be buried in total oblivion. *(Condolence Present.)*

Brethren: Your desire is gratified; I do see clearly, and the sweat and fatigue I have experienced on my journey here, will be no cause of complaint to me, when I find an opportunity to convince my brethren, the *Delawares* and *Six Nations*, of my good intentions towards them. You may be assured, brethren, that as I am now here present, I shall be able to hear plainly, and to distinguish clearly what is just and unjust between me and my brethren, the *Indians*. *(A String.)*

Brethren: I am much obliged to you for the pains you have taken to heal the sores made by the *Shawanese*, and would have been very glad to have now given you a more favourable answer as to them; but you yourselves must be well acquainted how little the *Shawanese* deserve the treatment or appellation of brethren from me, when, in the first place, they have not complied with the terms prescribed to them by Colonel *Bouquet*, (and to which they assented,) of giving up the white prisoners; nor have they ever truly buried the hatchet; for the next summer after that treaty, they killed a man upon the frontiers of my Government; the next year they killed eight of my people upon *Cumberland* River, and brought their horses to their Towns, where they disposed of them, (together with a considerable quantity of peltry) to the traders from *Pennsylvania*. Some time after, one *Martin*, a trader from my Government, was killed with two men, on *Hockhocking*, by the *Shawanese*, only because they were *Virginians;* at the same time permitting one *Ellis* to pass, only as he was a *Pennsylvanian*. In the year 1771, twenty of my people were robbed by them, when they carried away nineteen horses, and as many owned by *Indians*, with their guns, clothes, &c., which they delivered up to one *Callender* and *Spears*, and other *Pennsylvania* traders in their Towns. In the same year, on the *Great Kenhawa*, in my Government, they killed * * * * * one of my people and wounded his brother; and the year following, *Adam Stroud*, another of my people, his wife and seven children, were most cruelly murdered on *Elk* waters. In the next year they killed *Richards*, another of my people, on the *Kenhawa*. A few moons after, they killed *Russell*, one of my people, and five white men and two negroes, near *Cumberland Gap;* and also carried their horses and effects into their Towns, where they were purchased by the *Pennsylvania* traders. All these, with many other murders, they have committed upon my people before a drop of *Shawanese* blood was spilt by them; and have continually perpetrated robberies upon my defenceless Frontier inhabitants, which at length irritated them so far that they began to retaliate. I have now stated the dispute between them and us, and leave it to you to judge what they merit. *(A String.)*

Brethren: You desire me to listen to my brethren, the *Five Nations*, the *Mohawks*, the *Wyandots*, and to my brethren, the *Delawares*. I do so with the utmost attention, and am well pleased to return you my thanks for the pains you have taken, and am extremely happy, and exceedingly desirous, that the eyes of the Western Nations, and all others, may be continually fixed upon me; for then they will plainly see that my real intention and sincere desire is only to do justice to all parties. Brethren, I hope our pleasure at meeting is mutual; and you may be assured, from my late proceedings, that my good will towards you is most sincere, and I rejoice equally with you at the new life your women and children have acquired by my arrival; and I most sincerely wish that they may long continue in a full enjoyment of peace and happiness, to which I will most cheerfully contribute my utmost assistance. *(A String.)*

Brethren: I am very glad to find that the Chiefs of the different Nations have a due and friendly regard to the friendship formerly subsisting between our forefathers, which I shall be happy at all times to continue. I am glad to observe that few (if any) of the foolish people who have been the authors of the late troubles, were in any wise particularly connected with you; and I hope that our ancient friendship is too strongly linked to be broke by a few banditti of a distant Nation. I own I am very much rejoiced at my arrival here, as I hope it will be the means of adding fresh strength to the ancient chain of friendship subsisting between us; and particularly so, as I see your inclinations are to facilitate this good work. I acknowledge myself your elder brother, and shall, upon every occasion, manifest my regard as such towards you; and I do expect that you will continually look up to me as your elder brother, from whom you may be assured of the strongest marks of brotherly kindness, either in peace or war. And as you may now be certain of protection from your elder brother, I flatter myself you will continue to tread the ancient path towards him here, when he will be answerable that the most ample justice shall be done you. *(A Belt.)*

—

At a Conference held with several of the *Delaware* and *Mohawk* Chiefs.

Intelligence received from Captain *Pike*.

At my arrival at the Lower *Shawanese* Towns, I was told by the *Cornstalk* that he was much rejoiced to hear from his brethren, the white people, in the Spring, upon the first disturbances; that he had, in consequence thereof, ordered all his young people to remain quiet, and not to molest the traders, but to convey them safe to their grandfathers, the *Delawares*, where they would be safe. The *Shawanese* Chiefs declared they were well pleased to hear from their brethren, the *English*, and that they had spoke to all their young people to remain quiet. Upon his arrival at the *Standing Stone*, he sent word to the *Shawanese* to assemble their Counsellors; but, as they were out a hunting, it could not be immediately effected. The principal warriours always listened to the Chiefs, and had no hostile intentions. The mischiefs which had been done were perpetrated by the foolish young people; but that now, as soon as they were assembled, they would be able to prevent any thing of that nature for the future. The *Shawanese* told me that a party of *Twightwees*, one of *Tawas*, and a party of *Wyandots*, were as far advanced on their way to war against the white people, as their Towns; but that they had advised them to return; that they expected the war which threatened them would be extinguished, as they now endeavoured at peace.

Pluggy, a *Mohawk*, who was questioned whether he knew of these parties, said that some hunters who were of the *Wyandots* and *Tawas*, came to the *Shawanese* Towns to hear news, but were sent back.

Speech of the *Mohegans* to the *Shawanese*.

Brethren: Formerly you came to us on the other side of the Mountains, and told us we were your older brothers, desiring us to come over and show ourselves to your grandfathers, the *Delawares*, that they might know our relationship. We did so, and as one people held fast the same chain of friendship; but now we see you only holding with one hand, whilst you keep a tomahawk in the other. We desire you, therefore, to sit down and not be so haughty, but pity your women and children. We therefore take the tomahawk out of your hands, and put it into the hands of your grandfathers, the *Delawares*, who are good judges, and know how to dispose of it.

Answer of the *Shawanese*.

Brethren: We are glad to hear what you have said, and that you have taken the tomahawk out of our hands and given it to our grandfathers, the *Delawares;* but, for our parts, we are not sensible that we have had the tomahawk in our hands. It is true some foolish young people may have found one out of our sight, hid in the grass, and may have made use of it; but that tomahawk which we formerly held, has been long since buried, and we have not since raised it.

There was a great deal of consultation amongst the different Nations, while I was at their Towns, but nothing particularly relative to what is now in question.

Colonel *Stephen* demanded of Captain *Pike* how he was received by the *Shawanese*, who says that he arrived there about noon, and after having cleared their eyes and

Digitized by Google

opened their ears in the common form, that they had a great dance, and afterwards came to him; and, upon hearing what he had to say, expressed their satisfaction by saying they hoped their friendship was now renewed. Though he heard some of the young people expressing a threatening at the *Delawares'* so much interfering in their quarrel with the white people; that if they had any thing to say, they wondered why the white people did not come themselves to speak.

The *Delawares* said, that as the sentiments of the *Shawanese* were now known, that if the Governour had an inclination they would join him in any thing he had to offer to them for the promotion of peace and the restoration of harmony to the country.

Reply of the *Mohawks* and *Delaware* Chiefs to his Lordship's Answer.

Present: Captain *White Eyes*, Captain *Pipe*, Captain *Winganum*, *Delawares*; Captain *Pluggy* and *Big Apple Tree*, *Mohawks*.

Captain *White Eyes* spoke in behalf of the *Delawares:*

Brother: Your brethren here present are very happy to have heard your good Speeches, and are glad to find you acknowledge yourself their elder brother. We acquainted you that our sincere desire was that the peace between us and our brethren, the *English*, should be upon a lasting footing. We now are convinced that it will be upon a sure and permanent foundation, as our children may have an opportunity of being instructed in the Christian religion. We shall acquaint all the Tribes of *Indians* of what has here passed between us, and we are satisfied that it will be very satisfactory to them to hear the good talk from our older brother. For my part, I can assure you, brother, that for my Tribe I can answer, even for the foolish young people thereof, that they will not be the cause of any disturbance in any manner whatever hereafter, either by theft or otherwise, or give cause of any trouble to your people. The Chiefs of the other Tribes of our Nation will confirm what I have now said, as soon as they have an opportunity. *(A String.)*

Brother: As your brethren, the *Shawanese*, are desirous to speak to you by themselves, I hope you will listen to them. I will desire them to speak to you; and that you may there have an opportunity of speaking together, I would be glad to acquaint them when they could see you to enter into conference. I am much obliged to you for the promise you have given me that justice shall be done us in the trade here, and that proper persons shall be appointed to see that we are fairly dealt with. I shall acquaint the young men with it, that they may come to trade in their usual manner.

The *Big Apple Tree*, *Mohawk*, spoke.

Brother: This day it hath pleased *God* that we should meet together; we who are sent on behalf of another Nation. The *Shawanese* told me that they heard there was something yet good in the heart of the *Big Knife*. They desired me to take their hearts into our hands, and speak strongly on their behalf to the *Big Knife*. I am glad the *Shawanese*, my younger brethren, have desired me to undertake this business, if I can serve them; and I am equally rejoiced at the appearance thereof, from your good Speeches. You may be assured, that as they have delivered themselves into our care, we shall do our endeavour to induce them to pursue proper measures to restore peace. You may be also assured, that your brother, the Chief of the *Wyandots*, will also assist me in taking care that our younger brothers, the *Shawanese*, act a prudent part. Wheresoever, brother, you build your Council Fire to speak to the *Shawanese*, you may be assured that we, the *Mohawks*, with our brethren, the *Wyandots*, will come with them to speak also; and that we hope peace then will be restored and established on a permanent footing. *(A String.)*

His Lordship's Answer.

Brethren: I shall consider of what you have said, and will give you an answer this afternoon.

His Lordship's Answer to their Reply.

Brethren: I am glad to find that what I have said in our late Conference has been satisfactory to you; and you may be assured, that whatever I have promised shall be confirmed, so that my actions shall convince you of the sincerity of my heart. I am glad to find you have a desire of instructing your children in the Christian religion, which will be the cause of peace remaining between us on a lasting footing, and of adding happiness to your own Nation. *(A String.)*

Brethren: I have already informed you of the evil disposition of the *Shawanese* towards us; but to convince you how ready the *Big Knife* is to do justice, at all times, even to their greatest enemies, at the request of my good brethren, the *Six Nations*, and you, the *Delawares*, I will be ready and willing to hear any good speeches which the *Shawanese* may have to deliver to me, either at *Wheeling*, (where I soon purpose to be;) or, if they should not meet me there, at the *Little Kenhawa*, or somewhere lower down the river. *(A String.)*

Brethren, the *Mohawks*, you will hear by my Speech to my younger brethren, the *Delawares*, that I am prevailed upon to listen to the *Shawanese*, notwithstanding their bad behaviour towards my people; and as I am prevailed upon merely by the confidence I repose in the friendship of my brethren, the *Wyandots* and *Five Nations*, I expect this will be looked upon as a strong proof of my regard towards them. And, as it is your wish, I will meet the *Shawanese* at one of the places mentioned in my Answer to my younger brethren, the *Delawares*, provided they are led to the Council Fire by my brethren, the *Mohawks*, the *Wyandots*, and the *Delawares*, as I shall be satisfied that whatever they may then promise, you, my brethren, will see them strictly adhere to. *(A String.)*

The *Delawares'* Reply.

Brother: We are much rejoiced to hear what you have now said, and believe it to be sincere; and you may be satisfied, that I, in behalf of my people, will endeavour to convince you that we are so. When the *Delawares*, the *Six Nations*, the *Shawanese*, and you, our elder brother, meet together, you will then see who are sincere in their friendship. In a short time it will be seen; for those who are determined on good, will not fail to meet you. I shall speak to the *Shawanese*, and, if their intentions are equal to their professions, they will see you; but, on behalf of my people, I promise to meet you. This is all I have to say at this time; but you may be certain that myself, Captain *Pipe*, and Captain *Winganum*, will wait on you.

THE SPEECH OF EDMUND BURKE, ESQUIRE, ON OCCASION OF OFFERING HIMSELF A CANDIDATE TO REPRESENT THE CITY OF BRISTOL IN PARLIAMENT, DELIVERED BEFORE THE HUSTINGS, OCTOBER 16, 1774.

GENTLEMEN: I am come hither to solicit in person that favour which my friends have hitherto endeavoured to procure for me, by the most obliging, and to me the most honourable exertions.

I have so high an opinion of the great trust which you have to confer on this occasion, and by long experience, so just a diffidence in my abilities to fill it in a manner adequate even to my own ideas, that I should never have ventured, of myself, to intrude into that awful situation. But since I am called upon by the desire of several respectable fellow-subjects, as I have done at other times, I give up my fears to their wishes. Whatever my other deficiencies may be, I do not know what it is to be wanting to my friends.

I am not fond of attempting to raise publick expectation by great promises. At this time there is much cause to consider and very little to presume. We seem to be approaching to a great crisis in our affairs, which calls for the whole wisdom of the wisest among us, without being able to assure ourselves that any wisdom can preserve us from many and great inconveniences. You know I speak of our unhappy contest with *America*. I confess it is a matter on which I look down as from a precipice. It is difficult in itself, and it is rendered more intricate by a great variety of plans of conduct. I do not mean to enter into them. I will not suspect a want of good intention in forming them. But how pure the intentions of their authors may have been, we all know that event has been unfortunate. The means of recovering our affairs are not obvious.

Digitized by Google

So many great questions of commerce, of finance, of Constitution, and of policy, are involved in this *American* deliberation, that I dare engage for nothing, but that I shall give it, without any predilection to former opinions, or any sinister bias whatsoever, the honest and impartial consideration of which I am capable. The publick has a full right to it, and this great city, a main pillar in the commercial interest of *Great Britain*, must totter on its base by the slightest mistake with regard to our *American* measures. Thus much, however, I think it not amiss to lay before you, that I am not, I hope, apt to take up or lay down my opinions lightly. I have held, and ever shall maintain, to the best of my power, unimpaired and undiminished, the just, wise, and necessary constitutional superiority of *Great Britain*. This is necessary for *America* as well as for us. I never mean to depart from it. Whatever may be lost by it, I avow it. The forfeiture even of your favour, if by such a declaration I could forfeit it, though the first object of my ambition, never will make me disguise my sentiments on this subject.

But I have ever had a clear opinion, and have ever held a constant correspondent conduct, that this superiority is consistent with all the liberties a sober and spirited *American* ought to desire. I never meant to put any Colonist, or any human creature, in a situation not becoming a free man. To reconcile *British* superiority with *American* liberty, shall be my great object, as far as my little faculties extend. I am far from thinking that both, even yet, may not be preserved.

When I first devoted myself to the publick service, I considered how I should render myself fit for it; and this I did by endeavouring to discover what it was that gave this country the rank it holds in the world; I found that our power and dignity rose principally, if not solely, from two sources, our Constitution and commerce. Both these I have spared no study to understand, and no endeavour to support.

The distinguishing part of our Constitution is its liberty. To preserve that liberty inviolate seems the particular duty and proper trust of a Member of the House of Commons. But the liberty, the only liberty I mean, is a liberty connected with order, and that not only exists along with order and virtue, but which cannot exist at all without them. It inheres in good and steady Government, as in its substance and vital principle.

The other source of our power is commerce, of which you are so large a part, and which cannot exist, no more than your liberty, without a connection with many virtues. It has ever been a very particular and a very favourite object of my study, in its principles and its details. I think many here are acquainted with the truth of what I say. This I know, that I have ever had my house open, and my poor services ready for traders and manufacturers of every denomination. My favourite ambition is to have those services acknowledged. I now appear before you to make trial, whether my earnest endeavours have been so wholly oppressed by the weakness of my abilities, as to be rendered insignificant in the eyes of a great trading city, or whether you choose to give weight to humble abilities for the sake of the honest exertions with which they are accompanied. This is my trial to-day. My industry is not on trial: of my industry I am sure, as far as my constitution of mind and body admitted.

When I was invited by many respectable merchants, freeholders, and freemen of this city, to offer them my services, I had just received the honour of an election at another place, at a very great distance from this. I immediately opened the matter to those of my worthy constituents who were with me, and they unanimously advised me not to decline it; that they had elected me with a view to the publick service; and that as great questions relative to our commerce and Colonies were imminent, that in such matters I might derive authority and support from the representation of this great commercial city; they desired me therefore to set off without delay, very well persuaded that I never could forget my obligations to them or to my friends, for the choice they have made of me. From that time to this instant I have not slept, and if I should have the honour of being freely chosen by you, I hope I shall be as far from slumbering or sleeping when your service requires me to be awake, as I have been in coming to offer myself a candidate for your favour.

DOCTOR SAMUEL COOPER TO MR. JOHN ADAMS, DATED OCTOBER 16, 1774.

Having just been informed that Mr. *Tudor* is going to *Philadelphia*, I take this opportunity to thank you for the obliging favour of your letter of the 29th *September*. The struggle, as you justly observe, between fleets and armies and commercial regulations, must be very unequal. We hope, however, that Congress will carry this mode of defence as far as it will go, and endeavour to render it as early effectual as it can be, since the operation of it must necessarily be slow—were we at ease we would wait—but being first seized and griped by the merciless hand of power, we are "tortured even to madness," and yet, perhaps, no people would give a greater example of patience and firmness could the people be sure of the approbation and countenance of the Continent, in consolidating themselves in the best manner they are able, they should have, they say, fresh spirits to sustain the conflict. The report of an uncommon large quantity of *British* goods sent to *New-York* and *Philadelphia* naturally carries our thoughts to a Non-consumption. Nothing could more thoroughly embarrass these selfish Importers, and none ever deserved more such a punishment.

Our Provincial Congress is assembled; they adjourned from *Concord* to *Cambridge*. Among them, and through the Province, the spirit is ardent. And I think the inhabitants of this Town are distracted to remain in it with such formidable fortifications at its entrance. Besides the Regiments expected from the Southward and *Canada*, we have several Companies from *Newfoundland*, of which we had no apprehension until they arrived. The Tories depend that the Administration will push their point with all the force that they can spare, and this I think we ought to expect and take into our account.

PENNSYLVANIA COUNCIL.

At a Council held at *Philadelphia*, on *Monday, October* 17, 1774:

Present: The Honourable *John Penn*, Esquire, Governour, *William Logan*, *James Tilghman*, *Richard Peters*, *Edward Shippen*, Jun., *Benjamin Chew*, Esquires.

Upon the application of *John Patterson*, Esquire, Deputy Collector of his Majesty's Customs for this Port, the Governour, with the advice of the Council, issued the following Proclamation, viz:

By the Honourable JOHN PENN, *Esquire, Governour and Commander-in-chief of the Province of* PENNSYLVANIA, *and the Counties of* NEW-CASTLE, KENT, *and* SUSSEX, *on* DELAWARE.

A PROCLAMATION.

Whereas an information has been made to me by *John Patterson*, Esquire, Collector of his Majesty Customs for the Port of *Philadelphia*, supported by depositions taken before one of the Justices of the Peace for the County of *Philadelphia*, that in the night of the twenty-second day of last month, a considerable number of Hogsheads of foreign Sugar were taken from on board the schooner *Felicity*, *Allen Moore*, Master, lately arrived from *Hispaniola*, and put into a store in the *Northern Liberties* of this City, the said Sugars not having been first entered in the Custom House, nor the Duties thereof paid before they were landed, and that on the next day a great number of people, armed with clubs and staves, appeared at the said store and prevented the Officers of the Customs from breaking open the doors of the same in order to make seizure of the said Sugars; and that afterwards, in the evening of the same day, the said Sugars were violently and forcibly taken from the said store and carried away. I have, therefore, thought fit, with the advice of the Council, to issue this Proclamation; and do hereby strictly charge, enjoin, and require all Judges, Justices, Sheriffs, and all Civil Officers, as well as all others, his Majesty's subjects within this Province, to use their utmost endeavours, by all lawful ways and means, not only to bring to justice all offenders in the premises, but to discountenance and discourage all such violent, outrageous, and illegal proceedings for the future, and also upon all occasions to afford the most speedy and

Digitized by Google

effectual aid and assistance to the Officers of his Majesty's Customs in the legal discharge of their duty.

Given under my hand and the great seal of the said Province, at *Philadelphia*, the eighteenth day of *October*, in the fourteenth year of his Majesty's reign, and in the year of our Lord one thousand seven hundred and seventy-four. JOHN PENN.

By his Honour's command,

JOSEPH SHIPPEN, *Jun.*, *Secretary*.

GOD *save the King*.

The Board being of opinion it would be expedient and necessary to continue in pay for a time longer the Rangers employed in the protection of the Western Frontiers of this Province, they advised the Governour to recommend it to the Assembly, to make provision for that purpose, and the following Message being prepared at the table, was fairly transcribed and delivered to the House by the Secretary, viz:

A Message from the Governour to the Assembly,

GENTLEMEN: By the latest intelligence from the Westward, the Earl of *Dunmore* was set out on an expedition down the *Ohio*, against the *Shawanese Indians*, and it is very uncertain as yet whether the troubles on the Frontiers may subside. I therefore find it incumbent on me to recommend to your consideration the propriety of keeping in pay, for a longer time, the Rangers employed by this Government, or taking such other measures as you may judge on this occasion most proper for the publick security.

JOHN PENN.

October 17, 1774.

CAPTAIN ST. CLAIR TO JOSEPH SHIPPEN, JR.

Ligonier, October 17, 1774.

SIR: Having accidentally met with my friend Mr. *Mackay* at this place, I take the liberty to introduce him to you. He has an answer to the Messages the Governour sent to the *Shawanese* and *Delawares*, not unfriendly, but which you will very well understand. Mr. *Mackay* is one of the Magistrates that was sent to *Virginia*. He is a warm friend to this Government, and has some idea of his own importance. I wish you would please to introduce him to the Governour, and let him tell his story. I need not tell you how far a little attention will go with people of a certain character; but this you may depend on, he is an upright, honest man. Excuse my mentioning it, but these gentlemen's expenses on that *Virginia* trip should certainly be paid them: I know, however, he will not mention it, nor would he forgive me if he knew that I had done it. I dont know how it is, but I am very apt to get into matters I have no sort of business with, and which indeed does not become me; but I will add that I am with the greatest esteem, sir, your very humble and most obedient servant,

AR. ST. CLAIR.

N. B. Past ten o'clock.

SPEECH TO THE GOVERNOUR FROM THE PIPE, A CHIEF OF THE DELAWARE INDIANS.

Brother, the Governour of *Pennsylvania*: As soon as the Chiefs of our Nation and the *Six Nations* had received your belts from Captain *St. Clair*, I was appointed to carry them through all our Villages, and from thence to the *Shawanese* and *Wyandots* at *Sandusky*. I am now returned, and can inform you and your wise men that your messages were well received by all the Tribes, and they all long to meet you or some of your wise men in Council, to renew and brighten the chain of friendship so long subsisting between our forefathers. For our parts, we never mean to let it slip out of our hands; and it is not our fault if it should; it is not in our powers to go to you; but we know it's in your power to come or send some of your wise men to meet us; and it never was more necessary, as this difference subsisting between the Governour of *Virginia* and the *Shawanese* gives us all great uneasiness in our minds, and though we have suffered much in some of our people being killed, yet we have done every thing in our power to get this unhappy difference made up, and have now sent a number of our wise men to assist in getting it settled at the places our brother the Governour of *Virginia* appointed to meet the *Shawanese*, but I cannot tell whether they will agree or not. (*A String*.)

In two nights after my return to Colonel *Crogham's*, some bad white man crossed the River in the night and stole four horses from me, which my friend Mr. *Mackay* can inform you of, which I hope you will consider and not let me be at the loss of.

THE PIPE, *A Chief of the* Delaware *Nation*.

EXTRACT OF A LETTER FROM THE HONOURABLE GOVERNOUR GAGE, TO THE EARL OF DARTMOUTH, DATED BOSTON, OCTOBER 17, 1774.

MY LORD: I transmit your Lordship a number of enclosures, amongst which you will see the Resolves passed by the Representatives who met at *Salem*, notwithstanding my Proclamation to postpone the Sessions, and adjourned themselves, as was foreseen, to meet Delegates from the Counties and Towns, to *Concord*, there to form themselves into a Provincial Congress, from whence they have agreed to remove to *Cambridge*. Your Lordship has a Remonstrance which they have sent to me, and my Answer to it, which I had some difficulty in contriving, as I cannot consider them as a legal Assembly, and a handle would have been made of it had I refused; and it was, moreover, necessary to warn them of their conduct, and require them to desist from such unconstitutional proceedings. There are also copies of two Remonstrances from the County of *Worcester*, the first of which was so offensive to the King, and not addressed to me as Governour, that I refused to receive it; the last was answered, and the answer transmitted.

The above relate to works I have been making at the entrance of the Town, at which they pretend to be greatly alarmed, lest the inhabitants of the Town should be enslaved, and made hostages of, to force the country to comply with the late Acts: a scheme which they know is not feasible; but I believe the works have hitherto obstructed some pernicious projects they have had in view, which has determined me to refuse all applications for their demolition. And whilst their affected apprehensions for the Town of *Boston* are held forth, moderation and forbearance has been put to the test, by burning the straw, and sinking boats with bricks, coming for the use of the Troops, and overturning our wood carts. It appears to me to be a part of their system, to pick a quarrel with the Troops, for which reason I was the more cautious to give no pretence for it, that all misfortunes which might happen should be of their own seeking.

There are various reports spread abroad of the motions made at the Provincial Congress whilst at *Concord*; some it is said moved to attack the Troops in *Boston*, immediately; others to value the estates in the Town, in order to pay the proprietors the loss they might sustain, and to set the Town on fire; and others proposed to invite the inhabitants into the country, which has been talked off for some time.

By a Letter from General *Carleton*, of the 20th of *September*, he determined to send here the Tenth and Fifty-second Regiments, and I conclude them on their way from *Quebec*; as also General *Haldimand* with the Forty-seventh Regiment from *New-York*, where transports have been laying for some weeks to take on board the stores, and I apprehend they are mostly secured. I am to acquaint your Lordship likewise, that Commodore *Shuldham*, receiving intelligence at *Newfoundland* of the extraordinary commotions of this country, sent the *Rose*, man-of-war, immediately here, with two Companies of the Sixty-fifth Regiment, stationed at *St. John's*, desiring only that they might be replaced in the Spring. I am, &c.

THOMAS GAGE.

P. S. I had once hopes to have sent your Lordship accounts of some conciliatory measures, which I have urged strongly, and recommended the paying for the Tea for a beginning of a reconciliation; but I despair of any overtures of the kind, unless it comes recommended from the Continental Congress, by whose Resolves this people declare their intentions to abide, and use every artifice to engage the rest of the Continent in their own disputes with the mother country. T. G.

Digitized by Google

THE EARL OF DARTMOUTH TO THE GOVERNOURS OF THE COLONIES.

[Circular.] Whitehall, October 19, 1774.

SIR: His Majesty having thought fit by his Order in Council this day to prohibit the exportation from *Great Britain* of Gunpowder, or any sort of Arms or Ammunition, I herewith enclose to you a copy of the Order; and it is his Majesty's command that you do take the most effectual measures for arresting, detaining, and securing any Gunpowder, or any sort of Arms or Ammunition which may be attempted to be imported into the Province under your Government, unless the master of the ship having such Military Stores on board shall produce a license from his Majesty or the Privy Council for the exportation of the same from some of the Ports of this Kingdom.

I am, sir, your most obedient humble servant,

DARTMOUTH.

ORDER IN COUNCIL.

At the Court of *St. James's*, the 19th day of *October*, 1774: Present, the King's most Excellent Majesty in Council, Earl of *Rochford*, Earl of *Dartmouth*, Earl of *Suffolk*, Lord *Viscount Townshend*, Lord *Mansfield*, Lord *North*.

Whereas an Act of Parliament was passed in the twenty-ninth year of the reign of his Majesty King *George* the Second, entitled, "An Act to empower his Majesty to "prohibit the importation of Saltpetre, and to enforce the "law for empowering his Majesty to prohibit the exporta-"tion of Gunpowder, or any sort of Arms and Ammunition; "and also to empower his Majesty to restrain the carrying "coastwise of Saltpetre, Gunpowder, or any sort of Arms or "Ammunition:" And his Majesty judging it necessary to prohibit the exportation of Gunpowder, or any sort of Arms or Ammunition out of this Kingdom, or carrying the same coastwise for some time, doth therefore, with the advice of his Privy Council, hereby order, require, prohibit, and command, that no person or persons whatsoever (except the Master General of the Ordnance for his Majesty's service,) do at any time during the space of six months from the date of this Order in Council, presume to transport into any parts out of this Kingdom, or carry coastwise any Gunpowder, or any sort of Arms or Ammunition, or ship or lade any Gunpowder, or any sort of Arms or Ammunition on board any ship or vessel, in order to transport the same into any parts beyond the seas, or carrying the same coastwise, without leave or permission in that behalf, first obtained from his Majesty or his Privy Council, upon pain of incurring and suffering the respective forfeitures and penalties inflicted by the aforementioned Act. And the Lords Commissioners of his Majesty's Treasury, the Commissioners for executing the office of Lord High Admiral of *Great Britain*, the Lord Warden of the Cinque Ports, the Master General of the Ordnance, and his Majesty's Secretary at War, are to give the necessary directions herein, as to them may respectively appertain.

G. CHETWYND.

PROCEEDINGS OF THE GENERAL COMMITTEE OF CHARLESTOWN, SOUTH CAROLINA, OCTOBER 20, 1774.

Whereas, from the prospect of a Non-Importation Agreement being entered into, there is great reason to apprehend that some mercenary individuals, intending to take advantages of the publick distress, are daily engrossing and buying up large quantities of Goods with a view to keep the same for sale, and hereafter to raise or regulate the prices of them; and it has been suggested, that commissions seeming of this tendency, have been received from such persons in some of our sister Colonies:

The General Committee having taken the same into consideration, and being apprehensive of some mischievous consequences, do recommend to, and request of, the Merchants, Shopkeepers, and others in this Colony:

That they will endeavour to detect all such engrossers, and, to the utmost of their power, discourage and defeat their mercenary schemes; and that if they should receive any commissions of this tendency, from any place whatever, they will decline executing the same.

The General Committee do also recommend to the Merchants, Shopkeepers, and others, as they prize the tranquillity and happiness of *America*, that they will not take advantage of the distresses; but that they will be content with, and demand no more than the usual advance upon such goods and merchandise as they now have by them, or hereafter may be allowed to import.

By order of the Committee,

PETER TIMOTHY, *Secretary*.

A large Committee was at the same time appointed to see and pursue every measure that shall be necessary for the due observance of the above recommendations, &c.

TO THE PEOPLE OF HALIFAX COUNTY, IN VIRGINIA.

October 20, 1774.

MY COUNTRYMEN: At a time when Ministerial power is exerting all its art, conjoined with threatened force, to deprive the *Americans* of their natural rights and liberties, and at a time when every true-born son of freedom, who has ever been sensible of the heartfelt satisfaction arising from its enjoyment, ought to unite cheerfully with the majority of the people of the community, of which he must consider himself a member, in all such measures as have been, or may be adopted by those gentlemen, chosen by the suffrages of the people, to guard against and defeat the alarming attack made on our liberty by the hand of arbitrary and unjust power; I say, when this at least may be expected of every individual amongst us, at this alarming conjuncture of affairs, as a duty naturally incumbent on him, how is my soul shocked to find a man, not long since of good fame, of property, and holding an office of some importance to the publick good, striving, with all possible fallacy, to disaffect you, my unsuspecting countrymen, against the noble and patriotick Resolves of the late Convention, entered into by our worthy Deputies, with all that reason and prudence which could possibly have governed men in their situation; the adherence to which, strictly, can alone (in the opinion of those whose known experience of the Constitution ought to give weight to their councils) bring us that relief which the people so ardently pray for, by obtaining a repeal of the oppressive and odious "*Boston* Port Act," so much the subject of consideration, and so much the important object of our present inquietude; a law, in short, my dear countrymen, which strikes at once at the root of our so long boasted liberties, and which, if submitted to, subjects us to the most abject state of slavery. Distracting idea! and sufficient to rouse the attention of the most careless of liberty! And lives there a man amongst us who dare call himself a free man, and yet so destitute of those exquisite feelings, natural to liberty, as to advise you to recede from the Articles of Association, so solemnly entered into as aforesaid, calculated for your happiness, and thereby yield yourselves up to those chains which tyranny and art have been so long preparing for you? Ignoble attempt! and worthy only of that unfortunate wretch who would prefer slavery to freedom, or, if not preferring it, whose dastardly soul would shrink into nothing at the bare idea of defending, with his life and fortune, that liberty which is his birthright, and which nothing but the hand of arbitrary power can tear from him. And if the preservation of all that is dear to you, my countrymen, your civil rights, liberties, and property, depend on your strict attention to the Articles of Association, how greatly are you, and the cause of liberty, indebted to *Thomas Yu——e*, of your County, for the part he has acted towards the completion of this liberal plan? Vain, deluded man, who could think himself, and a few misguided adherents, of importance sufficient to disjoin that well connected plan of self-preservation, entered into by the wisest and best of men, and whose distinguished abilities, displayed on many important occasions, would do honour to the greatest Senate on earth.

But, to address myself more particularly to you, Mr. *Yu——e*, and for a moment to flatter those machiavelian talents you are known to possess in so great a degree, suppose, by creating a division of the people, (which you seem so clearly aiming at,) you could thereby blast that noble plan of unanimity, so essentially necessary at this time in baffling the attempts of Ministerial tyranny to re-

Digitized by Google

duce us to slavery, and by which means you could be so happy as to find yourself the noble instrument of placing into the hands of the Ministry the only possible means of success, in their cruel and unwarrantable schemes against the now unhappy, but ever brave and loyal *Americans;* supposing, I repeat, you could thus see your favourite scheme crowned with the wished for success, what great reward could you promise yourself? Riches and honour? No, mistaken man, riches possibly might be the reward of so heroick an action, but honour would have no connection with such a dishonourable an action; and the humane part of mankind would shun you as the wretch who had been capable, from the blackest motives, of sacrificing a brave people to slavery and ruin, and to whom he stood in debt for his daily bread. Remorse must harrow up your soul, and as your crime would be equally as atrocious, so, like the murderer *Cain*, you would have cause to curse the day you was born. But to quit this horrid picture. You are, sir, and have been for many years, settled amongst us, and for many reasons, although a native of *Scotland*, you ought to consider yourself as one of us. You have taken a lady to wife, a native of the country, by whom you have several children, who owe their birth to this country, and whom you, no doubt, as you have possessions here, intend settling amongst us. Then, sir, (not to say any thing farther of your being indebted to this country for the fortune you now enjoy,) are you not obligated, by the strongest ties of nature, blood, and gratitude, to defend, with your life and fortune, your now adopted country and your posterity, from the sword of tyranny? And, in so acting, you shew yourself possessed of that gratitude, that private affection for the rights of a country, by whose laws your life and property are protected, and which, above all things, would strongly recommend you to the admiration and friendship of mankind.

This is but a faint drawing of the misery that would certainly follow the one case, or the happiness which would as certainly attend the other. Though faint as the delineation may be, common sense, I think, would not hesitate in her choice; and it is now submitted to you, sir, which side to cherish. To conclude, as to you, sir, let me advise you, as a well-wisher to mankind, to desist immediately in the ungenerous schemes practised on the unwary and unsuspecting people, to persuade, or scare them them rather, out of that duty which they owe their country, and which their country at this distracted conjuncture stands so much in need of; or, otherwise, dread that resentment natural to a free but deluded people, who will discover, to your disgrace, that you have been officially active in seducing them from that love for their country which they had so long cherished, and which, as good ministers of the community, they would have brought into action, if they had not been prevented by your specious art. Permit me to ask upon what principles you purpose justifying your strange, presumptuous, and rash conduct? Upon those of self-interest? Sordid man! who had rather see all *America* involved in a general conflagration, than that he should lose the benefit resulting from his darling cent. per cent. For shame! such a wretch ought to howl out his days in a desert, excluded from all social intercourse with man, as totally unworthy of their society. There is a maxim, however, that I will remind you of, and if you are not totally absorbed in the idea of your own importance, perhaps reflection on your past conduct may induce an attention to it in future, "That private interest ought to yield to publick good." The times never more required such a sacrifice.

And now, my dear countrymen, permit me to conclude with a few more observations to you, and as they are dictated by an unaffected zeal for my country's good, and that ardent desire (which ought to fire the breast of every *American*) of seeing unanimity prevail not only through this country, but that it may spread its benign influence to every freeborn son of liberty, I hope, therefore, they may merit your serious attention.

You can no longer doubt, I trust, my countrymen, that our civil rights are now invaded by the hostile attack made on them, through the channel of the arbitrary law before alluded to, as by that law not only the right of taxing us when and as they pleased, but the right also of disposing of our private property, is assumed by the *British* Parliament; and to compel a slavish obedience to those laws, an armed power is sent over; the Town of *Boston* blocked up, and thousands of its inhabitants thereby deprived of that free trade on which they were immediately dependent. To descant fully on the arbitrary attempts to enslave us, by wicked and designing men in *Great Britain*, would be going out of the purpose of this address to you; indeed, so much has been said on this subject by abler men by far than myself, that I trust there is not a man so totally unacquainted with the principles of our Constitution as to hesitate now in pronouncing the measures planned by the Ministry against *America* to be the most arbitrary, unconstitutional, and subversive of our common rights and liberties that the most despotick power on earth could have concerted against a brave, free, and loyal people.

Being thus unhappily situated, can your patriotick friend now stand out in telling you that it is unwarrantable and repugnant to your common interests to break off all connection, in the commercial way, with *Great Britain*, until such time as the Parliament at home can be brought to a sense of the important injury done *America*, and as an act of justice due to an injured people, who have been misrepresented to our gracious Sovereign, by designing Ministers, repeal those laws which occasion the unhappy breach between *Great Britain* and her Colonies, and thereby restore that harmony which once subsisted between them, and which every loyal subject to the King of *Great Britain* so ardently prays to see take place?

Your strict attention to the political duties of every member of the community will, I am persuaded, enable you to guard yourselves against such flimsy and cobweb doctrines; and that you may not mistake the political duties just mentioned, you will direct your attention to the following lines, which, I trust, will not be thought unworthy of your consideration:

"A society, constituted by common reason, and formed "on the plan of common interest, becomes immediately an "object of publick attention, veneration, obedience, and "inviolable attachment, which ought neither to be seduced "by bribes, or awed by threats; an object, in fine, of all "those extensive and important duties which arise from so "glorious a confederacy; to watch over such a Constitu-"tion; to contribute all he can to promote its good, by his "reason, his ingenuity, his strength, and every other abil-"ity, whether natural or acquired; to resist, and, to the "utmost of his power, defeat every encroachment upon it, "whether carried on by secret corruption, or open vio-"lence, and to sacrifice his ease, his wealth, his power,— "nay life itself, in the defence of his country, is the duty, "the honour, the interest, and the happiness of every "member of it, as it undoubtedly will make him vene-"rable and beloved while he lives, lamented and honoured "if he falls in so glorious a cause, and transmit his name, "with immortal fame, to the latest posterity."

This is, my countryman, a true sketch of the duty we owe our country, as worthy members of it. He who would attempt to persuade you from it is your professed enemy; and as such you ought to shun and despise him.

You are now put to the grand trial, to acquit yourselves in which, with honour, requires you to call to your aid all your prudence, firmness, and perseverance; for let me remind you once more, that on the event depends this important and truly alarming question, whether we are to be freemen or slaves? But remember that, whether you are the one or the other, ultimately depends altogether, in my humble conception, on the part you act with regard to the Association before spoken of; a steady attention to which will in time, we trust, awaken the attention of the trading people in *Great Britain*, whose united interest might, more than probable, obtain a repeal of those Acts of Parliament which have irresistibly drove us to the lengths we have now taken for our common preservation. On the contrary, should you, by too niggardly attention to your own immediate private good, violate any of the Articles of Association, and thereby destroy the purpose they were calculated to answer, you at once give the Minister of *Great Britain* an opportunity of humbling you at his feet, to use his own words, and convinces the world you are unworthy of that freedom which we are at present struggling to preserve.

Digitized by Google

These are, my countrymen, the sentiments of a man who is sincerely devoted to his country's cause, and such as he dares avow, at the expense of his life, should his country be so unhappy as to call for it, which may Heaven avert! In perusing of which, should any grammatical errour present itself, kindly pass it over, as it is the substance, and not the form, which he has been labouring to recommend; and believe him when he tells you that he long since expected to find some abler pen than his exercised in this cause, as the object of this address to you (which he has shortened as much as the subject would possibly admit of) ought to be held up to publick view, as an example which others ought carefully to shun.

BRUTUS.

Annapolis, October 20, 1774.

The Brig *Peggy Stewart*, Capt. *Jackson*, from *London*, having on board seventeen packages, containing two thousand three hundred and twenty pounds of that detestable weed Tea, arrived here on *Friday* last. The Tea was consigned to *Thomas Charles Williams*, and Company, Merchants in this City. Those of the Committee for *Anne Arundel* County who were in Town, hearing of the arrival of said vessel, met in the afternoon, and were informed the said vessel had been entered in the forenoon of that day, and the duty on the Tea paid to the Collector by Mr. *Anthony Stewart*, one of the owners of said brig. Four only of the Committee being present, it was thought advisable to call a meeting of the people. Notice was thereupon immediately given—many of the inhabitants, together with a number of gentlemen from *Anne Arundel*, *Baltimore*, and other Counties, who were attending the Provincial Court, met, and having called before them the Importers and the Captain of the ship, together with the Deputy Collector, the question was moved and seconded, whether the Tea should be landed in *America* or not? and the question being put, it was unanimously determined in the negative.

A Committee of twelve persons was thereupon appointed to attend landing the other goods on board said vessel, and to prevent landing the Tea; after which the meeting adjourned to *Wednesday*, the 19th, at eleven o'clock. At which time the Members of the Committee and other the inhabitants of the County, were requested to attend at this place.

In consequence of this adjournment a great number of very respectable gentlemen from *Anne Arundel*, *Baltimore*, and *Prince George's* Counties, met here, and amongst others, eight of the Committee for *Anne Arundel* County. Those of the Committee proceeded to examine into the affair, calling before them Messrs. *James* and *Joseph Williams*, and *Anthony Stewart*, and also took into consideration an offer made by said *Williams's* and *Stewart* to destroy the Tea, and make such concessions as might be satisfactory to the Committee and the people assembled. The Committee were of opinion, if the Tea was destroyed by the voluntary act of the owners, and proper concessions made, that nothing further ought to be required. This, their opinion, being reported to the assembly, was not satisfactory to all present. Mr. *Stewart* then voluntarily offered to burn the vessel and the Tea in her, and that proper acknowledgments should be made and published in the *Maryland Gazette*. Those acknowledgments were accordingly made, and are as follows:

"We, *James Williams*, *Joseph Williams*, and *Anthony Stewart*, do severally acknowledge that we have committed a most daring insult and act of the most pernicious tendency to the liberties of *America*; we, the said *Williams's* in importing the Tea, and said *Stewart* in paying the duty thereon; and thereby deservedly incurred the displeasure of the people now convened, and all others interested in the preservation of the constitutional rights and liberties of *North America*—do ask pardon for the same; and we solemnly declare, for the future, that we never will infringe any Resolution by the people for the salvation of their rights, nor will we do any act that may be injurious to the liberties of the people; and to show our desire of living in amity with the friends to *America*, we do request this meeting, or as many as may choose to attend, to be present, at any place where the people shall appoint, and we will there commit to the flames, or otherwise destroy, as the people may choose, the detestable article which has been the cause of this our misconduct.

"ANTHONY STEWART,
"JOSEPH WILLIAMS,
"JAMES WILLIAMS."

After which Mr. *Stewart*, and Messrs. *James* and *Joseph Williams*, owners of the Tea, went on board said vessel, with her sails and colours flying, and voluntarily set fire to the Tea, and, in a few hours, the whole, together with the vessel, was consumed in the presence of a great number of spectators.

Annapolis, October 18, 1774.

The Committee for *Anne Arundel* County received information from *Baltimore* that a considerable quantity of Tea was expected on board the *Generous Friends*, Captain *Nairne*. The ship arrived on *Saturday* evening, the 15th instant, and, on examination, it did not appear by the cockets, or entry at the Collector's office, that any Tea had been on board. It appeared by a letter to Mr. *Hodgkin*, that six chests of Tea had been shipped, and that Captain *Nairne* refused to sail from *London* until the Tea was relanded, for which conduct Captain *Nairne* had the thanks of this Committee. By order,

JOHN DUCKET, *Cl'k Committee.*

TO THE MERCHANTS AND CITIZENS OF NEW-YORK.

New-York, October 20, 1774.

It has been deemed by some proper and eligible to return publick thanks to a set of Mechanicks for bravely refusing their assistance in securing their Sovereign's Troops from the inclemencies of the seasons; what acknowledgments are not due to you, gentlemen, for asserting and preserving your rights of thinking and acting in a more humane and reasonable manner, against the unwarrantable and bold attempts of those persons who use the prostituted name of liberty only to infringe that of others with success and impunity. Suffer not then these sons of licentiousness and disorder to encroach further. The unbounded and lawless heights to which they have risen in a neighbouring Province, demands your serious attention; take heed that while the words tyranny and oppression are bandied about and fixed on *Britain*, you are not unawares enthralled at home, and subjected to a domination the most abject and slavish, viz: that of the idle, the vicious, and profane, for it is not among the industrious artisans, the honest farmers, or frugal tradesmen that you are to look for these children of mischief, tumult, and riot, but among those who either having nothing to lose, or, having wasted their own substance, would gladly become the masters of yours. These are the men who excite sedition and commotions, nay, would even blow the trumpet of rebellion through the land, so they might in the confusion of the times but divide and share in your property. Thanks, gentlemen, thanks for the noble stand on the late occasion, and may every Province, after your example, thus uphold the privileges of freemen and early crush these atrocious intruders on true and genuine liberty.

TO THE INHABITANTS OF NEW-YORK.

New-York, October 20, 1774.

Without entering into the dispute as to the right of the *British* Parliament to impose Duties in *America*, I would beg leave to submit some thoughts to consideration, which good policy and a regard to our own interest, might allow to have weight in influencing our judgments in this matter.

Before we make an alteration in any circumstance in life we should consider the value of the good we put to hazard, and the risk we run of being sufferers by the exchange. In the present political case we should place the benefits arising from obedience against the burthens that we are compelled to submit to.

To induce us to submit with cheerfulness we should consider that the Government to which we pay obedience has the power to protect us; and that from the genius of the *British* Constitution, from the commercial interest and good policy of that Nation, we have every desirable security that its authority over us will be exercised with justness and gentleness, and for our own real advantage, as that must be the best means of promoting its own. And to

Digitized by Google

make us prize the blessings we enjoy under this Government we should consider the circumstances to which we should be reduced were we withdrawn from the protection of *Great Britain*. In the wide spread Colonies of *America*, where the country is continually increasing in inhabitants, and improving in cultivation, there will be frequent occasion for alterations and amendments in their Government, Laws, and Provincial Regulation. And where can those inhabitants find such a model of good Government as in the *British* Constitution? Where can they be directed so well as by the wisdom of a *British* Senate? How could the frequent jarring interests of different Provinces be adjusted without bloodshed, but by the interposition of the authority of that Government? And how could the power of the whole Continent be collected and applied on any exigency without its supreme direction? When we consider the many encouragements by bounties, and otherwise given by *Great Britain* for the cultivation of this country, and the production of articles of commerce, when we compare the Duties paid by the subject in *Great Britain* with those paid by the subject in *America* for that protection which is common to both, we shall see great cause to admire the tenderness and indulgence of Government towards us. In the infancy of societies, as in the early stage of life, there is an impatience under the restraint of authority. The violent passions of youth often plunge into the greatest distresses, and societies have often been thrown into confusion and disorder by the turbulence of factious demagogues, who have abused the license of the press and the credulity of the people, to serve their own interested or ambitious purposes.

If there should be any persons who endeavour to persuade us into a confidence of our sufficiency to our own government, defence, and protection, let us look well into the characters of such men, and the motives for their conduct, before we suffer ourselves to be influenced by their patriotick pretensions. It may answer the purposes of a present interest to flatter the passions of the multitude, but he who would secure a solid reputation to himself, by promoting the real good and happiness of his country, must not expect a present approbation; he will have to combat the views of particular persons and many popular prejudices, that will expose him to the reproaches of interested minds, and the general censure of his cotemporaries.

Let us consider our present state, our wide spread Continent, the different religious constitutions and interests of the Colonies, their capacity for offence and defence separately and collectively, dependent and independent on *Great Britain*, let us then ask ourselves by what means the present welfare of *America* can be best secured, and its future interest promoted. Can we say at this time that we of ourselves are sufficient to these things? Or shall we not be compelled to own that our present security and future happiness depend on maintaining the power and supreme authority of *Great Britain*. That under her auspices we must establish that order and government which must be the basis of every thing that shall make us great hereafter.

Let it be sufficient to our ambition to lay the firm foundation, and let posterity wait for those materials that may be furnished by the hand of Time, for erecting the goodly and lasting fabrick. But if ever we shall be led by designing men to a vain reliance on our own ability, and dare to the combat the only power that can protect us at present, and open the paths to our future greatness, we shall, by sad experience, be taught, that though we may, for a while, distress her, yet that we have ruined ourselves.

For supposing *Great Britain* should require no allegiance from us, and in return withdraw its protection; or, that we, by an opposition to its authority, could compel it to acknowledge our independence; in either case we should find ourselves a prey to every foreign invader; our extension would be our weakness, and the several Provinces would, in their turn, become subject to the tyranny of demagogues, the disorder of anarchy, and all the calamities of civil war. How infatuated then are the people in a neighbouring Province, who continue to brave the power of *Great Britain* whilst under her correction? Can they imagine that instigating other Provinces to revolt from her authority will be the means to relieve them from chastisement? Having drawn on themselves her resentment, will they further incense her wrath, and persist in disobedience to their own destruction?

Will other Provinces forego the advantages of the protection and commerce of *Great Britain* because they are justly severely corrected? Will they not rather learn wisdom by their misconduct and misfortunes? In vain may we now expect that the merchants and manufacturers in *Great Britain* will rouse in our cause and join in our clamour, or that we can again prevail upon Parliament to repeal the laws of the Empire. The mercantile subjects in *Great Britain* are now well persuaded that a spirit for illicit trade is the principal motive for all our resistance; and they are satisfied, that to recover the debts due to them in this country, and to maintain the commerce of the Nation with *America*, it is necessary for them to join in supporting the authority of Government over us.

But supposing the Southern Provinces should shut up their Ports, put a stop to all commerce with *Great Britain*, and gratify all the sanguine expectations of the *Bostonians*, cannot *Great Britain* turn the course of commerce into other channels? Cannot it open other Ports, and give protection and encouragement to well-disposed subjects to establish therein? Yea, and can furnish both ships and mariners to carry on that commerce.

She can soon raise a small village into a great city, or reduce a proud and factious metropolis to a fishing hamlet.

Let us then see that we can only rise to greatness by a reflection of glory from *Great Britain*, that every assistance we lend her in support of her power, is repaid by the protection she yields us against outward enemies, and by the establishment she makes for the maintenance of order and government within, and that our present peace and welfare, and future happiness, and glory, depend upon securing that protection and support by our duty and affection.

Province of New-Hampshire, County of Hillsborough, Oct. 21, 1774.

FRANCES TOWN RESOLVES.

We the subscribers, being Inhabitants of *Frances* Town, having taken into our most serious consideration the alarming affairs of this Country at the present day, do most firmly enter into the following Resolutions, viz:

1st. That we will at all times defend our liberties and privileges, both civil and religious, even to the risk of our fortunes; and will not only disapprove of, but wholly despise, such persons as we have just and solid reason to think wish us deprived of the same.

2d. *Resolved*, That we do abhor and abominate all oppressive acts of persons in power, whether Magistrate or Officer, whereby the poor are distressed and unlawfully robbed of their properties in any unjust manner whatever; and we will always endeavour to treat them with such neglect and contempt as they justly deserve.

3d. *Resolved*, That we will at all times be ready to assist the Civil Magistrates in the due execution of their offices at the risk of our lives; and will at all times show our disapprobation of all unlawful proceedings of unjust men congregating together, as they pretend to maintain their liberties, and even trample under foot the very law of liberty, and wholly destroy that law our whole land firmly wish, and desire to maintain. And we,

4thly. *Resolved*, They are bold despisers of law, and that their proceedings directly tend to the utter subversion of all regularity and good order among his Majesty's good subjects in this land.

John Quigly,	Nathan Fisher,	Thos. McLaughlen,
Oliver Holmes,	Daniel Clark,	Asa Lewis,
Samuel Nutt,	William Holmes,	Charles Mellon,
Thomas Quigly,	William McMasters,	John Balch,
Samuel Nicols,	Zachariah Whiting,	William Quigly,
David Gregg,	Hugh Montgomery,	Thomas Quigly, Jr.,
William Stanett,	Adam Dickey,	James Fisher.
Robert Fulton,	Peter Christy,	

SILAS DEANE TO GOVERNOUR TRUMBULL.

Philadelphia, October 22, 1774.

SIR: The business lying before the Congress appears so nearly closed that we doubt not but that we shall be able to leave this City next *Wednesday* or *Thursday*; all the capital points are agreed on, and I have the pleasure of assuring your Honour that the greatest unanimity has

Digitized by Google

subsisted through the whole of our proceedings. Our Resolves, Addresses, &c., are preparing for the press, having already been signed by each Member of the Congress.

But I find in this, like other Assemblies, that the finishing part of the business, which being the most critical, and requiring the greatest attention is too often left to the close of the session, and is of course ever in danger of suffering through the hurry of the Members. Our President is obliged to leave us to-morrow in order to meet the House of Burgesses of *Virginia*, and if we can set out on *Thursday* next I hope to be in *New-Haven* the *Monday* following.

I am with great truth and regard your Honour's most obedient most humble servant, . SILAS DEANE.

Governour *Trumbull*.

P. S. You will excuse my enclosing Mr. *Hosmer's* Letter with yours; the safety of the conveyance in this way is the cause.

GEORGIA.

By his Excellency Sir JAMES WRIGHT, *Baronet, Captain General, Governour, and Commander-in-chief of his Majesty's said Province of* GEORGIA, *Chancellor and Vice Admiral of the same:*

A PROCLAMATION.

Whereas, by a Proclamation under my hand and the great seal of this Province, dated at *Savannah*, on the 11th day of *June*, in the year of our Lord one thousand seven hundred and seventy-three, it was set forth that in obedience to his Majesty's Royal Instructions a Congress was held at *Augusta* by his said Excellency and the Honourable *John Stuart*, Esquire, and sundry Kings, Headmen and Warriours of the *Creek* and *Cherokee Indians*, who were fully authorized and empowered to attend at the said Congress, and to act for their several Nations and Tribes respectively; and whereas the said *Creek* and *Cherokee Indians* did, at the said Congress, on the third day of the said month of *June*, duly make and execute a Treaty or Deed of Cession of certain Lands above *Little* River and *Broad* River, upon *Savannah* River, and cross the country towards the *Oconee* River, and also of certain other lands between the *Altamaha* River and *Ogeechee* River; and which lands by his Majesty's Instructions, are to be sold and disposed of to such of his good subjects who might remove into this Province to purchase and settle thereon. It was therefore thereby notified, that Surveyors are appointed, and were then running and marking out lines of the land ceded as aforesaid; and that the same would be parcelled out in different tracts as soon as conveniently might be, the better to accommodate the buyers according to their number in family, and which lands would be sold and granted to the purchasers agreeable to his Majesty's Instructions; that is to say, one hundred acres to the master or head of the family, and fifty acres for the wife and each child, and also fifty acres for each slave; and, for the further encouragement of the settling of the said lands, the masters or heads of families would be allowed to purchase fifty acres for each ablebodied white servant man who they should bring in to settle thereon, provided such servants were indented for a term not less than two years, to commence from the time they came into the Province; and also twenty-five acres for every woman servant, from the age of sixteen years to forty years, provided such women servants were indented for a term not less than two years, to commence from the time they came into the Province, and that the master made oath that said servant or servants were *bona fide* meant to be employed on the said lands, and should not, with his privacy or consent, remove out of this Province during the term of his or her servitude. And it was further notified that all persons were then at liberty to come into this Province to view the said lands, and to make choice for themselves of such tract of land as they might like best to purchase and settle upon, and which would be granted them on the most moderate terms according to the quality of the same; and it was further notified, that his most gracious Majesty, as an encouragement to his good subjects to purchase and settle on the said lands, had been pleased to authorize the Governour of the said Province to sign grants, exempted from the payment of quit-rents, for the term of ten years from the date thereof; and it was also expected that some other exemptions and privileges would be granted to the said settlers by the Legislature of this Province; and it was necessary also to declare for the information and satisfaction of such as might be disposed to purchase and settle as aforesaid, that the said lands are in general of the most fertile quality, and fit for the production of Wheat, *Indian* Corn, Indigo, Tobacco, Hemp, Flax, &c.; that it is a pleasant and healthy part of the Province, and that the said lands are extremely well watered by *Savannah* River, *Ogeechee* River, *Little* River, and *Broad* River, and a great number of Creeks and Branches which run through the whole country, and empty themselves into the aforesaid rivers; also, that there is abundance of springs and very fine water; that *Little* River, where the land ceded as aforesaid begins, is about twenty-two miles above the Town of *Augusta*, which Town is only one hundred and thirty miles above the Town of *Savannah*, which is the seat of Government in this Province; that the settlers will always find a ready sale and market at *Augusta* for every kind of produce and stock that may be raised by them, or if they prefer it, have very good and safe water carriage down *Savannah* River to the Town of *Savannah*; and if they rather choose to carry their produce by land there is a very good wagon road all the way from *Little* River to *Savannah*; and it was further notified and declared, that to the end the said settlers may be safe and secure with respect to their persons and properties, and in order to prevent any interruptions to them by disorderly hunters, vagrants, and wanderers, or by straggling *Indians*, a fort would be forthwith built, and garrisoned by a competent number of officers and men to be employed as rangers for the security and protection of the settlers; and that there is a very good and sufficient law in this Province for the punishment of vagrants and disorderly white people; and that the several officers of the troops of rangers would be put in the commission of the peace, in order the better to enable them to enforce and execute the law against vagrants, &c.; that the said lands adjoin a well settled part of the Province, where Law, Justice, and Government have their full and free force, and effect great blessings to well disposed people, and which cannot be enjoyed in more remote new settlements; and that in general, every thing would be done in the power of this Province to establish good order in the said settlements, and to promote the interest and happiness of the settlers on the said lands. And it is hereby notified and declared, that all the several matters and things in the former Proclamation as are herein recited, are now fully confirmed: And whereas in the months of *December* and *January* last some murders were committed by the *Creek Indians*, which prevented many people from purchasing and settling said lands, notwithstanding which, a great many who had purchased, built upon, and settled their lands before the said murders were committed, have ever since continued on their Plantations without the least interruption from the said *Indians*, or any of them; and whereas it fully and clearly appears that the said murders were committed by the *Creek Indians* without the consent or knowledge of the Nation; and whereas satisfaction was demanded of the *Creek* Nation for the murders committed by some of their people as aforesaid; and whereas a great number of the Kings, Warriours, and Chiefs of the said *Creek Indians* have lately came to *Savannah*, and declared themselves fully authorized and empowered by the whole Nation of the Upper and Lower *Creek Indians* to negotiate and settle all matters relative to the aforesaid murders, and to solicit a renewal of peace, friendship, and commerce; and whereas a Congress hath been held by me, the Honourable *John Stuart*, Esquire, his Majesty's Superintendent, and his Majesty's Honourable Council for this Province with the said *Indian* Chiefs, and whereas the said *Indians* have entirely submitted to the demand made of satisfaction as aforesaid; and whereas by a Treaty of Peace, Friendship, and Commerce, made in his Majesty's name, and signed by me and all the parties aforesaid, on the twentieth day of this instant, all differences and disputes with the said *Indians* are thereby fully and wholly adjusted and agreed upon, and a full and firm peace settled with them. I have therefore, with the advice of his Majesty's

Digitized by Google

Council aforesaid, thought fit to issue this my Proclamation, notifying the same to all his Majesty's liege subjects. And whereas sundry persons before the month of *November* last past, had applied to purchase part of the lands ceded as aforesaid, and had paid down a deposite in part payment for the same: it is therefore hereby notified and declared to all such persons, that unless they apply and proceed to take out their grants, and settle upon the said land within six months after this date, the deposite money paid as aforesaid, will be forfeited according to the agreement made, and the lands will be sold and granted to any other persons who may apply to purchase the same.

Given under my hand and the great seal of his Majesty's said Province, in the Council Chamber at *Savannah*, the 24th day of *October*, in the year of our Lord one thousand seven hundred and seventy-four, and in the fourteenth year of the reign of his Majesty King *George* the Third.

JAMES WRIGHT.

By his Excellency's command,

THOMAS MOODIE, *Dep. Secretary.*

GOD *save the King.*

EXTRACT OF A LETTER FROM QUEBEC TO A GENTLEMAN IN BOSTON, DATED OCTOBER 24, 1774.

At the request of the gentlemen of a Committee from *Montreal*, I send the enclosed, with an assurance that it is a true translation from the *French* original, the sentiments of a very (if not most) considerable number of our *Canadian* brethren and fellow-subjects in this Province, may appear in a just light to our brethren in the Province of the *Massachusetts*. Yours, &c.

INSTRUCTIONS TO THE ENGLISH GENTLEMEN OF THE COMMITTEE OF MONTREAL, FROM THE CANADIAN FARMERS, &c.

We the *Canadian* Farmers and others, being greatly alarmed at a late Act of Parliament, which re-establishes the ancient laws of this country, the bad effects of which we too severely felt during the *French* Government, and being entirely satisfied under the *English* laws as administered in this Province, beg leave to acquaint the gentlemen of the Committee for *Montreal*, that any legal steps they shall take for the repeal of the said Act will be approved of by us; and we sincerely hope and pray that they will use all means in their power for the same, by petitioning his Majesty, and representing to the Merchants of *London* the flourishing state of the trade and agriculture of this Province since the conquest thereof, which we attribute to that freedom which every one has enjoyed under the *English* Laws; and we hereby declare that we never had any hand in a certain Petition said to be sent to his Majesty in the name and in behalf of all the *Canadians* for obtaining said Act; nor have we, or any part of the country where we reside, been in any wise consulted thereupon; therefore we verily believe that the said Petition was contrived and obtained in a clandestine and fraudulent manner by a few designing men, in order to get themselves into posts of profit and honour.

EXTRACT OF A LETTER DATED AT QUEBEC, OCTOBER 30, 1774.

A Committee is arrived here from the *English* Inhabitants in *Montreal*, who have met a Committee of the Inhabitants of this place, and are drawing up a Petition to his Majesty, against the Act of Parliament for regulating the Government of this Province, and hope they will meet with success.

ASSOCIATION SIGNED BY LADIES OF EDENTON, NORTH CAROLINA, OCTOBER 25, 1774.

As we cannot be indifferent on any occasion that appears to affect the peace and happiness of our country; and as it has been thought necessary for the publick good to enter into several particular Resolves by a meeting of Members of Deputies from the whole Province, it is a duty that we owe not only to our near and dear relations and connexions, but to ourselves, who are essentially interested in their welfare, to do every thing as far as lies in our power to testify our sincere adherence to the same; and we do therefore accordingly subscribe this paper as a witness of our fixed intention and solemn determination to do so. *Signed by fifty-one Ladies.*

JOSEPH REED, ESQUIRE, TO J. QUINCY, JUNIOR.

Philadelphia, October 26, 1774.

DEAR SIR: I hope this will find you safely arrived in *Great Britain*, a country wherein I have spent many happy hours, before she began to play the tyrant over *America*. The cloud which hung over the Colonies, at the time of your departure, begins to disperse. Instead of divided counsels and feeble measures, which at one time there was too much reason to apprehend, all now is union and firmness; and I trust we shall exhibit such a proof of publick virtue and enlightened zeal, in the most glorious of all causes, as will hand down the present age with the most illustrious characters of antiquity. I have, with great difficulty, procured you the proceedings of the General Congress, which is now rising, but your Delegates, from whom I received it, beg you will not make any publick use of it, as the copy is incorrect. Your friend, Mr. *John Adams*, has written something to this effect in the first page. As the proceedings of this great Assembly are so important and interesting, I could not think of this vessel's going without carrying them to you; another ship will sail in a few days, by which I shall send you what remains, being the list of grievances and the claim of rights. The Congress would not adjourn, but have recommended another to be held the tenth of *May*, at this place. They part with each other on terms of the utmost friendship; it will have the most happy effect in cementing the union of the Colonies, not only by the ties of publick interest, but of private friendship.

This ship will carry you the account of the destruction, by fire, of both ship and cargo, which arrived at *Annapolis*. The owners of both, to avoid a more dreadful punishment for their presumption and folly, offered to set fire with their own hands, which they did. These proofs of the spirit of the people will, I trust, be of some service to *Boston*. The people of *England* must see that opposition to Parliamentary tyranny is not local or partial. It will also have a happy effect on the Non-Importation Agreement resolved by the Congress, as the owners of ships will not choose to hazard them with forbidden wares.

I congratulate you, my dear sir, upon the rising glory of *America:* our operations have been almost too slow for the accumulated sufferings of *Boston*, but I trust they will prove effectual for their relief. Should this bloodless war fail of its effect, an infinite majority of all the Colonies will make the last appeal before they resign their liberties into the hands of any Ministerial Tyrant.

I shall always be happy in hearing from you, by every opportunity; and you may rely on my sending you a faithful and speedy account of every transaction here. I have written to an old correspondent of mine, Mr. *Hugh Baillie*, a true friend to liberty and the cause of *America*, that if he will call and see you, you will show him the proceedings of the Congress, which I failed in procuring for him. I salute you with much esteem, and wishing you health and happiness, I am, dear sir, your most obedient humble servant, J. R.

P. S. I only put the initials of my name, as I believe you remember the handwriting; if not, you will recollect to whom you wrote in this place just before you embarked.

October 27, 1774.

When I wrote you yesterday the Captain of the vessel which carries this had resolved to sail immediately; but having been induced to wait, in order to carry the Address of the Congress to the King, gives me an opportunity of sending you the addition, which we have since had from the press, of their Proceedings.

I congratulate you, my dear sir, on the spirit, and firmness, and unanimity of this great Assembly, the most respectable ever known in this country, and am, with real regard, your affectionate humble servant, J. R.

Digitized by Google

PROCEEDINGS

OF

THE CONGRESS HELD AT PHILADELPHIA, SEPTEMBER 5, 1774.

Monday, September 5, 1774.

A number of the Delegates, chosen and appointed by the several Colonies and Provinces in *North America*, to meet and hold a Congress at *Philadelphia*, assembled at the *Carpenter's Hall*. Present:

From New-Hampshire.—Major *John Sullivan*, Esq., Col. *Nathaniel Folsom*, Esquire.

From Massachusetts Bay.—The Honourable *Thomas Cushing*, Esquire, Mr. *Samuel Adams*, *John Adams*, Esquire, *Robert Treat Paine*, Esquire.

From Rhode-Island *and* Providence *Plantations*.—The Hon. *Stephen Hopkins*, Esquire, the Hon. *Samuel Ward*, Esquire.

From Connecticut.—The Hon. *Eliphalet Dyer*, Esq., *Silas Deane*, Esq., the Hon. *Roger Sherman*, Esquire.

From the City and County of New-York, *and other Counties in the Province of* New-York.—*James Duane*, Esq., *John Jay*, Esq., *Philip Livingston*, Esq., *Isaac Low*, Esquire.

From the County of Suffolk, *in the Province of* New-York.—Colonel *William Floyd*, Esquire.

From New-Jersey.—*James Kinsey*, Esquire, *William Livingston*, Esq., *John De Hart*, Esq., *Stephen Crane*, Esq., *Richard Smith*, Esquire.

From Pennsylvania.—The Hon. *Joseph Galloway*, Esq., *Samuel Rhoads*, Esquire, *Thomas Mifflin*, Esquire, *Charles Humphreys*, Esq., *John Morton*, Esq., *Edward Biddle*, Esquire.

From New-Castle, Kent, *and* Sussex, *on* Delaware.—*Cæsar Rodney*, Esq., *Thomas M'Kean*, Esq., *George Read*, Esquire.

From Maryland.—*Robert Goldsborough*, Esq., *William Paca*, Esquire, *Samuel Chase*, Esquire.

From Virginia.—The Hon. *Peyton Randolph*, Esq., *George Washington*, Esq., *Patrick Henry*, Esq., *Richard Bland*, Esquire, *Benjamin Harrison*, Esquire, *Edmund Pendleton*, Esq.

From South Carolina.—*Henry Middleton*, Esquire, *John Rutledge*, Esq., *Christopher Gadsden*, Esq., *Thomas Lynch*, Esquire, *Edward Rutledge*, Esquire.

The Congress proceeded to the choice of a President, when the Honourable *Peyton Randolph*, Esq., was unanimously elected.

Mr. *Charles Thomson* was unanimously chosen Secretary.

The gentlemen from the several Colonies produced their respective Credentials, which were read and approved as follows:

For the Province of New-Hampshire.

At a Meeting of the Deputies appointed by the several Towns in this Province, held at *Exeter*, in the County of *Rockingham*, 21st *July*, 1774, for the election of Delegates, on behalf of this Province, to join the General Congress proposed: Present eighty-five members.

The Hon. *John Wentworth*, Esq., in the Chair.

Voted, That Major *John Sullivan*, and Colonel *Nathaniel Folsom*, Esquires, be appointed and empowered, as Delegates on the part of this Province, to attend and assist in the General Congress of Delegates from the other Colonies, at such time and place as may be appointed, to devise, consult, and adopt measures, as may have the most likely tendency to extricate the Colonies from their present difficulties; to secure and perpetuate their rights, liberties, and privileges, and to restore that peace, harmony, and mutual confidence which once happily subsisted between the parent country, and her Colonies.

Attested: J. Wentworth, *Chairman*.

For the Province of Massachusetts Bay.

In the House of Representatives, June, 17, 1774.

This House having duly considered, and being deeply affected with the unhappy differences which have long subsisted, and are increasing, between *Great Britain* and the *American* Colonies, do Resolve: That a meeting of Committees from the several Colonies on this Continent, is highly expedient and necessary, to consult upon the present state of the Colonies, and the miseries to which they are and must be reduced by the operation of certain Acts of Parliament respecting *America*, and to deliberate and determine upon wise and proper measures, to be by them recommended to all the Colonies, for the recovery and establishment of their just rights and liberties, civil and religious, and the restoration of union and harmony between *Great Britain* and the Colonies, most ardently desired by all good men. Therefore,

Resolved, That the Honourable *James Bowdoin*, Esq., the Honourable *Thomas Cushing*, Esquire, Mr. *Samuel Adams*, *John Adams* and *Robert Treat Paine*, Esquires, be, and they are hereby appointed a Committee on the part of this Province, for the purposes aforesaid, any three of whom to be a quorum, to meet such Committees or Delegates, from the other Colonies as have been or may be appointed, either by their respective Houses of Burgesses, or Representatives, or by Convention, or by the Committees of Correspondence appointed by the respective Houses of Assembly, in the City of *Philadelphia*, or any other place that shall be judged most suitable by the Committee, on the 1st day of *September* next; and that the Speaker of the House be directed, in a letter to the Speakers of the Houses of Burgesses or Representatives in the several Colonies, to inform them of the substance of these Resolves. Attested:

Samuel Adams, *Clerk*.

For Rhode-Island.

By the Honourable *Joseph Wanton*, Esquire, Governour, Captain-General, and Commander-in-chief of, and over the *English* Colony of *Rhode-Island* and *Providence* Plantations, in *New England*, in *America*.

To the Honourable Stephen Hopkins, *Esquire, and the Honourable* Samuel Ward, *Esquire, Greeting:*

Whereas the General Assembly of the Colony aforesaid, have nominated and appointed you, the said *Stephen Hopkins* and *Samuel Ward*, to represent the people of this Colony in a General Congress of Representatives from this and the other Colonies, at such time and place as should be agreed upon by the major part of the Committees appointed, or to be appointed by the Colonies in general; I do therefore hereby authorize, empower, and commissionate you, the said *Stephen Hopkins* and *Samuel Ward*, to repair to the City of *Philadelphia*, it being the place agreed on by the major part of the Colonies, and there, in behalf of this Colony, to meet and join with the Commissioners or Delegates from the other Colonies, in consulting upon proper measures to obtain a repeal of the several Acts of the *British* Parliament for levying Taxes upon his Majesty's subjects in *America*, without their consent, and particularly an Act lately passed for blocking up the Port

Digitized by Google

of *Boston*, and upon proper measures to establish the rights and liberties of the Colonies upon a just and solid foundation, agreeable to the Instructions given you by the General Assembly.

Given under my hand and the seal of the said Colony, this 10th day of *August*, in the year of our Lord 1774, and the fourteenth of the reign of his most sacred Majesty *George* the Third, by the grace of *God*, King of *Great Britain*, &c.

[L. S.]

Signed: J. WANTON.

By his Honour's command,

HENRY WARD, *Secretary*.

—

FOR CONNECTICUT.

In the House of Representatives of the Colony of CONNECTICUT, JUNE 3, 1774.

Whereas a Congress of Commissioners from the several *British* Colonies in *America*, is proposed by some of our neighbouring Colonies, and thought necessary; and whereas it may be found expedient that such Congress should be convened before the next session of this Assembly:

Resolved, By this House, that the Committee of Correspondence be, and they are hereby, empowered, on application to them made, or from time to time, as may be found necessary, to appoint a suitable number to attend such Congress, or Convention of Commissioners, or Committees of the several Colonies in *British America*, and the persons thus to be chosen shall be, and they are hereby directed, in behalf of this Colony, to attend such Congress; to consult and advise on proper measures for advancing the best good of the Colonies, and such conferences, from time to time, to report to this House.

A true extract and copy from the Journal of the House.

Attest: WILLIAM WILLIAMS, *Clerk*.

—

Colony of CONNECTICUT, *ss.*

New-London, July 13, 1774.

At a Meeting of the Committee of Correspondence for this Colony:

The Hon. EBENEZER SILLIMAN, Esq., *Chairman*.

The Honourable *Eliphalet Dyer*, the Honourable *William Samuel Johnson*, *Erastus Wolcott*, *Silas Deane*, and *Richard Law*, Esquires, were nominated, pursuant to the Act of the Honourable House of Representatives of the said Colony, at their sessions in *May* last, either three of which are hereby authorized and empowered, in behalf of this Colony, to attend the General Congress of the Colonies, proposed to be held at *Philadelphia*, on the first day of *September* next, or at such other time and place as shall be agreed on by the Colonies, to consult and advise with the Commissioners or Committees of the several *English* Colonies in *America*, on proper measures for advancing the best good of the Colonies.

SIGNED, *Ebenezer Silliman*, *William Williams*, *Benjamin Payne*, *Erastus Wolcott*, *Joseph Trumbull*, *Samuel H. Parsons*, *Nathaniel Wales*, Junior, *Silas Deane*.

—

Colony of CONNECTICUT, *ss.*

Hartford, August, 1774.

At a Meeting of the Committee of Correspondence for this Colony:

ERASTUS WOLCOTT, *Chairman*.

The Honourable *William Samuel Johnson*, *Erastus Wolcott*, and *Richard Law*, Esquires, nominated by this Committee at *New-London*, on the 13th of *July* last, as persons proper to attend the General Congress, to be held at *Philadelphia*, on the first of *September* next, as by said appointment, being unable, by reason of previous engagements and the state of their health, to attend said Congress on behalf of this Colony; the Honourable *Roger Sherman*, and *Joseph Trumbull*, Esquires, were nominated in the place of the aforesaid gentlemen, as persons proper to attend said Congress, in behalf of this Colony, either of which are empowered, with the Honourable *Eliphalet Dyer* and *Silas Deane*, Esquires, for that purpose.

SIGNED, *Wm. Williams*, *Benjamin Payne*, *Joseph Trumbull*, *Nathaniel Wales*, Junior, *Samuel H. Parsons*, and *Samuel Bishop*.

FOR NEW-YORK.

By duly certified polls, taken by proper persons, in seven Wards, it appears that *James Duane*, *John Jay*, *Philip Livingston*, *Isaac Low*, and *John Alsop*, Esquires, were elected as Delegates for the City and County of *New-York*, to attend the Congress at *Philadelphia*, the first day of *September* next; and at a Meeting of the Committees of the several Districts in the County of *Westchester*, the same gentlemen were appointed to represent that County; also by a letter from *Jacob Lansing*, Junior, Chairman, in behalf of the Committee for *Albany*, it appears that that City and County had adopted the same for their Delegates. By another letter it appears that the Committees from the several Districts in the County of *Dutchess*, had likewise adopted the same as Delegates to represent that County in Congress, and that Committees of other Towns approve of them as their Delegates.

By a writing, duly attested, it appears the County of *Suffolk*, in the Colony of *New-York*, have appointed Colonel *William Floyd* to represent them in Congress.

—

FOR NEW-JERSEY.

To JAMES KINSEY, WM. LIVINGSTON, JOHN DE HART, STEPHEN CRANE, *and* RICHARD SMITH, *Esquires, each and every of you:*

The Committees appointed by the several Counties of the Colony of *New-Jersey*, to nominate Deputies to represent the same in the General Congress of Deputies from the other Colonies in *America*, convened at the City of *New-Brunswick*, have nominated and appointed, and do hereby nominate and appoint you, and each of you, Deputies to represent the Colony of *New-Jersey*, in the said General Congress.

In testimony whereof the Chairmen of the said several Committees here met, have hereunto set their hands, this twenty-third day of *July*, in the fourteenth year of the reign of our sovereign Lord *George* the Third, and in the year of our Lord 1774.

SIGNED, *William P. Smith*, *Jacob Ford*, *John Moores*, *Robert Johnson*, *Robert Field*, *Robert Friend Price*, *Peter Zabriskie*, *Samuel Tucker*, *Edward Taylor*, *Hendrick Fisher*, *Archibald Stewart*, *Thomas Anderson*, *Abia Brown*, *Mark Thompson*.

—

FOR PENNSYLVANIA.

Extract from Votes of the Assembly.

Friday, July 22, 1774, A. M.

The Committee of the Whole House taking into their most serious consideration the unfortunate differences which have long subsisted between *Great Britain* and the *American* Colonies, and been greatly increased by the operation and effects of divers late Acts of the *British* Parliament:

Resolved, N. C. D. That there is an absolute necessity that a Congress of Deputies from the several Colonies be held as soon as conveniently may be, to consult together upon the present unhappy state of the Colonies, and to form and adopt a plan for the purposes of obtaining redress of *American* grievances, ascertaining *American* rights upon the most solid and constitutional principles, and for establishing that union and harmony between *Great Britain* and the Colonies which is indispensably necessary to the welfare and happiness of both.

Eodem die, P. M.

The House resumed the consideration of the Resolve from the Committee of the Whole House, and, after some debate thereon, adopting and confirming the same,

Resolved, N. C. D. That the Honourable *Joseph Galloway*, Speaker, *Samuel Rhoads*, *Thomas Mifflin*, *Charles Humphreys*, *John Morton*, *George Ross*, and *Edward Biddle*, Esquires, be, and they are hereby, appointed a Committee on the part of this Province, for the purposes aforesaid, and that they, or any four of them, do meet such Committees or Delegates from the other Colonies, as have been or may be appointed, either by their respective Houses of Representatives, or by Convention, or by the Provincial or Colony Committees, at such time and place as shall be generally agreed on by such Committees.

Digitized by Google

For the three Counties New-Castle, Kent, *and* Sussex, *on* Delaware.

August 1, 1774, *A. M.*

The Representatives of the Freemen of the Government of the Counties of *New-Castle*, *Kent*, and *Sussex*, on *Delaware*, met at *New-Castle*, in pursuance of circular letters from the Speaker of the House, who was requested to forward the same to the several Members of Assembly, by the Committees of Correspondence for the several counties aforesaid, chosen and appointed for that among other purposes, by the Freeholders and Freemen of the said Counties respectively: and having chosen a Chairman, and read the Resolves of the three respective Counties, and sundry Letters from the Committees of Correspondence along the Continent, they unanimously entered into the following Resolution, viz:

We, the Representatives aforesaid, by virtue of the power delegated to us, as aforesaid, taking into our most serious consideration the several Acts of the *British* Parliament for restraining Manufactures in his Majesty's Colonies and Plantations in *North America*,—for taking away the property of the Colonists without their participation or consent,—for the introduction of the arbitrary powers of excise unto the customs here,—for the making all revenue excises liable without jury, and under the decision of a single dependent Judge,—for the trial, in *England*, of persons accused of capital crimes, committed in the Colonies, —for the shutting up the Port of *Boston*,—for new-modelling the Government of the *Massachusetts Bay*, and the operation of the same on the property, liberty, and lives of the Colonists; and also considering that the most eligible mode of determining upon the premises, and of endeavouring to procure relief and redress of our grievances, would have been by us assembled in a legislative capacity, but that as the House had adjourned to the 30th day of *September* next, and it is not to be expected that his Honour the Governour would call us, by writs of summons, on this occasion, having refused to do the like in his other Province of *Pennsylvania;* the next most proper method of answering the expectations and desires of our constituents, and of contributing our aid to the general cause of *America*, is to appoint Commissioners or Deputies in behalf of the people of this Government, to meet and act with those appointed by the other Provinces in General Congress; and we do, therefore, unanimously nominate and appoint *Cæsar Rodney*, *Thomas M'Kean*, and *George Read*, Esquires, or any two of them, Deputies on the part and behalf of this Government in a general Continental Congress, proposed to be held at the City of *Philadelphia*, on the first *Monday* in *September* next, or at any other time or place that may be generally agreed on, then and there to consult and advise with the Deputies from the other Colonies, and to determine upon all such prudent and lawful measures as may be judged most expedient for the Colonies immediately and unitedly to adopt, in order to obtain relief for an oppressed people, and the redress of our general grievances.

Signed by order of the Convention,

Cæsar Rodney, *Chairman.*

For Maryland.

At a Meeting of the Committees appointed by the several Counties of the Province of *Maryland*, at the City of *Annapolis*, the 22d day of *June*, 1774, and continued by adjournment, from day to day, till the 25th of the same month: *Matthew Tilghman*, Esquire, in the Chair, *John Ducket*, Clerk:

Resolved, That *Matthew Tilghman*, *Thomas Johnson*, Jun., *Robert Goldsborough*, *William Paca*, and *Samuel Chase*, Esquires, or any two or more of them, be Deputies for this Province, to attend a General Congress of Deputies from the Colonies, at such time and place as may be agreed on, to effect one general plan of conduct, operating on the commercial connection of the Colonies with the mother country, for the relief of *Boston*, and preservation of *American* liberty.

For Virginia.

Monday, *first of* August, *in the year of our Lord* 1774.

At a General Meeting of Delegates from the different Counties in this Colony, convened in the City of *Williamsburgh*, to take under their consideration the present critical and alarming situation of the Continent of *North America*,

Honourable *Peyton Randolph*, Esq., in the Chair,

It was unanimously *Resolved*, That it is the opinion of this meeting, that it will be highly conducive to the security and happiness of the *British* Empire, that a General Congress of Deputies, from all the Colonies, assemble as quickly as the nature of their situations will admit, to consider of the most proper and effectual manner of so operating on the commercial connection of the Colonies with the mother country as to procure redress for the much injured Province of *Massachusetts Bay*, to secure *British America* from the ravage and ruin of arbitrary taxes, and speedily as possible to procure the return of that harmony and union so beneficial to the whole Empire, and so ardently desired by all *British America*.

Friday, August 5, 1774.

The meeting proceeded to the choice of Delegates to represent this Colony in General Congress, when the Honourable *Peyton Randolph*, *Richard Henry Lee*, *George Washington*, *Patrick Henry*, *Richard Bland*, *Benjamin Harrison*, and *Edmund Pendleton*, Esquires, were appointed for that purpose.

For South Carolina.

In the Commons House of Assembly, *Tuesday*, the 2dday of *August*, 1774.

Colonel *Powell* acquainted the House, that during the recess of this House, viz: on the sixth, seventh, and eighth days of *July* last, at a General Meeting of the Inhabitants of this Colony, they having under consideration the Acts of Parliament lately passed with regard to the Port of *Boston* and Colony of *Massachusetts Bay*, as well as other *American* Grievances, had nominated and appointed the Honourable *Henry Middleton*, *John Rutledge*, *Thomas Lynch*, *Christopher Gadsden*, and *Edward Rutledge*, Esquires, Deputies on the part and behalf of this Colony, to meet the Deputies of the other Colonies of *North America* in General Congress, the first *Monday* in *September* next, at *Philadelphia*, or at any other time and place that may be generally agreed on, there to consider the Acts lately passed, and Bills depending in Parliament, with regard to the Port of *Boston* and Colony of *Massachusetts Bay*, which Acts and Bills in the precedent and consequences affect the whole Continent of *America*—also the grievances under which *America* labours, by reason of the several Acts of Parliament that impose taxes or duties for raising a revenue, and lay unnecessary restraints and burdens on trade; and of the Statutes, Parliamentary Acts, and Royal Instructions, which make an invidious distinction between his Majesty's subjects in *Great Britain* and *America*, with full power and authority to concert, agree to, and effectually prosecute such legal measures as in the opinion of the said Deputies, and of the Deputies so to be assembled, shall be most likely to obtain a repeal of the said Acts, and a redress of those grievances: and thereupon moved that this House do resolve to recognise, ratify, and confirm the said appointment of the Deputies for the purposes aforesaid.

Resolved, N. C. D. That this House do recognise, ratify, and confirm the appointment of the said Deputies for the purposes mentioned in the said motion.

Attested, Thomas Farr, Jun., *Clerk.*

Tuesday, September 6, 1774, ten o'clock, A. M.

The Congress met according to adjournment.

Present: The same Members as yesterday, and moreover, from the Colony of *Virginia*, *Richard Henry Lee*, Esquire.

The Congress resuming the consideration of Rules of Conduct to be observed in debating and determining the Questions that come under consideration,

Resolved, That in determining Questions in this Congress, each Colony or Province shall have one vote.—The Congress not being possessed of, or at present able to

Digitized by Google

procure proper materials for ascertaining the importance of each Colony.

Resolved, That no person shall speak more than twice on the same point without leave of the Congress.

Resolved, That no Question shall be determined the day on which it is agitated and debated, if any one of the Colonies desire the determination to be postponed to another day.

Resolved, That the Doors be kept shut during the time of business, and that the Members consider themselves under the strongest obligations of honour to keep the proceedings secret, until the majority shall direct them to be made publick.

Resolved, unanimously, That a Committee be appointed to state the Rights of the Colonies in general, the several instances in which these rights are violated or infringed, and the means most proper to be pursued for obtaining a restoration of them.

Ordered, That the appointment of the Committee, and the number of which it shall consist, be deferred until to-morrow.

Resolved, That a Committee be appointed to examine and report the several Statutes which affect the Trade and Manufactures of the Colonies.

Same order as above respecting the appointment and number of this Committee.

Resolved, That the Reverend Mr. *Duché* be desired to open the Congress to-morrow morning with Prayers, at the *Carpenter's* Hall, at nine o'clock.

Adjourned to five o'clock this afternoon.

Five o'clock, P. M.

Congress met according to adjournment.

Thomas Johnson, Jun., Esquire, one of the Delegates from *Maryland*, attended and took his seat.

Extract from the Minutes of the Directors of the *Library Company* of *Philadelphia*, dated *August* 31, 1774,—directed to the President, was read as follows:

" Upon motion, ordered,

" That the Librarian furnish the gentlemen who are to meet in Congress, with the use of such books as they may have occasion for during their sitting, taking a receipt for them. Signed by order of the Directors,

" WILLIAM ATTMORE, *Secretary*."

Ordered, That the Thanks of the Congress be returned to the Directors of the *Library Company* of *Philadelphia* for their obliging order.

Adjourned until nine o'clock to-morrow.

—

Wednesday, September 7, 1774, nine o'clock, A. M.

The Congress met according to adjournment.

Agreeable to the Resolve of yesterday the Meeting was opened with prayers by the Reverend Mr. *Duché*.

Voted, That the Thanks of the Congress be given to Mr. *Duché*, by Mr. *Cushing* and Mr. *Ward*, for performing divine service, and for the excellent prayer which he composed and delivered on the occasion.

The Congress taking into consideration the appointment of the Committees, a vote was taken on the number of which the first Committee should consist, and, by a great majority, agreed that it consist of two from each of the Colonies, as follows:

NEW-HAMPSHIRE, 2, Major *John Sullivan* and Colonel *Folsom*.

MASSACHUSETTS BAY, 2, Mr. *Samuel Adams* and Mr. *John Adams*.

RHODE-ISLAND, 2, Mr. *Hopkins*, and Mr. *Ward*.

CONNECTICUT, 2, Colonel *Dyer*, and Mr *Sherman*.

NEW-YORK, 2, Mr. *James Duane*, and Mr. *John Jay*.

NEW-JERSEY, 2, Mr. *Livingston*, and Mr. *De Hart*.

PENNSYLVANIA, 2, Mr. *Joseph Galloway*, and Mr. *Biddle*.

THREE COUNTIES, 2, Mr. *Cæsar Rodney*, and Mr. *M'Kean*.

MARYLAND, 2, Mr. *Thomas Johnson*, and Mr. *Goldsborough*.

VIRGINIA, 2, Mr. *Lee*, and Mr. *Pendleton*.

SOUTH CAROLINA, 2, Mr. *Lynch*, and Mr. *J. Rutledge*.

Agreed, That the second Committee consist of one chosen from each Colony, as follows:

New-Hampshire,	Mr. *Sullivan*.
Massachusetts Bay,	Mr. *Cushing*.
Rhode-Island,	Mr. *Hopkins*.
Connecticut,	Mr. *Deane*.
New-York,	Mr. *Low*.
New-Jersey,	Mr. *Kinsey*.
Pennsylvania,	Mr. *Mifflin*.
Three Counties,	Mr. *Read*.
Maryland,	Mr. *Chase*.
Virginia,	Mr. *Henry*.
South Carolina,	Mr. *Gadsden*.

Ordered, That *Isaac Lefevre* and *James Lynch* be employed as Doorkeepers and Messengers to this Congress.

Resolved, That the President may adjourn the Congress from day to day when he finds there is no business prepared to be laid before them, and may, when he finds it necessary, call them together before the time to which they may stand adjourned.

Adjourned until to-morrow morning, nine o'clock.

—

Thursday, nine o'clock, A. M.

The Congress is farther adjourned till to-morrow morning at nine o'clock.

—

Friday, nine o'clock, A. M.

The President, agreeable to the Resolve of the seventh instant, adjourned the Congress till to-morrow at nine o'clock.

—

Saturday, nine o'clock, A. M.

Adjourned till *Monday* next at nine o'clock.

—

Monday, September 12, 1774.

Matthew Tilghman, Esquire, one of the Delegates from *Maryland*, appeared and took his seat in Congress.

No business being prepared for the Congress, the President adjourned it till *Tuesday*, and from *Tuesday* till *Wednesday*.

—

Wednesday, * September 14, 1774, A. M.

The Congress met according to adjournment.

William Hooper and *Joseph Hewes*, Esquires, two of the Deputies from *North Carolina*, attended the Congress and produced their credentials, as follows:

NORTH CAROLINA.—At a General Meeting of Deputies of the Inhabitants of this Province, at *Newbern*, the twenty-fifth day of *August*, 1774:

Resolved, That we approve of the proposal of a General Congress, to be held in the City of *Philadelphia*, on

* On *Friday, September* 16th, the Honourable Delegates, now met in General Congress, was elegantly entertained by the gentlemen of *Philadelphia*. Having met at the *City* Tavern about three o'clock, they were conducted from thence to the State House by the Managers of the entertainment, where they were received by a very large company, composed of the Clergy, such genteel strangers as happened to be in Town, and a number of respectable citizens, making in the whole near five hundred.

After dinner the following Toasts were drank:

1. The King. 2. The Queen. 3. The Duke of *Gloucester*. 4. The Prince of *Wales* and Royal family. 5. Perpetual Union to the Colonies. 6. May the Colonies faithfully execute what the Congress shall wisely resolve. 7. The much injured Town of *Boston* and Province of *Massachusetts Bay*. 8. May *Great Britain* be just, and *America* free. 9. No unconstitutional Standing Armies. 10. May the cloud which hangs over *Great Britain* and the Colonies burst only on the heads of the present Ministry. 11. May every *American* hand down to posterity pure and untainted the liberty he has derived from his ancestors. 12. May no man enjoy freedom who has not spirit to defend it. 13. May the persecuted Genius of Liberty find a lasting asylum in *America*. 14. May *British* swords never be drawn in defence of tyranny. 15. The Arts and Manufactures of *America*. 16. Confusion to the authors of the *Canada* Bill. 17. The Liberty of the Press. 18. A happy conciliation between *Great Britain* and her Colonies on a constitutional ground. 19. The virtuous few in both Houses of Parliament. 20. The City of *London*. 21. Lord *Chatham*. 22. Lord *Camden*. 23. Bishop of *St. Asaph*. 24. Duke of *Richmond*. 25. Marquis of *Rockingham*. 26. Sir *George Savile*. 27. Mr. *Burke*. 28. General *Conway*. 29. Mr. *Dunning*. 30. Mr. *Sawbridge*. 31. Dr. *Franklin*. 32. Mr. *Hancock*.

The acclamations with which several of them were received, not only testified the sense of the honour conferred by such worthy guests, but the fullest confidence in their wisdom and integrity, and a firm resolution to adopt and support such measures as they shall direct for the publick good at this alarming crisis.

Digitized by Google

the twentieth of *September* next, then and there to deliberate upon the present state of *British America*, and to take such measures as they may deem prudent, to effect the purpose of describing with certainty the rights of *Americans;* repairing the breaches made in those rights, and for guarding them for the future from any such violations done under the sanction of publick authority.

Resolved, That *William Hooper*, *Joseph Hewes*, and *Richard Caswell*, Esquires, and every of them, be Deputies to attend such Congress, and they are hereby invested with such powers as may make any acts done by them, or consent given in behalf of this Province, obligatory in honour upon every inhabitant hereof, who is not an alien to his country's good, and an apostate to the liberties of *America*.

Signed, JOHN HARVEY, *Moderator*.
Attested, ANDREW KNOX, *Clerk*.

The above being read and approved, the Deputies took their seats.

Henry Wisner, a Delegate from the County of *Orange*, in the Colony of *New-York*, appeared at Congress, and produced a certificate of his election by the said County, which, being read and approved, he took his seat in Congress as a Deputy for the Colony of *New-York*.

George Ross, Esquire, one of the Delegates for the Province of *Pennsylvania*, and *John Alsop*, Esquire, one of the Delegates for the Colony of *New-York*, appeared and took their seats in Congress.

Ordered, That *William Hooper* and *Joseph Hewes*, Esquires, from *North Carolina*, be added to the Committee appointed to state the rights of the Colonies.

Ordered, That *William Hooper*, Esquire, be one of the Committee appointed to report the Statutes which affect the Trade, &c., of the Colonies.

The Delegates from the Province of *Massachusetts Bay*, agreeable to a request from the Joint Committees of every Town and District in the County of *Middlesex*, in the said Province, communicated to the Congress the Proceedings of those Committees at *Concord*, on the 30th and 31st days of *August* last, which were read.

Adjourned till to-morrow at nine o'clock.

No business being prepared, the Congress was adjourned from day to day, till *Saturday* morning at nine o'clock.

—

Saturday, September 17, 1774, A. M.

The Congress met according to adjournment.

Richard Caswell, Esquire, one of the Deputies from *North Carolina*, appeared and took his seat in Congress.

The Resolutions entered into by the Delegates from the several Towns and Districts in the County of *Suffolk*, in the Province of the *Massachusetts Bay*, on *Tuesday*, the 6th instant, and their Address to his Excellency Governour *Gage*, dated the 9th instant, were laid before the Congress, and are as follows:

At a Meeting of the Delegates of every Town and District in the County of *Suffolk*, on *Tuesday*, the 6th of *September*, at the house of Mr. *Richard Woodward*, of *Dedham*, and, by adjournment, at the house of Mr. *Vose*, of *Milton*, on *Friday*, the 9th instant, *Joseph Palmer*, Esq., being chosen Moderator, and *William Thompson*, Esq., Clerk, a Committee was chosen to bring in a Report to the Convention, and the following being several times read, and put, paragraph by paragraph, was unanimously voted, viz:

Whereas the power, but not the justice, the vengeance, but not the wisdom of *Great Britain*, which of old persecuted, scourged, and exiled our fugitive parents from their native shores, now pursues us, their guiltless children, with unrelenting severity: And whereas, this then savage and uncultivated desert, was purchased by the toil and treasure, or acquired by the blood and valour of those our venerable progenitors; to us they bequeathed the dear-bought inheritance; to our care and protection they consigned it, and the most sacred obligations are upon us to transmit the glorious purchase, unfettered by power, unclogged with shackles, to our innocent and beloved offspring. On the fortitude, on the wisdom, and on the exertions, of this important day, is suspended the fate of this new world, and of unborn millions. If a boundless extent of continent, swarming with millions, will tamely submit to live, move, and have their being, at the arbitrary will of a licentious Minister, they basely yield to voluntary slavery, and future generations shall load their memories with incessant execrations. On the other hand, if we arrest the hand which would ransack our pockets; if we disarm the parricide which points the dagger to our bosoms; if we nobly defeat that fatal edict which proclaims a power to frame laws for us in all cases whatsoever, thereby entailing the endless and numberless curses of slavery upon us, our heirs, and their heirs forever; if we successfully resist that unparalleled usurpation of unconstitutional power, whereby our capital is robbed of the means of life; whereby the streets of *Boston* are thronged with military executioners; whereby our coasts are lined and harbours crowded with ships of war; whereby the Charter of the Colony, that sacred barrier against the encroachments of tyranny, is mutilated, and, in effect, annihilated; whereby a murderous law is framed to shelter villains from the hands of justice; whereby that unalienable and inestimable inheritance which we derived from nature, the Constitution of *Britain*, and the privileges warranted to us in the Charter of the Province, is totally wrecked, annulled, and vacated, posterity will acknowledge that virtue which preserved them free and happy; and while we enjoy the rewards and blessings of the faithful, the torrent of panegyrists will roll our reputations to that latest period when the streams of time shall be absorbed in the abyss of eternity: Therefore, we have resolved, and do resolve,

1. That whereas his Majesty, *George* the Third, is the rightful successor to the Throne of *Great Britain*, and justly entitled to the allegiance of the *British* Realm, and agreeable to compact, of the *English* Colonies in *America;* therefore, we, the heirs and successors of the first planters of this Colony, do cheerfully acknowledge the said *George* the Third to be our rightful Sovereign, and that said Covenant is the tenure and claim on which are founded our allegiance and submission.

2. That it is an indispensable duty which we owe to *God*, our country, ourselves, and posterity, by all lawful ways and means in our power, to maintain, defend, and preserve, those civil and religious rights and liberties for which many of our fathers fought, bled, and died, and to hand them down entire to future generations.

3. That the late Acts of the *British* Parliament for blocking up the Harbour of *Boston;* for altering the established form of Government in this Colony, and for screening the most flagitious violators of the laws of the Province from a legal trial, are gross infractions of those rights to which we are justly entitled by the laws of nature, the *British* Constitution, and the Charter of the Province.

4. That no obedience is due from this Province to either or any part of the Acts above mentioned; but that they be rejected as the attempts of a wicked Administration to enslave *America*.

5. That so long as the Justices of our Superiour Court of Judicature, Court of Assize, &c., and Inferiour Court of Common Pleas in this County, are appointed or hold their places by any other tenure than that which the Charter and the laws of the Province direct, they must be considered as under undue influence, and are therefore unconstitutional officers, and, as such, no regard ought to be paid to them by the people of this County.

6. That if the Justices of the Superiour Court of Judicature, Assize, &c., Justices of the Court of Common Pleas, or of the General Sessions of the Peace, shall sit and act during their present disqualified state, this County will support and bear harmless all Sheriffs and their Deputies, Constables, Jurors, and other Officers, who shall refuse to carry into execution the orders of said Courts; and, as far as possible, to prevent the many inconveniences which must be occasioned by a suspension of the Courts of Justice, we do most earnestly recommend it to all creditors that they show all reasonable and even generous forbearance to their debtors; and to all debtors, to pay their just debts with all possible speed; and if any disputes relative to debts or trespasses shall arise, which cannot be settled by the parties, we recommend it to them to submit all such causes to arbitration; and it is our opinion that the contending parties, or either of them, who shall refuse so to do, ought to be considered as co-operating with the enemies of this country.

7. That it be recommended to the Collectors of Taxes, Constables, and all other Officers, who have publick moneys in their hands, to retain the same, and not to make any payment thereof to the Provincial County Treasurer, until the Civil Government of the Province is placed upon a constitutional foundation, or until it shall otherwise be ordered by the proposed Provincial Congress.

8. That the persons who have accepted seats at the Council Board, by virtue of a mandamus from the King, in conformity to the late Act of the *British* Parliament, entitled "An Act for the regulating the Government of the *Massachusetts Bay*," have acted in direct violation of the duty they owe to their country, and have thereby given great and just offence to this people; therefore, resolved, that this County do recommend it to all persons who have so highly offended by accepting said departments, and have not already publickly resigned their seats at the Council Board, to make publick resignations of their places at said Board, on or before the twentieth day of this instant, *September;* and that all persons refusing so to do, shall, from and after said day, be considered by this County as obstinate and incorrigible enemies to this country.

9. That the Fortifications begun and now carrying on upon *Boston Neck*, are justly alarming to this County, and gives us reason to apprehend some hostile intention against that Town, more especially as the Commander-in-chief has, in a very extraordinary manner, removed the Powder from the Magazine at *Charlestown*, and has also forbidden the keeper of the Magazine at *Boston* to deliver out to the owners the Powder which they had lodged in said Magazine.

10. That the late Act of Parliament for establishing the Roman Catholick religion and the *French* laws in that extensive country now called *Canada*, is dangerous in an extreme degree to the Protestant religion, and to the civil rights and liberties of all *America;* and, therefore, as men and Protestant Christians, we are indispensably obliged to take all proper measures for our security.

11. That whereas, our enemies have flattered themselves that they shall make an easy prey of this numerous, brave, and hardy people, from an apprehension that they are unacquainted with military discipline; we, therefore, for the honour, defence, and security of this County and Province, advise, as it has been recommended to take away all commissions from the Officers of the Militia, that those who now hold commissions, or such other persons be elected in each Town as Officers in the Militia, as shall be judged of sufficient capacity for that purpose, and who have evidenced themselves the inflexible friends to the rights of the people: and that the inhabitants of those Towns and Districts who are qualified, do use their utmost diligence to acquaint themselves with the art of war as soon as possible, and do, for that purpose, appear under arms at least once every week.

12. That during the present hostile appearances on the part of *Great Britain*, notwithstanding the many insults and oppressions which we most sensibly resent; yet, nevertheless, from our affection to his Majesty, which we have at all times evidenced, we are determined to act merely upon the defensive, so long as such conduct may be vindicated by reason and the principles of self-preservation, but no longer.

13. That, as we understand it has been in contemplation to appre-

Digitized by Google

hend sundry persons of this County, who have rendered themselves conspicuous in contending for the violated rights and liberties of their countrymen; we do recommend, should such an audacious measure be put in practice, to seize and keep in safe custody, every servant of the present tyrannical and unconstitutional Government, throughout the County and Province, until the persons so apprehended be liberated from the hand of our adversaries, and restored safe and uninjured to their respective friends and families.

14. That, until our rights are fully restored to us, we will, to the utmost of our power, and we recommend the same to the other Counties, to withhold all commercial intercourse with *Great Britain*, *Ireland*, and the *West Indies*, and abstain from the consumption of *British* merchandise and manufactures, and especially of *East India* Teas and Piece Goods, with such additions, alterations, and exceptions only, as the Grand Congress of the Colonies may agree to.

15. That, under our present circumstances, it is incumbent on us to encourage Arts and Manufactures amongst us, by all means in our power, and that * be and are hereby appointed a Committee to consider of the best ways and means to promote and establish the same, and to report to this Convention as soon as may be.

16. That the exigencies of our publick affairs demand that a Provincial Congress be called to concert such measures as may be adopted, and vigorously executed by the whole people; and we do recommend it to the several Towns in this County, to choose members for such a Provincial Congress, to be holden at *Concord*, on the second *Tuesday* of *October*, next ensuing.

17. That this County, confiding in the wisdom and integrity of the Continental Congress, now sitting at *Philadelphia*, pay all due respect and submission to such measures as may be recommended by them to the Colonies, for the restoration and establishment of our just rights, civil and religious, and for renewing that harmony and union between *Great Britain* and the Colonies, so earnestly wished for by all good men.

18. That whereas, the universal uneasiness which prevails among all orders of men, arising from the wicked and oppressive measures of the present Administration, may influence some unthinking persons to commit outrage upon private property; we would heartily recommend to all persons of this community, not to engage in any routs, riots, or licentious attacks upon the properties of any person whatsoever, as being subversive of all order and government; but, by a steady, manly, uniform, and persevering opposition, to convince our enemies, that in a contest so important, in a cause so solemn, our conduct shall be such as to merit the approbation of the wise, and the admiration of the brave and free of every age and of every country.

19. That should our enemies, by any sudden manœuvres, render it necessary to ask the aid and assistance of our brethren in the country, some one of the Committee of Correspondence, or a Selectman of such Town or the Town adjoining, where such hostilities shall commence, or shall be expected to commence, shall despatch couriers with written messages to the Selectmen, or Committees of Correspondence of the several Towns in the vicinity, with a written account of such matter, who shall despatch others to Committees more remote, until proper and sufficient assistance be obtained; and that the expense of said couriers be defrayed by the County, until it shall be otherwise ordered by the Provincial Congress.

At a Meeting of Delegates from the several Towns and Districts in the County of *Suffolk*, held at *Milton*, on *Friday*, the 9th day of *September*, 1774:

Voted, That Doctor *Joseph Warren*, &c., be a Committee to wait on his Excellency the Governour, to inform him that this County are alarmed at the Fortifications making on *Boston Neck*, and to remonstrate against the same, and the repeated insults offered by the soldiery to persons passing and repassing into that Town, and to confer with him upon those subjects.

Attest, WILLIAM THOMPSON, *Clerk*.

To his Excellency THOMAS GAGE, Esquire, *Captain-General and Commander-in-chief of his Majesty's Province of* MASSACHUSETTS BAY.

May it please your Excellency:

The County of *Suffolk* being greatly, and, in their opinion, justly alarmed at the formidable appearances of hostility now threatening his Majesty's good subjects of this County, and more particularly of the Town of *Boston*, the loyal and faithful capital of this Province, beg leave to address your Excellency, and represent, that the apprehensions of the people are more especially increased by the dangerous design now carrying into execution, of repairing and manning the Fortification at the south entrance of the Town of *Boston*, which, when completed, may, at any time, be improved to aggravate the miseries of that already impoverished and distressed City, by intercepting the wonted and necessary intercourse between the Town and Country, and compel the wretched inhabitants to the most ignominious state of humiliation and vassalage, by depriving them of the necessary supplies of provision, for which they are chiefly dependent on that communication. We have been informed, that your Excellency, in consequence of the application of the Selectmen of *Boston*, has, indeed, disavowed any intention to injure the Town in your present manœuvres, and expressed your purpose to be for the security of the Troops and his Majesty's subjects in the Town. We are at a loss to guess, may it please your Excellency, from whence your want of confidence in the loyal and orderly people of this County could originate; a measure so formidable, carried into execution from a pre-conceived though causeless jealousy of the insecurity of his Majesty's Troops and subjects in the Town, deeply wounds the loyalty, and is an additional injury to the faithful subjects of this County, and affords them a strong motive for this application. We therefore entreat your Excellency to desist from your design, assuring your Excellency, that the people of this County are by no means disposed to injure his Majesty's Troops. They think themselves aggrieved and oppressed by the late Acts of Parliament, and are resolved, by Divine assistance, never to submit to them; but have no inclination to commence a war with his Majesty's Troops, and beg leave to observe to your Excellency, that the ferment now excited in the minds of the people, is occasioned by some late transactions: by seizing the Powder in the Arsenal at *Charlestown;* by withholding the Powder lodged in the Magazine of the Town of *Boston*, from the legal proprietors; insulting, beating, and abusing, passengers to and from the Town by the soldiery, in which they have been encouraged by some of their officers; putting the people in fear, and menacing them in their nightly patrole into the neighbouring Town, and more particularly by the fortifying the sole avenue by land to the Town of *Boston*.

In duty, therefore, to his Majesty and to your Excellency, and for the restoration of order and security to this County, we, the Delegates from the several Towns in this County, being commissioned for this purpose, beg your Excellency's attention to this our humble and faithful Address, assuring you that nothing less than an immediate removal of the Ordnance, and restoring the entrance into the Town to its former state, and an effectual stop of all insults and abuses in future, can place the inhabitants of this County in that state of peace and tranquillity in which every free subject ought to live.

His Excellency was waited on to know if he would receive the Committee with the above written Address, but desiring he might have a copy of it in a private way, that so when he received it from the Committee, he might have an answer prepared for them; he was accordingly furnished with a copy. His Excellency then declared that he would receive the Committee on *Monday*, at 12 o'clock.

Saturday, September 10, 1774.

The Congress taking the foregoing into consideration,

Resolved unanimously, That this Assembly deeply feels the suffering of their countrymen in the *Massachusetts Bay*, under the operation of the late unjust, cruel, and oppressive Acts of the *British* Parliament; that they most thoroughly approve the wisdom and fortitude with which opposition to these wicked Ministerial measures has hitherto been conducted, and they earnestly recommend to their brethren a perseverance in the same firm and temperate conduct, as expressed in the Resolutions determined upon at a meeting of the Delegates for the County of *Suffolk*, on *Tuesday* the 6th instant, trusting that the effect of the united efforts of *North America* in their behalf, will carry such conviction to the *British* Nation, of the unwise, unjust, and ruinous policy of the present Administration, as quickly to introduce better men and wiser measures.

Resolved unanimously, That contributions from all the Colonies for supplying the necessities, and alleviating the distresses of our brethren at *Boston*, ought to be continued, in such manner, and so long as their occasions may require.

Ordered, That a copy of the above Resolutions be transmitted to *Boston* by the President.

Ordered, That these Resolutions, together with the Resolutions of the County of *Suffolk*, be published in the newspapers.

The Committee appointed to examine and report the several Statutes which affect the Trade and Manufactures of the Colonies, brought in their Report, which was ordered to lie on the table.

Adjourned till *Monday* morning.

—

Monday, September 19, 1774, A. M.

The Congress met according to adjournment.

The Report brought in on *Saturday*, being read, as follows:

* * * * *

Ordered, That the same be referred to the Committee appointed to state the Rights of the Colonies, &c., to which Committee the Honourable *Thomas Cushing*, *Patrick Henry*, and *Thomas Mifflin*, Esquires, were added.

Adjourned from day to day till *Thursday*.

—

Thursday, September 22, 1774.

The Congress met according to adjournment.

Upon motion,

Resolved unanimously, That the Congress request the Merchants and others in the several Colonies, not to send to *Great Britain* any orders for Goods, and to direct the execution of all orders already sent, to be delayed or suspended, until the sense of the Congress on the means to be taken for the preservation of the liberties of *America* is made publick.

Ordered, That this Resolution be made publick by handbills, and by publishing it in the newspapers.

The Committee appointed to state the Rights of the Colonies, &c., having brought in a Report of the Rights, the same was read, and the consideration of it referred till *Saturday* next.

Ordered, That a copy of this Report be made out for each Colony.

—

Saturday, September 24, 1774, A. M.

The Congress entered upon the consideration of the

Digitized by Google

Report referred to this day, and after some debate, upon motion,

Resolved, That the Congress do confine themselves, at present, to the consideration of such rights only as have been infringed by Acts of the *British* Parliament since the year 1763, postponing the further consideration of the general state of *American* rights to a future day.

Hereupon, the Committee appointed to state the rights, &c., brought in a Report of the infringements and violations of *American* rights, which being read—upon motion,

Resolved, That the consideration of this Report be referred till *Monday*, and that the Congress in the mean while deliberate on the means most proper to be pursued for a restoration of our rights.

After some debate on that subject, the Congress adjourned.

—

Monday, September 26, 1774, A. M.

The Congress met according to adjournment.

John Herring, Esquire, a Deputy from *Orange* County, in the Colony of *New-York*, appeared this morning and took his seat as a Delegate for that Colony.

The Congress resumed the consideration of the means, &c., and after several hours spent thereon, it was referred till to-morrow, to which time the Congress was adjourned.

—

Tuesday, September 27, 1774, A. M.

The Congress met according to adjournment, and resuming the consideration of the means most proper to be used for a restoration of *American* rights,

Resolved unanimously, That from and after the 1st day of *December* next, there be no importation into *British America* from *Great Britain* or *Ireland*, of any Goods, Wares, or Merchandises whatsoever, or from any other place, of any such Goods, Wares, or Merchandises, as shall have been exported from *Great Britain* or *Ireland*, and that no such Goods, Wares, or Merchandises imported after the said 1st day of *December* next, be used or purchased.

Adjourned till to-morrow.

—

[Mr. *Galloway* submitted the following motion and Plan, on *Wednesday*, the 28th of *September:*

Resolved, That this Congress will apply to his Majesty for a redress of grievances, under which his faithful subjects in *America* labour, and assure him, that the Colonies hold in abhorrence the idea of being considered independent communities on the *British* Government, and most ardently desire the establishment of a political union, not only among themselves, but with the mother state, upon those principles of safety and freedom which are essential in the constitution of all free Governments, and particularly that of the *British* Legislature. And as the Colonies from their local circumstances cannot be represented in the Parliament of *Great Britain*, they will humbly propose to his Majesty, and his two Houses of Parliament, the following Plan, under which the strength of the whole Empire may be drawn together on any emergency; the interests of both countries advanced; and the rights and liberties of *America* secured:

A Plan for a proposed Union between *Great Britain* and the Colonies of *New-Hampshire*, the *Massachusetts Bay*, *Rhode-Island*, *Connecticut*, *New-York*, *New-Jersey*, *Pennsylvania*, *Maryland*, the three lower Counties on the *Delaware*, *Virginia*, *North Carolina*, *South Carolina*, and *Georgia*.

That a *British* and *American* Legislature, for regulating the administration of the general affairs of *America*, be proposed and established in *America*, including all the said Colonies; within, and under which Government, each Colony shall retain its present Constitution and powers of regulating and governing its own internal police in all cases whatever.

That the said Government be administered by a President General to be appointed by the King, and a Grand Council to be chosen by the Representatives of the people of the several Colonies in their respective Assemblies, once in every three years.

That the several Assemblies shall choose Members for the Grand Council in the following proportions, viz:

New-Hampshire,	***	*Delaware Counties*,	***
Massachusetts Bay,	***	*Maryland*,	***
Rhode-Island,	***	*Virginia*,	***
Connecticut,	***	*North Carolina*,	***
New-York,	***	*South Carolina*,	***
New-Jersey,	***	*Georgia*,	***
Pennsylvania,	***		

Who shall meet at the City of * * * * * * * * for the first time, being call by the President General, as soon as conveniently may be after his appointment.

That there shall be a new election of Members for the Grand Council every three years; and on the death, removal, or resignation of any Member, his place shall be supplied by a new choice at the next sitting of Assembly of the Colony he represented.

That the Grand Council shall meet once in every year if they shall think it necessary, and oftener, if occasions shall require, at such time and place as they shall adjourn to at the last preceding meeting, or as they shall be called to meet at, by the President General on any emergency.

That the Grand Council shall have power to choose their Speaker, and shall hold and exercise all the like rights, liberties, and privileges as are held and exercised by and in the House of Commons of *Great Britain*.

That the President General shall hold his office during the pleasure of the King, and his assent shall be requisite to all Acts of the Grand Council, and it shall be his office and duty to cause them to be carried into execution.

That the President General, by and with the advice and consent of the Grand Council, hold and exercise all the Legislative rights, powers, and authorities, necessary for regulating and administering all the general police and affairs of the Colonies, in which *Great Britain* and the Colonies, or any of them, the Colonies in general, or more than one Colony, are in any manner concerned, as well civil and criminal as commercial.

That the said President General and Grand Council be an inferiour and distinct branch of the *British* Legislature, united and incorporated with it for the aforesaid general purposes; and that any of the said general regulations may originate, and be formed and digested, either in the Parliament of *Great Britain* or in the said Grand Council; and being prepared, transmitted to the other for their approbation or dissent; and that the assent of both shall be requisite to the validity of all such general Acts and Statutes.

That in time of war, all Bills for granting aids to the Crown, prepared by the Grand Council, and approved by the President General, shall be valid and passed into a law without the assent of the *British* Parliament.]

Wednesday and *Thursday* being taken up in the consideration and debates on the means, &c., the Congress met on *Friday*, 30th *September*—and upon the question,

Resolved, That from and after the 10th day of *September*, 1775, the exportation of all Merchandise and every commodity whatsoever to *Great Britain*, *Ireland*, and the *West Indies*, ought to cease, unless the grievances of *America* are redressed before that time.

Agreed, That Mr. *Cushing*, Mr. *Low*, Mr. *Mifflin*, Mr. *Lee*, and Mr. *Johnson*, be a Committee to bring in a plan for carrying into effect the Non-Importation, Non-Consumption, and Non-Exportation resolved on.

—

Saturday, October 1, 1774.

Simon Boerum, Esquire, appeared in Congress as a Deputy from *King's* County in the Colony of *New-York*, and produced the credentials of his election, which being read and approved, he took his seat as a Delegate for that Colony.

The Congress, resuming the consideration of the means, &c.; upon motion,

Resolved, unanimously, That a loyal Address to his Majesty be prepared, dutifully requesting the Royal attention to the grievances that alarm and distress his Majesty's faithful subjects in *North America*, and entreating his Majesty's gracious interposition for the removal of such grievances; thereby to restore between *Great Britain* and the

Digitized by Google

Colonies that harmony so necessary to the happiness of the *British* Empire, and so ardently desired by all *America*.

Agreed, That Mr. *Lee*, Mr. *J. Adams*, Mr. *Johnson*, Mr. *Henry*, and Mr. *J. Rutledge*, be a Committee to prepare an Address to his Majesty.

—

Monday, October 3, 1774.

The Congress met according to adjournment, and after some debate,

Resolved unanimously, That it be an Instruction to the Committee, who are appointed to draw up an Address to the King: Whereas Parliamentary taxes on *America* have been laid, on pretence of defraying the expenses of Government, and supporting the administration of justice, and defending, protecting, and securing the Colonies. That they do assure his Majesty, that the Colonies have or will make ample provision for defraying all the necessary expenses of supporting Government, and the due administration of justice in the respective Colonies; that the Militia, if put on a proper footing, would be amply sufficient for their defence in time of peace; that they are desirous to put it on such a footing immediately; and that in case of war, the Colonies are ready to grant supplies for raising any further forces that may be necessary.

The remainder of this day and the day following was taken up in deliberating and debating on matters proper to be contained in the Address to his Majesty.

—

Wednesday, October 5, 1774.

The Congress resumed the consideration of the subject in debate yesterday, and after some time spent thereon,

Resolved, That the Committee appointed to prepare an Address to his Majesty, be instructed to assure his Majesty that in case the Colonies shall be restored to the state they were in at the close of the late war, by abolishing the system of laws and regulations—for raising a revenue in *America*—for extending the powers of Courts of Admiralty—for the trial of persons beyond sea for crimes committed in *America*—for affecting the Colony of the *Massachusetts Bay*—and for altering the Government, and extending the limits of *Canada*, the jealousies which have been occasioned by such Acts and Regulations of Parliament, will be removed, and commerce again restored.

An Address from *William Goddard* to the Congress was read, and ordered to lie on the table.

—

Thursday, October 6, 1774.

The Congress met according to adjournment, and resumed the consideration of the means proper to be used for a restoration of *American* rights. During the debate, an Express from *Boston* arrived with a Letter from the Committee of Correspondence, dated the 29th of *September*, which was laid before the Congress.

In this the Committee inform the Congress, that they "expected some regard would have been paid to the Petitions presented to their Governour, against fortifying their "Town in such a manner as can be accounted for only "upon the supposition that the Town and Country are to "be treated by the Soldiery as declared enemies—that the "entrenchments upon the *Neck* are nearly completed—that "Cannon are mounted at the entrance of the Town—that it "is currently reported, that Fortifications are to be erected "on *Corpse Hill*, *Beacon Hill*, and *Fort Hill*, &c., so "that the Fortifications, with the ships in the Harbour may "absolutely command every avenue to the Town both by "sea and land—that a number of Cannon, the property of "a private gentleman, were a few days ago seized and taken "from his wharf by order of the General—that from several "circumstances mentioned in the Letter, there is reason to "apprehend that *Boston* is to be made and kept as a garrisoned Town—that from all they can hear from *Britain*, "Administration is resolved to do all in their power to force "them to a submission—that when the Town is enclosed, it "is apprehended the inhabitants will be held as hostages for "the submission of the Country, they apply therefore to "the Congress for advice how to act—that, if the Congress "advise to quit the Town, they obey—if it is judged that "by maintaining their ground they can better serve the "publick cause, they will not shrink from hardship and "danger—finally, that as the late Acts of Parliament have "made it impossible that there should be a due administration of justice, and all law therefore must be suspended "—that as the Governour has by Proclamation prevented "the meeting of the General Court, they therefore request "the advice of the Congress."

Ordered, That this Letter be taken into consideration to-morrow morning.

The Congress then resumed the consideration of the means, &c.

Resolved, That the Committee appointed to prepare the form of an Association, be directed to adopt the following clause, viz:—That from and after the 1st day of *December* next, no Molasses, Coffee, or Pimento from the *British* Plantations or from *Dominica*, or Wines from *Madeira* and the *Western Islands*, or foreign Indigo, be imported into these Colonies.

—

Friday, October 7, 1774.

The Congress resumed the consideration of the Letter from the Committee of Correspondence in *Boston*, and after some debate,

Resolved, That a Committee be appointed to prepare a Letter to his Excellency General *Gage*, representing "that the Town of *Boston*, and Province of *Massachusetts* "*Bay* are considered by all *America* as suffering in the "common cause for their noble and spirited opposition to "oppressive Acts of Parliament calculated to deprive us "of our most sacred rights and privileges." Expressing our concern, that while the Congress are deliberating on the most peaceable means for restoring *American* liberty, and that harmony and intercourse which subsisted between us and the Parent Kingdom, so necessary to both, his Excellency, as they are informed, is raising Fortifications round the Town of *Boston*, thereby exciting well-grounded jealousies in the minds of his Majesty's faithful subjects therein, that he means to cut off all communication between them and their brethren in the country, and reduce them to a state of submission to his will, and that the Soldiers under his Excellency's command are frequently violating private property, and offering various insults to the people, which must irritate their minds, and if not put a stop to, involve all *America* in the horrours of a civil war. To entreat his Excellency from the assurance we have of the peaceable disposition of the inhabitants of the Town of *Boston* and of the Province of the *Massachusetts Bay*, to discontinue his Fortifications, and that a free and safe communication be restored and continued between the Town of *Boston* and the Country, and prevent all injuries on the part of his Troops, until his Majesty's pleasure shall be known after the measures now adopting shall have been laid before him.

Mr. *Lynch*, Mr. *S. Adams*, and Mr. *Pendleton*, are appointed a Committee to prepare a Letter agreeable to the foregoing Resolution.

—

Saturday, October 8, 1774.

The Congress resumed the consideration of the Letter from *Boston*, and upon motion,

Resolved, That this Congress approve the opposition of the inhabitants of the *Massachusetts Bay*, to the execution of the late Acts of Parliament; and if the same shall be attempted to be carried into execution by force, in such case all *America* ought to support them in their opposition.

—

Monday, October 10, 1774.

The Congress, resuming the consideration of the Letter from *Boston*,

Resolved, unanimously, That it is the opinion of this body that the removal of the people of *Boston* into the Country, would be, not only extremely difficult in the execution, but so important in its consequences, as to require the utmost deliberation before it is adopted; but, in case the Provincial Meeting of that Colony should judge it absolutely necessary, it is the opinion of the Congress, that all *America* ought to contribute towards recompensing them for the injury they may thereby sustain; and it will be recommended accordingly.

Resolved, That the Congress recommend to the in-

Digitized by Google

habitants of the Colony of the *Massachusetts Bay*, to submit to a suspension of the administration of justice, where it cannot be procured in a legal and peaceable manner under the rules of their present Charter, and the Laws of the Colony founded thereon.

Resolved unanimously, That every person and persons whomsoever, who shall take, accept, or act under any commission or authority, in any wise derived from the Act passed in the last session of Parliament changing the form of Government, and violating the Charter of the Province of *Massachusetts Bay*, ought to be held in detestation and abhorrence by all good men, and considered as the wicked tools of that despotism which is preparing to destroy those rights which *God*, nature, and compact, have given to *America*.

The Committee brought in a draught of a Letter to General *Gage*, and the same being read and amended, was ordered to be copied, and to be signed by the President in behalf of the Congress.

—

Tuesday, October 11, 1774.

A copy of the Letter to General *Gage* was brought into Congress, and, agreeable to order, signed by the President, and is as follows:

"Philadelphia, October 10, 1774.

"SIR: The Inhabitants of the Town of *Boston* have informed us, the Representatives of his Majesty's faithful subjects in all the Colonies from *Nova Scotia* to *Georgia*, that the Fortifications erecting within that Town, the frequent invasions of private property, and the repeated insults they receive from the Soldiery have given them great reason to suspect a plan is formed very destructive to them, and tending to overthrow the liberties of *America*.

"Your Excellency cannot be a stranger to the sentiments of *America* with respect to the Acts of Parliament, under the execution of which those unhappy people are oppressed, the approbation universally expressed of their conduct, and the determined resolution of the Colonies, for the preservation of their common rights to unite in their opposition to those Acts. In consequence of these sentiments, they have appointed us the guardians of their rights and liberties; and we are under the deepest concern that whilst we are pursuing every dutiful and peaceable measure to procure a cordial and effectual reconciliation between *Great Britain* and the Colonies, your Excellency should proceed in a manner that bears so hostile an appearance, and which even those oppressive Acts do not warrant.

"We entreat your Excellency to consider what a tendency this conduct must have to irritate and force a free people, however well disposed to peaceable measures, into hostilities, which may prevent the endeavours of this Congress to restore a good understanding with our parent state, aud may involve us in the horrours of a civil war.

"In order therefore to quiet the minds and remove the reasonable jealousies of the people, that they may not be driven to a state of desperation, being fully persuaded of their pacifick disposition towards the King's Troops, could they be assured of their own safety, we hope sir, you will discontinue the Fortifications in and about *Boston*; prevent any further invasions of private property; restrain the irregularities of the Soldiers; and give orders that the communication between the Town and Country may be open, unmolested, and free.

"Signed by order, and in behalf of the General Congress, PEYTON RANDOLPH, *President*."

As the Congress have given General *Gage* an assurance of the peaceable disposition of the people of *Boston* and the *Massachusetts Bay*,

Resolved, unanimously, That they be advised still to conduct themselves peaceably towards his Excellency General *Gage*, and his Majesty's Troops now stationed in the Town of *Boston*, as far as can possibly be consistent with their immediate safety and the security of the Town; avoiding and discountenancing every violation of his Majesty's property, or any insult to his Troops, and that they peaceably and firmly persevere in the line they are now conducting themselves, on the defensive.

Ordered, That a copy of the foregoing Resolve, and of that passed on *Saturday*, and the three passed yesterday, be made out, and that the President enclose them in a Letter to the Committee of Correspondence for the Town of *Boston*, being the sentiments of the Congress on the matters referred to them by the Committee, in their Letter of the 29th of *September* last.

Resolved unanimously, That a Memorial be prepared to the people of *British America*, stating to them the necessity of a firm, united, and invariable observation of the measures recommended by the Congress, as they tender the invaluable rights and liberties derived to them from the Laws and Constitution of their Country.

Also that an Address be prepared to the People of *Great Britain*.

Mr. *Lee*, Mr. *Livingston*, and Mr. *Jay*, are appointed a Committee to prepare a draught of the Memorial and Address.

—

Wednesday, October 12, 1774.

The Congress met according to adjournment.

The Committee appointed to bring in a plan for carrying into effect the Non-Importation, Non-Consumption, and Non-Exportation Agreement, brought in a Report, which was read:

Ordered, That the same lie on the table for the perusal of the Members.

The Congress then resumed the Consideration of the Rights and Grievances of these Colonies, and after deliberating on the subject this and the following day, adjourned till *Friday*.

—

Friday, October 14, 1774.

The Congress met according to adjournment, and resuming the consideration of the subject under debate, came into the following Resolutions:

Whereas, since the close of the last war, the *British* Parliament, claiming a power of right to bind the people of *America*, by statute, in all cases whatsoever, hath, in some Acts, expressly imposed taxes on them, and in others, under various pretences, but in fact for the purpose of raising a revenue, hath imposed rates and duties payable in these Colonies, established a Board of Commissioners, with unconstitutional powers, and extended the jurisdiction of Courts of Admiralty, not only for collecting the said duties, but for the trial of causes merely arising within the body of a County:

And whereas, in consequence of other Statutes, Judges, who before held only estates at will in their offices, have been made dependent on the Crown alone for their salaries, and Standing Armies kept in times of peace: And it has lately been resolved in Parliament, that by force of a Statute, made in the thirty-fifth year of the reign of King *Henry* the Eighth, Colonists may be transported to *England*, and tried there upon accusations for treason, and misprisions, or concealments of treasons committed in the Colonies, and by a late Statute, such trials have been directed in cases therein mentioned:

And whereas, in the last session of Parliament, three Statutes were made, one, entituled "An Act to discontinue, "in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping of "Goods, Wares, and Merchandise, at the Town, and within "the Harbour of *Boston*, in the Province of *Massachusetts* "*Bay*, in *North America*;" another, entituled "An Act "for the better regulating the Government of the Province "of *Massachusetts Bay*, in *New England*;" and another, "entituled "An Act for the impartial administration of "Justice in the cases of persons questioned for any act done "by them in the execution of the law, or for the suppression "of riots and tumults in the Province of the *Massachusetts* "*Bay*, in *New England*;" and another Statute was then made "for making more effectual provision for the Govern- "ment of the Province of *Quebec*," &c. All which statutes are impolitick, unjust, and cruel, as well as unconstitutional, and most dangerous and destructive of *American* rights:

And whereas, Assemblies have been frequently dissolved, contrary to the rights of the people, when they attempted to deliberate on grievances; and their dutiful, humble, loyal, and reasonable Petitions to the Crown for redress, have been repeatedly treated with contempt by his Majesty's Ministers of State:

Digitized by Google

The good people of the several Colonies of *New-Hampshire*, *Massachusetts Bay*, *Rhode-Island* and *Providence Plantations*, *Connecticut*, *New-York*, *New-Jersey*, *Pennsylvania*, *New-Castle*, *Kent*, and *Sussex*, on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, and *South Carolina*, justly alarmed at these arbitrary proceedings of Parliament and Administration, have severally elected, constituted, and appointed Deputies to meet and sit in General Congress, in the City of *Philadelphia*, in order to obtain such establishment as that their religion, laws, and liberties may not be subverted: Whereupon the Deputies so appointed being now assembled, in a full and free representation of these Colonies, taking into their most serious consideration the best means of attaining the ends aforesaid, do, in the first place, as *Englishmen*, their ancestors in like cases have usually done, for asserting and vindicating their rights and liberties, *declare*,

That the inhabitants of the *English* Colonies in *North America*, by the immutable laws of nature, the principles of the *English* Constitution, and the several Charters or Compacts, have the following *Rights*:

Resolved, N. C. D. 1. That they are entitled to life, liberty, and property, and they have never ceded to any sovereign power whatever a right to dispose of either without their consent.

Resolved, N. C. D. 2. That our ancestors, who first settled these Colonies, were at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities of free and natural born subjects, within the Realm of *England*.

Resolved, N. C. D. 3. That by such emigration they by no means forfeited, surrendered, or lost any of those rights, but that they were, and their descendants now are, entitled to the exercise and enjoyment of all such of them, as their local and other circumstances enable them to exercise and enjoy.

Resolved, 4. That the foundation of *English* Liberty, and of all free Government, is a right in the people to participate in their Legislative Council: and as the *English* Colonists are not represented, and from their local and other circumstances cannot be properly represented in the *British* Parliament, they are entitled to a free and exclusive power of legislation in their several Provincial Legislatures, where their right of Representation can alone be preserved, in all cases of taxation and internal polity, subject only to the negative of their Sovereign, in such manner as has been heretofore used and accustomed. But, from the necessity of the case, and a regard to the mutual interest of both Countries, we cheerfully consent to the operation of such Acts of the *British* Parliament, as are, *bona fide*, restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole Empire to the mother country, and the commercial benefits of its respective members; excluding every idea of Taxation, internal or external, for raising a revenue on the subjects in *America*, without their consent.

Resolved, N. C. D. 5. That the respective Colonies are entitled to the common law of *England*, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage, according to the course of that law.

Resolved, 6. That they are entitled to the benefit of such of the *English* statutes as existed at the time of their Colonization; and which they have, by experience, respectively found to be applicable to their several local and other circumstances.

Resolved, N. C. D. 7. That these, his Majesty's Colonies, are likewise entitled to all the immunities and privileges granted and confirmed to them by Royal Charters, or secured by their several codes of Provincial Laws.

Resolved, N. C. D. 8. That they have a right peaceably to assemble, consider of their grievances, and Petition the King; and that all prosecutions, prohibitory Proclamations, and commitments for the same, are illegal.

Resolved, N. C. D. 9. That the keeping a Standing Army in these Colonies, in times of peace, without the consent of the Legislature of that Colony, in which such Army is kept, is against law.

Resolved, N. C. D. 10. It is indispensably necessary to good Government, and rendered essential by the *English* Constitution, that the constituent branches of the Legislature be independent of each other; that, therefore, the exercise of Legislative power in several Colonies, by a Council appointed, during pleasure, by the Crown, is unconstitutional, dangerous, and destructive to the freedom of *American* Legislation.

All and each of which the aforesaid Deputies, in behalf of themselves and their constituents, do claim, demand, and insist on, as their indubitable rights and liberties; which cannot be legally taken from them, altered or abridged by any power whatever, without their own consent, by their Representatives in their several Provincial Legislatures.

In the course of our inquiry we find many infringements and violations of the foregoing Rights, which from an ardent desire, that harmony and mutual intercourse of affection and interest may be restored, we pass over for the present, and proceed to state such Acts and measures as have been adopted since the last war, which demonstrate a system formed to enslave *America*.

Resolved, N. C. D. That the following Acts of Parliament are infringements and violations of the rights of the Colonists; and that the repeal of them is essentially necessary in order to restore harmony between *Great Britain* and the *American* Colonies, viz:

The several Acts of 4 *George* III. ch. 15, and ch. 34. 5 *George* III. ch. 25. 6 *George* III. ch. 52. 7 *George* III. ch. 41, and ch. 46. 8 *George* III. ch. 22, which impose duties for the purpose of raising a revenue in *America*, extend the powers of the Admiralty Courts beyond their ancient limits, deprive the *American* subject of trial by jury, authorize the Judge's certificate to indemnify the prosecutor from damages, that he might otherwise be liable to, requiring oppressive security from a claimant of ships and goods seized, before he shall be allowed to defend his property, and are subversive of *American* rights.

Also the 12 *George* III. ch. 24, entituled "An Act for "the better securing his Majesty's Dock-yards, Magazines, "Ships, Ammunition, and Stores," which declares a new offence in *America*, and deprives the *American* subject of a constitutional trial by jury of the vicinage, by authorizing the trial of any person, charged with the committing any offence described in the said Act, out of the Realm, to be indicted and tried for the same in any Shire or County within the Realm.

Also the three Acts passed in the last session of Parliament, for stopping the Port and blocking up the Harbour of *Boston*, for altering the Charter and Government of the *Massachusetts Bay*, and that which is entituled "An Act for the better administration of Justice," &c.

Also the Act passed in the same session for establishing the Roman Catholick Religion in the Province of *Quebec*, abolishing the equitable system of *English* Laws, and erecting a tyranny there, to the great danger, from so total a dissimilarity of Religion, Law, and Government of the neighbouring *British* Colonies, by the assistance of whose blood and treasure the said country was conquered from *France*.

Also the Act passed in the same session for the better providing suitable Quarters for Officers and Soldiers in his Majesty's service in *North America*.

Also, that the keeping a Standing Army in several of these Colonies, in time of peace, without the consent of the Legislature of that Colony in which such Army is kept, is against law.

To these grevious Acts and measures *Americans* cannot submit, but in hopes that their fellow-subjects in *Great Britain* will, on a revision of them, restore us to that state in which both countries found happiness and prosperity, we have for the present only resolved to pursue the following peaceable measures: 1. To enter into a Non-Importation, Non-Consumption, and Non-Exportatation Agreement or Association. 2. To prepare an Address to the People of *Great Britain*, and a Memorial to the Inhabitants of *British America*; and 3. To prepare a loyal Address to his Majesty, agreeable to Resolutions already entered into.

A Letter being received from several gentlemen in *Georgia* was read.

—

Saturday, October 15, 1774.

The Congress resumed the consideration of the plan of Association for carrying into effect the Non-Importation, &c., and after some time spent on that subject, adjourned till *Monday*.

Digitized by Google

Monday, October 17, 1774.

The Congress met according to adjournment.

Mr. *John Dickinson* appeared in Congress as a Deputy for the Province of *Pennsylvania*, and produced his credentials, as follows:

"In Assembly, October 15, 1774, A. M.

"Upon motion by Mr. *Ross*,

"*Ordered*, That Mr. *J. Dickinson* be, and he is here-"by added to the Committee of Deputies appointed by "the late Assembly of this Province, to attend the Gen-"eral Congress now sitting in the City of *Philadelphia* on "*American* Grievances. By order of the House,

"CHA. MOORE, *Clerk of the Assembly*."

The same being approved, Mr. *J. Dickinson* took his seat as one of the Deputies for the Province of *Pennsylvania*.

The Congress then resumed the consideration of the Plan of Association, &c., and after spending the remainder of that day on that subject, adjourned till to-morrow.

—

Tuesday, October 18, 1774.

The Congress resumed the consideration of the Plan of Association, &c., and after sundry amendments, the same was agreed to, and ordered to be transcribed, that it may be signed by the several Members.

The Committee appointed to prepare an Address to the People of *Great Britain*, brought in a draught, which was read and ordered to lie on the table, for the perusal of the Members, and to be taken into consideration to-morrow.

—

Wednesday, October 19, 1774.

The Congress met and resumed the consideration of the Address to the People of *Great Britain*, and the same being debated by paragraphs, and sundry amendments made, the same was re-committed, in order that the amendments may be taken in.

The Committee appointed to prepare a Memorial to the Inhabitants of these Colonies, reported a draught, which was read, and ordered to lie on the table.

Ordered, That this Memorial be taken into consideration to-morrow.

—

Thursday, October 20, 1774.

The Association being copied, was read, and signed at the table, and is as follows:

We, his Majesty's most loyal subjects, the Delegates of the several Colonies of *New-Hampshire*, *Massachusetts Bay*, *Rhode-Island*, *Connecticut*, *New-York*, *New-Jersey*, *Pennsylvania*, the three Lower Counties of *New-Castle*, *Kent*, and *Sussex*, on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, and *South Carolina*, deputed to represent them in a Continental Congress, held in the City of *Philadelphia*, on the fifth day of *September*, 1774, avowing our allegiance to his Majesty; our affection and regard for our fellow-subjects in *Great Britain* and elsewhere; affected with the deepest anxiety and most alarming apprehensions at those grievances and distresses with which his Majesty's *American* subjects are oppressed; and having taken under our most serious deliberation the state of the whole Continent, find that the present unhappy situation of our affairs is occasioned by a ruinous system of Colony Administration, adopted by the *British* Ministry about the year 1763, evidently calculated for enslaving these Colonies, and, with them, the *British* Empire. In prosecution of which system, various Acts of Parliament have been passed for raising a Revenue in *America*, for depriving the *American* subjects, in many instances, of the constitutional Trial by Jury, exposing their lives to danger by directing a new and illegal trial beyond the seas for crimes alleged to have been committed in *America*; and in prosecution of the same system, several late, cruel, and oppressive Acts have been passed respecting the Town of *Boston* and the *Massachusetts Bay*, and also an Act for extending the Province of *Quebec*, so as to border on the Western Frontiers of these Colonies, establishing an arbitrary Government therein, and discouraging the settlement of *British* subjects in that wide extended country; thus, by the influence of civil principles and ancient prejudices, to dispose the inhabitants to act with hostility against the free Protestant Colonies, whenever a wicked Ministry shall choose so to direct them.

To obtain redress of these Grievances, which threaten destruction to the Lives, Liberty, and Property of his Majesty's subjects in *North America*, we are of opinion that a Non-Importation, Non-Consumption, and Non-Exportation Agreement, faithfully adhered to, will prove the most speedy, effectual, and peaceable measure; and, therefore, we do, for ourselves, and the inhabitants of the several Colonies whom we represent, firmly agree and associate, under the sacred ties of Virtue, Honour, and Love of our Country, as follows:

1. That from and after the first day of *December* next, we will not import into *British America*, from *Great Britain* or *Ireland*, any Goods, Wares, or Merchandises whatsoever, or from any other place, any such Goods, Wares, or Merchandises as shall have been exported from *Great Britain* or *Ireland*; nor will we, after that day, import any *East India* Tea from any part of the World; nor any Molasses, Syrups, Paneles, Coffee, or Pimento, from the *British* Plantations or from *Dominica*; nor Wines from *Madeira*, or the *Western Islands*; nor Foreign Indigo.

2. That we will neither import nor purchase any Slave imported after the first day of *December* next; after which time we will wholly discontinue the Slave Trade, and will neither be concerned in it ourselves, nor will we hire our vessels, nor sell our Commodities or Manufactures to those who are concerned in it.

3. As a Non-Consumption Agreement, strictly adhered to, will be an effectual security for the observation of the Non-Importation, we, as above, solemnly agree and associate, that from this day we will not purchase or use any Tea imported on account of the *East India* Company, or any on which a Duty hath been or shall be paid; and from and after the first day of *March* next we will not purchase or use any *East India* Tea whatsoever; nor will we, nor shall any person for or under us, purchase or use any of those Goods, Wares, or Merchandises we have agreed not to import, which we shall know, or have cause to suspect, were imported after the first day of *December*, except such as come under the rules and directions of the tenth Article hereafter mentioned.

4. The earnest desire we have not to injure our fellow-subjects in *Great Britain*, *Ireland*, or the *West Indies*, induces us to suspend a Non-Exportation until the tenth day of *September*, 1775; at which time, if the said Acts and parts of Acts of the *British* Parliament herein after mentioned, are not repealed, we will not, directly or indirectly, export any Merchandise or Commodity whatsoever to *Great Britain*, *Ireland*, or the *West Indies*, except Rice to *Europe*.

5. Such as are Merchants, and use the *British* and *Irish* Trade, will give orders as soon as possible to their Factors, Agents, and Correspondents, in *Great Britain* and *Ireland*, not to ship any Goods to them, on any pretence whatsoever, as they cannot be received in *America*; and if any Merchant residing in *Great Britain* or *Ireland*, shall directly or indirectly ship any Goods, Wares, or Merchandises for *America*, in order to break the said Non-Importation Agreement, or in any manner contravene the same, on such unworthy conduct being well attested, it ought to be made publick; and, on the same being so done, we will not from thenceforth have any commercial connection with such Merchant.

6. That such as are Owners of vessels will give positive orders to their Captains, or Masters, not to receive on board their vessels any Goods prohibited by the said Non-Importation Agreement, on pain of immediate dismission from their service.

7. We will use our utmost endeavours to improve the breed of Sheep, and increase their number to the greatest extent; and to that end, we will kill them as sparingly as may be, especially those of the most profitable kind; nor will we export any to the *West Indies* or elsewhere; and those of us who are or may become overstocked with, or can conveniently spare any Sheep, will dispose of them to our neighbours, especially to the poorer sort, upon moderate terms.

8. That we will, in our several stations, encourage Frugality, Economy, and Industry, and promote Agriculture, Arts, and the Manufactures of this Country, especially

Digitized by Google

that of Wool; and will discountenance and discourage every species of extravagance and dissipation, especially all horse-racing, and all kinds of gaming, cock-fighting, exhibitions of plays, shews, and other expensive diversions and entertainments; and on the death of any relation or friend, none of us, or any of our families, will go into any further mourning-dress than a black crape or ribbon on the arm or hat for gentlemen, and a black ribbon and necklace for ladies, and we will discontinue the giving of gloves and scarfs at funerals.

9. That such as are venders of Goods or Merchandises will not take advantage of the scarcity of Goods that may be occasioned by this Association, but will sell the same at the rates we have been respectively accustomed to do for twelve months last past. And if any vender of Goods or Merchandises shall sell any such Goods on higher terms, or shall, in any manner, or by any device whatsoever, violate or depart from this Agreement, no person ought, nor will any of us deal with any such person, or his or her Factor or Agent, at any time thereafter for any commodity whatever.

10. In case any Merchant, Trader, or other person, shall import any Goods or Merchandise, after the first day of *December*, and before the first day of *February* next, the same ought forthwith, at the election of the owner, to be either re-shipped or delivered up to the Committee of the County or Town wherein they shall be imported, to be stored at the risk of the importer, until the Non-Importation Agreement shall cease, or be sold under the direction of the Committee aforesaid; and in the last mentioned case, the owner or owners of such Goods shall be reimbursed out of the sales the first cost and charges; the profit, if any, to be applied towards relieving and employing such poor inhabitants of the Town of *Boston* as are immediate sufferers by the *Boston* Port Bill; and a particular account of all Goods so returned, stored, or sold, to be inserted in the publick papers; and if any Goods or Merchandises shall be imported after the said first day of *February*, the same ought forthwith to be sent back again, without breaking any of the packages thereof.

11. That a Committee be chosen in every County, City, and Town, by those who are qualified to vote for Representatives in the Legislature, whose business it shall be attentively to observe the conduct of all persons touching this Association; and when it shall be made to appear to the satisfaction of a majority of any such Committee, that any person within the limits of their appointment has violated this Association, that such majority do forthwith cause the truth of the case to be published in the Gazette, to the end that all such foes to the rights of *British America* may be publickly known, and universally contemned as the enemies of *American* Liberty; and thenceforth we respectively will break off all dealings with him or her.

12. That the Committee of Correspondence, in the respective Colonies, do frequently inspect the Entries of their Custom Houses, and inform each other, from time to time, of the true state thereof, and of every other material circumstance that may occur relative to this Association.

13. That all Manufactures of this country be sold at reasonable prices, so that no undue advantage be taken of a future scarcity of Goods.

14. And we do further agree and resolve that we will have no Trade, Commerce, Dealings, or Intercourse whatsoever with any Colony or Province in *North America*, which shall not accede to, or which shall hereafter violate this Association, but will hold them as unworthy of the rights of freemen, and as inimical to the liberties of this country.

And we do solemnly bind ourselves and our constituents, under the ties aforesaid, to adhere to this Association until such parts of the several Acts of Parliament passed since the close of the last war, as impose or continue Duties on Tea, Wine, Molasses, Syrups, Paneles, Coffee, Sugar, Pimento, Indigo, Foreign Paper, Glass, and Painters' Colours, imported into *America*, and extend the powers of the Admiralty Courts beyond their ancient limits, deprive the *American* subjects of Trial by Jury, authorize the Judge's certificate to indemnify the prosecutor from damages that he might otherwise be liable to from a trial by his peers, require oppressive security from a claimant of Ships or Goods seized, before he shall be allowed to defend his property, are repealed.—And until that part of the Act of the 12th *George* III. ch. 24, entitled "An Act "for the better securing his Majesty's Dock-yards, Mag-"azines, Ships, Ammunition, and Stores," by which any person charged with committing any of the offences therein described, in *America*, may be tried in any Shire or County within the Realm, is repealed—and until the four Acts, passed in the last session of Parliament, viz: that for stopping the Port and blocking up the Harbour of *Boston*—that for altering the Charter and Government of the *Massachusetts Bay*—and that which is entitled An Act for the better Administration of Justice, &c.—and that for extending the Limits of *Quebec*, &c., are repealed. And we recommend it to the Provincial Conventions, and to the Committees in the respective Colonies, to establish such farther Regulations as they may think proper for carrying into execution this Association.

The foregoing Association being determined upon by the Congress, was ordered to be subscribed by the several Members thereof; and thereupon, we have hereunto set our respective names accordingly.

In Congress, *Philadelphia*, *October* 20, 1774.

PEYTON RANDOLPH, *President*.

NEW-HAMPSHIRE,	*John Sullivan*, *Nathaniel Folsom*.
MASSACHUSETTS BAY,	*Thomas Cushing*, *Samuel Adams*, *John Adams*, *Robert Treat Paine*.
RHODE-ISLAND,	*Stephen Hopkins*, *Samuel Ward*.
CONNECTICUT,	*Eliphalet Dyer*, *Roger Sherman*, *Silas Deane*.
NEW-YORK,	*Isaac Low*, *John Alsop*, *John Jay*, *James Duane*, *Philip Livingston*, *William Floyd*, *Henry Wisner*, *Simon Boerum*.
NEW-JERSEY,	*James Kinsey*, *William Livingston*, *Stephen Crane*, *Richard Smith*, *John De Hart*.
PENNSYLVANIA,	*Joseph Galloway*, *John Dickinson*, *Charles Humphreys*, *Thomas Mifflin*, *Edward Biddle*, *John Morton*, *George Ross*.
The Lower Counties, NEW-CASTLE, *&c.*,	*Cæsar Rodney*, *Thomas M'Kean*, *George Read*.
MARYLAND,	*Matthew Tilghman*, *Thomas Johnson*, Junr. *William Paca*, *Samuel Chase*.
VIRGINIA,	*Richard Henry Lee*, *George Washington*, *Patrick Henry*, Junr. *Richard Bland*, *Benjamin Harrison*, *Edmund Pendleton*.
NORTH CAROLINA,	*William Hooper*, *Joseph Hewes*, *Richard Caswell*.
SOUTH CAROLINA,	*Henry Middleton*, *Thomas Lynch*, *Christopher Gadsden*, *John Rutledge*, *Edward Rutledge*.

Ordered, That this Association be committed to the press, and that one hundred and twenty copies be struck off.

The Congress then resumed the consideration of the Address to the Inhabitants of these Colonies, and after debate thereon, adjourned till to-morrow.

Digitized by Google

foreign p of the admiralty courts beyond their ancient
limits, de in demnify the prosecutor from damages, that
he might m a claimant of ships or goods seized, before he
shall be of the 12 G. 3. ch. 24 intitled "an Act for the better
securing ich any person charged with committing any
of the offe in the realm is repealed. And until the power
acts passe locking up the harbour of Boston — That for
altering an act
Justice &c ch is intitled for the better administration of
to the com commend it to the provincial conventions and
they may think proper for carrying into
execution
was ordered to be subscribed by the several
is accordingly.
Members Philadelphia October 20th 1774. —

T.

ew ..
hire

Nahan
Bay

Rho

Conn

tha
ev
all
ex
an
fri
fu
ar
fo
sc

w
be
th
tv
M
or
vi
n
F
d

sl
o
tl
b
o
t
F
r
t
r
F
s
c
s
s
c
z
v

C
F
b
in
w
t
1
(
1
:

Digitized by Google

Friday, October 21, 1774.

The Address to the People of *Great Britain* being brought in, and the amendments directed being made, the same was approved, and is as follows:

To the People of GREAT BRITAIN, *from the Delegates appointed by the several* ENGLISH *Colonies of* NEW-HAMPSHIRE, MASSACHUSETTS BAY, RHODE ISLAND *and* PROVIDENCE PLANTATIONS, CONNECTICUT, NEW-YORK, NEW-JERSEY, PENNSYLVANIA, *the Lower Counties on* DELAWARE, MARYLAND, VIRGINIA, NORTH CAROLINA, *and* SOUTH CAROLINA, *to consider of their Grievances in General Congress, at* PHILADELPHIA, SEPTEMBER 5, 1774.

FRIENDS AND FELLOW-SUBJECTS: When a Nation, lead to greatness by the hand of Liberty, and possessed of all the Glory that heroism, munificence, and humanity can bestow, descends to the ungrateful task of forging chains for her friends and children, and instead of giving support to Freedom, turns advocate for Slavery and Oppression, there is reason to suspect she has either ceased to be virtuous, or been extremely negligent in the appointment of her Rulers.

In almost every age, in repeated conflicts, in long and bloody wars, as well civil as foreign, against many and powerful Nations, against the open assaults of enemies, and the more dangerous treachery of friends, have the inhabitants of your Island, your great and glorious ancestors, maintained their independence, and transmitted the rights of Men, and the blessings of Liberty, to you, their posterity.

Be not surprised therefore, that we, who are descended from the same common ancestors; that we, whose forefathers participated in all the rights, the liberties, and the Constitution you so justly boast of, and who have carefully conveyed the same fair inheritance to us, guarantied by the plighted faith of Government, and the most solemn compacts with *British* Sovereigns, should refuse to surrender them to men who found their claims on no principles of reason, and who prosecute them with a design, that by having our lives and property in their power, they may with the greater facility enslave *you*.

The cause of *America* is now the object of universal attention; it has at length become very serious. This unhappy country has not only been oppressed, but abused and misrepresented; and the duty we owe to ourselves and posterity, to your interest, and the general welfare of the *British* Empire, leads us to address you on this very important subject.

Know then, That we consider ourselves, and do insist, that we are and ought to be as free as our fellow-subjects in *Britain*, and that no power on earth has a right to take our property from us without our consent.

That we claim all the benefits secured to the subject by the *English* Constitution, and particularly that inestimable one of Trial by Jury.

That we hold it essential to *English* liberty, that no man be condemned unheard, or punished for supposed offences, without having an opportunity of making his defence.

That we think the Legislature of *Great Britain* is not authorized by the Constitution to establish a Religion fraught with sanguinary and impious tenets, or to erect an arbitrary form of Government in any quarter of the globe. These rights we, as well as you, deem sacred; and yet, sacred as they are, they have, with many others, been repeatedly and flagrantly violated.

Are not the Proprietors of the soil of *Great Britain* lords of their own property? Can it be taken from them without their consent? Will they yield it to the arbitrary disposal of any man, or number of men whatever? You know they will not.

Why then are the Proprietors of the soil of *America* less lords of their property than you are of yours? Or why should they submit it to the disposal of your Parliament, or any other Parliament or Council in the world, not of their election? Can the intervention of the sea that divides us cause disparity in rights? Or can any reason be given, why *English* subjects, who live three thousand miles from the Royal Palace, should enjoy less liberty than those who are three hundred miles distant from it?

Reason looks with indignation on such distinctions, and Freemen can never perceive their propriety. And yet, however chimerical and unjust such discriminations are, the Parliament assert that they have a right to bind us in all cases, without exception, whether we consent or not; that they may take and use our property when and in what manner they please; that we are pensioners on their bounty for all that we possess, and can hold it no longer than they vouchsafe to permit. Such declarations we consider as heresies in *English* politicks, and which can no more operate to deprive us of our property, than the interdicts of the Pope can divest Kings of sceptres which the laws of the land and the voice of the people have placed in their hands.

At the conclusion of the late war—a war rendered glorious by the abilities and integrity of a Minister, to whose efforts the *British* Empire owes its safety and its fame: at the conclusion of this war, which was succeeded by an inglorious peace, formed under the auspices of a Minister of principles and of a family unfriendly to the Protestant cause, and inimical to liberty; we say, at this period, and under the influence of that man, a plan for enslaving your fellow-subjects in *America* was concerted, and has ever since been pertinaciously carrying into execution.

Prior to this era you were content with drawing from us the wealth produced by our commerce. You restrained our trade in every way that could conduce to your emolument. You exercised unbounded sovereignty over the sea. You named the Ports and Nations to which alone our merchandise should be carried, and with whom alone we should trade; and though some of these restrictions were grievous, we nevertheless did not complain. We looked up to you as to our parent state, to which we were bound by the strongest ties, and were happy in being instrumental to your prosperity and your grandeur.

We call upon you yourselves to witness our loyalty and attachment to the common interest of the whole Empire. Did we not, in the last war, add all the strength of this vast Continent to the force which repelled our common enemy? Did we not leave our native shores, and meet disease and death, to promote the success of *British* arms in foreign climates? Did you not thank us for our zeal, and even reimburse us large sums of money, which you confessed we had advanced beyond our proportion, and far beyond our abilities? You did.

To what causes, then, are we to attribute the sudden change of treatment, and that system of slavery which was prepared for us at the restoration of peace?

Before we had recovered from the distresses which ever attend war, an attempt was made to drain this country of all its money, by the oppressive Stamp Act. Paint, Glass, and other commodities, which you would not permit us to purchase of other Nations, were taxed. Nay, although no Wine is made in any country subject to the *British* state, you prohibited our procuring it of foreigners, without paying a tax imposed by your Parliament, on all we imported. These and many other impositions were laid upon us most unjustly and unconstitutionally, for the express purpose of raising a Revenue. In order to silence complaint, it was, indeed, provided that this revenue should be expended in *America*, for its protection and defence. These exactions however can receive no justification from a pretended necessity of protecting and defending us; they are lavishly squandered on Court favourites and Ministerial dependants, generally avowed enemies to *America*, and employing themselves, by partial representations, to traduce and embroil the Colonies. For the necessary support of Government here we ever were and ever shall be ready to provide. And whenever the exigencies of the state may require it, we shall, as we have heretofore done, cheerfully contribute our full proportion of men and money. To enforce this unconstitutional and unjust scheme of taxation, every fence that the wisdom of our *British* ancestors had carefully erected against arbitrary power, has been violently thrown down in *America*; and the inestimable right of Trial by Jury taken away in cases that touch both life and property. It was ordained, that whenever offences should be committed in the Colonies against particular Acts imposing various duties and restrictions upon trade, the prosecutor might bring his action for the penalties in the Courts of Admiralty; by which means the subject lost the advantage of being tried by an honest uninfluenced jury of the vicinage, and was subjected to the sad necessity of being judged

Digitized by Google

by a single man—a creature of the Crown; and, according to the course of a law, which exempts the prosecutor from the trouble of proving his accusation, and obliges the defendant either to evince his innocence, or to suffer. To give this new Judicatory the greater importance, and as if with design to protect false accusers, it is further provided, that the Judge's certificate of there having been probable causes of seizure and prosecution, shall protect the prosecutor from actions at common law for recovery of damages.

By the course of our law, offences committed in such of the *British* Dominions in which Courts are established and justice duly and regularly administered, shall be there tried by a jury of the vicinage. There the offenders and the witnesses are known, and the degree of credibility to be given to their testimony, can be ascertained.

In all these Colonies justice is regularly and impartially administered, and yet, by the construction of some, and the direction of other Acts of Parliament, offenders are to be taken by force, together with all such persons as may be pointed out as witnesses, and carried to *England*, there to be tried in a distant land by a jury of strangers, and subject to all the disadvantages that result from want of friends, want of witnesses, and want of money.

When the design of raising a Revenue from the Duties imposed on the importation of Tea into *America*, had, in a great measure, been rendered abortive, by our ceasing to import that commodity, a scheme was concerted by the Ministry with the *East India* Company, and an Act passed enabling and encouraging them to transport and vend it in the Colonies. Aware of the danger of giving success to this insidious manœuvre, and of permitting a precedent of taxation thus to be established among us, various methods were adopted to elude the stroke. The people of *Boston*, then ruled by a Governour, whom, as well as his predecessor, Sir *Francis Bernard*, all *America* considers as her enemy, were exceedingly embarrassed. The ships which had arrived with the Tea, were, by his management, prevented from returning; the duties would have been paid; the cargoes landed and exposed to sale; a Governour's influence would have procured and protected many purchasers. While the Town was suspended by deliberations on this important subject, the Tea was destroyed. Even supposing a trespass was thereby committed, and the proprietors of the Tea entitled to damages, the Courts of Law were open, and Judges appointed by the Crown presided in them. The *East India* Company, however, did not think proper to commence any suits; nor did they even demand satisfaction, either from individuals or from the community in general. The Ministry, it seems, officiously made the case their own, and the great Council of the Nation descended to intermeddle with a dispute about private property. Divers papers, letters, and other unauthenticated *ex parte* evidence were laid before them; neither the persons who destroyed the Tea, nor the people of *Boston*, were called upon to answer the complaint. The Ministry, incensed by being disappointed in a favourite scheme, were determined to recur from the little arts of finese, to open force and unmanly violence. The Port of *Boston* was blocked up by a Fleet, and an Army placed in the Town. Their trade was to be suspended, and thousands reduced to the necessity of gaining subsistence from charity, till they should submit to pass under the yoke and consent to become slaves, by confessing the omnipotence of Parliament, and acquiescing in whatever disposition they might think proper to make of their lives and property.

Let justice and humanity cease to be the boast of your Nation! Consult your history; examine your records of former transactions, nay, turn to the annals of the many arbitrary States and Kingdoms that surround you, and show us a single instance of men being condemned to suffer for imputed crimes, unheard, unquestioned, and without even the specious formality of a trial; and that, too, by laws made expressly for the purpose, and which had no existence at the time of the fact committed. If it be difficult to reconcile these proceedings to the genius and temper of your Laws and Constitution, the task will become more arduous, when we call upon our Ministerial enemies to justify, not only condemning men untried, and by hearsay, but involving the innocent in one common punishment with the guilty; and for the act of thirty or forty, to bring poverty, distress, and calamity, on thirty thousand souls, and those not your enemies, but your friends, brethren, and fellow-subjects.

It would be some consolation to us if the catalogue of *American* oppressions ended here. It gives us pain to be reduced to the necessity of reminding you that, under the confidence reposed in the faith of Government, pledged in a Royal Charter from a *British* Sovereign, the forefathers of the present inhabitants of the *Massachusetts Bay* left their former habitations and established that great, flourishing and loyal Colony. Without incurring or being charged with a forfeiture of their rights; without being heard; without being tried; without law, and without justice, by an Act of Parliament their Charter is destroyed; their liberties violated; their Constitution and form of Government changed; and all this upon no better pretence than because in one of their Towns a trespass was committed on some merchandise said to belong to one of the Companies, and because the Ministry were of opinion that such high political regulations were necessary to compel due subordination and obedience to their mandates.

Nor are these the only capital grievances under which we labour. We might tell of dissolute, weak, and wicked Governours having been set over us; of Legislatures being suspended for asserting the rights of *British* subjects; of needy and ignorant dependents on great men advanced to the seats of Justice, and to other places of trust and importance; of hard restrictions on Commerce, and a great variety of lesser evils, the recollection of which is almost lost under the weight and pressure of greater and more poignant calamities.

Now mark the progression of the Ministerial plan for enslaving us.

Well aware that such hardy attempts to take our property from us; to deprive us of that valuable right of Trial by Jury; to seize our persons and carry us for trial to *Great Britain*; to blockade our Ports; to destroy our Charters and change our forms of Government, would occasion, and had already occasioned great discontent in the Colonies, which might produce opposition to these measures, an Act was passed to protect, indemnify, and screen from punishment such as might be guilty even of murder, in endeavouring to carry their oppressive edicts into execution; and by another Act the dominion of *Canada* is to be so extended, modelled, and governed, as that by being disunited from us, detached from our interests, by civil as well as religious prejudices, that by their numbers daily swelling with Catholick emigrants from *Europe*, and by their devotion to Administration, so friendly to their religion, they might become formidable to us, and, on occasion, be fit instruments in the hands of power, to reduce the ancient, free, Protestant Colonies to the same state of slavery with themselves.

This was evidently the object of the Act; and in this view being extremely dangerous to our liberty and quiet, we cannot forbear complaining of it as hostile to *British America*. Superadded to these considerations, we cannot help deploring the unhappy condition to which it has reduced the many *English* settlers, who, encouraged by the Royal Proclamation, promising the enjoyment of all their rights, have purchased estates in that country. They are now the subjects of an arbitrary Government, deprived of trial by jury, and when imprisoned, cannot claim the benefit of the Habeas Corpus Act, that great bulwark and palladium of *English* Liberty. Nor can we suppress our astonishment, that a *British* Parliament should ever consent to establish in that country a Religion that has deluged your Island in blood, and dispersed impiety, bigotry, persecution, murder, and rebellion, through every part of the world.

This being a true state of facts, let us beseech you to consider to what end they lead.

Admit that the Ministry, by the powers of *Britain*, and the aid of our Roman Catholick neighbours, should be able to carry the point of taxation, and reduce us to a state of perfect humiliation and slavery; such an enterprise would doubtless make some addition to your National Debt, which already presses down your liberties, and fills you with pensioners and placemen. We presume, also, that your commerce will somewhat be diminished. However, suppose you should prove victorious, in what condition will you

Digitized by Google

then be? What advantages or what laurels will you reap from such a conquest?

May not a Ministry with the same Armies enslave you? It may be said you will cease to pay them; but remember the taxes from *America*, the wealth, and we may add the men, and particularly the Roman Catholicks of this vast Continent, will then be in the power of your enemies; nor will you have any reason to expect, that after making slaves of us, many among us should refuse to assist in reducing you to the same abject state.

Do not treat this as chimerical. Know that in less than half a century, the quit-rents reserved to the Crown, from the numberless grants of this vast Continent, will pour large streams of wealth into the Royal coffers; and if to this be added the power of taxing *America* at pleasure, the Crown will be rendered independent of you for supplies, and will possess more treasure than may be necessary to purchase the remains of liberty in your Island. In a word, take care that you do not fall into the pit that is preparing for us.

We believe there is yet much virtue, much justice, and much publick spirit in the *English* Nation. To that justice we now appeal. You have been told that we are seditious, impatient of Government, and desirous of Independency. Be assured that these are not facts, but calumnies. Permit us to be as free as yourselves, and we shall ever esteem a union with you to be our greatest glory and our greatest happiness; we shall ever be ready to contribute all in our power to the welfare of the Empire; we shall consider your enemies as our enemies, and your interest as our own.

But, if you are determined that your Ministers shall wantonly sport with the rights of mankind; if neither the voice of justice, the dictates of the law, the principles of the Constitution, or the suggestions of humanity, can restrain your hands from shedding human blood in such an impious cause, we must then tell you that we will never submit to be hewers of wood or drawers of water for any Ministry or Nation in the world.

Place us in the same situation that we were at the close of the last war, and our former harmony will be restored.

But, lest the same supineness, and the same inattention to our common interest, which you have for several years shown, should continue, we think it prudent to anticipate the consequences.

By the destruction of the trade of *Boston* the Ministry have endeavoured to induce submission to their measures. The like fate may befall us all. We will endeavour therefore to live without trade, and recur for subsistence to the fertility and bounty of our native soil, which will afford us all the necessaries, and some of the conveniences of life. We have suspended our importation from *Great Britain* and *Ireland;* and, in less than a year's time, unless our grievances should be redressed, shall discontinue our exports to those Kingdoms and the *West Indies*.

It is with the utmost regret, however, that we find ourselves compelled, by the over-ruling principles of self-preservation, to adopt measures detrimental in their consequences to numbers of our fellow-subjects in *Great Britain* and *Ireland*. But we hope, that the magnanimity and justice of the *British* Nation will furnish a Parliament of such wisdom, independence, and publick spirit, as may save the violated rights of the whole Empire from the devices of wicked Ministers and evil Counsellors, whether in or out of office; and thereby restore that harmony, friendship, and fraternal affection between all the inhabitants of his Majesty's Kingdoms and Territories so ardently wished for by every true and honest *American*.

The Congress then resumed the consideration of the Memorial to the Inhabitants of the *British* Colonies, and the same being debated by paragraphs, was approved, and is as follows:

To the Inhabitants of the Colonies of New-Hampshire, Massachusetts Bay, Rhode-Island, *and* Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, *the Counties of* New-Castle, Kent, *and* Sussex, *on* Delaware, Maryland, Virginia, North Carolina *and* South Carolina:

Friends and Countrymen: We, the Delegates appointed by the good people of these Colonies, to meet at *Philadelphia*, in *September* last, for the purposes mentioned by our respective Constituents, have, in pursuance of the trust reposed in us, assembled and taken into our most serious consideration the important matters recommended to the Congress. Our Resolutions thereupon will be herewith communicated to you. But, as the situation of publick affairs grows daily more and more alarming; and, as it may be more satisfactory to you to be informed by us in a collective body, than in any other manner, of those sentiments that have been approved, upon a full and free discussion, by the Representatives of so great a part of *America*, we esteem ourselves obliged to add this Address to these Resolutions.

In every case of opposition by a People to their Rulers, or of one state to another, duty to Almighty *God*, the creator of all, requires that a true and impartial judgment be formed of the measures leading to such opposition, and of the causes by which it has been provoked, or can in any degree be justified, that neither affection on the one hand, nor resentment on the other, being permitted to give a wrong bias to reason, it may be enabled to take a dispassionate view of all circumstances, and to settle the publick conduct on the solid foundations of Wisdom and Justice.

From Councils thus tempered, arise the surest hopes of the Divine favour; the firmest encouragement to the parties engaged, and the strongest recommendation of their cause to the rest of mankind.

With minds deeply impressed by a sense of these truths, we have diligently, deliberately, and calmly inquired into and considered those exertions, both of the Legislative and Executive power of *Great Britain*, which have excited so much uneasiness in *America*, and have, with equal fidelity and attention, considered the conduct of the Colonies. Upon the whole, we find ourselves reduced to the disagreeable alternative of being silent and betraying the innocent, or of speaking out and censuring those we wish to revere. In making our choice of these distressing difficulties, we prefer the course dictated by honesty, and a regard for the welfare of our country.

Soon after the conclusion of the late war, there commenced a memorable change in the treatment of these Colonies. By a Statute made in the fourth year of the present Reign, a time of profound peace, alleging "the "expediency of new provisions and regulations for extend-"ing the Commerce between *Great Britain* and his Ma-"jesty's Dominions in *America*, and the necessity of raising "a Revenue in the said Dominions, for defraying the ex-"penses of defending, protecting, and securing the same," the Commons of *Great Britain* undertook to give and grant to his Majesty many Rates and Duties, to be paid in these Colonies. To enforce the observance of this Act, it prescribes a great number of severe penalties and forfeitures; and, in two sections, makes a remarkable distinction between the subjects in *Great Britain* and those in *America*. By the one, the penalties and forfeitures incurred there, are to be recovered in any of the King's Courts of Record, at *Westminster*, or in the Court of Exchequer, in *Scotland;* and, by the other, the penalties and forfeitures incurred here, are to be recovered in any Court of Record, or in any Court of Admiralty or Vice Admiralty, at the election of the informer or prosecutor.

The inhabitants of these Colonies, confiding in the justice of *Great Britain*, were scarcely allowed sufficient time to receive and consider this Act, before another, well known by the name of the Stamp Act, and passed in the fifth year of this Reign, engrossed their whole attention. By this Statute, the *British* Parliament exercised, in the most explicit manner, a power of taxing us, and extending the jurisdiction of Courts of Admiralty and Vice Admiralty in the Colonies, to matters arising within the body of a County, and directed the numerous penalties and forfeitures thereby inflicted, to be recovered in the said Courts.

In the same year a Tax was imposed upon us, by an Act establishing several new Fees in the Customs. In the next year the Stamp Act was repealed; not because it was founded in an erroneous principle, but as the Repealing Act recites, because "the continuance thereof would be attend-"ed with many inconveniences, and might be productive "of consequences greatly detrimental to the commercial "interest of *Great Britain*."

Digitized by Google

In the same year, and by a subsequent Act, it was declared, "that his Majesty, in Parliament, of right, had "power to bind the people of these Colonies by Statutes "in all cases whatsoever."

In the same year another Act was passed for imposing Rates and Duties payable in these Colonies. In this statute, the Commons, avoiding the terms of giving and granting, "humbly besought his Majesty, that it might be enacted," &c. But from a declaration in the preamble that the Rates and Duties were "in lieu of" several others granted by the Statutes first before mentioned, for raising a Revenue, and from some other expressions, it appears that these Duties were intended for that purpose.

In the next year, [1767] an Act was made "to enable "his Majesty to put the Customs, and other Duties in "*America*, under the management of Commissioners," &c. And the King, thereupon, erected the present expensive Board of Commissioners, for the express purpose of carrying into execution the several Acts relating to the Revenue and Trade in *America*.

After the repeal of the Stamp Act, having again resigned ourselves to our ancient unsuspicious affections for the parent state, and anxious to avoid any controversy with her, in hopes of a favourable alteration in sentiments and measures towards us, we did not press our objections against the above mentioned Statutes, made subsequent to that repeal.

Administration, attributing to trifling causes, a conduct that really proceeded from generous motives, were encouraged in the same year [1767] to make a bolder experiment on the patience of *America*.

By a Statute, commonly called the Glass, Paper, and Tea Act, made fifteen months after the repeal of the Stamp Act, the Commons of *Great Britain* resumed their former language, and again undertook to "give and grant Rates "and Duties to be paid in these Colonies," for the express purpose of "raising a Revenue to defray the charges of "the Administration of Justice; the support of Civil Gov-"ernment; and defending the King's Dominions," on this Continent. The penalties and forfeitures, incurred under this Statute, are to be recovered in the same manner with those mentioned in the foregoing Acts.

To this Statute, so naturally tending to disturb the tranquillity, then universal throughout the Colonies, Parliament, in the same session, added another no less extraordinary.

Ever since the making the present peace, a Standing Army has been kept in these Colonies. From respect for the mother country, the innovation was not only tolerated, but the Provincial Legislatures generally made provision for supplying the Troops.

The Assembly of the Province of *New-York* having passed an Act of this kind, but differing in some articles from the directions of the Act of Parliament made in the fifth year of this reign, the House of Representatives in that Colony was prohibited by a Statute made in the last session mentioned, from making any Bill, Order, Resolution, or Vote, except for adjourning or chusing a Speaker, until provision should be made by the said Assembly for furnishing the Troops within that Province, not only with all such necessaries as was required by the Statute, which they were charged with disobeying, but also with those required by two other subsequent Statutes which were declared to be in force until the 24th day of *March*, 1769.

These Statutes of the year 1767, revived the apprehensions and discontents that had entirely subsided on the repeal of the Stamp Act; and, amidst the just fears and jealousies thereby occasioned, a Statute was made in the next year, [1768] to establish Courts of Admiralty and Vice Admiralty on a new model, expressly for the end of more effectually recovering of the penalties and forfeitures inflicted by Acts of Parliament, framed for the purpose of raising a Revenue in *America*, &c.

The immediate tendency of these Statutes is to subvert the right of having a share in Legislation, by rendering Assemblies useless; the right of Property, by taking the money of the Colonists without their consent; the right of Trial by Jury, by substituting in their place trials in Admiralty and Vice Admiralty Courts, where single Judges preside, holding their commissions during pleasure; and unduly to influence the Courts of Common Law, by rendering the Judges thereof totally dependent on the Crown for their salaries.

These Statutes, not to mention many others exceedingly exceptionable, compared one with another, will be found, not only to form a regular system in which every part has great force, but also a pertinacious adherence to that system for subjugating these Colonies, that are not, and from local circumstances, cannot be represented in the House of Commons, to the uncontrollable and unlimited power of Parliament, in violation of their undoubted rights and liberties, in contempt of their humble and repeated supplications.

This conduct must appear equally astonishing and unjustifiable, when it is considered how unprovoked it has been by any behaviour of these Colonies. From their first settlement, their bitterest enemies never fixed on any of them a charge of disloyalty to their Sovereign, or disaffection to their mother country. In the wars she has carried on, they have exerted themselves whenever required, in giving her assistance; and have rendered her services which she has publickly acknowledged to be extremely important. Their fidelity, duty, and usefulness, during the last war, were frequently and affectionately confessed by his late Majesty and the present King.

The reproaches of those who are most unfriendly to the freedom of *America*, are principally levelled against the Province of *Massachusetts Bay*; but with what little reason, will appear by the following declarations of a person, the truth of whose evidence in their favour, will not be questioned. Governour *Bernard* thus addresses the two Houses of Assembly in his Speech, on the 24th of *April*, 1762,—"The unanimity and despatch with which you "have complied with the requisitions of his Majesty, re-"quire my particular acknowledgment; and it gives me "additional pleasure to observe, that you have therein "acted under no other influence than a due sense of your "duty, both as members of a General Empire, and as "the body of a particular Province."

In another Speech, on the 27th of *May*, in the same year, he says, "Whatever shall be the event of the War, it "must be no small satisfaction to us, that this Province hath "contributed its full share to the support of it. Every "thing that hath been required of it, hath been complied "with; and the execution of the powers committed to me, "for raising the Provincial Troops, hath been as full and "complete as the grant of them. Never before were "Regiments so easily levied, so well composed, and so "early in the field, as they have been this year: the com-"mon people seemed to be animated with the spirit of the "General Court, and to vie with them in their readiness "to serve the King."

Such was the conduct of the people of the *Massachusetts Bay* during the last war. As to their behaviour before that period, it ought not to have been forgot in *Great Britain*, that not only on every occasion they had constantly and cheerfully complied with the frequent Royal Requisitions; but, that chiefly by their vigorous efforts, *Nova Scotia* was subdued in 1710, and *Louisbourg* in 1745.

Foreign quarrels being ended, and the domestick disturbances that quickly succeeded on account of the Stamp Act being quieted by its repeal, the Assembly of *Massachusetts Bay* transmitted an humble address of Thanks to the King and divers Noblemen, and soon after passed a Bill for granting compensation to the sufferers in the disorder occasioned by that Act.

These circumstances, and the following Extracts from Governour *Bernard's* Letters in 1768, to the Earl of *Shelburne*, Secretary of State, clearly show with what grateful tenderness they strove to bury in oblivion the unhappy occasion of the late discords, and with what respectful deference they endeavoured to escape other subjects of future controversy. "The House, (says the Governour) from "the time of opening the session to this day, has shown a "disposition to avoid all dispute with me; every thing "having passed with as much good humour as I could "desire, except only their continuing to act in addressing "the King, remonstrating to the Secretary of State, and "employing a separate Agent. It is the importance of "this innovation, without any wilfulness of my own, which "induces me to make this Remonstrance at a time when I

Digitized by Google

"have a fair prospect of having in all other business nothing "but good to say of the proceedings of the House."*

"They have acted in all things, even in their Remon-"strance, with temper and moderation; they have avoided "some subjects of dispute, and have laid a foundation for "removing some causes of former altercation."†

"I shall make such a prudent and proper use of this "Letter as, I hope, will perfectly restore the peace and "tranquillity of this Province, for which purpose consider-"able steps have been made by the House of Represent-"atives."‡

The vindication of the Province of *Massachusetts Bay*, contained in these Letters, will have greater force, if it be considered that they were written several months after the fresh alarm given to the Colonies by the Statutes passed in the preceding year.

In this place it seems proper to take notice of the insinuation of one of those Statutes, that the interference of Parliament was necessary to provide for "defraying the charge "of the Administration of Justice; the support of Civil "Government; and defending the King's Dominions in "*America*."

As to the two first articles of expense, every Colony had made such provision as by their respective Assemblies, the best judges on such occasions, was thought expedient, and suitable to their several circumstances: respecting the last, it is well known to all men the least acquainted with *American* affairs, that the Colonies were established, and generally defended themselves without the least assistance from *Great Britain*; and that, at the time of her taxing them, by the Statutes before mentioned, most of them were labouring under very heavy debts contracted in the last war. So far were they from sparing their money when their Sovereign constitutionally asked their aids, that during the course of that war, Parliament repeatedly made them compensations for the expenses of those strenuous efforts, which, consulting their zeal rather than their strength, they had cheerfully incurred.

Severe as the Acts of Parliament before mentioned are, yet the conduct of Administration hath been equally injurious and irritating to this devoted country.

Under pretence of governing them, so many new institutions, uniformly rigid and dangerous, have been introduced as could only be expected from incensed masters, for collecting the tribute, or rather the plunder of conquered Provinces.

By an order of the King, the authority of the Commander-in-chief and under him, of the Brigadier Generals, in time of peace, is rendered supreme in all the Civil Governments in *America*; and thus, an uncontrollable military power is vested in officers not known to the Constitution of these Colonies.

A large body of Troops, and a considerable armament of Ships of War have been sent to assist in taking their money without their consent.

Expensive and oppressive offices have been multiplied, and the acts of corruption industriously practised to divide and destroy.

The Judges of the Admiralty and Vice Admiralty Courts are empowered to receive their salaries and fees from the effects to be condemned by themselves.

The Commissioners of the Customs are empowered to break open and enter houses without the authority of any Civil Magistrate, founded on legal information.

Judges of Courts of Common Law have been made entirely dependent on the Crown for their commissions and salaries.

A Court has been established at *Rhode-Island*, for the purpose of taking Colonists to *England* to be tried.

Humble and reasonable Petitions from the Representatives of the people have been frequently treated with contempt; and Assemblies have been repeatedly and arbitrarily dissolved.

From some few instances, it will sufficiently appear, on what pretences of justice those dissolutions have been founded.

The tranquillity of the Colonies have been again disturbed, as has been mentioned by the Statutes of the year 1767. The Earl of *Hillsborough*, Secretary of State, in a Letter to Governour *Bernard*, dated *April* 22, 1768, censures the "presumption" of the House of Representatives for "re-"solving upon a measure of so inflammatory a nature as "that of writing to the other Colonies on the subject of "their intended representations against some late Acts of "Parliament," then declares that "his Majesty considers "this step as evidently tending to create unwarrantable "combinations, to excite an unjustifiable opposition to the "constitutional authority of Parliament:"—and afterwards adds, "it is the King's pleasure that as soon as the General "Court is again assembled at the time prescribed by the "Charter, you should require of the House of Representa-"tives in his Majesty's name, to rescind the Resolution "which gave birth to the Circular Letter from the Speaker, "and to declare their disapprobation of, and dissent to that "rash and hasty proceeding."

"If the new Assembly should refuse to comply with his "Majesty's reasonable expectation, it is the King's pleasure "that you should immediately dissolve them."

This Letter being laid before the House, and the Resolution not being rescinded, according to order, the Assembly was dissolved. A Letter of a similar nature was sent to other Governours to procure Resolutions, approving the conduct of the Representatives of *Massachusetts Bay*, to be rescinded also; and the Houses of Representatives in other Colonies refusing to comply, Assemblies were dissolved.

These mandates spoke a language to which the ears of *English* subjects had for several generation been strangers. The nature of Assemblies implies a power and right of deliberation; but these commands, proscribing the exercise of judgment on the propriety of the Requisitions made, left to the Assemblies only the election between dictated submission and threatened punishment: a punishment too, founded on no other act than such as is deemed innocent even in slaves—of agreeing in Petitions for redress of grievances that equally affect all.

The hostile and unjustifiable invasion of the Town of *Boston* soon followed these events in the same year; though that Town, the Province in which it is situated, and all the Colonies from abhorrence of a contest with their parent state, permitted the execution even of those Statutes against which they so unanimously were complaining, remonstrating, and supplicating.

Administration, determined to subdue a spirit of freedom which *English* Ministers should have rejoiced to cherish, entered into a monopolizing combination with the *East India* Company, to send to this Continent vast quantities of Tea, an article on which a Duty was laid by a Statute that in a particular manner attacked the liberties of *America*, and which therefore the inhabitants of these Colonies had resolved not to import. The cargo sent to *South Carolina* was stored, and not allowed to be sold. Those sent to *Philadelphia* and *New-York* were not permitted to be landed. That sent to *Boston* was destroyed, because Governour *Hutchinson* would not suffer it to be returned.

On the intelligence of these transactions arriving in *Great Britain*, the publick spirited Town last mentioned, was singled out for destruction, and it was determined the Province it belongs to should partake of its fate. In the last session of Parliament, therefore, were passed the Acts for shutting up the Port of *Boston*, indemnifying the murderers of the inhabitants of *Massachusetts Bay*, and changing their chartered Constitution of Government. To enforce these Acts, that Province is again invaded by a Fleet and Army.

To mention these outrageous proceedings, is sufficient to explain them. For though it is pretended that the Province of *Massachusetts Bay* has been particularly disrespectful to *Great Britain*, yet, in truth, the behaviour of the people in other Colonies has been an equal "opposition to the power assumed by Parliament." No step, however, has been taken against any of the rest. This artful conduct conceals several designs. It is expected that the Province of *Massachusetts Bay* will be irritated into some violent action that may displease the rest of the Continent, or that may induce the people of *Great Britain* to approve the meditated vengeance of an imprudent and exasperated Ministry. If the unexampled pacifick temper of that Province shall disappoint this part of the plan, it is hoped the other Colonies will be so far intimidated as to

* January 21, 1768. † January 30, 1768. ‡ February 2, 1768.

Digitized by Google

desert their brethren suffering in a common cause; and that thus disunited, all may be subdued.

To promote these designs, another measure has been pursued. In the session of Parliament last mentioned, an Act was passed for changing the Government of *Quebec*, by which Act the Roman Catholick Religion, instead of being tolerated, as stipulated by the Treaty of Peace, is established; and the people there are deprived of a right to an Assembly; Trials by Jury, and the *English* Laws in civil cases, are abolished, and instead thereof the *French* Laws are established, in direct violation of his Majesty's promise by his Royal Proclamation, under the faith of which many *English* subjects settled in that Province, and the limits of that Province, are extended so as to comprehend those vast regions that lie adjoining to the Northerly and Westerly boundaries of these Colonies.

The authors of this arbitrary arrangement flatter themselves that the inhabitants, deprived of liberty, and artfully provoked against those of another religion, will be proper instruments for assisting in the oppression of such as differ from them in modes of government and faith.

From the detail of facts herein before recited, as well as from authentick intelligence received, it is clear beyond a doubt, that a resolution is formed, and now carrying into execution, to extinguish the freedom of these Colonies by subjecting them to a despotick Government.

At this unhappy period we have been authorized and directed to meet and consult together for the welfare of our common country. We accepted the important trust with diffidence, but have endeavoured to discharge it with integrity. Though the state of these Colonies would certainly justify other measures than we have advised, yet weighty reasons determined us to prefer those which we have adopted. In the first place, it appeared to us a conduct becoming the character these Colonies have ever sustained, to perform, even in the midst of the unnatural distresses and imminent dangers that surround them, every act of loyalty, and therefore, we were induced once more to offer to his Majesty the Petitions of his faithful and oppressed subjects in *America*. Secondly, regarding with the tender affection which we knew to be so universal among our countrymen, the people of the Kingdom, from which we derive our origin, we could not forbear to regulate our steps by an expectation of receiving full conviction that the Colonists are equally dear to them. Between these Provinces and that body subsists the social band, which we ardently wish may never be dissolved, and which cannot be dissolved until their minds shall become indisputably hostile, or their inattention shall permit those who are thus hostile, to persist in prosecuting, with the powers of the Realm, the destructive measures already operating against the Colonists, and, in either case, shall reduce the latter to such a situation that they shall be compelled to renounce every regard but that of self-preservation. Notwithstanding the violence with which affairs have been impelled they have not yet reached that fatal point. We do not incline to accelerate their motion, already alarmingly rapid; we have chosen a method of opposition that does not preclude a hearty reconciliation with our fellow-citizens on the other side of the *Atlantic*. We deeply deplore the urgent necessity that presses us to an immediate interruption of commerce that may prove injurious to them. We trust they will acquit us of any unkind intentions towards them, by reflecting that we are driven by the hands of violence into unexperienced and unexpected publick convulsions, and that we are contending for freedom, so often contended for by our ancestors.

The people of *England* will soon have an opportunity of declaring their sentiments concerning our cause. In their piety, generosity, and good sense, we repose high confidence; and cannot, upon a review of past events, be persuaded that they, the defenders of true religion, and the asserters of the rights of mankind, will take part against their affectionate Protestant brethren in the Colonies in favour of our open and their own secret enemies, whose intrigues for several years past have been wholly exercised in sapping the foundations of Civil and Religious Liberty.

Another reason that engaged us to prefer the commercial mode of opposition, arose from an assurance, that the mode will prove efficacious, if it be persisted in with fidelity and virtue; and that your conduct will be influenced by these laudable principles, cannot be questioned. Your own salvation, and that of your posterity, now depends upon yourselves. You have already shown that you entertain a proper sense of the blessings you are striving to retain. Against the temporary inconveniences you may suffer from a stoppage of Trade, you will weigh in the opposite balance the endless miseries you and your descendants must endure from an established arbitrary power. You will not forget the honour of your country, that must, from your behaviour take its title in the estimation of the world, to glory, or to shame; and you will with the deepest attention, reflect, that if the peaceable mode of opposition recommended by us, be broken and rendered ineffectual, as your cruel and haughty Ministerial enemies, from a contemptuous opinion of your firmness, insolently predict will be the case, you must inevitably be reduced to choose, either a more dangerous contest, or a final, ruinous, and infamous submission.

Motives thus cogent, arising from the emergency of your unhappy condition, must excite your utmost diligence and zeal to give all possible strength and energy to the pacifick measures calculated for your relief: But we think ourselves bound in duty to observe to you, that the schemes agitated against these Colonies have been so conducted, as to render it prudent that you should extend your views to mournful events, and be, in all respects, prepared for every contingency. Above all things, we earnestly entreat you, with devotion of spirit, penitence of heart, and amendment of life, to humble yourselves and implore the favour of Almighty *God:* and we fervently beseech his Divine goodness to take you into his gracious protection.

Ordered, That the Address to the People of *Great Britain*, and the Memorial to the Inhabitants of the *British* Colonies be immediately committed to the press; and that no more than one hundred and twenty copies of each be struck off, without further orders from the Congress.

Resolved, That an Address be prepared to the People of *Quebec*, and Letters to the Colonies of *St. John's*, *Nova Scotia*, *Georgia*, *East* and *West Florida*, who have not Deputies to represent them in this Congress.

Ordered, That Mr. *Cushing*, Mr. *Lee*, and Mr. *Dickinson*, be a Committee to prepare the above Address and Letters.

Ordered, That Mr. *Galloway*, Mr. *M'Kean*, Mr. *J. Adams*, and Mr. *Hooper*, be a Committee to revise the Minutes of the Congress.

The Address to the King being read, after debate,

Ordered, That the same be re-committed, and that Mr. *J. Dickinson* be added to the Committee.

Upon motion,

Resolved, That the seizing, or attempting to seize, any person in *America*, in order to transport such person beyond the sea, for trial of offences committed within the body of a County in *America*, being against law, will justify, and ought to meet with resistance and reprisal.

—

Saturday, October 22, 1774.

The Honourable *Peyton Randolph*, Esquire, being unable to attend on account of indisposition, the Honourable *Henry Middleton*, Esquire, was chosen to supply his place as President.

An Address from *Christopher Tully* was read, and ordered to lie on the table.

Ordered, That the Journal of the proceedings of the Congress, as now corrected, be sent to the press, and printed under the direction of Mr. *Biddle*, Mr. *Dickinson*, and the Secretary.

Resolved, As the opinion of this Congress, that it will be necessary that a Congress should be held on the tenth day of *May* next, unless the redress of Grievances, which we have desired, be obtained before that time. And we recommend that the same be held at at the City of *Philadelphia*, and that all the Colonies in *North America*, choose Deputies, as soon as possible, to attend such Congress.

The Committee appointed to prepare a Letter to the Colonies of *St. Johns*, &c., reported a draught, which was read, and being amended, the same was approved, and is as follows:

Digitized by Google

Philadelphia, October 22, 1774.

"GENTLEMEN: The present critical and truly alarming state of *American* affairs, having been considered in a General Congress of Deputies from the Colonies of *New-Hampshire*, *Massachusetts Bay*, *Rhode-Island*, *Connecticut*, *New-York*, *New-Jersey*, *Pennsylvania*, the lower Counties on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, and *South Carolina*, with that attention and mature deliberation which the important nature of the case demands, they have determined for themselves and the Colonies they represent, on the measures contained in the enclosed papers; which measures they recommend to your Colony to be adopted, with all the earnestness that a well directed zeal for *American* liberty can prompt.

"So rapidly violent and unjust has been the late conduct of the *British* Administration against the Colonies, that either a base and slavish submission, under the loss of their ancient, just, and constitutional liberty, must quickly take place, or an adequate opposition be formed.

"We pray *God* to take you under his protection, and to preserve the freedom and happiness of the whole *British* Empire. We are, &c.

"By order of the Congress,

"HENRY MIDDLETON, *President*."

—

Monday, October 24, 1774.

The Committee appointed to prepare an Address to the People of *Quebec*, reported a draught, which was read, and, after debate, recommitted.

The Committee, to whom the Address to the King was recommitted, brought in a draught, which was read, and ordered to be taken into consideration to-morrow.

—

Tuesday, October 25, 1774.

The Congress resumed the consideration of the Address to his Majesty, which being debated by paragraphs, was approved, and ordered to be engrossed.

Ordered, That the Address to the King be enclosed to the several Colony Agents, in order that the same may be by them presented to his Majesty; and that the Agents be requested to call in the aid of such noblemen and gentlemen as are esteemed firm friends to *American* liberty.

Ordered, That Mr. *Lee* and Mr. *Jay* be a Committee to prepare a Letter to the Agents of the several Colonies.

Resolved, That this Congress, in their own names, and in behalf of all those whom they represent, do present their most grateful acknowledgments to those truly noble, honourable, and patriotick advocates of civil and religious liberty, who have so generously and powerfully, though unsuccessfully, espoused and defended the cause of *America*, both in and out of Parliament.

—

Wednesday, October 26, 1774.

The Committee, appointed to prepare a Letter to the Agents, reported a draught, which was read, and being debated by paragraphs, was approved, and is as follows:

"GENTLEMEN: We give you the strongest proof of our reliance on your zeal and attachment to the happiness of *America*, and the cause of liberty, when we commit the enclosed papers to your care.

"We desire that you will deliver the Petition into the hands of his Majesty, and after it has been presented, we wish it may be made publick, through the press, together with the List of Grievances. And as we hope for great assistance from the spirit, virtue, and justice of the Nation, it is our earnest desire that the most effectual care be taken, as early as possible, to furnish the Trading Cities and Manufacturing Towns throughout the United Kingdom, with our Memorial to the People of *Great Britain*.

"We doubt not but your good sense and discernment will lead you to avail yourselves of every assistance that may be derived from the advice and friendship of all great and good men, who may incline to aid the cause of liberty and mankind.

"The gratitude of *America*, expressed in the enclosed Vote of Thanks, we desire may be conveyed to the deserving objects of it in the manner that you think will be most acceptable to them.

"It is proposed that another Congress be held on the tenth of *May* next, at this place, but, in the mean time, we beg the favour of you, gentlemen, to transmit to the Speakers of the several Assemblies, the earliest information of the most authentick accounts you can collect of all such conduct and designs of Ministry, or Parliament, as it may concern *America* to know.

"We are, with unfeigned esteem and regard, Gentlemen, By order and in behalf of the Congress,

"HENRY MIDDLETON, *President*.

"To *Paul Wentworth*, Dr. *Benj. Franklin*,
William Bollan, Dr. *Arthur Lee*, *Tho. Life*, *Edmund Burke*, *Charles Garth*."

The Committee to whom the Address to the Inhabitants of *Quebec* was recommitted, reported a draught, which was read, and, being debated by paragraphs, approved:

TO THE INHABITANTS OF THE PROVINCE OF QUEBEC.

FRIENDS AND FELLOW-SUBJECTS: We, the Delegates of the Colonies of *New-Hampshire*, *Massachusetts Bay*, *Rhode-Island* and *Providence Plantations*, *Connecticut*, *New-York*, *New-Jersey*, *Pennsylvania*, the Counties of *New-Castle*, *Kent*, and *Sussex*, on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, and *South Carolina*, deputed by the inhabitants of the said Colonies to represent them in a General Congress, at *Philadelphia*, in the Province of *Pennsylvania*, to consult together concerning the best methods to obtain redress of our afflicting Grievances; having accordingly assembled and taken into our most serious consideration the state of publick affairs on this Continent, have thought proper to address your Province, as a member therein deeply interested.

When the fortune of war, after a gallant and glorious resistance, had incorporated you with the body of *English* subjects, we rejoiced in the truly valuable addition, both on our own and your account; expecting, as courage and generosity are naturally united, our brave enemies would become our hearty friends, and that the Divine Being would bless to you the dispensation of his over-ruling providence, by securing to you, and your latest posterity, the inestimable advantages of a free *English* Constitution of Government, which it is the privilege of all *English* subjects to enjoy.

These hopes were confirmed by the King's Proclamation, issued in the year 1763, plighting the publick faith for your full enjoyment of those advantages.

Little did we imagine that any succeeding Ministers would so audaciously and cruelly abuse the Royal authority as to withhold from you the fruition of the irrevocable rights to which you were thus justly entitled.

But since we have lived to see the unexpected time when Ministers of this flagitious temper have dared to violate the most sacred compacts and obligations, and as you, educated under another form of Government, have artfully been kept from discovering the unspeakable worth of that form you are now undoubtedly entitled to, we esteem it our duty, for the weighty reasons hereinafter mentioned, to explain to you some of its most important branches.

"In every human society," says the celebrated Marquis *Beccaria*, "there is an effort continually tending to confer "on one part the height of power and happiness, and to "reduce the other to the extreme of weakness and misery. "The intent of good laws is to oppose this effort, and to "diffuse their influence universally and equally."

Rulers stimulated by this pernicious "effort," and subjects animated by the just "intent of opposing good laws against it," have occasioned that vast variety of events that fill the histories of so many Nations. All these histories demonstrate the truth of this simple position, that to live by the will of one man, or set of men, is the production of misery to all men.

On the solid foundation of this principle *Englishmen* reared up the fabrick of their Constitution with such a strength as for ages to defy time, tyranny, treachery, internal and foreign wars; and, as an illustrious author* of your Nation, hereafter mentioned, observes—"They gave "the people of their Colonies the form of their own Gov-"ernment, and this Government carrying prosperity along "with it, they have grown great Nations in the forests "they were sent to inhabit."

* *Montesquieu.*

Digitized by Google

In this form, the first grand right is that of the People having a share in their own Government, by their Representatives chose by themselves, and, in consequence, of being ruled by laws which they themselves approve; not by edicts of men, over whom they have no control. This is a bulwark surrounding and defending their property, which, by their honest cares and labours they have acquired, so that no portions of it can legally be taken from them but with their own full and free consent, when they, in their judgment, deem it just and necesssary to give them for publick services, and precisely direct the easiest, cheapest, and most equal methods in which they shall be collected.

The influence of this right extends still farther. If money is wanted by Rulers who have in any manner oppressed the people, they may retain it until their grievances are redressed; and thus peaceably procure relief, without trusting to despised Petitions, or disturbing the publick tranquillity.

The next great right is that of Trial by Jury. This provides that neither life, liberty, nor property can be taken from the possessor, until twelve of his unexceptionable countrymen and peers of his vicinage, who, from that neighbourhood, may reasonably be supposed to be acquainted with his character, and the characters of the witnesses, upon a fair trial, and full inquiry, face to face, in open Court, before as many of the people as choose to attend, shall pass their sentence, upon oath, against him; a sentence that cannot injure him, without injuring their own reputation, and probably their interest also; as the question may turn on points that, in some degree, concern the general welfare; and, if it does not, their verdict may form a precedent, that, on a similar trial of their own, may militate against themselves.

Another right relates merely to the Liberty of the Person. If a subject is seized and imprisoned, though by order of Government, he may, by virtue of this right, immediately obtain a writ, termed a *Habeus Corpus*, from a Judge, whose sworn duty it is to grant it, and thereupon procure any illegal restraint to be quickly inquired into, and redressed.

A fourth right is that of holding Lands by the tenure of Easy Rents, and not by rigorous and oppressive services, frequently forcing the possessors from their families and their business, to perform what ought to be done, in all well regulated states, by men hired for the purpose.

The last right we shall mention regards the Freedom of the Press. The importance of this consists, besides the advancement of truth, science, morality, and arts in general, in its diffusion of liberal sentiments on the administration of Government, its ready communication of thoughts between subjects, and its consequential promotion of union among them, whereby oppressive officers are shamed or intimidated into more honourable and just modes of conducting affairs.

These are the invaluable rights that form a considerable part of our mild system of Government; that, sending its equitable energy through all ranks and classes of men, defends the poor from the rich, the weak from the powerful, the industrious from the rapacious, the peaceable from the violent, the tenants from the lords, and all from their superiours.

These are the rights, without which a People cannot be free and happy, and under the protecting and encouraging influence of which these Colonies have hitherto so amazingly flourished and increased. These are the rights a profligate Ministry are now striving, by force of arms, to ravish from us, and which we are, with one mind, resolved never to resign but with our lives.

These are the rights you are entitled to, and ought, at this moment, in perfection, to exercise. And what is offered to you, by the late Act of Parliament, in their place? Liberty of conscience in your Religion? No. *God* gave it to you; and the temporal powers with which you have been, and are connected, firmly stipulated for your enjoyment of it. If laws, divine and human, could secure it against the despotick caprices of wicked men, it was secured before. Are the *French* Laws, in civil cases, restored? It seems so. But observe the cautious kindness of the Ministers, who pretend to be your benefactors: The words of the Statute are—that those "laws shall be "the rule, until they shall be varied or altered by any "ordinances of the Governour and Council." Is the "certainty and lenity of the Criminal Law of *England* "and its benefits and advantages," commended in the said Statute, and said to "have been sensibly felt by you," secured to you and your descendants? No. They too are subjected to arbitrary "alterations" by the Governour and Council; and a power is expressly reserved of appointing "such Courts of criminal, civil, and ecclesiastical jurisdiction as shall be thought proper." Such is the precarious tenure of mere will, by which you hold your Lives and Religion. The Crown and its Ministers are empowered, as far as they could be by Parliament, to establish even the Inquisition itself among you. Have you an Assembly composed of worthy men, elected by yourselves, and in whom you can confide, to make laws for you, to watch over your welfare, and to direct in what quantity, and in what manner your money shall be taken from you? No. The power of making laws for you is lodged in the Governour and Council, all of them dependent upon, and removable at the pleasure of a Minister. Besides another late Statute, made without your consent, has subjected you to the impositions of Excise—the horrour of all free states; thus wresting your property from you by the most odious of Taxes, and laying open to insolent Tax Gatherers, houses, the scenes of domestick peace and comfort, and called the castles of *English* subjects in the books of their law. And in the very Act for altering your Government, and intended to flatter you, you are not authorized to "assess, levy, or apply any Rates and Taxes but for the "inferiour purposes of making roads, and erecting and re-"pairing publick buildings, or for other local conveniences, "within your respective Towns and Districts." Why this degrading distinction? Ought not the property, honestly acquired by *Canadians*, to be held as sacred as that of *Englishmen*? Have not *Canadians* sense enough to attend to any other publick affairs, than gathering stones from one place and piling them up in another? Unhappy people! who are not only injured, but insulted. Nay, more!—With such a superlative contempt of your understanding and spirit has an insolent Ministry presumed to think of you, our respectable fellow-subjects, according to the information we have received, as firmly to persuade themselves that your gratitude for the injuries and insults they have recently offered to you, will engage you to take up arms, and render yourselves the ridicule and detestation of the world, by becoming tools, in their hands, to assist them in taking that freedom from us, which they have treacherously denied to you; the unavoidable consequence of which attempt, if successful, would be the extinction of all hopes of you or your posterity being ever restored to freedom; for idiocy itself cannot believe, that, when their drudgery is performed, they will treat you with less cruelty than they have us, who are of the same blood with themselves.

What would your countryman, the immortal *Montesquieu*, have said to such a plan of domination as has been framed for you? Hear his words, with an intenseness of thought suited to the importance of the subject: "In a "free state, every man, who is supposed a free agent, "ought to be concerned in his own government: There-"fore the Legislative should reside in the whole body of "the People or their Representatives." "The political "liberty of the subject is a tranquillity of mind, arising from "the opinion each person has of his safety. In order to "have this liberty, it is requisite the Government be so "constituted, as that one man need not be afraid of another. "When the power of making laws and the power of exe-"cuting them, are united in the same person, or in the "same body of Magistrates, there can be no liberty; be-"cause apprehensions may arise, lest the same Monarch "or Senate should enact tyrannical laws, to execute them "in a tyrannical manner."

"The power of judging should be exercised by persons "taken from the body of the people, at certain times of "the year, and pursuant to a form and manner prescribed "by law. There is no liberty, if the power of judging "be not separated from the Legislative and Executive "powers."

"Military men belong to a profession which may be "useful, but is often dangerous." "The enjoyment of "liberty, and even its support and preservation, consists in

Digitized by Google

"every man's being allowed to speak his thoughts, and lay "open his sentiments."

Apply these decisive maxims, sanctified by the authority of a name which all *Europe* reveres, to your own state. You have a Governour, it may be urged, vested with the Executive powers, or the powers of Administration; in him, and in your Council, is lodged the power of making laws. You have Judges, who are to decide every cause affecting your lives, liberty, or property. Here is, indeed, an appearance of the several powers being separated and distributed into different hands, for checks, one upon another; the only effectual mode ever invented by the wit of men, to promote their freedom and prosperity. But scorning to be illuded by a tinselled outside, and exerting the natural sagacity of *Frenchmen*, examine the specious device, and you will find it, to use an expression of Holy Writ, "a whited sepulchre," for burying your lives, liberty, and property.

Your Judges, and your Legislative Council, as it is called, are dependent on your Governour, and he is dependent on the servant of the Crown in *Great Britain*. The Legislative, Executive, and Judging powers are all moved by the nods of a Minister. Privileges and immunities last no longer than his smiles. When he frowns, their feeble forms dissolve. Such a treacherous ingenuity has been exerted in drawing up the code lately offered you, that every sentence, beginning with a benevolent pretension, concludes with a destructive power; and the substance of the whole, divested of its smooth words, is—that the Crown and its Ministers shall be as absolute throughout your extended Province, as the despots of *Asia* or *Africa*. What can protect your property from taxing edicts, and the rapacity of necessitous and cruel masters? your persons from *lettres de catchet*, jails, dungeons, and oppressive services? your lives and general liberty from arbitrary and unfeeling rulers? We defy you, casting your view upon every side, to discover a single circumstance, promising from any quarter, the faintest hope of liberty to you or your posterity, but from an entire adoption into the Union of these Colonies.

What advice would the truly great man, before mentioned, that advocate of freedom and humanity, give you, was he now living, and knew that we, your numerous and powerful neighbours, animated by a just love of our invaded rights, and united by the indissoluble bands of affection and interest, called upon you, by every obligation of regard for yourselves and your children, as we now do, to join us in our righteous contest, to make common cause with us therein, and take a noble chance for emerging from a humiliating subjection under Governours, Intendants, and Military Tyrants, into the firm rank and condition of *English* Freemen, whose custom it is, derived from their ancestors, to make those tremble who dare to think of making them miserable?

Would not this be the purport of his address? "Seize "the opportunity presented to you by Providence itself. "You have been conquered into liberty, if you act as "you ought. This work is not of man. You are a "small people, compared to those who, with open arms, "invite you into a fellowship. A moment's reflection "should convince you which will be most for your interest "and happiness, to have all the rest of *North America* "your unalterable friends, or your inveterate enemies. "The injuries of *Boston* have roused and associated every "Colony from *Nova Scotia* to *Georgia*. Your Province "is the only link wanting to complete the bright and strong "chain of Union. Nature has joined your country to "theirs. Do you join your political interests. For their "own sakes they never will desert or betray you. Be "assured that the happiness of a people inevitably depends "on their liberty, and their spirit to assert it. The value "and extent of the advantages tendered to you are im-"mense. Heaven grant you may not discover them to be "blessings after they have bid you an eternal adieu."

We are too well acquainted with the liberality of sentiment distinguishing your Nation, to imagine that difference of Religion will prejudice you against a hearty amity with us. You know that the transcendent nature of freedom elevates those who unite in her cause, above all such low-minded infirmities. The *Swiss* Cantons furnish a memorable proof of this truth. Their Union is composed of Roman Catholick and Protestant States, living in the utmost concord and peace with one another, and thereby enabled, ever since they bravely vindicated their freedom, to defy and defeat every tyrant that has invaded them.

Should there be any among you, as there generally are in all societies, who prefer the favours of Ministers, and their own private interests, to the welfare of their country, the temper of such selfish persons will render them incredibly active in opposing all publick-spirited measures, from an expectation of being well rewarded for their sordid industry, by their superiours; but we doubt not you will be upon your guard against such men, and not sacrifice the liberty and happiness of the whole *Canadian* people and their posterity, to gratify the avarice and ambition of individuals.

We do not ask you, by this Address, to commence acts of hostility against the Government of our common Sovereign. We only invite you to consult your own glory and welfare, and not to suffer yourselves to be inveigled or intimidated by infamous Ministers, so far as to become the instruments of their cruelty and despotism; but to unite with us in one social compact, formed on the generous principles of equal liberty, and cemented by such an exchange of beneficial and endearing offices as to render it perpetual. In order to complete this highly desirable Union, we submit it to your consideration, whether it may not be expedient for you to meet together, in your several Towns and Districts, and elect Deputies, who, afterwards meeting in a Provincial Congress, may choose Delegates to represent your Province in the Continental Congress, to be held at *Philadelphia*, on the tenth day of *May*, 1775.

In this present Congress, beginning on the fifth of the last month, and continued to this day, it has been, with universal pleasure, and an unanimous vote, resolved that we should consider the violation of your rights, by the Act for altering the Government of your Province, as a violation of our own, and that you should be invited to accede to our confederation, which has no other objects than the perfect security of the natural and civil rights of all the constituent members, according to their respective circumstances, and the preservation of a happy and lasting connection with *Great Britain*, on the salutary and constitutional principles herein before mentioned. For effecting these purposes, we have addressed an humble and loyal Petition to his Majesty, praying relief of our and your grievances; and have associated to stop all importations from *Great Britain* and *Ireland*, after the first day of *December*, and all exportations to those Kingdoms and the *West Indies*, after the tenth day of next *September*, unless the said grievances are redressed.

That Almighty *God* may incline your minds to approve our equitable and necessary measures, to add yourselves to us, to put your fate, whenever you suffer injuries which you are determined to oppose, not on the small influence of your single Province, but on the consolidated powers of *North America*; and may grant to our joint exertions an event as happy as our cause is just, is the fervent prayer of us, your sincere and affectionate friends and fellow-subjects. By order of Congress,

HENRY MIDDLETON, *President*.

Resolved, That the Address of the Congress to the People of *Canada* be signed by the President, and that the Delegates of the Province of *Pennsylvania* superintend the translating, printing, publishing, and dispersing it. And it is recommended by the Congress to the Delegates of *New-Hampshire*, *Massachusetts Bay*, and *New-York*, to assist in and forward the dispersion of the said Address.

The Address to the King being engrossed and compared, was signed at the table by all the Members:—

To the King's Most Excellent Majesty:

MOST GRACIOUS SOVEREIGN: We, your Majesty's faithful subjects of the Colonies of *New-Hampshire*, *Massachusetts Bay*, *Rhode-Island* and *Providence Plantations*, *Connecticut*, *New-York*, *New-Jersey*, *Pennsylvania*, the Counties of *New-Castle*, *Kent*, and *Sussex*, on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, and *South Carolina*, in behalf of ourselves and the inhabitants of those Colonies who have deputed us to represent them in General Congress, by this our humble Petition, beg leave to lay our Grievances before the Throne.

Digitized by Google

A Standing Army has been kept in these Colonies ever since the conclusion of the late war, without the consent of our Assemblies; and this Army, with a considerable Naval armament, has been employed to enforce the collection of Taxes.

The authority of the Commander-in-Chief, and under him of the Brigadiers General has, in time of peace, been rendered supreme in all the Civil Governments in *America*.

The Commander-in-chief of all your Majesty's Forces in *North America*, has, in time of peace, been appointed Governour of a Colony.

The charges of usual offices have been greatly increased; and new, expensive, and oppressive offices have been multiplied.

The Judges of Admiralty and Vice Admiralty Courts are empowered to receive their salaries and fees from the effects condemned by themselves.

The Officers of the Customs are empowered to break open and enter houses, without the authority of any Civil Magistrate, founded on legal information.

The Judges of Courts of Common Law have been made entirely dependent on one part of the Legislature for their salaries, as well as for the duration of their commissions.

Counsellors, holding their commissions during pleasure, exercise Legislative authority.

Humble and reasonable Petitions from the Representatives of the People, have been fruitless.

The Agents of the People have been discountenanced, and Governours have been instructed to prevent the payment of their salaries.

Assemblies have been repeatedly and injuriously dissolved.

Commerce has been burthened with many useless and oppressive restrictions.

By several Acts of Parliament made in the fourth, fifth, sixth, seventh, and eighth years of your Majesty's Reign, Duties are imposed on us for the purpose of raising a Revenue; and the powers of Admiralty and Vice Admiralty Courts are extended beyond their ancient limits, whereby our property is taken from us without our consent; the trial by jury, in many civil cases, is abolished; enormous forfeitures are incurred for slight offences; vexatious informers are exempted from paying damages, to which they are justly liable, and oppressive security is required from owners before they are allowed to defend their right.

Both Houses of Parliament have resolved, that Colonists may be tried in *England* for offences alleged to have been committed in *America*, by virtue of a Statute passed in the thirty-fifth year of *Henry* the Eighth, and, in consequence thereof, attempts have been made to enforce that Statute.

A Statute was passed in the twelfth year of your Majesty's Reign, directing that persons charged with committing any offence therein described, in any place out of the Realm, may be indicted and tried for the same in any Shire or County within the Realm, whereby the inhabitants of these Colonies may, in sundry cases, by that Statute made capital, be deprived of a trial by their peers of the vicinage.

In the last sessions of Parliament an Act was passed for blocking up the Harbour of *Boston*; another empowering the Governour of the *Massachusetts Bay* to send persons indicted for murder in that Province, to another Colony, or even to *Great Britain*, for trial, whereby such offenders may escape legal punishment; a third for altering the chartered Constitution of Government in that Province; and a fourth for extending the limits of *Quebec*, abolishing the *English* and restoring the *French* laws, whereby great numbers of *British* Freemen are subjected to the latter, and establishing an absolute Government and the Roman Catholick Religion throughout those vast regions that border on the Westerly and Northerly boundaries of the free Protestant *English* settlements; and a fifth, for the better providing suitable Quarters for Officers and Soldiers in his Majesty's service in *North America*.

To a Sovereign, who glories in the name of *Briton*, the bare recital of these Acts must, we presume, justify the loyal subjects, who fly to the foot of his Throne, and implore his clemency for protection against them.

From this destructive system of Colony Administration, adopted since the conclusion of the last war, have flowed those distresses, dangers, fears, and jealousies, that overwhelm your Majesty's dutiful Colonists with affliction; and we defy our most subtle and inveterate enemies to trace the unhappy differences between *Great Britain* and these Colonies, from an earlier period, or from other causes than we have assigned. Had they proceeded on our part from a restless levity of temper, unjust impulses of ambition, or artful suggestions of seditious persons, we should merit the opprobrious terms frequently bestowed upon us by those we revere. But so far from promoting innovations, we have only opposed them; and can be charged with no offence, unless it be one to receive injuries and be sensible of them.

Had our Creator been pleased to give us existence in a land of slavery, the sense of our condition might have been mitigated by ignorance and habit. But, thanks be to his adorable goodness, we were born the heirs of freedom, and ever enjoyed our right under the auspices of your Royal ancestors, whose family was seated on the *British* Throne to rescue and secure a pious and gallant Nation from the Popery and despotism of a superstitious and inexorable tyrant. Your Majesty, we are confident, justly rejoices that your title to the Crown is thus founded on the title of your people to liberty; and, therefore, we doubt not but your royal wisdom must approve the sensibility that teaches your subjects anxiously to guard the blessing they received from Divine Providence, and thereby to prove the performance of that compact which elevated the illustrious House of *Brunswick* to the imperial dignity it now possesses.

The apprehension of being degraded into a state of servitude, from the pre-eminent rank of *English* freemen, while our minds retain the strongest love of liberty, and clearly foresee the miseries preparing for us and our posterity, excites emotions in our breats which, though we cannot describe, we should not wish to conceal. Feeling as men, and thinking as subjects, in the manner we do, silence would be disloyalty. By giving this faithful information, we do all in our power to promote the great objects of your Royal cares, the tranquillity of your Government, and the welfare of your people.

Duty to your Majesty, and regard for the preservation of ourselves and our posterity, the primary obligations of nature and of society, command us to entreat your Royal attention; and, as your Majesty enjoys the signal distinction of reigning over freemen, we apprehend the language of freemen cannot be displeasing. Your Royal indignation, we hope, will rather fall on those designing and dangerous men, who, daringly interposing themselves between your Royal person and your faithful subjects, and for several years past incessantly employed to dissolve the bonds of society, by abusing your Majesty's authority, misrepresenting your *American* subjects, and prosecuting the most desperate and irritating projects of oppression, have at length compelled us, by the force of accumulated injuries, too severe to be any longer tolerable, to disturb your Majesty's repose by our complaints.

These sentiments are extorted from hearts that much more willingly would bleed in your Majesty's service. Yet, so greatly have we been misrepresented, that a necessity has been alleged of taking our property from us without our consent, "to defray the charge of the administration of "justice, the support of Civil Government, and the de-"fence, protection, and security of the Colonies." But we beg leave to assure your Majesty that such provision has been and will be made for defraying the two first articles, as has been and shall be judged by the Legislatures of the several Colonies just and suitable to their respective circumstances; and, for the defence, protection, and security of the Colonies, their Militias, if properly regulated, as they earnestly desire may immediately be done, would be fully sufficient, at least in times of peace; and, in case of war, your faithful Colonists will be ready and willing, as they ever have been, when constitutionally required, to demonstrate their loyalty to your Majesty, by exerting their most strenuous efforts in granting supplies and raising forces.*

Yielding to no *British* subjects in affectionate attach-

* An Estimate of the number of Souls in the following Provinces, made in Congress, *September*, 1774:

In *Massachusetts* 400,000; *New-Hampshire* 150,000; *Rhode-Island* 59,678; *Connecticut* 192,000; *New-York* 250,000; *New-Jersey* 130,000; *Pennsylvania*, including the Lower Counties, 350,000; *Maryland* 320,000; *Virginia* 650,000; *North Carolina* 300,000; *South Carolina* 225,000. Total 3,026,678.

Digitized by Google

ment to your Majesty's person, family, and Government, we too dearly prize the privilege of expressing that attachment by those proofs that are honourable to the Prince who receives them, and to the People who give them, ever to resign it to any body of men upon earth.

Had we been permitted to enjoy, in quiet, the inheritance left us by our forefathers, we should, at this time, have been peaceably, cheerfully, and usefully employed in recommending ourselves, by every testimony of devotion, to your Majesty, and of veneration to the state, from which we derive our origin. But though now exposed to unexpected and unnatural scenes of distress by a contention with that Nation in whose parental guidance on all important affairs, we have hitherto, with filial reverence, constantly trusted, and therefore can derive no instruction in our present unhappy and perplexing circumstances from any former experience; yet, we doubt not, the purity of our intention, and the integrity of our conduct, will justify us at that grand tribunal before which all mankind must submit to judgment.

We ask but for Peace, Liberty, and Safety. We wish not a diminution of the prerogative, nor do we solicit the grant of any new right in our favour. Your Royal authority over us, and our connection with *Great Britain*, we shall always carefully and zealously endeavour to support and maintain.

Filled with sentiments of duty to your Majesty, and of affection to our parent state, deeply impressed by our education, and strongly confirmed by our reason, and anxious to evince the sincerity of these dispositions, we present this Petition only to obtain redress of Grievances, and relief from fears and jealousies, occasioned by the system of Statutes and Regulations adopted since the close of the late war, for raising a Revenue in *America*—extending the powers of Courts of Admiralty and Vice Admiralty—trying persons in *Great Britain* for offences alleged to be committed in *America*—affecting the Province of *Massachusetts Bay*—and altering the Government and extending the limits of *Quebec;* by the abolition of which system the harmony between *Great Britain* and these Colonies, so necessary to the happiness of both, and so ardently desired by the latter, and the usual intercourses will be immediately restored. In the magnanimity and justice of your Majesty and Parliament we confide for a redress of our other grievances, trusting, that, when the causes of our apprehensions are removed, our future conduct will prove us not unworthy of the regard we have been accustomed in our happier days to enjoy. For, appealing to that Being, who searches thoroughly the hearts of his creatures, we solemnly profess, that our Councils have been influenced by no other motive than a dread of impending destruction.

Permit us then, most gracious Sovereign, in the name of all your faithful People in *America*, with the utmost humility, to implore you, for the honour of Almighty *God*, whose pure Religion our enemies are undermining; for your glory, which can be advanced only by rendering your subjects happy, and keeping them united; for the interests of your family depending on an adherence to the principles that enthroned it; for the safety and welfare of your Kingdoms and Dominions, threatened with almost unavoidable dangers and distresses, that your Majesty, as the loving Father of your whole People, connected by the same bands of Law, Loyalty, Faith, and Blood, though dwelling in various countries, will not suffer the transcendent relation formed by these ties to be farther violated, in uncertain expectation of effects, that, if attained, never can compensate for the calamities through which they must be gained.

We therefore most earnestly beseech your Majesty, that your Royal authority and interposition may be used for our relief, and that a gracious Answer may be given to this Petition.

That your Majesty may enjoy every felicity through a long and glorious Reign, over loyal and happy subjects, and that your descendants may inherit your prosperity and Dominions till time shall be no more, is, and always will be, our sincere and fervent prayer.

HENRY MIDDLETON, *President.*

NEW-HAMPSHIRE,	*John Sullivan,* *Nathaniel Folsom.*
MASSACHUSETTS BAY,	*Thomas Cushing,* *Samuel Adams,* *John Adams,* *Robert Treat Paine.*
RHODE-ISLAND,	*Stephen Hopkins,* *Samuel Ward.*
CONNECTICUT,	*Eliphalet Dyer,* *Roger Sherman,* *Silas Deane.*
NEW-YORK,	*Philip Livingston,* *John Alsop,* *Isaac Low,* *James Duane,* *John Jay,* *William Floyd,* *Henry Wisner,* *Simon Boerum.*
NEW-JERSEY,	*William Livingston,* *John De Hart,* *Stephen Crane,* *Richard Smith.*
PENNSYLVANIA,	*Edward Biddle,* *Joseph Galloway,* *John Dickinson,* *John Morton,* *Thomas Mifflin,* *George Ross,* *Charles Humphreys.*
DELAWARE *Government,*	*Cæsar Rodney,* *Thomas M'Kean,* *George Read.*
MARYLAND,	*Matthew Tilghman,* *Thomas Johnson,* Junr. *William Paca,* *Samuel Chase.*
VIRGINIA,	*Richard Henry Lee,* *Patrick Henry,* *George Washington,* *Edmund Pendleton,* *Richard Bland,* *Benjamin Harrison.*
NORTH CAROLINA,	*William Hooper,* *Joseph Hewes,* *Richard Caswell.*
SOUTH CAROLINA,	*Thomas Lynch,* *Christopher Gadsden,* *John Rutledge,* *Edward Rutledge.*

Resolved, That the Thanks of this Congress be given to the Honourable House of Representatives of the Colony of *Pennsylvania*, for their politeness to this Congress; and that the Delegates for this Colony be a Committee to communicate this Resolution to the said Honourable House.

MEMORANDUM.

Agents to whom the Address to the King is to be sent:

For NEW-HAMPSHIRE, *Paul Wentworth*, Esq.; MASSACHUSETTS BAY, *William Bollan*, Esquire, Doctor *Benjamin Franklin*, Doctor *Arthur Lee;* RHODE-ISLAND, none; CONNECTICUT, *Thomas Life*, Esq.; NEW-JERSEY, Doctor *Benjamin Franklin;* PENNSYLVANIA, Doctor *Benjamin Franklin;* NEW-YORK, *Edmund Burke;* DELAWARE, MARYLAND, VIRGINIA, NORTH CAROLINA, none; SOUTH CAROLINA, *Charles Garth*, Esq.

Wednesday, 26th, sent an Address to the King, and under cover to Doctor *Franklin*, directed to the above Agents. *Thursday*, 27th, sent per Mr. *H. Middleton*, two letters to *Georgia*, one directed to *Glenn*, the other to *Lyman Hall* and others; also one to *East Florida*, and one to *West Florida*. Same day, sent per Mr. *S. Adams*, a letter to *Nova Scotia*, and one to *St. Johns*.

November 6th, sent the second copy of the Address to his Majesty, by Captain *Falconer*.

The Address to the People of *Quebec*, being translated by Mr. *Simitier*, two thousand copies were struck off, of which three hundred were sent to *Boston*, by Captain *Wier*, 16th *November*.

A List of the Deputies or Delegates who attended the Congress held at *Philadelphia*, *September* 5, 1774.

From NEW-HAMPSHIRE.—Major *John Sullivan*, Colonel *Nathaniel Folsom*.

From MASSACHUSETTS BAY.—The Hon. *Thomas Cushing*, Esquire, Mr. *Samuel Adams*, *John Adams*, Esquire, *Robert Treat Paine*, Esquire.

From RHODE-ISLAND.—The Honourable *Stephen Hopkins*, Esquire, the Honourable *Samuel Ward*, Esquire.

Digitized by Google

From CONNECTICUT.—The Honourable *Eliphalet Dyer*, Esq., *Silas Deane*, Esquire, the Hon. *Roger Sherman*, Esquire.

From NEW-YORK.—*James Duane*, Esq., *John Jay*, Esquire, *Philip Livingston*, Esquire, *Isaac Low*, Esquire, *John Alsop*, Esq., Colonel *William Floyd*, Esquire, *Henry Wisner*, Esquire, *John Herring*, Esq., *Simon Boerum*, Esquire.

From NEW-JERSEY.—*James Kinsey*, Esquire, *William Livingston*, Esquire, *John De Hart*, Esquire, *Stephen Crane*, Esquire, *Richard Smith*, Esquire.

From PENNSYLVANIA.—The Honourable *Joseph Galloway*, Esquire, *Samuel Rhoads*, Esq., *Thomas Mifflin*, Esquire, *Charles Humphreys*, Esquire, *John Morton*, Esquire, *George Ross*, Esq., *Edward Biddle*, Esquire, *John Dickinson*, Esquire.

From the Government of the Counties NEW-CASTLE, KENT, *and* SUSSEX, *on* DELAWARE.—The Honourable *Cæsar Rodney*, Esquire, *Thomas M'Kean*, Esquire, *George Read*, Esquire.

From MARYLAND.—The Honourable *Matthew Tilghman*, Esquire, *Thomas Johnson*, Esquire, *Robert Goldsborough*, Esquire, *William Paca*, Esquire, *Samuel Chase*, Esquire.

From VIRGINIA.—The Honourable *Peyton Randolph*, Esq., *Richard Henry Lee*, Esq., *George Washington*, Esquire, *Patrick Henry*, Esq., *Richard Bland*, Esquire, *Benjamin Harrison*, Esq., *Edmund Pendleton*, Esquire.

From NORTH CAROLINA.—*William Hooper*, Esquire, *Joseph Hewes*, Esquire, *Richard Caswell*, Esquire.

From SOUTH CAROLINA.—The Honourable *Henry Middleton*, Esq., *John Rutledge*, Esq., *Thomas Lynch*, Esquire, *Christopher Gadsden*, Esquire, *Edward Rutledge*, Esquire.

GOVERNOUR GAGE TO PEYTON RANDOLPH.

Boston, October 20, 1774.

SIR: Representations should be made with candour, and matters stated exactly as they stand. People would be led to believe, from your letter to me of the 10th instant, that works were raised against the Town of *Boston*, private property invaded, the Soldiers suffered to insult the inhabitants, and the communication between the Town and Country shut up and molested.

Nothing can be farther from the true situation of this place than the above state. There is not a single gun pointed against the Town, no man's property has been seized or hurt, except the King's by the people's destroying straw, bricks, &c., bought for his service. No Troops have given less cause for complaint, and greater care was never taken to prevent it, and such care and attention was never more necessary, from the insults and provocations daily giving to both Officers and Soldiers. The communication between the Town and Country has been always free and unmolested, and is so still.

Two works of earth have been raised at some distance from the Town, wide of the roads, and guns put in them. The remains of old works, going out of the Town, have been strengthened, and guns placed there likewise.—People will think differently, whether the hostile preparations throughout the country, and the menaces of blood and slaughter, made this necessary. But I am to do my duty.

It gives me pleasure that you are endeavouring at a cordial reconciliation with the mother country; which, from what has transpired, I have despaired of. Nobody wishes better success to such measures than myself. I have endeavoured to be a mediator, if I could establish a foundation to work upon; and have strongly urged it to people here to pay for the Tea, and send a proper Memorial to the King, which would be a good beginning on their side, and give their friends the opportunity they seek, to move in their support.

I do not believe that menaces and unfriendly proceedings will have the effect which many conceive. The spirit of the *British* Nation was high when I left *England*, and such measures will not abate it. But I should hope that decency and moderation here would create the same disposition at home; and I ardently wish that the common enemies to both countries may see, to their disappointment, that these disputes between the mother country and the Colonies have terminated like the quarrels of lovers, and increased the affection which they ought to bear to each other. I am, sir, your most obedient humble servant,

THOMAS GAGE.

To the Hon. *Peyton Randolph*, Esq.

To the Honourable PEYTON RANDOLPH, Esquire, *late President of the American Continental Congress:*

SIR: The character in which you have lately appeared to the world, as President of the Grand Continental Congress, has placed you in so eminent a point of view, that, like a city set on a hill, you cannot be hid. Your name, till of late, known comparatively to but few out of your own Province, now holds rank with other Chieftains in the *American* cause, and is, of course, in the mouth of every politician; that is, of every man, woman, and child, throughout the extended Continent of *English America*. We all, gentle and simple, old and young, bond and free, male and female, fancy ourselves connected with you by a political relation, which entitles us to the most perfect liberty of speech to you and of you, whensoever we think the cause requires it. You will not, then, be surprised at finding yourself addressed by a stranger, and through a newspaper, the common channel of conveyance for modern addressers to Governours, Generals, and Kings. What your private political sentiments are I know not; nor do I conceive the knowledge of them to be material to any but yourself. It is, indeed, whispered that Mr. *Randolph* is very far from approving of many things adopted by *Peyton Randolph*, Esquire, President of the Congress. If this were a truth well established and universally known, Mr. *Randolph* and the President would have very different sets of men for their admirers; but this may be all false conjecture, which you will lay to the account of an unavoidable tax upon the great. Talked of you must be; and it would be strange, indeed, if some errours did not creep into the judgments, and some falsehoods shoot from the lips of three millions of politicians endowed with the gift of tongues.

Leaving, therefore, your private sentiments to yourself, until I am better acquainted with them, I shall, in the correspondence which I have now the honour to open, address myself to you as President of the *American* Congress, begun and held at *Philadelphia*, *September* 5th, 1774. I do not intend to take the liberty of modern addressers to Sovereigns and their Representatives, in loading you with scurility and abuse, where I find reason and argument to be wanting; but, on the contrary, it is my determination to reverence your's and my own characters as gentlemen, and to say nothing whereby I may wound the one or forfeit the other. At the same time, it is my fixed purpose to deliver my own sentiments with the freedom of an *Englishman*, nearly interested in the important subjects upon which they are formed.

If the freedom of the press is not denied me, I propose, in a course of letters, as health and leisure shall permit, to lay before you, without reserve, my thoughts on your Bill of Rights; your list of Grievances; your adoption of the *Suffolk* Resolves; your Letter to his Excellency General *Gage*; your Association; and your three very singular Addresses; and to point out to you the fatal consequences of which they have already been productive in this Province of *Massachusetts Bay*, and the still more fatal effects, there is reason to fear, they will produce to the whole of *English America*. If, in the prosecution of this plan, I shall preserve decency and good manners, notwithstanding we may differ very widely in our notions, I presume my freedom of disquisition upon the measures submitted to the judgment of every individual, by being exposed to the publick eye, will give no just cause of offence. We are all embarked in one bottom; my life and the lives of my wife and children; my property—my all, stand most intimately connected with the loss or safety of the ship; the storm is violent; you, Mr. President, have undertaken to pilot her through to the much wished for haven of peace. You have taken the helm, and under your direction she is now going at a great rate; but the tempest increases; the Heavens lour; the clouds thicken and blacken every moment; the hoarse thunder very sensibly approaches nearer and nearer; the billows break on every side; and to complete the dismal prospect, the ship is too crazy to afford hopes of riding out the storm; and the mariners are upon the point of mutiny.

If, amidst all these circumstances of extreme danger, you, through want of skill in navigation, or from being unacquainted with the coast, or from any other cause, have run us among rocks, shoals, and quicksands, far distant from our desired port, you will most assuredly bless the man who seasonably points them out, though they may have been first discovered by a common eye; an eye in all other in-

Digitized by Google

stances inferiour to your own. Perhaps it is not yet too late to retrieve our errours. There is a possibility, that, by adopting different measures, and pursuing an opposite course, we may yet be saved; and while there is a possibility, it is excusable—it is incumbent on every one freely to give us his opinion. And, on the other hand, if our apprehensions of danger, (for I am not alone) are ill-founded, and our fears proceed from ignorance and too great caution, still the interest we have at risk, will plead our excuse with you; and you will kindly compose our ruffled spirits, by gently explaining our situation, and pointing out to us our mistakes.

Without confining myself to the foregoing order of the subject upon which I intend to treat, I will conclude this address with some remarks upon your letter to General *Gage*, the causes which lead to it, and the effects it has produced.

In your letter, you first premise that "the inhabitants of "the Town of *Boston* had informed you that the fortifica-"tions erecting within that Town; the frequent invasions "of private property, and the repeated insults they re-"ceive from the Soldiery, had given them great reason to "suspect a plan was formed very destructive to them, and "tending to overthrow the liberties of *America*;" you then go on to express your deepest concern, that whilst "you," calling yourselves the Representatives of his Majesty's faithful subjects in all the Colonies from *Nova Scotia* to *Georgia*, "were pursuing every dutiful and "peaceable measure, &c., his Excellency should proceed "in a manner that bears so hostile an appearance." You then hold up to his Excellency "open hostilities and the horrours of a civil war;" and lastly, as the means of preventing this, "you hope he will discontinue the Fortifica-"tions in and about *Boston;* prevent any further invasions "of private property; restrain the irregularities of the "Soldiers, and give orders that the communication be-"tween Town and Country may be open, unmolested, "and free." This, your letter, was no sooner delivered than, by your order or consent, as I presume, it was submitted to the perusal of every man, by being inserted in the publick newspapers.

Upon this give me leave to observe that the professed design of your appointment, which was to deliberate upon and propose to your constituents the best means for restoring peace and harmony between *Great Britain* and her Colonies; the violent inflammation to which you knew the passions of the people were then raised; the veneration with which you know they looked up to your body, however unconstitutional and void of legal power and authority it might be; the thorough knowledge which, from General *Gage's* long residence on the Continent, you must many of you have had of his wisdom, prudence, humanity, and love of justice; these all, I say, were weighty considerations which should have induced you to the greatest circumspection and caution in receiving complaints and adopting suspicions to the prejudice of so good a character, in stimulating to acts of rebellion a people already too much disposed blindly to rush into it, and thereby defeating the sole valuable purpose of your assembling. But the complaints upon which your letter were founded, were so entirely repugnant to the well known truths of facts, that had a letter appeared in print charging the Congress with the open breach of the whole decalogue it could not have occasioned more astonishment among your Members than that with which yours filled the minds of all in and about *Boston*. It is inconceivable how you could be so ignorant of the situation of things here at that time. The *Suffolk* Resolves, unhappily, you had seen, and (pardon the expression) in a paroxism of epidemick madness you had fatally adopted. These, when cool reflection took place, told you, as plainly as if written with a sunbeam, or proclaimed in thunder from *Sinai*, that the voice of that leading County, as delivered by their Delegates, was for war. Previous to this, four thousand people had assembled at *Cambridge*, some in arms and others having lodged their arms at trifling distance ostensibly to inquire into the cause of grievances, but in reality to prevent, by force, the execution of Acts of Parliament. The transactions of that day I need not recapitulate; they are not done in a corner, but in the face of open day, with an eclat which must have penetrated the most secret recesses of the most obscure corner of *British America*. Before and after this, the design of a descent from the country for the purpose of attacking the small number of his Majesty's Troops then stationed at *Boston* was publickly talked of with an assurance which would have forced belief upon the most obstinate sceptick. Major *Paddock's* Field Pieces, with other Cannon, were secretly taken away and conveyed into the country; Powder, Ball, Flints, and Small Arms were purchased with unusual avidity, and a numbsr of assailants, who were to make the attack, was publickly and universally set at thirty thousand. A Colonel *Putnam** of

* EXTRACT OF A LETTER FROM A GENTLEMAN IN NEW-YORK TO HIS FRIEND IN ANNAPOLIS, DATED SEPTEMBER 7, 1774.

Two days ago we were alarmed here by the arrival of an Express from a Colonel *Putnam*, of *Connecticut*, to the Committee of this City, with intelligence that a certain person was just come to his house from *Boston*, to acquaint him that an affray had happened between the People and the Troops, in which six of the former were killed; and that when said person left *Boston*, the Artillery from the Common, and Men-of-War, had been firing upon the Town all the night of the 1st of *September*. Colonel *Putnam*, upon this advice, alarmed the whole country, and requiring them to arm themselves and take the road to *Boston*, which they actually did, insomuch that the Post says the roads were covered with people.

However, I have the satisfaction to acquaint you that all was an infamous imposition to hasten matters, and consequently bring immediate destruction on a number of people. The real truth was only this, that General *Brattle*, of *Cambridge*, (seven miles from *Boston*) having wrote the Governour that the Militia of *Medford*, a place in that neighbourhood, had taken away their powder out of the Magazine there, and that only some of what belonged to the King was now remaining, the Governour sent a party of two hundred and fifty men, who took the King's powder and were conducting it to *Boston*, when upwards of three thousand men, unarmed, assembled on *Cambridge* Common to know the cause of seizing their powder; they were easily put right on this head, and dispersed, sending persons round the country to acquaint the people with the truth, and prevent their taking arms In consequence of this, no steps have been taken at *Boston* besides reinforcing what is called the *Neck* Guard. On *Monday*, when these last advices left *Boston*, all was quiet.

BOSTON, *September* 29, 1774.—The following letter, dated *September* 12, from one of the best characters in a distant part of the Province to his friend in *Boston*, merits the attention of the publick: "I "imagine that by this time you are made in a good degree acquainted "with the general commotion that has been lately caused by the mis-"taken report that the Army was come out of *Boston*, murdering the "people in the country, and taking from them their ammunition; the "movements in *Connecticut* have been great—still greater in this Prov-"ince; thousands of men have mustered, armed, and travelled, some "on horseback, twenty, thirty, and forty miles. I apprehend that such "mistakes, and the alarms occasioned by them, will be likely, by-and-"by, to harden the people, so that there will be great danger of their "not moving at all, or not in season, when there shall be real neces-"sity of it. It appears to me, sir, therefore, absolutely necessary that "there should be a number of vigilant, judicious, trusty, and faithful "men appointed in *Boston*, another set of like men in *Roxbury*, ano-"ther in *Charlestown*, and perhaps in other places, whose names shall "be published to the country, whose particular duty and business it "shall be to determine where the aid and assistance of the country "shall be called for, and that the call and demand be always in writ-"ing, under the hands of such Committee, or some of them, and that "they signify for what time the people should come prepared to stay, "if the occasion will permit so much writing. Something of this sort, "I humbly conceive, may be proper for the present groundless alarms, "and that the people below, in case of emergencies, may have timely "and necessary relief. But it seems to me most clear that there is "immediate necessity of a Provincial Congress or Convention, to settle "more matters than I can now enumerate as the above. I am, &c."

POMFRET, *October* 3, 1774.

In Mr. *Gaine's New-York Gazette*, of the 12th of *September*, I am called upon to set the affair of my writing a letter to Captain *Cleveland* in a true light, which was wrote in consequence of intelligence brought me by Captain *Keys*, on the 3d of *September* last. Being then at home about my lawful business, said *Keys* came to my house about eleven o'clock, A. M., and informed me that an Express came from *Boston* to *Oxford*, who set out from thence on the preceding evening, and brought the alarming tidings contained in my letter herein inserted. The true state of the case, as I have since learned, is as follows: * * * * *Wilcot*, Esquire, of *Oxford*, hearing the news posted his son off towards *Boston* to learn the certainty of the report; and when he came to *Grafton*, about thirty-five miles from *Boston*, he heard a further confirmation of it, and returned immediately back to *Oxford*, when the said *Wilcot*, his father, sent him to *Dudley*, to *Carter's* Tavern, where one Mr. *Clarke*, of that Town, a trader, happened to be, and he came to his father, Captain *Clarke*, of *Woodstock*, who came to said *Keys*, and on his coming to me with the strongest assurances of the truth and reality of said report, I wrote the following letter to Captain *Aaron Cleveland*, of *Canterbury:*

"Mr. *Keys* this moment brought us the news that the Men-of-War "and Troops began to fire upon the people last night at sunset, at *Bos*-"*ton*, when a post was immediately sent off to inform the country. "He informed that the Artillery played all night; that the people were "universally rallying as far as here, and desire all the assistance pos-"sible. This first commencement of hostilities was occasioned by the "country's being robbed of their powder, from *Boston* as far as *Farm*-"*ingham;* and when found out, the persons who went to take the "perpetrator of the horrid deed (who had fled to the Camp) were im-"mediately fired upon; six of our number were killed the first shot, "and a number wounded; and beg you will rally all the forces you "can, and be upon the march immediately for the relief of *Boston*, "and the people that way. ISRAEL PUTNAM."

The title of "Lieutenant Colonel of the *Connecticut* Forces," I did

Digitized by Google

Connecticut, with a zeal, not according to knowledge, alarmed that and all the Southern Provinces, and the whole country was in motion. Under all these hostile appearances, what was it the duty of a good General to do? Was it not to secure his Troops in the best manner he could against the threatened invasion? This his Excellency General *Gage* did by repairing the old Fortifications at the entrance into the Town, and by throwing up an entrenchment still further from the Town, on each side of the common road. These works were manifestly not offensive against either Town or Country, but merely defensive against invaders, as every man, upon sight of them, must at once perceive, if he can distinguish the breech from the mouth of the Cannon. Besides these works there was at that time a train of Artillery in *Boston;* they were placed at the bottom of the Common, pointing as is usual towards the front of the encampment, which was on the side of the Common next to the Town. This circumstance the inhabitants, in a late Town Meeting, have alleged as an instance of the General's want of attention, when in his condescending answer to your letter, he said "not a single Cannon is pointed against the Town;" this is supporting their complaint by a miserable quibble; I wish I could say it implies nothing worse. I have been told that one sagacious gentleman observed, with great warmth, that it was strictly true "that every Cannon on the *Neck* was "pointed against the Town, because the bounds of the "Town extended half a mile beyond the lines," though, let it be observed, there are but two houses in that space; this likewise is a circumstance to which I am persuaded the General did not advert. By this kind of logick, if his Excellency had been charged with pointing his Cannon against Heaven, and it had happened that one of them had at any time been elevated more than forty-five degrees, this would have supported the charge.

The invasion of private property, charged upon the General, was equally novel and strange here with the complaint respecting the Fortifications. The only colourable pretext for it, that I know or have ever heard of, if this can be termed colourable, is the seizing of several pieces of Cannon, not by the General, but by the Commander of one of his Majesty's ships, for being water-borne. They were intended to be smuggled into the country; but whether they were private property or not is unknown, as they were condemned in the Court of Admiralty for want of a claimant. I have heard mention made of the orders respecting the Merchants' Powder as another instance of this kind; it is very true before the defensive works at the *Neck* was finished, and while the threats of an invasion were warm, the General did, for a short time, very wisely and prudently prohibit the Keeper of the Magazine from delivering out any Powder—but this is, at most, only in the nature of an embargo, and is no more an invasion of private property than an embargo on ships is. These are all the pretended instances I have ever heard hinted at, in support of this part of the complaint. The suggestion of the irregularity of the Soldiers is truly astonishing; it is notorious, and is acknowledged by every one out of Town Meeting, that their regularity and decent inoffensive behaviour has been remarkably conspicuous. The Town has instanced only in the affair of one gentleman's horse; and this, I believe, happened since the date of your letter. But by what rule of justice does a single instance, in an individual, support a general charge against the whole body of the Soldiers? Would it be just to call the Town of *Boston* a den of thieves because one or two of the inhabitants have been guilty of theft? In short, Mr. President, it is a truth too glaring to be questioned, that his Excellency the General has constantly given the strictest orders, and attended with the most watchful eye, for the preservation of peace and good order, in consequence of which the good discipline and regular behaviour of the Soldiery has been without parallel.

Such is the sandy foundation upon which you have adopted and published to the people suspicions of a plan to overthrow the liberties of *America;* upon which you have admonished General *Gage*, in the style of a *Roman* Emperor, to the Governour of a Province, hoping that he would discontinue the Fortifications, which he must have done at the price of his character and commissions, if not

not assume in my said letter, it being inserted in the *New-York* Paper by the Printer's own capricious whim, or to gratify some of his votaries.

The above letter is as nearly conformable to the original as I can recollect, not having a copy of it; by comparing which with that inserted in said *Gaine's* Paper, the reader will perceive they somewhat differ. Whether the difference arises from a wrong copy sent forward by Captain *Cleveland*, or from some other cause, I am not able to determine. I hope the reader will make a proper allowance for incorrectness, when he considers it was wrote in great haste, and the author aimed at nothing but plain matters of fact, as they were delivered to him, not expecting said letter would have been transported through the Continent, subject to the critical inspection of the learned in every Town.

The writer in Mr. *Gaine's* Paper of *September* 10, who styles himself a *New-York Freeholder*, introduces his piece with a rhetorical picture of the horrours of a civil war; which, though I agree with him that it brings a train of evils along with it, yet when drove to a state of desperation by the oppressive hand of tyranny and the lawless violence of arbitrary power, what people on earth would not be justified, in the eye of right reason and common sense, for the resistance even to the shedding of blood, if the preservation of their liberties demanded it. After having said sufficient to alarm the fears of all those who have a pusillanimity of soul, or rather an infamous desire of screening their Jacobitish principles under the mask of dread of consequences, he ushers in this paragraph, with a sneer: "Colonel *Putnam's* famous letter, for-"warded by special messengers to *New-York* and *Philadelphia*, and the "consequences it produced, are very recent and fresh in our memo-"ries." Then, after reciting some part of my letter, he proceeds, "The "evident confusion of ideas in this letter betrays the state of the poor "Colonel's mind, whilst writing it, and shews he did not possess that "calm fortitude which is necessary to insure success in military enter-"prises." Paying all due deference to this author's learning, and his undoubted acquaintance with the rules of grammar and criticism, I would beg leave to ask him whether he does not betray a total want of the feelings of humanity, if he supposes, in the midst of confusion, when the passions are agitated with a real belief of thousands of their fellow-countrymen being slain, and the inhabitants of a whole City just upon the eve of being made a sacrifice by the rapine and fury of a merciless Soldiery, and their City laid in ashes by the fire of the Ships-of-War, he or any one else could set down under the possession of a calmness of soul becoming a *Roman* Senator, and attend to all the rules of composition in writing a letter to make a representation of plain matters of fact, under the hieroglyphical similitude of tropes and figures?

He goes on to cast a censure upon the *New England* Colonies, saying the above mentioned report "has eventually made evident, past all "doubt, that many in the *New England* Colonies are disposed and ripe "for the most violent measures." This is as gross a falsehood as the *Boston* alarm, and discovers the evident disposition of the author to cast an odium upon the patriotick sons of *New England*, whose arms are emblazoned with humanity; who wish to gain a redress of their grievances by the most pacifick and gentle means; but rather than submit to slavery, are determined to drench their swords in blood, and die gloriously, or live free!—Under whose banners, possibly, this jesuitical pretender to friendship for the liberties of *America* and the *British* Constitution, may be glad to take sanctuary, when the virtuous inhabitants of the Colony into which he fled from the *Scotch* rebellion, may find him out, and pass that act of outlawry against him, which every Jacobitish hypocrite deserves.

Now, I submit it to the determination of every candid unprejudiced reader, whether my conduct in writing the above mentioned letter, merits the imputation of imprudence, asserted by said writer; or whether they would have had me tamely sit down and been a spectator of the inhuman sacrifice of my friends and fellow-countrymen; or, in other words, *Nero* like, have sat down and fiddled, while I really supposed *Boston* was in flames; or exerted myself for their relief? And pray, in what easier way could I have proceeded, than in writing to one of the Militia Captains, (who I desired to forward the intelligence to the adjacent Towns,) when I really believed the story to be true? Which having done, I immediately mounted my horse and made the best of my way towards *Boston*, having only four gentlemen to accompany me. Having proceeded as far as *Douglass*, which is about thirty miles from my own house, I met Captain *Hill*, of that Town, with his Company, who had been down within about thirty miles of *Boston*, and had just returned. He informed me that the alarm was false, and that the forces of *Worcester* and *Sutton* were upon their return. I then turned my course homewards, without loss of time, and reached my house on *Sunday* morning about sun-rising, taking care to acquaint the people on the road that they need not proceed any further. Immediately on my return I sent an express to Captain *Cleveland*, letting him know what intelligence I had heard, and desiring him to give the like information to the adjoining Towns to the Southward.

I believe the alarm was first occasioned by Mr. *Benjamin Hallowell*, who, going into *Boston* in a great fright, informed the Army that he had killed one man and wounded another, while they were pursuing him from *Cambridge*, and that the country were all in arms marching into *Boston;* which threw the military into great consternation; and they were quickly paraded and put into the most convenient posture of defence, in which situation they remained till next day. In the midst of this hurry and confusion, I believe a post was despatched into the country, but by whom, or to answer what purpose, I cannot tell; but what took place in consequence of it is evident. General *Gage's* apprehension of danger was so great, that he speedily began to fortify the entrance to the Town, to prevent a surprise from the enemy without.

From what has been said, I believe it will sufficiently appear that I was not the inventor of this alarm; and I am told from good authority, that the people were in motion in the Northward part of the *Massachusetts* Government, even to the distance of one hundred miles from *Boston*, who were alarmed by an Express sent thither by the same *Wilcot*, above mentioned, before the news reached me, which I think is enough to silence the ill-natured aspersions of every caviling Tory against my conduct, and make them, dog-like, draw in their tails and lop their ears, and skulk into some obscure hole or kennel and hide themselves from the contempt of the world. Having evidently discovered their attempt to stir up a spirit of animosity and disunion among the good people of the Colonies, I pray *God* it may prove abortive.

ISRAEL PUTNAM.

Digitized by Google

of his head; that he would restrain the irregularities of the Soldiers, which had been uniformly restrained almost to a miracle; and that he would give orders for opening the communication between the Town and Country, which had never been interrupted, but had been constantly kept open, unmolested, and free, for all his Majesty's subjects to pass and repass about their lawful business, as every townsman and countryman who had occasion to make the attempt can abundantly testify.

The consequence of your publishing to the world your misconceived opinions and censures, were the injuring a most amiable and worthy character with those whose remote distance from *Boston* deprived them of the means of knowing the truth respecting the General's conduct; (a character of which I would here, with pleasure, attempt a portrait, but that I know it would offend the delicacy of his sentiments;) increasing groundless fears and jealousies in the minds of the people, and stimulating them to take up arms against his Majesty's Troops; for though this might be far from your intention, yet your authority over their passions was such, that your letter served to give sanction to those mad, violent measures, to which they were before too much inclined. These were the evil effects of this your hasty measure; and I mention them, not because I take pleasure in a fruitless recrimination, but because I think it of the last importance that the people should be undeceived, and because you may possibly hereafter have it in your power, by retracting and rectifying your past errours, to prevent their future ill effects, and thereby in some measure atone for them. I am, sir, with perfect good will, your most obedient servant.

TO GENERAL GAGE.

Williamsburg, October 27, 1774.

SIR: The measures of the *British* Administration have of late been so infamous, that no man can guide them without being the subject of general censure. The domestick virtues of Lord *North*, and the religious graces of Lord *Dartmouth*, have not exempted them from the execrations of the publick. These facts have been examined by a new sect of philosophers at *St. James's*, and have been pronounced the truest touchstone of merit. The acclamations of millions are now looked upon as the breath of Faction, and the resentment of a Nation is esteemed the only reward, (to borrow a phrase from the Court) for doing one's duty. The times are forgotten when every breath that ascended from *Britain* called down blessings upon the heads of *Burleigh* and *Chatham*. *Contemptæ, famæ, contemni virtutem.* Publick virtue, and the love of fame, will always stand and fall together in a free country.

This introduction was necessary in an Address to your Excellency. You have learned since your graduation at the *British St. Omer's*, to prefer the approbation of your Sovereign to the applause of the whole of your fellow-subjects in *America*. You have substituted the former for the approbation of your conscience, and you have branded the just censures of the latter with the name of calumny. Give me leave, sir, to examine the nature of this vice, and to inquire how far you have a right to charge your loss of character on it.

Calumny is a tax, imposed, by a few bad men only, upon extraordinary merit. The influence of a party has sometimes made it general; but in such cases it is always transitory. A few strictures upon your character and conduct will show how far you are entitled to the honour of suffering from this cause.

You are so far from possessing any extraordinary merit, that you have defeated the designs of your friends, who attempted to supply your want of the qualities of a Governour and a General, by ascribing to you the simple virtues of a good man. You have not been condemned by a transitory faction, but by the permanent, unbiased suffrages of every free man in *America*. By assuming to yourself, therefore, those credentials of merit, which justice and wisdom derive from calumny, you commit a more criminal act of forgery than ever was expiated at *Tyburn*.

You have received many flattering addresses since your accession to your Government. Permit me to furnish your Excellency with a medium, through which I beg you would read them. The art of embalming dead bodies was contrived only to prevent them from putrefaction. Flattery serves the same purposes upon living characters. It collects the scattered rays of human depravity into a focus. The most flagitious crimes appear like holiness, when compared with the offerings which it has kindled at the shrine of arbitrary power. I blush for my country, when I reflect that she has discovered in her infancy a relation to her fœderal head by signs of this original corruption. Men have been found, even in *Boston*, who have absolved a *Bernard* and an *Hutchinson*. The same men have extolled your moderation and equity. They have discovered an olive branch in you mouth. Nay, they have gone further. They have equalled in maturity of corruption the sycophants in the stye of *Westminster*. They have ascribed to your Excellency abilities.

It is to no purpose to say, that some of those men are persons of the first rank and fortune in your Government. Men of such characters were the first on the list of defection in the United Provinces. I honour publick virtue in a rich man, as much as I do piety in a soldier; but I never harbour the idea of *America* being enslaved without fancying I see the badges of our subjection sealed with the names of men who have been fattened upon her breasts. This idea is at all times a fugitive one; for since the spirit of liberty has gone forth among our Farmers, I no longer wish to pry into the decrees of Heaven. I see already transcribed, in the annals of our history, the *Americans* are an invincible people.

The Dominion of *Virginia* has given the signal to the inhabitants of *Massachusetts Bay* for resistance and reprisal; and it is not because your iniquities have not exceeded the price of their blood that they have not made the severity of military discipline necessary in your Government. Their allegiance to the Crown of *Great Britain* borders upon enthusiasm; but should you provoke them by another illegal Proclamation, I tremble to think of the consequences. The savages who chased you on the banks of the *Ohio*, were gentle as lambs, compared with men bereaved of their liberties. You will find the strength of the *British* Lion has not been impaired by his couching a century or two in the woods of *America*.

The *Americans* have hitherto viewed you with pity, as part of that unconscious machine which was set to work by some invisible hands to destroy the *British* Constitution in *America*. But you have lately discovered your relation to human nature, by showing that you possess the principle of revenge. The Sovereign of the *British* Empire, the Arbiter of *Europe*, and the Neptune of the Ocean called forth the wisdom and power of both Houses of Parliament, together with the flower of his Troops, to deprive a Merchant in *Boston* of his property in a wharf. As humble in your imitation of his Majesty's resentment, as of his Royal Proclamation for encouraging virtue and piety, you have chosen the same man as the object of your revenge. You have deprived him of his company of Cadets, and have condescended to assign a reason for it, which will be ratified at *St. James's*:

"Colonel *Hancock* has used me ill, and has not treated "me with that respect that is due to the Governour of the "Province; therefore I dismissed him. I will not be "treated ill by Colonel *Hancock*, nor any other man in "the Province."

Could the truth of our reflections upon our Sovereign be washed away, tears of blood should not be wanting for that purpose. I cannot, however, agree with the majority of his subjects, in attributing to him a single wish to enslave his Empire. Tyrants have always made pioneers of their Ministers, but the present Ministry have placed our Sovereign upon the forlorn hope. By investing him with a discretionary power to repeal the *Boston* Port Bill, they have staked his popularity in *America*, his Revenues, and his Crown upon the success of a sham engagement. Let not our suffering countrymen in *Boston* call the wisdom, justice, and lenity of our King in question. The power of prolonging your misery was forced upon him by his Ministers. Let your imprecations for vengeance fall only upon the heads of *Bute*, *Mansfield*, and *North*. Mercy to such wretches would transform herself into a common prostitute. Let nothing satiate your rage till the scaffold overflows with their blood. The garden of Liberty in *England* stands

Digitized by Google

in need of such manure. Patriots, *American* Patriots, shall spring up spontaneously from it.

JOHN DICKINSON TO ARTHUR LEE.

Philadelphia, October 27, 1774.

DEAR SIR: Yesterday the Congress broke up. You will immediately know their Proceedings from publications.

The Colonists have now taken such grounds that *Great Britain* must relax, or inevitably involve herself in a civil war, likely in all human probability to overwhelm her with a weight of calamities, in comparison of which, the contentions between the Houses of *York* and *Lancaster*, or the distractions of the last century, were gentle misfortunes.

A determined and unanimous resolution animates this Continent, firmly and faithfully to support the common cause to the utmost extremity, in this great struggle for the blessing of liberty—a blessing that can alone render life worth holding.

I grieve for the fate of a brave and generous Nation, plunged by a few profligate men into such scenes of unmerited and inglorious distress. Let her rouse her noble spirit, be true to herself, and she cannot fail of being true to us. Let her not so far adopt the schemes of base yet visionary men and knaves, that she may think her dignity concerned to maintain the projects of those whom her justice commands her to punish.

Give up the *Butes*, *Mansfields*, *Norths*, *Bernards*, and *Hutchinsons*, whose falsehoods and misrepresentations have inflamed the people; call not their cause the cause of *Great Britain;* throw all errours and occasions of dissatisfactions on their guilty heads. A new Ministry of such a character that *England* and *America* both can trust, may do great things; especially if a considerable change be made at the next general election. Why should Nations meet with hostile eyes, because villains and ideots have acted like villains and ideots?

I wish for peace ardently; but must say, delightful as it is, it will come more grateful by being unexpected. The first act of violence on the part of Administration in *America*, or the attempt to reinforce General *Gage* this winter or next year, will put the whole Continent in arms, from *Nova Scotia* to *Georgia*.

May *God* of his infinite mercy grant a happy event to these afflicting agitations. Your friend,

JOHN DICKINSON.

P. S. It is suspected here that a design is regularly prosecuted by the Ministry, to make his Majesty dethrone himself, by the calamities and convulsions his reign is likely to bring on his whole people. Please to inform me what is thought on this point in *England*.

JOHN DICKINSON TO JOSIAH QUINCY, JUN.

Fairhill, October 28, 1774.

MY DEAR SIR: I should have answered your last letter before you left *Boston*, if I had not imagined from what you said in it, that you must have sailed before it could have reached that place.

I now congratulate you on the hearty union of all *America*, from *Nova Scotia* to *Georgia*, in the common cause. The particulars you are no doubt acquainted with.

The Congress broke up the day before yesterday; and if it be possible, the return of the Members into the several Colonies will make the people still more firm. The most peaceable Provinces are now animated; and a civil war is unavoidable, unless there be a quick change of *British* measures. The usual events, no question, will take place if that happens—victories and defeats. But what will be the final consequence? If she fails, immediate distress; if not, ruin; if she conquers, destruction at last. But from the best judgment I can form, she will not wait long for her fate. Several *European* Powers, it is probable, will fall on as soon as she is entangled with us. If they should not, what can she effect at three thousand miles distance, against at least four hundred thousand freemen fighting "*pro aris et focis?*"

I cannot but pity a brave and generous Nation thus plunged in misfortune by a few worthless persons. But it may be said, how can she retract with dignity in the present position of affairs? I answer, her dignity is not at all concerned, unless it be to punish those who have abused and betrayed her into measures inconsistent with her welfare. Is a Nation bound in honour to support every mad or villainous step of a Ministry? It is mean to persist in errours because we have committed them. But what is to be said of those who talk of asserting their own dignity, by vindicating the errours of others?

The present cause is that of *Bute*, *Mansfield*, *North*, *Bernard*, *Hutchinson*, &c., not of *Great Britain*. Let her renounce their detestable projects, which point at her as their ultimate object, and reconcile herself to her children, while their minds are capable of reconciliation.

"Oh! for a warning voice," to rouse them to conviction of this important truth, that the reconciliation depends upon the passing moment, and that the opportunity will, in a short time, be irrecoverably past, as the days beyond the flood.

Every thing may yet be attributed to the misrepresentations and mistakes of Ministers; and universal peace be established throughout the *British* world, only by a general acknowledgment of this truth, that half a dozen men are fools or knaves. If their character for ability and integrity is to be maintained by wrecking the whole Empire, Monsieur *Voltaire* may write an addition to the chapter on the subject of "Little things producing great events."

As to your complaint against an expression of mine in a late letter, know, dear sir, I wrote in agonies of mind for my brethren in *Boston*. I trembled lest something might have happened which I could not only forgive, but applaud, but which might have been eagerly and basely seized by others, as a pretence for deserting them. This was the sense of men in *Philadelphia*, the most devoted to them; and under this apprehension, we agreed to make use of the strongest expressions.

May the Father of Mercies bestow every blessing upon you, is the fervent prayer of, my dear sir, your faithful and affectionate friend, JOHN DICKINSON.

JAMES LOVELL TO JOSIAH QUINCY, JUN.

Boston, October 28, 1774.

MY DEAR SIR: You will see by the papers, that immediately after you sailed, a Proclamation was issued to discharge the Members from attendance upon that General Court, for which precepts, you know, had been given out. They judiciously slighted sticking to Charter-rule; and upon finding Mr. *Gage* did not attend to his proper duty, they resolved themselves into a Provincial Congress, to meet at *Concord* to-morrow. They will be strenuous, I expect, in pressing the General to desist from his fortifications. Yet, what can he do? He cannot declare in plain *English*, that he is only striving to make the minds of his officers and men easy, and yet I believe that to be the truth and the whole truth.

I told you at parting, that if I was deceived in my countrymen, and found they turned out poltrons, I would not inform you of it, though such was your request. Let not that speech detract from my credit, when I tell you they rise every day in character. It is become a downright task for the warmest patriots of our Town and County to confine the spirit of the other Counties to an attention to the causes, rather than to the executors of our wrongs. I am really pained at finding that the wickedness of Ministerial conduct has brought the Province so generally to make the idea of an engagement between fellow-subjects so familiar to their minds. How would such a thought have shocked us all a few years ago! But the insolent appearance of the works on the *Neck* has roused the inclinations of the vigorous country youth to play over again the *Niagara* game of filling trenches with round bundles of hay, under which they advanced securely. The folly and weakness of the works may easily be proved to be fully equal to the insolence. Our besiegers, sensible how much nature is against them, talk of employing constantly great numbers of their soldiery to break the ice of the two Bays; little knowing, however, what mighty reparation will be made in only one of our freezing nights; and little considering, also, the non-importance of its being broken in Bays which are a dead flat upon every ebb. I wish again and again that the

Digitized by Google

temptations to chastise the insult were not so glaring; as the Provincial Congress, with all their efforts to confine the inland spirits solely to the defensive, will surely fail, upon notice of Ministerial determination to continue hostile. Nothing, I think, but a speedy knowledge of a change of measures in *England*, can prevent a capital winter stroke. They press us to leave the Town in the strongest manner. Many are for doing it, and others for sending off their most valuable articles, to be in readiness.

Our friend, *Molineux*, overplied in the good cause, was last evening laid to rest, where the incomparable *Mayhew* and the brother patriots, *Dana* and *Thatcher*, await the morning of a glorious resurrection! and where you and I had nearly gone to rest before him. May it not prove unimportant to ourselves and to the publick that a gracious Providence has been pleased to mark down for us some later date.

I am informed that a letter was yesterday read in the Provincial Congress, from Mr. *S. Adams*, purporting that things went in the Continental Congress without any motion of our Members, as perfectly to his liking as if he were sole director; and that in a very few days he doubted not his friends here would receive the most satisfactory intelligence.

Though the *Kingfisher* has orders to sail, yet, the weather being bad, I had thoughts of risking the chance, that I may gain some further light concerning this matter; but finding a general suspicion of the insecurity of conveyance by a King's ship, I am led to think most of your friends will wait other opportunity. I therefore close for the present, that you may not think yourself neglected, in consequence of what I think an ill-grounded suspicion.

We have *London* news so late as *September* 2d. If the people of *England*, our fellow-subjects, will cease obstinately to shut their eyes to the justice of our cause, we ask no more; conviction must be the consequence of a bare admission of light. *God* preserve you, my friend.

I remain your friend and obliged humble servant,

JAMES LOVELL.

GENERAL C. LEE TO THE DUKE OF * * * * *

Philadelphia, October 29, 1774.

MY LORD: The noble part your Lordship has acted in opposing all the diabolical measures of our accursed misrulers, has encouraged me to address these few lines to you. Men who are embarked in the glorious cause of Liberty, should waive all ceremony; I shall, therefore, neither trouble you nor myself with making apologies. Enclosed I send your Grace a copy of the different Resolves of the Congress, (though it is probable you may have received them before,) their Address to the People of *England;* to the People of *English America;* to the People of *Canada*, and to the King. They argue so irresistibly, and they breathe so noble an ardour, that if there is the least understanding remaining in your Island, and the least virtue latent, the former must be convinced, and the latter roused to action. What could put it into our blockheads' heads, that these people could be tricked out of their liberties by their cunning, or bullied by any force which they can send over? What devil of nonsense could instigate any man of General *Gage's* understanding to concur in bringing about this delusion? I have lately, my Lord, run through almost the whole Colonies, from the South to the North.—I have conversed with all orders of men, from the first estated gentlemen to the poorest planters, and cannot express my astonishment at the good sense and general knowledge which pervades the whole; but their elevated principles, their enthusiasm in the cause of freedom and their country, is still more admirable.

I think I should not be guilty of exaggeration, in asserting that there are two hundred thousand strong bodied active yeomanry, ready to encounter all hazards and dangers; ready to sacrifice all considerations, rather than surrender a tittle of the rights which they have derived from *God* and their ancestors. But this is not all; they are not like the yeomanry of other countries, unarmed and unused to arms; but they are all furnished and all expert in the use. They want nothing but some arrangement, and this they are now bent on establishing. *Virginia, Rhode-Island*, and *Carolina*, are forming corps; *Massachusetts Bay* has long had a sufficient number instructed to become instructive to the rest; even this Quakering Province is following the example. I was present at a review of some of their Companies, at *Providence*, in *Rhode-Island*, and really never saw any thing more perfect. In short, unless the banditti at *Westminster* speedily undo every thing they have done, their Royal Paymaster will hear of reviews and manœuvres not quite so entertaining as those he is presented with in *Hyde Park* and *Wimbleton* Common.

I must now, my dear Lord, hasten to the main purpose of this letter. As your Lordship is justly considered as one of the most strenuous advocates and patrons of this country, and one of the most active asserters of the rights of mankind, I must beg leave to propose to you, what, had you adverted to, I am persuaded you would have already adopted; it is to set on foot a subscription for a relief, or an indemnification for the brave sufferers of *Boston*. These people's sufferings and merit are so transcendent, that men less animated with sentiment and publick spirit than your Lordship, would exert themselves in their cause. A Town consisting of thirty thousand people, perhaps of more ease and affluent circumstances than any other Town in the world, reduced at one stroke to beggary and wretchedness; every individual of them deprived of the means of supplying themselves with a morsel of bread, but what is furnished to them by the precarious hand of charity; to see a whole people struggling with the extreme of distress, not only magnanimously, but cheerfully, rather than comply with the wishes of brutal tyrants, and thereby admit precedents injurious to mankind and posterity, is, I say, a strain of virtue almost too bright for modern eyes to gaze at, and must fill every breast not totally dead to sentiment and feeling, with rage, indignation, horrour, and compassion. But they went further; they made a formal offer to the Congress to abandon their Town, with their wives, children, aged and infirm—throw themselves on the charity of the inhabitants of the country, or build huts in the woods, and never revisit their native walls, until re-established in the full possession of their rights and liberties. Your Lordship will see the Congress' Resolve on this head. These instances, I am sure, render unnecessary any thing I could say to incite a man of your Grace's stamp to exertions in their favour; or, more properly, in favour and support of human virtue. I should be very happy in receiving a couple of lines in answer; it must be directed for me to *Richard Penn*, Esquire, at *Philadelphia*.

I am, my Lord, your Grace's true friend, admirer, and humble servant, C. LEE.

To his Grace the Duke of * * * * *

EXTRACT OF LETTERS FROM THE HONOURABLE GOVERNOUR GAGE TO THE EARL OF DARTMOUTH, DATED BOSTON, OCTOBER 30, AND NOVEMBER 2, 1774.

I transmit your Lordship a number of Resolves of the Provincial Congress, with some passed by the Continental Congress at *Philadelphia*, relative to the proceedings of this Province, which they have, in too great a degree, supported, though in some instances deceived by them. Expresses are frequently going from the one to the other, and they are very secret in both; and from what has transpired, there is opposition in both. Our Provincial Congress has appeared to be a good deal puzzled to determine to what lengths they should go, and have had something of moment in agitation, which, by what has dropped from some of the Members, relates to the embodying about fifteen thousand men, and appointing four persons to command them, under the direction of a Committee; others deny it; so that time must clear up the truth of this rumour, which must be known soon. Common talk gives out that this body is to be ready at a moment's warning, and to be supported by this and the neighbouring Provinces.

The people would cool, was not means taken to keep up their enthusiasm. Truths or falsehoods equally serve the purpose; for they are so besotted to one side, that they will not believe or even hear what is said to convince them of their errours. This Congress made an effort to get all the inhabitants of this Town to leave it and retire to the country; but it was found to be an impracticable measure. Many individuals are gone, and others going through fear, as they give out, of being apprehended. So your Lord-

Digitized by Google

ship will perceive some of the most obnoxious are in the number of those who move.

From the union of the Provinces, and the similarity of their measures, I have not been without apprehensions that our supplies of provisions might be stopped, and gave early notice to the Contractors here to lay in large quantities in time. They assure me, that from the quantity they have collected, and the measures they have taken to procure more, that there is no danger of being in want; but if any thing more extraordinary happens, we shall not be able to procure provisions from any of the Colonies.

Major General *Haldimand* has joined me with the Forty-seventh Regiment, and three Companies of the Eighteenth, from *New-York*, and has put a large quantity of the most useful stores at that place, and which it became proper to secure, on board the transports; a good deal, but what would be of least service, still remains under the care of five Companies of the Eighteenth Regiment.

November 2, 1774.

The King's schooner the *St. Lawrence*, which conveys this despatch, being detained, I transmit your Lordship the last Resolves which this Provincial Congress has published; after which they adjourned to the 23d instant; and I learn that their secret determination is to assemble the old Council at their next meeting, in order to form as complete a Government as they can, and to have, as they say, a vast army in the field in the spring, at the Continental expense. I also transmit your Lordship a copy of another Message to me, in answer to mine to their first Message, which has been sent to your Lordship.

They have a particular manner in perverting and turning every thing to their purposes. A Regiment was encamped about a mile from *Salem*, two Companies of which marched out as far, perhaps, as some straggling houses, but was ordered back, and never came within a quarter of a mile of the place where the people were assembled; nor was there any occasion for them. No private property has been touched, unless they mean an order to the Storekeeper not to deliver out any Powder from the Magazine, where the Merchants deposite it, which I judged a very necessary and prudent measure in the present circumstances, as well as removing the Ammunition from the Provincial Arsenal at *Cambridge*.

They make the greatest handle of the works at the entrance of the Town, which I have very great reason to believe have obstructed some designs they had in view, and which I cannot doubt they have had it in deliberation to attack, but carried against the movers of the project.

The Officers of the Militia have, in most places, been forced to resign their commissions, and the men choose their officers, who are frequently made and unmade; and I shall not be surprised, as the Provincial Congress seems to proceed higher and higher in their determinations, if persons should be authorized by them to grant commissions, and assume every power of a legal Government, for their edicts are implicitly obeyed throughout the country.

The Tenth and Fifty-second Regiments are arrived and arriving in the Harbour. On their landing, I shall be able, from the whole, to form a force of near three thousand men, exclusive of a Regiment for the defence of Castle *William*.

Your Lordship will doubtless receive many accounts of the situation of this Continent. This Province is without Courts of Justice or Legislature—the whole country in a ferment; many parts of it, I may say, actually in arms and ready to unite. Letters from other Provinces tell us they are violent everywhere; and that no decency is observed in any place but *New-York*. *Great Britain* had never more occasion for wisdom, firmness, and unanimity.

JOSIAH QUINCY TO JOSIAH QUINCY, JUN.,

Braintree, October 31, 1774.

My Dear Son: It is now four weeks since you sailed, and if my prayers are heard and the petition of them granted, your health is restored, your voyage comfortable, and your arrival safe; news that would be almost as joyful and reviving to your aged father, as to hear that, through your mediation, peace and harmony were restored between the parent state and her injured and oppressed children upon this Continent. I have not, nor shall forget to inform you of facts as they have taken, or may take place, since you left us; but my retired situation will not permit my gratifying you so much as I should otherwise be glad to do.

All the Tories and some of the Whigs resent your clandestine departure. Many of the former say, that as soon as your arrival is known, you will be apprehended and secured. Some say you are gone to *Holland*, and from thence to the South of *France*. Others say the General Congress have appointed and commissioned you their agent at the Court of *Great Britain*, and that you had your credentials and instructions from them before you went away. Your friends say your principal motive is the recovery of your health, which if Providence should please to restore, they rest assured of your best endeavours to procure a redress of the grievances, and a speedy removal of the intolerable burdens, with which your native country is and has been long oppressed.

God Almighty grant, if your life and health are spared, that you may succeed in every respect.

When in Town I found two political productions, "An Essay on the Constitutional Power of *Great Britain* over the Colonies in *America*;" and "A Letter from Lord *Lyttleton* to Lord *Chatham*, on the *Quebec* Bill." They are each of them esteemed masterly productions by their respective partisans. Before this reaches you, I doubt not you will have received the former from its author.* I regret his allowing *Great Britain* a revenue from the Colonies, while she persists in her claim of an exclusive trade with them, which appears to me to be an overbalance for all the protection she has or can afford them, especially when it is considered that all the profits resulting from the immense extent of territory ceded to her at the Treaty of *Paris*, remains solely to her. At the same time, we are restrained from the profitable Whale and Cod fisheries in the Bay of *St. Lawrance*, and the Straits of *Belle Isle*, which we formerly enjoyed without interruption. If I am not greatly mistaken, there is not a single argument in Lord *Lyttleton's* letter, whereby he endeavours to prove the justice, wisdom, benevolence, and policy of Parliament in indulging the *Canadians* with the *French* laws, which will not much more forcibly conclude in behalf of the Colonies, that their respective Constitutions and Laws should remain inviolate, and the rights and privileges secured by them, upon no pretence whatever, to be abridged. Where then is the wisdom, benevolence, and justice of Parliament? What, besides low-cunning and left-handed policy, could induce them to their past and present violent measures, which must ultimately be as injurious to them as they are, or can be, to us. But his Lordship in the close of his letter tells us "it is necessary to conciliate the affections of the *Canadians*, and "thereby induce them to assist Administration in coercing "*America*!" Read this passage, attend to the meaning of it, and then, if you can, suppress your indignation. What! have we *Americans* spent so much of our blood and treasure in aiding *Britain* to conquer *Canada*, that *Britons* and *Canadians* may now subjugate us? Forbid it Heaven!

Is this the "policy," which he recommends as "best "calculated to unite natural-born, and adopted subjects, in "one common bond of interest, affection and duty?" But I must quit the subject.

I have filled my paper, and have only room to add the affectionate regards of your family, joined to those of your unalterably fond parent, Josiah Quincy.

THE DEPUTY GOVERNOUR OF PENNSYLVANIA TO THE EARL OF DARTMOUTH.

Philadelphia, October 31, 1774.

My Lord: I have the honour to acquaint your Lordship that the Congress of Delegates from the several Colonies dissolved themselves on the 26th instant, and have just published the principal part of their proceedings. I therefore take the earliest opportunity of transmitting you herewith two printed copies of them; and I am informed, that, besides what is contained in these extracts, they have framed a Petition to his Majesty, but not having had the

* *John Dickinson, of Pennsylvania.*

Digitized by Google

least connection or intercourse with any of the Members of the Congress, I am entirely unacquainted with its contents, or with any other part of their transactions which they have not thought fit to make publick.

I am, &c. JOHN PENN.

EXTRACT OF A LETTER FROM A GENTLEMAN AT BLADENSBURG, MD., TO HIS BROTHER IN GLASGOW, DATED NOVEMBER 1, 1774.

I wrote you by the *Clyde* three days ago, and now send you what news I have heard since. The Province of *Virginia* is raising one Company in every County, which will make a body of six thousand men. They are all independent; and so great is the ambition to get among them, that men who served as commanding officers last war, and have large fortunes, have offered themselves as private men. This Province has taken the hint, and has begun to raise men in every County also; and to the Northward they have large bodies, capable of acquitting themselves with honour in the field. Since the burning the ship at *Annapolis*, the common sort seem to think they may now commit any outrage they please; some of them told the Merchants yesterday, that if they would not sell them Goods, they would soon find a way to help themselves. A certain Merchant at *Georgetown*, ten miles from this, imported from *London*, on his own account, a large cargo of Goods this Fall, and thought to sell them higher than common. We understand that on *Saturday* a Committee is to examine them, and should they find the advance too much, they say, he shall, and must sell them lower. What think you of this land of Liberty, when a man's property is at the mercy of any one that will lead the mob!

EARL OF DARTMOUTH TO THE GOVERNOURS OF THE COLONIES.

[Circular.] Whitehall, November 2, 1774.

SIR: The Lords Commissioners for Trade and Plantations having complained that they are frequently put under great difficulties from the Governours of his Majesty's Colonies neglecting to transmit, at regular periods, Returns of the state of their respective Councils, I am commanded by the King to signify to you his Majesty's pleasure that you do regularly, every three months, or oftener, transmit to their Lordships a list of the names of the Council of the Province under your Government, noting such as are absent, for what time they have been absent, and with what license.

I am, sir, your most obedient humble servant,

DARTMOUTH.

EARL OF DARTMOUTH TO LIEUTENANT GOVERNOUR COLDEN.

Whitehall, November 2, 1774.

SIR: I have received your letter of the 7th of *September*, and have laid it before the King.

From the accounts you give of the characters and tempers of the five gentlemen appointed by the City of *New-York* to be their Delegates to the General Congress, I should suppose they would not be likely either to advise or support rash and violent measures; but there is but too much reason to fear that the majority of Delegates are of a different complexion.

In my letter to you of the 7th *September*, I acquainted you with the information I had received of large quantities of Gunpowder, exported from *Holland* to *North America*, and I mentioned to you a particular instance of that dangerous commerce; I make no doubt that you have, in consequence thereof, done every thing in your power to detect and punish such practices; but I am nevertheless again called upon to exhort you to be more than commonly attentive to that object, as every day almost furnishes some fresh intelligence of the *Americans* purchasing large quantities of Arms and Ammunition in the different Ports of *Europe*.

I am, sir, &c., DARTMOUTH.

Lieutenant Governour *Colden*.

PENNSYLVANIA COUNCIL.

At a Council held at *Philadelphia*, on *Wednesday*, 2d *November* 1774:

Present: The Honourable *John Penn*, Esquire, Governour, *Richard Peters*, *James Tilghman*, *Benjam. Chew*, *Andrew Allen*, Esquires.

Whereas on the Petition of sundry Freeholders and other Inhabitants of the County of *Northampton*, an Order of Council was issued on the 6th of *April*, 1771, directing six persons therein named, or any five of them, to view and lay out a Road from the North side of the *Blue* Mountain, in the said County of *Northampton*, to *Wyoming*, in the most convenient and direct courses and to make a return of the courses and distances, with a draught of the said Road, into the Provincial Secretary's Office within six months from the date thereof: And whereas another Petition from the Inhabitants of the said County of *Northampton* hath this day been presented to this Board, setting forth that the six persons named in the Order above mentioned, have neglected to view and lay out the Road therein directed, and therefore praying that six other persons may be appointed to view and lay out the aforesaid Road from the North side of the *Blue* Mountain, in the said County of *Northampton*; it is therefore ordered that *Simon Heller*, *Casper Dull*, *Jonas Hartzall*, *Adam Hubler*, *Abraham Labar*, and *Adam Joke*, do view and lay out a publick Road, or King's highway from the North side of the *Blue* Mountain, at a place called the *Wind Gap*, in the most direct and convenient courses, to *Wyoming*, so that the communication between the said places may be rendered as safe, easy, and convenient for carriages to pass as the nature of the country will admit, and to make a return of the courses and distances, with a draught of the said Road, into the Provincial Secretary's Office, in order to be confirmed if the same shall be approved.

The Governour laid before the Board a Letter which he received yesterday, by the Packet, from the Right Honourable the Earl of *Dartmouth*, one of his Majesty's principal Secretaries of State, which was read, and follows in these words, viz:

Whitehall, August 26, 1774.

SIR: It having been represented to the King that the Government of *Pennsylvania* has taken a resolution to extend its jurisdiction up to the line settled by Commissioners between that Province and *Maryland*, although the Guardians of the heir of Lord *Baltimore* have declared their incapacity, in point of law, to concur in a ratification of that line, and, consequently their inability to take the like step on their part; and it being apprehended that such a partial extension of jurisdiction may have the effect to disturb the peace of the King's subjects settled on the Frontiers of both Provinces, and may occasion violence and bloodshed, I am commanded by the King to signify to you his Majesty's pleasure, that you do desist from issuing any orders for extending the jurisdiction of *Pennsylvania* beyond those places where it has been hitherto usually exercised until the present difficulty on the part of *Maryland* shall be removed, or until his Majesty's further pleasure be known.

I am, sir, your most obedient humble servant,

DARTMOUTH.

Deputy Governour *Penn*.

Which Letter being duly considered, the Governour, in compliance with his Majesty's pleasure therein signified, issued he following Proclamation, viz:

By the Honourable JOHN PENN, *Esquire, Governour and Commander-in-chief of the Province of* PENNSYLVANIA, *and Counties of* NEW-CASTLE, KENT, *and* SUSSEX, *on* DELAWARE:

A PROCLAMATION.

Whereas I have just received a letter from the Right Honourable the Earl of *Dartmouth*, one of his Majesty's principal Secretaries of State, informing me that "it had "been represented to his Majesty that the Government of "*Pennsylvania* had taken a resolution to extend its juris-"diction up to the line settled by Commissioners between "that Province and *Maryland*, although the Guardians "of the heir of Lord *Baltimore* had declared their in-"capacity, in point of law, to concur in a ratification of

Digitized by Google

"that line and, consequently, their inability to take the "like step on their part; and it being apprehended that "such a partial extension of jurisdiction might have the "effect to disturb the peace of the King's subjects settled "on the Frontiers of both Provinces, and might occasion "violence and bloodshed, he was commanded by the King "to signify to me his Majesty's pleasure, that I should de-"sist from issuing any orders for extending the jurisdiction "of *Pennsylvania* beyond those places where it had been "usually exercised, until the present difficulty on the part "of *Maryland* shall be removed, or until his Majesty's "further pleasure shall be known." I have, therefore, in compliance with his Majesty's commands, thought proper to issue this, my Proclamation, hereby strictly commanding and enjoining all Magistrates, Sheriffs, and other Officers of Justice, to desist from exercising the jurisdiction of the Government of *Pennsylvania* or the Counties of *New-Castle*, *Kent*, and *Sussex*, on *Delaware*, beyond those places where the same hath been usually exercised, until the present difficulty on the part of *Maryland* shall be removed, or until his Majesty's pleasure shall be known in the premises, any thing in any former Proclamation contained to the contrary notwithstanding.

Given under my hand and the great seal of the Province of *Pennsylvania*, at *Philadelphia*, the second day of *November*, in the year of our Lord one thousand seven hundred and seventy-four, and in the fifteenth year of his Majesty's reign. JOHN PENN.

By his Honour's command,

JOSEPH SHIPPEN, Jun., *Secretary*.

GOD *save the King*.

November 3, 1774.—The Governour this day sent by the Packet a Letter to the Earl of *Dartmouth*, one of his Majesty's principal Secretaries of State, in answer to his Lordship's Letter of the 26th of *August* last:

Philadelphia, November 3, 1774.

MY LORD: I have just had the honour of your Lordship's letter, No. 5, of the 26th of *August* last, signifying his Majesty's commands "that I should desist from issuing "any orders for extending the jurisdiction of *Pennsylvania* "up to the line settled by Commissioners between that "Province and *Maryland*, until the present difficulty, aris-"ing from the minority of the heir of the late Lord *Bal-"timore*, shall be removed, or until his Majesty's further "pleasure be known." I am to inform your Lordship that before the receipt of your letter I had issued the enclosed Proclamation for exercising the jurisdiction of this Province up to the boundary lines run and marked out by Commissioners under the authority of the Proprietaries of *Pennsylvania* and *Maryland*, in consequence of Articles of Agreement executed by them for that purpose, and the decrees of the Lord Chancellor for the specifick execution of those Articles. As the Commissioners had completely finished the running and marking the lines in the life time of the late Lord *Baltimore*, and the Articles of Agreement between the Proprietaries for settling the boundary, as well as the proceedings of the Commissioners, had, on the joint petition of the respective Proprietaries, been ratified by his Majesty in Council, I conceived that a final end and period had thereby been put to a controversy which had been agitated for ninety years, at an immense expense to the parties, to the great detriment of the settlement of this infant country, and that nothing was wanting to validate or enforce a transaction so solemnly established. But I was not induced, my Lord, to take this step solely on motives founded on the interests of my family. The people living between the ancient temporary line of jurisdiction and that lately settled and marked by the Commissioners, were in a lawless state. Murders and the most outrageous transgressions of law and order were committed with impunity in those places. In vain did persons injured apply to the Government of *Maryland* for protection and redress. In this situation they have of late repeatedly petitioned to be taken under the protection of this Province, into which they fell by the lines run under the Articles and Decrees. Apprehensive lest some disturbances might possibly arise by my issuing an *ex parte* Proclamation for extending the jurisdiction, I applied to the Government of *Maryland* to join with me therein, and I deferred the measure till I found there was no hopes of a compliance with my request. And so far, my Lord, has this partial extension of the jurisdiction been from having the apprehended effect of disturbing the peace of the King's subjects on the Frontiers, and occasioning violence and bloodshed, that it has had a quite contrary tendency, and, as I have been well informed, has quieted the disturbances there, and given universal satisfaction to the people. His Majesty's commands, however, it is my inclination, as well as duty, on this and every other occasion, strictly, and without hesitation, to obey. I have, therefore, issued a Proclamation, a copy of which I enclose your Lordship, to counteract that lately published, and shall take no further steps in the affair, unless his Majesty, on this state of facts, and reconsidering the matter, shall be graciously pleased to permit me. I have the honour to be, with great respect, your Lordship's most obedient humble servant,

JOHN PENN.

To the Right Honourable the Earl of *Dartmouth*, one of his Majesty's principal Secretaries of State, *Whitehall*.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Hanna's Town, November 2, 1774.

DEAR SIR: A hasty opportunity just offers, whilst we are in an adjourned court, and as the person is returning, I will beg the favour that you will send us the last Taxation and Insolvent Acts, neither of which we have, and have occasion for at this present juncture, and our Board cannot do business without the Taxation Act.

We have no news of Lord *Dunmore* that can be depended on since his departure from *Hockhocking* for the *Shawanese* Towns, but a report prevails that Colonel *Lewis* has been attacked at the mouth of *Kenhawa*, and has one hundred and twenty men killed and wounded, notwithstanding which he got the better of the *Indians*.

I hope I shall soon be able to send you some authentick intelligence of the operations of the *Virginia* Troops, and request you will excuse this scrawl, which I am obliged to make surrounded by a number of not the best bred men you ever saw, one of whom is peeping over my shoulder.

I am, dear sir, your very humble and most obedient servant, AR. ST. CLAIR.

N. B. The Proclamation has done some good already.

Philadelphia, November 2, 1774.

TO THE FREEHOLDERS AND ELECTORS OF THE CITY AND COUNTY OF PHILADELPHIA.

As the Congress, in support and for the preservation of *American* liberty, have formed Resolves, and entered into an Association, in behalf of themselves and the Colonies they represented, and have recommended the appointment of Committees in the several Towns and Counties, for carrying the same into execution, we the Committee chosen for the City and County of *Philadelphia*, on the 18th of *June* last, having to the best of our abilities executed the trust then reposed in us, beg leave to recommend to our constituents the appointment of a new Committee for this City and County, on *Saturday* the 12th instant, at the State House, at ten o'clock in the morning, which time and place those qualified to vote for Representatives in Assembly are desired to attend.

November 7, 1774.

TO THE PUBLICK.—A number of the citizens of *Philadelphia*, anxious to comply with the eleventh Resolve of the Congress, in which it is recommended to each City, Town, and County, to form Committees for carrying into execution the whole of their Resolutions, beg leave to propose the choice of separate Committees for the City and County of *Philadelphia*; for the following reasons:

1. The business which will necessarily come before the City and County being different, they apprehend it will be better done by Committees in each place. In the City they include *Southwark* and the *Northern Liberties*.

2. The emergencies of business in the City will require such frequent and sudden meetings of a Committee, that members from the County cannot conveniently attend.

3. In complying with the Non-Consumption Agreement recommended by the Congress, they apprehend the City can afford no assistance to the County, nor the County to

Digitized by Google

the City; so that should they attempt to act together, they will obstruct and delay the execution of that very necessary resolution.

4. By interesting people in every Township, in the most remote as well as adjoining parts of the country, in the execution of the Resolves of the Congress, they apprehend that intelligence, firmness, and unanimity, will be more generally promoted. By which means both City and County will be able to act with more success in the general cause of *American* liberty.

The Freeholders of the City are requested to meet at the State House this afternoon, at three o'clock, to consider of the propriety of electing, by ballot, a Committee according to the recommendation of the Congress; and for adopting a plan for the same, as near as may be to the mode of electing Members of Assembly; and to consider of such other matters as may be necessary to determine on before the day of election for Inspectors, who shall preside at the election advertised by the present Committee, to be held for the said purpose on the 12th instant.

EXTRACT OF A LETTER FROM LIEUTENANT GOVERNOUR COLDEN TO THE EARL OF DARTMOUTH, DATED NEW-YORK, NOVEMBER 2, 1774.

The Congress at *Philadelphia* broke up last week. They have published an extract of their proceedings, of which I enclose your Lordship a copy. It was received in this place only two days ago, so that there has not been time to discover the general sentiments of the people upon it. It is certain that the measures of the Congress do not meet with rapid applause here; but, on the contrary, the people even in the City appear to be rather dissatisfied. They continue, so far as I can discover, averse to all violent and irritating measures. The Merchants seem to disrelish the Non-Importation Association, and if I am not very much deceived, the Farmers will not bear the Non-Exportation; but at present, it is impossible to say with certainty what steps the people will take in consequence of what has been advised and determined by the Congress.

I think I may continue to assure your Lordship that a great majority in this Province are very far from approving of the extravagant and dangerous measures of the *New England* Governments, that they abhor the thoughts of a civil war, and desire nothing so much as to have an end put to this unhappy dispute with the mother country.

Our Assembly have not met for some years past, till after the Christmas holidays. Before that time I will endeavour to learn, whether I may expect that they will propose conciliatory measures.

Nothing material has happened in this place since my last letter to your Lordship. The Merchants are at present endeavouring to sift out each others sentiments upon the Association proposed by the Congress; a certain sign, I take it, that they wish to avoid it. About eighty Artificers went from hence with General *Haldimand* to work on the Barracks there; and last week Iron Pots and Stores were shipped for the use of the Troops at *Boston*, without an attempt being made to prevent it.

EXTRACT OF A LETTER FROM AN OFFICER AT BOSTON CAMP TO HIS FRIEND IN EDINBURGH, DATED NOVEMBER 3, 1774.

The state of this country is pretty much the same as when I last wrote you. You will see in the newspapers the Resolutions of the Congress. They are such as were expected from men violent in their dispositions, inflamed by sedition, and chosen by a riotous and tumultuous mob. These Resolutions in the opinion of all sensible and moderate men, never can, or are intended to be put in execution. They are only thrown out as a bug-bear to intimidate the Merchants in *Britain*, and frighten the Ministry into a repeal of the late Acts, as similar Resolutions did a former Ministry to repeal the Stamp Act; but from the opinion we have of the present Administration, we expect that they will act with that resolution and firmness which becomes the rulers of a great Nation. If they yield, *Britain* must give up all pretensions to any supremacy over her Colonies, whom she protected during the last war at the expense of so many millions, and at the price of so much blood. The faction at *Boston* is now very low. Believe me, all ranks of people are heartily tired of disorder and confusion; and as soon as the determination of *Great Britain* to despise their Resolves and Petitions is known, all will be very quiet.

P. S. It was thought that justice would at least have induced the Congress to order the Tea so wantonly destroyed to have been paid for.

DOCTOR CHARLES CHAUNCEY TO JOSIAH QUINCY, JUN.

Boston, November 3, 1774.

DEAR SIR: The enclosed letter I wrote with a view to its going by the first vessel that went from us since you embarked for *London*, but the vessel, unhappily, sailed before it got to *Marblehead*. The special reason for my writing was that you might see a few Resolves of our Continental Congress, as I supposed this would give you the first sight of them.

The Fortifications at the *Neck* are nearly finished; the Troops sent for from *Philadelpaia*, *New-York*, and *Canada*, are mostly, if not wholly arrived. The Grand Congress, it is supposed, are broke up, either by dissolution or adjournment. Our Delegates are expected in Town next week. Our Provincial Congress is likewise adjourned to the thirteenth of this month, *November*. You will see what has been done by both the Congresses, so far as what they have done is known by the newspapers. Poor *Molineux* is dead, and died suddenly. Our sufferings in the Town increase as the Winter comes on; and our situation becomes more distressingly difficult, as we are guarded, both by sea and land, that we may be restrained from going out of Town and may lie at the mercy of those who are sent on purpose to distress us.

Would our circumstances permit it, the Town would be immediately evacuated of its proper inhabitants; and this will certainly be the case should Administration determine to proceed in an hostile manner against us. It may be depended upon that the Colonies are marvelously united, and determined to act as one in the defence of this Town and Province, which they esteem the same thing with defending themselves. We are impatient to hear what is likely to be the resolution of Administration, upon their knowing, as they do by this time, the union of the Colonies in their resolution to defend their rights and liberties, even to the utmost. The spirit in the Colonies, especially the four *New England* ones, instead of being lowered since you went from us, is raised to a still greater height, insomuch that there may be danger of rashness and precipitancy in their conduct. I hope all prudent care will be taken to govern its operations by the rules of wisdom. It is the wish of every sober, understanding man amongst us, that harmony love, and peace, may be restored between *Great Britain* and the Colonies. They dread nothing more, slavery only excepted, than a bloody conflict for the security of their liberties; and yet this, so far as I am able to judge, they will readily and universally go into rather than submit to such cruelly hard and tyrannical measures as are imposed on them. I hope you are by this time in *London*. The weather has been uncommonly clear and mild since your departure. Wishing you prosperity in all your affairs, especially in your endeavours to serve your country, I am your assured friend and humble servant,

CHARLES CHAUNCY.

To *Josiah Quincy*, Junior.

EXTRACT OF A LETTER FROM JOHN PENN, DEPUTY GOVERNOUR OF PENNSYLVANIA, TO THE EARL OF DARTMOUTH, DATED PHILADELPHIA, NOVEMBER 4, 1774.

I have the honour of your Lordship's letter, No. 6, of the seventh of *September*, before the receipt of which I wrote you by the Packet, and enclosed you a pamphlet containing extracts of the proceedings of the late Congress of *American* Deputies at this place. What tendency the measures they have taken may have to compose the unhappy differences between the mother country and its Colonies, is a question which occasions a variety of opinion. I can only wish their transactions may not be viewed in such a light as to retard that union which all good men anxiously desire may be speedily established.

Digitized by Google

Charge of the Honourable WILLIAM HENRY DRAYTON, *Esquire, one of the Judges of the General Sessions of the Peace, Oyer and Terminer, Assize and General Jail Delivery, for the Districts of* CAMDEN *and* CHERAWS, *in* SOUTH CAROLINA, *on his Circuit, the fifth and fifteenth days of* NOVEMBER, 1774, *delivered to the several Grand Juries, and by them ordered to be published:*

GENTLEMEN OF THE GRAND JURY: You are now met to discharge one of the most important duties in society, for you are assembled arbiters of the innocence or guilt of such of your fellow-citizens who are so unfortunate as to have afforded occasion, however slight, for the laws to take cognizance of their conduct. You are authorized to pass judgment, in the first instance, upon the apparently guilty wretch, and by your acquitting voice, to shield apparent innocence from a malicious prosecution. Such powers have the Constitution of your country vested in you, powers no less important than truly honourable, when exercised with a fearless integrity.

It is your indispensable duty to endeavour to exercise these powers with propriety; it is mine concisely to point out to you the line of your conduct—a conduct which the venerable Constitution of your country intends, by protecting the innocent and by delivering the guilty over to the course of law, should operate to nourish, in its native vigour, even that Constitution itself, from whose generous spirit we have a title to call ourselves freemen, an appellation which peculiarly distinguishes the *English* subjects, (those unfortunately disappointed fellow-citizens in *Quebec* excepted,) and ranks them above all the civilized Nations of the earth.

By as much as you prefer freedom to slavery, by so much ought you to prefer a generous death to servitude, and to hazard every thing to endeavour to maintain that rank which is so gloriously pre-eminent above all other Nations. You ought to endeavour to preserve it, not only for its inestimable value, but from a reverence to our ancestors from whom we received it, and from a love of our children, to whom we are bound, by every consideration, to deliver down this legacy, the most valuable that ever was or can be delivered to posterity. It is compounded of the most generous civil liberty that ever existed, and the sacred Christian Religion released from the absurdities which are inculcated, the shackles which are imposed, the tortures which are inflicted, and the flames which are lighted, blown up and fed with blood by the Roman Catholick doctrines: doctrines which tend to establish a most cruel tyranny in Church and State—a tyranny under which all *Europe* groaned for many ages. And such are the distinguishing characters of this legacy, which may *God* of his infinite goodness and mercy long preserve to us and graciously continue to our posterity: but without our pious and unwearied endeavours to preserve these blessings, it is folly and presumption to hope for a continuance of them; hence, in order to stimulate your exertions in favour of your civil liberties, which protect your religious rights, instead of discoursing to you of the laws of other States, and comparing them to our own, allow me to tell you what your civil liberties are, and to charge you, which I do in the most solemn manner, to hold them dearer than your lives; a lesson and charge at all times proper from a Judge, but particularly so at this crisis, when *America* is in one general and generous commotion touching this truly important point.

It is unnecessary for me to draw any other character of those liberties than that great line by which they are distinguished; and happy is it for the subject that those liberties can be marked in so easy and in so distinguishing a manner. And this is the distinguishing character: *English* people cannot be taxed, nay, they cannot be bound by any law unless by their consent, expressed by themselves or their Representatives of their own election. This Colony was settled by *English* subjects; by a people from *England* herself; a people who brought over with them, who planted in this Colony, and who transmitted to posterity the invaluable rights of *Englishmen*—rights which no time, no contract, no climate can diminish. Thus possessed of such rights, it is of the most serious importance that you strictly execute those regulations which have arisen from such a parentage, and to which you have given the authority of laws, by having given your constitutional consent that they should operate as laws; for by your not executing what those laws require, you would weaken the force, and would shew, I may almost say, a treasonable contempt of those constitutional rights out of which your laws arise, and which you ought to defend and support at the hazard of your lives. Hence, by all the ties which mankind hold most dear and sacred; your reverence to your ancestors; your love to your own interests; your tenderness to your posterity; by the lawful obligations of your oath, I charge you to do your duty; to maintain the laws, the rights, the Constitution of your country, even at the hazard of your lives and fortunes.

Some courtly Judges style themselves the King's servants, a style which sounds harshly in my ears, inasmuch as the being a servant implies obedience to the orders of the master, and such Judges might possibly think that, in the present situation of *American* affairs, this charge is inconsistent with my duty to the King. But for my part, in my judicial character, I know no master but the law; I am a servant, not to the King, but to the Constitution; and, in my estimation, I shall best discharge my duty as a good subject to the King, and a trusty officer under the Constitution, when I boldly declare the law to the people, and instruct them in their civil rights. Indeed, you gentlemen of the Grand Jury, cannot properly comprehend your duty, and your great obligation to perform it, unless you know those civil rights from which these duties spring, and, by knowing the value of those rights, thence learn your obligations to perform these duties.

Having thus generally touched upon the nature and importance of your civil rights, in order to excite you to execute those laws to which they have given birth, I will now point out to you the particular duties which the laws of your country require at your hands.

Unbiased by affection to, and unawed by fear of, any man, or any set of men, you are to make presentment of every person and of every proceeding militating against publick good. The law orders me particularly to give in charge, to watch carefully over our Negro Act, and our Jury Law—a law which cannot be too highly valued, whether we regard the excellency of its nature or the importance of its object. This law carries in itself an indelible mark of what high importance the Legislature thought it when they enacted it; and it carries in itself also a kind of prophecy that its existence in its native vigour would, in after times, be endangered, and therefore it is that the law orders the Judges ever to charge the Grand Juries to watch over it with care; indeed you ought to do so with the most jealous circumspection. A learned Judge says, "Every new tribunal erected for the decision of facts, "without the intervention of a Jury, is a step towards "aristocracy, the most oppressive of absolute Governments; "and it is therefore a duty which every man owes to his "country, his friends, his posterity, and himself, to main-"tain to the utmost of his power this valuable Constitution "in all its rights, to restore it to its ancient dignity, if at "all impaired; to amend it wherever it is defective, and "above all to guard with the most jealous circumspection "against the introduction of new and arbitrary methods "of trial, which, under a variety of plausible pretences, "may in time imperceptibly undermine this best preserva-"tive of *English* liberty." Mr. Justice *Blackstone* terms the *English* Trial by Jury, the glory of the *English* Law; let me tell you our Trial by Jury is that kind of glory in full meridian lustre, in comparison of which the *English* mode appears only with diminished splendour.

But let not your care of this great object occupy all your attention; you are to find all such bills of indictment as the examination of witnesses in support of them may induce you to think there is a probability that the fact charged is true; for you are not to exact such circumstancial and positive evidence as would be necessary to support the indictment before a Petit Jury. To make those presentments, and to find these bills, it is not necessary that you all agree in opinion; twelve united voices among you are sufficient to discharge the duties of a Grand Jury, but it is absolutely necessary that twelve of you agree in opinion upon every point under your consideration; and happy, happy, thrice happy are that people who cannot be made to suffer under any construction of

Digitized by Google

the law, but by the united voices of twenty-four impartial men, having no interest in the cause, but that the laws be executed and justice be administered.

In short, that you may discharge your duty with propriety, and that you may pursue that course of conduct which the law requires, let me, in the strongest terms, recommend to you that you keep constantly in your mind the nature and particulars of the oath which you have just taken. To you this oath is of as much importance as the mariner's compass is to those who sail on the ocean: this points out the course of their voyage; your oath as clearly points out to you the course of your conduct. I dare say you are willing to discharge that duty which you owe to society; I make no doubt but that you will discharge it with advantage to the publick, and therefore with honour to yourselves.

—

PRESENTMENTS OF THE GRAND JURY FOR THE DISTRICT OF CAMDEN.

1. We present, as a grievance, the extensive bounds of the Parish of *St. Mark*, which makes it difficult for the Church Wardens and Overseers of the Poor to collect the Poor Tax, and a great means to hinder the propagation of the Gospel in the back parts of the said Parish.

2. We present, as a grievance, that there is not a law to ascertain the prices of Entertainment at publick houses, there being a great number of them in *Camden* District, who frequently impose on strangers and travellers, by making them pay exorbitantly for what they stand in need of, to the great detriment of the poor.

3. We present, as a grievance of the most dangerous and alarming nature, the power exercised by the Parliament to Tax and to make Laws to bind the *American* Colonies in all cases whatsoever. We conceive such a power is destructive of our birth-rights as freemen, descended from *English* ancestors, seeing such freemen cannot be constitutionally taxed or bound by any law, without their consent, expressed by themselves or implied by their Representatives of their own election; a consent which the good people of this Colony never have signified, to be taxed or bound by laws of the *British* Parliament, in which they never have had any constitutional representation.

And whereas we rather choose to die freemen than to live slaves bound by laws, in the formation of which we have no participation; so now, that the body of this District are legally assembled, as one step towards the defence of our constitutional rights, which are dearer to us than our lives and fortunes, we think it our indispensable duty to the people of the District, to ourselves, the Grand Jurors for the body of the people, and to our posterity, thus clearly to express the sense of this large and populous District, touching our constitutional rights, and the very imminent danger to which they are exposed from the usurped power of the *British* Parliament, taxing and by law binding the *Americans* in all cases whatsoever; being resolved to maintain our constitutional rights at the hazard of our lives and fortunes, we do most earnestly recommend that this Presentment in particular be laid before our constitutional Representatives in General Assembly, who, we doubt not, will do all in their power to support us in our just rights.

And lastly, in testimony of the satisfaction we feel, and the high estimation in which we hold the charge given by his Honour the Judge, at the opening of the Court, and the principles of loyalty and liberty in which the same is manifestly founded; and also, that a lasting evidence may remain of that true and constitutional language, which it is the duty of every Judge to adopt, in the exercise of an office instituted solely for the preservation of the laws, we make it our request that his Honour will be pleased to direct the said charge to be printed and made publick, fully persuaded that every man will read it with applause who wishes a lasting security to the *British* constitutional establishment of civil and religious liberty; we also recommend the publication of these our Presentments.

MATTHEW SINGLETON, *Foreman.*

Joshua English,	John Gamble,	Samuel Bradley,
Silvester Dunn,	Robert Carter,	James Conyers,
Jasper Sutton,	Henry Hunter,	David Wilson,
John Payn,	David Neilson,	Aaron Frierson,
Isham Moore,	Thomas Caffity,	Moses Gordon,
John Cantey,	John Perkins, Sen.,	Samuel Cantey,
John Witherspoon,	Henry Cassels,	Edward Dukey.

THE PRESENTMENTS OF THE GRAND JURY OF CHERAWS DISTRICT.

[*After the Local Presentments.*]

4. We present, as a grievance of the first magnitude, the right claimed by the *British* Parliament to Tax us, and by their Acts to bind us in all cases whatsoever. When we reflect on our other grievances, they all appear trifling in comparison with this; for if we may be taxed, imprisoned, and deprived of life, by the force of edicts to which neither we nor our constitutional Representatives have ever assented, no slavery can be more abject than ours. We are, however, sensible that we have a better security for our lives, our liberties and fortunes, than the mere will of the Parliament of *Great Britain;* and are fully convinced that we cannot be constitutionally taxed but by Representatives of our own election, or bound by any laws but those to which they have assented. This right of being exempted from all laws but those enacted with the consent of Representatives of our own election, we deem so essential to our freedom, and so engrafted in our Constitution, that we are determined to defend it at the hazard of our lives and fortunes; and we earnestly request that this Presentment may be laid before our constitutional Representatives, the Commons House of Assembly of this Colony, that it may be known how much we prize our freedom, and how resolved we are to preserve it.

We recommend that these Presentments be published in the several Gazettes of this Province.

ALEXANDER M'INTOSH, *Foreman.*

—

ADDRESS OF THE PETIT JURY OF CHERAWS DISTRICT TO JUDGE DRAYTON.

May it please your Honour:

As your Charge at the opening of the sessions contained matters of the highest importance to every individual in this Colony, as well as to the Grand Jury, to whom, in particular, it was delivered, we, the Petit Jury for the District of *Cheraws*, beg leave to testify our great satisfaction, and to return your Honour our warmest acknowledgments for so constitutional a charge at this alarming crisis, when our liberties are attacked, and our properties invaded by the claim and attempt of the *British* Parliament to tax us, and by their edicts to bind us in all cases they deem proper; a claim to which we will never submit, and an attempt which we are determined to oppose at the hazard of our lives and property; being fully convinced, that by the Constitution of this country, we owe obedience to no human laws but such as are enacted with the consent of our Representatives in General Assembly. These being our fixed sentiments, we take this opportunity of publickly declaring them; and we would esteem it a particular favour conferred on us if your Honour would direct your charge to be printed, that the benefit arising from it may be as diffusive as possible, and that it may remain as a pattern of that constitutional language which a Judge should deliver, who is above Ministerial influence, and knows no master but the Law. CLAUDIUS PEGUES, *Foreman.*

—

MEETING OF OFFICERS UNDER EARL OF DUNMORE.

At a Meeting of the Officers under the command of his Excellency the Right Honourable the Earl of *Dunmore*, convened at *Fort Gower*,* *November* 5, 1774, for the purpose of considering the grievances of *British America*, an Officer present addressed the Meeting in the following words:

"GENTLEMEN: Having now concluded the campaign, "by the assistance of Providence, with honour and advan-"tage to the Colony and ourselves, it only remains that "we should give our country the strongest assurance that "we are ready, at all times, to the utmost of our power, to "maintain and defend her just rights and privileges. We "have lived about three months in the woods without any "intelligence from *Boston*, or from the Delegates at *Phila-"delphia*. It is possible, from the groundless reports of "designing men, that our countrymen may be jealous of

* Situated at the junction of the *Ohio* and *Hockhocking* Rivers, two hundred miles below *Fort Dunmore*.

Digitized by Google

"the use such a body would make of arms in their hands "at this critical juncture. That we are a respectable body "is certain, when it is considered that we can live weeks "without bread or salt; that we can sleep in the open air "without any covering but that of the canopy of Heaven; "and that our men can march and shoot with any in the "known world. Blessed with these talents, let us solemn-"ly engage to one another, and our country in particular, "that we will use them to no purpose but for the honour "and advantage of *America* in general, and of *Virginia* in "particular. It behooves us then, for the satisfaction of our "country, that we should give them our real sentiments, "by way of resolves, at this very alarming crisis."

Whereupon the meeting made choice of a Committee to draw up and prepare Resolves for their consideration, who immediately withdrew; and after some time spent therein, reported that they had agreed to and prepared the following Resolves, which were read, maturely considered, and agreed to, *nemine contradicente*, by the Meeting, and ordered to be published in the *Virginia Gazette:*

Resolved, That we will bear the most faithful allegiance to his Majesty King *George* the Third, whilst his Majesty delights to reign over a brave and free people; that we will, at the expense of life, and every thing dear and valuable, exert ourselves in support of the honour of his Crown and the dignity of the *British* Empire. But as the love of Liberty, and attachment to the real interests and just rights of *America* outweigh every other consideration, we resolve that we will exert every power within us for the defence of *American* liberty, and for the support of her just rights and privileges; not in any precipitate, riotous, or tumultuous manner, but when regularly called forth by the unanimous voice of our countrymen.

Resolved, That we entertain the greatest respect for his Excellency the Right Honourable Lord *Dunmore*, who commanded the expedition against the *Shawanese;* and who, we are confident, underwent the great fatigue of this singular campaign from no other motive than the true interest of this country.

Signed by order and in behalf of the whole Corps,

BENJAMIN ASHBY, *Clerk*.

New-York, November 6, 1774.

A discovery being made that eighteen Sheep were on board a Sloop in this Harbour, bound for the *West Indies;* a number of citizens waited on the Captain, and informed him that the exportation of Sheep was contrary to a Resolution of the Continental Congress, and thereupon obtained his promise that they should be re-landed, and not carried out of the Harbour. The people were satisfied, and patiently waited till evening, when a report prevailing that the vessel was to sail that night, about two hundred inhabitants assembled on the wharf, appointed and sent four persons to wait on the Committee of Correspondence, and request their advice concerning the measures proper to be taken. By their advice, the Merchant to whom the vessel came consigned, was sent for, and desired to cause the Sheep to be landed, and delivered to one of the Committee appointed on this occasion by the people, which person gave his promise to return the Sheep as soon as the vessel had sailed. Accordingly the Sheep were landed, delivered, and soon after the vessel was sailed, returned to the proprietor; on which the people, being well satisfied, peaceably dispersed.

JOSEPH REED, ESQUIRE, TO JOSIAH QUINCY, JUN.

Philadelphia, November 6, 1774.

DEAR SIR: I wrote you the latter end of last month, expecting it would be the first advice you would receive of the proceedings of the *American* Congress; but by a delay of the vessel, and her being obliged to put into *New-York* in distress, it is probable that my well intended efforts will fail. The Congress broke up soon after, and your *Boston* brethren returned in high spirits at the happy and harmonious issue of this important business. Since that time, there has been a stagnation of publick intelligence and advices.

On *Saturday* next, agreeably to the directions of the Congress, a great Committee is to be chosen in this City to carry the Association of the Congress into execution. The Quakers, who you know form a considerable part of this City, act their usual part. They have directed their members not to serve on the Committee, and mean to continue the same undecisive, neutral conduct, until they see how the scale is like to preponderate; then I doubt not they will contribute to the relief of *Boston*, and appear forward in their cause. But *American* Liberty in the mean time must take her chance for them. However, there is no danger of the enemy being let in through this City; there is a band of staunch, chosen Sons of Liberty among some of our best families, who are backed by the body of the people in such a manner that no discontented spirit dares oppose the measures necessary for the publick safety. I am more afraid of *New-York*—there has been a strange delinquency and backwardness during the whole Summer. If you have any correspondence there I wish you would endeavour to animate them. While they are attending to the little paltry disputes which their own parties have produced, the great cause is suffering in their hands.

There is too much reason to fear the powerful rhetorick of corruption, in which the present Administration is too well versed, has not been used in vain. Their publick papers are the vilest collection of invectives upon the cause, and every private character that appears in support of it, and are so replete with falsehoods invented to mislead and deceive, that we have little doubt they are brought by some Agent of Administration, and applied to promote their infamous purposes. You must therefore hear and read from these with some caution. You see by the example I set you of writing by every vessel, that you cannot oblige me more than by letting me hear often from you. I heartily wish you health, and as much happiness as the situation of your suffering country will allow you to take. And am with much esteem, dear sir, your very obedient and affectionate, humble servant, J. R.

P. S. The villainous tricks of the Post Office, against which we are cautioned from your side the water, induce me only to put the initials of my name; but I trust you will be at no loss to determine who this letter is from.

York-Town, Virginia, November 7, 1774.

The Inhabitants of *York* having been informed that the *Virginia*, commanded by *Howard Eston*, had on board two half chests of Tea, shipped by *John Norton*, Esq., and Sons, Merchants in *London*, by order of Messrs. *Prentis* and Co., Merchants in *Williamsburg*, assembled at ten o'clock this morning, and went on board the said Ship, where they waited some time for the determination of the meeting of several Members of the House of Burgesses in *Williamsburg*, who had taken this matter under consideration. A messenger was then sent on shore, to inquire for a letter from the meeting; but returning without one they immediately hoisted the Tea out of the hole and threw it into the River, and then returned to the shore without doing damage to the Ship or any other part of the cargo. On the day following the County Committee met, to consider of this matter; and after mature deliberation, came to the following Resolutions:

Resolved, That we do highly approve of the conduct of the Inhabitants of *York*, in destroying the Tea on board the *Virginia*.

Resolved, That Messrs. *Prentis* and Co. have incurred the displeasure of their countrymen, by not countermanding their orders for the Tea, having had frequent opportunities to have done so; and that they ought to make proper concessions for such misconduct, or be made to feel the resentment of the publick.

Resolved, That *John Norton*, Esq., of *London*, must have known the determination of this Colony with respect to Tea, as the Ship *Virginia* did not sail from hence till after the late Assembly was dissolved, and the Members of that Assembly, in behalf of the Colony, immediately upon their dissolution, entered into a solemn Association against that article.

Resolved therefore, To convince our enemies that we never will submit to any measure that may in the least endanger our liberties, which we are determined to defend at the risk of our lives, that the Ship *Virginia* ought to clear out from hence in ballast, in eighteen days from this time.

Digitized by Google

Resolved, That *Howard Esten*, commander of the Ship *Virginia*, acted imprudently in not remonstrating in stronger terms against the Tea being put on board the Ship, as he well knew it would be disagreeable to the inhabitants of this Colony.

We submit to our countrymen whether every Ship, circumstanced as the *Virginia* is, ought not to share the same fate.

Signed by order of the Committee,

WILLIAM RUSSELL, *Clerk*.

Gloucester County, November 7, 1774.

From certain information that the *Virginia*, Captain *Howard Esten*, was arrived in *York* River with a quantity of Tea on board, twenty-three members of the Committee of *Gloucester* County, with a number of the other inhabitants, assembled at *Gloucester* Town, to determine how the said Tea should be disposed of.

Hearing that the Members of the House of Burgesses in *Williamsburg*, at eight o'clock this morning, had taken the matter under their consideration, we determined to wait the result of their deliberations. We accordingly waited till after twelve, but the determinations from *Williamsburg* having not then come down, we repaired to the Ship, in order to meet the Committee of *York*, which we supposed to be in the great number of those we discerned on board. On our arrival we found the Tea had met its deserved fate, for it had been committed to the waves. We then returned, and after mature deliberation came to the following Resolutions:

Resolved, That *John Norton*, Merchant in *London*, by sending over Tea in his Ship has lent his *little aid* to the Ministry for enslaving *America*, and been guilty of a daring insult upon the people of this Colony, to whom he owes his all.

Resolved, That the Ship *Virginia*, in which the detestable Tea came, ought and shall return in twenty days from the date hereof.

Resolved, That no Tobacco shall be shipped from this County on board the said Ship, either to the owners or any other person whatsoever; and we do most earnestly recommend it to our countrymen to enter into the same Resolution, in their respective Counties.

Resolved, That the said *Norton* has forfeited all title to the confidence of this County, and that we will not in future consign Tobacco, or any other commodity to his house, until satisfactory concessions are made, and we recommend the same Resolution to the rest of the Colony.

Resolved, That *John Prentis*, who wrote for, and to whom the Tea was consigned, has justly incurred the censure of this country, and that he ought to be made a publick example of.

Resolved, That *Howard Esten*, commander of the Ship *Virginia*, has acted imprudently, by which he has drawn on himself the displeasure of the people of this County.

Signed by order of the Committee,

JASPER CLAYTON, *Clerk*.

Williamsburg, November 24, 1774.

It gives me much concern to find that I have incurred the displeasure of the *York* and *Gloucester* Committees, and thereby of the publick in general, for my omission in not countermanding the order which I sent to Mr. *Norton* for two half chests of Tea; and do with truth declare, that I had not the least intention to give offence, nor did I mean an opposition to any measure for the publick good. My countrymen, therefore, it is earnestly hoped, will readily forgive me for an act which may be interpreted so much to my discredit; and I again make this publick declaration, that I had not the least design to act contrary to those principles which ought to govern every individual who has a just regard for the rights and liberties of *America*.

JOHN PRENTIS.

Philadelphia, November 7, 1774.

A respectable number of the Inhabitants of the City of *Philadelphia*, pursuant to notice given in the *Pennsylvania Packet*, met at the State House, to consider of such matters as it was necessary to determine upon previous to the election of a Committee on *Saturday* next. After some debate it was unanimously voted that the election be by ballot; whereupon a plan for that purpose was read, amended, and unanimously approved.

The company met, then took into their consideration whether the Committee should be chosen for the City and County jointly, or whether the City and Suburbs should choose a separate Committee; and after some debate,

Voted unanimously, That the City and Suburbs shall choose a Committee to act for themselves distinct from the County.

Voted unanimously, That this Committee do consist of sixty persons.

Voted unanimously, That the Committee of sixty, proposed to be elected on *Saturday* next, for the City and Suburbs, shall be and continue in office until the close of the sessions of the General Congress, intended to be held next spring, and until two weeks afterwards and no longer.

Voted unanimously, That the following gentlemen be appointed and requested to take care that the election for Inspectors is held in the several Wards respectively, and in the Suburbs, agreeable to the plan of Election, to wit:

UPPER DELAWARE WARD, *Jacob Bright, Philip Moore.*
LOWER DELAWARE WARD, *John Knowles, John Duffield.*
MULBERRY WARD, *Isaac Melchior, Jacob Winey.*
NORTH WARD, *Isaac Howell, Richard Humphreys.*
CHESTNUT WARD, *William Bradford, Joseph Dean.*
MIDDLE WARD, *John Howard, Samuel Simpson.*
WALNUT WARD, *Adam Hubley, John Taylor.*
SOUTH WARD, *George Claypool, Sharp Dulancy.*
HIGH STREET, *W. Hollingshead, John Bayard.*
DOCK WARD, Captain *Donnell, William Jackson.*
NORTHERN LIBERTIES, *Joseph Thatcher, W. Masters.*
SOUTHWARK, *Arthur Donaldson, Thomas Penrose.*

THE PLAN, &c.

An Inspector shall be chosen in each Ward in the City, one for the District of *Southwark*, and one for that part of the *Northern Liberties* which lies Eastward of *Fourth* Street continued, and Southward of the Creek whereon *Masters's* Mill is erected, including also that part of *Kensington* to the Eastward of the Street leading from *Frankford* Road to the Bridge over *Gunner's* Run, and to the Southward of that Run. For this purpose the Freeholders and others, qualified to vote for Members of the General Assembly, in each Ward, shall meet on *Thursday* next, at the place where the Ward election for Inspectors was held at the last election, between the hours of two and five in the afternoon.—That part of the *Northern Liberties* before described, at the *Northern Liberty* Beerhouse, *Southwark*, to meet at the sign of the *Blue Bell* (*Mr. Patton's*.)

The Inspectors so chosen shall meet at the State House on *Saturday* morning next, at nine o'clock, and choose three reputable Freeholders, to preside as Judges at the election, and they shall, before they proceed in the said election, solemnly declare upon their honour, that they will superintend this election during the continuance of it, and conduct it as near as may be, according to the Act of Assembly for regulating of Elections, &c., passed 15. *G.* II. And if any person shall offer a vote, who is not known to some one of them to have a right to vote, they will require of him, instead of an oath, a solemn declaration, upon honour, of his right to vote for Members of the General Assembly, and inform him at the same time, that if it shall hereafter appear, that he has declared falsely, he shall be publickly advertised in the Newspapers, as having abused and insulted his distressed country.

The Judges and Clerks who shall assist at the proposed election, shall also make a solemn declaration, upon honour, that they will faithfully perform their duty according to the best of their judgment.

The Inspectors shall then proceed to receive the votes of the Freeholders qualified to vote for Members of the General Assembly, within the limits aforesaid; and having received all such votes as shall be offered, shall, about eight o'clock in the evening, give the usual notice, that the election will be closed in half an hour, and shall close it accordingly. They shall then carefully proceed to count off the tickets, in order justly to determine who are

Digitized by Google

duly elected to be of the said Committee, and having determined it, shall make out three complete lists of the Committee so chosen, and deliver one to Mr. *John Dunlap*, one to Messrs. *William* and *Thomas Bradford*, and one to Messrs. *Hall* and *Sellers*, to be published in their Newspapers, with a request to the Committee so chosen to meet at the State House on *Thursday*, the 17th instant, at three o'clock in the afternoon, and proceed on the duty for which they are appointed.

New-York Committee Chamber, November 7, 1774.

Whereas, at the late Continental Congress, held at *Philadelphia*, it was resolved that a Committee be chosen in every County, City, and Town, by those who are qualified to vote for Representatives in the Legislature, whose business it shall be attentively to observe the conduct of all persons touching the Association entered into by the Members of the said Congress, in the name and on the behalf of themselves and their respective Constituents; and when it shall be made to appear to the satisfaction of the majority of any such Committee, that any person within the limits of their appointment, has violated the said Association, that such majority do forthwith cause the truth of the case to be published in the *Gazette*, to the end that all such foes to the rights of *British America* may be publickly known and universally contemned as the enemies of *American* Liberty; and that thenceforth the parties to the said Association will respectively break off all dealings with him or her.

Which said Resolve of the Congress being this day taken into consideration by the Committee of Correspondence of this City of *New-York*, they do hereby recommend to the Freeholders and Freemen of the said City, to assemble together at the usual places of election, in their several Wards, at ten o'clock in the forenoon, on *Friday*, the 18th day of this instant, *November*, then and there to elect and appoint eight fit persons in each respective Ward, to be a Committee of Inspection, for the purpose expressed in the said Resolve of the Congress.

By order of the Committee,

ISAAC LOW, *Chairman.*

To the Honourable FREDERICK SMYTH, Esquire, *Chief Justice of the Province of* NEW-JERSEY:

The Address of the Grand Jury for the Body of the County of *Essex*, at a Court of Oyer and Terminer and General Gaol Delivery, held at *Newark*, in the said County, the first *Tuesday* in *November*, 1774.

May it please your Honour:

As your Honour's charge from the Bench was not so properly directory to us with respect to our duty as the Grand Inquest of this County, as matter of instruction for the regulation of our own personal conduct amidst the present commotions of the Continent, we think ourselves obliged, from the singularity of the charge, and its *paternal* tenderness for our welfare, to express our gratitude for your Honour's friendly admonitions, (which doubtless derived great solemnity from the place in which they were delivered,) and at the same time to inform you how far we have the misfortune to differ from you in sentiment, both as to the origin and tendency of the present uneasiness so generally diffused through all the Colonies. If we rightly understood a particular part of your Honour's charge, you were pleased to tell us, that while we were employed in guarding against "imaginary tyranny, three thousand miles distant," we ought not to expose ourselves to a "real tyranny at our own doors." As we neither know, sir, nor are under the least apprehension of any tyranny at our own doors, unless it should make its way hither from the distance you mention, and then, we hope, that all those whom the Constitution has entrusted with the guardianship of our liberties, will rather strive to obstruct than accelerate its progress, we are utterly at a loss for the idea thereby intended to be communicated. But, respecting the tyranny at the distance of three thousand miles, which your Honour is pleased to represent as imaginary, we have the unhappiness widely to differ from you in opinion. The effect, sir, of that tyranny is too severely felt to have it thought altogether visionary. We cannot think, sir, that taxes imposed upon us by our fellow-subjects, in a Legislature in which we are not represented, is an imaginary, but that it is a real and actual tyranny; and of which no Nation whatsoever can furnish a single instance. We cannot think, sir, that depriving us of the inestimable right of trial by jury; seizing our persons and carrying us for trial to *Great Britain*, is a tyranny merely imaginary. Nor can we think with your Honour, that destroying Charters and changing our forms of Government, is a tyranny altogether ideal.—That an Act passed to protect, indemnify, and screen from punishment such as may be guilty even of murder, is a bare idea.—That the establishment of *French* laws and Popish religion in *Canada*, the better to facilitate the arbitrary schemes of the *British* Ministry, by making the *Canadians* instruments in the hands of power to reduce us to slavery, has no other than a mental existence. In a word, sir, we cannot persuade ourselves that the Fleet now blocking up the Port of *Boston*, consisting of ships built of real *English* oak and solid iron, and armed with cannon of ponderous metal, with actual powder and ball; nor the Army lodged in the Town of *Boston*, and the Fortifications thrown about it, (substantial and formidable realities,) are all creatures of the imagination. These, sir, are but a few of the numerous grievances under which *America* now groans. These are some of the effects of that deliberate plan of tyranny concerted at "three thousand miles distance," and which, to your Honour, appears only like the "baseless fabrick of a vision." To procure redress of these grievances, which to others assume the form of odious and horrid realities, the Continent, as we learn, has very naturally been thrown into great commotions; and as far as this County in particular has taken part in the alarm, we have the happiness to represent to your Honour, that in the prosecution of measures for preserving *American* liberties, and obtaining the removal of oppressions, the people have acted in all their popular assemblies, (which it is the right of *Englishmen* to convene whenever they please,) with the spirit, temper, and prudence, becoming freemen and loyal subjects.

To trespass no longer on your Honour's patience, we conclude with our hearty wishes, that while the great cause of liberty is warmly, and at the same time so peaceably vindicated, by all honest *Americans*, as essentially necessary to publick happiness; no bias of self-interest; no fawning servility towards those in power; no hopes of future preferment, will induce any man to damp their laudable and patriotick ardour; nor lend his helping hand to the unnatural and diabolical work of riveting those chains which are forging for us by that same actual tyranny, at the distance of three thousand miles.

BOSTON TOWN MEETING.

At a Meeting of the Inhabitants of *Boston*, by adjournment, *November* 7, the Committee appointed for that purpose, made the following Report, which was accepted by the Town:

Whereas, sundry Regiments of his Majesty's Troops are, contrary to law, and to the great annoyance and detriment of his Majesty's good subjects of this Province, now stationed in the Town of *Boston*, in a time of profound peace, for the avowed purposes of carrying into execution sundry Acts of the *British* Parliament tending to enslave the people and to subvert the Constitution of the Province, which it is our duty to protest against upon all occasions; yet, nevertheless, we, the inhabitants of the Town of *Boston*, in Town Meeting legally assembled, taking into serious consideration the distressed circumstances of this Metropolis, and being anxious still to use our best endeavours to preserve that decency and order for which the Town has ever been remarkable; relying on the justice of our cause; and confiding in the united endeavours of the Colonies; the wisdom of the Continental Congress; the justice and clemency of our Sovereign, and the smiles of Divine Providence, that our grievances will shortly be redressed, and our unalienable and precious rights, liberties, and privileges, be restored and secured to us upon a just and permanent basis: Therefore, we recommend, that as his Excellency the Governour has assured the Town that he will do all in his power to secure the peace and good order of the Town:

That the Town, on their part, will exert their best en-

Digitized by Google

deavours to effect the same desirable purpose; and to this end would augment the Town Watch. And it is recommended to the Selectmen of the Town, that they increase the Watch to the number of twelve men in each watch-house, for the security and safety of the inhabitants; and that they be directed to patrole the streets of the Town for the whole night the ensuing season. And it is earnestly desired that his Majesty's Justices of the Peace, and other Peace Officers, would exert their authority for the observance of the laws and preservation of peace and order; and that when they hear of any disturbance, they would not wait for a complaint, but call on the inhabitants, who will at all times be ready in assisting to disperse such persons, or in bringing offenders, of what rank and order soever, to justice. And in our present situation, it is incumbent upon us particularly to attend to the peace and good order of the Town, it is therefore earnestly recommended to the inhabitants to do all in their power to prevent or suppress any quarrels or disturbances. And it is seriously recommended to all masters of families, that they restrain their children and servants from going abroad after nine o'clock in the evening, unless on necessary business. And it it is further recommended to the Selectmen of the Town, to enjoin upon all retailers and taverners of the Town, that they strictly conform to the laws of the Province relating to disorderly persons. Attest,

W. Cooper, *Town Clerk.*

EXTRACT OF A LETTER FROM A GENTLEMAN IN NEW-YORK TO HIS CORRESPONDENT IN LONDON, DATED NOVEMBER 7, 1774.

Enclosed are the Resolves and Proceedings of the General *American* Congress. Several thousand copies of them are distributed over the Colonies. Many gentlemen in this and other Towns have got them elegantly printed, framed, and glazed, to perpetuate to their latest posterity the manly conduct of a people, not yet, like *Britain*, enervated by luxury, effeminacy, and corruption, but who claim and insist for the rights of men. The letter from the Congress to the Inhabitants of *Britain* is looked upon as one of the finest pieces of calm and cool reasoning which has yet appeared in *America*. But to these reasons, founded upon common sense, what answer do we receive from the tools of Government? They, indeed, oppose to them, in the arbitrary style of a King of *France*, the *ultima ratio regum*, the *British* Cannon; and tell us, like the tyrannick King of *Prussia*, that those things are so; why? *sic volo, sic jubeo.* But these arguments are not calculated to go down with a free people, descended from those brave Republicans who laid the foundation of that freedom which *Britain* has enjoyed since the glorious Revolution. We are branded with the titles of *enthusiastick* and *puritanick;* but had it not been for the *enthusiasm* and *puritanism* of our forefathers, the inhabitants of *Britain* would have been this day groaning under Popery, slavery, and arbitrary power. We were told that the people of *Boston* would soon yield, but, notwithstanding they have been besieged six months, they still retain that firmness and integrity which a good cause inspires: and the predictions of your Ministry, that the people of *America* would differ among themselves, have been falsified by that unanimity with which all ranks have united against their tyrannick measures. What would the Ministry be at? If it was only us they could ruin we would not be surprised at their conduct, but would look upon it only as that system of tyranny which they have adopted; but when we consider that every stab that *America* receives must also pierce the vitals of *Great Britain*, we are struck with amazement, and think that the depravity of the hearts of your Ministers can only be equalled by the weakness of their heads.

Boston, November 10, 1774.

The Town of *Marblehead*, at a full Meeting, on *Monday*, the 7th instant, unanimously made choice of a large Committee for executing the plans of the Continental and Provincial Congresses. It likewise appointed a day for choosing Militia Officers, and a Committee for each Company, to give personal warning to all on the Alarm List for the purpose mentioned. Directions were given by the Town to the Clerk for entering on the Records such persons as should by the Province be considered and published as "Rebels against the State," and to the Constables and Collectors to pay to *Henry Gardner*, Esquire, moneys which they then had, or in future might have in their hands, belonging to the Province; the advertisements of the late Treasurer *Gray* being treated with the contempt due to one on the Rebel list. A Company and train of Artillery, will, by private subscription, be likewise provided in said Town, for defence of *American* freedom.

Surely the Colonies are in earnest for preserving their liberties, and a general attention to the Art Military will in a short time render them secure, notwithstanding the designs of oppressive tyranny. May military discipline, then, immediately take place throughout *America.*

WESTMORELAND COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Committee for the County of *Westmoreland*, for seeing the Association duly executed, *November* 8, 1774:

Before them a certain *David Wardrobe* came, and being examined concerning a letter, false, scandalous, and inimical to *America*, published in the *Glasgow Journal*, *August* 18, 1774, said to be written by a gentleman from *Westmoreland* County, in *Virginia*, *June* 30, 1774, and charged to be written by the said *Wardrobe;* the Committee, on hearing the said *Wardrobe* acknowledge to have written the greatest part of said letter, and equivocating extremely concerning the rest of it, and seriouly considering the fatal consequences that will infallibly be derived to the dearest rights and just liberties of *America*, if such enemies are suffered to proceed in this manner, of giving false and mischievous accounts to *Great Britain*, tending to misrepresent this country, and to deceive *Great Britain*, have come to the following Resolutions, which they do most earnestly recommend to all those who regard the peace, the liberty, and the rights of their country:

1. *Resolved*, That the Vestry of *Cople* Parish be desired no longer to furnish the said *Wardrobe* with the use of the Vestry House for his keeping school therein.

2dly. That all persons who have sent their children to school to the said *Wardrobe* do immediately take them away, and that he be regarded as a wicked enemy to *America*, and be treated as such.

3dly. That the said *Wardrobe* do forthwith write and publish a letter in the *Gazette*, expressing to the world his remorse for having traduced the people here, and misrepresented their proceedings in manner as in the said letter is done.

4thly. That the said *Wardrobe* be charged to appear at *Westmoreland* Court House, on the 29th day of this instant, to be dealt with further as the Committee shall direct, to which time and place they do adjourn themselves.

At a Meeting of the Committee at the Court House of *Westmoreland* County, the 29th day of *November*, 1774, agreeable to adjournment, the foregoing Proceedings, and the Letter mentioned therein, being read, and it appearing to the Committee that the said *David Wardrobe* was summoned, agreeable to the fourth Resolve, to appear on this day, and he failing to make his appearance accordingly, but having wrote a Letter to the said Committee, excusing himself for non-attendance, rather insulting than exculpatory, it is

Resolved, That the Proceedings of the former Committee be confirmed, and that the Letter mentioned therein, together with the whole of these Proceedings, be transmitted by the Clerk to the Printer, to be published in the *Gazette.*

Signed by order of the Committee,

James Davenport, *Clerk.*

N. B. Since the aforesaid determination of the Committee, the said *David Wardrobe* came to *Westmoreland* Court House, and, in the presence of a considerable number of people, made and signed the following Concession and Acknowledgment:

"Deeply affected with remorse for having traduced the good people of *Virginia*, in a letter I wrote to *Archibald Provan*, of *Glasgow*, dated the 30th of *June*, 1774, which

Digitized by Google

has been since printed in the *Glasgow Journal* of the 18th *August*, in the same year, said to be written by a gentleman in *Westmoreland* County to his friend in *Glasgow*, containing falsehoods and misrepresentations, which may be of fatal consequence to the rights and liberty of *America*, in order to make every recompense to the community in my power for so gross an offence, I do, most heartily and willingly, on my knees, implore the forgiveness of this country for so ungrateful a return made for the advantages I have received from it, and the bread I have earned in it, and hope, from this contrition for my offence, I shall be at least admitted to subsist amongst the people I greatly esteem, and desire that this may be printed in the *Virginia Gazette*. DAVID WARDROBE."

—

The following is a copy of the Letter referred to in the foregoing Proceedings:

Extract of a Letter from a gentleman in WESTMORELAND *County*, VIRGINIA, *to his friend in* GLASGOW, *dated* JUNE 30: *from the* GLASGOW JOURNAL *of August* 18, 1774.

As the present situation of affairs in this country is alarming, I make no doubt some account of them will be agreeable to you.

The *Virginians* (and indeed most of the Colonies) look upon the late Act of Parliament for blocking up the Harbour of *Boston*, and new modelling their Charter, as a thing that may one day or other happen to themselves; they, therefore, resolved to stand the friends and espouse the interest of the *Bostonians*, as far as lies in their power, and for that purpose they are forming Associations not to import any commodities from *Great Britain*, nor to export any of their own, until such time as the said Act is repealed. There is great clamour here against the Ministry at home. In the County of *Richmond*, about ten days ago, I saw an elegant effigy of Lord *North* hanged and burned in the midst of a vast concourse of people. I was particularly attentive to the countenances of the spectators, and was really pleased to see so very few express any outward signs of approbation on the occasion; there were, indeed, a few gentlemen who seemed to enjoy an ill-natured satisfaction at it, which they expressed by a loud huzza, and plenty of d—s. Then *Parker*, who is the King's Attorney for the County of *Westmoreland*, mounted on an eminence, and harangued the people, acquainting them of the efforts Parliament had made to abridge them of their liberties, and many more that would be made if they were not now unanimous and steady in their Resolves of breaking off all commercial connections with *Great Britain* until the said Act of Parliament be repealed, and the right they have assumed for taxing *America* be given up, and *American* freedom ascertained and settled upon a permanent and constitutional foundation. Yesterday we had a meeting of the Freeholders of this County at our Court House, where there were some of the greatest men in the Colony encouraging the common people to a like steady adherence to the aforesaid plan. These late meetings have been only to feel how the pulse of the common people beat; the Grand Meetings for signing the Association will not be until *August*, and then it will be four or five months more before the commencement of a discontinuation of exportation and importation.

If every Merchant in the Colony would fall upon the same scheme that four eminent Merchants of this County this day resolved upon, I do not know whether there would need to be such a bustle about importing and exporting. Their resolves are, that, as the Courts of Justice are discontinued, they think it prudent and necessary not to sell any thing but for ready money, or the ready produce of the country; they have, therefore, publickly advertised that no person need apply to them for any thing without they come furnished with one or the other of these materials. Credit is a thing so very common here that there is not one person in a hundred who pays the ready money, for the goods he takes up, to a store, and consequently they will be beginning to feel the ill effects before the day of signing. I forgot to tell you they have put a stop to the Courts of Justice, in order that none need be under any apprehension of distress by the Merchants during their Non-Importation.

It is true they always had the good fortune as yet to have a repeal of any thing that has been against them, even upon the very first mention of their Resolves; but you may believe me, if the present Act should be continued, their Resolutions will soon fail them, for I am convinced that the disadvantage they must labour under by adopting such a plan will be so great that had it been imposed upon them they would think it the greatest evil that ever befell them since they were a Colony.

—

By his Excellency ROBERT EDEN, Esquire, *Governour and Commander-in-chief in and over the Province of* MARYLAND:

A PROCLAMATION.

ROBERT EDEN.

Whereas, by my return into this Province, I have resumed the administration of the Government thereof; by and with the advice and consent, therefore, of the Lord Proprietary's Council of State, I have thought fit to issue this my Proclamation, notifying the same to all Sheriffs, Magistrates, and others, the Lord Proprietary's Officers in this Province. And I do further will and direct, that all Officers, both Civil and Military, execute and discharge the several trusts and duties in them reposed and enjoined by their present respective commissions, until such time as they shall receive directions to the contrary. And to the end that all persons concerned may have due notice thereof, I do strictly charge and require the several Sheriffs of this Province to make this my Proclamation publick in their respective Counties, in the usual manner, as they will answer the contrary at their peril.

Given at the City of *Annapolis*, this eighth day of *November*, in the fourth year of the dominion of the Right Honourable *Henry Harford*, Esq., Anno Domini 1774.

Signed by order,

JAMES BROOKS, *Cl. Con.*

—

ANNE ARUNDEL COUNTY (MARYLAND) COMMITTEE.

At a Meeting of the Inhabitants of *Anne Arundel* County and the City of *Annapolis*, qualified to vote for Representatives, on *Wednesday*, the ninth day of *November*, 1774:

Resolved, That *Thomas Dorsey*, *John Hood*, Junior, *John Dorsey*, *Philip Dorsey*, *John Burgess*, *Thomas Sappington*, *Ephraim Howard*, *Caleb Dorsey*, *Richard Stringer*, *Reuben Merriweather*, *Charles Warfield*, *Edward Gaither*, Junior, *Greenberry Ridgely*, *Elijah Roboson*, *Thomas Mayo*, *James Kelso*, *Benjamin Howard*, *Ely Dorsey*, Senior, *Mark Brown Sappington*, *Brice T. B. Worthington*, *Charles Carroll*, Barrister, *John Hall*, *William Paca*, *Thomas Johnson*, Junior, *Matthias Hammond*, *Samuel Chase*, *Charles Carroll*, of *Carrollton*, *Rezin Hammond*, *Charles Wallace*, *Richard Tootell*, *Thomas Harwood*, Junior, *John Davidson*, *John Brice*, *John Weems*, *Samuel Chew*, *Thomas Sprigg*, *Gerard Hopkins*, Junior, *Thomas Hall*, *Thomas Harwood*, *West* River. *Stephen Stewart*, *Thomas Watkins*, *Thomas Belt*, the Third, *Richard Green*, and *Stephen Watkins*, be a Committee to represent and act for this County and City, to carry into execution the Association agreed on by the *American* Continental Congress; and that any seven have power to act.

Resolved, That *Thomas Johnson*, Junior, *John Hall*, *William Paca*, *Charles Carroll*, Barrister, *Charles Carroll*, of *Carrollton*, *Matthias Hammond*, *Samuel Chase*, and *Richard Tootell*, be a Committee of Correspondence for this County and City; and that any three have power to act.

Resolved, That it is the sense of this meeting, that the gentlemen appointed to represent this County and City in the late Provincial Convention, together with *Charles Carroll*, of *Carrollton*, ought to attend the next Provincial Meeting on the 21st instant, and have full power to represent and act for this County and City.

—

Williamsburg, November 10, 1774.

This afternoon the whole body of Merchants at present in this City, supposed to be between four and five hundred,

Digitized by Google

waited upon the Honourable *Peyton Randolph*, Esquire, and the rest of the Delegates of this Colony assembled at the Capitol, and presented the following Address:

To the Honourable PEYTON RANDOLPH, Esquire, *Moderator, and the other* DELEGATES *of the People of* VIRGINIA, *who assembled at the Capitol, in* WILLIAMSBURG, *on Wednesday, the ninth of November*, 1774:

The Address of the Merchants, Traders, and others, at a General Meeting in WILLIAMSBURG.

GENTLEMEN: Your generous and voluntary interposition at a time when we were under apprehensions that some measures would be adopted derogatory to the importance of the cause we wish to support with propriety, and contrary to the intention of the General Congress; and by your wisdom and prudence pointing out such methods of proceeding as have removed our fears and given universal satisfaction, demands our grateful acknowledgment.

Truly sensible of the necessity of preserving peace and harmony, not only between the different Colonies, but also among all ranks and societies in each Colony; and to show our readiness to concur in such prudent measures as are most likely to procure a redress of our grievances, we now present the Association voluntarily and generally signed; and as we, on our parts, resolve to adhere strictly thereto, we hope to be favoured with your advice and assistance on every future emergency.

To which they received the following Answer:

GENTLEMEN: It gives us great satisfaction to find that our conduct has received the approbation of your respectable Body; and you may be assured we shall, on all occasions, endeavour to move on the firm principles of Justice and the Constitution. The Delegates are very sensible of the great advantage this country will receive from your union with them; and they consider it as very meritorious, that you, disregarding the influence of your commercial interest, have generously concurred with them in the great struggle for liberty. Such unanimity, we trust, will convince an inimical Administration of the imprudence of their measures, and produce effects so salutary as to make us reflect with pleasure on the part we have taken in support of *American* freedom.

PROVINCE OF MASSACHUSETTS BAY.

By the Governour.—A PROCLAMATION:

Whereas, a number of persons unlawfully assembled at *Cambridge*, in the month of *October* last, calling themselves a Provincial Congress, did, in the most open and daring terms, assume to themselves the powers and authority of Government, independent of and repugnant to his Majesty's Government, legally established within this Province, and tending utterly to subvert the same; and did, amongst other unlawful proceedings, take upon themselves to resolve and direct a new and unconstitutional regulation of the Militia, in high derogation of his Majesty's Royal Prerogative; and also to elect and appoint *Henry Gardner*, Esquire, of *Stow*, to be Receiver General, in the room of *Harrison Gray*, Esquire, then and still legally holding and executing that office; and also to order and direct the moneys granted to his Majesty, to be paid into the hands of the said *Henry Gardner*, and not to the said *Harrison Gray*, Esquire; and further earnestly to recommend to the inhabitants of the Province, to *oblige* and *compel* the several Constables and Collectors to comply and execute the said directions, contrary to their oaths, and against the plain and express rules and directions of the law; all which proceedings have a most dangerous tendency to ensnare his Majesty's subjects the inhabitants of this Province, and draw them into perjuries, riots, sedition, treason, and rebellion.

For the prevention of which evils, and the calamitous consequences thereof, I have thought it my duty to issue this Proclamation, hereby earnestly exhorting, and in his Majesty's name strictly prohibiting all his liege subjects within this Province from complying in any degree with the said Requisitions, Recommendations, Directions, or Resolves, of the aforesaid unlawful Assembly, as they regard his Majesty's highest displeasure, and would avoid the pains and penalties of the law. And I do hereby charge and command all Justices of the Peace, Sheriffs, Constables, Collectors, and other Officers in their several departments, to be vigilant and faithful in the execution and discharge of their duty in their respective offices, agreeable to the well known established laws of the land; and to the utmost of their power, by all lawful ways and means, to discountenance, discourage, and prevent, a compliance with such dangerous Resolves of the above mentioned or any other unlawful Assembly whatever.

Given at *Boston*, this tenth day of *November*, in the fifteenth year of the Reign of his Majesty *George* the Third, by the grace of *God*, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c., Annoque Domini 1774. THOMAS GAGE.

By his Excellency's Command,

THOMAS FLUCKER, *Secretary*.

GOD *save the King*.

Charlestown, South Carolina, November 11, 1774.

The Honourable *John Stuart*, Superintendent of *Indian* Affairs, having, in consequence of an application from his Excellency the Earl of *Dunmore*, directed his Deputy, Mr. *Cameron*, to go to the *Over-hill Cherokee* Towns, and to make requisition of satisfaction for the murder of Mr. *Russell* and his party, on the Frontiers of *Virginia*, Mr. *Cameron* proceeded accordingly to *Chote*, where he arrived the beginning of *September* last, and after repeated consultations with the Chiefs, and much opposition from the young people, succeeded in having the Chief principally concerned in the said murder, named *Nottawagui*, put to death. The persons at first appointed to execute the sentence, wounded the *Indian* in several places, and thought that they had killed him; but he was recovering, and almost out of danger from his wounds, when Mr. *Cameron* renewed his requisition, and, with much difficulty and danger to himself, prevailed upon the principal Chiefs to go themselves and finish him, which they executed with much resolution, maugre all the threats and opposition of his numerous relations and followers; and upon the occasion made several spirited harangues to the people, warning them not to follow the example of the deceased, lest they should meet the same fate, and reprimanding them in sharp terms for their bad behaviour upon that and other occasions, which brought the young people to make their submission to their Chiefs, and, as a token thereof, they presented several strings of white beads. Another Chief concerned in several murders, was also condemned, but found means to make his escape to the *Chickasaws*; he is, however, proscribed, and will certainly suffer when and wherever found by his countrymen. These two were the only *Cherokees* concerned in the said murder; the rest were *Shawanese*. The talks from the *Cherokees* to the Superintendent, are expressive of the most pacifick disposition, and earnest desire to be esteemed friends.

On *Tuesday* last, Mr. *Stuart* arrived here from *Georgia*, having, with his Excellency Sir *James Wright*, Baronet, Governour of the said Province, finally settled all disputes, and concluded a Treaty of Peace and Friendship with the *Creek Indians*.

Rochester, New-Hampshire, November 11, 1774.

On *Tuesday*, the eighth instant, the Committee of Correspondence at this place, at the desire of a number of people, wrote to Mr. *Nicholas Austin*, of *Middletown*, to attend them at the house of Mr. *Stephen Wentworth*, it being suspected that he was employed in procuring artificers at *Wolsborough*, &c., to go to *Boston* to build Barracks for the Soldiery there. Mr. *Austin* accordingly waited upon them, and the charge in some measure being proved against him, he was obliged, on his knees, as nothing less would satisfy, to make the following confession, viz:

"Before this company I confess I have been aiding and assisting in sending men to *Boston* to build Barracks for the Soldiers to live in, at which you have reason justly to be offended, which I am sorry for, and humbly ask your forgiveness; and I do affirm, that for the future, I never will be aiding or assisting in anywise whatever, in act or deed, contrary to the Constitution of the country, as witness my hand, NICHOLAS AUSTIN."

Digitized by Google

PROCLAMATION OF GOVERNOUR BULL, OF SOUTH CAROLINA, NOVEMBER 12, 1774.

Whereas, I have received notification from his Excellency Sir *James Wright*, Baronet, Governour of *Georgia*, that at a Congress holden on the twentieth of *October* last, at *Savannah*, in the Council Chamber, between his Excellency and the Honourable Mr. *Stuart*, his Majesty's Superintendent for *Indian* Affairs in the Southern Department, and several Head-men, accompanied by a large number of others of the *Creek* Nation of *Indians*, a Treaty of Peace, Friendship, and Commerce, was concluded with the said *Indians*, whereby the *Indians* have stipulated to give and complete the full satisfaction demanded for the murders and outrages committed by them last winter in the Province of *Georgia*; and farther desired, the better to prevent the like hereafter, that sundry Regulations may be made in the *Indian* Trade, for the more orderly carrying on the same, and to maintain peace between his Majesty's subjects and the *Indians*; whereupon, a Plan of Regulations for the *Indian* Trade accordingly hath been considered, formed, and agreed on by his Excellency Sir *James Wright*, and hath been approved and adopted by me in Council. And whereas, it is thought proper on this occasion to open the trade to the said *Creek* Nation again, and to take off the temporary limitation upon the trade to the *Cherokees*, that they may now be plentifully supplied with goods, I have thought fit, by and with the advice of his Majesty's Honourable Council, to issue this my Proclamation, giving notice thereof to all persons in this Province, concerned or willing to be concerned in such Trade, that I hereby revoke all former *Indian* Trading Licenses, and require them to take out new ones, by which they are to be subject to the observance of such Regulations as have been thought necessary for carrying on the trade in a manner which may secure the publick peace, the copy of which License, Bond, and Regulations, I have caused to be lodged in the Secretary's Office, for their inspection and information, of which all persons concerned are to take due notice, and govern themselves accordingly, as they shall answer for their neglect thereof.

WILLIAM BULL.

COMMITTEE OF OBSERVATION APPOINTED FOR BALTIMORE COUNTY, IN MARYLAND, NOVEMBER 12, 1774.

BALTIMORE TOWN.

Andrew Buchanan, Robert Alexander, William Lux, John Moale, John Merryman, Richard Moale, Jeremiah Townley Chase, Thomas Harrison, Archibald Buchanan, William Smith, James Calhoun, Benjamin Griffith, Gerard Hopkins, William Spear, John Smith, Barnet Eichelberger, George Woolsey, Hercules Courtenay, Isaac Gist, Mark Alexander, Samuel Purviance, Jun., *Francis Saunderson, John Boyd, George Lindenburger, Isaac Vanbibber, Philip Rogers, David M'Mechan, Mordecai Gist*, and *John Deaver*.

HUNDREDS.

PATAPSCO, LOWER.—Captain *Charles Ridgely* and *Thomas Sollers*.

PATAPSCO, UPPER.—*Zachariah M'Cubbin, Charles Ridgely*, Son of *William*, and *Thomas Lloyd*.

BACK RIVER, UPPER.—*Samuel Worthington, Benjamin Nicholson, Thomas Cockey Dye, John Cradock, Darby Lux*, and *William Randall*.

BACK RIVER, LOWER.—*J. Mercer* and *Job Garretson*.

MIDDLE RIVER, UPPER.—*Nicholas Merryman* and *William Worthington*.

MIDDLE RIVER, LOWER.—*Henry Dorsey Gough* and *Walter Tolley*, Senior.

SOLDIER'S DELIGHT.—*George Risteau, John Howard, Thomas Gist*, Senior, *Thomas Worthington, Nathan Cromwell*, and *Nicholas Jones*.

MIDDLESEX.—*Thomas Johnson* and *Mayberry Helmes*.

DELAWARE.—*John Welsh, Rezin Hammond, and John Elder*.

NORTH.—*Jeremiah Johnston* and *Elijah Dorsey*.

PIPE CREEK.—*Richard Richards, Frederick Dicker*, and *Mordecai Hammond*.

GUN POWDER, UPPER.—*Walter Tolley*, Junior, *James Gettings*, and *Thomas Franklin*.

MINE RUN.—*Dixon Stansbury*, Jun., and *Josias Slade*.

POLITICAL OBSERVATIONS, WITHOUT ORDER; ADDRESSED TO THE PEOPLE OF AMERICA.

Philadelphia, November 14. 1774.

1. *All* power of Government is derived from *God* through the instrumentality of Kings or the *People*. Has the impartial Governour of the universe communicated his attributes of power, wisdom, justice and mercy to Kings only, and denied the least portion of them to every other class of mankind? Let history decide this question. The history of Kings is nothing but the history of the folly and depravity of human nature.

2. To live (says Bishop *Hoadly*) by one man's will became the cause of all men's misery. If the Bible was silent, analogy would teach us that the depravity and misery of one man could contaminate and render miserable a whole race of men. Look up then, mortals, to Kings with humility. They are *living* histories of your first calamity. *One Man* still continues to be the source of misery and depravity in all the Kingdoms of the world. *God* deals with all mankind as he did with the Jews. He gives them Kings *only* in his anger. We read now and then, it is true, of a good King, so we read likewise of a Prophet escaping unhurt from a Lion's den, and of three men walking in a fiery furnace, without having even their garments singed. The order of nature is as much inverted in the first, as it was in the last two cases. A good King is a miracle.

3. The *American Congress* derives all its power, wisdom and justice, not from scrolls of parchment signed by Kings, but from the *People*. A more august, and a more equitable Legislative body never existed in any quarter of the globe. It is founded upon the principles of the most perfect liberty. A freeman in honouring and obeying the Congress, honours and obeys *himself*. The man who refuses to do both, is a slave. He knows nothing of the dignity of his nature. He cannot govern himself. Expose him for sale at a publick vendue. Send him to plant Sugar with his fellow slaves in *Jamaica*. Let not the air of *America* be contaminated with his breath.

4. The Congress, like other Legislative bodies, have annexed penalties to their laws. They no not consist of the gallows, the rack, and the stake. These punishments belong to vindictive states, and are proper only for a corrupted people. They have held out no punishments but *infamy*, a species of infamy which sound more dreadful to a freeman than the gallows, the rack, or the stake. It is this, he shall be declared in the publick papers to be an *Enemy to his country*.

5. The wisdom and revenge of man have been exhausted to find out a suitable punishment for treason, or for those crimes which affect the liberty and happiness of a people. The least deviation from the Resolves of the Congress will be treason:—such treason as few villains have ever had an opportunity of committing. It will be treason against the present inhabitants of the Colonies: Against the millions of unborn generations who are to exist hereafter in *America*: Against the only liberty and happiness which remain to mankind: Against the last hopes of the wretched in every corner of the world.—In a word, it will be treason against *God*. It will be to take from *Him* (with reverence be it spoken) the power of making his creatures happy. I do not attempt to hint a punishment for such extensive and complicated guilt. Infamy is a punishment of the soul. It can only affect a freeman. The body of the wretch who is capable of violating the Resolves of the Congress is the only part of him which can be punished. But here all ingenuity fails us. The tortures of *Damien* and *Ravillac* would be rendered abortive for this purpose by the longest possible duration of human life.

6. There is a strange veneration for antiquity and disinclination for innovations in all civil as well as religious bodies. We are now laying the foundation of an *American* Constitution. Let us therefore hold up every thing we do to the eye of posterity. They will probably measure their liberties and happiness by the most careless of our footsteps. Let no unhallowed hand touch the precious seed of Liberty. Let us form the glorious tree in such a manner, and impregnate it with such principles of life, that it shall last forever. *Greece, Rome* and *Britain* would

Digitized by Google

still have been free, had not the principles of corruption been concealed in the elements of their constitutions. Let us not avail ourselves of the *just* spirit of the times, but *bind* up posterity to be freemen. Our Congress were actuated with this prophetick benevolence, when they dissolved themselves, and recommended a new choice of Delegates in the Spring.

7. There is some reason to fear that the steps we are obliged to take to *defend* our liberties, will render us careless in *establishing* them. Wise and good men in *Britain* have lifted up the curtain of futurity in *America*. Let us not be afraid to look through it. Ye intuitive Spirits who see through the connection of cause and effect. Ye holy Spirits who have been accustomed to trace the operations of Divine Providence. Ye decisive Spirits who resolve and execute at once.—Ye know what I mean. "*In eternitatem pingo*" said a poet. Let us neither think, write, speak, nor act, without keeping our eyes fixed upon the period which shall dissolve our connexion with *Great Britain*. The delirium of the present Ministry may precipitate it: But the ordinary course of human things must accomplish it. *Britain* may relax from her present arbitrary measures, but political necessity, not *justice*, must hereafter be the measure of her actions. Freemen cannot bear a middle state between liberty and slavery. It is essential to the happiness of liberty, that it should be secure and perpetual.

8. A rotation of offices is one of the life guards of liberty. The right as well as the obligations to Legislation, are alike binding upon all men. To prevent pride and excessive popularity, and to diffuse knowledge and virtue, are the surest methods of securing and perpetuating publick liberty. These are to be obtained only by a constant rotation of offices.

9. I almost wish to live to hear the triumphs of the Jubilee in the year 1874; to see the medals, pictures, fragments of writings, &c., that shall be displayed to revive the memory of the proceedings of the Congress in the year 1774. If any adventitious circumstance shall give precedency on that day it shall be to inherit the blood or even to possess the name of a member of that glorious assembly. I cannot after this, be understood to mean the least reflection upon any one of that body when I urge, that only one-half, or at most two-thirds of the old Members should be returned from each Colony to attend the next Congress. The good dispositions in human nature sometimes lead us astray in publick affairs. Do not, illustrious Senators, avail yourselves of the gratitude and veneration of your countrymen. You have, we trust, made them *free*. But a nobler task awaits you. Instruct them, instruct posterity in the great science of securing and perpetuating *Freedom*.

Philadelphia, November 25, 1774.

Some perfectly original observations have made their appearance in the last *Packet*, addressed to the People of *America*, and their purposes being evidently to stir up dissension and create divisions in the Colonies, thereby greatly to prejudice the common cause of *American* Liberty, I beg you will insert in your next the following hints for the perusal of your author, which I hope will put an end to any further lucubrations, notwithstanding his promise to favour the publick with a continuation of them.

To the Man to whom it belongs: Any apology for considering you as an open, an avowed Republican, would be absurd. You have declared yourself an enemy to all Kings. You have declared yourself at enmity with the *English* Constitution: a fabrick that is the work of ages, that has long been the admiration of the whole world; you have therefore declared yourself an enemy to your country. A good King, you say, "is a miracle." "That *God* "gives to mankind Kings only in his anger; that Kings "are the source of the misery of all Kingdoms in the world." In these observations I know not whether your ignorance or your depravity verges nearest to excess. You tell us, "that the Congress derive all their authority from the Peo-"ple; it is treason therefore to make the least deviation "from their Resolves." Let me ask you from whence Kings derive their authority? Is it not from the People? Have not the Congress recognised this authority, and does not the Congress represent the People? Do you not therefore in your attempt to subvert their transactions, deviate from their Resolves, and (to take you upon your own ground) of what crime are you then guilty? "Treason." Such "treason as few villains have ever had an opportunity of "committing." What punishment then does your complicated guilt merit? The tortures of *Damien* and of *Ravillac* are too lenient. Reflect then on your happy situation, in having escaped the vengeance you would have inflicted on another, for the atrocious crime of which you yourself are guilty. "The Congress have annexed no penalties to their laws." Unsuspicious of their harbouring in their bosom so gross a violator of them as yourself, they have omitted a penalty equal to your guilt. Infamy, however, is your portion. Rejoice that your punishment is so slight, from concealing a name that hath in it rancour sufficient to contaminate the human race.

You tell us, we are now laying the foundation of a new Constitution. The Congress tell the inhabitants of *Great Britain* to place us "in the same happy situation we "were in at the close of the last war, and our former har-"mony will be restored." You have therefore given the lie to that respectable body; you attempt to counteract the very measures they have devised for the preservation of our liberties, and for bringing about an happy reconciliation. The Congress, in their Memorial to the People of *Great Britain*, say "you have been told that we are "impatient of Government, and desirous of independen-"cy; be assured these are not facts, but calumnies." You discover the greatest impatience of Government, and the strongest desire of independency.

While the Congress are using their utmost endeavours to remove the prejudices, which our enemies have with industry propagated against us, you are endeavouring to confirm those prejudices, instead of exerting your efforts to stop their circulation. Under a specious pretext of extolling their abilities and wisdom, and declaiming on their dignity, you undermine their proceedings, and sap the base of their stability. You compliment the rectitude and wisdom of a Legislature so equitable; you offer the incense of adulation with an unlimited profusion; yet you insinuate, that only one half, or at most two-thirds of the old Members are fit to be returned for the ensuing Congress: this reflection is mean, pitiful, and unmanly, but it is not singularly so.

Upon the whole, you have convinced the world that you are in possession of a weak head, and a depraved heart; the one wanting ability to execute what the other would dictate; the feeble efforts of the former are only capable of displaying the extremes of folly, and a strong propensity to deceive characterises the latter.

Hence confine your dissertations to things within the sphere of your understanding. Nature never formed you for a politician; if she had she would have divested you of ignorance and madness.

Desist therefore from your disorderly observations.

Amici hunc cavete. NESTOR.

TO THE PRINTER OF THE NEW-YORK GAZETTEER.

SIR: Happening to be in several companies lately, where the conversation fell upon a most extraordinary piece published in the *Pennsylvania Packet*, and afterwards transcribed into the *New-York Journal*, entitled "Political "Observations, without Order, addressed to the People of "*America*," it was by all present, except myself, condemned as a vile, inflammatory, and treasonable publication. As I could wish my reasons for dissenting from the opinions of so many respectable persons were more generally known, I beg leave, through the channel of your paper, to lay them before the publick.

Every essay that makes its appearance in a paper which is confessedly under the influence of the Republican Party, and is copied into other papers of the same stamp, I consider as containing the sentiments of that party; it is their general way of broaching a new doctrine, to try how it will be relished by the palates of the People. As to myself, I am without a doubt that the Republicans of *North America*, particularly those of *New England*, have long been aiming at independency, and that they have eagerly seized this *golden opportunity*, when discontent prevails through-

Digitized by Google

out the Colonies, to establish a grand *American Commonwealth;* but there are many honest well-meaning people who join heartily in contending for what they esteem their privileges, without knowing that they are in danger of being precipitated into the other extreme—of being awakened from their pleasing dreams of liberty by the shackles of a Republican Commonwealth. It is to open the eyes of these secure politicians that so many pens have lately been drawn; but no argument strikes so forcibly, or carries more conviction to the mind, than those voluntary effusions of a hair-brained Republican: such persons cannot be tied down to secrecy by their adherents, till a proper time arrives for a disclosure of the grand *arcana;* their zeal hurries them on beyond the bounds of reason and their own shallow judgment, and then it is no wonder they should *let the cat out of the bag* before they are aware.

I never take up a newspaper which I know to be under Republican influence, but I expect to be put to the trouble of decyphering some enigmatical sentence, or of developing some deep laid scheme; on the contrary, the author of the *Political Considerations* saves me all this trouble; he stands acquitted, at least, of bearing the hypocritical badge of his party. Commend me to the man who speaks his sentiments undisguised, whatever they may be; and let me not be deceived by one who wears a vizor to hide his deformity, and endeavours to win me over by stratagem; this writer makes no scruple of throwing off the mask, and appears in all the terrible pomp of his own horrid visage.

Notwithstanding the secrecy enjoined, and so strongly insisted on by the Republican part of the Congress, it is now pretty generally known and believed that the first grand question proposed was, the throwing off all subordination to *Great Britain;* and when the Republicans found this point could not be carried, many of the members threatening to return home if it was not given up, they were compelled to adopt the present plan with a view of distressing the parent country; that by causing intestine broils at home, it would force her to recall her Troops from *America*, and then they might usurp the reins of Government unmolested; and yet this plan, moderate as it may appear compared with the idea of an immediate *usurpation*, was not obtained without the meanest arts, and the vilest intrigues, both in and out of Congress; it is even now a matter of doubt whether some of the Members did not sign the Association more out of fear of popular resentment than from the calm dictates of their own unbiased judgment.

In a little time I expect to lay before the publick some secrets that will equally astonish and confound the generality of your readers. There are matters yet to be disclosed, the bare relation of which will

"Make mad the guilty, and appal the free,
"Confound the ign'rant, and amaze indeed
"The very faculties of eyes and ears."

M.

EXTRACT OF A LETTER FROM A GENTLEMAN IN AMSTERDAM TO HIS FRIEND IN PHILADELPHIA, DATED NOVEMBER 15, 1774.

Since my last a very extraordinary affair has happened here. A small Brig, the master's name *Page*, from *Rhode-Island* or *Boston*, was loading with Cordage, Junk, Powder, Guns, &c., of which the Ministry having got intelligence, a small Cutter of six three-pounders, and thirty hands, was despatched from *Dover* with orders to come directly here, and when the Brig sailed to sail with her, and while at sea to board her and carry her to *England*. The Cutter arrived here the 23d or 24th of last month; the Brig had a full load, and was ready to sail at that time, but the Cutter's Officers coming ashore, by good fortune, came to the house where I lodged, and in a few hours I discovered their business.

As this was the only vessel then in Port of that kind, I was at no loss, and called that night on Mr. *H——n*, to acquaint him with my suspicions, which he could not believe; but he has had sufficient proof since, for they lay looking at each other from that time to the 8th instant. When the Brig made sail, the Cutter got under way, which the Brig observing, she came to, and landed the cargo. There is certain advice that the Cutter's people went down to the *Texel* and got all the Brig's papers from the Custom House there, and also at this City. A Brig has since arrived from *New-York*, but the Merchants will not ship Goods in any *English* vessel, as there are several Cutters cruizing off *Dover*, to search all *English* vessels that pass through the channel, for Arms, &c., &c.

NATHANIEL APPLETON TO JOSIAH QUINCY, JUNIOR.

Boston, November 15, 1774.

SIR: When I parted from you I fully intended to have written you before this time; be assured I have not been unmindful of you, but publick and private business has entirely engrossed my time.

Your leaving this country so privately has been matter of general speculation. Some say you went away through fear; others that you went to make your peace; others that you went charged with important papers from the Continental Congress; many conjectured you were gone to *Holland*; upon the whole, it was a nine days' wonder. Since you left us there has been a Provincial Congress, which consisted of about two hundred and fifty members, in which matters of the greatest importance were debated. All their proceedings which I have liberty to communicate, you will see in the prints.

The Town continues to meet from time to time, without molestation. There have been frequent affrays between the Inhabitants and Soldiers, which have generally ended to the mortification of the latter. The Selectmen and Town Committees have frequent interviews with the General; he declares he has no expectations that this people will ever submit to the late Acts; he converses more freely with the inhabitants than *Hutchinson* did, on matters of a publick nature, though we are not off our guard, knowing that it is the part of a General to deceive. The inhabitants persisted in refusing to build Barracks for the Soldiers, but have in some measure assisted them in refitting old houses and stores. The Autumn has been remarkably moderate, so that the Soldiers are but now entering their Winter quarters. The main guard is kept at *George Erving's* Warehouse, in King street. Almost the whole Soldiery in *America* are now collected in this Town. The new erected Fortifications on the *Neck* are laughed at by our old *Louisbourg* Soldiers, as mud-walls in comparison with what they have subdued; and, were it necessary, they would regard them no more than a beaver-dam.

The spirit of the inhabitants, both in Town and Country, is as firm as ever; determined to defend their rights to the utmost. The Continental Congress broke up the 26th ultimo, and our Members all returned safe last *Wednesday* evening. The bells rang the whole evening. An extract of their proceedings you will doubtless have before this reaches you. It is the universal voice of this people that they will sacredly observe the injunctions and recommendations of the Grand Congress. The Provincial Congress meet by adjournment the 23d instant. The neighbouring Towns and Colonies continue to send in their generous donations to the poor of this Town. We have our Woollen Manufactory in good forwardness, having completed a considerable quantity of baizes; and should it be necessary we see that we could easily carry on any branch of Woollen or Linen Manufacture.

We have great expectations from your abilities and attachment to the rights and liberties of your country. We are sure you will not be an idle spectator, but will, with your usual spirit, be an active advocate for truth and justice, which is all we wish to take place in our present unhappy disputes with *Great Britain*.

It is said the Ministry cannot recede, now they have gone so far. I wish they would consult the good Bishop of *St. Asaph*, who I am sure could put them into an honourable way.

Mr. *Molineux* died, after a short illness, about three weeks past. All friends that I recollect are well. I presume you will receive several letters from your friends by this opportunity, which will doubtless be more entertaining than I can be.

Depending upon a line from you as soon as your leisure will permit, I conclude at present, with great respect, your sincere friend and humble servant,

NATHANIEL APPLETON.

Digitized by Google

EXTRACT OF A LETTER FROM THE HONOURABLE GOVERNOUR GAGE TO THE EARL OF DARTMOUTH, DATED BOSTON, NOVEMBER 15, 1774.

The proceedings of the Continental Congress astonish and terrify all considerate men; but though I am confident that many of their Resolves neither can or will be observed, I fear they will be generally received, as there does not appear to be resolution and strength enough among the most sensible and moderate people in any of the Provinces openly to reject them.

This Provincial Congress has been encouraged by the general union and readiness shewn by the rest of the *New England* Provinces to appear in arms at their call to go the lengths they have. I transmit your Lordship a Proclamation which I have published against the proceedings of their last meeting, and I hope it will have some effect, for I learn that people are cooler than they were, and grow apprehensive of consequences. The Congresses have gone greater lengths than was expected.

Notwithstanding the impediments thrown in our way, we shall be able to put the Troops under cover to-morrow, except the two Regiments from *Quebec*, who must remain in their transports five or six days longer.

A considerable quantity of Flour was stopped for a time in *Maryland*, upon information that it was for the use of the Troops at *Boston*, but it is arrived, and we have, by various means, got provisions sufficient to last the Troops here about six months; and I hope, if it is found necessary, that we shall be able to procure further supplies.

EXTRACT OF A LETTER FROM GOVERNOUR WENTWORTH TO THE EARL OF DARTMOUTH, DATED NEW-HAMPSHIRE, NOVEMBER 15, 1774.

At an adjournment of a Town Meeting in *Portsmouth*, in *October* last, fifty-two voters reconsidered a vote of fifty-six voters in a previous meeting, "not to grant the Town "Moneys for a donation to *Boston*; but that a voluntary "subscription be opened for that purpose." This lesser number granted two hundred Pounds Proclamation-Money, which is near four times their Province Tax.

They also proceeded to choose a Committee of forty-five persons, chiefly out of the number then present, who style themselves "a Committee of Ways and Means." I hear one-half the number refused to act. The remainder convened together, and prevailed on Mr. *Wentworth*, an old gentleman of seventy-eight years, and lately extremely impaired by frequent epileptick fits, to be their Chairman. General *Gage* having desired me to furnish some Carpenters to build and prepare Quarters for his Majesty's Troops in *Boston*, the Carpenters there being withdrawn, and the service much distressed, I immediately engaged and sent him a party of able men, which arrived to the General and are very useful. However, this Committee considered it as very obnoxious, and chose a Sub-committee from among their acting members to draw up Resolves relative to this matter, which I am informed they did, and were accordingly published in the enclosed *New-Hampshire Gazette*, No. 940, which excited the designed madness through the interiour parts of the Province, and solely gave rise to the proceedings at *Rochester*, as published in the *Gazette*, No. 942, herewith transmitted. Indeed, had not the *Rochester* Committee acted with great prudence, and consented to call Mr. *Austin* before them, it is greatly to be apprehended very essential outrages would have been committed on his estate, and his person endangered through the violence of a deluded populace. From these motives only were those three gentlemen in *Rochester* prevailed on to act in a business the whole of which they publickly disapproved, but had not power to suppress. During these agitations Captain *Holland*, by desire of Brigadier General *Robinson*, had purchased some Blankets for the Army. The Committee forbade him to ship any, and he immediately sent them all to my house for safety, whence I directly shipped them for *Boston*, and they are safely delivered.

In the Counties of *Hillsborough* and *Cheshire* I have heard there have been several reprehensible violences committed under popular pretences of liberty; hitherto there has been no complaints made to me, nevertheless I took such measures, that, I am informed by the Magistrates of those Counties, the difficulties begin to subside. But I cannot flatter myself with any reasonable hopes of the legal establishment of the powers of Government in this Province, until they are effectually restored in the *Massachusetts Bay*. I have been successful in prevailing on Soldiers deserted from the King's Troops at *Boston*, to return to their duty, through the spirited and prudent activity of Major *Thompson*, a Militia Officer of *New-Hampshire*, whose management, the General writes me, promises further success. The Town of *Exeter* have followed the example of *Portsmouth*, and granted one hundred Pounds to *Boston*, and I apprehend many other Towns will do the like.

BY THE KING.—A PROCLAMATION.

GEORGE R.

Whereas it hath been humbly represented to us on the part and behalf of our Colony of *Virginia*, that a Currency of Copper Money within the same Colony would be highly beneficial to our good subjects, the inhabitants thereof, for the more easy and convenient making of small payments; and whereas the Treasurer of our said Colony, being thereunto authorized by an Act of our Governour, Council, and Assembly of our said Colony, passed in the tenth year of our reign, hath delivered to the master and worker of our Mint in our Tower of *London*, a sufficient quantity of fine copper in bars, nealed, for the coinage of five tons of the pieces hereinafter mentioned, after making the just and usual allowances to the Officers of our Mint; and whereas our said master and worker of our Mint hath, in pursuance of our Warrant for that purpose issued, coined, thereout five tons of pieces of Copper Coin, of such weight that sixty pieces thereof are equal to one pound weight Avoirdupois, without erring either in excess or defect above one-thirtieth part, and are of the value of two shillings and six pence, according to the currency of money in our said Province of *Virginia*; and each piece is stamped on one side with our effigies, with the inscription "*Georgius* III. *Rex*," and on the reverse, with the *Virginia* Arms, with the *St. George's* Cross, leaving out the escutcheon of Crowns, except one Crown at the top as on the Guinea, without crest, supporters, or motto, except the word "*Virginia*" round the arms, with the date of the year; which are now ready to be exported to our said Colony of *Virginia*. We have therefore, with the advice of our Privy Council, thought fit to issue this our Royal Proclamation; and we do accordingly, hereby ordain, declare, and command, that the said pieces of Copper Money, so coined, stamped, and impressed, as aforesaid, shall be current and lawful Money of and in our said Colony of *Virginia*, and of and within the Districts and Precincts of the same; and shall pass and be received therein after the rate following, that is to say, twenty-four of the said pieces shall pass and be received for the sum of one shilling, according to the currency of our said Province of *Virginia*, and at and after such rate shall be computed, accepted, and taken accordingly in all bargains, rates, payments, and other transactions of money. Provided always, and we do hereby further declare, that no person shall be obliged to take more than one shilling of such copper money in any one payment of any sum of money under twenty shillings, nor more than two shillings and six pence thereof in any one payment of a larger sum of money than twenty shillings.

Given at Court at *St. James's*, the 16th day of *November*, 1774, in the fifteenth year of our reign.

GOD *save the King*.

CALVERT COUNTY (MARYLAND) COMMITTEE.

At a Meeting of the Inhabitants of *Calvert County*, qualified to vote for Representatives, on *Wednesday*, the 16th day of *November*, 1774:

Resolved, That *Alexander Somervell*, *John Weems*, Jun., *Richard Parran*, *William Lyles*, *Benjamin Mackall*, the Fourth, *Edward Reynolds*, *William Allnutt*, *Benjamin Mackall*, *Charles Graham*, *Edward Gantt*, Dr. *Edward Johnson*, *Samuel Chew*, *John Broom*, *Samuel Hance*, *William Allein*, *Daniel Rawlings*, *Frisby Freeland*, *James Heighe*, *Benjamin Skinner*, and *William Ireland*, Jun., be a Committee to represent this County, to carry

Digitized by Google

into execution the Association agreed on by the Continental Congress, and that any five have power to act.

Resolved, That the following gentlemen, or any three of them, be a Committee of Correspondence for this County, viz: *Alexander Somervell*, *John Weems*, Jun., *Richard Parran*, *William Lyles*, *Benjamin Mackall*, the Fourth, and *Edward Reynolds*.

And further Resolved, That the former Committee for this County have power again to attend at the Provincial Convention to be held at the City of *Annapolis*, the 21st instant; and that the said former Committee have power to vote for Delegates to attend the Congress to be held at the City of *Philadelphia*, the 10th day of *May* next.

PROCEEDINGS OF YORK COUNTY CONGRESS.

We his Majesty's loyal subjects the Delegates of the several Towns of the County of *York*, deputed to meet in County Congress, held at *Wells*, the 16th day of *November*, 1774, truly professing ourselves liege subjects of his Majesty King *George* the Third, and sincere friends to all our fellow-subjects in *Britain* and the Colonies; for the necessary defence of our liberties and privileges, come into the following Resolutions:

1. *Resolved*, That his Majesty's subjects in the Province of the *Massachusetts Bay*, as well as in the other *English American* Colonies, have full right and authority to tax themselves, and grant their own Moneys by their several General Assemblies for all such purposes, and in such manner, as they shall see fit; and that no other State, Prince, or Parliament whatever, hath, or under the present Constitution of said Colonies can have, right or authority to grant the Money of said subjects, or Tax them in any other manner whatever; and therefore, that the several Acts of the *British* Parliament, made for the express purpose and design not only of raising a Revenue to his Majesty, by Duties to be laid on Goods landed in said Colonies, but establishing a precedent for further illegal taxation of the people therein, are unconstitutional, unjust, and oppressive, and never ought to have force in the Colonies; and all subsequent Acts made to enforce the same, more especially that for blocking the Port of *Boston*, are hostile, cruel, and arbitrary.

2. *Resolved*, That all Civil Officers within this County duly appointed by virtue of, and pursuant to the Charter of *William* and *Mary*, ought to use and exercise the several powers and authorities to their respective offices belonging, agreeable to the Laws of the Province of the *Massachusetts Bay*, in the same way and manner in every respect, intent, and purpose, as though the said Acts had never been passed; and that all persons ought to aid, assist, and countenance them therein, and particularly that the venires for Jurors for the several Courts of Justice in this County, ought to be issued as heretofore has been used and accustomed, agreeable to the Laws of the Province aforesaid; and that due obedience ought to be had thereto; and that a spirit of peace, friendship, and harmony, may subsist and be cultivated among the inhabitants of said County, the said Congress do recommend to them, that they produce no suit against each other, unless on some urgent necessity.

3. *Resolved*, That this Congress recommend to every individual in this County, in their several stations, to use their utmost endeavours to promote peace and good order. It is also recommended to the several Towns forthwith to meet and choose a Committee, whose business it shall be to see that the Association of the Continental Congress entered into in behalf of their constituents, be strictly observed and kept; and if any person or persons shall violate the same, said Committee are advised to post their names in the several publick houses of entertainment in the County; and also publish a state of facts in the several publick newspapers to the end all persons may withdraw from him, her or them, all commercial intercourse and connection whatsoever; and that no riots, disorders, or tumults may take place in said County, which in their nature and tendency are as well subversive of all Civil Government, as destructive to the very end and design of the present struggle for Liberty, and the present plan proposed and recommended by the Continental Congress for our deliverance, the said Congress do recommend to the inhabitants thereof, that they do not with violence damage or injure the person or property of any one, that shall either break through said Association, or do any other matter or thing against the liberties of the country, but shall immediately give information to the Committee of the Town where the offence is committed, that such persons may be treated as aforesaid.

4. Whereas the late Sir *William Pepperell*, Baronet, deceased, (well known, honoured, and respected in *Great Britain* and *America*, for his eminent service in his life time) did honestly acquire a large and extensive real estate in this County, and gave the highest evidence, not only of his being a sincere friend to the rights of men in general, but having a paternal love to this County in particular; and whereas the said Sir *William* by his last will and testament, made his grand-son, the present *William Pepperell*, Esquire, residuary legatee and possessor of the greatest part of said estate; and the said *William Pepperell*, Esquire, hath with purpose to carry into force and execution Acts of the *British* Parliament, made with apparent design to enslave the free and loyal people of this Continent, did accept, and now holds a seat at the pretended Board of Counsellors in this Province, as well in direct repeal of the Charter thereof, as against the solemn compact of Kings and the inherent rights of the People. It is therefore resolved, that the said *William Pepperell*, Esqr., hath thereby justly forfeited the confidence and friendship of all true friends to *American* liberty, and with other pretended Counsellors now holding their seats in like manner, ought to be detested by all good men; and it is hereby recommended to the good people of this County, that as soon as the present leases made to any of them by said *Pepperell*, are expired, they immediately withdraw all connection, commerce, and dealings from him—and that they take no further lease or conveyance of his Farms, Mills, or appurtenances thereto belonging, (where the said *Pepperell* is sole receiver and appropriator of the rents and profits thereof) until he shall resign his said seat, pretendedly acquired by mandamus; and if any person shall remain or become tenant on such estate to said *Pepperell*, after the expiration of their present lease, we recommend to the good people of this County, not only to withdraw all connection and commercial intercourse with them, but to treat them in manner provided by the third Resolve of this Congress.

5. And that the Association aforesaid be not violated, it is recommended that the law of this Province respecting hawkers, pedlers, and petty-chapmen be duly put in execution; and if any taverner, or innholder, shall knowingly entertain them, or permit and suffer any vendue or sale of goods in their respective houses, by any such person, said taverner or innholder be taken due notice of by the Selectmen, and that it be advised that the Selectmen do not approve or recommend any such taverner or innholder as a suitable person to renew his or her license; and it is also recommended to the people of this County not to trade with pedlers, hawkers, or petty-chapmen.

6. To ease the minds of the good people of this County, this Congress do assure them, that on inquiry, we do not find that any Civil Officer or other person therein, has made any attempt to put the Acts of Parliament aforesaid into execution, and trust that none will attempt it.

7. Whereas there have been several sums of Money raised for the General Assembly of this Province, and committed to the Constables to collect and pay the same to *Harrison Gray*, Esquire, Treasurer of this Province; and it evidently appearing by the late conduct of said Treasurer, that he is not of a sound mind, whereby there is danger of his paying the money belonging to the Province, to other purposes than that for which it was raised: therefore this Congress recommend to the inhabitants of each Town in this County to secure the Moneys that is or may be collected by said Constables in such manner as that they may command the same until the said *Harrison Gray*, Esquire, hath his reason restored to him; or some other Treasurer be constitutionally chosen.

8. Whereas the Delegates of the several Towns in the Province, while met at *Cambridge* to consult such measures as might tend to put their constituents in a posture of defence against the attack of military violence that might

Digitized by Google

be offered; and while waiting the result of the Continental Congress, resolved upon such measures as they then thought might put the Militia on a reputable and formidable footing; and it appearing that a cultivation of the Military Art may have salutary effects in the settlement of the present political disputes: we therefore recommend to the Militia of this County, that if the Provincial Congress when met again as they soon will, do not alter the plan by them proposed, the people of this County adopt the same.

9. *Resolved*, That the thanks of this County be and hereby are given to the worthy aud patriotick Members of the Continental Congress for their noble and faithful exertions in the cause of their country; and are of opinion that the rights of the *American* Colonies are by them clearly and fully stated in their several Resolutions; and that the wise and prudent plan by them projected, if carried into execution, cannot fail to restore that union and harmony between *Great Britain* and her Colonies so ardently wished for by all good men, and hope their names will be handed with honour to the latest posterity.

WILLIAM LEIGHTON, *Clerk*.

HENRICO COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Freeholders of *Henrico* County, at the Court House in the Town of *Richmond*, on *Thursday*, the 17th day of *November*, 1774, for the purpose of choosing a Committee, agreeable to the eleventh Article of the Resolves of the General Congress, to see that the Association is duly carried into execution within said County, the majority of votes appearing from the poll, for the following gentlemen: *Richard Adams, Samuel Du Val, Richard Randolph, Nathaniel Wilkinson, Turner Southall, Joseph Lewis, Peter Winston, Joshua Storrs, James Buchanan, Isaac Younghusband, Dan. Price, Jno. Hales, Martin Burton*, Rev. *Miles Selden*, and *Samuel Price*,

Resolved, That they be appointed a Committee for this County, and that they, or the majority of them, do meet from time to time as occasion requires, for the purposes aforesaid.

After which, the Committee having formed themselves into a meeting,

Resolved, That *John Beckley* be appointed Clerk to this Committee.

A true extract from the Minutes.

JOHN BECKLEY, *Clerk*.

CHARLES COUNTY (MARYLAND) COMMITTEE.

At a Meeting of the Inhabitants of *Charles* County, qualified to vote for Representatives, at *Port Tobacco* Town, on the 18th day of *November*, 1774, when *Samuel Hanson*, Esq., was unanimously chosen Chairman,

Resolved, That *Walter Hanson, William Smallwood, Josias Hawkins, Francis Ware, Joseph H. Harrison, Thomas Thornton, Isaac Campbell, John M'Pherson, Henry Fendall, Thomas Stone, George Dent, G. R. Brown, Daniel Jenifer, Samuel Love, John Dent, James Craik, Robert T. Hooe, James Key, Thomas Hanson Marshall, Zephaniah Turner, Kenelm T. Stoddart, Thos. Marshall, Peter Dent, Richard Clagett, Richard Speake, Ignatius Luckett, Francis Mastin, Burdet Hamilton, John Keybert, Reuben Dye, Henry Davis, Warren Dent, William Winter*, Jun., *Gerard Fowke, William M'Conkie, Richard Barnes, Richard R. Reeder, Samuel Stone*, Jun., *John H. Stone, Robert Sennett, Gerrard B. Causeen, George C. Smoot, John Marshall, Joseph Joy, Thomas Harris, Jonathan Yates, Jezreel Penn, Moses Hobart, Edward Smoot, Stephen Compton, Theophilus Yates, John Brue, Samuel Jones, Edward Warren, James Maddox, James Campbell, Benjamin Philpot, Walter Winter, John Parnham, Samuel Turner, Hezekiah Dent, William Compton, Zachariah Chunn, Charles S. Smith, Robert Young, Joseph Anderson, Henry S. Hawkins, John Hanson*, youngest, *Bennett Dyson, Benjamin Fendall, Samuel Hanson*, youngest, *Notley Maddox, Geo. Keech, George Dent*, Jun., *John Stone, Walter H. Jenifer, John N. Knott, Francis B. Franklin, Alexander M'Pherson*, Jun., *Thomas M'Pherson, John M'Pherson, William Hanson, Benjamin Cawood*, Jun., *Charles Mankin, Belain Posey, John Muschett, Haskins Hanson, Walter Hanson*, Jun., *John B. Meeke*, and *Pearson Chapman*, be a Committee to represent and act for this County, to carry into execution the Association agreed on by the *American* Continental Congress, and that any seven of them have power to act.

Resolved, That *Samuel Hanson, Walter Hanson, Dan. Jenifer, Thomas Stone, Robert T. Hooe, James Craig, James Key, Walter Hanson Jenifer, John H. Stone*, and *Zephaniah Turner*, be a Committee of Correspondence for this County, and that any five have power to act.

Resolved, That it is the sense of this meeting that *Samuel Hanson, William Smallwood, Josias Hawkins, Francis Ware, Jos. H. Harrison, Thomas Stone, Daniel Jenifer, John Dent, George Dent, Robert T. Hooe, Sam. Love*, and *Thomas Hanson Marshall*, ought to attend the next Provincial Meeting on the 21st instant, and have full power to represent and act for this County.

FREDERICK COUNTY (MARYLAND) COMMITTEE.

At a Meeting of the Inhabitants of *Frederick* County, at the Court House, qualified to vote for Representatives, on *Friday*, the 18th of *November*, 1774:

Resolved, That *Charles Beatty, Henry Griffith, Thos. Sprigg Wootton, Jacob Funk, Nathl. Magruder, Richard Thomas, Evan Thomas, Richard Brooke, Zadock Magruder, William Baker, Thomas Cramphin*, Jun., *Allen Bowie*, Jun., *William Deakens*, Jun., *John Murdock, Thomas Jones, Bernard O'Neal, Brook Beall, Edward Burgess, Charles G. Griffith, Henry Griffith*, Jun., *William Bayley*, Jun., *Samuel W. Magruder, Nathl. Offutt, Archibald Orm, Joseph Threlkeld, Walter Smith, Thos. Beall*, of *George, Richard Crab, William Luckett, William Luckett*, Jun., *Greenbury Griffith, Samuel Griffith, John Hanson, Thomas Price, Thomas Bowls, Conrad Grosh, Thomas Schley, Jonathan Wilson, Francis Deakins, Casper Shaaff, Peter Hooffman, George Scott, Baker Johnson, Philip Thomas, Alexander C. Hanson, Archibald Boyd, Arthur Helson, Andrew Scott, George Stricker, Adam Fisher, William Lodwick Weltner, Van Swarengen, William J. Beall, Jacob Young, Peter Grosh, Ænias Campbell, Elias Bruner, Frederick Kemp, John Haas, John Ramsburgh, Thomas Hawkins, Upton Sheredine, John Lawrence, Basil Dorsey, Charles Warfield, Ephraim Howard, Joseph Wells, David Moore, Joseph Wood, Norman Bruce, William Blair, David Shriver, Roger Johnson, Henry Cock, Robert Wood, William Albaugh, Jacob Mathias, Henry Crawl, Jacob Ambrozie, Daniel Richards, William Winchester, Philip Fishburn, William Hobbs, Thomas Cresap, Thomas Warren, Thos. Humphreys, Richard Davis*, Jun., *Charles Clinton, James Prather, George Brent, James Johnson, James Smith, Joseph Chapline, John Stull, Samuel Beall*, Jun., *William Beard, Joseph Sprigg, Christian Orandolf, Jonathan Hager, Conrad Hogmire, Charles Swearengen, Henry Snavely, Richard Davis, Samuel Hughes, Joseph Perrey, John Jugerham, Joseph Smith, Thomas Hog, Thomas Prather, William M'Clary, John Swan, Eli William, Stophal Burkett*, and *Thomas Brook*, be a Committee to represent this County to carry into execution the Association agreed on by the *American* Continental Congress, and that any five have power to act.

Resolved, That *Charles Beatty, Thomas Sprigg Wootton, John Hanson, Thomas Bowles, Casper Shaaff, Thos. Price, Baker Johnson, Philip Thomas, George Murdock, Alexander C. Hanson, Thomas Cramphin*, Jun., *William Bayley*, Jun., *Evan Thomas, Richard Brook, Thomas Johns, Walter Smith, William Deakins*, Jun., *John Murdock, Bernard O'Neal, John Stull, Samuel Beall*, Jun., *James Smith, Joseph Chapline, Joseph Sprigg, Charles Swearengen, Rich. Davis, Jonathan Hager*, and *Joseph Perrey*, be a Committee of Correspondence for this County and that any five have power to act.

Resolved, That *Charles Beatty, Henry Griffith, Thos. Sprigg Wootton, Jacob Funk, Evan Thomas, Richard Brook, Upton Sheredine, Baker Johnson, Thomas Price, Joseph Chapline*, and *James Smith*, attend the Provincial Meeting on the 21st instant, according to appointment, and that any five have full power to represent and act for this County.

Digitized by Google

ADDRESS FROM THE COMMITTEE OF MECHANICKS OF NEW-YORK, PRESENTED TO THE DELEGATES WHO REPRESENTED THIS CITY AT THE GENERAL CONGRESS.

GENTLEMEN: We, being actuated by a real regard for the interest and prosperity of our injured and oppressed country, and influenced by a principle of gratitude, embrace this early opportunity to testify our most grateful and unfeigned acknowledgments for your readiness in accepting, and fidelity in executing the high and important trust reposed in you by your fellow-citizens and countrymen; and for the wise, prudent, and spirited measures which you have adopted (in conjunction with the worthy and respectable Delegates of the neighbouring Colonies) for obtaining a redress of grievances, and a restoration of our violated rights; and thereby re-establishing (upon the most permanent basis) that harmony and confidence between *America* and the parent state so ardently wished for by all good men, and so essentially necessary for the mutual advantage and security of both countries.

At the same time permit us to assure you that we are determined, as far as our influence extends, to exert ourselves in support of the common cause, and shall ever be ready to aid and assist in carrying the salutary measures of the General Congress into execution to the utmost of our power and ability.

That you may long live to enjoy the fruits of your labours, and receive, from a grateful people, the applause and honour which is justly due to the preservers of their country, is the sincere wish of, gentlemen, your obliged humble servants and fellow-citizens,

Signed by order of the Mechanicks' Committee,
DANIEL DUNSCOMB, *Chairman.*

To *Philip Livingston, James Duane, Isaac Low, John Jay,* and *John Alsop,* Esquires.

New-York, November 18, 1774.

To which they were pleased to return the following polite Answer:

GENTLEMEN: The polite and respectful terms in which you are pleased to communicate your approbation of our conduct, in an important office, demand our most sincere and grateful acknowledgments.

Honoured by the united suffrages of our fellow-citizens, and animated by a sense of duty, and the most cordial affection for our oppressed country, however unequal to the delicate and arduous task, we undertook it with cheerfulness, and have discharged it with fidelity.

While, from abundant experience, we bear testimony to the unshaken zeal for constitutional liberty, which has ever distinguished the worthy inhabitants of this metropolis, and is nobly exerted at the present alarming crisis, your anxious solicitude for the restoration of that harmony and mutual confidence between the parent state and *America*, on which the glory and stability of the *British* Empire so absolutely depend, cannot fail of recommending you to the esteem of all good men, and of holding you up as an example worthy of imitation and applause.

To soften the rigour of the calamities to which, in this tempestuous season, we may be exposed, let us all, with one heart and voice, endeavour to cultivate and cherish a spirit of unanimity and mutual benevolence, and to promote that internal tranquillity which can alone give weight to our laudable efforts for the preservation of our freedom, and crown them with success.

We are, gentlemen, with the most affectionate regard, your obliged and very humble servants,

PHILIP LIVINGSTON, JAMES DUANE,
JOHN ALSOP, JOHN JAY.
ISAAC LOW,

To Mr. *Daniel Dunscomb*, Chairman, and the Committee of Mechanicks in the City of *New-York*.

TO THE PEOPLE OF NEW-JERSEY.

MY FRIENDS AND COUNTRYMEN: I had once some hope that the Resolutions of the Congress would have been such as to produce some good to the Colonies, but I find my fears verified by their proceedings; chosen, on one side, they seem to have had no other view than to please their electors, and to forward confusion among us. They have formed no system by which the present differences might be solved, and future contentions avoided, but deliberatively have made bad worse, left us no retreat, nor the mother country any opening to advance to a reconciliation.

With sovereign contempt they have overlooked the Legislature of *Great Britain*, and appealed to the People; will not this people take offence at the indignity so manifestly shown to their Legislature, and receive the appeal with disgust? especially when they see that we have forbid all intercourse with them, and that with as much seeming authority as if we were an independent state, and determining on a rupture with them? Nay, will not this conduct be construed as open enmity to the *British* name?

Again, with the greatest assurance they have arraigned the Lords and Commons of the highest injustice, in altering the form of one Government, though perhaps for the better, and yet have taken upon themselves to declare the old established forms in others, unconstitutional, dangerous, and destructive to the freedom of *American* Legislation, because they have a Legislative Council. Thus, by raising new contentions, and drawing us into new controversies, what end can this serve but to create confusion? From confusion, my countrymen, is to be reared the new Republick.

Again, they have warmly resolved against the Laws of Trade, the Officers of the Customs, the authority of Judges of the Admiralty, &c. Perhaps in some instances the Laws of Trade may be severe, and the appointment and exercise of the offices of Judges of the Admiralty, and of the Customs, may be real matter of complaint; but why did they not ask redress of the Legislature of *Great Britain?* I suspect, that feeling their influence, and elated with power, new and unconstitutional, they apprehended the application would be successful, and their authority at an end; they, therefore, have made their appeal to the people, hoping to stir up rebellion and strife again; they have tickled you by increasing the number of your Committees, that you may appear to have a great share in this new Government, and at the same time that they hold out to you an abhorrence of the Laws of Trade, and take upon themselves to give power, to Heaven knows who, to inspect the entries at the Custom House, and by the eleventh article of the Association, these Committee men have a large field to range in, and may hold up the most respectable characters among us to contempt, and turn him over to be treated as an enemy of his country.

Had an Act of Parliament formed such an inquisition, by giving power to any man, or set of men, to observe the conduct of their fellow-subjects, and, as a majority should determine, their neighbour should be exposed to insult and contempt at their pleasure, how should we have heard of the liberty of the subject, his right to trial by his peers, &c., &c. Yet these men, at the same time they arraign the highest authority on earth, insolently trample on the liberties of their fellow-subjects; and, without the shadow of a trial, take from them their property, grant it to others, and not content with all this, hold them up to contempt, and expose them to the vilest injuries.

View again the conduct of these men while they declare a Non-Importation from *Great Britain* and *Ireland*, of any Goods, Wares, and Merchandises,—of Molasses, &c., from the *West Indies*,—of Wines from the *Madeira* and *Western Islands*, and thereby, in effect, prohibit an exportation of the Iron, Lumber, Wheat, Pork, Beef, Flour, and Corn, of the middle Colonies, and particularly of this, as the places to which all these are shipped can give us no return but in the articles our Congress prohibit us to import. Yet Rice, the staple of *Carolina*, is to be exported without restraint or limitation. Why this distinction? Is it because the Delegates of that Colony had more regard for the interest of the people they represented? Or that our Delegates could take what liberties they pleased with us? Or what was the reason?

When unreasonable partiality appears in men—when they take much pains, use studied language, and appeal to Heaven for the uprightness of their intentions, we have just cause to suspect; for the sincerity of our intentions is best shown by our actions, it wants not the parade of words; the plainest language is best, and requires no appeal to Heaven to induce our belief. Yet this Congress, in all their publications, (except the letter to Gen-

Digitized by Google

eral *Gage*) have paid more attention to sounding words, and taken more pains to convince the world they are scholars, than to show a disposition to settle our differences. In short, when they appear averse to conciliating measures, and show a disposition to create confusion, and hum us into war and bloodshed, it is manifest they are actuated by motives inconsistent with the people's interest. For examples of their inclination to war, let me appeal to their adopting the *Suffolk* Resolves; and to their own inconsistent minutes, for a determination upon confusion and mischief, particularly upon that arrogant Resolve, wherein they require the repeal of many Laws of Trade, &c., "as "essentially necessary in order to restore harmony between "*Great Britain* and the *American* Colonies." Can the people who they style spirited and brave, stoop to such humiliating terms? Could this Resolve then have been made with any other view than to affront a brave people, and prevent them from hearing and redressing real grievances? It is natural, my countrymen, for men who feel themselves suddenly clothed with unlimited powers, to have a desire to continue that authority they have by accident acquired, and to keep the ball up, for if once it comes to the ground, then authority vanishes, and the people will no longer be dupes to their ambition.

All changes in Government, my countrymen, are dangerous to the people—we have insensibly, and in the hurry of our zeal, departed from our Constitution, and entered a new mode of governing, as inconsistent with liberty as it is opposite to Monarchy; in short, we have slid into a Republick when we did not mean it, and out of fear of a distant and ideal tyranny, we have created a dangerous and real one among ourselves. We have no instances of laws so severe, or any regulations so inimical to liberty as the Resolves of this Congress, who show themselves double-faced on every occasion: read their cajoling letter to the *Canadians;* again, see how these *Canadians* are painted in another place as fit tools, from "ancient preju-"dices, to act with hostility against the true Protestant "Colonies, whenever a wicked Ministry shall choose to "direct them." See the artifice that is used through the whole of their proceedings to keep you in a ferment, and you will trace the thirst of dominion through every page. It is not so much, my countrymen, that the mother country is inclined to tyranny, as it is those among us who desire rule, and want to lord it over us, and therefore keep up a controversy that sooner or later will end in our ruin.

As we have already done what we ought not to have done, and left undone those things which we ought to have done, let us shun the rock these pilots would run us upon; let us in time return to our Constitution, and by our Representatives, like honest men, state our grievances, and ask relief of the mother state; let us do this with that plainness and decency of language that will show at once our sincerity, and remove every suspicion that we have the least intention or desire to be independent. Let us remember that our burden has been light; that the mother state has ever protected us by her arms,—and her renown among the Nations of the world—nay, let us remember that these men who are most forward and noisy patriots in the great Towns have acquired wealth in forbidden trade, and have, even in that trade, been protected by the name of *Britain*, and ought to be suspected and detested by us, as we have too long been duped by them.

Let us shun an Association artfully designed to entangle us, and fear not the threats contained in it; let us remember ourselves, our children, our country; and while we are attentive to our liberties, let us not forget our duty.

New-Jersey, November 19, 1774.

At a Town Meeting held at *Providence, Rhode-Island*, on the 21st day of *November*, 1774, A. M., called by Warrant, to order a Town Tax, &c:

NICHOLAS BROWN, Esquire, *Moderator*,

Voted, That the Committee of Correspondence for this Town be hereby empowered to receive of the Town Treasury the sum of one hundred and twenty-five Pounds, lawful money, and to transmit the same to the Committee in the Town of *Boston* for receiving donations for the distressed inhabitants of the Town of *Boston* and *Charlestown;* and the Treasurer is hereby ordered to pay said sum out of the first money he shall receive of the tax now ordered.

DOCTOR JOSEPH WARREN TO JOSIAH QUINCY, JUNIOR.

Boston, November 21, 1774.

DEAR SIR: As nothing interesting, which I am at liberty to communicate, has taken place since your departure from home, except such matters as you could not fail of being informed of by the publick papers, I have deferred writing to you, knowing that upon your first arrival in *London* you would be greatly engaged in forming your connections with the friends of this country to whom you have been recommended. Our friends who have been at the Continental Congress are in high spirits on account of the union which prevails throughout the Colonies.—It is the united voice of *America* to preserve their freedom, or lose their lives in defence of it. Their Resolutions are not the effect of inconsiderate rashness, but the sound result of sober inquiry and deliberation. I am convinced that the true spirit of liberty was never so universally diffused through all ranks and orders of people, in any country on the face of the earth, as it now is through *North America*.

The Provincial Congress met at *Concord* at the time appointed; about two hundred and sixty Members were present. You would have thought yourself in an Assembly of *Spartans* or ancient *Romans*, had you been a witness to the ardour which inspired those who spoke upon the important business they were transacting. An injunction of secrecy prevents my giving any particulars of their transactions, except such as by their express order were published in the papers; but in general you may be assured that they approved themselves the true Representatives of a wise and brave people, determined at all events to be free. I know I might be indulged in giving you an account of our transactions were I sure this would get safe to you, but I dare not, as the times are, risk so important intelligence.

Next *Wednesday*, the 23d instant, we shall meet again according to adjournment. All that I can safely communicate to you shall be speedily transmitted. I am of opinion that the dissolution of the *British* Parliament, which we were acquainted with last week, together with some favourable letters received from *England*, will induce us to bear the inconvenience of living without Government until we have some further intelligence of what may be expected from *England*. It will require, however, a very masterly policy to keep the Province for any considerable time longer in its present state. The Town of *Boston* is by far the most moderate part of the Province; they are silent and inflexible. They hope for relief, but they have found from experience that they can bear to suffer more than their oppressors or themselves thought possible. They feel the injuries they receive; they are the frequent subject of conversation; but they take an honest pride in being singled out by a tyrannical Administration as the most determined enemies to arbitrary power; they know that their merits, not their crimes, have made them the objects of Ministerial vengeance. We endeavour to live as peaceably as possible with the Soldiery, but disputes and quarrels often arise between the Troops and the Inhabitants.

General *Gage* has made very few new manœuvres since you left us. He has indeed rendered the entrenchments at the entrance of the Town as formidable as he possibly could. I have frequently been sent to him on Committees, and have several times had private conversations with him. I have thought him a man of honest, upright principles, and one desirous of accommodating the difference between *Great Britain* and her Colonies in a just and honourable way. He did not appear to be desirous of continuing the quarrel in order to make himself necessary, which is too often the case with persons employed in publick affairs; but a copy of a letter, via *Philadelphia*, said to be written from him to Lord *North*, gives a very different cast to his character. His answer to the Provincial Congress, which was certainly ill-judged, I suppose was the work of some of that malicious group of harpies whose disappointments make them desirous to urge the Governour to drive every thing to extremes; but in this letter (if it be genuine) he seems to court the office of a destroyer of the liberties, and murderer of the people of

Digitized by Google

this Province. But you have doubtless read the paper, and thought with indignation on its contents.

I wish to know of you how affairs stand in *Great Britain*, and what was the principal motive of the dissolution of Parliament. If the late Acts of Parliament are not to be repealed, the wisest step for both countries is fairly to separate, and not spend their blood and treasure in destroying each other. It is barely possible that *Britain* may depopulate *North America*, but I trust in *God* she never can conquer the inhabitants. And if the cruel experiment is made, I am sure, whatever fortunes may attend *America*, that *Britain* will curse the wretch, who, to stop the mouths of her ravenous pack of dependents, bartered away the wealth and glory of her Empire.

I have not time to say more at present than to assure you that from this time you may expect to hear from me, news or no news, by every vessel, and that my earnest wish is that your abilities and integrity may be of eminent service to your country. I am, dear sir, your most obedient servant, JOSEPH WARREN.

To *Josiah Quincy*, Junior.

MARYLAND CONVENTION.

At a Provincial Meeting of Deputies, chosen by several of the Counties in *Maryland*, held at the City of *Annapolis*, *November* the 21st, 1774, and continued by adjournment to *Friday*, the 25th day of the same month, were present fifty-seven Deputies.

MATTHEW TILGHMAN, *Chairman*.
JOHN DUCKETT, *Clerk*.

The Delegates appointed to represent this Province at the late Continental Congress, laid the Proceedings of the Congress before this meeting, which being read and considered, were unanimously approved of; and thereupon it is

Resolved, That every member of this meeting will, and every person in the Province ought, strictly and inviolably to observe and carry into execution the Association agreed on by the said Continental Congress.

It is recommended by this meeting that during the present time of publick calamity, Balls be discontinued.

Several Counties not being fully represented, from the want of sufficient notice of the time of this meeting,

Resolved, That this meeting will adjourn to *Thursday*, the 8th day of *December* next; and that a letter be wrote to those Counties earnestly to request them to send their Deputies to attend punctually on that day, as matters of very great importance to this Province will be then taken into consideration. The meeting adjourned to *Thursday*, the 8th day of *December* next.

JOHN DUCKETT, *Clerk*.

ELIZABETH CITY COUNTY (VIRGINIA) COMMITTEE.

A respectable number of the Freeholders of *Elizabeth City* County, pursuant to notice given by advertisements, met at the Court House of the said County, on *Tuesday*, *November* 22, 1774, to elect a Committee for the purposes mentioned in the Association entered into by the *American* Continental Congress; after previously determining that the election should be by ballot, that the Committee should be chosen for the Town of *Hampton* and County jointly, they proceeded to the election, the same being conducted under the inspection of several worthy members, and the following persons were chosen: *William Roscow Wilson Curle*, *Henry King*, *John Tabb*, *Worlich Westwood*, *Roe Cowper*, *William Armistead*, *Joseph Selden*, *James Wallace*, *Cary Selden*, *Jacob Wray*, *George Wray*, *John Cary*, and *Miles King*.

They then elected *William Roscow Wilson Curle*, Esq., Chairman, and Mr. *Robert Bright*, Clerk.

From the Minutes,

ROBERT BRIGHT, *Clerk*.

EXTRACT OF A LETTER RECEIVED IN LONDON FROM AN OFFICER IN THE ARMY, DATED BOSTON, NOVEMBER 22, 1774.

According to my promise I write to you of my arrival. The Troops are just put into quarters. The workmen at *Boston* were so mulish that the General was obliged to send to *Nova Scotia* for Carpenters and Bricklayers to fit up Barracks for our accommodation. The country is very plentiful, and all sorts of provisions cheaper than in *London*, though much risen from such a number of people being got together. The inhabitants of this Colony retain the religious and civil principles brought over by their forefathers in the reign of *Charles* the First, and are at least a hundred years behindhand with the People of *England* in every refinement. With the most austere show of devotion, they are void of every principle of Religion or common honesty, and reckoned the most arrant cheats and hypocrites upon the whole Continent of *America*. The women are very handsome, but, like old mother *Eve*, very frail; our camp has been as well supplied in that way since we have been on *Boston* Common, as if our tents were pitched on *Blackheath*. As to what you hear of their taking arms to resist the force of *England*, it is mere bullying, and will go no farther than words; whenever it comes to blows, he that can run fastest will think himself best off: believe me, any two Regiments here ought to be decimated if they did not beat, in the field, the whole force of the *Massachusetts* Province; for though they are numerous, they are but a mere mob, without order or discipline, and very awkward at handling their Arms. If you have ever seen *Colonel D****** marching his Regiment from *Ludgate* Hill to the Artillery Ground, you have an epitome of the discipline of an *American* Army. We expect to pass the Winter very quietly. The saints here begin to relish much the money we spend among them, and I believe, notwithstanding all their noise, would be very sorry to part with us.

New-York, Tuesday, November 22, 1774.

The election of a Committee of Sixty Persons for the puposes mentioned in the Association entered into by the Congress having this day come on, pursuant to advertisements in the publick newspapers, a respectable number of the Freeholders and Freemen of this City assembled at the City Hall, where the election was conducted under the inspection of several of the Vestrymen; and the following persons were chosen without a dissenting voice, viz:

Isaac Low,	Henry Remsen,	Jacob Van Voorhees,
Philip Livingston,	Peter T. Curtenius,	Jeremiah Platt,
James Duane,	Abraham Brasher,	William Ustick,
John Alsop,	Abraham P. Lott,	Comfort Sands,
John Jay,	Abraham Duryee,	Robert Benson,
P. V. B. Livingston,	Joseph Bull,	William W. Gilbert,
Isaac Sears,	Francis Lewis,	John Berrien,
David Johnson,	John Lasher,	Gabriel H. Ludlow,
Charles Nicoll,	John Roome,	Nicholas Roosevelt,
Alex. M'Dougall,	Joseph Totten,	Edward Flemming,
Thomas Randall,	Thomas Ivers,	Lawrence Embree,
Leonard Lispenard,	Hercules Mulligan,	Samuel Jones,
Edward Laight,	John Anthony,	John De Lancey,
William Walton,	Francis Basset,	Frederick Jay,
John Broome,	Victor Bicker,	William W. Ludlow,
Joseph Hallett,	John White,	John B. Moore,
Charles Shaw,	Theophilus Anthony,	George Januwa,
Nicholas Hoffman,	William Goforth,	Rodolphus Ritzema,
Abraham Walton,	William Denning,	Lindley Murray,
Peter Van Schaack,	Isaac Roosevelt,	Lancaster Burling.

Address of the Magistrates of FREDERICK *County*, MARYLAND, *to the Honourable* MATTHEW TILGHMAN, THOMAS JOHNSON, ROBERT GOLDSBOROUGH, WILLIAM PACA, *and* SAMUEL CHASE, Esquires.

We the subscribers, Magistrates of *Frederick* County, sensible of the disinterested services you have rendered your country on many occasions, but particularly as Deputies from this Province to the Grand Continental Congress, beg leave to return you our sincere acknowledgments. The whole of the proceedings of that important Assembly are so replete with loyalty to the King; with tenderness to the interest of our fellow-subjects in *Great Britain*; and above all, with reverential regard to the rights and liberties of *America*, that they cannot fail to endear you to every *American*, and your memory to their latest posterity.

THOMAS CRESAP,	UPTON SHEREDINE,
JOSEPH WOOD.	JOHN STULL,
DAVID LYNN,	WILLIAM DEACONS, Jun.,
ANDREW HUGH,	WILLIAM BEATTY,
WILLIAM LUCKETT,	EDWARD BURGESS,
THOMAS PRICE,	THOMAS WARREN,
THOMAS WOOTTON,	EZEKIEL COX.

Digitized by Google

Address of the Grand Jury of FREDERICK *County*, MARYLAND, *to the Honourable* MATTHEW TILGHMAN, THOMAS JOHNSON, ROBERT GOLDSBOROUGH, WILLIAM PACA, *and* SAMUEL CHASE, Esquires:

We, the Grand Inquest for *Frederick* County, deeply impressed with a sense of the regard you have on all occasions, but more particularly at the late *American* Congress, manifested for the interests, the rights and liberties of your country, deem it incumbent on us in this manner to testify our warmest esteem and gratitude. Permit us, gentlemen, to observe, that Councils tempered with such filial loyalty to the Sovereign, such fraternal delicacy for the sufferings of our friends in *Great Britain*, and, at the same, with such unshaken zeal for the preservation of the inestimable privileges derived from our admirable Constitution, cannot fail to give weight and influence to the cause, and must moderate and relax the minds of our most poignant enemies.

Signed per order, HENRY GAITHER, *Foreman.*

EXTRACT OF A LETTER FROM LIEUTENANT GOVERNOUR BULL TO THE EARL OF DARTMOUTH, DATED CHARLESTOWN, SOUTH CAROLINA, NOVEMBER 23, 1774.

Without giving your Lordship the trouble of another letter upon the result of the late Congress at *Philadelphia*, which doubtless hath long since reached your Lordship's hands, I beg leave only to add, that the disposition of this Province, in their political discontents, remain the same; that the people of the Province are, in the beginning of next *January*, again to choose Deputies to repair to the *Philadelphia* Congress by the 10th of *May;* and that I have farther prorogued the General Assembly to the 24th day of *January*, before which time we expect to receive some accounts of the measures that shall be adopted by the new Parliament relative to *American* affairs.

WARWICK COUNTY (VIRGINIA) COMMITTEE.

At a meeting held the 23d day of *November*, 1774, at the Court House of *Warwick* County, to choose a Committee to carry the late Continental Association into execution, the Freeholders proceeded by ballot, and chose the following gentlemen as a Committee for this County, viz: Colonel *William Harwood*, Major *William Langhorne*, *E. Harwood*, *Thomas Haynes*, *Richard Cary*, *Hinde Russell*, *Benjamin Wills*, *John Jones*, *William Digges*, *William Dudley*, *Francis Leigh*, and *Joseph Massenburgh.*

Colonel *William Harwood* appointed Chairman to the Committee, and *Robert Lucas*, Clerk.

MASSACHUSETTS PROVINCIAL CONGRESS.

Wednesday, November 23, 1774, A. M.

The Congress met according to adjournment, and then adjourned to half past two o'clock this afternoon.

Afternoon.

The Congress being apprehensive that the Honourable *Walter Spooner*, Esq., had not received the Resolve passed by them, inviting the Members of his Majesty's Constitutional Council to attend the Congress on this day, resolved that he be again wrote to, desiring his attendance here immediately, and that a messenger be despatched therewith without delay.

Resolved, That the gentlemen who were Members of the Continental, and are of this Provincial Congress, be joined to the Committee on the State of the Province.

Resolved, That *John Adams*, Esq., be desired to favour this Congress with his presence, as soon as may be.

Resolved, That *Robert Treat Paine*, Esq., be desired to attend this Congress, as soon as possible.

Then the Congress adjourned till to-morrow morning, ten o'clock.

Thursday, November 24, 1774, A. M.

Resolved, That the Chairman of the Committee from this Province, who were Members of the Continental Congress, be desired to report the Proceedings of said Congress.

Ordered, That Captain *Gardner*, Colonel *Prescott*, and Doctor *Holten*, be a Committee to wait on the Reverend Doctor *Appleton*, and desire that he would officiate as Chaplain to this Congress, during their Session in this Town.

The Committee waited upon the Reverend Doctor *Appleton* accordingly, and reported that they had delivered the Message, and that the Doctor would officiate as Chaplain, agreeably to the desire of the Congress.

The Chairman of the Committee appointed by this Province to meet in Continental Congress, reported that they had attended to the service; that the Congress had taken into consideration the State of the Colonies, and that he had a Journal of their whole Proceedings, which he would lay on the table.

Resolved, That the doings of the Continental Congress be now read, which were read accordingly.

Resolved, That the state of Rights, state of Grievances, and the Association, as stated by the Continental Congress, be committed. The same was accordingly committed to the Honourable Major *Hawley*, Honourable Mr. *Dexter*, Doctor *Warren*, Colonel *Lee*, Mr. *Gerry*, Colonel *Warren*, and Doctor *Church*, who are to consider thereof and report.

Adjourned to three o'clock this afternoon.

Afternoon.

The Petition from the Officers of the Minute-Men, in the Northwest part of the County of *Worcester*, was read and committed to the Committee on the State of the Province.

Ordered, That the Committee appointed to sit in the recess to prepare a Plan for the Defence and Safety of the Government, be directed to sit forthwith.

Ordered, That the Committee appointed to publish the names of the Mandamus Counsellors, and others, now in the Town of *Boston*, be directed to sit forthwith and prepare a report.

Adjourned till to-morrow morning, ten o'clock.

Friday, November 25, 1774, A. M.

Ordered, That Doctor *Holten*, Colonel *Foster*, and Colonel *Roberson*, be a Committee to inquire what number of the Constitutional Counsellors are now in Town.

Resolved, That the Members from the Town of *Worcester* apply to Colonel *Chandler* and receive from him the Bayonets he has in his hands and is now ready to deliver; and inquire what sum or sums of money has been paid to him by the Treasurer, for the purpose of procuring Bayonets; how many were procured by him, and to whom they were delivered, and the state of his Account relative to the money by him received for the purpose aforesaid.

Ordered, That a copy of this Resolve be given to the Members aforesaid.

Resolved, That Doctor *Holten*, Doctor *Foster*, Colonel *Roberson*, Captain *Baldwin*, and Mr. *Cushing*, be a Committee to wait on such gentlemen of his Majesty's Constitutional Council of this Province, who now are in Town at the request of this Congress, and acquaint them that this Congress respectfully acknowledge their cheerful attendance, but will not be ready to offer any matters for their advice, until a quorum of that Honourable Board shall appear, and which is soon expected; and that in the mean time a seat is provided for them in this House, if they shall see cause to be present.

Resolved, That it be a rule of this Congress at present, that they sit in the forepart of the day, and that they adjourn over the afternoon, in order to give time for the Committees to sit and perfect the business with which they are severally charged.

Ordered, That Colonel *Thomas*, Captain *Gardner*, and Mr. *Watson*, be a Committee to inquire whether a more convenient place than that in which the Congress now sits, can be procured for them to meet in.

Resolved, That every Member of this Congress be enjoined to give their constant attendance during the session thereof; and in case any should be under the necessity of

Digitized by Google

absence, that they signify the same to the Congress, in order to their obtaining leave to withdraw.

Adjourned till ten o'clock to-morrow morning.

—

Saturday, November 26, 1774, A. M.

The Committee appointed to wait on the Members of his Majesty's Council now in Town, reported that they had attended that service; had seen the Honourable Mr. *Cushing* and the Honourable Mr. *Seaver*, and had delivered to them the Message with which they were charged; they being the only Members in Town.

Ordered, That the same Committee wait on the other gentlemen of his Majesty's Council, invited by this Congress to attend here, as they come into Town, and inform them of the Resolve of this Congress.

Ordered, That Captain *Heath*, Mr. *Adams*, Colonel *Doolittle*, Colonel *Pomeroy*, and Honourable Mr. *Dexter*, be a Committee to devise some means of keeping up a correspondence between this Province, *Montreal*, and *Quebec*, and of gaining very frequent intelligence from thence of their movements.

The Committee appointed yesterday to see if some more convenient place could be procured for the Congress, than that in which they now sit, reported that the new Chapel can be had, and that it is the most convenient place that they can obtain.

Ordered, That this matter now subside.

Ordered, That Mr. *Sullivan*, Honourable Major *Hawley*, and the Honourable Mr. *Cushing*, be a Committee to draw the form of an Order with respect to the Treasurer's giving Bonds, and report.

Ordered, That Mr. *Wheeler*, Mr. *Adams*, Honourable Mr. *Cushing*, and Doctor *Church*, be added to the Committee appointed to publish the names of the Mandamus Counsellors, and others, now in *Boston*.

Adjourned till *Monday* morning, ten o'clock.

—

Monday, November 28, 1774, A. M.

Ordered, That Mr. *Palmer*, Mr. *Cushing*, Colonel *Gerish*, Mr. *Bigelow*, Mr. *Fuller*, Mr. *Pickering*, and Colonel *Pomeroy*, be a Committee to take into consideration the state of the Manufactures, and how they may be improved in this Province.

Adjourned till ten o'clock to-morrow morning.

—

Tuesday, November 29, 1774, A. M.

Ordered, That Colonel *Henshaw*, Mr. *Palmer*, Mr. *Gorham*, Mr. *Lothrop*, and Mr. *Pigeon*, be a Committee to make as just an estimate as may be of the loss and damage of every kind occasioned to the Province by the operation of the *Boston* Port Bill and the Act for altering the Civil Government, from their commencement to this time.

Ordered, That Doctor *Foster*, Mr. *Gorham*, and Colonel *Orne*, be a Committee to state the amount of the sums which have been extorted from us since the year 1763, by the operation of certain Acts of the *British* Parliament.

Resolved, That a messenger be despatched to the Town of *Salem*, in order to gain what intelligence can be had by the last vessels from *London*, and that the messenger bring with him the *Essex* Paper to this Congress; and that Mr. *Bigelow* be desired to take upon him the above service.

Resolved, That Mr. *Devens* be desired to go to *Boston* and inquire what advice came by the last vessels from *London*.

Resolved, That when this Congress shall adjourn, that it be adjourned to three o'clock this afternoon.

Adjourned to three o'clock this afternoon.

Afternoon.

Mr. *Devens* reported that, in obedience to the order of the Congress, he had been to the Town of *Boston*; that the Letters from *London* by the last ships had not come to hand; that Doctor *Church* was in *Boston*, and would bring them to the Congress as soon as they should arrive.

Resolved, That to-morrow, at eleven o'clock, the Congress will take into consideration the expediency of appointing Members to attend a Continental Congress, to be held at *Philadelphia*, agreeably to the recommendation of the last Continental Congress.

Adjourned to ten o'clock to-morrow morning.

Wednesday, November 30, 1774, A. M.

The Order of the Day was moved for.

The expediency of appointing Members to attend a Continental Congress, was considered: Thereupon,

Resolved, *unanimously*, as the opinion of this body, that Members be appointed to attend a Continental Congress, proposed to be held at *Philadelphia*, on the tenth day of *May* next, agreeably to the recommendation of the late Continental Congress.

Resolved, That five Members be appointed.

Resolved, That to-morrow, at three o'clock in the afternoon, be assigned to come to the choice of Delegates to attend the Continental Congress, proposed to be held at *Philadelphia*, on the 10th day of *May* next.

Ordered, That the Honourable Mr. *Winthrop*, Mr. *Sullivan*, and Doctor *Foster*, bring in a Resolve expressive of the Thanks of this body to the other Colonies, for their generous Donations to the inhabitants of the Town of *Boston*, now labouring under the oppression of certain Acts of the *British* Parliament.

Adjourned to three o'clock this afternoon.

Afternoon.

Resolved, That the Letters from Doctor *Franklin* to Mr. *Cushing*, which have been now read, be committed to the Provincial Committee of Correspondence.

Adjourned to ten o'clock to-morrow morning.

—

Thursday, December 1, 1774, A. M.

The Committee appointed to bring in a Resolve expressing the Thanks of this body to the other Colonies, for their generous Donations to the inhabitants of the Town of *Boston*, reported. The Report was recommitted for amendments.

The same Committee reported a Brief to be circulated through the several Towns, to promote Donations to the Towns of *Boston* and *Charlestown*; also recommitted for amendments.

The Committee appointed to take into consideration the state of Rights, the state of Grievances, and the Association, as stated by the Continental Congress, reported. The Report was then taken into consideration, and the further consideration thereof referred to three o'clock this afternoon.

Afternoon.

The Congress resumed the consideration of the Report of the Committee, agreeably to their Resolve in the forenoon; after some debate thereon, it was ordered to be recommitted for an amendment.

The Resolve expressing the Thanks of this body to the other Colonies, for their Donations to the Town of *Boston*, &c., as amended, was read and accepted, and is as followeth:

Whereas, by the rigorous operation of the *Boston* Port Bill, the Metropolis of this Province, and the neighbouring Town of *Charlestown*, have been brought into the most distressful state, many of the inhabitants being deprived of the means of procuring their subsistence, and reduced to the cruel alternative of quitting their habitations, or of perishing in them by famine, if they had not been supported by the free and generous contributions of our sister Colonies, even from the remotest part of this Continent.

Resolved, That the grateful acknowledgments of this Congress be returned to the several Colonies, for having so deeply interested themselves in behalf of said Towns, under their present sufferings in the common cause; and that the Congress consider these Donations, not merely as unexampled acts of benevolence to this Province in general, which has also greatly suffered, and of charity to those Towns in particular, but as convincing proofs of the firm attachment of all the Colonies to the glorious cause of *American* Liberty, and of their fixed determination to support them in the noble stand they are now making for the liberties of themselves and of all *America*.

The Committee appointed to prepare a Brief, reported; their Draught amended. *Ordered*, To be recommitted for a revision, and for such further amendments as they shall think proper.

Ordered, That Mr. *Devens* apply to the Secretary for a list of Counsellors appointed by mandamus; and in case he should be refused such list, he is desired to take with

Digitized by Google

him a Notary Publick, and in his presence again desire the same and tender the Secretary his fee.

Adjourned till to-morrow morning, ten o'clock.

—

Friday, December 2, 1774, A. M.

The Doorkeeper was directed to call in the Members, and to call none out till the further order of this Congress.

The Committee on the State of the Province, reported. The Report was taken into consideration.

Ordered, That the further consideration thereof be referred till four o'clock this afternoon, to which time this Congress stands adjourned.

Afternoon.

The Order of the Day moved for.

Ordered, That Doctor *Holten*, Captain *Cushing*, and Doctor *Church*, be a Committee to count and sort the votes for five Members to be chosen to represent this Province at an *American* Congress, to be held at *Philadelphia*, at or before the tenth day of *May* next.

The Congress then proceeded to bring in their votes for five gentlemen to be delegated for the purpose aforesaid. The Committee having counted and sorted the same, reported that the Honourable *John Hancock*, Honourable *Thomas Cushing*, Esquires, Mr. *Samuel Adams*, *John Adams*, and *Robert Treat Paine*, Esquires, were chosen.

The consideration of the Report of the Committee made in the forenoon, resumed—some time spent thereon, then ordered that the further consideration thereof be referred till to-morrow morning, nine o'clock.

Ordered, That the vote which passed yesterday expressing the Thanks of this body to the other Colonies for their Donations made to the Towns of *Boston* and *Charlestown*, be published in all the *Boston* Newspapers; and that it be attested by the President.

Resolved, That the Committee appointed to publish the names of the Mandamus Counsellors who have been sworn and have not resigned, be desired to send a messenger to Mr. *Hall*, Printer, in *Salem*, and inquire of him whether he had a list of the Counsellors appointed by mandamus, which he received from the Secretary's Office; and if he hath a list so received, to desire him to favour the Congress therewith.

The Report of the Committee appointed to take into consideration the state of Rights, the state of Grievances, and the Association, as stated by the Continental Congress, being amended, was read, and a consideration thereof went into.

Ordered, That the further consideration thereof be referred till to-morrow morning, ten o'clock.

Adjourned till nine o'clock to-morrow morning.

—

Saturday, December 3, 1774, A. M.

The Congress then went into the consideration of the Report of the Committee on the state of the Province, agreeably to their order of yesterday. After a long debate thereon, it was ordered to lie on the table, and that the Committee have leave to sit again.

Adjourned till *Monday* next at ten o'clock, A. M.

—

Monday, December 5, 1774, A. M.

Ordered, That Doctor *Winthrop*, Mr. *Sullivan*, Mr. *Pickering*, Mr. *Bridge*, and Mr. *Cheever*, be a Committee to prepare an Address to the Clergy of this Province, desiring them to exhort their people to carry into execution the Resolves of the Continental Congress.

Adjourned to three o'clock this afternoon.

Afternoon.

The Congress resumed the consideration of the Report of the Committee appointed to take into consideration the state of Rights, state of Grievances, and the Association, as stated by the Continental Congress, and it was accepted, and is as followeth:

Resolved, That the Proceedings of the *American* Continental Congress, held at *Philadelphia* on the fifth of *September* last, and reported by the Honourable Delegates from this Colony, have, with the deliberation due their high importance, been considered by us; and the *American* Bill of Rights therein contained, appears to be formed with the greatest ability and judgment, to be founded on the immutable laws of nature and reason, the principles of the *English* Constitution, and respective Charters and Constitutions of the Colonies, and to be worthy of their most vigorous support, as essentially necessary to liberty. Likewise the ruinous and iniquitous measures, which, in violation of their Rights, at present convulse and threaten destruction to *America*, and appear to be clearly pointed out, and judicious plans adopted for defeating them.

Resolved, That the most grateful acknowledgments are due to the truly Honourable and Patriotick Members of the Continental Congress, for their wise and able exertions in the cause of *American* Liberty; and this Congress, in their own names, and in behalf of this Colony, do hereby, with the utmost sincerity, express the same.

Resolved, That the Honourable *John Hancock*, and Honourable *Thomas Cushing*, Esqrs., Mr. *Samuel Adams*, *John Adams*, and *Robert Treat Paine*, Esqrs., or any three of them, be and they hereby are appointed and authorized to represent this Colony on the tenth of *May* next, or sooner, if necessary, at the *American* Congress to be held at *Philadelphia*, with full power with the Delegates from the other *American* Colonies, to concert, direct, and order such further measures as shall to them appear to be best calculated for the recovery and establishment of *American* Rights and Liberties, and for restoring harmony between *Great Britain* and the Colonies.

And whereas, it is of the utmost importance that the salutary Association of the Continental Congress be effectually executed, and the plans of foes to *America* defeated; who, aided by tyrannical power, intend to import Goods, Wares, and Merchandise prohibited by the Association, which may clandestinely be vended as Goods imported before the first of *December*, instant, by assistance of such Merchants and Traders as to this intent shall basely prostitute themselves; and it will be extremely difficult to distinguish between Goods imported before the said first of *December*, and such as after said day shall, in violation of the Association, be imported and secretly dispersed throughout the Colony. And whereas, it is expressly recommended by the Continental Congress "to the Provincial Con-"ventions, and to the Committees in the respective Colo-"nies, to establish such further Regulations as they may "think proper, for carrying into execution the Associa-"tion;"

Resolved, That from and after the tenth day of *October* next, it will be indispensably necessary, that all Goods, Wares, or Merchandise, directly or indirectly imported from *Great Britain* or *Ireland;* Molasses, Syrups, Paneles, Coffee, or Pimento, from the *British* Plantations, or from *Dominica;* Wines from *Madeira* or the *Western Islands*, and foreign Indigo, should cease to be sold or purchased in this Colony, notwithstanding they shall have been imported before the first of *December* aforesaid, unless the Acts and parts of Acts of Parliament, (particularly enumerated in a paragraph of the *American* Congress' Association, subsequent to the fourteenth Article,) shall be then repealed. And it is hereby strongly recommended to the inhabitants of the Towns and Districts in this Colony, that from and after the said tenth of *October*, they cease to sell or purchase, and prevent from being exposed to sale within their respective limits, any Goods, Wares, or Merchandise, &c., above enumerated, which shall *at any time* have been imported into *America*, whether before or after the first of *December* aforesaid, unless said Acts of Parliament shall then be repealed. And it is likewise strongly recommended to the Committee of Inspection, (which ought immediately to be chosen, agreeably to the said Association, by each Town and District in the Colony not having already appointed such Committees,) that they exert themselves in causing the Association, as thereby directed, to be fully executed; and that after the said tenth day of *October*, (unless the Acts of Parliament aforesaid are repealed,) they apply to all the Merchants and Traders in their respective Towns and Districts, and take a full Inventory of all Goods, Wares, and Merchandise aforesaid in their possession, whether they shall have been imported before or after the first of *December* aforesaid, requiring them to offer no more for sale, until said Acts of Parliament shall be repealed. And if any Merchants, Traders, or others, shall refuse to have an Inventory taken, or shall offer for sale after the said

Digitized by Google

tenth of *October*, any such Goods, Wares, or Merchandise, it is expressly recommended to the Committees aforesaid, that they take the Goods into their possession, to be stored at the risk of the proper owners, until the repeal of the Acts aforesaid, and publish the names of such refractory Merchants, Traders, or Purchasers, that they may meet with the merits of enemies to their country. And the Towns and Districts throughout the Province are also advised that they by no means fail rigorously to assist and support their Committees in discharging this as well as other duties of their offices, and to cause this Resolution to be executed by every measure which they shall think necessary.

Resolved, That *John Adams*, Esquire, be joined to the Committee on the State of the Province.

Resolved, That the above Report made by the Committee appointed to take into consideration the state of Rights, &c., as reported by the Continental Congress, be published in all the Newspapers in the Province, and that it be signed by the President and attested by the Secretary; and also, that copies thereof be sent to all the Towns and Districts in the Province.

Resolved, That the vote relating to a Brief be reconsidered, and that it be in order to be revised.

Adjourned till to-morrow morning, nine o'clock.

—

Tuesday, December 6, 1774, A. M.

The Committee appointed to take into consideration the state of the Manufactures in this Province, reported; the Report was recommitted for some additions.

The Committee appointed to devise means of keeping up a Correspondence between this Province, *Montreal* and *Quebec*, and of gaining frequent intelligence from thence of their movements; reported, that a Committee be appointed to correspond with the Inhabitants of *Canada*. Accordingly the Hon. Major *Hawley*, Colonel *Pomeroy*, Mr. *Browne*, Mr. *Samuel Adams*, Doctor *Warren*, Honourable Mr. *Hancock*, and Doctor *Church*, were appointed a Committee for that purpose.

The Committee appointed to prepare a Brief to be circulated through the several Towns in this Province, to promote Donations for the persons suffering in the Towns of *Boston* and *Charlestown*, under the operation of certain Acts of the *British* Parliament, having amended the same, reported; the Report was read and accepted, and is as followeth:

The operation of the cruel and iniquitous *Boston* Port Bill, that instrument of Ministerial vengeance having reduced our once happy Capital and the neighbouring Town of *Charlestown*, from affluence and ease to extreme distress; many of their inhabitants being deprived of even the means of procuring the necessaries of life; from all which they have most nobly refused to purchase an exemption by surrendering the Rights of *Americans*; and although the charitable Donations from the other Colonies and several Towns in this Province, have in a good measure relieved their immediate necessities, while their approbation has animated them to persevere in patient suffering for the publick good, yet as the severity of Winter is now approaching, which must add greatly to their misery; and there has been no general collection for them in this Colony, we hold ourselves obliged, in justice, to contribute to their support; while they, under such a weight of oppression, are supporting our Rights and Privileges.

It is therefore *Resolved*, That it be recommended to our constituents, the inhabitants of the other Towns, Districts, and Parishes, within this Province, that they further contribute liberally to alleviate the burden of those persons, who are the more immediate objects of Ministerial resentment, and are suffering in the common cause of their country; seriously considering how much the liberty, and consequently the happiness, of ourselves and posterity depend, under *God*, on the firmness and resolution of those worthy patriots.

And it is *Ordered*, That Doctor *Foster*, Mr. *Devens*, and Mr. *Cheever*, be a Committee to transmit printed copies of the above Resolve to the Ministers of the Gospel in the several Towns, Districts, and Parishes, in this Province, who are desired to read the same to their several Congregations, in order that their contributions of such necessaries of life as they can spare, may be forwarded as soon as possible.

The Committee appointed to prepare an Address to the Clergy, having amended the same, again reported; the Report was read and accepted, and ordered that copies thereof be sent to all the Ministers of the Gospel in the Province; and it is as followeth:

Reverend Sirs: When we contemplate the friendship and assistance our ancestors, the first settlers of this Province, (while overwhelmed with distress) received from the pious Pastors of the Churches of *Christ*, who, to enjoy the rights of conscience, fled with them into this land, then a savage wilderness, we find ourselves filled with the most grateful sensations. And we cannot but acknowledge the goodness of Heaven in constantly supplying us with Preachers of the Gospel, whose concern has been the temporal and spiritual happiness of this people.

In a day like this, when all the friends of Civil and Religious Liberty are extending themselves to deliver this country from its present calamities, we cannot but place great hopes in an order of men who have ever distinguished themselves in their country's cause; and do therefore recommend to the Ministers of the Gospel in the several Towns and other places in this Colony, that they assist us in avoiding that dreadful slavery with which we are now threatened, by advising the people of their several Congregations, as they wish their prosperity, to abide by, and strictly adhere to, the Resolutions of the Continental Congress, as the most peaceable and probable method of preventing confusion and bloodshed, and of restoring that harmony between *Great Britain* and these Colonies, on which we wish might be established, not only the Rights and Liberties of *America*, but the opulence and lasting happiness of the whole *British* Empire.

Resolved, That the foregoing Address be presented to all the Ministers of the Gospel in the Province.

Adjourned to three o'clock, P. M.

Afternoon.

Resolved, That the names of the following persons be published repeatedly, they having been appointed Counsellors of this Province by Mandamus, and have not published a renunciation of their Commission, viz: *Thomas Fletcher*, Esquire, *Foster Hutchinson*, *Harrison Gray*, *William Browne*, *James Bouteneau*, *Joshua Loring*, *William Pepperell*, *John Erving*, Jun., *Peter Oliver*, *Richard Lechmere*, *Josiah Edson*, *Nathaniel Ray Thomas*, *Timothy Ruggles*, *John Murray*, and *Daniel Leonard*, Esquires.

Adjourned to nine o'clock to-morrow morning.

—

Wednesday, December 7, 1774, A. M.

Ordered, That Captain *Barrett*, Mr. *Bridge*, and Major *Fuller*, be a Committee to collect the several expenses that have accrued to the Congress in this and the former session thereof, and they are directed to sit forthwith.

Ordered, That Mr. *Sullivan*, Doctor *Holten*, Mr. *Palmer*, Colonel *Lee*, and the Honourable Colonel *Ward*, be a Committee to take into consideration and determine what recompense the Delegates, who from this Province attended the Continental Congress at *Philadelphia*, in *September* last, shall be allowed for their services and expenses.

Ordered, That Colonel *Orne*, Honourable Mr. *Cushing*, and Honourable Major *Hawley*, be a Committee to bring in a Resolve, directing the Honourable *James Russell*, Esquire, Impost Officer, to pay the Moneys now in his hands to *Henry Gardner*, Esquire, the Committee are directed to sit immediately.

Ordered, That *John Adams*, Esquire, Mr. *Samuel Adams*, and Colonel *Danielson*, be a Committee to bring in a Resolve, relative to taking the number of inhabitants, and the quantity of exports and imports of Merchandise and of the Manufactures of all kinds in this Colony; and the Committee was directed to sit immediately. The Committee having attended to that service, reported as followeth, viz:

Resolved, That a Committee be appointed, consisting of one gentleman from each County, and one from each maritime Town of this Colony, to prepare from the best authentick evidence which can be procured, a true state of the number of the inhabitants, and of the quantities of exports and imports of Goods, Wares, and Merchandise,

Digitized by Google

and of the Manufactures of all kinds, within the Colony, to be used by our Delegates in the Continental Congress, to be held at *Philadelphia*, on or before the 10th day of *May* next, as they shall think proper. And the members of this Committee for each County be nominated by the Members of this Congress for said County, and the member for each maritime Town be nominated by the Representatives of such Town.

Ordered, That the several Counties be ready to report their nominations at three o'clock this afternoon.

Resolved, That Mr. *Sullivan* be desired to forward to the Honourable *Jedediah Prebble*, Esquire, a Resolve of this Congress appointing him a General Officer.

Adjourned to three o'clock this afternoon.

Afternoon.

The several Counties and maritime Towns nominated their members for the Committee according to the Resolve in the forenoon, who were accepted by the Congress, and are as followeth, viz:

County of SUFFOLK, Mr. *Palmer;* BOSTON, Doctor *Warren;* ESSEX, Colonel *Gerrish;* LYNN, Capt. *Mansfield;* MARBLEHEAD, Colonel *Orne;* SALEM, Honourable Mr. *Derby;* BEVERLY, Captain *Batcheldor;* MANCHESTER, Mr. *Woodbury;* GLOUCESTER, Captain *Coffin;* IPSWICH, Captain *Farley;* NEWBURYPORT, Captain *Greenleaf;* HAVERHILL, *Samuel White*, Esquire; DANVERS, Doctor *Holten;* MIDDLESEX, Col. *Prescott;* CHARLESTOWN, Mr. *Gorham;* MEDFORD, Mr. *Hall;* HAMPSHIRE, Honourable Major *Hawley;* PLYMOUTH, Doctor *Perkins;* *Town of* PLYMOUTH, Mr. *Lothrop;* KINGSTON, Colonel *Thomas;* DUXBURY, Mr. *Partridge;* SCITUATE, *Nathan Cushing*, Esquire; BARNSTABLE, *Daniel Davis*, Esquire; SANDWICH, Captain *Nye;* EASTHAM, Mr. *Holbrook;* BRISTOL, Doctor *Cobb;* DARTMOUTH, *Benjamin Aiken*, Esquire; FREETOWN, Mr. *Durfee;* YORK, Mr. *Sullivan;* KITTERY, *Charles Chauncy*, Esquire.

—

Thursday, December 8, 1774, A. M.

* * * * * * * * * * * * * * * *

As the happiness of particular families arises in a great degree, from their being more or less dependent upon others; and as the less occasion they have for any article belonging to others, the more independent, and consequently the happier they are; so the happiness of every political body of men upon earth is to be estimated, in a great measure, upon their greater or less dependence upon any other political bodies; and from hence arises a forcible argument, why every state ought to regulate their internal policy in such a manner as to furnish themselves, within their own body, with every necessary article for subsistence and defence, otherwise their political existence will depend upon others who may take advantage of such weakness and reduce them to the lowest state of vassalage and slavery. For preventing so great an evil, more to be dreaded than death itself, it must be the wisdom of this Colony at all times, more especially at this time, when the hand of power is lashing us with the scorpions of despotism, to encourage Agriculture, Manufactures, and Economy, so as to render this State as independent of every other State as the nature of our country will admit; from the consideration thereof, and trusting that the virtue of the People of this Colony is such that the following Resolutions of this Congress, which must be productive of the greatest good, will by them be effectually carried into execution, and it is therefore *Resolved:*

1st. That we do recommend to the people the improvement of their breed of Sheep, and the greatest possible increase of the same; and also the preferable use of our own Woollen Manufactures; that the Manufacturers ask only reasonable prices for their Goods; and especially a very careful sorting of the Wool, so that it may be manufactured to the greatest advantage, and as much as may be into the best Goods.

2d. We do also recommend to the people the raising of Hemp and Flax; and as large quantities of Flaxseed, more than may be wanted for sowing, may be produced, we would also farther recommend the manufacturing the same into Oil.

3d. We do likewise recommend the making of Nails, which we apprehend must meet with the strongest encouragement from the publick, and be of lasting benefit both to the manufacturer and the publick.

4th. The making of Steel, and the preferable use of the same, we do also recommend to the inhabitants of this Colony.

5th. We do in the like manner recommend the making of Tin Plates, as an article well worth the attention of this people.

6th. As Fire Arms have been manufactured in several parts of this Colony, we do recommend the use of such in preference to any imported; and we do recommend the making of Gun-Locks, and Furniture, and other Locks, with other articles in the Iron way.

7th. We do also earnestly recommend the making of Saltpetre, as an article of vast importance, to be encouraged as may be directed hereafter.

8th. That Gun Powder is also an article of such importance, that every man among us who loves his country, must wish the establishment of Manufactures for that purpose, and as there are the ruins of several Powder Mills, and sundry persons among us who are acquainted with that business, we do heartily recommend its encouragement by repairing one or more of said Mills, or erecting others, and renewing said business as soon as possible.

9th. That as several Paper Mills are now usefully employed, we do likewise recommend a preferable use of our own Manufactures in this way; and a careful saving and collecting of Rags, &c. And, also, that the manufacturers give a generous price for such Rags, &c.

10th. That it will be the interest as well as the duty of this body, or of such as may succeed us, to make such effectual provision for the further manufacturing of the several sorts of Glass, as that the same may be carried on to the mutual benefit of the undertaker and the publick, and firmly established in this Colony.

11th. Whereas Buttons, of excellent qualities, and of various sorts, are manufactured among us, we do earnestly recommend the general use of the same, so that the Manufactories may be extended to the advantage of the people and the manufacturers.

12th. And whereas Salt is an article of vast consumption within this Colony, and in its fisheries, we do heartily recommend the making the same in the several ways wherein it is made in several parts of *Europe*, especially in the method used in that part of *France* where they make Bay Salt.

13th. We do likewise recommend an encouragement of Horn Smiths in all their various branches, as what will be of publick utility.

14th. We do also recommend the establishment of one or more Manufactories for making Wool-combers' Combs, as an article necessary in our Woollen Manufactures.

15th. We do in like manner heartily recommend the preferable use of the Stockings and other Hosiery worn among ourselves, so as to enlarge the Manufactories thereof, in such manner as to encourage the manufacturers and serve the country.

16th. As Madder is an article of great importance in the Dier's business, and which may be easily raised and cured among ourselves, we do therefore earnestly recommend the raising and curing the same.

17th. In order the more effectually to carry these Resolutions into effect, we do earnestly recommend that a Society or Societies be established for the purposes of introducing and establishing such Arts and Manufactures as may be useful to this people, and are not yet introduced, and the more effectually establishing such as we already have among us.

18th. We do recommend to the inhabitants of this Province to make use of our own Manufactures, and those of our sister Colonies in preference to all other Manufactures.

Afternoon.

The Order of the Day was moved for.

Resolved, That Doctor *Church*, Mr. *Wheeler*, and Doctor *Holten*, be a Committee to count and sort the votes for two General Officers, and that the Congress vote for the Officers separately.

The Congress then proceeded to bring in their votes for a General Officer, the Committee having counted and sorted the same, reported that Colonel *Thomas* was chosen.

Digitized by Google

The Congress then proceeded to bring in their votes for one other General Officer; the Committee having counted and sorted the same, reported that Colonel *William Heath* was chosen.

Congress then adjourned till to-morrow morning, ten o'clock.

—

Friday, December 9, 1774, A. M.

The Committee appointed to inquire into the sufficiency of the bondsmen procured by the Receiver General, reported that they had attended to that service, and that the gentlemen he had engaged as his security were amply sufficient for the sum mentioned.

Ordered, That Mr. *Sullivan*, Mr. *Pickering*, and Mr. *Sayer*, be a Committee to bring in a Resolve relating to an Address from the Baptists to this Congress.

Ordered, That the Report of the Committee, relative to the Publick Moneys, now in the hands of the Constables and others, which was ordered to lie on the table, be now taken up; which was taken up accordingly and passed, and is as followeth, viz:

Whereas this Congress at their session in *October* last, taking into consideration the alarming state of this Colony, were upon the most mature deliberation fully convinced, that to provide against the danger to which it was then exposed by a Standing Army illegally posted in *Boston*, and from time to time reinforced for the purposes of subverting our ancient Constitution and the liberties of all *North America*, it was indispensably necessary that a considerable sum of money should be immediately laid out for the just defence of this people; and whereas by a Resolve of the Congress, bearing date the 28th of said *October*, and published in the Newspapers, it was among other things earnestly recommended to the several Towns and Districts that they would cause to be paid into the hands of *Henry Gardner*, Esq., all the Province Money due from them respectively, to supply the said pressing exigencies of the Colony; and whereas the danger that then threatened the Province still continues and is daily increasing:

It is *Resolved*, And hereby most earnestly recommended to all the inhabitants of the Towns and Districts aforesaid, as they regard their own safety and the preservation of their inestimable rights and liberties, that they cause the Moneys aforesaid to be paid forthwith to the said *Henry Gardner*, Esquire, who hath given Bonds with sufficient sureties, to the satisfaction of this Congress, and that they cause their respective proportion of the Tax granted by the General Court in *June* last, and all other the Province Moneys due from them respectively, to be supplied in some way that shall be more expeditious than the usual mode of collecting the Taxes, in order to prevent any delay in providing against the imminent dangers above mentioned. And the Members of the Congress are hereby desired to exert their utmost industry for having this Resolve speedily and punctually complied with; and the Sheriffs and Deputy Sheriffs of the several Counties to pay the Province Moneys in their respective hands as has been already recommended.

Ordered, That Colonel *Orne*, Mr. *Pickering*, and Colonel *Cushing*, be a Committee to bring in a Resolve purporting the sense of this Congress of the Continental Congress' Association, as now voted, relative to Goods, Wares, and Merchandise, landed in *England* and *Ireland*, as well as those which are manufactured in *England* and *Ireland*; who reported as followeth, which was read and accepted, and ordered to be sent to the Committee at *Marblehead*, and published in the Newspapers:

Resolved, That it is the clear opinion of this Congress that the first article in the Association of the Continental Congress extends to all Goods, Wares, and Merchandise, of the growth, production, or manufacture, of any part of *Europe*, or any other part of the world imported from *Great Britain* or *Ireland*, in case they have been entered and cleared in any part of either of those Kingdoms, as fully as to Goods, Wares, and Merchandise, of the growth, production and manufacture of *Great Britain* or *Ireland*, and that the said first article ought to be so construed by all concerned, and in that universal sense carried strictly into execution.

Ordered, That Colonel *Heath*, Colonel *Gerrish*, Colonel *Gardner*, Captain *Fuller*, Colonel *Thomas*, Colonel *Orne*, and Colonel *Barnes*, be a Committee to take into consideration a plan of Military Exercise, proposed by Captain *Timothy Pickering*.

Ordered, That the Petition of the Officers in the Northwesterly part of the County of *Worcester*, be committed to the same Committee, and report.

Afternoon.

The Committee appointed to bring in a Resolve, relative to the Petition of the Reverend Mr. *Backus*, in behalf of the Baptists, reported; which was read and accepted, and the Secretary directed to send him a copy of the Resolve, which is as followeth, viz:

On reading the Memorial of the Reverend *Isaac Backus*, Agent to the Baptist Churches in this Government, *Resolved*, That the establishment of Civil and Religious Liberty, to each denomination in the Province, is the sincere wish of this Congress; but being by no means vested with power of Civil Government, whereby they can redress the grievances of any person whatsoever, they therefore recommend to the Baptist Churches, that, when a General Assembly shall be convened in this Colony, they lay the real grievances of said Churches before the same, when and where their Petition will most certainly meet with all that attention due to the Memorial of a denomination of Christians so well disposed to the publick weal of their country.

Ordered, That Mr. *Stickney*, Colonel *Gardner*, Colonel *Pomeroy*, Colonel *Thayer*, and Mr. *Wheeler*, be a Committee to wait on the Reverend Doctor *Appleton*, and return him the Thanks of this Congress for his services as Chaplain during this session.

Ordered, That Major *Fuller*, Captain *Brown*, and Mr. *Pigeon*, be a Committee to wait on the Proprietors of the Meeting House and return them the Thanks of the Congress for the use thereof.

The Congress then adjourned for half an hour.

Being met upon the adjournment, Mr. President brought into Congress a Letter from the Committee of Correspondence of the Town of *Hardwick*, with a number of Papers enclosed, which were read; the Congress then ordered that Mr. *Sullivan*, Mr. *Pickering*, Colonel *Gardner*, Colonel *Mendal*, and Colonel *Danielson*, be a Committee to take the same into consideration and report in the morning.

Adjourned to nine o'clock to-morrow morning.

—

Saturday, December 10, 1774, A. M.

The Committee to take into consideration the Letter and Papers enclosed received from the Committee of Correspondence of the Town of *Hardwick*, reported; which was read and accepted, and ordered to be published in the publick Papers, and also the Papers on which the said Report is founded. The Report is as followeth, viz:

Whereas, it appears to this Congress that one or more members of the lately appointed unconstitutional Council in this Province, now residing in *Boston*, has sent to the Town of *Hardwick* a paper purporting to be an Association to be entered into by those persons who falsely assume the name of friends to Government; calculated to counteract the salutary designs of the Continental and Provincial Congresses, to deceive the people into agreements contrary to the welfare of this country, and tending in its consequences to hinder an amicable accommodation with our mother country,—the sole end of those Congresses and the ardent wish of every friend to *America*. It is therefore recommended by this Congress to the several Committees of Correspondence in this Colony, that they give notice to the Provincial Congress, that shall meet in this Province on the first day of *February* next, and the earliest notice to the publick, of all such combinations, and of the persons signing the same, if any should be enticed thereto, that their names may be published to the world, their persons treated with that neglect, and their memories transmitted to posterity with that ignominy which such unnatural conduct must deserve.

The Committee on the State of the Province reported an Address to the Inhabitants of *Massachusetts Bay*; the Report was considered by paragraphs, and so passed, and

Digitized by Google

was ordered to be printed in all the *Boston* Newspapers, and also in handbills, and a copy thereof sent to all the Towns and Districts in the Province, and is as followeth, viz:

To the Freeholders and other Inhabitants of the Towns and Districts of MASSACHUSETTS BAY.

FRIENDS AND BRETHREN: At a time when the good people of this Colony were deprived of their laws, and the administration of justice, civil and criminal; when the cruel oppressions brought on their capital had stagnated almost all their Commerce; when a Standing Army was illegally posted among us for the express purpose of enforcing submission to a system of tyranny; and when the General Court was with the same design prohibited to sit; we were chosen and empowered by you to assemble and consult upon measures necessary for our common safety and defence.

With much anxiety for the common welfare we have attended this service, and upon the coolest deliberation have adopted the measures recommended to you.

We have still confidence in the wisdom, justice, and goodness of our Sovereign, as well as the integrity, humanity and good sense of the Nation; and if we had a reasonable expectation that the truth of facts would be made known in *England*, we should entertain the most pleasing hopes that the measures concerted by the Colonies jointly and severally, would procure a full redress of our grievances; but we are constrained in justice to you, to ourselves, and posterity, to say, that the incessant and unrelenting malice of our enemies has been so successful as to fill the Court and Kingdom of *Great Britain* with falsehoods and calumnies concerning us, and excite the most bitter and groundless prejudices against us; that the sudden dissolution of Parliament, and the hasty summons for a new election, gives us reason to apprehend that a majority of the House of Commons will be again elected under the influence of an arbitrary Ministry; and that the general tenor of our intelligence from *Great Britain*, with the frequent reinforcements of the Army and Navy at *Boston*, excites the strongest jealousy that the system of Colony administration, so unfriendly to the Protestant Religion, and destructive of *American* Liberty, is still to be pursued and attempted with force to be carried into execution.

You are placed by Providence in a post of honour, because it is the post of danger. And while struggling for the noblest objects, the liberties of your country, the happiness of posterity, and rights of human nature, the eyes not only of *North America* and the whole *British* Empire, but of all *Europe*, are upon you. Let us be therefore altogether solicitous, that no disorderly behaviour, nothing unbecoming our characters as *Americans*, as Citizens, and Christians, be justly chargeable to us.

Whoever with a small degree of attention contemplates the Commerce between *Great Britain* and *America*, will be convinced that a total stoppage thereof, will soon produce in *Great Britain* such dangerous effects, as cannot fail to convince the Ministry, Parliament, and People, that it is their interest and duty to grant us relief. Whoever considers the number of brave men inhabiting *North America*, will know that a general attention to military discipline must so establish their rights and liberties, as, under *God*, to render it impossible for an arbitrary Ministry of *Britain* to destroy them. These are facts which our enemies are apprized of, and if they will not be influenced by principles of justice, to alter their cruel measures towards *America*, these ought to lead them thereto. They however hope to effect by stratagem what they may not obtain by power, and are using arts, by the assistance of base scribblers, who undoubtedly receive their bribes, and by many other means, to raise doubts and divisions throughout the Colonies.

To defeat their wicked designs, we think it necessary for each Town to be particularly careful, strictly to execute the plans of the Continental and Provincial Congresses; and while it censures its own individuals, counteracting those plans, that it be not deceived or diverted from its duty by rumors, should any take place, to the prejudice of other communities. Your Provincial Congresses we have reason to hope will hold up the Towns, if any should be so lost as not to act their parts, and none can doubt that the Continental Congress will rectify errours should any take place in any Colony through the subtelty of our enemies. Surely no arguments can be necessary to excite you to the most strict adherence to the *American* Association, since the minutest deviation in one Colony, especially in this, will probably be misrepresented in the others, to discourage their general zeal and perseverance, which however we assure ourselves cannot be effected.

While the *British* Ministry are suffered with a high hand to tyrannize over *America*, no part of it we presume can be negligent in guarding against the ravages threatened by the Standing Army now in *Boston;* these Troops will undoubtedly be employed in attempts to defeat the Association, which our enemies cannot but fear will eventually defeat them; and so sanguinary are those our enemies, as we have reason to think so thirsty for the blood of this innocent people, who are only contending for their rights, that we should be guilty of the most unpardonable neglect should we not apprize you of your danger, which appears to us imminently great, and ought attentively to be guarded against. The improvement of the Militia in general in the Art Military has been therefore thought necessary, and strongly recommended by Congress. We now think that particular care should be taken by the Towns and Districts in this Colony, that each of the Minute-Men, not already provided therewith, should be immediately equipped with an effective Fire Arm, Bayonet, Pouch, Knapsack, thirty rounds of Cartridges and Balls, and that they be disciplined three times a week, and oftener, as opportunity may offer. To encourage these our worthy countrymen to obtain the skill of complete soldiers, we recommend it to the Towns and Districts forthwith to pay their own Minute-Men a reasonable consideration for their services. And in case of a general muster, their further services must be recommended by the Province. An attention to discipline the Militia in general is however by no means to be neglected.

With the utmost cheerfulness we assure you of our determination to stand or fall with the liberties of *America;* and while we humbly implore the Sovereign Disposer of all things, to whose divine providence the rights of his creatures cannot be indifferent, to correct the errours, and alter the measures of an infatuated Ministry, we cannot doubt of his support even in the extreme difficulties which we all may have to encounter. May all means devised for our safety by the General Congress of *America*, and Assemblies or Conventions of the Colonies, be resolutely executed, and happily succeed; and may this injured People be reinstated in the full exercise of their rights without the evils and devastations of a civil war.

Ordered, That the Members of the Town of *Boston*, with the Secretary, be a Committee to revise the doings of this Congress, and cause such parts thereof, as they think fit should be published, to be printed in pamphlet, and a copy thereof sent to every Town and District in this Province.

The Report of the Committee on the State of the Province, relative to assuming Civil Government, taken up, and ordered further to lie on the table.

Ordered, That the Members be enjoined to attend in the afternoon.

Adjourned to three o'clock this afternoon.

Afternoon.

The Committee appointed to collect the several Expenses which have accrued to the Congress in this and a former session thereof, reported; which Report was read and accepted, and the Receiver General ordered to pay and discharge the several demands therein mentioned.

Ordered, That the Secretary be directed to furnish the Committee of Safety with a number of attested copies of their appointment to that trust.

Resolved, That a gentleman be appointed in each County, to apply to the Field Officers of the Regiments within the same, for the List of the names of the Field Officers of each Regiment, the number of other Officers, and the number of Men therein, as well the Minute-Men as the common Militia, and return the same unto Mr. *Abraham Watson*, of *Cambridge*.

Accordingly the following gentlemen were appointed: *For the County of* SUFFOLK, Colonel *Heath;* ESSEX, Captain *Farley;* MIDDLESEX, Colonel *Smith;* HAMPSHIRE, Colonel *Pomeroy;* PLYMOUTH, Colonel *Warren;*

Digitized by Google

BARNSTABLE, *Daniel Davis*, Esquire; BRISTOL, Major *Keith*; YORK, Mr. *Sullivan*; WORCESTER, Captain *Bigelow*; CUMBERLAND, Mr. *March*; BERKSHIRE, Doctor *Whiting*; LINCOLN, Captain *Thompson*; DUKES *County*, *Joseph Mayhew*, Esquire.

The Committee on the State of the Province reported: which was read and accepted; and *Ordered*, That printed copies be sent to the several Committees of Correspondence, and where there is no such Committee, to the Selectmen of each Town and District in the Province; and that the same order be observed relative to the Address to the inhabitants of *Massachusetts Bay*, and that the Members of the Town of *Boston*, and the Secretary disperse the same. And is as followeth, viz:

Inasmuch as many states have been taught by fatal experience that powers delegated by the People for long periods have been abused to the endangering the publick rights and liberties, and this Congress having just reason to suppose that their constituents, the good People of this Province, when they appointed their present Delegates, were not apprehensive that the business necessary to be done would require their attendance for any long time,

Resolved, That the adjournment of this Congress on the twenty-ninth day of *October* last, was ordered and made from a due consideration of the present exigencies of the publick affairs, and the evident necessity of farther deliberation thereon. And whereas for the reason first mentioned, it is not expedient that there should be a farther adjournment of this Congress; therefore *Resolved*, That after the business necessary to be immediately despatched shall be finished, the Congress be dissolved.

And this Congress being deeply impressed with a sense of the increasing danger which threatens the Rights and Liberties of the People of this Province with total ruin; our adversaries being still indefatigable in their attempts to carry into execution their deep laid plans for that wicked purpose: And considering the indispensable necessity that an Assembly of the Province should be very frequently sitting to consult and devise means for their common safety; therefore *Resolved*, That it be, and it is hereby earnestly recommended to the several Towns and Districts in this Province, that they each of them do forthwith elect and depute as many Members as to them shall seem necessary and expedient, to represent them in a Provincial Congress, to be held at *Cambridge*, on the first day of *February* next ensuing; to be chosen by such only as are qualified by law to vote for Representative in the General Assembly, and be continued by adjournment, as they shall see cause, until the *Tuesday* next preceding the last *Wednesday* of *May* next, and no longer; to consult, deliberate and resolve upon such farther measures as, under *God*, shall be effectual to save this People from impending ruin, and to secure those inestimable liberties derived to us from our ancestors, and which it is our duty to preserve for posterity.

And considering the great uncertainty of the present times, and that unexpected important events may take place, from whence it may absolutely be necessary the Delegates who may be elected as above proposed should meet sooner than the day before mentioned, it is recommended to the several Towns and Districts, that they instruct and authorize their said Delegates, to assemble at *Cambridge* aforesaid, or any other place, upon notice given them of the necessity thereof, by the Delegates that may be chosen by the Towns of *Charlestown*, *Cambridge*, *Brookline*, *Roxbury* and *Dorchester*, or the majority of them, in such way as they shall judge proper.

And it is further recommended to the Delegates to be elected, that they conform themselves to such instructions.

Ordered, That the further consideration of the Report of the Committee appointed to take into consideration what allowance should be made the Delegates who attend the Continental Congress from this Province, be referred to the sitting of the next Provincial Congress.

The Committee appointed to take into consideration a plan of Military Exercise, proposed by Captain *Pickering*, and also the Petition of the Officers of the Northwest part of the County of *Worcester*, reported; the Report was read and accepted.

Ordered, That the expense of transmitting the Address to the *Canadians* be paid by this Government.

The business necessary to be immediately transacted, being finished, and the Congress having returned their Thanks to the Honourable *John Hancock*, Esq., for his constant attendance and faithful services as President during their session, dissolved the same, to convene again the first day of *February* next, conformably to the preceding Resolve.

Chesterfield Court House, Virginia, November 25, 1774.

Proper notice having been given, requesting the Freeholders of the County to meet here on this day, in order to choose a Committee for the said County, a great number assembled and made choice of the following gentlemen, viz: *Archibald Cary*, *Benjamin Watkins*, *Bernard Markham*, *Robert Goode*, *Francis Goode*, *Daniel M'Callum*, *Thomas Randolph*, *Robert Donald*, *James Donald*, *Robert Kennon*, *George Robinson*, *John Archer*, *Abraham Sally*, *Joseph Bass*, *Benjamin Branch*, *Thomas Bolling*, *Neil Buchanan*, *Thomas Worsham*, *Field Trent*, *Alexander Trent*, *John Bott*.

A majority of the Committee being present, appointed *Archibald Cary*, Esquire, their Chairman.

The Committee then ordered that notice should be given in the publick Papers, requesting that any matters relating to the Association, and which came before the said Committee, might be directed to *Archibald Cary*, Esq., or, in his absence, to Mr. *Thomas Randolph*.

Ordered, That the Chairman, or, in his absence, Mr. *Thomas Randolph*, do appoint a time and place for the Committee to convene themselves, as occasion may require.

Ordered, That *Jerman Baker* be wrote to by Mr. Chairman, requesting the favour of him to act as Clerk to the said Committee, and then the Committee adjourned.

ARCHIBALD CARY, *Chairman*.

JAMES CITY COUNTY (VIRGINIA) COMMITTEE.

At a General Meeting of the Freeholders of *James City* County, convened on *Friday*, the 25th of *November*, at the house of Mr. *Isham Allen*, in order to elect a Committee pursuant to a Resolution of the *American* Continental Congress:—

The Association entered into by the Congress, being publickly read, the freeholders and other inhabitants of the County, that they might testify to the world their concurrence and hearty approbation of the measures adopted by that respectable body, very cordially acceded thereto, and did bind and oblige themselves, by the sacred ties of virtue, honour, and love to their country, strictly and inviolably to observe and keep the same in every particular.

The better to secure a due observance of the Association, the freeholders then proceeded to the choice of a Committee, and elected into that office the following gentlemen, viz: *Robert Carter Nicholas*, Esq., Mr. *William Norvill*, Colonel *Philip Johnson*, Major *Dudley Richardson*, Mr. *William Spratley*, Colonel *Richard Taliaferro*, Mr. *John Cooper*, Colonel *Nathaniel Burwell*, Mr. *Lewis Burwell*, Jun., Mr. *Champion Travis*, Mr. *Joseph Eggleston*, Major *Thurston James*, Mr. *John Stringer*, Captain *Charles Barham*, Captain *Richardson Henley*, Mr. *Thomas Cowles*, Captain *John Walker*, Mr. *Hudson Allen*, Mr. *Cary Wilkinson*, Mr. *Edward Harris*, Mr. *John Harris*, Mr. *William Barret*, Mr. *John Warburton*, Mr. *Sylvanus Prince*, Mr. *Robert Higginson*, Mr. *William Haukin*, Captain *John Lightfoot*, and Mr. *Thomas Doncastle*.

Robert Carter Nicholas, Esq., was unanimously chosen Chairman, and Mr. *John Nicholas*, Jun., Clerk of the Committee.

It was agreed that the Resolutions of the General Congress should be resorted to on every occasion of difficulty, and that those Resolutions ought to be considered by the Committee and the whole country, as the sole rule of their conduct, in all matters respecting their present political engagements.

Published by order of the General Meeting,

JOHN NICHOLAS, Jun., *Clerk Com. J. C. C.*

Digitized by Google

Baltimore, November 28, 1774.

The Committee for the upper part of *Frederick* County, *Maryland*, having met at *Elizabethtown*, on *Saturday*, the 26th of *November*, which was the day appointed for the delivery of *John Parks's* chest of Tea, in consequence of his agreement published in the *Maryland Journal*, of the 16th ultimo:

After a demand was made of the same, Mr. *Parks* offered a chest of Tea, found on a certain *Andrew Gibson's* plantation, *Cumberland* County, *Pennsylvania*, by the Committee for that place, which Tea he declared was the same he promised to deliver.

The Committee are sorry to say that they have great reason to believe, and indeed with almost a certainty, that the said chest of Tea was in *Cumberland* County at the time *Parks* said upon oath it was at *Christian* Bridge.

After mature deliberation, the Committee were of opinion that *John Parks* should go with his hat off, and lighted torches in his hands, and set fire to the Tea: which he accordingly did, and the same was consumed to ashes, amidst the acclamations of a numerous body of people. The Committee were also of opinion, that no further intercourse should be had with the said *Parks*. Every friend to liberty is requested to pay due attention to the same.

Voted, The Thanks of this Committee to that of *Cumberland* County, for their prudent and spirited behaviour upon the occasion. Signed by order of the Committee,

JOHN STULL, *President*.

To the Freeholders of the County of ESSEX, *in the Province of* NEW-JERSEY, *qualified to vote for Representatives in the Legislature:*

GENTLEMEN: The zeal you have hitherto manifested in support of the constitutional liberties of your country will unquestionably prompt you to carry into execution, with firmness and unanimity, the wise and prudent Resolutions lately entered into by the Delegates of this Continent, in General Congress. In the eleventh Article of the Association, formed in behalf of themselves and their constituents, it was agreed "That a Committee be appointed in "every County, City, and Town, by those who are qualified to vote for Representatives in the Legislature, whose "business it shall be to observe the conduct of all persons "touching the said Association." We, your Committee of Correspondence, cannot in the least doubt your ready and immediate compliance with the Article; for, as the salutary effects to arise from this Association, must, under *God*, depend upon the fidelity of individuals in carrying it precisely into execution; so, should any inhabitant of this Colony be found so lost to a sense of publick virtue, as to violate the same in any instance, such person, pursuant to the said Article, may, by your Committees, "be held up to "publick notice, as unfriendly to the liberties of his coun-"try, and all dealings with him or her be thenceforward "broken off." We have therefore thought fit to recommend to you, that for the more extensive observation of the conduct of individuals, Committees be chosen for each of the three Precincts into which the County is divided, viz: *Elizabethtown*, *Newark*, and *Achquakanung*; and we do hereby give notice to and request the Freeholders of the respective Precincts, to convene for that purpose, as follows: for the Borough of *Elizabeth*, at the Court House, in *Elizabethtown*, on *Tuesday*, the sixth day of *December* next, at two o'clock, P. M.; for *Newark*, at the Court House, in *Newark*, on *Wednesday*, the seventh day of *December*; and for *Achquakanung*, on *Monday*, the twelfth day of *December*, at the Bridge, opposite the house of *Timothy Day*. And we do also recommend to you, that ten at least of the most reputable inhabitants for *Achquakanung*, fifteen for *Newark*, and twenty for *Elizabethtown*, be elected for the above purpose.

As Delegates for the several Colonies are again to be appointed, to meet at *Philadelphia*, on the tenth day of *May* next, it will be farther expedient that the inhabitants make choice of a new Committee of Correspondence, with power to instruct the Representatives for this County, when convened in General Assembly, to join in the appointment of Delegates for the Colony to meet in the said Congress. But if the said General Assembly shall not appoint Delegates for that purpose, by the first day of *April* next, then the said Committee of Correspondence do meet with the several County Committees of this Colony, and appoint the said Delegates at such time and place as shall be agreed upon by the said Committees.

STEPHEN CRANE, ELIAS BOUDINOT,
JOHN DE HART, JO. RIGGS, Jun.,
WILLIAM LIVINGSTON, JOHN CHETWOOD,
ISAAC OGDEN, HENRY GERRITS.
W. P. SMITH,

County of Essex, November 28, 1774.

Committee Chamber, Philadelphia, November 30, 1774.

TO THE PUBLICK.

Whereas the Congress, among other Resolves for the preservation of *American* Liberty, did, on behalf of themselves and the inhabitants of the several Colonies they represented, firmly agree and associate to "use their utmost "endeavours to improve the breed of Sheep, and increase "their number to the greatest extent, and to that end to "kill them as sparingly as may be, especially those of the "most profitable kind;" the Committee for the City and Liberties of *Philadelphia* having taken into consideration the said Resolve, do most earnestly recommend to the inhabitants, as the best method of carrying the same into execution, neither to purchase for themselves or others, nor to use in their families or elsewhere, any Ewe Mutton, or Lamb, from and after the first day of *January* next, until the first day of *May* following; and from and after the said first day of *May*, not to purchase or use any Ewe Lamb until the first day of *October* following; and to discourage from henceforth the killing and sale of Ewe Mutton and Lamb, as far as they possibly can.

They do likewise most earnestly recommend to all Butchers, and others concerned in bringing Meat to the Markets in this City and Suburbs, not to kill any Ewe Mutton or Lamb, on any pretence whatsoever, from the said first day of *January* until the first day of *May* following; nor any Ewe Lamb whatever, from the said first day of *May* until the first day of *October* following. And in order the more effectually to discourage the destruction of Sheep, the respective County Committees are hereby particularly requested henceforth to use their utmost influence with the Farmers and others through the country to prevent the sale of any Ewe Mutton or Lamb to the Butchers, as well as their bringing any to Market themselves, from this day until the said first day of *May*.

Several of the City Butchers having at this time a stock of Sheep on hand, induces the Committee to fix upon the first day of *January*, that in the mean time they may dispose of them; but as to the country Butchers and Farmers it is expected they will neither kill or sell any Ewe Mutton or Lamb, or bring any to Market from this day until the said first day of *May*; or kill or sell any Ewe Lamb after the first day of *May* until the first day of *October* following.

The Committee having been informed that a few persons have unguardedly raised the prices of sundry articles of trade, think it highly necessary to recommend to the publick a due observation of the ninth Article of the Association of the Congress, viz: "That such as are venders of "Goods or Merchandise will not take advantage of the "scarcity of Goods that may be occasioned by this Asso-"ciation, but will sell the same at the rates we have been "respectively accustomed to do for twelve months last past. "And if any vender of Goods or Merchandise shall sell "any such Goods on higher terms, or shall in any manner "or by any device whatsoever, violate or depart from this "Agreement, no person ought, nor will any of us deal with "any such person, or his or her factor or agent, at any "time thereafter, for any commodity whatever."

By order of the Committee,

JOHN BENEZET, *Assistant Secretary*.

At a Meeting of the Committees of the several Townships in the County of *Philadelphia*, agreeable to advertisement, it was

Resolved, That the Committees for each Township be continued, to act as a Township Committee.

Digitized by Google

And the more effectually to carry the Association Agreement of the Continental Congress into execution, it was

Voted, That *George Gray, Samuel Ashmead, Thomas Potts, John Bull, Jonathan Roberts, Jesse George, Samuel Erwin, John Roberts*, (miller,) *Frederick Antes, Benjamin Rittenhouse, Thomas Ashton, Melchior Waggoner, James Stroud, Charles Bensell, Daniel Keaster, Benjamin Jacobs, Joseph Mathers, Jacob Rife, Isaac Hughes, Frederick Weiss, James Diemer, Edward Milnor, John Bringhurst, Archibald Thomson, Isaac Knight, Jacob Styger, Andrew Knox, Abraham Lukens, Henry Derringer, James Potts, John Muck, Edward Bartholomew, Samuel Leech, John Jenkins, Joseph Lownes,* Andrew Haney, John Pawling*, Senior, *John Moore, George Shive*, and *Alexander Edwards*, be a Committee for the County of *Philadelphia*, who are desired to attend at the house of *Jacob Reaff*, (late *Henry Junken's*,) on the 12th of *December*, at eleven o'clock, in order to proceed on such business as may be necessary.

Philadelphia, November 30, 1774.

TO THE COMMITTEES APPOINTED TO SEE THE MEASURES OF THE CONGRESS EXECUTED.

GENTLEMEN: As you are appointed by the several Colonies to see the measures of the Congress effectually executed, and to detect and expose every enemy to our cause, I would humbly submit to your wisdom and consideration the following queries:

1st. Whether, upon a serious and candid perusal of the pamphlet, entitled "A friendly Address to all Reasonable *Americans*," &c., printed at *New-York*, you think that any person can believe that the author, in writing and publishing said Address, intended to serve the Colonies?

2d. Whether every one, both friend and foe to our cause, must not consider it as an attempt to divide and distract the Colonies, and thereby aid the Ministry in their diabolical design of enslaving us?

3d. Whether this abuse of the people of *New England*, for their fortitude and perseverance, ought not to be resented by every friend to our liberties?

4th. Whether the manner in which he has treated the Grand Continental Congress, does not fall immediately under your notice?

5th. Whether the person who publickly avows opposition to their measures, and so warmly calls upon the people to refuse obedience to them, is not as wicked and dangerous an enemy as any Merchant who should import Goods contrary to their Resolves?

6th. Whether it does not, therefore, appear to be part of your duty to use every proper method of discovering the author, and publishing his name in the several newspapers on the Continent, as an enemy to *America*?

7th. Whether your neglecting this measure will not be an encouragement to abler pens to make like attempts, to the detriment of our cause?

PRINCE GEORGE'S COUNTY (MARYLAND) COMMITTEE.

At a Meeting, in *Upper Marlborough*, of a great number of respectable Freeholders and others of *Prince George's* County, qualified to vote for Representatives, *John Rogers*, Esquire, was chosen Moderator, and the following persons were nominated and appointed a Committee to carry into execution, within the said County, the Association of the *American* Continental Congress, to wit: *Richard Duckett*, Junior, *Thomas Gantt*, Senior, Colonel *Joshua Beall, William Deakins*, Senior, *Abraham Boyd, Walter Bowie, Jonathan Slater, Wm. Berry, Bazil Waring*, the Third, *Thomas Williams, Walter Williams, Thomas Sprigg*, Junior, *George Lee, John Addison, Enoch Magruder, John Brown, Patrick Beall, John Low, Ignatius Wheeler, Luke Marbury, Nathaniel Newton, Josias Beall, James Hawkins, William Lyles*, Junior, *Hezekiah Wheeler, Richard Dent*, Doctor *William Beanes, Thomas Dent, George Fraser Hawkins, Jonathan Burch*, Junior, *Thomas Trueman, John Perry, William Magruder, Levin Coventon*, Captain *Jeremiah Belt, Thomas Morton*, Senior, *James Trueman, Thomas Gantt*, Jun., *John Cooke*, Esquire, Doctor *Richard Brooke*, Doctor *Leonard Holleday, Clement Holleday, Trueman Skinner, Allen Bowie, William Bowie, William Newman Dorsett, Robert Bowie, William Greenfield, Matthew Eversfield, David Crauford, John Rogers*, Esquire, *Humphrey Belt, William Beanes*, Senior, *Addison Murdock, Samuel Hepburn, Nathaniel Magruder, Edward Sprigg, Osborn Sprigg, John Hepburn*, Esquire, *John Contee, Robert Whitaker, Charles Burgess, William Loch Weems, Benjamin Berry*, Senior, *Tobias Belt, Robert Tyler, Richard Duckett*, Senior, *Edward Hall*, son of *Henry, Barrick Duckett, Jeremiah Magruder, Isaac Lansdale, James Mullikin, Thomas Boyd, Marsh Marreen Duvall*, Doctor *Robert Pottinger*, Captain *James Crow, Samuel Snowden, Thomas Snowden, William Hall, Daniel Clarke, Joshua Clarke, Benjamin Harwood, Nicholas Watkins*, and *Benjamin Hall*, son of *Benjamin*.

And it was resolved that any seven of them have power to act.

It was further resolved that the following persons be a Committee of Correspondence for the same County, to wit: Doctor *Richard Brook, John Rogers*, Esquire, Captain *William Bowie, David Crauford, John Cooke*, Esquire, *John Contee, Addison Murdock, John Hepburn*, Esquire, *Robert Tyler, Josias Beall, Osborn Sprigg, Richard Duckett*, Junior, *Matthew Eversfield*, and Captain *Joshua Beall*.

And it was also resolved, that the following persons, to wit: Doctor *Richard Brooke, Josias Beall, Robert Tyler, John Rogers*, Esquire, *Joshua Beall, William Bowie, Addison Murdock, Walter Bowie, Thomas Gantt*, Junior, *George Lee, Osborn Sprigg, Edward Sprigg*, and *David Crauford*, be a Committee to attend at any Provincial Convention to be held at *Annapolis;* and that the said Committee have authority to vote in the said Convention for Delegates to attend at a Congress to be held at *Annapolis;* and that the said Committee have authority to vote in said Convention for Delegates to attend at a Congress to be held at *Philadelphia*, on the tenth of *May* next, and enter into all such resolutions which the said Provincial Convention may judge necessary and expedient.

And ordered that the foregoing proceedings be published in the *Maryland Gazette*. Signed per order,

HUGH LYON, *Clerk*.

At a Meeting of the Freeholders of *Elizabethtown*, in *Essex* County, in the Province of *New-Jersey*, on *Tuesday*, the first day of *December*, 1774,

STEPHEN CRANE, Esquire, in the Chair:

The Committee of Correspondence for the County of *Essex* having produced the Association lately entered into by the Delegates of the *American* Colonies, met in General Congress, the same was read to, and then unanimously approved and adopted by the whole Assembly; who were pleased at the same time to signify their thanks .. the Delegates of this Colony for their faithful services.

It was then proposed, that, pursuant to the eleventh Article of the said Association, a large Committee should be now chosen for the purposes therein mentioned, which was also agreed to, and the following persons were accordingly appointed, viz: *Jonathan Hampton, Matthias Williamson, Elias Dayton, Isaac Woodruff, William Barnett, Wm. Herriman, Oliver Spencer, George Ross, Edward Thomas, Cornelius Hetfield, John Blanchard, Ephraim Tyrrel, Abraham Clarke, Robert Ogden*, Junior, *Jeremiah Smith, Richard Townley*, Junior, *Samuel Shotwell, David Miller, Thomas Woodruff, John Clawson, Jonathan Dayton, Ephraim Marsh, Recompence Stanbury, Jedediah Swan, William Parsons, Samuel Potter, William Bott, Jonathan Williams, Christopher Marsh, Isaac Wynants, Daniel Halsey*.

After which the Committee of Correspondence informed the Assembly that, having executed the services for which they had been particularly appointed, they had thought proper to dissolve themselves, in order that the inhabitants

* TO THE PUBLICK.—My name having appeared in the publick papers as one of a Committee to carry into execution some late conclusions, which was without my privity or consent, and has occasioned a great deal of uneasiness to my mind, and as, upon serious and deliberate consideration, I have not been free to attend on that occasion, nor do not purpose to be any ways active therein, I think it right to give this publick notice. JOSEPH LOWNES.

Philadelphia, January 25, 1775.

Digitized by Google

of the respective Precincts of the County might have the opportunity of a new choice. Whereupon *Stephen Crane*, *John De Hart*, *William Livingston*, *William P. Smith*, *Elias Boudinot*, and *John Chetwood*, Esquires, being of the late Committee, were unanimously re-elected for the Borough of *Elizabeth*, and at the same time authorized to instruct the Representatives of this County, when convened in General Assembly, to join in the appointment of Delegates for this Colony, to meet in the next General Congress, at *Philadelphia*. But if the said Assembly should not appoint Delegates for that purpose, by the first day of *April* next, then the said Committee of Correspondence to meet with the several County Committees of this Colony, and appoint the said Delegates at such time and place as shall be agreed upon by the said Committees.

The above business being finished, the Assembly unanimously

Voted, That two certain Pamphlets lately published, the one entitled *A Friendly Address*, *&c.*, and the other under the signature of *A Farmer*, as containing many notorious falsehoods, evidently calculated to sow the seeds of disunion among the good people of *America*; grossly misrepresenting the principles of the present opposition to Parliamentary Taxations; vilifying the late Congress; and intended to facilitate the scheme of the *British* Ministry for enslaving the Colonies, be publickly burnt, in detestation and abhorrence of such infamous publications.

And the same were accordingly committed to the flames, before the Court House, with the universal approbation of a numerous concourse of people.

EXTRACT OF A LETTER FROM GOVERNOUR WENTWORTH TO THE EARL OF DARTMOUTH, DATED NEW-HAMPSHIRE, DECEMBER 2, 1774.

The forming a Continental Congress was so universally adopted by the other Colonies, that it was impossible to prevent this Province from joining therein, and accepting the measures recommended, which are received implicitly. So great is the present delusion, that most people receive them as matters of obedience, not of considerate examination, whereon they may exercise their own judgment. Accordingly, on their first publication, the acting part of the Committee, mentioned in my despatch, No. 69, forbid an exportation of fifty Sheep, the adventure of a Shipmaster, bound to the *West Indies*, and caused him, at some loss, to dispose of his Sheep, and unlade the provision made for them.

This day the Provincial Committee nominated at *Exeter*, by the electors of the Delegates to the Congress, have published their mandate, herewith enclosed, for a general submission to the Resolves of the Congress, signed by their Chairman, who was Speaker in the late General Assembly.

It is much to be wished the Colonies had pursued the mode of representation your Lordship is pleased to mention. At present I apprehend the respective Assemblies will embrace the first hour of their meeting formally to recognise all the proceedings of the Congress; and if they should superadd, it will not probably be less violent than the example, which will be their foundation.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Ligonier, December 4, 1774.

SIR: The war betwixt the *Virginians* and *Indians* is at last over. I promised myself the pleasure of giving your Honour the earliest account of its issue, but I have not yet been able to get at a true state of the Treaty of Peace. A peace however is certainly made with the *Shawanese*. One condition of which is the return of all property and prisoners taken from the white people, and for the performance they have given six hostages. The *Mingoes*, that live on the *Scioto*, did not appear to treat, and a party was sent to destroy their Towns, which was effected, and there are twelve of them now prisoners in Fort *Pitt*. It is probable from these circumstances we shall have no more trouble with them, and things have come to a much better end than there was any reason to have expected. But our troubles here are not yet over. The Magistrates appointed by Lord *Dunmore* in this country seem determined to enforce the jurisdiction of *Virginia*, and have begun with arresting one of your Honour's Officers.

The 12th of *November*, Mr. *Conolly* sent a warrant for Mr. *Scott* to appear before him, or the next Justice, to answer for a number of offences committed by him under a pretended authority from *Pennsylvania*. The warrant Mr. *Scott* did not choose to pay any regard to, and the same evening a number of armed men came to his house to take him by force to Fort *Burd*; there he found Lord *Dunmore*, Mr. *Campbell*, and Mr. *Penticost*, ready to sit in judgment upon him; much passed among them, but the event was, that he was obliged to enter into recognizance with two sureties, to appear at the next Court to be held at *Pittsburgh*, for the County of *Augusta*, on the 20th day of *December*, if the Court should happen to be held there that day, or at any further day when the Court should be held there, to answer for his having acted as a Magistrate for *Pennsylvania*, contrary to Lord *Dunmore's* Proclamation, or be committed to jail. He chose the recognizance, the circumstance of his family and health rendering the other very inconvenient. There is no doubt the recognizance is in itself a mere nullity, but after what has been done already, 'tis hard to say what may not be attempted, and 'tis very certain the people Lord *Dunmore* has clothed with authority pay little regard to the rules of law or the dictates of reason. It would be exceedingly satisfactory if your Honour would please to give us directions for our conduct, and this case of Mr. *Scott* requires it particularly. I have wrote to Mr. *Wilson*, of *Carlisle*, for his advice, fearing it would be impossible to know your mind in proper time, and for the necessary legal steps. I believe he may be depended upon, but is very doubtful if his answer can arrive before the time they have appointed for their Court. At any rate we must endeavour to prevent a trial till your Honour can have an opportunity of writing, if it should be by removing the indictment to *Williamsburg*.

I account it a fortunate circumstance that they began with Mr. *Scott* who, with a great deal of firmness, possesses a good share of natural understanding. In the course of an examination which continued near two hours, he told Lord *Dunmore* that he had only one short answer to all his questions, which might save his Lordship a good deal of trouble, "that he had acted under commission from your Honour, and in obedience to your Proclamation." His Lordship was pleased to reply, that you had no right to give any such commission, or authority to issue such Proclamation. Mr. *Scott* told him that was a matter of which he was not a proper judge, and would abide by the consequences.

I am sorry to be obliged to give your Honour so much trouble on so very disagreeable a subject, but I hope the time is not far distant when it will be put to an end,

And am, sir, your Honour's most obedient and most humble servant, AR. ST. CLAIR.

Williamsburg, Va., December 5, 1774.

Yesterday, in the afternoon, his Excellency the Governour arrived at the Palace in this City from his expedition against the *Indians*, who have been humbled into a necessity of soliciting peace themselves, and have delivered hostages for the due observance of the terms, which cannot fail of giving general satisfaction, as they confine the *Indians* to limits that entirely remove the grounds of future quarrel between them and the people of *Virginia*, and lay a foundation for a fair and extensive *Indian* trade, which, if properly followed, must produce the most beneficial effects to this country.

We hear that four of the principal *Shawanese* warriours are expected here in a few days, and that twelve headmen and warriours of the *Delaware* and other tribes are left at Fort *Dunmore* as hostages. The *Indians* have delivered up all the white prisoners in their Towns, with the horses and other plunder they took from the inhabitants, and even offered to give up their own horses. They have agreed to abandon the lands on this side of the *Ohio*, (which river is to be the boundary between them and the white people,) and never more take up the hatchet against the *English*. Thus, in little more than the space of five months, an end

Digitized by Google

is put to a war which portended much trouble and mischief to the inhabitants on the Frontiers, owing to the zeal and good conduct of the Officers and Commanders who went out in their country's defence, and the bravery and perseverance of all the Troops. Our tributes of praise are justly due to the gallant men that fell, whose deaths are a publick loss, and irreparably so to their distressed families and friends; but their names will be handed down to posterity with honour. The Army was broke up, and many of them had arrived at their respective homes.

—

EXTRACT OF A LETTER FROM REDSTONE, DATED OCTOBER, 1774.

It will be improper to investigate the cause of the *Indian* war which broke out in the Spring, before I give you a sketch of the history of the Expedition which his Excellency Lord *Dunmore* has carried on successfully against the *Shawanese*, one of the richest, proudest, and bravest of the *Indian* Nations.

In order to do this, it is necessary to look back as far as the year 1764, when Colonel *Bouquet* made peace with that Nation. The *Shawanese* never complied with the terms of that peace; they did not deliver up the white prisoners; there was no lasting impression made upon them by a stroke from the Troops employed against them that campaign; and they barely acquiesced in some articles of the treaty by command of the *Six Nations*. The *Red Hawk*, a *Shawanese* Chief, insulted Colonel *Bouquet* with impunity; and an *Indian* killed the Colonel's footman the day after the peace was made. This murder not being taken notice of, gave rise to several daring outrages committed immediately after.

In the year following, several murders were committed by the *Indians* on *New* River; and soon after, several men employed in the service of *Wharton* and Company, were killed on their passage to *Illinois*, and the goods belonging to the Company carried off. Some time after this outrage, a number of men employed to kill meat for the garrison of Fort *Chartres*, were killed, and their rifles, blankets, &c., carried to the *Indian* Towns. These repeated hostilities and outrages being committed with impunity, made the *Indians* bold and daring. Although it was not the *Shawanese* alone that committed all these hostilities, yet, letting one Nation pass with impunity, when mischief is done, inspires the rest of the Tribes with courage; so that the officers commanding his Majesty's Troops on the *Ohio*, at that time, not having power or spirit to punish the *Indians*, nor address to reclaim them, mischief became familiar to them; they were sure to kill and plunder whenever it was in their power, and indeed they panted for an opportunity.

It is probable you will see Lord *Dunmore's* speech to some Chiefs of the *Six Nations*, who waited on his Lordship to plead in favour of the *Shawanese*. In this speech his Lordship mentions the particular murders and outrages committed by them every year successively since they pretended to make peace with Colonel *Bouquet*. The most recent murders committed by the *Indians* before the white people began to retaliate, were that of Captain *Russell's* son, three more white men, and two of his negroes, on the 15th of *October*, 1773; that of a *Dutch* family on the *Kenhawa*, in *June* of the same year, and of one *Richard*, in *July* following, and that of Mr. *Hog* and three white men, on the *Great Kenhawa*, early in *April*, 1774. Things being in this situation, a message was sent to the *Shawanese*, inviting them to a Conference, in order to bury the tomahawk and brighten the chain of friendship. They fired upon the messengers, and it was with difficulty they escaped with their lives. Immediately on their return, letters were wrote by some gentlemen at Fort *Pitt*, and dispersed among the inhabitants on the *Ohio*, assuring them that a war with the *Shawanese* was unavoidable, and desiring them to be on their guard, as it was uncertain where the *Indians* would strike first. In the mean time, two men, of the names of *Greathouse* and *Baker*, sold some rum near the mouth of *Yellow* Creek, and with them some *Indians* got drunk, and were killed. Lord *Dunmore* has ordered that the manner of their being killed be inquired into. Many officers and other adventurers who were down the *Ohio*, in order to explore the country and have lands surveyed, upon receiving the above intelligence, and seeing the letters from the gentlemen at Fort *Pitt*, thought proper to return. Captain *Michael Cresap* was one of these gentlemen. On their return up the River, they fell in with a party of *Indians*, and being apprehensive that the *Indians* were preparing to attack them, as appeared by their manœuvres, the white people being the smallest number, thought it was advisable to have the advantage of the first fire, whereupon they engaged; and after exchanging a few shot, killed two or three of the *Indians* and dispersed the rest; hostilities being then commenced on both sides, the matter became serious.

—

FROM THE CAMP, ON POINT PLEASANT, AT THE MOUTH OF THE GREAT KENHAWA, OCTOBER 17, 1774.

For the satisfaction of the publick, in this letter they have a true state of the battle fought at this place, on the 10th instant.

On *Monday* morning, about half an hour before sun-rise, two of Captain *Russell's* Company discovered a large party of *Indians* about a mile from Camp, one of which men was shot down by the *Indians*, the other made his escape and brought in the intelligence. In two or three minutes after, two of Captain *Shelvey's* came in and confirmed the account. Colonel *Andrew Lewis* being informed thereof, immediately ordered out Colonel *Charles Lewis* to take the command of one hundred and fifty of the *Augusta* Troops, and with him went Captain *Dickinson*, Captain *Harrison*, Captain *Wilson*, Captain *John Lewis*, of *Augusta*, and Captain *Lockridge*, which made the first Division. Colonel *Fleming* was also ordered to take the command of one hundred and fifty more of the *Botetourt*, *Bedford*, and *Fincastle* Troops, viz: Captain *Thomas Burford*, from *Bedford*, Captain *Love*, of *Botetourt*, Captain *Shelvey* and Captain *Russell*, of *Fincastle*, which made the second Division. Colonel *Charles Lewis's* Division marched to the right, some distance from the *Ohio*; and Colonel *Fleming*, with his Division, on the bank of the *Ohio*, to the left. Colonel *Charles Lewis's* Division had not marched quite half a mile from Camp, when, about sun-rise, an attack was made on the front of his Division, in a most vigorous manner, by united tribes of *Indians*, *Shawanese*, *Delawares*, *Mingoes*, *Tawas*, and of several other Nations, in number not less than eight hundred, and by many thought to be a thousand. In this heavy attack, Colonel *Charles Lewis* received a wound, which in a few hours caused his death, and several of his men fell on the spot. In fact, the *Augusta* Division was forced to give way to the heavy fire of the enemy. In about a second of a minute after the attack on Colonel *Lewis's* Division, the enemy engaged the front of Colonel *Fleming's* Division, on the *Ohio*, and in a short time the Colonel received two balls through his left arm, and one through his breast; and after animating the officers and soldiers in a most calm manner, to the pursuit of victory, retired to the Camp. The loss from the field was sensibly felt by the officers in particular; but the *Augusta* Troops being shortly reinforced from the Camp by Colonel *Field*, with his Company, together with Captain *M'Dowell*, Captain *Matthews*, and Captain *Stewart*, from *Augusta*, Captain *John Lewis*, Captain *Paulin*, Captain *Arbuckle*, and Captain *M'Clenachan*, from *Botetourt*, the enemy, no longer able to maintain their ground, was forced to give way till they were in a line with the Troops, Colonel *Fleming* being left in action on the bank of the *Ohio*. In this precipitate retreat, Colonel *Field* was killed. During this time, which was till after twelve o'clock, the action continued extremely hot. The close under-wood, many steep banks and logs, greatly favoured their retreat; and the bravest of their men made the best use of them, whilst others were throwing their dead into the *Ohio*, and carrying off their wounded. After twelve, the action in a small degree abated, but continued, except at short intervals, sharp enough till after one o'clock. Their long retreat gave them a most advantageous spot of ground, from whence it appeared to the officers so difficult to dislodge them, that it was thought most advisable to stand, as the line was then formed, which was about a mile and a quarter in length, and had sustained till then a constant and equal weight of the action, from wing to wing. It was till about half an hour of sunset they continued firing on us scattering shots, which we returned

Digitized by Google

to their disadvantage. At length night coming on, they found a safe retreat.

They had not the satisfaction of carrying off any of our men's scalps, save one or two stragglers, whom they killed before the engagement. Many of their dead they scalped, rather than we should have them; but our Troops scalped upwards of twenty of their men that were first killed. It is beyond doubt their loss in number far exceeds ours, which is considerable.

—

EXTRACT OF A LETTER FROM STAUNTON, IN VIRGINIA, DATED NOVEMBER 4, 1774.

On the tenth of *October*, our Army being encamped in the Fork of the *Great Kenhawa*, two men went out early to hunt, but were fired upon by a number of *Indians*, when one of them was killed; the other made his escape, and brought the intelligence to the Camp. Colonel *Lewis* immediately ordered out three hundred men, who, after marching about three quarters of a mile before sun-rise, were attacked by a number (supposed to be from eight hundred to one thousand,) of desperate savages. They soon made our men retreat about one quarter of a mile, when a reinforcement coming up, they continued fighting till noon, and were never above twenty yards apart, often within six, and sometimes close together tomahawking one another. The *Indians* then began to fall back, but continued fighting at a distance till night came on and parted them. Such a battle with *Indians*, it is imagined, was never heard of before. We had upwards of fifty men killed, and ninety wounded. Amongst the slain were many brave men, both officers and privates; and a Magistrate of this place, Mr. *Frog*, a very worthy gentleman, was also killed. So eager were the *Indians* for his scalp, that one man shot three of them over him, endeavouring by turns to scalp him. The number of *Indians* killed cannot be ascertained, as they were continually carrying them off and throwing them into the River; but from the tracks of blood, the number must have been great. Our men got upwards of twenty scalps, eighty blankets, about forty guns, and a great many tomahawks; and intended in a few days to go over the River to meet the Governour, twenty or twenty-five miles from their Towns. The *Indians* the Governour lately concluded a peace with, it is assured, were in this battle. We suppose they have had the other struggle before this time, and are very impatient to know the issue.

—

EXTRACT OF A LETTER FROM AN OFFICER LATE UNDER THE COMMAND OF LORD DUNMORE, AGAINST THE INDIANS, DATED AT FORT AUGUSTA, NOVEMBER 21, 1774.

I returned from the *Shawanese* expedition to my own house, on the 11th instant, an account of which is as follows:

I left home with my Company the 25th of *August*, and arrived at the Levels of *Greenbrier*, (which was the place of general rendezvous,) on the first of *September*, and against the fifth, we had about eleven hundred men assembled; but the *Fincastle* men were not yet arrived. However, Colonel *Charles Lewis*, with the *Augusta* men, which were about six hundred, marched from that place the 8th of *September*, and arrived at the mouth of *Elk* River, (which empties into *New* River, about sixty miles from the mouth of *New* River,) the 21st of the same month, where we encamped, and got to making canoes to carry our flour down *New* River.

Colonel *Andrew Lewis*, with the *Botetourt* Troops, joined us at *Elk*, on the 23d or 24th. We made twenty-seven canoes, and, on the first of *October*, crossed *Elk*, loaded our canoes, and fell down into *New* River; and next day being very wet, we encamped on the other side of the mouth of *Elk*. The following day we proceeded down *New* River, and arrived at the mouth of it on the sixth of *October*. In all this march we were never disturbed by the enemy. Our pack-horse men said they saw *Indians* at times; and at *Elk* the *Indians* viewed us and stole some of our horses.

On our arrival at the mouth of *New* River, or *Great Kenhawa*, we sent out spies to search if *Indians* were in those parts, but they could not discover any. Our men went a hunting every day; and on *Monday*, the tenth of *October*, by break of day, a number of our men went out as before, two of whom were fired on by the *Indians*, about a mile and a half from the Camp; one was killed, the other came into the Camp, with the alarm that he had discovered about thirty *Indians*, and that his companion was killed; on which the drum beat to arms. Our men started up from their tents, (numbers being in bed, for the sun was not yet up.) Orders were immediately given, that one hundred and fifty men from each line should go in quest of the enemy; on which, Colonel *Charles Lewis*, with one hundred and fifty of the *Augusta* Troops, and Colonel *Fleming*, with one hundred and fifty *Botetourt* Troops, marched out; the men of each line were ordered to form their own ground. In a few minutes three guns went off within about one hundred and twenty poles of the Camp, which was immediately followed by several hundreds; on which two hundred men were ordered out, who, on their approach, found our men giving way before the enemy; but that reinforcement turned the matter.

The battle continued. Several Companies were again ordered out, among whom I was ordered out with fifty men to a certain place, to prevent the *Indians* getting round our Camp. I, with my men, run about half a mile, and came to some of our men by a hill; the *Indians* had retreated. We then pursued them from tree to tree, till rising a small ridge, they had placed themselves behind logs, fired on us, killed three men near me, and wounded ten or twelve more. We pushed up farther, there made a stand, which the whole line from the *Ohio* to us did at the same time. This happened about one o'clock. There we remained watching the *Indians*, and they us, till near night, now and then firing as opportunity offered, on both sides. The *Indians*, at the approach of night, skipped off and left us the field; but carried away all their wounded, and many of their slain. However, we got twenty-one of them dead on the ground; and we afterwards heard they had two hundred and thirty-three killed and wounded; but I cannot say that is true. We had forty men killed that night, and ninety-six wounded, twenty odd of whom are since dead.*

On the 17th, we crossed the river to go to the Towns, and marched on with about eleven hundred men, leaving three hundred at the Camp to take care of the wounded and provisions; (for know that the *Fincastle* Troops, three hundred in number, joined us the night after the battle;) but, on the 24th, we were stopped by express from the Governour, informing us that he had made peace.

—

Williamsburg, December 5, 1774.

To his Excellency the Right Honourable JOHN, *Earl of* DUNMORE, *his Majesty's Lieutenant aad Governour-*

* List of the Killed and Wounded *Virginians*.—KILLED.—Colonel *Charles Lewis*, Major *John Field*, Captains *John Murray*, *Robert M'Clenachan*, *Samuel Wilson*, *James Ward*, Lieutenant *Hugh Allen*, Ensigns *Candiff* and *Baker*; Privates, 44.

WOUNDED.—Captains *W. Fleming*, (since dead,) *J. Dickenson*, *Thomas Blueford*, *John Stidman*, Lieutenants *Goodman*, *Robeson*, *Lard*, *Vanners*; Privates, 79.

Boston, February 20, 1775.—On reading the account of the battle between the brave *Virginians* and their savage neighbours, it brought to my mind the keen resentments and mortifying reflections that must naturally kindle in the breasts of an experienced General, brave officers, and intrepid soldiers, to remember that the professed design of *Britain*, in maintaining Standing Armies in *America*, was the protection of the Colonies, and yet known at the very moment, the noble *Virginians* were bleeding, dying, and winning the laurels of victory, they were confined and basking in their tents, to execute one of the most inglorious designs that ever disgraced the name of a *British* Soldier, viz: enslaving a free Province that has supported itself more than one hundred and fifty years, against her savage foes. These resentments and reflections must still increase, when they feel and know the irresistible conviction this proceeding will give to every honest man in *Britain* or *America*, of these two facts: First. That the real design of keeping a Standing Army in *America*, was not protecting but enslaving the Colonies. The second thing thus demonstrated, is, that the Colonies do not need or desire pr tection from the Standing Armies, but are able and willing to defend themselves, and therefore they must view their stay in *America* as useless and burthensome. In this situation it is natural for *Americans* to imagine the honest, generous souls of the gentlemen of the Army will kindle to such a degree, when their inglorious and base employment is compared with that of the virtuous *Virginians*, gaining the art of war and glory of victory, that they would rather resign their commissions or lives, than suffer the eternal disgrace of having their names handed down to posterity, with these facts to sully some future page in *British* or *American* story. Can we expect less from these generous spirits, than that they let their corrupt employers know the just indignation they feel at this abuse and disgrace that is, and will be fixed eternally on their names, as the dupes of tyranny?

Digitized by Google

General of the Colony and Dominion of VIRGINIA, *and Vice Admiral of the same.*

The humble Address of the City of WILLIAMSBURG.

MY LORD: We his Majesty's most dutiful and loyal subjects, the Mayor, Recorder, Aldermen, and Common Council, of the City of *Williamsburg*, in Common Hall assembled, beg leave to embrace the earliest opportunity of congratulating your Lordship on the conclusion of a dangerous and fatiguing service in which you have lately been engaged, and on your return to this City.

It is with pleasure we hear your Lordship has been able to defeat the designs of a cruel and insidious enemy, and at the same time that your Lordship has escaped those dangers to which your person must have been frequently exposed.

Permit us also, upon this occasion, to express our congratulations on the addition to your family by the birth of a daughter; and to assure you that we wish to your Lordship every degree of felicity, and that we shall contribute towards its attainment, as far as lies in our power, during your residence among us.

To which his Excellency was pleased to return the following Answer:

GENTLEMEN: I am obliged to you for this Address. The fatigue and danger of the service which I undertook, out of commiseration for the deplorable state which, in particular, the back inhabitants were in, and to manifest my solicitude for the safety of the country in general, which his Majesty has committed to my care, has been amply rewarded by the satisfaction I feel in having been able to put an effectual stop to a bloody war.

I thank you for the notice you are pleased to take of the event which has happened in my family; and, I doubt not that, as I have hitherto experienced the marks of your civility, you will continue in the same friendly disposition toward me.

—

To his Excellency the Earl of DUNMORE, *Governour of* VIRGINIA.

May it please your Excellency:

We his Majesty's dutiful and loyal subjects, the President and Professors of *William* and *Mary* College, moved by an impulse of unfeigned joy, cannot help congratulating your Excellency on such a series of agreeable events, as the success of your enterprise against the *Indians*, the addition to your family by the birth of a daughter, and your safe as well as glorious return to the capital of this Dominion.

May the great fatigues and dangers which you so readily and cheerfully undergo in the service of your Government, be ever crowned with victory! May you ever find the publick benefits thence arising attended with domestick blessings! And, may you always feel the enlivening pleasure of reading in the countenances around you, wherever you turn your eyes, such expressions of affection as can be derived only from applauding and grateful hearts!

To which his Excellency was pleased to return the following Answer:

GENTLEMEN: I cannot but receive every instance of the attention of a learned and respectable body, such as yours, with a great degree of satisfaction; but the affectionate and very obliging terms in which you are pleased to express your good wishes towards me, on this occasion, demand my cordial thanks, and will ever be impressed on my mind.

—

To the Right Honourable JOHN, *Earl of* DUNMORE, *his Majesty's Lieutenant and Governour-General of the Colony and Dominion of* VIRGINIA, *and Vice Admiral of the same.*

MY LORD: We his Majesty's most dutiful and loyal subjects, the Mayor, Recorder, Aldermen, and Common Council of the Borough of *Norfolk*, in Common Hall assembled, impressed with a deep and grateful sense of the important services rendered to this Colony by your Excellency's seasonable and vigorous exertion in the late expedition against a deceitful and treacherous enemy, conducted under your auspices to so fortunate an issue, beg leave, by this testimony of our general respect, to congratulate your Excellency on the happy event, and on your safe arrival at the capital.

While we applaud your Lordship's moderation in giving peace to a merciless foe, we cannot but exult in the happiness of our fellow-subjects on the Frontiers, who, by your unremitted zeal and spirited conduct, have acquired the blessings of ease, security, and domestick enjoyment.

As we sincerely participate in every circumstance of your publick glory, neither can we be insensible of your private happiness in the birth of a daughter, and the recovery of Lady *Dunmore*, on which joyful occasion we beg leave also to add our most cordial congratulations; and we devoutly wish that, to the pleasing remembrance of having faithfully discharged your important trust of Government, you may have superadded the approbation of your Royal Master, the grateful returns of an happy people, and the honour of these distinctions reflected on a numerous and flourishing family.

His Lordship's Answer.

The Address of the Mayor, Recorder, Aldermen, and Common Council of the Borough of *Norfolk*, expressive of their duty and loyalty to the King, cannot but be extremely acceptable to me.

His Majesty, in his tender solicitude for the safety of his subjects, so lately exposed to the calamities of an *Indian* war, having signified his full approbation of the measures which I at first adopted for their relief, and as the issue of that event, the only circumstance of it of which he could not yet be informed, will entirely remove the paternal anxiety which he suffered on the occasion, I already enjoy, and have good reason to expect the continuance of one part of that high recompense which the gentlemen of the Borough of *Norfolk* have so kindly wished me, and the applause which they are pleased to bestow upon me greatly contributes towards another part, which is my ardent ambition to merit.

The notice which they take of my private concerns is obliging, as their approbation of my publick conduct is honourable to me, and both demand my most cordial thanks.

—

Williamsburg, Va., February 4, 1775.

The following is said to be a Message from Captain *Logan*, an *Indian* Warriour, to Governour *Dunmore*, after the battle in which Colonel *Charles Lewis* was slain, delivered at the Treaty:

"I appeal to any white man to say that he ever entered "*Logan's* cabin but I gave him meat; that he ever came "naked but I clothed him. In the course of the last war "*Logan* remained in his cabin, an advocate for peace. I "had such an affection for the white people that I was "pointed at by the rest of my Nation. I should have "even lived with them had it not been for Colonel *Cresap*, "who last year cut off, in cold blood, all the relations of "*Logan*, not sparing women and children. There runs "not a drop of my blood in the veins of any human crea-"ture. This called upon me for revenge; I have sought "it—I have killed many, and fully glutted my revenge. "I am glad that there is a prospect of peace, on account "of the Nation; but I beg you will not entertain a thought "that any thing I have said proceeds from fear! *Logan* "disdains the thought! He will not turn on his heel to "save his life! Who is there to mourn for *Logan?* No "one."*

* *New-York, February* 16, 1775.—Extract of a letter from *Virginia:* "I make no doubt but the following specimen of *Indian* eloquence and mistaken valour will please you; but you must make allowances for the unskilfulness of the Interpreter:

The Speech of LOGAN, *a* SHAWANESE *Chief, to Lord* DUNMORE.

"I appeal to any white man to say, if ever he entered *Logan's* cabin hungry and I gave him not meat; if ever he came cold or naked and I gave him not clothing. During the course of the last long and bloody war *Logan* remained in his tent, an advocate for peace; nay, such was my love for the whites, that those of my own country pointed at me as they passed by, and said, "*Logan* is the friend of white men." I had even thought to live with you, but for the injuries of one man. Colonel *Cresap*, the last Spring, in cool blood and unprovoked, cut off all the relations of *Logan*, not sparing even my women and children. There runs not a drop of my blood in the veins of any human creature. This called on me for revenge. I have sought it—I have killed many—I have fully glutted my vengeance. For my country I rejoice at the beams of peace; but do not harbour the thought that mine is the joy of fear. *Logan* never felt fear. He will not turn on his heel to save his life. Who is there to mourn for *Logan?* Not one."

Digitized by Google

RICHMOND COUNTY (VIRGINIA) COMMITTEE.

December 5, 1774.

The Freeholders convening on this day, to elect a new Committee for the said County, according to the recommendation of the late Continental Congress, for the carrying into execution the *American* Association, proceeded to make choice of twenty-eight gentlemen convenient in their situation to inspect the attention paid to the Association through the whole County; who, forming themselves into a meeting, chose Colonel *Landon Carter*, Chairman, and requested the favour of Mr. *Leroy Peachey*, to act as Clerk: At which meeting it was then resolved that the Committee should sit on the next Court day, if nothing required an earlier attendance; at which time the Freeholders were likewise desired to attend, in order to appoint Deputies to repair to a Colony Congress of Delegates to choose Deputies to attend a Continental Congress, to be held in *Philadelphia*, on the tenth day of *May* next, agreeable to the recommendation of the last Congress, if *America*, should not, before that day, be redressed in her grievances, and restored to her just rights and liberties.

January 2, 1775.

At a meeting of the Freeholders this day, for the above purpose, the following Instruction and Appointment was voted and directed to *Robert Wormeley Carter*, and *Francis Lightfoot Lee*, Esquires, their Representatives in Assembly:

To ROBERT WORMELEY CARTER, *and* FRANCIS LIGHTFOOT LEE, *Esquires:*

GENTLEMEN: From a persuasion that the Assembly is to meet in *February* next, and that the recommendation of the Continental Congress to the several Colonies, for appointing Delegates to form another Continental Congress on the tenth day of *May* next, may be duly complied with, we your constituents desire of you, as our Representatives in Assembly, to promote the same with your utmost abilities; but if, by any means, it should happen that the Assembly shall be dissolved, either constitutionally or by prerogative, we do, in that case, constitute and appoint you, our late elected Representatives, to meet in Colony Congress, for the purpose of appointing Delegates as aforesaid. We hope we need not inform you, gentlemen, that we cannot but look upon ourselves as induced to publish this our instruction and appointment, from a full conviction of the present alarming crisis to *American* Rights; and as the united wisdom of *North America*, on such an occasion is certainly necessary to be obtained, we cannot but desire that no unforeseen casualty may prevent this Colony from being represented in such a Congress, on whose deliberations the liberties of *America* do so eminently depend. Therefore, we cannot suppress our wishes that these important considerations may prevail with our countrymen in the other Counties to provide against any possible disappointment in a delegation as aforesaid by every similar precaution. And farther, gentlemen, we recommend it to you to give the sincere thanks of this County to the worthy Delegates who attended the late Continental Congress, for their prudent and spirited conduct in support of the freedom and liberties of *America*.

We are, gentlemen, you obliged constituents.

On the same day the Chairman communicated to the gentlemen of the Committee then met, that, in order to get fully informed of a report that a monopolizing or engrossing of Goods was carrying on, to the prejudice of the poorer sort of people, he had considered it as an object within the sphere of Association, and taken upon himself to write to the two gentlemen who kept the Stores in the County, in which the said engrossing or monopolizing was suggested to be in agitation; because such a practice could not be the intention of associating, nor indeed a thing to be suspected of any patriotick Associator, where certainly every one ought to be heartily inclined to bear an equal proportion of every difficulty, and, in consequence, that could or might attend associating against commerce of any kind, without taking any advantage, with at best, but a mere unsocial calidity; and that he had obtained letters from the gentlemen keeping those Stores, which he believed, on examination, would be found entirely convincing that there was not the least foundation for so scandalous a report. Upon which the Committee directed the reporter to be called in, before whom the letters were read, and, as an incontestable truth, the whole turned out a mere groundless fallacy; therefore it was directed to be published, in order to discourage and stifle such ungenerous, as well as unjust accusations against any individual of a community so sacredly engaged to preserve its liberties. LEROY PEACHEY, *Clerk.*

NEW-CASTLE COUNTY (DELAWARE) COMMITTEE.

December 5, 1774.

The Committee chosen in the several Hundreds of this County, on the 28th of last month, in pursuance of notice for that purpose given, this day assembled at the Court House, in the Town of *New-Castle*, and unanimously chose

JOHN M'KINLEY, Esquire, *Chairman*, and
DAVID THOMPSON, *Clerk.*

On motion, by order, the Association entered into by the Continental Congress, at the City of *Philadelphia*, on the fifth day of *September* last, was read, and the Committee taking the same into consideration,

Resolved, That this Committee highly approve the said Association, and earnestly recommend to their constituents a strict and due observance thereof.

Resolved, unanimously, That the Thanks of this Committee be given to the gentlemen who represented this Government as Deputies in the said Continental Congress, for their faithful discharge of that important trust.

Resolved, unanimously, That, to increase the number of Sheep, the Committee will use their utmost endeavours to prevent the killing of any Ewe Mutton or Lamb, from this day until the first day of *May* next; and any Ewe Lamb from the first day of *May* next till the first day of *October* next; and this Committee do particularly recommend to their constituents a full and faithful compliance with the eighth, ninth, and thirteenth Articles of the said Association.

Then the Committee adjourned till *Wednesday*, the 21st instant, at ten o'clock.

Wednesday, December 21, A. M.

The Committee met according to adjournment.

Resolved, unanimously, That pursuant to an intimation given by the said Continental Congress, as well as from a full persuasion that a well regulated Militia, composed of the gentlemen, freeholders, and other freemen, is the natural strength and stable security of a free Government; therefore it is recommended by this Committee to such of the inhabitants of this County as are from sixteen to fifty years of age, that they assemble themselves on the second *Tuesday* in *January* next, at such places as shall be appointed by the Committees of their respective Hundreds, and then and there associate and enroll themselves into Companies of not less than fifty, nor more than seventy-five men, according as the several Districts will admit, and choose a Captain, two Lieutenants, an Ensign, four Sergeants, two Corporals, and one Drummer, for each Company; and use their utmost endeavours to make themselves masters of the military exercise. That each man be provided with a well fixed Firelock and Bayonet, half a pound of Powder, two pounds of Lead, and a Cartouch-Box or Powder-Horn, and Bag for Ball, and be in readiness to act on any emergency.

Resolved, unanimously, That the Committees of the respective Hundreds do divide the same into suitable Districts, as they severally will admit thereof.

Resolved, unanimously, That contributions from this County, for supplying the necessities and alleviating the distresses of our brethren in *Boston* ought to be continued in such manner and so long as their occasions may require; and that it is the duty of the Committee of Correspondence of the said County to collect and transmit the same as soon as possible.

Extract from the minutes of the Committee,

DAVID THOMPSON, *Clerk.*

Reading, Berks County, Pa., December 5, 1774.

Pursuant to advertisements dispersed through the County, a respectable number of the Inhabitants met this day at

Digitized by Google

the Court House, in this Town, and proceeded, by ballot, to the election of a Committee, as recommended by the Congress, when the following gentlemen were duly chosen: *Edward Biddle, Christopher Schults,* Doctor *Jonathan Potts, William Reefer, Balsar Gear, Michael Bright, John Patton, Mark Bird, John Jones, John Old, Sebastian Levan, George Nagel, Christopher Witman, Jacob Shoemaker,* and *James Lewis.*

ASSEMBLY OF PENNSYLVANIA.

Monday, December 5, 1774.

Mr. Speaker, with fifteen Members, met, pursuant to adjournment; and, a quorum not appearing, they adjourned from day to day.

Thursday, December 8, 1774.—A quorum met.

Ordered, That Mr. *Parker* and Mr. *Pearson* wait on the Governour, and acquaint him that a House being met, pursuant to their adjournment, they are ready to receive any business he may be pleased to lay before them.

The Members appointed to wait on the Governour with the Message of the House, reported they had delivered the same, according to order, and that his Honour was pleased to say he had no business at present to lay before them, but if any should occur during their sitting, he would communicate it by a Message.

The Members deputed, in behalf of this Province, to attend the General Congress, held at the City of *Philadelphia,* in *September* and *October* last, presented to the Chair a printed Journal of the Resolutions and Proceedings of the said Congress, together with a Report, in writing, which latter was read by order, and follows in these words, viz:

"We, the Committee appointed on the part of this Province, by the late and present House of Representatives, to attend the Congress of Deputies from the several Colonies, beg leave to report the performance of that service, as contained in a Journal of the Congress, herewith delivered, which we humbly submit to the consideration of the House.

"EDWARD BIDDLE, CHARLES HUMPHREYS,
"JOHN DICKINSON, JOHN MORTON.
"THOMAS MIFFLIN,

"Philadelphia, December 8, 1774."

Ordered, That the reading and consideration of the Journal of the Proceedings of the General Congress be referred till to-morrow.

Friday, December 9, 1774.—The House proceeded in the consideration of the Resolutions of the Congress, and, after some debate, ordered that the further consideration thereof be referred till to-morrow morning.

Saturday, December 10, 1774.—The House, agreeable to the order of yesterday, taking into consideration the Report of the Committee appointed to attend the General Congress, and the Papers therein referred to,

*Resolved, unanimously,** That this House approve the Proceedings and Resolves of the Congress, and do most seriously recommend to the good people of this Province, a strict attention to, and an inviolable observation of the several matters and things contained in the Journal of the Congress.

Upon motion,

Ordered, That the foregoing Resolution be immediately made publick.

Tuesday, December 15, 1774.—Upon motion,

Resolved, N. C. D., That the Honourable *Edward Biddle,* Speaker, *John Dickinson, Thomas Mifflin, Joseph Galloway, Charles Humphreys, John Morton,* and *George Ross,* Esquires, be, and they are hereby appointed Deputies, on the part of this Province, to attend the General Continental Congress, proposed to be held at the City of *Philadelphia,* on the tenth day of *May* next; and that they, or any four of them, do meet the said Congress accordingly, unless the present grievances of the *American* Colonies shall, before that time, be redressed.

Samuel Rhoads, Esquire, one of the Deputies for this Province at the late Congress, being now Mayor of the City of *Philadelphia,* is omitted in the above appointment, it appearing to the House that he could not attend the service.

Ordered, That Mr. *Charles Thomson,* Mr. *Brown,* Mr. *Chapman,* Mr. *Pearson,* Mr. *John Jacobs,* Mr. *Wayne,* Mr. *Ewing,* Mr. *Allen,* and Mr. *Edmonds,* be a Committee to prepare and bring in draughts of Instructions for the Deputies to the ensuing Congress; and of a Circular Letter to the Speakers of the several Colony Assemblies, informing them of the proceedings of this House, on the Report of their Delegates at the late Congress.

The House then taking into consideration the service of the Delegates for this Province, at their late Congress,

Resolved, That the said Delegates be allowed each twenty shillings per diem, for their attendance on that duty.

Post-Meridian.—The Committee appointed to prepare and bring in draughts of Instructions for the Deputies to the ensuing Congress, and of a Circular Letter to the Speakers of the several Colony Assemblies, reported Essays for those purposes, which were read, by order, and referred to further consideration.

Tuesday, December 20, 1774.—The Governour, by Mr. Secretary, sent down a written Message to the House, which was read, by order, and is as follows, viz:

"GENTLEMEN: I am informed by the Barrack Master that the apartments of the Barracks, in the *Northern Liberties,* and the necessary furniture and utensils are extremely out of order, and in great need of repair. I must therefore recommend this matter as worthy of your immediate consideration. JOHN PENN.

"December 20, 1774."

Thursday, December 22, 1774.—The House resumed the consideration of their Instructions to the Deputies appointed to attend, on the part of this Province, at the next General Congress, and having spent some time therein, referred the same to further consideration.

The House resumed the consideration of the Governour's Message, and after some debate,

Ordered, That Mr. *Mifflin,* Mr. *Chapman,* Mr. *Pearson,* Mr. *Morton,* and Mr. *Ross,* be a Committee to prepare and bring in a draught of an Answer to the said Message.

Friday, December 23, 1774.—The Committee appointed to bring in an Answer to the Governour's Message, reported a draught for that purpose, which was read, agreed to by the House, and ordered to be transcribed.

The Answer of the House to the Governour's Message being transcribed, according to order, was signed by the Speaker, and is as follows, viz:

"*May it please your Honour:*

"The House have considered your Message of the 20th instant, and beg leave to inform you that they do not think it expedient at this time to repair the Barracks in the *Northern Liberties,* or to provide furniture or utensils for the same.

"Signed by order of the House,

"EDWARD BIDDLE, *Speaker.*

"December 23, 1774."

Saturday, December 24, 1774.—The House proceeded to consider the draught of Instructions to the Deputies of this Province, appointed to attend the next General Congress, and having spent some time therein,

Resolved, That the said Instructions be referred to the consideration of the House at their next meeting.

Ordered, That Mr. *Wayne* and Mr. *William Thompson* wait on the Governour and acquaint him that the House will be glad to know his result on the Bills before him, as they incline to adjourn this afternoon, to *Monday,* the 20th of *February* next, if his Honour has no objection thereto.

* Mr. *Galloway* was not present when this Resolution was adopted. He did not appear in the House before the thirteenth of the month, when he was qualified, and took his seat.

Digitized by Google

The Members appointed to wait on the Governour with the Message of the House, reported they had delivered the same accordingly, and that his Honour was pleased to say he had no objection to the adjournment proposed by the House, and would immediately return to them the Bills before him.

The Governour having given his assent to the Bills, by enacting them into Laws, the House adjourned to *Monday*, the 20th day of *February* next, at four o'clock, P. M.

EXTRACT OF A LETTER FROM LONDON, TO A GENTLEMAN IN NEW-YORK, DATED DECEMBER 6, 1774.

Enclosed you have a paper which contains the Lords' Protests against the Address to the King's Speech, which you will no doubt receive by the Packet. It is very unusual to have any division, though there is commonly a debate on such addresses, and still more unusual for such division to be followed with a Protest. Yesterday there were strong debates, and a division in the House of Commons, on their Address, in answer to the Speech, which latter, viz: the division, is uncommon on such an occasion. The Courtiers carried their point by a considerable majority, but these steps show plainly that there is a determined resolution among the Patriots here to resist the wicked Ministerial measures against *America;* indeed, your cause gathers strength in this Kingdom every day, for now it is plain, beyond a doubt, that the measures taken against *America* are intended, finally, to subvert the liberties of this country; and I make not the least question, but the sword being once drawn against you, will produce something very like a civil war in this country in less than twelve months.

The people at present do not feel, and therefore are quiet, nor can you, (when our luxury, riches, and dissipation are considered) in reason, expect they should, while you are ministering to their pleasure by such plentiful remittances.

This day there was a report current, that the Congress of the States of *America* had adjourned, having fixed on stopping all imports into *America* from *Great Britain*, the first of this month, and all exports from *America* to *Great Britain* after the first of *January*. From curiosity I strolled upon 'Change, and for the first time saw concern and deep distress in the face of every *American* Merchant; they seemed to think that it was absolutely necessary to apply to Parliament and Administration to relax and settle the *American* business on the old footing, as it was at the end of the last war, and then things would go on as they should do; this convinced me of the truth of what many have said before, that the Merchants will never stir till they feel, and every one knows that the Manufacturers will never take the lead of the Merchants.

If this report of the exports being stopped the first of *January* next should prove true, and you add to it a determination of not paying any *British* debts till your rights are fully restored, I am sure in less than three months you will have as strong a mercantile combination in your favour as there was in the time of the Stamp Act. Artful, designing, and wicked men, who never had, in truth, an honest or virtuous feeling in their lives, will pretend to exclaim against such a conduct as dishonest, but ask any of these drivellers this question: Had any of you, in your hand, a stick belonging to another man, whom you knew, if he could get it into his own, was determined to break your head with it, would you, on the stick's being demanded by the right owner, give it up to him?

Indeed, I am convinced the Merchants here will not assist you till their remittances are stopped; but I am afraid of your Town, for it is currently said here, and with much confidence, that a good deal of publick money has been put in the hands of a Mr. *****, one of the *****, and some of your other great men, in order to buy their influence in favour of the Ministerial measures, in order to secure the Province of *New-York* on the side of our wicked rulers, and thereby cut off the communication of the other Colonies with the *New England* Provinces; but should these great men prove traitors to their country, I hope the yeomanry at large, in your Province, set too great a value on your inestimable rights and liberties to let any great men cheat you out of them.

ESSEX COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Freeholders of the County of *Essex*, at the Court House, in *Tappahannock*, on *Tuesday*, the 6th of *December*, 1774, for the purpose of choosing a Committee to see that the Association is duly kept, agreeable to the Resolutions of the Continental Congress, *John Upshaw*, gentleman, was unanimously elected Chairman, and *William Young*, Clerk. After which the following gentlemen were elected: *William Roane, James Edmondson, John Upshaw, Thomas Boulvare, John Lee, Meriwether Smith, Thomas Roane, Robert Beverly, Muscoe Garnett, William Young, John Henshaw, William Smith, Augustine Moore, John Beale, Henry Garnett, Robert Rennolds, John Brockenbrough, Thos. Sthreshly, Thomas Waring*, and *Archibald Ritchie*.

WILLIAM YOUNG, *Clerk*.

ISLE OF WIGHT COUNTY (VIRGINIA) COMMITTEE.

The following gentlemen are appointed the Committee for the County of *Isle of Wight: John S. Wills, Josiah Parker, B. Goodwin, Richard Hardy*, the Reverend *Henry J. Burgess, John Day, Arthur Smith, Thomas Pierce, John Mallory, Goodrich Wilson, Tristram Norsworthy*, Jun., *John Lawrence, William Davis, Nathaniel Burwell*, and *Timothy Tynes*.

PRINCESS ANNE COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Freeholders of *Princess Anne* County, convened on *Tuesday*, the 6th of *December*, 1774, at the house of Mr. *Bagwell Moore*, in order to elect a Committee, agreeable to the Resolve of the *American* Continental Congress:

The Association entered into by the Congress being publickly read, the Freeholders and other inhabitants of the County then present, with the greatest alacrity, did avow their approbation of the measures adopted by that honourable body, binding themselves, by the sacred ties of honour, virtue, and love to their country, strictly to observe and keep the same inviolable in every particular.

They then proceeded to a due election, when the following gentlemen were chosen, viz: *Anthony Lawson*, Esq., Mr. *William Robinson*, Major *Christopher Wright*, Captain *James Kempe*, Captain *William Nimmo*, Mr. *Anthony Walke*, Junior, Mr. *John Hancock*, Mr. *Thomas Reynolds Walker*, Captain *Edward Cannon*, Mr. *William Keeling*, Junior, Mr. *Joel Cornick*, Junior, Mr. *George Jamison*, Sen., Captain *Erasmus Haynes*, Captain *Dennis Dawley*, Captain *James Henley*, Captain *John Ackiss*, Captain *Frederick Boush*, Captain *Jacob Hunter*, Captain *William Hancock*, Mr. *William Woodhouse*, Mr. *Thomas Brock*, Mr. *Cason Moore*, Mr. *Thomas Old*, Senior, and Mr. *James Tooley*.

And on the 20th of said month, being the time appointed for a meeting of the above mentioned Committee, they, after balloting for a Chairman, declared *Anthony Lawson*, Esquire, duly elected, and chose *Thomas Abbot*, Clerk of the Committee.

Committee Chamber, Philadelphia, December 6, 1774.

The Committee taking into consideration the tenth Article of the Association of the General Congress, do unanimously resolve, that the said article requires the opening of all packages of Goods imported after the first day of *December*, and before the first day of *February*, but at the same time, the Committee intending that the sale of such Goods shall be conducted with as little inconvenience as is consistent with the said Association,

Resolved, That though all bales and packages delivered to the Committee for sale must be opened, yet the Goods shall be sold in lots or parcels; and that such sales shall be made by the City Vendue Master, under the direction of the Committee.

Resolved, That in disposing of Goods in lots or parcels, no lot shall be made of less value upon the sterling invoice than three pounds, nor of any greater than fifteen pounds, except in the former case, where an entire package is of less value than three pounds, and in the latter, where the value of any single piece shall exceed fifteen pounds.

Digitized by Google

Resolved, That Salt and Coal imported from *Great Britain* or *Ireland*, may be sold at publick vendue by the cargoe, or smaller quantity, at the election of the owner or consignee, under the direction of the Committee, and that a freight of nine pence per bushel shall be allowed on all kinds of Salt imported as aforesaid; and a freight of twelve pence per bushel on all Coal imported as aforesaid.

Resolved, That it is expected all importers of Goods, after the first of *December*, do apply to the Committee of the District where the vessel so importing has arrived, and make their election of sending back, storing, or selling all such Goods, for which purpose the said Committee will attend at the Coffee House every day, from ten till one o'clock.

The Committee also recommend to all importers of Goods a perusal of, and attention to, the eleventh Article of the General Congress, viz: "That a Committee be chosen "in every County, City, and Town, by those who are "qualified to vote for Representatives in the Legislature, "whose business it shall be attentively to observe the con-"duct of all persons touching this Association; and when "it shall be made to appear to the satisfaction of a major-"ity of any such Committee, that any person within the "limits of their appointment has violated this Association, "that such majority do forthwith cause the truth of the "case to be published in the *Gazette*, to the end that all "such foes to the rights of *British America* may be pub-"lickly known, and universally contemned as the enemies "of *American* Liberty; and thenceforth we respectively "will break off all dealings with him or her.

By order of the Committee,

JACOB RUSH, *pro tem. Secretary.*

THE DEPUTY GOVERNOUR OF PENNSYLVANIA TO THE EARL OF DARTMOUTH.

Philadelphia, December 6, 1774.

MY LORD: Since my last letter, dated the 4th of *November*, no publick occurrence has happened within my Government, except that, in pursuance of the recommendation of the Congress, the inhabitants of the City and County of *Philadelphia*, and some other Counties of this Province, have appointed Committees to observe the conduct of all persons within their respective Districts, touching the Association entered into by the Congress, and to see that the same be not violated.

Whenever any thing material occurs I shall take care to communicate the same to your Lordship by the first opportunity.

I have the honour to be, with great respect, &c.,

JOHN PENN.

JAMAICA (NEW-YORK) TOWN MEETING.

At a Town Meeting of the Freeholders and Inhabitants of *Jamaica*, in *Queen's* County, held in the Court House, on *Tuesday*, the 6th of *December*, 1774:

Resolved, 1. That by principle and interest we have been always heartily attached to the Royal House of *Hanover*, as the guardians of the civil and religious liberties of the whole *British* Empire; and that we esteem it our duty to render true and faithful allegiance to *George* the Third, King of *Great Britain*, as our only rightful Sovereign; and to support and maintain the just dependence of the Colonies upon the Crown of *Great Britain*, under the enjoyment of our constitutional rights and privileges.

Resolved, 2. That it is our undoubted right to be taxed only by our own consent, given by ourselves or our Representatives; and that all Acts made by the *British* Parliament, imposing taxes on the Colonies, are unjust, unconstitutional, and a manifest infringement of our dearest and most invaluable privileges.

Resolved, 3. That we have esteemed it our greatest civil happiness and glory, to have been born subjects to the Crown, and members of society under the most excellent Constitution of *Great Britain*; that we regard ourselves as one people with our mother country, connected together by the strongest ties of affection, duty, interest, and religion; and that we lament as the greatest misfortune which as members of civil society could befall us, the unhappy disputes and divisions that have of late years subsisted between us; and that we heartily wish mutual love, harmony, confidence, and tranquillity may be restored, and established upon a solid and permanent foundation; and that we will join our most vigorous and unremitting endeavours to accomplish so great and so important a purpose.

Resolved, 4. That we highly approve of, and will, as much as possible, endeavour to comply with the seasonable and excellent advice given by the worthy Delegates of *New-York* to the Committee of Mechanicks there, "to "cultivate and cherish a spirit of unanimity and benevo-"lence, and promote internal tranquillity." And that we will most heartily join with our brethren of the other Colonies, and our fellow-townsmen and inhabitants of this Province, in every prudent measure for the publick good.

Resolved, 5. That we heartily sympathize with our brethren of *Boston* and the *Massachusetts Bay*, under their present unexampled sufferings, and that we regard the Acts of Parliament under which they now groan, as cruel, unjust, unconstitutional, and oppressive in the highest degree, levelled not only at them in particular, but at the liberties of the other Colonies, and the *British* Empire in general; and that therefore, we think our aforesaid brethren, as sufferers in the common cause, are entitled to the encouragement, compassion, and charitable assistance of all the friends of liberty and foes of oppression, both in *England* and *America*.

Resolved, 6. That we do most gratefully acknowledge the difficult and important services rendered to their country by the late General Congress, held at *Philadelphia*, and that we do highly approve of the measures by them concerted for the publick good of their constituents, and that we will use all prudent and constitutional endeavours to carry those measures into execution.

Resolved, 7. That we do appoint for our Committee of Correspondence and Observation, the following gentlemen, viz: Reverend *Abraham Kettletas*, Doctor *John Innes*, Captain *Joseph French*, Captain *Richard Betts*, Captain *Ephraim Bayley*, Mr. *Elias Bayley*, Mr. *Waters Smith*, Mr. *Joseph Robinson*, and Mr. *William Ludlam*.

Resolved, 8. That this Committee do, in our names, present an Address of sincere and hearty thanks to the worthy Delegates of this Province for their cheerful acceptance and faithful discharge of the arduous and important trust committed to them by their countrymen.

Resolved, 9. That this meeting have as heartily approved of, and have always been as ready to promote, every prudent and constitutional measure for the redress of grievances, and for the preservation of those invaluable liberties which have been infringed by the *British* Ministry and Parliament, as any of their brethren, and that it is not their fault that they were not sooner convened for this important purpose, and that they do highly resent and heartily disapprove of the conduct of the Supervisor, and any other particular, by whose backwardness, ignorance, negligence, or remissness, this meeting has been so long delayed.

NEWARK (NEW-JERSEY) COMMITTEE.

Pursuant to the eleventh Article of the Association entered into by the late Continental Congress, held at *Philadelphia*, at a meeting of the Freeholders of the Township of *Newark*, in the County of *Essex*, at the Court House, on *Wednesday*, the 7th of *December*, 1774,

JOSEPH BRIGGS, JUN., Esq., in the Chair:

After a proper introduction to the business of the day, the following persons were unanimously chosen as a Committee of Observation for the Town aforesaid, viz: *Joseph Allen*, Esq., *Garrabrant Garrabrant*, Esquire, *Caleb Camp*, *Bethuel Pierson*, *John Range*, *Solomon Davis*, Doctor *Matthias Pierson*, *Samuel Pennington*, *Joseph Hedden*, Jun., *Daniel Cundict*, *John Earle*, *John Spear*, *Moses Farrand*, *David Cundict*, Esq., *John Peck*, *Joseph Lyon*, *Thomas Cadmus*, Jun., *Abraham Lyon*, *James Wheeler*, *Ichabod Harrison*, *Jonathan Sayer*, *Robert Johnston*, *Robert Neil*, Junior.

At a meeting of a majority of the above Committee, held in *Newark*, *January* 5th, 1775, *Caleb Camp*, Chairman, *Robert Johnston*, Clerk:

Voted, That the Thanks of this Committee be presented to the Honourable Delegates for this Province, mem-

Digitized by Google

bers of the Continental Congress held at *Philadelphia* in *September* last, for the faithful discharge of the important trust reposed in them:

TO THE DELEGATES FOR NEW-JERSEY, IN THE CONTINENTAL CONGRESS.

GENTLEMEN: While we feel an inviolable attachment to the person of the King, and the present reigning family, it is with the highest esteem of, and gratitude to you, the particular Delegates for this Province (in conjunction with the whole of that venerable body) that we view the many wise and prudent measures by you adopted to support, and hand down to posterity inviolate, those valuable and important privileges, both civil and sacred, so highly prized by our ancestors.

And 'tis with the greatest resentment that we so often behold your virtuous and patriotick endeavours wickedly traduced and made the subject of ridicule and slander by those Sons of *Belial*, whose attachedness to their master, will prompt them to commit violence to their own judgments, and even feed their wickedness with the very blood of their country. But you sirs, may be assured, that such authors (when known as their criminal production) shall ever be treated by us with the utmost contempt, as they merit.

And as a further mark of acquiescence in the Association, and demonstration of our sincerity, we think it our duty for ourselves, and we will with the utmost of our influence, recommend to our constituents, as the only probable means of securing our liberties, that the said Association be punctually adhered to, and strictly put in execution.

That the blessings of Heaven, may succeed all our endeavours to vanquish our enemies, and effectually secure the liberties of *British America*, and finally establish a happy, constitutional, and lasting union between *Great Britain* and her Colonies, is the sincere wish of, gentlemen, your much obliged and very humble servants.

By order of the Committee,

CALEB CAMP, *Chairman.*

As the present critical situation of our Nation, and especially of *British America*, make it highly necessary, that every publick exhibition from the press should be stripped of all false disguises, and fairly hold up to view the only alternative, viz: a tame submission to a tyrannical Ministry, and its consequence, abject slavery; or, a brave, manly and constitutional resistance, as the only likely means of obtaining and enjoying liberty; Therefore the Committee of Observation, for the Township of *Newark*, beg leave to publish the following Queries and Resolves:

Query 1. Whether a Press, which weekly throws out pamphlets and other publick pieces, replete with the most bitter invectives, scandalous and criminal reflections upon that reputable body, the Continental Congress, and their constituents; and all, with a manifest design to blind the eyes of the less judicious; sow the seeds of faction and discord, and thus gratify the perfidious authors by prejudicing the honest, unthinking, against their real interest; whether such a press is not inimical to the country, where it is, and does not forfeit its support?

Query 2. Whether such a Printer, and the authors of such pieces, when known, are not, according to the strict sense of the Grand Congress, those very persons who by them are considered such enemies to their country that every true friend of liberty ought to avoid them.

Query 3. Whether a Printer in *New-York* in the space of three or four years, by the profits of his press, and a moderate per cent. on *Keyser's Pills*, with a few other insignificant perquisites, can from a low ebb of fortune, if not bankruptcy, acquire such independence, that he dare publickly, with an air of supercilious haughtiness, proclaim himself independent of the country, and that he could live without their custom.

Query 4. Whether such a man is not a Ministerial hireling, who is endeavouring to sacrifice his country to his own private interest.

And whereas, it is too evident to this Committee, that the above character is exactly fitted to *J. Rivington:* therefore, *Resolved*,

That this Committee will henceforth take no more of his papers, pamphlets, or any other publick performance of his press; neither will we deal with him in any other way: And we would heartily recommend, that our constituents may take this matter into serious consideration; and as far as it shall carry conviction to them, treat him with a correspondent conduct.

By order of the Committee,

CALEB CAMP, *Chairman.*

EXTRACT OF A LETTER FROM LIEUTENANT GOVERNOUR COLDEN TO THE EARL OF DARTMOUTH, DATED NEW-YORK, DECEMBER 7, 1774.

Notwithstanding the business which at this time agitates *America*, is such, that we continually expect some event of great importance, what has occurred in this Province since my letter to your Lordship of the 2d of *November*, has not been very material.

The first thing done here in consequence of the Resolutions of the Congress, was the dissolution of the Committee of fifty one, in order to choose a new Committee to carry the measures of the Congress into effect; a day was appointed by advertisement, for choosing sixty persons to form this new Committee.

About thirty or forty citizens appeared at the election, and chose the sixty persons who had been previously named by the former Committee. I can no otherwise, my Lord, account for the very small number of people who appeared on this occasion, than by supposing that the measures of the Congress are generally disrelished.

The Non-Importation Association affects the smugglers as well as the fair traders. No Tea is to be imported from any part of the world after the first day of this month.

The smugglers expect large quantities of *Dutch* Tea, and insist that it shall be exempted from the effect of the Association; others declare, that the fair traders shall not be the only sufferers. It is a dispute which I think may very probably defeat the Association. Several vessels are daily expected here with Goods from *England*, and I am told ten or twelve at *Philadelphia*. It is however shocking to reflect, my Lord, that smuggling is such a business among us, as to be publickly espoused by numbers, and more strenuously advocated than the legal trade.

In the present Committee of this place there are several gentlemen of property, and who are esteemed to favour moderate and conciliatory measures. I was surprized to find such men joining with the Committee, whose design is to execute the plan of the Congress. I have at length discovered that they act with a view to protect the city from the ravages of the mob. For this purpose, they say, they are obliged at present to support the measures of the Congress; that if they did not, the most dangerous men among us would take the lead; and, under pretence of executing the dictates of the Congress, would immediately throw the city into the most perilous situation; that however considerable the numbers may be who disapprove of violent riotous measures, yet the spirit of mobbing is so much abroad, it is in the power of a few people at any time to raise a mob; and that the gentlemen and men of property will not turn out to suppress them.

I fear, my Lord, there is too much truth in this representation. It is a dreadful situation; if we are not rescued from it by the wisdom and firmness of Parliament, the Colonies must soon fall into distraction, and every calamity annexed to a total annihilation of Government.

The Assembly of this Province stand prorogued to the tenth day of *January*, and, by the advice of the Council, summonses are issued for them to meet on that day.

Many people think there is a probability that they will go upon conciliatory measures, and propose something that may be countenanced by Administration. The event is uncertain, but on such occasions I think every thing is to be tried that may possibly avert the calamity which hangs over this country. I do not apprehend there is any danger that the Assembly will make matters worse than they are.

Several pieces have been published here exposing the extravagant and dangerous proceedings of Congress, and advising the people to rely on the Assembly, that they will take the most reasonable and constitutional means of restoring peace and harmony between *Great Britain* and this Province.

Digitized by Google

CAROLINE COUNTY, (VIRGINIA) COMMITTEE.

At a Meeting of the Freeholders of the County of *Caroline*, assembled at the Court House, on *Thursday*, the 8th day of *December*, 1774, for the purpose of choosing a Committee to see that the Association is duly kept, agreeable to the Resolutions of the Continental Congress, the following persons were elected: *Edmund Pendleton, James Taylor, Walker Taliaferro, William Nelson, James Upshaw, William Woodford, Anthony Thornton, George Baylor, Thomas Lomax, Richard Johnson, John Tennent, George Taylor, John Minor, Thomas Loury, John Armistead, John Jones, George Guy, Benjamin Hubbard, Samuel Haws*, and *Edmund Pendleton*, Junior, gentlemen.

Edmund Pendleton, Esquire, was unanimously elected Chairman of the Committee, and *Samuel Haws*, Junior, appointed Clerk. SAMUEL HAWS, *Clerk*.

MARYLAND CONVENTION.

At a meeting of the Deputies appointed by the several Counties of the Province of *Maryland*, at the City of *Annapolis*, by adjournment, on the 8th day of *December*, 1774, and continued till the 12th day of the same month, were present eighty-five Members, viz:

For *St. Mary's* County,	4	For *Cecil*,	2
Charles,	3	*Kent*,	2
Calvert,	5	*Queen Anne's*,	4
Prince George's,	8	*Caroline*,	4
Frederick,	8	*Talbot*,	1
Anne Arundel & *Annapolis* City,	10	*Dorchester*,	5
		Somerset,	7
Baltimore County,	8	*Worcester*,	5
Harford,	9		

Mr. JOHN HALL, in the *Chair*, and
Mr. JOHN DUCKETT, *Clerk*.

The Proceedings of the Continental Congress were read, considered, and unanimously approved.

Resolved, That every Member of this Convention will, and every person in the Province ought, strictly and inviolably observe and carry into execution the Association agreed on by the said Continental Congress.

On motion,

Resolved unanimously, That the Thanks of this Convention be given, by the Chairman, to the gentlemen who represented this Province as Deputies in the late Continental Congress, for their faithful discharge of that important trust: And the same was done accordingly.

To increase our flocks of Sheep, and thereby promote the Woollen Manufacture in this Province,

Resolved, That no person ought to kill any Lamb, dropped before the first day of *May*, yearly, or other Sheep, after the first day of *January* next, under four years of age.

To increase the manufacture of Linen and Cotton,

Resolved, That every Planter and Farmer ought to raise as much Flax, Hemp, and Cotton, as he conveniently can; and the cultivation thereof is particularly recommended to such inhabitants of this Province, whose lands are best adapted to that purpose; and *Resolved*, that no Flaxseed, of the growth of the present year, ought to be purchased for exportation, after the 12th day of this month.

It being represented to this Convention that many Merchants and Traders of this Province, from a scarcity of cash to make their remittances, and other causes, had sold their Goods, within twelve month next, before the twentieth day of *October* last, at, and sometimes even below, the prime cost; and that, in many different parts of this Province, Merchants had vended their Goods at a very different advance on the prime cost, and it appearing to this Convention to be unjust to compel such Merchants to sell their Goods at prime cost, and that one general rule, allowing a reasonable profit to the Trader, and preventing him from taking advantage of the scarcity of Goods which may be occasioned by the Non-Importation, would give great satisfaction to the Merchants and People of this Province,

Resolved unanimously, That no Merchant ought to sell his Goods, at wholesale, for more than 112 one-half per cent,—at retail, for cash, for more than 130 per cent,—on credit, for more than 150 per cent,—advance on the prime cost; and that no Merchant or other person, ought to engross any Goods, Wares, or Merchandise whatsoever; and in case any question should arise, respecting the prime cost of Goods, every Merchant or Factor possessing or owning such Goods, ought to ascertain the same on oath if requested to do it by the Committee.

As a further regulation to enforce an observance of the late Continental Association, *Resolved unanimously*, That in all cases where breaches of the Continental Association, or the Resolves of this Convention, shall happen and be declared such by any Committee of a County, no Gentleman of the Law ought to bring or prosecute any suit whatever for such offender; and if any Factor shall commit any breach of the said Association or Resolves, that no Gentleman of the Law ought to bring or prosecute any suit for any debt due to the store of which the said Factor has the management, after notice as aforesaid.

Resolved, That it is earnestly recommended by this Convention to the people of this Province, that the determinations of the several County Committees be observed and acquiesced in; that no persons except members of the Committees undertake to meddle with or determine any question respecting the construction of the Association entered into by the Continental Congress; and that peace and good order be inviolably maintained throughout this Province.

Resolved unanimously, That if the late Acts of Parliament relative to the *Massachusetts Bay*, shall be attempted to be carried into execution by force in that Colony; or if the assumed power of Parliament to tax the Colonies, shall be attempted to be carried into execution by force, in that or any other Colony, that in such case this Province will support such Colony to the utmost of their power.

Resolved unanimously, That a well-regulated Militia, composed of the gentlemen, freeholders, and other freemen, is the natural strength and only stable security of a free Government; and that such Militia will relieve our mother country from any expense in our protection and defence; will obviate the pretence of a necessity for taxing us on that account, and render it unnecessary to keep any Standing Army, (ever dangerous to liberty,) in this Province; and therefore it is recommended to such of the said inhabitants of this Province as are from sixteen to fifty years of age, to form themselves into Companies of sixty-eight men; to choose a Captain, two Lieutenants, an Ensign, four Sergeants, four Corporals, and one Drummer, for each Company, and use their utmost endeavours to make themselves masters of the military exercise; that each man be provided with a good Firelock, and Bayonet fitted thereon, half a pound of Powder, two pounds of Lead, and a Cartouch-Box or Powder-Horn, and Bag for Ball, and be in readiness to act on any emergency.

Resolved unanimously, That it is recommended to the Committee of each County to raise by subscription, or in such other voluntary manner as they may think proper, and will be most agreeable to their respective Counties, such sums of money as, with any moneys already raised, will amount to the following sums in the respective Counties, to wit: In—

St. Mary's County,	£600 0	*Worcester*,	£533 0
Charles,	800 0	*Somerset*,	533 0
Calvert,	366 0	*Dorchester*,	480 0
Prince George's,	833 0	*Caroline*,	358 0
Anne Arundel,	866 0	*Talbot*,	400 0
Frederick,	1,333 0	*Queen Anne's*,	533 0
Baltimore,	933 0	*Kent*,	566 0
Harford,	466 0	*Cecil*,	400 0
			£10,000 0

And that the Committees of the respective Counties lay out the same in the purchase of Arms and Ammunition for the use of such County, to be secured and kept in proper and convenient places, under the direction of the said Committees.

Resolved unanimously, That it will be necessary that a Provincial Meeting of Deputies, chosen by the several Counties of this Province, should be held in the City of *Annapolis*, on *Monday*, the 24th day of *April* next, unless *American* grievances be redressed before that time; and therefore we recommend that the several Counties of this Province choose Deputies as soon as conveniently may be,

Digitized by Google

to attend such meeting; and the Committee of Correspondence for this Province are empowered to call a meeting of the said Deputies before the said 24th day of *April*, if they shall esteem it necessary.

Resolved unanimously, That contributions from the several Counties of this Province, for supplying the necessities and alleviating the distresses of our brethren at *Boston*, ought to be continued in such manner and so long as their occasions may require; and that it is the duty of the Committees of each County to collect and transmit the same as soon as possible.

Resolved unanimously, That the Honourable *Matthew Tilghman* and *John Hall*, *Samuel Chase*, *Thomas Johnson*, Junior, *Charles Carroll*, of *Carrollton*, *Charles Carroll*, Barrister, and *William Paca*, Esquires, or any three or more of them, be a Committee of Correspondence for this Province.

Resolved unanimously, That the Honourable *Matthew Tilghman* and *Thomas Johnson*, Junior, *Robert Goldsborough*, *William Paca*, *Samuel Chase*, *John Hall*, and *Thomas Stone*, Esquires, or any three or more of them, be Delegates to represent this Province in the next Continental Congress; and that they or any three or more of them, have full and ample power to consent and agree to all measures which such Congress shall deem necessary and effectual to obtain a redress of *American* grievances; and this Province bind themselves to execute, to the utmost of their power, all Resolutions which the said Congress may adopt; and further, if the said Congress shall think necessary to adjourn, we do authorize our said Delegates to represent and act for this Province in any one Congress to be held by virtue of such adjournment.

Resolved unanimously, That it is recommended to the several Colonies and Provinces, to enter into such or the like Resolutions, for mutual defence and protection, as are entered into by this Province.

As our opposition to the settled plan of the *British* Administration to enslave *America*, will be strengthened by an union of all ranks of men in this Province, we do most earnestly recommend that all former differences about Religion or Politicks, and all private animosities and quarrels of every kind, from henceforth cease and be forever buried in oblivion; and we entreat, we conjure every man, by his duty to *God*, his country, and his posterity, cordially to unite in defence of our common Rights and Liberties.

Ordered, That copies of these Resolutions be transmitted by the Committee of Correspondence for this Province, to the Committees of Correspondence of the several Colonies, and be also published in the *Maryland Gazette*.

By order, JOHN DUCKETT, *Clerk*.

EXTRACT OF A LETTER FROM SAVANNAH, GA., TO A GENTLEMAN IN PHILADELPHIA, DATED DECEMBER 9, 1774.

Yesterday the inhabitants of *Savannah* met and chose Deputies to meet in Provincial Congress; the Deputies of the several Parishes and Districts of this Province to be chosen before the eighteenth of next month, on which day they meet; and there is not the least doubt they will adopt every measure recommended by the Congress, and firmly enter into the Association. You may be assured they will on that day also elect Deputies to meet the Continental or General Congress, to be held in *Philadelphia* on or about the 10th day of *May* next. The spirit of opposition has subsided, and most of the Protesters against the former Resolves came to the poll and voted for Delegates. Two of our back Parishes which made the most noise, are now come over to us; as the *Carolina* trade was ready to be stopped, it immediately lessoned the value of *Indian* corn one-third.

When you consider our local situation, and the circumstances of having as many place-men and publick officers with their connections, as the largest and most populous Government on the Continent, and those with independent salaries from Government; add to that the *Indian* war with which the Province was threatened, which is now settled, was a strong argument with many why the opposition to Government should not be made by us, as we had just applied home for Troops: that difficulty being removed, there is not the least doubt but *Georgia* will appear among the foremost in support of civil and religious liberty. I have taken the liberty to give you a hint of what you may depend we shall do (you being one of the Committee.) I will take it as a particular favour if you will interest yourself in behalf of the Province, and do all in your power to let the Brig return, not that I am one farthing interested in her any ways, but that the many virtuous among us will be sufferers, and the Province lie under a reproach, which, when experienced, may be a means to frustrate their good intentions.

There is large donations of Rice for the sufferers in *Boston*, and had we the means of sending it to them, with very little trouble much more would be collected and sent. Few have subscribed less than ten tierces of Rice. If no opportunity offers soon directly to *Boston*, it will be sent to your Committee to be disposed of for them.

PRINCE WILLIAM COUNTY (VIRGINIA) COMMITTEE.

In consequence of the eleventh Resolution of the Continental Congress, the Freeholders of the County of *Prince William*, being convened at the house of *William Reno*, on *Monday*, the 9th day of *December*, 1774, proceeded to elect the following gentlemen as a Committee for the said County: *Thomas Blackburn*, *Foushee Tebbs*, *Cuthbert Bullitt*, *Henry Lee*, *William Alexander*, *Jesse Ewell*, *Cuthbert Harrison*, *Thomas Attwell*, *William Grayson*, *Lynaugh Helm*, *Henry Peyton*, *John Hooe*, *William Brent*, *Hugh Brent*, *John M'Millian*, *James Triplett*, *William Carr*, *Andrew Leitch*, *Howson Hove*, *James Ewell*, *John Brett*, *John Peyton*, *James Gwatkin*, *Richard Graham*, and *William Tebbs*.

At a meeting of the Committee held at the house of *Thomas Young*, in the Town of *Dumfries*, on *Wednesday*, the 21st day of the same month, *Foushee Tebbs*, Esquire, in the Chair, Mr. *Evan Williams*, Clerk:

Resolved, That the Thanks of this Committee are due to the Deputies of this Colony, for their wise, firm, and patriotick conduct in the late Continental Congress.

Resolved, That whenever there appears to this Committee cause to suspect that any Merchant or Trader of this County has violated the Association of the Continental Congress, by raising the price of his Goods, that such Merchant or Trader be called upon to show his day-books and invoices, to clear up such suspicion; and that in case of refusal he be deemed guilty of the charge, and subject to the penalties in such case provided.

Resolved, As the opinion of this Committee, that no person or persons whatsoever, in this County, ought to make use of *East India* Tea, until *American* grievances are redressed.

Resolved, That all publick Balls and Entertainments be discountenanced in this County from this time, as contrary to the sentiments of the Continental Congress.

Resolved, That no person in this County ought to purchase for exportation any Flaxseed of the growth of the present year.

Resolved, That no person in this County ought to purchase more Goods in one year than he has been accustomed to do in the same space of time, that the poor, or those who have not a command of cash, may not be distressed by wealthy designing men.

By order, EVAN WILLIAMS, *Clerk*.

THE EARL OF DARTMOUTH TO THE GOVERNOURS OF THE SEVERAL COLONIES.

[Circular.] Whitehall, December 10, 1774.

SIR: Enclosed I send you, by his Majesty's commands, printed copies of his Majesty's most gracious Speech to his Parliament, and of the Address and Answer thereto, which were passed in both Houses by a very great majority.

The declaration which his Majesty has been most graciously pleased to make, of his firm and steadfast resolution to withstand every attempt to weaken or impair the authority of the Supreme Legislature over all his Majesty's Dominions; the resolution of both Houses, to support those great constitutional principles by which his Majesty's conduct hath been governed, and their entire approbation of the steps his Majesty has taken for carrying into execution the Laws passed in the last session, will, I trust, have the

Digitized by Google

effect to remove those false impressions which have been made upon the minds of his Majesty's subjects in *America*, and put an end to those expectations of support in their unwarrantable pretensions, which have been held forth by artful and designing men. I am, sir, your most obedient, &c., DARTMOUTH.

Governour of * * * * * *.

EARL OF DARTMOUTH TO LIEUTENANT GOVERNOUR COLDEN.

Whitehall, December 10, 1774.

SIR: I have received your letters, Nos. 6 and 7, and have laid them before the King, together with the Petition and Affidavit enclosed in the first of them relative to the lawless and violent proceedings of such of the inhabitants of the Township of *Bennington* as claim lands in that Township under grants from *New-Hampshire*.

The circumstances attending those disturbances are very alarming; and if it be true that those parts of the Province are now an asylum for fugitives from every other part of *America*, it is certainly become an object that deserves the fullest attention. I cannot, however, be of opinion that the assistance of the King's Troops ought to be called for until every other effort has been tried and found insufficient. Whenever this matter comes to that issue, it will certainly be the duty of the King's servants to advise his Majesty to strengthen the hands of Government, by an application of the military force; but I do not see at present sufficient ground for the adoption of such a measure; and I am not without hopes, that when the present very alarming situation of the King's affairs in *North America*, from other causes, will leave our hands more at liberty, some means may be found to accommodate these disputes without the risk of bloodshed. I trust it will not be long before we shall find sufficient leisure for such a consideration; and his Majesty's subjects who have claims in that part of the country, under grants from *New-York*, may rest assured that their pretensions will meet with every countenance and support that can be shown, consistent with justice; for I can with truth say, that the conduct of that Province in general, and more especially in the present moment, has been such as justly entitles its well disposed and peaceable inhabitants to his Majesty's particular favour and indulgence; and I have the satisfaction to assure you that their conduct is seen in a very favourable light; and the wishes they have in general, that all violence might be avoided, and the sovereign authority of the Supreme Legislature might be supported, are graciously considered by the King as evidences of their respect and affection for his Majesty, and of the just sense they entertain of the rights of the *British* Empire. I am, sir, your most obedient humble servant, DARTMOUTH.

Lieutenant Governour *Colden*.

Queen's County, Newtown, December 10, 1774.

The election of a Committee of seventeen persons, for the purposes mentioned in the Association entered into by the Continental Congress, and for corresponding with the other Committees of this Province, having this day came on, pursuant to advertisements of the Supervisors of said Town, a great number of the most respectable Freeholders assembled at the Town House, and the following persons were unanimously chosen, viz: *Jacob Blackwell*, *Daniel Rapalje* and *Richard Alsop*, Esquires, Messrs. *Philip Edfall*, *Thomas Lawrance*, *Samuel Moore*, *Jonathan Lawrance*, *William Furman*, *William Howard*, *Daniel Lawrance*, *Jeromes Remsen*, *Samuel Riker*, *John Alburtis*, *Abraham Brinckerhoff*, *Jonathan Coe*, *Samuel Morrell*, and *James Way*.

EXTRACT OF A LETTER FROM LONDON, TO A GENTLEMAN IN NEW-YORK, DATED DECEMBER 10, 1774.

SIR: The ground of contest between *Great Britain* and her Colonies, seems to be changed. You have lately taken in a larger scope of argument, and your leaders sally forth resolved to demolish every instance of Parliamentary jurisdiction. Thus, you now deny what you formerly asserted was a necessary authority in Parliament—*the superintendence and regulation of the trade of the whole British Empire*. Internal Taxes were formerly the only objects of clamours; but now external Impositions are in the same predicament. In short, every species of Legislation exercised by *Great Britain*, is equally liable to objection in point of right; and your warm partisans have only a little too soon exposed those conclusions, which intelligent men long ago perceived to be concealed under their principles. The sum total of those claims is *Independence* on *Great Britain;* for a subordination, without your being subject to the Legislative authority of *England*, is a doctrine rather unintelligible.

As an *American*, I wish my country every blessing of freedom; but I think we can expect more happiness by an union with *England*, and subordination to the Supreme Legislature, than by any fancied schemes of Independent States. The superintendence and mediation of *Great Britain* seems to be necessary to balance and decide the different interests of the several Plantations and Colonies, and to direct, command, and govern the operations and powers of each, for the benefit and defence of all. Protected by her Navy and Armies, we shall rise with fresh vigour and strength, and see her free and well-balanced Constitution gradually communicated to us. In a state of separation, on the contrary, ages may pass and rivers of blood be shed, before any regular form of Government could be adopted and fixed on a firm basis. The history of all Nations confirms these observations, which have dropped from my pen, before I was aware that I had plunged myself headlong into politicks—edge tools which a man who intends to make the free climes of *America* his country, must, I find from your newspapers, be cautious of meddling with. There is something extremely absurd in some men's eternally declaiming on freedom of thought, and the unalienable rights of *Englishmen*, when they will not permit an opponent to open his mouth on the subjects in dispute, without danger of being presented with a coat of tar and feathers.

Had moderate measures been pursued by you; had you first done justice yourselves before you complained of injustice in others; had you petitioned instead of threatened; stated your rights with precision, instead of holding up loose claims founded on I know not what fluctuating ground of *Natural Rights*; had you discussed these matters in your legal Assemblies, instead of leaving them to the decision of a body which the Constitution is ignorant of, and whose decrees cannot be acted on, and may be contradicted with impunity, had a line of conduct like this been pursued, I have reason to assure you that your petitions would have been attended to, and the present disputes terminated by a liberal and firm Constitution, preserving a necessary supremacy to Parliament, and securing you in those liberties which your Charters are totally silent on, or absolutely preclude you from.

What now will be the consequence, I cannot determine. Firmness and temper will be preserved on this side; and acts of severity will be, with the utmost reluctance, forced from the Ministry. They consider your interests as their own, and therefore will be averse from every thing that may injure you. They would gladly forgive, if they could see any marks of contrition in the disobedient. But the dignity of Government will never permit a Parliament, which the most powerful States of *Europe* would dread to insult, to make advances towards a reconciliation with you, while you command it by threats and menaces. Violence commenced with *Boston*, and the first step to a reconciliation, in justice, ought to be a satisfaction to the honour of *Great Britain*, and a redress to the injury done to its Merchants.

EXTRACT OF A LETTER FROM LONDON, TO A GENTLEMAN IN NEW YORK, DATED DECEMBER 10, 1774.

Your Patriots, by contending for too much, will probably lose all. In the warmth of their zeal, and under the delusion which they have been hurried into by the encouragement of their pretended friends in this country, they have unveiled pretensions and designs which must be fatal to them. They have convinced the world, by their *new claims*, that the smallest part of the foundation of Parliamentary jurisdiction cannot be impaired, without demolishing the whole superstructure.

Digitized by Google

The author of the "*Summary*" seems to have laboured to convince the People of *England*, that nothing but *Independence* will satisfy *America*. The "*Pennsylvania Farmer*," by the late instructions, which hold up a claim to an exemption from Acts of Parliament, has ruined the cause, and drawn on himself the just charge of contradicting his own principles.

I perceive by the *American* Papers, that no artifice has been left untried to deceive you by representations of the hostile designs of Government, and heated recommendations of violent measures on your part. These should be set in their true light. They proceed from a faction here, who labour incessantly to distress Administration, in order to succeed to the places of their defeated rivals. With what little success they have laboured, you will gather from the King's Speech and the Answers of both Houses. Never was there a more contemptible opposition.

Had the injury done to the *East India* Company been redressed, and dutiful petitions presented by the several Provincial Assemblies, a pacification would have ensued, and the unhappy disputes here been terminated, in a manner advantageous to both countries. But the dignity of Government will never permit it to make the first advances; especially while the Colonies discover a spirit of defiance and disaffection.

The pretences of a design in Administration to injure the Colonies, is absurd. If *America* suffers, *Great Britain* must suffer with it. A just subordination on the part of the Colonies is necessary for the common happiness. The superintending and mediatorial power of one Supreme Legislature, is necessary to direct the operations of the grand state machine to mutual advantage. Had Administration entertained tyrannical schemes, they certainly would have rather chosen to draw supplies from *America* by Royal requisition, in the disposal of which they would be unaccountable, than by a mode in which it will be appropriated by Parliament.

KING AND QUEEN COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Freeholders of the County of *King* and *Queen*, assembled at the Court House, on *Monday*, the 12th day of *December*, 1774, for the purpose of choosing a Committee to see that the Association is duly kept, agreeable to the Resolutions of the Continental Congress, the following persons were elected, viz: *Thomas Coleman*, *George Lyne*, *Gregory Baylor*, *Richard Tunstall*, Jun., *Robert Hill*, *Gregory Smith*, *Tunstall Banks*, *Anderson Scott*, *William Richards*, *William Todd*, *Henry Todd*, *John Bagby*, *George Brooke*, *Henry Lumpkin*, *Richard Tunstall*, *Benjamin Pendleton*, *John Collier*, *Thomas Row*, *Stephen Field*, *William Lyne*, *Joseph Temple*, *John Lyne*, *Richard Anderson*, and *Matthew Anderson*, gentlemen.

And at a meeting of a majority of the said Committee, on *Monday*, the 9th of *January*, 1775, *Richard Tunstall*, Esquire, was unanimously elected Chairman of the Committee, and, in case of his absence, *George Brooke*, Esq., was appointed to act for the time, and *John Tunstall* appointed *Clerk*.

Ordered, That the Clerk of this Committee transmit to the publick Printer a list of the Committee chosen for the said County, to be advertised in the *Virginia Gazette*.

JOHN TUNSTALL, *Clerk*.

HENRICO COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Committee for *Henrico* County, *Virginia*, on *Monday*, the 12th day of *December*, 1774,

Resolved unanimously, That the Reverend *Miles Selden* be appointed Chairman to this Committee.

Resolved, That upon application of any three members of this Committee to the Chairman, he is authorized to call a general meeting thereof.

Resolved unanimously, That the Resolutions of the General Congress should be resorted to on every occasion, and that they ought to be considered by the Committee as the sole rule of their conduct, respecting their present political engagements.

Resolved, That *Richard Adams*, *Samuel Du Val*, *Richard Randolph*, *Turner Southall*, *Joshua Storrs*, *James Buchanan*, *Isaac Younghusband*, *John Hales*, and *Samuel Price*, or any three of them, be appointed a Corresponding Committee, on behalf of this County, whose business it shall be, upon every occasion when necessary, to inform the respective Committees of the several Counties within this Colony of any breach or violation of the General Association by any person whatsoever.

Resolved unanimously, That, for the more effectual carrying into execution the Association of the General Congress, and obtaining a speedy redress of *American* grievances, we will, as an immediate step thereto, enter into a subscription for the encouragement of all kinds of husbandry and manufactures within this Country.

By order of the Committee,

JOHN BECKLEY, *Clerk*.

DANBURY (CONNECTICUT) TOWN MEETING.

At a legal Meeting of the Inhabitants of the Town of *Danbury*, in *Connecticut*, *December* 12, 1774,

Captain THOMAS STEVENS, *Moderator:*

The Town took into consideration the present alarming situation of the *American* Colonies, from several late unconstitutional and oppressive Acts of the *British* Parliament, and feeling deeply impressed with a sense of our common danger, we should have earlier manifested our sense of the natural and constitutional rights we are, or ought to be possessed of, and of the wanton infringements made upon them by the oppressive plan of policy now prosecuting by the *British* Ministry, were it not that we thought there was the greatest propriety in waiting till they were stated by a General Congress; lest, by every Town's attempting particularly to state them, there might be a disagreement in their claims, which might occasion disunion among ourselves, and give cause of triumph to our enemies. But our rights, and the infringements of them, having been particularly stated by the late *American* Congress in their Resolutions or Bill of Rights, which, from the best knowledge and information we are able to obtain, we apprehend to be accurately and judiciously done: We do therefore,

1. Declare our full concurrence with said Resolutions, as truly stating the rights and privileges we mean to defend; and the oppressive infringements we mean to oppose to the extent of those abilities which *God* and nature has furnished us with.

2 We do heartily approve of the Association containing a Non-Importation, Non-Exportation, and Non-Consumption Agreement, entered into by the General Congress, as the most salutary, wise, and probable measure for obtaining redress of the grievances we labour under, and will use our utmost endeavours to render the same effectual, by a full compliance therewith ourselves, and by treating with deserved neglect any one who shall dare, in opposition to the voice of *America*, by counteracting this Agreement, to seek his own emolument, to the endangering the liberties of his country. And that such as break through this Agreement, and refuse to be reclaimed by gentler means, may be held up to publick view as objects to be shunned and avoided by every friend to liberty and lover of his country, we have appointed the following gentlemen a Committee for the purpose specified in the eleventh Article of said Association, viz: Doctor *John Wood*, *Thaddeus Benedict*, and *Daniel Taylor*, Esquires, Lieutenant *Noble Benedict*, Colonel *Joseph Platt Cook*, Captain *Silas Hamilton*, *Samuel Taylor*, Esq., Messrs. *Andrew Comstock*, *James Siely*, *Daniel Benedict*, and *Richard Shute*, Captain *Thomas Stevens*, and Mr. *Joseph Bebee*.

3. We think it expedient there should be a meeting of Deputies from the several Towns in the County of *Fairfield*, to choose a County Committee, agreeable to the advice of the Congress, and to agree upon measures to be taken with any Town in the County (if any such there should be) who should refuse to concur with the Association agreed upon by the General Congress; and we desire the Committee of the County Town to notify the several Towns in the County of the time and place for said meeting.

4. It is with singular pleasure we notice the second Article of the Association, in which it is agreed to import no more Negro Slaves, as we cannot but think it a palpable absurdity so loudly to complain of attempts to en-

Digitized by Google

slave us, while we are actually enslaving others; and that we have great reason to apprehend the enslaving the *Africans* is one of the crying sins of our land, for which Heaven is now chastising us. We notice, also, with pleasure, the late Act of our General Assembly, imposing a fine of one hundred Pounds on any one who shall import a Negro Slave into this Colony. We could also wish that something further might be done for the relief of such as are now in a state of slavery in the Colonies, and such as may hereafter be born of parents in that unhappy condition.

5. As we look upon the Town of *Boston* to be suffering in the common cause of *American* liberty, we would manifest our hearty sympathy with them, in their present calamitous state, and readiness to administer to the relief of their suffering poor, according to our abilities; and do accordingly recommend to the several inhabitants of this Town to contribute liberally of money or provisions. For this purpose we have appointed Captain *Daniel Starr*, Messrs. *John M'Lean*, *Zadock Benedict*, and *Andrew Comstock*, a Committee to receive such donations, and transmit the same to the Committee appointed to receive them in the Town of *Boston*. Our being so late in contributing to their relief hath not arisen from our having been unconcerned spectators of their distressed situation; but hearing of the laudable zeal of others we were ready to conclude there was a sufficient present supply, and that our donations would be more needed and more acceptable in some future time.

Voted by a large majority,

MAJOR TAYLOR, *Town Clerk*.

EXTRACT OF A LETTER FROM A GENTLEMAN IN BOSTON TO HIS FRIEND IN NEW-YORK, DATED DECEMBER 12, 1774.

Two ships of the line, viz: the *Asia* and *Boyne*, are arrived here, and the *Somerset* is now firing guns in the Offing.

The day before yesterday it was moved in Provincial Congress that Arms be immediately taken up against the King's Troops; but one of the Members got up and told them such a move was infamous, when, at the same time, the Members knew that neither *Connecticut* nor any of the Southern Colonies meant to oppose his Majesty's Arms; on which account the Congress immediately dissolved, and a new one is to be chosen, to meet the tenth of next month.

At *Plymouth* they are now beating up for Volunteers to attack the Troops; the parties sent for a Parson to pray for them, who refused to comply; but he was obliged to attend on being sent for a second time, on penalty of being shot.

EXTRACT OF A LETTER FROM CAPTAIN WALLACE TO VICE ADMIRAL GRAVES, DATED ON BOARD HIS MAJESTY'S SHIP, ROSE, AT NEW-PORT, RHODE-ISLAND, DECEMBER 12, 1774.

Yesterday I arrived in this Port, with his Majesty's ship under my command, from *New-London*, on a cruise, of which I had the honour to acquaint you the 8th instant. Since my absence from this place I find the inhabitants (they say here of *Providence*) have seized upon the King's Cannon that was upon *Fort Island*, consisting of six 24-pounders, eighteen 18-pounders, fourteen 6-pounders, and six 4-pounders, (the latter they say formerly belonged to a Province Sloop they had here,) and conveyed them to *Providence*. A procedure so extraordinary caused me to wait upon the Governour to inquire of him, for your information, why such a step had been taken? He very frankly told me they had done it to prevent their falling into the hands of the King, or any of his servants, and that they meant to make use of them to defend themselves against any power that shall offer to molest them. I then mentioned, if, in the course of carrying on the King's service here, I should ask assistance, whether I might expect any from him, or any others in the Government? He answered, as to himself he had no power, and in respect to any other part of the Government, I should meet with nothing but opposition and difficulty. So much from Governour *Wanton*. Then I endeavoured to get the best information, of what they were at, from other quarters, and enclosed I send it to you; among some of their votes you will find they intend to procure Powder and Ball, and Military Stores of all kinds, whenever they can get them.

SIR JAMES WRIGHT, BART, TO THE EARL OF DARTMOUTH.

Savannah, in Georgia, December 13, 1774.

MY LORD: I think it my duty to acquaint your Lordship that since the *Carolina* Deputies have returned from the Continental Congress, as they call it, every means possible have been used to raise a flame again in this Province. Those people, it is said, solemnly undertook that this Province should accede to the Resolves of that Congress, and we have been in hot water ever since; and I suppose the Sons of Liberty here, stimulated by the *Carolinians*, will take upon them to pass Resolves in the name of the whole Province. I shall endeavour as much as possible to prevent it, but the sanction given to rebellion by the Resolves and Proceedings of that Congress has greatly encouraged the spirit of political enthusiasm which many were possessed of before, and raised it to such a height of phrenzy, that *God* knows what the consequences may be, or what man, or whose property may escape their resentment. The only consolation I have, my Lord, is, that things cannot continue long in this state, and must come to a point soon; indeed, I hope some determination is come to already, or will before the Parliament rises for the holidays. I have, &c., J. WRIGHT.

ARTHUR LEE TO RICHARD H. LEE.

London, December 13, 1774.

MY DEAR BROTHER: The proceedings at the Congress are yet unknown to us, but our last accounts from you signify that the Non-Export will not take place till the present crop is shipped. It is unfortunate that you did not adopt that measure immediately upon the receipt of the late Acts, because the operation of it would have been felt by this time, and would, in all probability, have enforced the repeal of them this session. But now, by that dangerous delay, the present Parliament will be involved like the old one, and the plea of wounded dignity will still impede a retraction. The Merchants too, being in possession of one year's crop, will be enabled to pay the tradesmen, &c., and subsist themselves under a suspension of trade for at least a year, so as to prevent any clamour, and give the Ministry that time to try what fraud and force can do to divest you of your liberties. Thus, by an ill-judged tenderness, towards men who have neither the feelings of humanity or justice for us, but on the contrary would joyfully minister to our oppression, we have strengthened the hands of our enemies, and subjected ourselves to additional hazards and hardships. However, instead of idly lamenting over what is irretrievable, let us consider what should be our conduct in the present situation. If the people flatter themselves that the threat will be sufficient, and that they will not be put to the trial, under that dangerous deception they will again plant Tobacco, and be equally unprepared to stand the contest. The utmost attention should therefore be employed to convince them that it is serious, that nothing but a hearty struggle will preserve their civil and religious liberties. In order to be prepared, they should double their quantity of Corn and Grain, not that they can export it, but that they may enjoy the blessing of plenty to mitigate other hardships, and keep the country in good humour; they should plant great quantities of Cotton, and desist immediately from the use of Mutton and Lamb, which will furnish them against next winter with Wool and Cotton enough to clothe the whole Colony. With provisions cheap and plenty, and warm clothing, you may surely bid defiance to this country. Every thing that will yield Spirit, as Persimmons, Grapes, &c., should be gathered and distilled; Rye and Barley should be cultivated for that purpose. My reason for this is that it will be the plan to cut of all communication between the Colonies, from whence the usual supply of Spirits being prevented, the common Planters, to whom they are absolutely necessary, may be induced to murmur if not resist those measures of opposition, which our *Scotch* friends will take care to whisper them are the cause of their distress. As a great

Digitized by Google

deal depends upon the hearty concurrence of the body of the people, provision should be made against every thing that may obstruct it. The Ministerial language now is, not for force; however, I would not trust them, but prepare against that too by arming and exercising the Militia.

The plan at present is to pass two Acts, one for taking the fishery from *New England*, and encouraging the *Canadians*, the other to make all Associations, touching trade, treasonable. Additional supplies will be granted, and it will be left to the King and his Ministry to add military force, which I verily believe they will do. You have the whole of their plan before you, and I hope you will not remit of the utmost activity to defeat it. The not planting any Tobacco will be a decisive measure to convince them here that you are in earnest. Such conviction will be of great use. You may depend upon it that the Merchants here will never move in your behalf till you alarm their fears so much, or touch their interests so strongly, as to make the cause their own. My anxiety about the publick absorbs every idea of private concerns. Colonel *Phil.* remits me nothing, and the additional expenses of my being called to the bar in *April* next, will distress me extremely. My love to Mrs. *Lee* and every body else. Adieu, ARTHUR LEE.

To *Richard H. Lee.*

EXTRACT OF A LETTER TO A GENTLEMAN IN NEW-YORK, DATED NEWPORT, RHODE-ISLAND, DECEMBER 14, 1774.

The people here have, I think, openly declared themselves against Government, and in such a manner as surely must be pronounced rebellion. Is it possible that a people without Arms, Ammunition, Money, or Navy, should dare to brave a Nation dreaded and respected by all the Powers on earth? What black ingratitude to the parent state, who has nourished, protected, and supported them in their infancy. What can these things indicate but a civil war? Horrid reflection! and such as freezes the blood of every humane heart.

There has been a most extraordinary movement here a few days ago. The publick authority of the Colony have dismantled the King's Fort, and moved all the Cannon and Stores to *Providence*, in order, as it is said, to assist the *Bostonians* against the King's Troops.

Underneath is a list of the Cannon:

Six 24-pounders, eighteen 18-pounders, given by the late King to the Fort; fourteen 6-pounders, six 4-pounders, belonging to the Colony.

God send us better times. Yours, &c.

GOVERNOUR WENTWORTH TO GOVERNOUR GAGE.

Portsmouth, New-Hampshire, December 14, 1774.

SIR: I have the honour to receive your Excellency's letter of the 9th instant, with the letter from the Secretary of State, which were both delivered to me on *Monday* evening last by Mr. *Whiting*.

It is with the utmost concern I am called upon by my duty to the King, to communicate to your Excellency a most unhappy affair perpetrated here this day.

Yesterday in the afternoon, *Paul Revere* arrived in this Town, express from a Committee in *Boston* to another Committee in this Town, and delivered his despatch to Mr. *Samuel Cutts*, a Merchant of this Town, who immediately convened the Committee, of which he is one, and as I learn, laid it before them. This day, about noon, before any suspicions could be had of their intentions, about four hundred men were collected together, and immediately proceeded to his Majesty's Castle, *William* and *Mary*, at the entrance of this Harbour, and forcibly took possession thereof, notwithstanding the best defence that could be made by Captain *Cochran*, (whose conduct has been extremely laudable, as your Excellency will see by the enclosed letter from him,) and by violence, carried off upwards of one hundred barrels of Powder, belonging to the King, deposited in the Castle. I am informed that expresses have been circulated through the neighbouring Towns, to collect a number of people to-morrow, or as soon as possible, to carry away all the Cannon and Arms belonging to the Castle, which they will undoubtedly effect, unless some assistance should arrive from *Boston* in time to prevent it. This event too plainly proves the imbecility of this Government to carry into execution his Majesty's Order in Council, for seizing and detaining Arms and Ammunition imported into this Province, without some strong Ships-of-War in this Harbour: neither is this Province or Custom House Treasury in any degree safe, if it should come into the mind of the popular leaders to seize upon them.

The principal persons who took lead in this enormity are well known. Upon the best information I can obtain, this mischief originates from the publishing the Secretary of State's letter, and the King's Order in Council, at *Rhode-Island*, prohibiting the exportation of Military Stores from *Great Britain*, and the proceedings in that Colony in consequence of it, which have been published here by the forementioned Mr. *Revere*, and the despatch brought, before which all was perfectly quiet and peaceable here.

I am, &c., J. WENTWORTH.

To the Honourable Governour *Gage*.

CAPTAIN COCHRAN, COMMANDER OF FORT WILLIAM AND MARY, IN NEW-HAMPSHIRE, TO GOVERNOUR WENTWORTH, DATED DECEMBER 14, 1774.

MAY IT PLEASE YOUR EXCELLENCY: I received your Excellency's favour of yesterday, and in obedience thereto kept a strict watch all night, and added two men to my usual number, being all I could get. Nothing material occurred till this day, one o'clock, when I was informed there was a number of people coming to take possession of the Fort, upon which, having only five effective men with me, I prepared to make the best defence I could, and pointed some Guns to those places where I expected they would enter. About three o'clock the Fort was besieged on all sides by upwards of four hundred men. I told them on their peril not to enter; they replied they would; I immediately ordered three four-pounders to be fired on them, and then the small arms, and before we could be ready to fire again, we were stormed on all quarters, and they immediately secured both me and my men, and kept us prisoners about one hour and a half, during which time they broke open the Powder House, and took all the Powder away except one barrel, and having put it into boats and sent it off, they released me from my confinement. To which can only add, that I did all in my power to defend the Fort, but all my efforts could not avail against so great a number. I am your Excellency's, &c.

JOHN COCHRAN.

EXTRACT OF A LETTER FROM GOVERNOUR WENTWORTH TO GOVERNOUR GAGE, DATED PORTSMOUTH, NEW-HAMPSHIRE, DECEMBER 16, 1774.

On *Wednesday* last, after twelve o'clock, an insurrection suddenly took place in this Town, and immediately proceeded to his Majesty's Castle, attacked, overpowered, wounded and confined the Captain, and thence took away all the King's Powder. Yesterday numbers more assembled, and last night brought off many Cannons, &c., and about sixty Muskets. This day the Town is full of armed men, who refuse to disperse, but appear determined to complete the dismantling the Fortress entirely. Hitherto the people abstain from private or personal injuries; how long they will be so prevailed on, it is impossible to say. I must sincerely lament the present distractions, which seem to have burst forth by means of a letter from *William Cooper*, to *Samuel Cutts*, delivered here on *Tuesday* last, P. M., by *Paul Revere*. I have not time to add further on this melancholy subject.

P. S. The populace threaten to abuse Colonel *Fenton*, because he has to them declared the folly of their conduct, and that he will do his duty as a Justice in executing the laws. They will never prevail on him to retract, if all the men in the Province attack him. If I had two hundred such men, the Castle and all therein would yet have been safe. At this moment the heavy Cannon are not carried off, but how soon they may be, I cannot say.

EXTRACTS OF LETTERS TO GENTLEMEN IN NEW-YORK.

Portsmouth, New-Hampshire, December 16, 1774.

We have been in confusion here for two days, on account of an express from *Boston*, informing that two

Digitized by Google

Regiments were coming to take possession of our Fort; by beat of drum, two hundred men immediately assembled, and went to the Castle, in two Gondolas, who on their way were joined by one hundred and fifty more, and demanded the surrender of the Fort, which Captain *Cochran* refused; and fired three Guns, but no lives were lost; upon which they immediately scaled the walls, disarmed the Captain and his men, took possession of ninety-seven barrels of Powder, put it on board the Gondolas, brought it up to Town, and went off with it some distance in the country. Yesterday the Town was full of men from the country, who marched in in form; chose a Committee to wait on the Governour, who assured them he knew of no such design as sending Troops, Ships, &c. This morning I hear there is a thousand or fifteen hundred men on their march to Town. The Governour and Council sat yesterday on the affair, and are now meeting again. The men who came down, are those of the best property and note in the Province.

Portsmouth, N. H., December 17, 1774.

On *Wednesday* last a drum and a fife paraded the streets of *Portsmouth*, accompanied by several Committee-men and the Sons of Liberty, publickly avowing their intention of taking possession of Fort *William* and *Mary*, which was garrisoned by six invalids. After a great number of people had collected together, they embarked on board scows, boats &c., entered the Fort, seized the Gunpowder, fired off the Guns, and carried the Powder up to *Exeter*, a Town fifteen miles distant. The quantity was about two hundred to two hundred and twenty barrels; the day after, while the Governour and Council were assembled in the Council Chamber, between two and three hundred persons came from *Durham*, and the adjoining Towns, headed by Major *Sullivan*, one of the Delegates of the Congress, they drew up before the Council Chamber, and demanded an answer to the following question: Whether there were any Ships or Troops expected here, or if the Governour had wrote for any? They were answered that his Excellency knew of no forces coming hither, and that none had been sent for; upon which they retired to the Taverns, and about ten or eleven o'clock at night, a large party repaired to the Fort, and it is said they carried away all the small arms. This morning about sixty horsemen accoutred, came into Town, and gave out that seven hundred more were on their march to *Portsmouth*, from *Exeter*, *Greenland*, *New-Market*, &c., and would be in that Town by eleven o'clock; their intentions, it is suspected, is to dismantle the Fort, and throw the Cannon, consisting of a fine train of 42-pounders, into the sea.

To the Right Honourable JOHN, *Earl of* DUNMORE, *his Majesty's Lieutenant and Governour-General of the Colony and Dominion of* VIRGINIA, *and Vice Admiral of the same:*

MY LORD: We, his Majesty's dutiful and loyal subjects, the Council of *Virginia*, with the most heartfelt joy and unfeigned pleasure, beg leave to offer our congratulations to your Lordship on your safe return, after the fatigues and dangers of a troublesome expedition.

Your Lordship's vigorous opposition to the incursions and ravages of an *Indian* enemy, hath effectually prevented the desolation of a growing back country, and the horrours of human carnage. The scene of war was remote from us; our properties and estates were not immediately exposed to the miseries consequent thereon; but though not equally interested, we sensibly participate in the blessings that are derived to our fellow-subjects in that quarter of the Colony, from the prospect of a permanent peace. The lenity you exercised towards the *Indians*, when they expected the cruelty of the victor, hath attached them to you from principle; and unless the intrigues of Traders, or the insidious arts of the enemies to this Government, should again foment differences, we flatter ourselves the present tranquillity will not speedily be interrupted. You have taught them a lesson which the savage breast was a stranger to—that clemency and mercy are not incompatible with power; and that havock and bloodshed are not the inseparable concomitants of success and victory.

Permit us, my Lord, to express our lively satisfaction at the addition to your family, by the birth of a daughter, and to assure you it is greatly heightened by the promising hopes that your Lady's recovery will be unattended with danger. We should be wanting in respect to her Ladyship, to omit any opportunity of testifying our esteem for her; an esteem that her exemplary piety and true dignity of conduct will ever command.

To which his Excellency was pleased to return the following Answer:

GENTLEMEN: I am in the most sensible manner obliged to you for this Address. The motives which induced me to exert my efforts to relieve the back country from the calamity under which it lately laboured, would have been disappointed of one of their principal ends, if it had not met your approbation; and this very honourable testimony which you are now pleased to give me of it, conveys the highest gratification to me.

The cordiality of your expressions on the occasion of the addition to my family, and the distinguishing mark of the notice which you so kindly take of Lady *Dunmore*, attach me to you by the strongest ties of gratitude and the warmest affection.

NORTHAMPTON (VIRGINIA) COMMITTEE.

On *Tuesday*, the 13th of *December*, 1774, the Freeholders of *Northampton* met at the Court House, and chose the following gentlemen a Committee to see the Association faithfully executed and observed, as directed by the late Continental Congress: *John Bowdoin*, the Reverend *Samuel Smith M'Croskey*, *John Harmanson*, *Griffin Stith*, *Nathaniel L. Savage*, *Michael Christian*, *Thomas Dalby*, *Henry Guy*, the Reverend *Isaac Avery*, *John Wilkins*, *John Kendall*, *John Respess*, *Patrick Harmanson*, *William Roland*, *Littleton Savage*, *George Savage*, *John Burton*, *Jerobabel Downing*, *William Harmanson*, *Adiel Milby*, *Thomas Fisher*, *John Blair*, *William Simpkins*, and *John Stratton*.

Previous to the business of the day the two following Letters were read: the first from this County, to the Committee of Donations at *Boston*, with a donation of Corn; the second in answer thereto, from the said Committee.

Then it was *Resolved*, That the Association should be considered as the sole rule of the Committee's conduct on every emergency; and that every measure which should be adopted for the due observance thereof, should be conformable to the rules thereby prescribed.

Afterwards, the Committee having chosen *John Bowdoin*, Chairman, adjourned till *Saturday* following, when the business is to be resumed; and measures more fully adopted for the strictest observance of the Association:

Northampton, Virginia, August 30, 1774.

GENTLEMEN: The people of this County, compassionating the distressed poor in your Town, have shipped you one thousand bushels of *Indian* Corn, to be distributed by you among such families as you shall think most in want of it. The Corn is now sent by the bearer, Captain *Nathaniel Brown*, whose bill of lading for the same you will receive enclosed, the freight of which will be paid him here, upon his producing your receipt for the Corn. The people in this place most sincerely sympathize with their brethren in *Boston*, in their present distress, and will at all times cheerfully join in every measure proposed for their relief. Such considerable collections are making in this Colony, that we hope the poor will not suffer for want of provisions; and we rely on the firmness of your people, in adhering to the glorious cause in which they are engaged, till it may please Providence to restore them to the possession of their just rights, and establish the liberties of all *America* on the most permanent foundation.

We are, most sincerely, gentlemen, your affectionate brethren and countrymen,

The People of NORTHAMPTON.

To the Committee of Donations at *Boston*.

Boston, September 30, 1774.

GENTLEMEN: The Committee appointed to receive and distribute the Donations of our brethren in this and the neighbouring Colonies, received your favours on the 30th

Digitized by Google

of *August*, by Captain *Nathaniel Brown*, with about one thousand bushels of *Indian* Corn, as a present from our worthy brethren in *Northampton*, *Virginia*, to the poor of this Town, suffering by the cruel blockade of our Harbour.

This Committee, in behalf of the Town, return their most sincere thanks to the gentlemen in *Northampton*, who have so generously contributed to this timely Donation. Every fresh supply from our friends encourages all ranks of people firmly to support the cause for which we are struggling; and had not a spirit of patriotism, generosity, and goodness, appeared in a most extraordinary manner throughout the *American* Colonies, this Town, it is to be feared, must have fallen a sacrifice to arbitrary power, and submitted to the most humiliating concessions. But we have the pleasure to inform you, that the patriots and defenders of *American* Rights in this place, are as firm and zealous as ever, though surrounded on every hand by Soldiers and military preparations; the Harbour filled with ships of war; the chief Fortress, Castle *William*, out of our hands; Soldiers encamped in sundry places; the *Neck*, the only entrance into the Town, doubly fortified by advance Batteries, and a Regiment encamped on both sides of the road, to prevent the aid of our neighbours, who, upon a late alarm, showed the utmost readiness to encounter every danger for our relief and defence. We are daily alarmed with hostile appearances. It is now said they intend to erect five Batteries, and to picket the Town at the Westerly side, to prevent the landing of our friends from the country; but we are determined to bear all, rather than in the least instance to acknowledge the right of Parliament to mutilate our Charter or form of Government, and tax us at their pleasure. We observe in your letter, that considerable collections are making in your Colony for our poor; in confidence of this our Labourers and Mechanicks have universally declined assisting the Army in carrying on their works, though tempted with large rewards; not that they desire to be maintained in idleness, for they are ready for any employment the Committee can find them. For particulars in this respect, we refer you to the Committee's publication last week.

Conscious that our cause is just, we trust in the Supreme Ruler of the Universe, that he will in due time restore us to the possession of all our rights, and establish the liberties of all *America* on solid and lasting foundations.

We are, with the greatest esteem, gentlemen, your friends and fellow-countrymen,

DAVID JEFFRIES,
Per order of the Committee of Donations.

To Messrs. *John Harmanson*, *Littleton Savage*, and *John Kendall*.

P. S. You have doubtless heard that all our Powder in the *Charlestown* Magazine, about three hundred barrels, have been seized and removed, and the Magazine in this Town, belonging to the Province, taken possession of by the Soldiery, and all private Powder prohibited; all Cannon and Shot they can lay hold on secured; but, we trust, the neighbouring Colonies have a full supply, in case of need, which *God* forbid.

—

Northampton, December 17, 1774.

This day the Committee met, and appointed Mr. *John Bowdoin* President.

Resolved, That the County be divided into seven Districts, and that three or more members of the Committee be appointed to present the Association to the inhabitants of each District, and carefully observe the conduct of all persons therein touching the Association, and make report thereof to this Committee.

Resolved, That no publick censure be passed upon any person in this County accused of a breach of the Association, or any matter or thing done with a view to defeat or contravene the same, unless at least thirteen members of this Committee consent to such publick censure, in manner as directed by the General Congress.

—

Northampton, January 11, 1775.

The Committee having, at a former meeting, recommended it to the inhabitants of this County to deliver their Tea to Colonel *Littleton Savage*, to be by him kept at the risk of the proprietors, until the General Association shall be dissolved, this day Colonel *Savage* reported to the Committee that he had received four hundred and sixteen pounds of Tea, to be stored agreeable to direction of the Committee. Some gentlemen also brought their Tea to the Court House, and desired it might be publickly burnt, in which reasonable request they were instantly gratified.

The Committee being very desirous to comply with the eighth Article of the General Association, in promoting and encouraging Arts and Manufactures, do hereby offer a premium of forty Pounds sterling, to be paid by the Chairman of the Committee, to the maker of Wool Cards who shall first settle in this Colony, and who shall, in any time within eighteen months from this date, make in this Colony, or cause to be therein made under his direction, one thousand pair of good Wool Cards, such as usually cost fifteen Pence, sterling, a pair in *Great Britain;* which the Committee oblige themselves to purchase and pay ready money for, at the rate of two Shillings, sterling, a pair; and it is expected that the person entitled to such premium shall furnish them at that price,—the quality and price that such Wool Cards usually cost in *Great Britain;* to be submitted to Merchants who have been accustomed to import them from thence.

The Committee also offer a premium of forty Pounds, sterling, to be paid by the Chairman of the Committee, to the first person who shall settle in this Colony, to carry on the making of Gunpowder, and who shall, in eighteen months from this date, make or cause to be made, from materials originally collected in any part of the Continent of *North America*, five thousand pounds weight of good merchantable Gunpowder.

The Committee are afraid the premiums now offered are too inconsiderable to induce any person to attempt the above branches of business; but they flatter themselves some other Counties may join them in encouraging such useful Arts; in which case it is hoped the Committees of such Counties will correspond with this Committee upon the subject, that the whole premium offered may appear at once in the papers abroad, in which it is proposed to have it published. By order of the Committee,

JOHN BOWDOIN, *Chairman.*

—

EXTRACT OF A LETTER FROM THE HONOURABLE GOVERNOUR GAGE TO THE EARL OF DARTMOUTH, DATED BOSTON, DECEMBER 15, 1774.

The *Scarborough* arrived with your Lordship's Despatch of the 17th of *October*, No. 11, on the 3d instant, and Admiral *Graves* has consented to land all the supernumerary Marines, which, by report, may amount to above four hundred men, as soon as all arrive; and quarters are prepared, that Major *Pitcairne*, who commands those Marines, may have a better opportunity to form and discipline them than if they remained on board their ships, where they are crowded.

Your Lordship's idea of disarming certain Provinces, would doubtless be consistent with prudence and safety; but it neither is or has been practicable, without having recourse to force, and being master of the country.

Nothing has been untried, that could tend to hurt and terrify the Mandamus Counsellors to resign, who have withstood all threats against their persons and properties; but they are still obliged to take shelter with the Troops; and I have judged what your Lordship remarks, that in such a state the taking any step by their advice, would add no weight to the authority of Government, but rather be an argument for disobedience; for that reason, I have avoided the assembling of them in Council as much as possible. I am to acknowledge the receipt of the Royal Mandamus, for the admission of the gentlemen therein nominated into the Council. All the former Counsellors stand firm, and deserve the greatest encouragement.

I will not pretend to foresee to what degree they mean to extend the claims of this country. The Congress has sent their conditions, on which they will condescend at present to keep up any commercial connection with the mother country; but I judged from the movements of the people here, that they had designs to carry matters further without delaying them, and to pursue measures which other Provinces would not adopt. I have taken notice in former letters of expresses going frequently from this Provincial

Digitized by Google

Congress to *Philadelphia;* of the Committees forbidding people to work for the Troops, or to supply them with materials and necessaries for their quarters; committing insults, and destroying bricks and straw coming from the country. All these proceedings appeared to be carried on systematically, and to have some concealed design, which could be no other than to oblige the Troops to force their quarters upon the inhabitants, or show their resentment in some shape, that might afford a pretence to cry out against military oppression, to alarm the Continent, and obtain assistance from the Congress; and as there was a suspicion of their project, precautions were taken to defeat it.

I have no doubt that the aim of the hot leaders here has been to have a body of Troops in pay, and under their direction, and to persuade the other Colonies to contribute towards the expense; but not succeeding in that attempt, that they have next tried in this Provincial Congress to usurp the Government entirely, as the surest means to procure both money and Troops by their own authority. This is pretty apparent from some of their Resolves, as well as from what has fallen from some of the Members of the Congress; but they have not yet been able to bring the majority into their schemes; and I don't find that their new Treasurer has had any money paid into his hands.

I transmit your Lordship the publications of this Congress, since my last, and you will see that it is now dissolved, and that another is to be chosen in *February*, when the Chiefs will probably try to get members more inclined to serve their ends. Their violence terrified many of their party, who have given assistance to preserve peace and quiet, by which people have had time to cool and hearken more to reason; but I don't infer that they are more inclined to receive the new Laws, or that a little matter would not raise them again. But people who have been maltreated for their attachment to Government, have recovered themselves during the calm, and in several places have associated for their mutual defence. I have been given to hope great good effects from these associations, which I have taken pains to promote, though I confess that I expect the associators will be composed only of former protesters and addressers, who have stood forth for a time, but overwhelmed by superiour numbers, have been forced to recant.

Moderation has been proscribed from this country, and their correspondents appear to have advised them against conciliatory measures, but to fly to extremities.

I enclose your Lordship a printed extract of a letter, the contents of which was spread abroad before the publication, and is said publickly to have been written by a gentleman remarkable for his correspondence with this country. More of the same tenor have been written, particularly one in *September*, it is said, by the same person, to the late Speaker, wherein, I am told, he extols their wisdom in procuring a General Congress, and disappointing the views of Administration to divide the Colonies, and recommends union and the most vigorous proceedings, as the surest means to overcome the mother country.

From the difficulty to procure materials, which few would venture to supply, although the Barrack-master General exerted himself remarkably, there was no possibility to get all the Troops in quarters so soon as we wished; and the Regiments from *Quebec* were obliged to stay in the transports till about ten days ago, when the whole was under cover.

The *Asia* and the *Boyne* are arrived, the first two days after the *Scarborough*, and we are waiting impatiently for news of the *Somerset*.

P. S. Since finishing my letter, I have received some votes that the Assembly of *Rhode-Island* has passed, of which I enclose a copy, together with a copy of an Act passed by the said Assembly, published in the *Newport Mercury*. It is said that they certainly mean here to try to usurp the Government at the next meeting of this Congress; and, it is added, to resume their first Charter.

CAROLINE COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Committee for *Caroline* County, *December* 16, 1774, *James Taylor, James Upshaw, William Woodford, John Tennant, Thomas Lomax, Benjamin Hubbard*, and *Edmund Pendleton*, Junior, gentlemen, or any three of them, were appointed a Committee to inspect the books of the Merchants at *Port Royal* and *Conway's* Warehouse, to see that they have respectively dealt with their customers upon the same terms as they had done for a year preceding the Association, and to make report of their proceedings to this Committee.

Walker Taliaferro, Anthony Thornton, John Armistead, John Jones, and *Samuel Haws*, gentlemen, or any three of them, were appointed a Committee to inspect the books of *Patrick Kennon*, Merchant, for the same purpose; and *William Nelson, George Baylor, Richard Johnston, John Miner*, and *George Guy*, gentlemen, or any three of them, were appointed a Committee to inspect the books of *Samuel Hargrove*, Merchant, for the same purpose.

Afterwards, at a meeting of the County Committee, *December* 26, from the Reports of the several Sub-Committees, it appeared "that *Edward Dixon, James Bowie*, "Junior, and *Samuel Hargrove*, Merchants, had shown "their books to the Committee, who were satisfied that "they had, in their dealings, conformed to the Associa-"tion; but that *James Miller, Andrew Leckie, James* "*Dunlop, William Dixon, John Wallace*, and *Patrick* "*Kennon*, Merchants, had refused to suffer their books to "be viewed, even their day-books, with which the Sub-"Committee would have been satisfied." And all the said last mentioned Merchants, except Mr. *Kennon*, having notice of this meeting, and not appearing to offer or send any excuse or reasons for their refusal, the same is ordered to be published; and as, from such conduct, a suspicion arises that they have transgressed the Association, in selling Goods at a higher price than they had been accustomed to do for a year next preceding, it is recommended to the people of this County, as they would avoid being considered as enemies to *American* Liberty, not to have any dealings with those Merchants, until they shall give the satisfaction required.

Ordered, That Mr. *Kennon* have notice to appear before this Committee, on the second *Friday* in *January*, to answer his refusal. SAMUEL HAWS, *Clerk*.

YORK COUNTY (PENNSYLVANIA) COMMITTEE.

Agreeable to notice given to the Freeholders and Inhabitants of *York* County, entitled to vote for Members of Assembly, a respectable number of them met at the Court House, in *York, December* 16, 1774:

James Dickson, Philip Rothrock, John Hay, Michael Hahn, and *Richard Bott*, were appointed Judges of the Election.

Whereupon, the Electors proceeded to vote by ballot, and the following persons were duly chosen as a Committee for that County: *James Ewing, Michael Swope, James Smith, Thomas Hartley, Henry Slegle, Joseph Donaldson, George Eichelberger, George Irwin, John Hay, Archibald M'Clean, David Grier, David Kennedy, Thomas Fisher, John Kean, John Houston, George Kientz, Simon Coppenheffer, Joseph Jefferies, Robert M'Corley, Michael Hahn, Baltzer Spengler, Daniel Mefferly, Nicholas Bittenger, Michael Smyser, Thomas Weems, Henry Miller, Leonard Hutton, Benjamin Davis, Jacob Dahtel, Frederick Fischel, James Dickson, William M'Clellan*, of *Cumberland* Township, *William Cathcart, Patrick Scott, Michael Dautel, Michael Bard, Casper Reinecker, Henry Liebhard, John Maxwell, George Oge, John O. Blenes, William M'Clellan*, of *Warrenton* Township, *Philip Albright, James Dill, Henry Banta*, Senior, *William Kilmery, William Chesnee, Francis Holton, Peter Reel*, and *Andrew Finley;* any ten of whom, with their President or Vice President, (if their attendance can be had,) to do business, except in such case in which other regulations may be made.

This Committee is chosen in such a manner, that there is at least one of that body in each Township of the County, so that the inhabitants of the several Districts will have the earliest intelligence of any material transactions, or may be assembled upon important business on the shortest notice.

On the day following the election, the Committee met at the same place, when they elected *James Smith*, President, *Thomas Hartley*, Vice President, *John Hay*, Treasurer, and *George Lewis Lefler*, Clerk of the Committee.

Digitized by Google

They formed Rules to direct them in the course of their proceedings, entered into measures for the raising a Fund to defray the expense of communicating intelligence, and gave instructions for the forwarding the subscriptions for the poor at *Boston*. They then adjourned to *Thursday*, the 29th day of *December*, instant, at the Court House, in *York*.

Extract from the proceedings of the said Election and Committee.

GEO. LEWIS LEFLER, *Clerk of the Com.*

CHARLES CITY COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Freeholders of the County of *Charles City*, held at the Court House of the said County, on *Saturday, December* 17, 1774, for the purpose of choosing a Committee to see that the Association entered into by the General Congress, for preserving the liberties of *America*, be duly put in execution within this County:

Resolved, That the said Committee do consist of the following persons, viz: *Benjamin Harrison, Wm. Acrill, Francis Eppes, William Edloe*, the Reverend *James Ogilvie, William Green Munford, William Rickman, Thomas Holt, Philip Parr Edmondson, Benjamin Harrison*, Jun., *William Gregory, Samuel Harwood, David Minge, John Edloe, George Minge, John Tyler, Freeman Walker, Francis Dancy, William Christian, James Bray Johnson, Peter Royster, Henry Southall, Benjamin Dancy, James Eppes, John Brown, Stith Hardyman, Wm. Edloe*, Jun., *Henry Armistead, William Royall*, and *Edward Stubblefield;* and that they, or the majority of them, do meet from time to time, and act and do what to them shall seem proper for the purposes aforesaid.

Resolved unanimously, That *Benjamin Harrison*, Esq., be chosen Chairman of the said Committee, and in case of sickness or absence, that the next gentleman upon the foregoing list, who shall be present, shall be Chairman for the time.

Resolved unanimously, That *Patrick Murdock* be chosen Clerk of the said Committee.

Resolved, That when any gentleman of the Committee shall be informed, or have reason to suspect, that any thing has been done in this County contrary to the Association, he shall forthwith summon three at least of his brethren most convenient to the place, who, together with himself, shall examine into the matter and make immediate report to the Chairman, in order that the same, if it appears to be well founded, may be laid before the Committee.

Extract from the Minutes,

PATRICK MURDOCK, *Clerk.*

PROVIDENCE (RHODE-ISLAND) COMMITTEE.

At a Town Meeting held at *Providence, Rhode-Island*, on the 17th day of *December*, A. D. 1774, by adjournment and warrant,

NICHOLAS BROWN, Esquire, *Moderator:*

Voted, That the following persons, to wit: *Wm. Earle, Nicholas Cooke*, Esquire, *Benjamin Man, Zephaniah Andrews, Arthur Turner*, Junior, *Ambrose Page, Nicholas Power, George Corlis, Paul Allen, David Lawrence, Joseph Russell, Job Sweeting, Jos. Bucklin, Jonathan Arnold, Barnard Eddy, Aaron Mason, Joseph Brown, Nathaniel Wheaton*, together with the present Committee of Correspondence of this Town, be and are hereby appointed a Committee of Inspection to see that the Association entered into by the General Continental Congress be strictly adhered to by all persons within this Town, agreeable to the eleventh Article of said Association; and that any seven of them make a quorum, who are to meet monthly, to wit: on the third *Wednesday* of every month, at the Council Chamber, at five of the clock, P. M.; and that the Town Sergeant duly attend said Committee; and that all the Proceedings of said Committee be lodged on file in the Town Clerk's Office.

EXTRACT OF A LETTER RECEIVED IN LONDON, FROM AN OFFICER AT BOSTON, DATED DECEMBER 17, 1774.

About three weeks ago we received accounts of the dissolution of Parliament. The *Americans* allege that this was a trick of the Ministry, to hinder the people from getting a free and uninfluenced House of Commons. Since the *Scarborough* arrived, it is known that the Ministry are determined to pursue rigorous measures. The *Americans*, in most of the Colonies, have redoubled their diligence, and are preparing for war with the greatest alacrity. In this Province they have established what they call Minute-Men; that is, a body of men ready to turn out and take the field at a minute's warning. Notwithstanding the hard duty the Troops undergo, they are in good spirits, and well affected to the cause of *Great Britain*. The desertions looked very serious at first; but they are now stopped, and we have lost only about one hundred and ten men. It is believed, from certain circumstances, that General *Gage* means to strike some stroke of importance soon, which the *Americans* are little aware of.

ARTHUR ST. CLAIR TO GOVERNOUR PENN.

Hanna's Town, December 18, 1774.

SIR: Being this far on my way to *Pittsburgh*, I found this morning a Constable from *Virginia* here, who had made two men prisoners, by virtue of a warrant from Major *Smallman*. The offence they had been guilty of, it seems, was assisting the Constable in executing a judicial warrant. Mr. *Hanna* had committed the Constable, which I could not help approving of; but as there is some danger of his being rescued by force, I have advised the sending him to *Bedford*, or at least that the Sheriff should remove him to some other place privately.

The Court, it is said, will certainly be held at *Pittsburgh* on the 20th. I am personally threatened, but I promised Mr. *Scott* to be there at that time, to give him some countenance at least, if I cannot give him assistance at his trial. I had the honour to give you an account of his arrest a short time ago.

Your Honour will judge from these circumstances, what a shocking situation we are in; to add to the distress of which the Militia are plundering the people in the neighbourhood of *Pittsburgh*, of the very substance for their families.

I met with this opportunity of writing accidentally, and would not let it slip, as I thought it of consequence that you should be early acquainted with what is passing.

I have the honour to be, sir, your Honour's most obedient and most humble servant,

AR. ST. CLAIR.

EXTRACT OF A LETTER FROM LIEUTENANT GOVERNOUR BULL TO THE EARL OF DARTMOUTH, DATED CHARLESTOWN, DECEMBER 19, 1774.

Nothing new has occurred in this Province, relative to the *American* discontents; nor do I expect any before the meeting in next *January*, of the Deputies from the several Parishes, for the choosing Delegates to assist at the General Congress at *Philadelphia*, in *May* next, when something may, perhaps, be produced, either from some bold dissentient or daring demagogue, with which I shall not fail to acquaint your Lordship, if any thing is of consequence enough to deserve your Lordship's notice.

PHILADELPHIA COMMITTEE.

Committee Chamber, December 19, 1774.

An Association of the Butchers of this City, &c., was delivered in at the Chair, and read.

Ordered, That the same be printed, as an instance of the spirited determination of all orders among us to do their utmost towards carrying into execution the Resolves of the Continental Congress.

Philadelphia, December 5, 1774.

We whose names are underwritten, Butchers in the City and Suburbs of *Philadelphia*, being fully convinced that every thing we hold dear depends on the faithful execution of the Resolves of the Congress; and being desirous of supporting them as far as lies in our power, and of contributing our utmost endeavours in the present important struggle; and being glad of having an opportunity to show our zeal and attachment to the liberties of our country, we hope on this and every other occasion, when our greatest temporal blessings are in danger of being torn from us, to be able, in order to preserve them, cheerfully to sacrifice

Digitized by Google

every inferiour consideration of private interest or convenience. The recommendation of the Committee appearing to us the best method of carrying into execution the Resolves of the Congress for improving the breed of Sheep, and increasing their number, we do solemnly agree and pledge ourselves to the publick, that we will not hereafter purchase any Ewe Mutton or Lamb, until the first day of *May* next; nor any Ewe Lamb from the said first day of *May* until the first day of *October* following; nor will we after the first day of *January*, kill any Ewe Mutton or Lamb, on any account or pretence whatever, until the first day of *May* following; nor any Ewe Lamb whatever, from the said first day of *May* until the first of *October* following; and will at any time in future, during our struggle for our rights and liberties, be ready to comply with such further regulations as the Committee may think necessary for the preservation of the stock of Sheep, as witness our hands. *Signed by Sixty-six.*

Extract from the Minutes of the Committee for the City and Liberties of *Philadelphia.*

JONATHAN SMITH, } *Secretaries.*
JOHN BENEZET, }

FAIRFAX COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Committee for *Fairfax* County, *Va.*, in the Town of *Alexandria*, on *Monday*, the 19th day of *December*, 1774, Messrs. *Fitzgerald* and *Peers* informed the Committee that the Ship *Hope*, *Thomas Ash*, master, had arrived in this Colony since the first instant, from *Belfast*, with sundry packages of *Irish* Linen, amounting as per invoice and bills of parcels produced, with freight, commission, and insurance, to eleven hundred and one Pounds, four Shillings and eight Pence, sterling, their property, and requesting that the same should be sold, agreeable to the tenth Article in the Continental Association.

Ordered, That the said Goods be sold by the package to the highest bidder, for ready sterling money, on *Saturday* next, at three o'clock in the afternoon, under the direction of *John Carlyle*, *William Ramsay*, *George Gilpin*, *John Dalton*, and *William Hartshorne*, or any three of them; that they, or any three of them, reimburse and pay to the said Messrs. *Fitzgerald* and *Peers*, out of the sale thereof, the first cost and charges as aforesaid; and if any profit shall arise from such sale, that they retain the same in their hands, for relieving and employing such of the poor inhabitants of the Town of *Boston*, as are sufferers by the *Boston* Port Bill, subject to the direction of the Committee for the said County of *Fairfax*.

ROBERT H. HARRISON, *Clerk.*

GLOUCESTER COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Committee of Observation for the County of *Gloucester*, *Virginia*, on the 19th day of *December*, 1774, *Samuel Harrison*, *Robert Friend Price*, *John Hinchman*, *John Cooper*, *Joseph Ellis*, *Isaac Mickle*, *John Sparks*, *Joseph Cooper*, *Joseph Low*, *Peter Cheeseman*, Doctor *Benjamin Vanlier*, *Joseph Hugg*, and *Marmaduke Cooper*, were unanimously chosen as a Committee of Correspondence for said County, who have appointed *Robert Friend Price*, *John Hinchman*, *John Cooper*, *John Sparks*, *Joseph Ellis*, and *Joseph Hugg*, as a Committee to meet the Committees of the other Counties, at such time and place as shall be hereafter agreed on; and that three or more of said Committee shall attend for choosing Delegates to serve in the Continental Congress, at *Philadelphia*, on the 10th day of *May* next. By order of the Committee, JOSEPH HUGG, *Clerk.*

Elizabethtown, New-Jersey, December 19, 1774.

The Committee of Observation for the free Borough and Town of *Elizabeth*, taking into consideration that *James Rivington*, Printer of one of the *New-York* Gazettes, having published many pieces in his paper, and divers pamphlets, inimical to the liberties of *America*; by which we have reason to suspect that he is a vile Ministerial hireling, employed to disunite the Colonies, and calumniate all their measures entered into for the publick good; in order therefore, to discountenance the attempts of every person unfriendly to *American* liberty,

Resolved unanimously, By this Committee, that they will take no more of said *Rivington's Gazettes*, nor send any advertisements to be inserted therein, or have any further dealings or commerce with him: And that we will recommend it to our constituents to observe the same conduct towards said *Rivington*, or any other Printer who shall publish or print any pieces or pamphlets tending to break the happy union now subsisting throughout the *American* Colonies. By order of the Committee,

JONATHAN HAMPTON, *Chairman.*

EXTRACT OF A LETTER FROM LONDON, TO A GENTLEMAN OF NEW-YORK, DATED DECEMBER 20, 1774.

The persons whose names I sent you, were certainly on the list of those who were supposed to be men of influence among you, and that have been, or were intended to be tempted by bribes, places, and pensions, or emoluments of some kind or other, either at present or in expectancy, to betray your interests and side with the Ministry in establishing an arbitrary Government in *America*. I have good reason to believe, that all those men I mentioned to you, and more whom I intend to mention in my next, have been or will be applied to, either immediately, or by the agency of others. It will give me great pleasure to hear that the virtue of your countrymen is proof against the temptations contrived to destroy it. If the Ministry succeed in establishing the right of taxation, they will at their pleasure multiply places of profit, to be raised out of your properties, to support their dependents, in being your task-masters, and riveting upon you the chains of slavery. I earnestly warn you to be extremely watchful of the men among yourselves, who may have power to do you mischief. These are the men that will be tempted to betray you. Contractors and Agents for military stores, provisions, and several other articles which the Ministry have in contemplation, will be powerfully tempted, by very lucrative employments, to promote their designs; but hold fast you integrity, and all will be well.

Your conduct has gained your immortal honour. The wisdom, moderation, and firmness of your Continental Congress, are the admiration of the greatest and best men in *England*, and in all the world; and the terrour of the Ministry and all their emissaries and adherents: the earthquake at *Lisbon* did not occasion more confusion than this has among them. You have only to persevere, and you will preserve your own liberties and *England's* too.

CHESTER COUNTY (PENNSYLVANIA) COMMITTEE.

In pursuance of publick notice given, a very respectable number of Inhabitants of the County of *Chester*, met at the Court House, in the Borough of *Chester*, on the 20th of *December* 1774, and chose the following Committee to carry into execution the Association of the late Continental Congress, viz: *Anthony Wayne*, *Francis Johnston*, *Richard Riley*, *Evan Evans*, and *James Moore*, Esquires, *Hugh Lloyd*, *Thomas Hockley*, *David Cowpland*, *John Hart*, *Sketchley Morton*, *Samuel Fairlamb*, *Isaac Eyre*, *John Crosby*, *Nicholas Deal*, *Jesse Bonsall*, *Aaron Oakford*, *Benjamin Brannon*, *John Talbot*, *Joseph Brown*, *Samuel Prince*, *John Crawford*, *John Taylor*, *Lewis Gronow*, *Edward Humphreys*, *Henry Lawrance*, *Richard Thomas*, *William Montgomery*, *Persefor Frazer*, *Thomas Taylor*, *John Foulke*, *Robert Mendenhall*, *Joseph Pennel*, *George Pierce*, *Nicholas Fairlamb*, *Samuel Timbell*, *Charles Dilworth*, *John Hannum*. *George Hoops*, *Joel Bealy*, *John Gilleland*, *Joseph Bishop*, Junior, *John Keilin*, *Edward Jones*, *William Lewis*, *Patrick Anderson*, *Joshua Evans*, *Thomas Evans*, *John Hartman*, Doctor *Bramon Van Leer*, *William Evans*, *Joseph Cowan*, *Thomas Haslep*, *Paterson Bell*, Doctor *Jonathan Morris*, *Andrew Mitchell*, *Thomas Buffington*, *James Bennett*, *Joseph Musgrave*, *William Miller*, *Richard Floer*, *Walter Finney*, *James Simpson*, *David Whaney*, *James Evans*, *Thomas Bishop*, *William Edwards*, *Jonathan Vernon*, Junior, *Lewis Davis*, Senior, *Joseph Gibbons*, Junior, and *Thomas Evans*.

Which Committee are to be and continue from this time until one month after the rising of the next Continental Congress, with full power to transact such business, and enter into such associations, as to them shall appear expedient.

Digitized by Google

After the above Committee was chosen, they proceeded to appoint a Chairman and Secretary, when *Anthony Wayne*, Esq., was elected Chairman, and *Francis Johnston*, Esq., Secretary; the following Resolves were passed unanimously:

1st. That any twelve or more of the said Committee, meeting upon due notice, be empowered to enter into and transact all such business as shall come under their consideration, provided that the majority agreeing shall not be less than twelve.

2d. That the present unhappy situation of publick affairs in general, and of this Province in particular, render it highly necessary a Provincial Congress should be held as soon as possible, for which purpose twelve persons shall be appointed out of the said Committee, as Delegates to attend the said Convention, at such time and place as shall be generally agreed on.

The Committee then adjourned till *Monday*, the 9th of *January*, 1775, to meet at the house of *David Cowpland*, in the Borough of *Chester*, at ten o'clock A. M., at which time and place it is expected that each member will give due attendance. By order of the Committee.

FRANCIS JOHNSTON, *Secretary*.

Salem, December 20, 1774.

Our brethren of *New-Hampshire* and *Rhode-Island*, have signalized themselves in a manner that does them the greatest honour. And it is with pleasure we can add, that the Colony of *Connecticut* merits our highest regards for their present assiduity and vigilance in disciplining their Militia, which consists of near thirty Regiments. Indeed the whole UNITED COLONIES are extremely active and zealous in the common cause, all nobly exerting themselves for carrying into execution the measures agreed upon by the late Continental Congress—excepting a few disappointed factious Tories, some of whom are employed, most infamously employed, in vilifying the most virtuous and amiable characters in *America*, and particularly in traducing the worthy Members of the late Continental Congress.

FROM A GENTLEMAN IN BOSTON, TO MR. RIVINGTON, IN NEW-YORK.

Boston, December 20, 1774.

As nothing can have a greater tendency to promote and encourage a general obedience to the laws of any state, than a strict and regular observation of them by the Legislators themselves, so it is natural to suppose that no method would prove more effectual to put in practice the Proceedings of the Continental Congress, than an examplary adherance to them by the gentlemen who composed that august body, and from whom those Resolutions, &c., originated. How far their examples will promote this end, and how strictly and conscientiously some of their Members abide by their own Resolutions, will appear evident from the following Resolves, passed in Congress, which may serve as a text, or a motto, to the narrative that follows it:

"*In Congress*, OCTOBER 11*th*, 1774.—As the Congress "have given General *Gage* an assurance of the peaceable "disposition of the people of *Boston*, &c., *Resolved* "*unanimously*, That they be advised still to conduct "themselves peaceably towards his Excellency General "*Gage*, and his Majesty's Troops now in *Boston*, as far "as can possibly be consistent with their immediate safety "and the security of the Town, avoiding and discountenancing every violation of his Majesty's property, or any "insult to his Troops; and that they peaceably and firmly "persevere in the line they are now conducting themselves, on the defensive."

On *Monday*, the 12th instant, our worthy citizen, Mr. *Paul Revere*, was sent express from only two or three of the Committee of Correspondence at *Boston*, as I am credibly informed, (of whom no number under seven are empowered to act,) to a like Committee at *Portsmouth*, *New-Hampshire*, informing them, as 'tis said, "That orders had been sent to the Governours of these Provinces, to deliver up their several Fortifications or Castles, "to General *Gage*, and that a number of Troops had, the "preceding day, embarked on board the transports, with "a design to proceed and take possession of said Castles; "that in consequence thereof the House of Assembly of "*Rhode-Island* had caused their Fort to be dismantled "and the Guns, Ammunition, &c., to be removed to *Providence*."

Upon receiving this intelligence, the Committee at *Portsmouth* was called together, to advise what was to be done in so alarming a crisis; but not having a full meeting, nor able to determine upon any measures proper to be taken, they concluded to defer the matter, till the next day, when a fuller meeting of said Committee was expected, but two or three warm zealous members, having the good of their country more at heart than the others, and thinking any further deliberations on so important an affair unnecessary, gave out their orders early the next morning for the drums to be beat to raise Volunteers to go and take the King's Fort. With difficulty a number of men were persuaded to convene, who proceeded to the Fort, which is situated at *New-Castle*, an Island about two miles from the Town, and being there joined by a number of the inhabitants of said *New-Castle*, amounted to near four hundred men; they invested the Fort, and being refused admittance by the Commander of it, who had only five men with him, and who discharged several guns at them, scaled the walls, and soon overpowered and pinioned the Commander; they then struck the King's colours, with three cheers, broke open the Powder House, and carried off one hundred and three barrels of Powder, leaving only one behind.

Previous to this expresses had been sent out to alarm the country; accordingly a large body of men marched the next day from *Durham*, headed by two Generals;—Major *Sullivan*, one of the worthy Delegates, who represented that Province in the Continental Congress, and the Parson of the Parish, who having been long accustomed to apply himself more to the cure of the bodies than the souls of his parishioners, had forgotten that the weapons of his warfare ought to be spiritual, and not carnal, and therefore marched down to supply himself with the latter, from the King's Fort, and assisted in robbing him of his warlike stores. After being drawn up on the parade, they chose a Committee, consisting of those persons who had been most active in the riot of the preceding day, with Major *Sullivan* and some others, to wait on the Governour, and know of him whether any of the King's Ships or Troops were expected. The Governour, after expressing to them his great concern for the consequences of taking the Powder from the Fort, of which they pretended to disapprove and to be ignorant of, assured them that he knew of neither Troops or Ships coming into the Province, and ordered the Major, as a Magistrate, to go and disperse the people. When the Committee returned to the body, and reported what the Governour had told them, they voted that it was satisfactory, and that they would return home. But, by the eloquent harangue of their *Demosthenes*, they were first prevailed upon to vote that they took part with, and approved of, the measures of those who had taken the Powder. Matters appeared then to subside, and it was thought every man had peaceably returned to his own home, instead of this Major *Sullivan*, with about seventy of his clients, concealed themselves till the evening, and then went to the Fort, and brought off in Gondolas all the small arms, with fifteen 4-pounders, and one 9-pounder, and a quantity of twelve and four and twenty pound shot, which they conveyed to *Durham*, &c. The day following, being *Friday*, another body of men from *Exeter*, headed by Colonel *Folsom*, the other Delegate to the Continental Congress, marched into *Portsmouth*, and paraded about the Town, and having passed several votes expressive of their approbation of the measures that had been pursued by the bodies the two preceding days, in robbing the Fort of the Guns, Powder, &c., retired home in the evening without further mischief.

Thus, by this false alarm, was a great part of that Province, which though staunch in the cause of liberty, before in a state of peace and good order, kept for three days in the greatest confusion, and the good people of it persuaded, by a few flaming demagogues, to commit a most outrageous overt act of treason and rebellion.

No history, I believe will furnish us with an instance of a King's Fort being taken and his colours struck by his own subjects in a time of peace, and without any cause or

Digitized by Google

provocation. Is such conduct as this in the Delegates of that Province consistent with their professed loyalty to the King, or their own solemn resolutions in Congress? Can it be expected that the inhabitants of these Colonies will be prevailed upon to abide by the Resolves of that body, when its own Members are the first to break through and violate them? How cautious ought Committees of Correspondence, as well as others, to be in raising and propagating such false reports, at a time when the people are so extremely credulous, and their minds so apt to be alarmed, and take fire upon the most trivial matters. Some of the Committee at *Boston*, appear by their conduct to have no other aim than to endeavour to bring the other Towns and Provinces into the same state with that of *Boston* and the *Massachusetts*, and seem desirous of having their distresses alleviated by obliging other Towns to partake with them.

HALIFAX COUNTY (NORTH CAROLINA) COMMITTEE.

At a Meeting of the Committee for the said County on the 21st of *December*, 1774, Present: *Wm. Jones*, Chairman, *Nicholas Long*, *John Bradford*, *James Hagun*, *Benjamin M'Culloch*, *Joseph John Williams*, *William Alston*, *Egbert Haywood*, *David Summer*, *Samuel Welden*, and *Thomas Haynes*.

It being represented to the Committee that Mr. *Andrew Miller*, Merchant in *Halifax* Town, has refused to sign the Association,

Ordered, That Mr. *Egbert Haywood* and Mr. *Thomas Haynes*, wait on him, and desire his attendance before this Committee.

Upon which he attended accordingly, refused to sign, and gave the following reasons, to wit:

"For that I am largely indebted, and have effects in "my hands belonging to persons residing in *Great Bri*-"*tain*, which debts and effects I cannot remit, for, by next "*September*, after which I should be bound by this Asso-"ciation not to export any merchandise or commodity "whatever to that country, without certain laws are re-"pealed, which I think would be unjust, as it may be out "of the power of my creditors or friends to procure the "repeal of any law, however willing they may be to exert "their interest for that purpose; and as I think it unjust "to withhold from any person (even in a country at war "with this) the property which might belong to him in my "hands, I must therefore object to signing that part of the "Association respecting a Non-Exportation to *Britain*, "and shall continue to do so while I have any property in "my hands belonging to people of that country."

Since, therefore, there is nothing peculiar or satisfactory in his reasons, but that, on the contrary, they indicate an intention to export (if he can) after the first day of *September* next,

Resolved unanimously, To shew our disapprobation of his conduct, and to encourage such Merchants who have signed the Association, that we will not, from this day, purchase any Goods, Wares, or Merchandises of any kind whatever, from said *Andrew Miller*, or any person acting for, or in partnership with him; and that we will have no commerce or dealings with him, after paying our just debts and fulfilling the contracts already entered into for commodities of this year's produce; and we also recommend it to the people of this County in particular, and to all who wish well to their country, to adopt the same measure.

Signed by order of the Committee,

A. DAVIS, *Clerk*.

Prince George's County, Maryland, December 21, 1774.

At a Meeting of the Committee for said County, at *Upper Marlborough*, to consider of a method to raise the sum of eight hundred and thirty-three Pounds, according to the Resolution entered into at *Annapolis*, by the Provincial Congress, it was agreed to raise the said sum by subscription in classes; the first class not less than five Pounds, the second class three Pounds, the third class two Pounds, the fourth class one Pound, the fifth class from ten Shillings to two Shillings and six Pence; and a very liberal subscription was immediately made by the Committee and others present. Copies of the plan are making out for the same purpose through the country, and no doubt is made of the whole sum being very readily raised.

A general meeting of the County is earnestly requested on important affairs, (that could not be entered on at this meeting,) at *Upper Marlborough*, on *Monday*, the sixteenth day of *January*, if the weather proves favourable, if otherwise, on the next fair day.

It appears to this Committee that ten Companies may be enrolled in this county, viz: At *Upper Marlborough*, and its neighbourhood, one Company; at *Queen Anne*, and its neighbourhood, two Companies; at *Bladensburg*, and its neighbourhood, two Companies; at *Broad Creek*, and its neighbourhood, one Company; at *Piscataway*, and its neighbourhood, two Companies; at *Magruder's Landing*, and its neighbourhood, one Company; at *Nottingham*, and its neighbourhood, one Company.

The Committee for *Upper Marlborough* intend to meet at that place on *Monday*, the ninth day of *January* next, if fair, if otherwise, the next fair day, and it is recommended to all the inhabitants to meet at their respective Towns, or convenient places on the same day, to form themselves into Companies, and choose their Officers according to the Resolutions entered into at *Annapolis*, on the eighth of this instant. By order,

HUGH LYON, *Clerk*.

ORANGE COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Freeholders of the County of *Orange*, *Virginia*, on *Thursday*, the 22d day of *December*, 1774,

The following gentlemen were elected a Committee for the said County, viz: *James Madison*, *James Taylor*, *Wm. Bell*, *Thos. Barbour*, *Zachariah Burnley*, *Rowland Thomas*, *William Moore*, *John Scott*, *James Walker*, *William Pannill*, *Francis Moore*, *James Madison*, Jun., *Lawrence Taliaferro*, *Thomas Bell*, and *Vivian Daniel*.

And at a meeting of the said Committee at the Court House, on *Monday*, the 2d day of *January*, 1775, *James Madison*, Esquire, was elected Chairman, and *Francis Taylor*, Clerk of the said Committee.

Published by order of the Committee,

FRANCIS TAYLOR, *Clerk*.

PHILADELPHIA COMMITTEE.

Committee Chamber, December 22, 1774.

Ordered, That the Committee of Correspondence do transmit to the Committees of the several Counties in this Province a copy of the Resolves passed this evening, with a letter; and the letter being prepared and read, was approved, and is as follows, viz:

To the Committee of Inspection for the County of *****.

Philadelphia, December 22, 1774.

GENTLEMEN: By order of the Committee of the City and Liberties of *Philadelphia*, we have the pleasure to transmit you the following Resolves, passed this day with great unanimity, viz:

"*Resolved*, That this Committee think it absolutely "necessary that the Committees of the Counties of this "Province, or such Deputies as they may appoint for this "purpose, be requested to meet together in Provincial "Convention as soon as convenient.

"That it be recommended to the County Committees "to meet in said Convention on *Monday*, the 23d day of "*January* next, in the City of *Philadelphia*."

From a view of the present situation of publick affairs, the Committee have been induced to propose this Convention, that the sense of the Province may be obtained, and that the measures to be taken thereupon may be the result of the united wisdom of the Colony.

The obvious necessity of giving an immediate consideration to many matters of the greatest importance to the general welfare, will, we hope, sufficiently apologize to you for naming so early a day as the 23d day of *January*. We are, gentlemen, respectfully, your very humble servants,

The Committee of Correspondence.

From the Minutes of the Committee of the City and Liberties of *Philadelphia*,

J. B. SMITH, *Secretary*.

Digitized by Google

Boston, December 22, 1774.

TO THE PRINTERS OF THE BOSTON NEWSPAPERS.

As Messrs. *Edes* and *Gill*, in their paper of *Monday*, the 12th instant, were pleased to acquaint the publick, "that the Association sent by Brigadier *Ruggles*, &c., to "the Town of *Hardwick*, &c., together with his son's "certificate thereof, and the Resolves of the Provincial "Congress thereon, must be referred till their next," I was so credulous as to expect then to have seen their next paper adorned with the form of an Association, which would have done honour to it, and, if attended to and complied with by the good people of the Province, might have put it in the power of any one very easily to have distinguished such loyal subjects to the King, as dare to assert their rights to freedom, in all respects consistent with the laws of the land, from such rebellious ones, under the pretext of being friends to liberty, are frequently committing the most enormous outrages upon the persons and properties of such of his Majesty's peaceable subjects, who, for want of knowing who to call upon (in these distracted times) for assistance, fall into the hands of a banditti, whose cruelties surpass those of savages; but finding my mistake, now take the liberty to send copies to your several offices to be published in your next papers, that so the publick may be made more acquainted therewith than at present, and be induced to associate for the above purposes; and as many of the people, for some time past, have been arming themselves, it may not be amiss to inform them that their numbers will not appear so large in the field as was imagined, before it was known that independency was the object in contemplation; since which many have associated in different parts of the Province to preserve their freedom and support Government; and as it may become necessary in a very short time to give convincing proofs of our attachment to Government, we shall be much wanting to ourselves if we longer trample upon that patience which has already endured to long-suffering, and may, if this opportunity be neglected, have a tendency to ripen many for destruction who have not been guilty of an overt act of rebellion, which would be an event diametrically opposite to the humane and benevolent intention of him whose abused patience cannot endure for ever, and who hath already, by his prudent conduct, evinced the most tender regard for a deluded people.

TIM. RUGGLES.

THE ASSOCIATION.

We, the subscribers, being fully sensible of the blessings of good Government, on the one hand, and convinced, on the other hand, of the evils and calamities attending on tyranny in all shapes, whether exercised by one or many, and having of late seen, with great grief and concern, the distressing efforts of a dissolution of all Government, whereby our lives, liberties, and properties are rendered precarious, and no longer under the protection of the law; and apprehending it to be our indispensable duty to use all lawful means in our power for the defence of our persons and property against all riotous and lawless violence, and to recover and secure the advantages which we are entitled to from the good and wholesome laws of the Government, do hereby associate and mutually covenant and engage to and with each other as follows, namely:

1st. That we will, upon all occasions, with our lives and fortunes, stand by and assist each other in the defence of his life, liberty, and property, whenever the same shall be attacked or endangered by any bodies of men, riotously assembled, upon any pretence, or under any authority not warranted by the laws of the land.

2d. That we will, upon all occasions, mutually support each other in the free exercise and enjoyment of our undoubted right to liberty, in eating, drinking, buying, selling, communing, and acting what, with whom, and as we please, consistent with the laws of *God* and the King.

3d. That we will not acknowledge or submit to the pretended authority of any Congress, Committees of Correspondence, or any other unconstitutional assemblies of men; but will, at the risk of our lives, if need be, oppose the forcible exercise of all such authority.

4thly. That we will, to the utmost of our power, promote, encourage, and when called to it, enforce obedience to the rightful authority of our most gracious Sovereign, King *George* the Third, and of his laws.

5thly. That when the person or property of any of us shall be invaded or threatened by any Committees, mobs, or unlawful assemblies, the others of us will, upon notice received, forthwith repair, properly armed, to the person on whom, or the place where such invasion or threatening shall be, and will, to the utmost of our power, defend such person and his property, and, if need be, will oppose and repel force with force.

6thly. That if any one of us shall unjustly and unlawfully be injured, in his person or property, by any such assemblies as before mentioned, the others of us will unitedly demand, and, if in our power, compel the offenders, if known, to make full reparation and satisfaction for such injury; and if all our means of security fail, we will have recourse to the natural law of retaliation.

In witness of all which we hereto subscribe our names this ***** day of *****.

ARTHUR LEE TO R. H. LEE.

London, December 22, 1774.

MY DEAR BROTHER: The proceedings of the Congress meet with universal approbation here, and have operated like an electrick shock upon the Ministry and their dependants. They begin to reprobate their own measures, and each to exonerate himself from the charge of having advised them. The King consented to receive the Petition of the Congress, and Lord *Dartmouth* told us it was found to be decent and respectful. I expect we shall receive his Majesty's answer time enough to send with this.

The Merchants have advertised for a meeting, and every thing seems to promise a speedy accommodation. The terms of that must depend on you. Your demands must be made with great moderation, and should not, nay, I think, cannot be receded from one iota. Depend upon it, the same firmness and unanimity which have compelled a conciliatory disposition, will enforce a full redress. Be therefore firm, and fear not. The excess of my anxiety for our ultimate success, and the termination of these unhappy disturbances, makes me sometimes apprehensive that these specious appearances will make you remiss in your preparations for a different conduct; that you will forget that he who sheathes the sword before the peace is concluded, exposes himself to a shameful defeat. But, trusting to your wisdom, I hope you will treat them as appearances only, which firmness, vigilance, and unanimity alone, on your part, can realize.

December 24th.—Lord *Dartmouth* this day informed us that his Majesty received your Petition very graciously, and, for its importance, would lay it before his Houses of Parliament when they met.

I communicate to you the following copy of a letter from Lord *Chatham*, because I think it must give you infinite satisfaction; at the same time I must entreat you not to let it get into the Press, as it would be a breach of honour in me:—"I have not words to express the infinite satisfac- "tion which I feel since Congress has conducted this most "arduous and delicate business with such manly wisdom "and calm resolution as do the highest honour to their "deliberations. Very few are the things contained in "their Resolves that I could wish to be otherwise. Upon "the whole, I think it must be evident to every unpreju- "diced man in *England*, who feels for the rights of man- "kind, that *America*, under all her oppressions and provo- "cations, holds out to us the most fair and just opening for "restoring harmony and affectionate intercourse as here- "tofore. I hope that the minds of men are more than "beginning to open on this great subject, so little under- "stood, and that it will be found impossible for freemen in "*England* to see three millions of *Englishmen* slaves in "*America*."

Such praise from the *character* of the age ought to inspire you with confidence, if any thing can add to the conscious dignity of freemen, and make you resolve to maintain your demands with immoveable firmness.

December 26th.—I was yesterday in the country with Lord *Chatham*, to show him the Petition of the Congress. He approves of it exceedingly. His words were, "The

Digitized by Google

"whole of your countrymen's conduct has manifested such "wisdom, moderation, and manliness of character as would "have done honour to *Greece* and *Rome*, in their best "days." *Laudari a laudato viro* should make us cautious that we support the character, by a manly perseverance in those measures which have secured it. His opinion is that a solemn settlement of the question, by a renunciation of the right to tax, on one part, and an acknowledgment of supremacy on the other, might be made. My object is to unite the heads of opposition upon one uniform large ground, which, with the present popularity of our cause, will, I think, enforce a complete abolition of these pernicious measures.

I have this moment learnt that the resolution of the Court is to repeal all the Acts, except the Declaratory and Admiralty Act; that Lords *North* and *Dartmouth* are to give place to Lords *Gower* and *Hillsborough*, who are to commence their administration with these conciliatory measures. The inconsistency of this plan is no objection to the probability of it, for these men have long been disciplined to turn, and turn, and turn again. But you may learn from it that there is little cordiality in the relief to be given, and that we are to hold a jealous eye over the measures of men whose minds are actuated against us by the bitterest rancour and revenge. You will consider this intelligence as of doubtful nature, and let no hasty gleam of hope go forth which may tend to make men remiss in their exertions, or relax in the terms they demand. Farewell; your affectionate brother, ARTHUR LEE.

To Colonel *Richard H. Lee*.

WILLIAMSBURG (VIRGINIA) COMMITTEE.

At a Meeting of the Inhabitants of *Williamsburg*, qualified to vote for a Representative, held on *Friday*, the 23d day of *December*, 1774, in order to elect a Committee, pursuant to a Resolution of the *American* Continental Congress, the following gentlemen were chosen, viz: the Honourable *Peyton Randolph*, Esq., *Robert Carter Nicholas*, Esq., *Benjamin Waller*, *John Dixon*, *James Cocke*, *William Pasteur*, *James Southall*, *Benjamin Powell*, *Jas. Hubard*, *George Wythe*, *Thomas Everard*, *John Tazewell*, *Robert Nicholson*, *John Carter*, and *John Minson Galt*.

ACCOMACK COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Freeholders of the County of *Accomack*, assembled at the Court House, on *Friday*, the 23d of *December*, 1774, in order to choose a Committee, agreeable to the direction of the Continental Congress, the following persons were elected: *George Parker*, *Southey Simpson*, *Isaac Smith*, *Charles Bagwell*, *Thomas Cuppin*, *James Henry*, *Clement Parker*, *Tully Robinson Wise*, *William Seymour*, *Thomas Teackle*, *Arthur Upshaw*, *William Parramore*, *James Arbuckle*, *Thomas Bayley*, *John Watts*, *William Selby*, *William Riley*, *Caleb Upshaw*, *George Corbin*, *George Stewart*, and *Alexander Stockly*, gentlemen.

Southey Simpson, gentleman, was chosen Chairman of the Committee, and *John Powell* appointed Clerk.

JOHN POWELL, *Clerk*.

ST. MARY'S COUNTY (MARYLAND) COMMITTEES.

On publick notice being given for the Gentlemen, Freeholders, and others, of *St. Mary's* County, to meet at the Court House, in *Leonard* Town, on *Friday*, the 23d day of *December*, met, agreeable to said notification, a considerable number of the most respectable inhabitants; when, it being proposed that, for the more orderly and effectually carrying on the present business, it would be necessary to make choice of a Chairman, as also to appoint a Clerk to officiate for the day, Mr. *Jeremiah Jordan* was thereupon unanimously elected to the Chair, and *Timothy Bowes* appointed Clerk to the said meeting.

Mr. JEREMIAH JORDAN *in the Chair*,
Mr. TIMOTHY BOWES, *Clerk*.

Several of the Proceedings of the Continental Congress being read, as well as the late Resolves of the Provincial Convention, which were unanimously approved of. The Chairman, addressing himself to those assembled, informed them that the intent and design of the present Convention, among many other things, was principally to make choice of a General Committee for the County, a Committee of Correspondence, as also a Committee to meet, if necessary, the Provincial Convention, to be held at *Annapolis*, on *Monday*, the 24th day of *April* next, in order to carry into execution the Association agreed on by the Continental Congress, as well as the Resolves of the late Provincial Convention; upon which the following gentlemen were chosen as a General Committee for the County, to wit:

Mr. *Cornelius Barber*, Major *Zachariah Bond*, Mr. *William Thomas*, Mr. *William Hamersley*, Mr. *John Llewellin*, Mr. *James Eden*, Mr. *Gerard Bond*, Mr. *John Shanks*, Jun., Mr. *John Eden*, Jun., Mr. *Wilfred Neale*, Mr. *William Bond*, Mr. *Meveril Lock*, Mr. *Richard Bond*, Doctor *John Ireland*, Mr. *Cyrus Vowles*, Mr. *Athanasius Ford*, Colonel *Abraham Barnes*, Doctor *Henry Reeder*, Mr. *John Barnes*, Mr. *Richard Barnes*, Mr. *Timothy Bowes*, Mr. *William Williams*, Mr. *John Fenwick*, Mr. *John Greenwell*, of *Ignatius*, Mr. *John Black*, Mr. *John De Butts*, Mr. *William Taylor*, Mr. *Vernon Hebb*, Mr. *William Watts*, Mr. *George Guyther*, Mr. *Ignatius Combs*, Mr. *John M'Lean*, Mr. *John M'Call*, Mr. *Massey Leigh*, Mr. *George Cook*, Mr. *James Adderton*, Mr. *Robert Armstrong*, Mr. *Bennett Briscoe*, Mr. *Richard Clark*, Mr. *Edward Fenwick*, Mr. *Thomas Griffin*, Mr. *William Jenkins*, Junior, Mr. *Nicholas Sewall*, Mr. *Nicholas L. Sewall*, Mr. *William Cavenough*, Mr. *Jenifer Taylor*, Mr. *Ignatius Taylor*, Mr. *Robert Watts*, Mr. *Henry Carroll*, Mr. *Hugh Hopewell*, Mr. *Hugh Hopewell*, Jun., Mr. *John Abell*, younger, Mr. *Samuel Jenifer*, Mr. *John Abell*, Senior, Mr. *Edward Abell*, Junior, Mr. *Peter Urquhart*, Mr. *John H. Read*, Mr. *Thomas Forrest*, Senior, Mr. *Ignatius Fenwick*, (*Coles*,) Mr. *John Smith*, (*Patuxent*,) Mr. *Enoch Fenwick*, Mr. *John Reeder*, Jun., Mr. *Thomas A. Reeder*, Mr. *William Killgour*, Mr. *John H. Brome*, Mr. *William Bruce*, Mr. *Henry Tulman*, Mr. *Henry G. Sothoron*, Mr. *Robert Hammitt*, Mr. *Herbert Blackston*, Mr. *John A. Thomas*, Mr. *Jeremiah Jordan*, Mr. *William Bayard*, Mr. *Joseph Williams*, Mr. *Samuel Abell*, Senior, Mr. *Samuel Abell*, Junior.

A General Committee for the County elected, the next step taken was making choice of a Committee of Correspondence, when the following gentlemen were chosen, with power for any three or more of them to act as occasion should require, to wit: Colonel *Abraham Barnes*, Mr. *Richard Barnes*, Mr. *Timothy Bowes*, Mr. *Athanasius Ford*, Doctor *Henry Reeder*, Mr. *John De Butts*, Mr. *Jeremiah Jordan*, Mr. *John A. Thomas*, and Mr. *John Black*.

This business completed, a Committee was chosen to meet the Provincial Committee, to be held at *Annapolis*, on *Monday*, the 24th day of *April* next, if necessary, when the following gentlemen were elected for that purpose, to wit: Mr. *Jeremiah Jordan*, Mr. *Richard Barnes*, Mr. *John Reeder*, Junior, Mr. *John Barnes*, Mr. *John A. Thomas*, Mr. *John De Butts*, Mr. *Henry G. Sothoron*.

TIMOTHY BOWES, *Clerk*.

At a Meeting of the Committee for *Anne Arundel* County and City of *Annapolis*, on *Friday*, the 23d day of *December*, 1774, were present thirty-two members:

Mr. JOHN HALL, *Chairman*.

The Proceedings of the Deputies of the several Counties of this Province, at their late Convention, were read, considered, and approved; and thereupon it is—

Resolved, That every member of this Committee will, and every inhabitant of this County ought, strictly and inviolably to observe and carry into execution the Association agreed on by the Continental Congress; and also the several Resolves of the said Convention.

Resolved, That it appears to this Committee, that the most expeditious and reasonable way to raise the eight hundred and sixty-six Pounds recommended by the late Provincial Convention to be raised in this County, for the purchase of Arms and Ammunition for the use of this County, will be by subscription, in which they have the firmest confidence regard will be had to the circumstances and ability of the subscribers; and therefore that subscription papers be immediately opened, payable to Messrs. *Charles Wal-*

Digitized by Google

lace and *John Davidson*, or their order, containing three columns or classes, one for subscribers of ten Pounds and upwards, one for subscribers of five Pounds and upwards, and one for subscribers of less sums; and that those subscription papers be offered for signing at publick places, as soon as may be, and afterwards offered personally to people of fortune, who may not have subscribed; that sums of twenty Shillings or under, be paid down at the time of subscription; and that a memorandum be taken of the names of those (if any such) who are requested and refuse to contribute.

Resolved, That Messrs. *Charles Wallace*, *John Davidson*, *Thomas Harwood*, Jun., *John Dorsey*, and *Stephen Steward*, or any two or more of them, be and they are hereby empowered to contract for the purchase of Gunpowder, to the amount of five hundred Pounds, common money, on the credit of this Committee.

Resolved, That it is the opinion of this Committee, that a meeting of this County be called on *Monday*, the 16th day of *January* next, to choose Deputies to attend on behalf of this County, at the next Provincial Convention, and to confirm the late or choose a new Committee of Observation and Correspondence for this County and City.

Ordered, That these proceedings be published in the *Maryland Gazette*.

JOHN DUCKETT, *Clerk Com.*

BY THE COMMITTEE FOR ANNE ARUNDEL COUNTY AND CITY OF ANNAPOLIS, DECEMBER 24, 1774.

A Letter from the Committee of *Philadelphia*, with one from *Thomas Charles Williams* to that, and another to this Committee, were read and considered; and thereupon it is

Resolved, That the Concessions of the said *Thomas Charles Williams*, contained in his said Letters, are not precise or full, and therefore not satisfactory.

Resolved, That upon an acknowledgment being made in writing, by the said *Thomas Charles Williams*, and inserted in the *Maryland Gazette*, that, after he had knowledge of the Resolutions of this County and City, and after the Merchants of this Province had declined to import Tea, he, with design to avail himself of an advantage from an expected scarcity of that article, imported Tea into this Province; and that he thereby, as far as such example would influence, supported the assumed power of Parliament to tax *America*, and endangered the rights and liberties of *America*; that he is sincerely sorry for his offence; that he will not commit the least infringement of the Continental Association, or any Resolution of this Province, but will contribute his assistance to the support of the *American* Opposition, it is the opinion of this Committee that no further proceedings ought to be had against him.

JOHN DUCKETT, *Clerk Com.*

Test, a true copy,
THOMAS FRENCH, Junior,
JOHN PURVIANCE.

I, the above named *Thomas Charles Williams*, do hereby certify, that the above Resolve is published at my desire; and as a proof of my acquiescence therein, I do hereby give my assent to the several engagements therein required of me. Witness my hand, this second day of *January*, 1775. THOMAS C. WILLIAMS.

EXTRACT OF A LETTER FROM THE EARL OF DUNMORE TO THE EARL OF DARTMOUTH, DATED WILLIAMSBURG, DECEMBER 24, 1774.

My necessary absence on the occasion of the *Indian* disturbances, will, I hope, account and excuse me for my not having acknowledged your Lordship's several letters in due time and order, and for not having regularly communicated accounts of the publick affairs of the Colony, to which some of them refer; and I wish I were now so fortunate as to have it in my power to make a representation of their appearing with a more favourable aspect, than when I last wrote upon those important concerns.

The Associations first in part entered into, recommended by the people of this Colony, and adopted by what is called the Continental Congress, are now enforcing throughout this country with the greatest rigour. A Committee has been chosen in every County, whose business it is to carry the Association of the Congress into execution, which Committee assumes an authority to inspect the books, invoices, and all other secrets of the trade and correspondence of Merchants; to watch the conduct of every inhabitant, without distinction, and to send for all such as come under their suspicion into their presence; to interrogate them respecting all matters which, at their pleasure, they think fit objects of their inquiry; and to stigmatize, as they term it, such as they find transgressing what they are now hardy enough to call the Laws of the Congress, which stigmatizing is no other than inviting the vengeance of an outrageous and lawless mob to be exercised upon the unhappy victims. Every County, besides, is now arming a Company of men, whom they call an Independent Company, for the avowed purpose of protecting their Committees, and to be employed against Government, if occasion require. The Committee of one County has proceeded so far as to swear the men of their Independent Company, to execute all orders which shall be given them from the Committee of their County.

As to the power of Government, which your Lordship, in your letter of *November* 11, directs should be exerted to counteract the dangerous measures pursuing here, I can assure your Lordship that it is entirely disregarded, if not wholly overturned. There is not a Justice of the Peace in *Virginia* that acts, except as a Committee-man. The abolishing the Courts of Justice was the first step taken, in which the men of fortune and pre-eminence joined equally with the lowest and meanest. The General Court of Judicature of the Colony is much in the same predicament; for though there are at least a majority of his Majesty's Council, who, with myself, are the Judges of that Court, that would steadily perform their duty, yet the Lawyers have absolutely refused to attend, nor indeed would the people allow them to attend, or evidences to appear. The reason commonly assigned for this proceeding, is the want of a Fee Bill, which expired at the last session of Assembly; and it is a popular argument here, that no power but the Legislature can establish Fees; and the Fee Bill not having been renewed, it is attributed to the dissolution. But the true cause of so many persons joining in so opprobrious a measure, was to engage their *English* creditors, who are numerous, to join in the clamours of this country; and not a few to avoid paying the debts in which many of the principal people here are much involved.

With regard to the encouraging of those, as your Lordship likewise exhorts me, who appeared, in principle, averse to these proceedings, I hope your Lordship will do me the justice to believe I have left no means in my power unessayed to draw all the assistance possible from them to his Majesty's Government; but I presume your Lordship will not think it very extraordinary, that my persuasions should have been unavailing, against the terrours, which, on the other hand, are held out by the Committee.

Independent Companies, &c., so universally supported, who have set themselves up superiour to all other authority, under the auspices of their Congress, the Laws of which they talk of in a style of respect, and treat with marks of reverence, which they never bestowed on their legal Government, or the Laws proceeding from it. I can assure your Lordship, that I have discovered no instance where the interposition of Government, in the feeble state to which it is reduced, could serve any other purpose than to suffer the disgrace of a disappointment, and thereby afford matter of great exultation to its enemies, and increase their influence over the minds of the people.

But, my Lord, every step which has been taken by these infatuated people, must inevitably defeat its own purpose. Their Non-Importation, Non-Exportation, &c., cannot fail in a short time to produce a scarcity, which will ruin thousands of families. The people, indeed, of fortune, may supply themselves and their negroes for two or three years, but the middling and poorer sort, who live from hand to mouth, have not the means of doing so; and the produce of their lands will not purchase those necessaries, (without which themselves and negroes must starve,) of the Merchants who may have goods to dispose of; because the Merchants are prevented from turning such produce to any account. As to manufacturing for themselves, the people of *Virginia* are very far from being naturally industrious;

Digitized by Google

and it is not by taking away the principal, if not the only encouragement to industry, that it can be excited; nor is it in times of anarchy and confusion, that the foundation of such improvements can be laid. The lower class of people, too, will discover that they have been duped by the richer sort, who, for their part, elude the whole effects of the Association by which their poor neighbours perish. What, then, is to deter those from taking the shortest mode of supplying themselves? and unrestrained as they are by laws, from taking whatever they want wherever they can find it?

The arbitrary proceedings of these Committees, likewise, cannot fail of producing quarrels and dissensions, which will raise partisans of Government; and I am firmly persuaded that the Colony, even by their own acts and deeds, must be brought to see the necessity of depending on its mother country, and of embracing its authority.

KING'S DISTRICT (NEW-YORK) RESOLUTIONS.

At a Meeting held in *King's* District, *Albany* County, *New-York*, on the 24th day of *December*, 1774, publickly warned by the Clerk of the District, and requested by a number of the principal Inhabitants:

Present, five of the King's Justices of the County of *Albany*, and a great number of the principal people belonging to said District.

Whereas, it appears to this meeting that some individuals in the Northeast part of this District, have associated with divers people of a neighbouring District, and combined together to hinder and obstruct Courts of Justice in the said County of *Albany*. This meeting, deeply impressed with a just abhorrence of these daring insults upon Government, and being fully sensible of the blessings resulting from a due obedience to the laws, as well as convinced of the calamities and evils attending a suppression, or even a suspension of the administration of justice, have therefore unanimously come into the following Resolutions:

First. That as our gracious Sovereign King *George* the Third, is lawful and rightful King of *Great Britain*, and all other Dominions thereunto belonging, and as such, by the Constitution, has a right to establish Courts, and is supposed to be present in all his Courts; therefore, we will, to the utmost of our power, and at the risk of our lives, discountenance and suppress every Meeting, Association, or Combination, which may have a tendency in the least to molest, disturb, or in anywise obstruct the due administration of justice in this Province.

Second. That we will, as much as we possibly can, in our different capacities, encourage, promote, and enforce a strict obedience to the aforesaid authority.

Third. Inasmuch as that life, liberty, and property, and the bands of society, are secured and protected by the laws, we do, for the further security of these blessings, mutually covenant, agree, and engage, that if any obstruction, hindrance, or molestation, is given to any Officer or Minister of Justice, in the due execution of his office, we will, separately and collectively, as occasions may require, aid and assist in the executive part of the law, so that all offenders may be brought to justice.

Signed by order of the meeting.

ABRAHAM HOLMES, *Clerk for* King's *District*.

TO THE INHABITANTS OF BRITISH AMERICA.

FRIENDS AND COUNTRYMEN: At a time when Ministerial Tyrants threaten a People with the total loss of their liberties, supineness and inattention on their part will render that ruin which their enemies have designed for them, unavoidable. A striking instance of this we have in the history of the *Carthagenians*. That brave people, notwithstanding they had surrendered up three hundred hostages to the *Romans*, upon a promise of being restored to their former liberties, found themselves instantly invaded by the *Roman* Army. Roused by this unexpected procedure, they sent Deputies to know the occasion of this extraordinary manœuvre. They were told that they must deliver up all their Arms to the *Romans*, and then they should peaceably enjoy their liberties. Upon their compliance with this requisition, *Marius*, one of the *Roman* Consuls, thus addressed them: "We are well pleased with these "first instances of your obedience, and therefore cannot "help congratulating you upon them. I have but one "thing more to require of you in the name of the *Roman* "people; I will therefore, without further preamble, plainly "declare to you an order, on which the safety of your Re-"publick, the preservation of your Goods, your Lives, and "Liberties, depend. *Rome* requires that you abandon "your City, which we are commanded to level with the "ground. You may build yourselves another where you "please, provided it be ten miles from the sea, and without "walls or fortifications. A little courage and resolution "will get the better of the affection which attaches us to "old habitations, and is founded more in habit than in rea-"son." The consternation of the *Carthagenian* Deputies, at hearing this horrid, treacherous speech, is not to be expressed. Some swooned away, others burst forth into cries and lamentations. Nor were even the *Roman* Soldiers who were present, unmoved at the affecting scene. "These sudden fits," said the base inhuman Consul, "will wear off "by degrees. Time and necessity teaches the most un-"fortunate to bear their calamities with patience. The "*Carthagenians*, when they recover their senses, will "choose to obey."

Although the *Carthagenians*, after this, made a noble and manly resistance, yet the surrender of their Arms proved the destruction of that City, which had so often contended with *Rome* for the empire of the world.

Equally inexcusable with the *Carthagenians*, will the *Americans* be, if they suffer the tyrants who are endeavouring to enslave them, to possess themselves of all their Forts, Castles, Arms, Ammunition, and warlike Stores. What reason can be given by them for such cowardly and pusillanimous conduct? Perhaps it may be said that "there "yet remains some gleam of hope, that the *British* Min-"istry may do us justice, bestow to us our liberties, and "repeal those oppressive Acts which now hang over *Ame-"rica*." And was this even probable, it would hardly justify such a conduct. But what foundation have we for such a hope? If this be the intention of the Ministry, is a formidable Fleet and numerous Army necessary to bring it about? Could they not have given up their plan for enslaving *America*, without seizing all the strong holds on the Continent? upon all the Arms and Ammunition; and without soliciting and finally obtaining an order to prohibit the importation of warlike Stores into the Colonies? Does this speak the language of peace and reconciliation? or does it rather speak that of war, tumult, and desolation? And shall we, like the *Carthagenians*, peaceably surrender our Arms to our enemies, in hopes of obtaining in return the liberties we have so long contended for?

Be not deceived, my countrymen. Should the Ministry ever prevail upon you to make that base and infamous surrender, they will then tell you, in the language of the haughty and inhuman *Marius*, what those liberties are which they will in future suffer you to enjoy; and endeavour to persuade you, that when you have recovered your senses, you will choose to obey. Is it possible that any person among us thinks of making a submission to the several powers which now claim a right to rule over us? If so, let him take a view of the situation he and his *American* brethren must then be in. We all acknowledge our submission to the authority of our Provincial Legislature, in the same manner as the people in *Great Britain* acknowledge the power of Parliament over them; because the Assemblies here and Parliament there, are composed in part of persons elected by the people, and who are liable, for any misconduct, to be excluded by them from ever acting again as their Representatives; and where the people have this constitutional check upon their rulers, slavery can never be introduced. "But," says the famous Mr. *Locke*, "whenever a power exists in a state over which the people "have no control, the people are completely enslaved." If this be the case, what shall we say to the claim of Parliament to legislate for us in all cases whatsoever? to the mandates of a Minister of State which so often have superseded the laws of the Colony Legislatures, although assented to by his Majesty? or to the late Order of the King and Council, prohibiting the importation of warlike Stores into the Colonies? And who, by the same colour of right, may, whenever they please, prohibit the importation

Digitized by Google

of any or even every other article. These are undoubtedly such powers as we have no check upon or control over; powers similar to those which have spread tyranny and oppression over three quarters of the globe; and if we tamely submit to their authority, will soon accomplish that slavery which they have long been endeavouring to bring upon *America*.

I am far from wishing hostilities to commence on the part of *America;* but still hope that no person will, at this important crisis, be unprepared to act in his own defence, should he, by necessity, be driven thereto. And I must here beg leave to recommend to the consideration of the people on this Continent, whether, when we are by an arbitrary decree prohibited the having Arms and Ammunition by importation, we have not, by the law of self-preservation, a right to seize upon those within our power, in order to defend the liberties which *God* and nature have given to us; especially at this time, when several of the Colonies are involved in a dangerous war with the *Indians*, and must, if this inhuman order has the designed effect, fall a prey to those savage barbarians who have so often deluged this land in blood. A WATCHMAN.

New-Hampshire, December 24, 1774.

EXTRACT OF A LETTER TO A GENTLEMAN IN NEW-YORK, DATED LONDON, DECEMBER 24, 1774.

I was very much obliged to you for your last favour, the contents of which I thought proper to communicate to the publick. The firm and spirited, I may say magnanimous, proceedings of the Congress, have had the desired effect. The Ministry are absolutely humbled; they talk of their measures having had a different effect from what they expected, and Lord *Mansfield* begins to insinuate they did not originate from him. We shall soon have a publick disavowal of them from him. The fact is, they begin to feel that their places will be hazarded by persevering, and they have no hesitation in sacrificing the dignity of Parliament to their continuance in office, which they pretended they could not give up, to the peace of *America*, and the prosperity of *Great Britain*.

The Merchants are in motion, and have advertised for a meeting; the Ministerial tools are the most forward, as if they wanted to make a merit of necessity. Among these, *Mauduit* and *Molleson*, the most devoted instruments of *Hutchinson* and *Wedderburne*, are active. The latter wrote a letter to ***** *****, desiring he might attend the delivery of the Petition, to bear his testimony against the measures it complains of, as if he was become a convert by inspiration, and in the heat of his new zeal would adopt the Petition without knowing its contents. They want to take a lead in the measures they cannot prevent, in order to recommend themselves both to *America* and the Ministry; to the former, by an apparent zeal for their interests; to the latter, by betraying the counsels in which they are permitted to share.

A continuance of that firmness and unanimity which have thus disposed them to give us redress, will secure the attainment of it; and as we know it is not voluntary on their part, we must not remit, in the least till the ultimate ratification. For, like true cowards, they would take courage upon the least appearance of remission on our part. I have no doubt but they will endeavour to divide, by proposing a partial redress, or, as they will insidiously call it, *meeting half way*. But as you have drawn the line with great moderation, I trust you will not give up an iota of what you have stipulated; for indeed I do not see what can be yielded with safety. All your demands are essential to liberty, and therefore must be religiously adhered to. Your wisdom will inform you that favourable as appearances are at present, they are but appearances, which unremitting firmness on your part can alone realize and conduct to a happy issue. I hope I shall not again have the misfortune to lament the retracted honour and violated faith of my countrymen. I do not mean it as any reproach to *New-York*, to say they will be tempted; but while I hope they will do themselves the honour of rejecting it with honest indignation, I beg you will keep a watchful eye over them, because, as the late Lord *Clive* very feelingly observed, there are sometimes offers made which flesh and blood cannot resist.

EXTRACT OF A LETTER FROM A GENTLEMAN OF PHILADELPHIA, TO A MEMBER OF THE BRITISH PARLIAMENT, DATED DECEMBER 24, 1774.

The late Proclamation forbidding the exportation of Gunpowder and Fire-arms to *America* seemed intended to take away from the Colonies the power of defending themselves by force. I think it my duty to inform you that the said Proclamation will be rendered ineffectual by a manufactory of Gunpowder, which has lately been set on foot in this Province, the materials of which may be procured in great perfection, and at an easier rate than they can be imported from *Great Britain*, among ourselves. There are, moreover, Gunsmiths enough in this Province to make one hundred thousand stand of Arms in one year, at twenty-eight Shillings sterling a piece, if they should be wanted. It may not be amiss to make this intelligence as publick as possible, that our rulers may see the impossibility of enforcing the late Acts of Parliament by Arms. Such is the wonderful martial spirit which is enkindled among us, that we begin to think the whole force of *Great Britain* could not subdue us. We trust no less to the natural advantages of our country than to our numbers and military preparations, in the confidence and security of which we boast. The four *New England* Colonies, together with *Virginia* and *Maryland*, are completely armed and disciplined, the Province of *Pennsylvania* will follow their example; in a few weeks our Militia will amount to no less than sixty thousand men.

Nothing but a total repeal of the Acts of Parliament of which we complain can prevent a civil war in *America*. Our opposition has now risen to desperation. It would be as easy to allay a storm in the ocean by a single word, as to subdue the free spirit of the *Americans* without a total redress of their grievances. May a spirit of wisdom descend at last upon our Ministry, and rescue the *British* Empire from destruction. We tremble at the thoughts of a separation from *Great Britain*. All our glory and happiness have been derived from you, but we are in danger of being shipwrecked upon your rocks. To avoid these, we are willing to be tossed, without a compass or guide, for a while upon an ocean of blood.

Wishing you success in your disinterested labours to promote the happiness of this country, I am, sir, with much esteem for your firmness, your most obedient servant.

EXTRACT OF A LETTER FROM A GENTLEMAN OF PHILADELPHIA, TO A MEMBER OF THE BRITISH PARLIAMENT, DATED DECEMBER 26, 1774.

In a letter which I wrote to you a few nights ago, I mentioned that the manufactories of Gunpowder and Fire-arms which were setting on foot in this country, would defeat the designs of the Ministry in forbidding the exportation of these articles from *Great Britain*. The only design of this letter is to rectify some mistakes which have been transmitted to *England* respecting the conduct of General *Lee*, who is now in *America*.

The Ministry have been made to believe that the military preparations in the Colonies have been recommended and taught entirely by that officer. Nothing can be farther from the fact; the *Americans* were determined to seal their love of liberty with their blood long before they heard of the name of General *Lee*.

The people of *Massachusetts Bay* were armed and disciplined before General *Lee* visited them, and the Congress agreed to recommend the study of the Military Exercises to the Colonies without hearing a word on the subject from the General. It is a falsehood that the General has offered to head our Troops. He has too much knowledge of the world not to perceive that men who fight for all they hold dear to them, will prefer men born among them for Commanders, to the most experienced foreign Officers. Moreover, the Colonies are not so wrapped up in General *Lee's* military accomplishments as to give him the preference to Colonel *Putnam* and Colonel *Washington;* men whose military talents and achievements have placed them at the head of *American* heroes. There are several hundred thousand *Americans* who would face any danger with these illustrious heroes to head them. It is but just to General *Lee's* merit to acknowledge that he has, upon all occasions, exposed the folly and madness of the present Administration,

Digitized by Google

and has shewn the most tender regard to the liberties of this country, but in this he has acted the part of an *Englishman*. What is *England* without *America*? Her Liberty and Commerce, which are her two capital pillars, are both supported by this country. There cannot be a greater errour than to suppose that the present commotions in *America* are owing to the arts of demagogues; every man thinks and acts for himself in a country where there is an equal distribution of property and knowledge. It is to no purpose to attempt to destroy the opposition to the omnipotence of Parliament by taking off our *Hancocks*, *Adamses*, and *Dickinsons*. Ten thousand Patriots of the same stamp stand ready to fill their places. Would to Heaven our rulers would consider these things in time; one more rash and unjust action on your side the water may divide us beyond the possibility of an union. For *God's* sake try to rouse up the ancient spirit of the Nation: we love you; we honour you as brethren and fellow-subjects; we have shared in your dangers and glories; only grant us the liberty you enjoy, and we shall always remain one people. Let the bond of our union be in the Crown of *Great Britain*.

I am, sir, yours, &c.

EXTRACT OF A LETTER FROM A GENTLEMAN IN LONDON, TO HIS CORRESPONDENT IN VIRGINIA, DATED DECEMBER 26, 1774.

It is with great pleasure I inform you that the firmness, unanimity, and moderation of the proceedings in *America* have turned the tide so much in our favour here, that the Ministry seem much inclined to repeal the Acts of which we complain. The Petition of the Congress, after two Councils held upon it, was received; and the answer was, that his Majesty received it very graciously, and, from its importance, would lay it before his two Houses of Parliament, as soon as they met. They are adjourned for the holidays.

Lord *Chatham* commends both the Petition and the rest of the proceedings of the Congress in the highest terms. He thinks an authentick renunciation of the right to tax *America* on the part of the Parliament, and a recognition of their supreme power on our part, should accompany the repeal, as a solid foundation for future confidence and affection. It is certain that the least appearance of remission or disunion on the part of *America* will encourage the Ministry to do what they most ardently wish, namely, to leave the business so unsettled that they may revive the dispute in some other form, to the infinite distress, if not total destruction of *America*. It becomes the *Americans*, then, by persevering in the measures which have already operated so happily, to fix their rights upon so solid a foundation as to shield them from doubt or invasion hereafter.

The demands of the Congress are so moderate, and so essential, that, in my judgment, not an iota of them can with safety be retracted; and it is the opinion of our wisest friends here that unanimity and firmness will be irresistible.

You have acted *suaviter in modo, fortiter in re:* Continue that, and be assured of success.

EXTRACT OF A LETTER FROM A GENTLEMAN IN LONDON, TO HIS CORRESPONDENT IN WILLIAMSBURG, VIRGINIA, DATED DECEMBER 26, 1774.

The unanimity, firmness, and moderation of the Resolutions of the General Congress, and the universal approbation both these and their Addresses meet with here, has roused the Merchants, and disconcerted the Ministers. As yet, however, they appear unresolved; unwilling to retract, and unable to proceed. In my opinion, however, the Closet power that rules this unhappy country will not permit them to retreat without violence. It is therefore my duty to say, that nothing but a continuance of that union and firmness which have happily shaken their resolution, will effectually change their conduct, and give us redress.

Lord *North's* late language in the House of Commons is humble to a degree, but he is a very treacherous man; and the political wisdom of the present times being to dupe and deceive, by personal falsehood, it becomes us to be upon our guard. Three of the gentlemen appointed by the Congress to deliver their Petition, presented it through the hands of the Secretary of State, and were answered, that his Majesty received it very graciously, and, from its importance, he would lay it before his two Houses of Parliament as soon as they met. They are adjourned till the 24th of *February*.

The buzz of the Court is, that Lord *North* and Lord *Dartmouth* will give place to the Lords *Gower* and *Hillsborough*, and all the Acts complained of will be repealed, except the Admiralty Acts and the Declaratory Act. The opinion, however, of all our friends is, that firmness and unanimity on your part, in demanding a full redress, and a solemn ratification of your rights, cannot be resisted.

As the King has declared his intention to lay the Petition before the Parliament we have thought that an immediate obedience to the orders of the Congress, for publishing their Petition, might be construed by our enemies into disrespect to the King, and factious views, which it has been their constant endeavour to fix upon us. It is therefore determined to defer the publication till it is laid before Parliament. The effect of the Addresses upon men's minds needs no addition at present, but may want reanimation at a future day, which the Petition is well calculated to effect.

ARTHUR LEE TO RICHARD H. LEE.

London, December 26, 1774.

My dear Brother: It is with great pleasure I inform you that the Proceedings of the General Congress, and the vigorous preparations for effectual resistance, have rendered our cause so popular, and so intimidated Administration, that they seem determined to give us redress. The King received the Congress Petition very graciously, and is to lay it before his two Houses of Parliament as soon as the adjournment for the holidays is over. It is whispered from Court that Lord *Gower* and Lord *Hillsborough* will be put into the places of Lord *North* and Lord *Dartmouth*, and that all the Acts will be repealed, except those for establishing Admiralty, &c., Courts, and declaring the right. Should this be true you will see with what ill will this partial relief is given, and that they are determined to continue our apprehensions, by advancing our worst enemies, and preserving those Acts as the seeds of contention. But you will certainly be of opinion, with all our friends here, that nothing but a full and solemnly ratified redress ought to satisfy us, and that the same resolution, unanimity, and firmness which have extorted a part, will compel the whole. I have waited on Lord *Chatham* with the Petition, on which, and on all the proceedings of the Congress, he bestows the highest commendation. He is clearly for a full, solemn, authentick settlement of the dispute upon the conditions proposed by the Congress, and will assuredly support it with all his abilities. I think I shall get the heads of opposition to unite with him, as I find them much disposed to it. This junction, with the voice of the people here, and the firmness of *America*, will, I trust, compel our oppressors to absolute submission. My love to Mrs. *Lee*, and respects at *Mount Airy*. Adieu.

To *Richard H. Lee*. Arthur Lee.

EXTRACT OF A LETTER RECEIVED IN EDINBURGH, FROM AN OFFICER IN THE ARMY, DATED BOSTON, DECEMBER 26, 1774.

In my last of the 9th instant, I acquainted you of the associations forming in several Towns in the country by the friends of Government, whom the factious party are pleased to call Tories, and themselves Whigs. I find by your letter, that it has been reported that we lose numbers, but I can assure you by the returns from the time of our arrival until the 24th instant, we have not lost two hundred men by all the casualties an Army is liable to; and many of those that did desert are returned to their colours, notwithstanding the temptation they had to be debauched, and some have suffered death by the sentence of a General Court Martial. However, desertion is now at an end; our Army is in high spirits, and, at present, this Town is pretty quiet. We get plenty of provisions, cheap and good in their kind; we only regret that necessity obliges us to enrich, by purchasing from a set of people we would wish to deprive of so great an advantage. Our parade is a very handsome one; three hundred and seventy men mount daily, and more are expected soon; a Field Offi-

Digitized by Google

cer's guard of one hundred and fifty men at the lines on the *Neck;* the Army is brigaded. The first Brigadier General, Earl *Percy;* Major of Brigade, *Moncrieff;* second Brigadier, *Pigot;* Major of Brigade *Small;* third Brigadier, *Jones;* Major of Brigade, *Hutchinson.* I send you enclosed your friend *Ruggles's* proposal of Association; it has already disconcerted those factious gentry that style themselves Whigs, though they are in reality Rebels. I am glad to tell you that the back settlements in general disapprove of the Non-Importation Resolves. You were right in your opinion, Brigadier General *Ruggles* of the *Massachusetts,* Colonel *Babcock* of *Rhode-Island,* and Colonel *Fitch* of *Connecticut,* are staunch to Government; the first you know commanded, and was the senior officer in the Provincial service with us under Sir *Jeffery Amherst,* the other gentlemen are at the head of the Provincials. Most of their Officers that served last war are ready to serve under their old Colonels. I make no doubt things will wear a new face here, especially when your sentiments of the Ministry's firmness are authenticated. Was I to give you names of the different Provincial Field Officers, &c., that have offered their service, this letter would be swelled to a volume; you know them, and can answer for them. All your friends wish and expect to see you in the Spring.

EXTRACT OF A LETTER FROM THE HONOURABLE GOVERNOUR GAGE, TO THE EARL OF DARTMOUTH, DATED BOSTON, DECEMBER 26, 1774.

I had the honour to write to your Lordship by the opportunity of Colonel *Prescott,* of the *English* Fusileers, who sailed out of this Harbour in a Transport on the 16th instant, since which time we have received accounts of an attack made by a number of people in *New-Hampshire,* on his Majesty's Fort *William* and *Mary,* in *Piscataqua* Harbour. There has been different reports concerning the transaction, but I transmit your Lordship copies and extracts of letters that I have received from Governour *Wentworth* upon the subject. A Frigate and Sloop-of-War are now in that Harbour, and we have received no accounts of further disturbance since they arrived.

This Congress we have heard had privately appointed a Commissary to provide Military Stores; and news is just come from *Worcester,* in this Province, that he or his Deputies are providing a stock of provisions at that place.

PROVINCE OF NEW-HAMPSHIRE.

A PROCLAMATION.—*By the Governour.*

Whereas several bodies of men did, in the day time of the 14th, and in the night of the 15th of this instant, *December,* in the most daring and rebellious manner invest, attack, and forcibly enter into his Majesty's Castle *William* and *Mary,* in this Province, and overpowering and confining the Captain and Garrison, did, besides committing many treasonable insults and outrages, break open the Magazine of said Castle, and plunder it of above one hundred barrels of Gunpowder, with upwards of sixty stand of Small Arms, and did also force from the ramparts of said Castle, and carry off sixteen pieces of Cannon, and other Military Stores, in open hostility and direct oppugnation of his Majesty's Government, and in the most atrocious contempt of his Crown and dignity. I do, by advice and consent of his Majesty's Council, issue this Proclamation, ordering and requiring in his Majesty's name, all Magistrates and other officers, whether civil or military, as they regard their duty to the King, and the tenour of the oaths they have solemnly taken and subscribed, to exert themselves in detecting and securing in some of his Majesty's jails in this Province the said offenders, in order to their being brought to condign punishment. And from motives of duty to the King, and regard to the welfare of the good people of this Province, I do, in the most earnest and solemn manner, exhort and enjoin you, his Majesty's liege subjects of this Government, to beware of suffering yourselves to be seduced by the false arts or menaces of abandoned men, to abet, protect, or screen from justice any of the said high-handed offenders, or to withhold or secrete his Majesty's munition forcibly taken from his Castle; but that each and every of you will use your utmost endeavours to detect and discover the perpetrators of these crimes to the Civil Magistrate, and assist in securing and bringing them to justice, and in recovering the King's munition. This injunction it is my bounden duty to lay strictly upon you, and to require your obedience thereto, as you value individually your faith and allegiance to his Majesty, as you wish to preserve that reputation to the Province in general; and as you would avert the dreadful but most certain consequences of a contrary conduct to yourselves and posterity.

Given at the Council Chamber, in *Portsmouth,* the 26th day of *December,* in the fifteenth year of the reign of our Sovereign, Lord *George* the Third, by the grace of *God,* of *Great Britain, France,* and *Ireland,* King, Defender of the Faith, &c., and in the year of our Lord Christ, 1774.

J. WENTWORTH.

By his Excellency's command, with advice of Council,

THEODORE ATKINSON, *Secretary.*

GOD *save the King.*

New-York, December 27, 1774.

As we thought it would be agreeable to our readers to know the particulars of what has passed in this City, since the seizure of Arms, &c., lately made in this Port, for want of cockets, we have been at pains to collect the following facts, which may be depended upon.

As soon as the seizure was made, the cases and three boxes were carried to the Custom House, and the barrel of Powder ordered to the Powder House. On the way, some people appeared and carried it off from the waiter, who had it in charge: this being reported at the Custom House, the Collector immediately went to the Coffee House, and informed the Merchants present of the rescue, which they highly disapproved of; proper stops were immediately taken; in a few hours the Powder was lodged in the Powder Honse. To present any further attempts in future that might disturb the City, the boxes and cases were sent on board the Man-of-War.

Some days after this removal of the Arms &c., the Collector received from the Post Office the following Letter:

New-York, December 27, 1774.

MR. ELLIOT: Sir, A number of Fire-arms of *British* manufacture, legally imported, having been lately seized by your orders and conveyed on board the Man-of-War, by which arbitrary steps you have declared yourself an inveterate enemy to the liberties of *North America;* in this light we view you, and from you we shall demand these Arms whenever they are wanted, which is probable will be soon. You will therefore, if you have the least regard to the safety of yourself or your servants, who seized them, be careful to prevent their being sent away, as you may depend upon answering for a contrary conduct with a vengeance.

We thought that your former genteel conduct in your department, entitled you to this notice, otherwise we should have been silent till a proper opportunity had offered, in which we might have done our country justice, by wreaking our resentment on you in a private manner. Do not slight this admonition, or treat it as a vain menace, for we have most solemnly sworn to effect it sooner or later, and you know that our Nation are implacable. We would not have you to imagine that it is in the power of any set of men, either civil or military, to protect or shield you from our just revenge, which will be soon done; and in such manner as not to be known till it is fatally experienced by you. *From the Mohawks and River Indians.*

The above was immediately copied and sent to the Coffee House, where it was posted up, together with the Collector's Answer, viz:

The Original, of which the above is a copy, Mr. *Elliot* this morning received from the Post Office: he is obliged to answer it in this publick manner, being entirely unacquainted with the author.

Mr. *Elliot* calls upon the person to appear, that can, in any instance, accuse him of having acted either arbitrarily or illegally in his office, that he may have an opportunity of answering him properly.

If the letter is wrote with a view to deter an officer from his duty, Mr. *Elliot* assures the writer, that as long as he has the honour to act as Collector of the Port of *New-York,* he will exert the same attention and firmness, that has for ten years past enabled him to give satisfaction

Digitized by Google

to his superiours in office; and to live happily among the inhabitants of this City. ANDREW ELLIOT.

At the Coffee House the letter was by all disavowed, and greatly disapproved of; the Collector's manner of treating it, met with the highest approbation; notwithstanding which, that very night, the following printed Handbill was secretely conveyed into almost every house in Town:

TO THE INHABITANTS OF NEW-YORK.

My dear Friends and Fellow-Citizens:

At a time when Slavery is clanking her infernal chains, and Tyranny stands ready with goads and whips to enforce obedience to her despotick and cruel mandates; when Oppression, with gigantick strides is approaching your once happy retreats, and her tools and minions are eagerly grasping to seize the cup from the lip of Industry, will you supinely fold your arms, and calmly see your weapons of defence torn from you, by a band of ruffians? Ye, whose glorious and renowned ancestors, freely lavished their blood and treasure, to secure to you the full enjoyment of liberty, that greatest of temporal blessings; forbid it Heaven! Forbid it gratitude and honour! How long will ye patiently bear insult and wrong? Are ye so callous and dead to every sense of honour, as to disregard your reputation, and the taunts and scoffs of your fellow-subjects in the neighbouring Colonies? What is become of your former magnanimity and spirit, ye who dared to degrade the Governour of the Province, and exhibit his effigy, under the very muzzles of his Cannon? Are ye dwindled into such dastards and poltrons, as to suffer yourselves to be insulted, and robbed of your Arms, by a few petty Custom House Officers, with impunity? Methinks I hear you say it cannot, it must not be.

Rouse, then, my friends and countrymen! rouse, and play the men upon this occasion; convince the world that ye are still possessed of the same noble spirit, by which ye were actuated in former times, and that whoever injures ye, shall not fail to feel the weight of your resentment; your country has been basely robbed by the Officers of the Customs, of a considerable number of Arms, which were legally exported from *Great Britain*, and imported here, in the Ship Lady *Gage*, and therefore not liable to a seizure, upon any pretence whatsoever, as they are actually the manufacture of *England*. Those Arms I am credibly informed, are now on board the Man-of-War, and are in a few days to be sent to General *Gage*, and of consequence are to be used for your destruction. Can ye bear such a thought? especially when ye have it in your power to prevent it; does not the bare idea of it harrow up your souls? In the name of Heaven, throw off your supineness; assemble together immediately, and go in a body to the Collector, insist upon the Arms being relanded, and that he must see them forthcoming, or abide the consequences; delays are dangerous; there is no time to be lost. It is not a season to be mealy-mouthed, or to mince matters; the times are precarious and perilous, and we do not know but that the Arms may be wanted to-morrow.

Some people may endeavour to persuade you that it would be improper to call upon the Collector in such a way, on account of his former polite behaviour to the mercantile body, but this objection has not the least weight in it, as he has shown himself inimical to the liberties of *America*, and has therefore cancelled every obligation.

PLAIN ENGLISH.

Early next morning a number of the principal Merchants assembled, waited on the Collector of the Custom House, and assured him of their intention to support him in the legal execution of his duty.

They then accompanied him to the Coffee House, where he was met by numbers of the inhabitants of all ranks (among whom was a number of masters of Ships, with their men) who appeared, with readiness, to show how much they esteemed the Collector as a just and good officer.

Some gentlemen then called for the author of the letter or handbill to appear, or any other person, and accuse the Collector of having, in any instance, acted either arbitrarily or illegally; that the writing such letters, or disturbing officers in their duty, must be abhorred by all men that wish the support of Civil Government and good order; that in the present case it appeared the Collector had done nothing but his duty, and that it was therefore incumbent on the inhabitants to support him.

The justness of this proposal, and the inclination of the people present to adopt it, was instantly testified by three cheers. The Collector then stepped forward, politely thanked the audience for their kind attention on this occasion; assuring them that nothing could be more pleasing to him than this publick testimony of their approbation, both as a fellow-citizen and as an officer of Government; at the same time declaring his intention of steadily adhering to his former conduct.

To the King's Most Excellent Majesty in Council: The humble Petition and Memorial of the Assembly of JAMAICA; *Voted in Assembly the 28th of* DECEMBER, 1774:

Most Gracious Sovereign:

We, your Majesty's dutiful and loyal subjects, the Assembly of *Jamaica*, having taken into consideration the present critical state of the Colonies, humbly approach the Throne, to assure your Majesty of our most dutiful regard to your royal person and family, and our attachment to, and reliance on, our fellow-subjects in *Great Britain*, founded on the most solid and durable basis, the continued enjoyment of our personal rights, and the security of our properties.

That weak and feeble as this Colony is, from its very small number of white inhabitants, and its peculiar situation from the incumbrance of more than two hundred thousand slaves, it cannot be supposed that we now intend, or ever could have intended, resistance to *Great Britain*.

That this Colony has never, by riots, or other violent measures, opposed or permitted an act of resistance against any law imposed on us by *Great Britain*, though always truly sensible of our just rights, and of the pernicious consequences, both to the parent and infant state, with which some of them must be attended; always relying, with the most implicit confidence, on the justice and paternal tenderness of your Majesty, even to the most feeble and distant of your subjects, and depending that when your Majesty and your Parliament should have naturally considered and deliberated on the claims of *Great Britain* and her Colonies, every cause of dissatisfaction would be removed.

That justly alarmed with the approaching horrours of an unnatural contest between *Great Britain* and her Colonies, in which the most dreadful calamities to this Island, and the inevitable destruction of the small Sugar Colonies are involved; and excited by these apprehensions, as well as by our affection for our fellow-subjects, both in *Great Britain* and the Colonies, we implore your Majesty's favourable reception of this our humble Petition and Memorial, as well on behalf of ourselves and our constituents, the good people of this Island, as on behalf of all other your Majesty's subjects, the Colonists of *America;* but especially those who labour at present under the heavy weight of your Majesty's displeasure, for whom we entreat to be admitted as humble suitors; that we may not, at so important a crisis, be wanting to contribute our sincere and well meant, however small, endeavours, to heal those disorders which may otherwise terminate in the destruction of the Empire.

That as we conceive it necessary for this purpose to enter into the different claims of *Great Britain* and her Colonies, we beg leave to place it in the royal mind as the first established principle of the Constitution, that the people of *England* have a right to partake, and do partake, of the legislation of their country, and that no laws can affect them but such as receive their assent, given by themselves or their Representatives; and it follows, therefore, that no one part of your Majesty's *English* subjects, either can or ever could legislate for any other part.

That the settlers of the first Colonies, but especially those of the elder Colonies of *North America*, as well as the conquerors of this Island, were a part of the *English* people, in every respect equal to them, and possessed of every right and privilege at the time of their emigration, which the people of *England* were possessed of, and irrefragably to that great right of consenting to the laws

Digitized by Google

which should bind them, in all cases whatsoever: and who emigrating at first in small numbers, when they might have been oppressed; such rights and privileges were constantly guarantied by the Crown to the emigrants and conquerors, to be held and enjoyed by them in the places to which they emigrated; and were confirmed by many repeated solemn engagements, made publick by proclamation, under the faith of which they did actually emigrate and conquer; that therefore the people of *England* had no rights, power, or privilege, to give to the emigrants, as these were, at the time of their emigration, possessed of all such rights equally with themselves.

That the Peers of *England* were possessed of very eminent and distinguished privileges in their own right as a branch of Legislation, a Court of Justice in the dernier resort for all appeals from the people, and in the first instance, for all causes instituted by the Representatives of the people; but that it does not appear that they ever considered themselves as acting in such capacities for the Colonies, the Peers having never to this day, heard or determined the causes of the Colonists in appeal, in which it ever was, and is their duty to serve the subjects within the Realm.

That from what has been said it appears that the emigrants could receive nothing from either the Peers or the people; the former being unable to communicate their privileges, and the latter on no more than an equal footing with themselves, but that with the King it was far otherwise; the royal prerogative, as now annexed to, and belonging to the Crown, being totally independent of the people, who cannot invade, add to, or diminish it, nor restrain or invalidate those legal grants which the prerogative hath a just right to give, and hath very liberally given for the encouragement of colonization; to some Colonies it granted almost all the royal powers of Government, which they hold and enjoy at this day; but to none of them did it grant less than to the first conquerors of this Island, in whose favour it is declared by a Royal Proclamation, "that "they shall have the same privileges to all intents and pur- "poses as the free born subjects of *England*."

That to the use of name or authority of the people of the parent state, to take away, or render ineffectual, the legal grants of the Crown to the Colonists, is delusive, and destroys that confidence which the people have ever had and ought to have of the most solemn royal grants in their favour, and renders unstable and insecure those very rights and privileges which prompted their emigration.

That your Colonists and your Petitioners having the most implicit confidence in the royal faith pledged to them in the most solemn manner, by your predecessors, rested satisfied with their different portions of the royal grants, and having been bred from their infancy to venerate the name of Parliament, a word still dear to the heart of every *Briton*, and considered as the palladium of liberty, and the great source from whence their own is derived, receive the several Acts of Parliament of *England* and *Great Britain*, for the regulation of the trade of the Colonies, as the salutary precautions of a prudent father for the prosperity of a wide extended family; and that in this light we received them, without a thought of questioning the right, the whole tenor of our conduct, will demonstrate, for above one hundred years.

That though we received these regulations of trade from our fellow-subjects of *England* and *Great Britain*, so advantageous to us as Colonists, as *Englishmen* and *Britons*, we did not thereby confer on them a power of legislating for us, far less than of destroying us and our children by devesting us of all rights and property.

That with reluctance we have been drawn from the prosecution of our internal affairs, to behold with amazement a plan, almost carried into execution, for enslaving the Colonies, founded, as we conceive, on a claim of Parliament to bind the Colonies in all cases whatsoever.

Your humble Petitioners have for several years, with deep and silent sorrow, lamented this unrestrained exercise of legislative power, still hoping from the interposition of the Sovereign, to avert that last and greatest of calamities, that of being reduced to an abject state of slavery, by having an arbitrary Government established in the Colonies, for the very attempting of which a Minister of your predecessor was impeached by a House of Commons.

With like sorrow do we find the Popish Religion established by law, which by treaty was only to be tolerated.

That the most essential rights of the Colonists have been invaded, and their property given and granted to your Majesty by men not entitled to such a power.

That the murderer of the Colonists hath been encouraged by another Act, dissolving and annulling their Trials by Juries of the vicinage, and that Fleets and Armies have been sent to enforce those dreadful laws.

We therefore, in this desperate extremity, most humbly beg leave to approach the Throne, to declare to your Majesty that our fellow-subjects in *Great Britain*, and consequently their Representatives, the House of Commons, have not a right, as we trust we have shown, to legislate for the Colonies, and that your Petitioners and the Colonists are not, nor ought to be, bound by any other laws than such as they have themselves assented to, and are not disallowed by your Majesty.

Your Petitioners do therefore make this claim and demand from their Sovereign, as guarantee of their just rights, on the faith and confidence of which they have settled and continue to reside in these distant parts of the Empire, that no laws shall be made and attempted to be forced upon them, injurious to their rights as Colonists, *Englishmen*, or *Britons*.

That your Petitioners fully sensible of the great advantages that have arisen from the regulations of trade in general, prior to the year 1760, as well to *Great Britain* and her Colonies, as to your Petitioners in particular, and being anxiously desirous of increasing the good effects of these laws, as well as to remove an obstacle which is new in our Government, and could not have existed on the principles of our Constitution, as it hath arisen from colonization, we do declare, for ourselves and the good people of this Island, that we freely consent to the operation of all such Acts of the *British* Parliament, as are limited to the regulation of our external commerce only, and the sole object of which is the mutual advantage of *Great Britain* and her Colonies.

We, your Petitioners, do therefore beseech your Majesty that you will be pleased, as the common parent of your subjects, to become a mediator between your *European* and *American* subjects, and to consider the latter, however far removed from your royal presence, as equally entitled to your protection and the benefits of the *English* Constitution, the deprivation of which must dissolve that dependence on the parent state, which it is our glory to acknowledge, whilst enjoying those rights under her protection; but should this bond of union be ever destroyed, and the Colonists reduced to consider themselves as tributaries to *Britain*, they must cease to venerate her as an affectionate parent.

We beseech your Majesty to believe that it is our earnest prayer to Almighty Providence to preserve your Majesty in all happiness, prosperity, and honour, and that there never may be wanting one of your illustrious line to transmit the blessings of our excellent Constitution to the latest posterity, and to reign in the hearts of a loyal, grateful, and affectionate people.*

TO THE INHABITANTS OF NORTH AMERICA IN GENERAL, AND THOSE OF THE PROVINCE OF NEW-YORK, IN PARTICULAR.

FRIENDS AND FELLOW-SUBJECTS: At a time when the advocates for Ministerial measures are endeavouring by all the low artifices imaginable to promote their despotick views and interests; when the friends to freedom are calumniated and publickly abused by these mercenary wretches, it behoves the inhabitants of this Continent in general, and those of this Province in particular, to be on their guard against the poisonous and deadly productions of the men who are thus endeavouring to promote the wicked designs of the Ministry against us. It has been asserted by one of these writers, that "the Colonies are inclined to

* The following calculation, taken from a list of the Poll Tax for the year 1767, may give the reader an idea of the importance of the Island of *Jamaica* to the Kingdom of *Great Britain*.

68,160 hogsheads, 729 tierces and barrels Sugar. 12,149 puncheons of Rum. 10,545 packages of Pimento. 1,947 packages of Cotton. 5,031 bags and casks of Ginger. 15,323 planks of Mahogany. 3,212 tons of Fustick and Logwood. 190,914 Negroes. 135,773 Cattle. 369 Cattle, 235 Water, and 44 Wind, Mills. 647 Sugar Plantations.

Digitized by Google

throw off their dependence upon *Great Britain*;" the assertion appears to me to be rather indefinite; if they mean that the Colonies are desirous to render themselves independent of the regal authority of *Great Britain*, I believe they will find but few who entertain such thoughts or designs. But the intentions of these men, my friends, are to stir up hatred and divisions among you; to set these Colonies at variance with each other, and by that means defeat the intent of the virtuous struggles which they are now making, in hopes that a change of affairs may conduce to their advantage. They are earnestly engaged to involve this once happy country, in distress and slavery,—among other things they endeavour to represent the proceedings of the Continental Congress in the most unfavourable light; and we are told by one of these sycophants, "that "the Members of the Congress have either ignorantly "misunderstood, carelessly neglected, or basely betrayed, "the interest of all the Colonies." With respect to these charges against the Congress, I shall in the first place observe, that the Members of that Congress were chosen by you; and to suppose that you would act so unwisely as to delegate men for that great purpose who were not well acquainted with the subject in dispute; I say, to imagine this, would be such an insult to your understandings, and argue so little sense, that I am surprised to find it asserted, that the Members were ignorant of the grand dispute, or unacquainted with the means necessary for happily terminating it.

To insinuate "that they have carelessly neglected the interest of all the Colonies," discovers not only a weakness of mind, but a depravity of heart. Why should they carelessly neglect your interest when it is blended with their own?

With respect to this charge, viz: that they have basely betrayed the interest of the Colonies, I shall only observe, that the supposition is evidently absurd, for the reasons above alleged. But I should be more particular in this part were it not for the regard I have to the merit of a person who has lately cleared up this matter in the most striking manner; he has given reasons sufficient to convince the reasonable part of the *Americans* that the Members of the Congress, so far from basely betraying the interest of their constituents, have adopted the wisest and best mode of proceeding. Nothing now remains to be done but to follow their directions, adhere firmly to their Association, and you will undoubtedly experience the happy consequences. It has been clearly proved that no better mode could have been fallen upon than that which the Congress have proposed and recommended. When, therefore, the advocates for slavery declaim against the proceedings of the Congress, they do it not from a consciousness of their being inefficacious, but solely with a view to lead you away from your duty at this time. You are in honour bound to abide by the determinations of the Congress, and I durst say, that the good sense for which the inhabitants of these Colonies are so remarkable, will teach them at this time to adopt and follow the same. Be not deceived, my friends, judge freely for yourselves, and remember that the greatest duty you can discharge to your country will be to follow the directions of that respectable body, which you chose to be the guardians of your liberty; let not artful and designing men lead you away from the paths of virtue; remember the eyes of all *Europe* are upon you, and if you hold out to the end you will experience deliverance from your present troubles. By conducting yourselves thus honourably, you will convince the Ministry and Parliament of *Great Britain*, that the wisest way for them to act will be to restore you to your former happy situation. But should you continue inflexible for a time, you may depend upon it, that the cries of the Nation at home will at last rouse them from their dream of arbitrary power.

New-York, December 28, 1774.

FAIRFIELD (CONNECTICUT) COMMITTEE.

At a legal Meeting of the Inhabitants of the Town of *Fairfield, Connecticut*, held by adjournment, on the 29th day of *December*, A. D. 1774:

EBENEZER SILLIMAN, Esquire, *Moderator:*

This meeting having duly considered the Agreement and Association entered into by the Continental Congress lately held at *Philadelphia*, do heartily approve thereof, and adopt the same; and take this opportunity to express their most grateful sense of the good services of the worthy Delegates from this Colony who attended said Congress; and pursuant to the eleventh Article of said Agreement and Association, make choice of the following gentlemen to be a Committee for the purposes therein mentioned, viz:

Gold S. Silliman, Jonathan Sturges, Job Bartram, Andrew Rowland, Samuel Squier, Jonathan Bulkley, Elijah Abel, Increase Bradley, Eliphalet Thorp, Aaron Jennings, Benjamin Lacey, Daniel Wilson, Azariah Odell, David Hubble, Zalmon Bradley, John Hubble, Thomas Cable, Joseph Hanford, Stephen Gorham, Thad. Burr, Jonathan Lewis, David Dimon, John Wilson, Joseph Strong, Alvert Sherwood, Moses Kent, Samuel Wakeman, John Squier, Ichabod Wheeler, Ebenezer Bartram, Jonathan Dimon, Jabez Hill, George Burr, Hezekiah Hubble, Benjamin Wheeler, Joseph Hide, Jeremiah Sherwood, Daniel Andrews, Hezekiah Bradley, Joseph Bradley, Ephraim Lyon, John Allin.

Voted, That if any person or persons, shall directly or indirectly, with intent to dissuade, disunite, or otherwise prevent us from strictly complying with, and conforming to said Agreement and Association, publish, vend, or sell, or otherwise dispose of any books, pamphlets,* or publications in this Town, directly tending thereto, such person or persons shall be dealt with and exposed in the same way and manner as is prescribed in said eleventh Article, for such person or persons as violate said Agreement and Association.

Voted, That it is expedient a County Congress be held to advise and consult on the most effectual measures to carry the said Agreement and Association into execution.

Voted, That Colonel *Gold Silleck Silliman, Jonathan Sturges, Andrew Rowland*, Esquires, Mr. *Job Bartram*, and *Thaddeus Burr*, Esquire, be a Committee to attend the same, at such time and place as they shall appoint, agreeable to the other Towns in this County, who shall adopt said measure.

Voted, That said Colonel *Gold S. Silliman, Jonathan Sturges, Andrew Rowland*, Esquires, Mr. *Job Bartram*, and *Thaddeus Burr*, Esquire, be a Committee of Correspondence for this Town.

Ordered by this meeting, that a copy of the foregoing Votes be sent by the aforesaid Committee of Correspondence to one or more of the Printers, that they may be made publick.

NATHAN BULKLEY, *Town Clerk.*

EXTRACT OF A LETTER FROM DEPUTY GOVERNOUR EDEN TO THE EARL OF DARTMOUTH, DATED ANNAPOLIS, MARYLAND, DECEMBER 30, 1774.

This Province has been tolerable quiet since I arrived; before that they had, in one or two instances been second, (I think) in violent measures, to *Boston*. The spirit of resistance against the Tea Act, or any mode of internal taxation, is as strong and universal here as ever. I firmly believe that they will undergo any hardships sooner than acknowledge a right in the *British* Parliament in that particular, and will persevere in their Non-Importation and Non-Exportation experiments in spite of every inconvenience that they must consequently be exposed to, and the total ruin of their trade.

EXTRACT OF A LETTER FROM OYSTER BAY, NEW-YORK, TO MR. RIVINGTON.

You are desired to assure the publick that at a meeting for choosing a Committee for the Township of *Oyster Bay*, in *Queen's* County, on *Long-Island*, on *Friday*, the 30th day of *December*, 1774, about ninety of the Freeholders of said Township were assembled, in order to take into consideration the present unhappy disputes subsisting between our mother country and the Colonies,

* This alludes to several Pamphlets and other publications in *New-York*, &c., tending to lessen the weight and authority of the Congress, and to disunite the Colonies, whose strength consists in their union, that they may be the more easily enslaved or destroyed. The inhabitants of *Fairfield*, therefore, show their abhorrence of these publications, and their opinion that the vending and distribution of them is licentiousness, an abuse of liberty, and injurious to the country.

Digitized by Google

when there appeared such a number of friends to our happy regular established Government, under the Crown and Parliament of *Great Britain*, as to deem that meeting illegal, and that no business could with propriety be done; and the said meeting was adjourned till a future time, when it is hoped it will be so conducted as to convince the world his Majesty is not without friends who will support his Government in the Province of *New-York*, and particularly in that part thereof.

On the above occasion the Resolutions of the Congress were publickly read; after which Justice *Hewlet* exerted himself with that prudence and firmness becoming a Magistrate, by arguing the impropriety and illegality of such meetings, in so masterly a manner, as to have the necessary and desired effect of preventing any business being done till the legal day of calling a Town Meeting, which will be on the first *Tuesday* in *April* next.

Had all the civil officers exerted themselves as this friend of liberty and good order has done, our unhappy disputes would doubtless have been in a fair way of terminating more to the advantage of this apparently distracted country.

JOSEPH TRUMBULL TO GOVERNOUR TRUMBULL.

Windham, December 30, 1774.

HONOURED SIR: It seems to be the universal opinion of all here, that a supply of Ammunition should be procured at the Colony's expense as soon as possible—the sooner the better, as it is apprehended that if the Admiral carries his present plan of orders into execution, of stationing a small Vessel in every Harbour, Creek, and Bay along shore, that it will by-and-bye be next to impossible to obtain such supply. I have mentioned to Colonel *Parsons* Mr. *Shaw's* being at *Hartford*, next *Wednesday* by noon, as possibly the Council may be glad to know from him in what manner, from where, &c., in his opinion, the supply may be best made. JOSEPH TRUMBULL.

Governour *Trumbull*, *Lebanon*.

BOSTON TOWN MEETING.

At a Meeting of the Freeholders and other Inhabitants of the Town of *Boston*, at Faneuil Hall, on *Friday*, *December* 30, 1774,

Mr. SAMUEL ADAMS, in the Chair,

The Committee appointed to take under consideration a paper, signed "*T. Gage*," being an answer to a letter written to General *Gage* by the Honourable *Peyton Randolph*, Esquire, President of the late Continental Congress, reported as follows, viz:

"We would not, unless urged by the clearest necessity, have taken up the consideration of General *Gage's* letter to the Honourable *Peyton Randolph*, Esquire, late President of the Honourable Continental Congress, but we conceive that letter, though it appears to be addressed to a gentleman, in his private capacity, has a strong tendency to impress the whole Continent with sentiments very unfavourable to this afflicted Town. We shall not intentionally throw any disagreeable imputations upon the General, but shall endeavour only to defend ourselves against the injurious tendency of his letter.

"The General, contrary to the known sense of every man of common understanding, has been pleased to insinuate that the complaints of the Town of *Boston* were utterly groundless and unreasonable; and would have the Continent believe that not he, but the people of this Province, and especially the inhabitants of the Town of *Boston*, were the aggressors in all the difficulties which have arisen. We freely acknowledge that the arrival of a *British* Army, with a professed design of enforcing Acts of the *British* Parliament destructive of our liberties, gave a great and universal alarm, and it cannot appear strange that we should be considering of the measures necessary to preserve our just rights and privileges. We hoped, however, that peaceable and gentle methods would have effected our deliverance. We believed that his Excellency would have laid some proposals before the General Assembly, which he had summoned to meet at *Salem;* but after treating both the Council and House of Representatives in a manner which we shall not animadvert on, he was pleased to dissolve the Assembly. The people were then compelled to turn their thoughts and attention to other methods of preventing the impending destruction. And though thus distressed, his Excellency would gladly have prevented them from availing themselves of the council of each other in Town Meeting, and actually ordered the marching of a body of armed Soldiers to disperse the inhabitants of the Town of *Salem*, when peaceably assembled to consult upon the most important interests of themselves and their posterity. This was followed by the seizing of the Powder in their Magazine, at *Cambridge*, and the Cannon which had been sent to the first Regiment in *Middlesex*. The mounting a number of Field Pieces on an eminence in *Boston* Common; stationing Guards in various parts of the Town, and many other acts which could not leave any doubt in the minds of the people of the General's intention to employ military force against the Province, at length roused the people to think of defending themselves and their property by Arms, if nothing less could save them from violence and rapine. For the justification of the conduct of the people in that respect, we may safely appeal to the Continent, to the world, and to the supreme omniscient Governour of the Universe. All the transactions, from the first arrival of the Troops, will hereafter be critically and judiciously examined, and we trust the time will come when we shall have a fair and impartial hearing. We mean not now to give particular answers, except to such parts of the General's letter as seem to charge the Continental Congress with having misconceived the facts stated in their letter to him.

"First, his Excellency says, that from the letter, meaning the letter of the Honourable Continental Congress, 'people would be led to believe that works were raised 'against the Town of *Boston;* private property invaded; 'the Soldiers suffered to insult the inhabitants, and the 'communication between the Town and Country shut up 'and molested.' How far his Excellency was governed by the consideration of what answer he should make when he gave this turn to the expressions of the Congress, need not be inquired into. To this charge his Excellency replies, 'there is not a single Gun pointed against the Town.' His Excellency did not advert to the number of Field Pieces which were, at the time that letter was written, and long before, pointed against the Town from the Common; but if the assertion had been literally true, it would not in the least affect the point under consideration.

"Are not the works erected on the *Neck*, in reality, erected against the Town? Are they not designed to intimidate the inhabitants, and to lead them to think that they were altogether in the power of the Army? The Continental Congress plainly express the sense in which they mean to be understood by his Excellency: They say 'that the Fortifications erected within that Town;' *(Boston)* 'the frequent invasions of private property, and 'the repeated insults they (the inhabitants) receive from 'the Soldiery, have given them great reason to suspect a 'plan is formed very destructive to them, and tending to 'overthrow the liberties of *America*.' The General, therefore, has in no way answered the charge brought against him, but only, by varying the expression, attempted to elude it.

"The next assertion is, 'that no man's property has been seized or hurt, except the King's.' We need not enumerate all the instances of property seized; it is enough to say, that a number of Cannon, the property of a respectable Merchant of this Town, were seized and carried off by force.

"That Timber and Lumber has been violently taken from the owners; that rightful proprietors have been driven from their lands.—It is impossible for us to mention one-half of the instances in which property has been hurt; they are notorious to every inhabitant, and have been made known to the publick from time to time.

"His Excellency is pleased to say that 'no Troops 'have ever given less cause for complaint, and greater care 'was never taken to prevent it.' What care has been taken is not our part to determine; we are ready to admit the most candid opinion, but we beg leave to say, that the insults received from Officers and Soldiers have been, in many instances, such as were shocking to a spirited people, and of which humanity in some instances, decency in others, and in all, a generous disposition to avoid placing

Digitized by Google

even those who have injured us in an odious light, prevent us from giving a particular account.

"The General declares that 'the communication between the Town and Country has been always free and 'unmolested, and is so still.' We shall only give the facts: Guards are fixed at every entrance into the Town; no person was allowed to cross the ferry to *Charlestown* after eight o'clock, in the evening, however urgent his business; passengers on the *Neck* stopped for hours by the Guard; their property injured or destroyed; one inhabitant stopped in his chaise, and his horse stabbed with a bayonet; others shamefully beaten, abused, and confined; and many other instances very alarming to our friends in the country, whose free ingress to the Town is essential to our subsistence.

"The General, perhaps, might not justify these enormities, but could he not have prevented them, by removing the cause of those frequent abuses? Be that as it may, could he, with justice, assert that 'the communication between the Town and Country has been always free and 'unmolested, and is so still?'

"We wish the General had given us some particular instances concerning 'the menaces of blood and slaughter,' which he intimates made it his duty to alarm and distress the people in the manner he has already done. We doubt not that we shall be able to answer his Excellency whenever he is pleased to descend to particulars; we can only say, at present, that we conceive his Excellency to have been very ill-advised in the measures he has pursued, and that we ardently wish for an opportunity to meet our accusers upon equal grounds."

The above Report having been duly considered, it was voted, *nem. con.*, that the same be accepted, and that the Moderator of this meeting be desired to transmit a copy of the Report to the Honourable *Peyton Randolph*, Esquire, by the first opportunity.

The following Vote, expressive of the gratitude of the Town, for the benevolent assistance received from the other Colonies, under our present calamities, and the kind recommendation of the late respectable Continental Congress, for future support, passed, *nem. con.:*

Whereas the Town of *Boston* has unfortunately become the most striking monument of Ministerial tyranny and barbarity, as is particularly exhibited in the sudden shutting up this Port, thereby cruelly depriving the inhabitants of this Metropolis of the means they have hitherto used to support their families; and whereas our brethren in the other Colonies, well knowing that we are suffering in the common cause of *America*, and of mankind, have, from a general, generous, and brotherly disposition, contributed largely towards our support in this time of our distress, without which many worthy and virtuous citizens must have been in imminent danger of perishing with cold and hunger; and whereas the Honourable Members of the Continental Congress have kindly recommended us to our sister Colonies as worthy of further support from them, while the iron hand of unremitted oppression lies heavy upon us; therefore,

Voted, That this Town, truly sensible of the generous assistance they have received from their sympathizing brethren, return them their warmest and most sincere thanks for the same, and pray that *God*, whose beneficence they so gloriously imitate, may bestow upon them the blessing he has promised to all those who feed the hungry and clothe the naked; and the thanks of this Town are accordingly hereby given to our benefactors aforementioned, and to the honourable the Members of the Congress for their benevolence towards us expressed as aforesaid; which support, if continued, cannot fail of animating us to remain steadfast in the defence of the rights of *America*.

The Town then made choice of the following gentlemen for their Delegates at the Provincial Congress to be held at the Town of *Cambridge*, on or before the first of *February* next, viz: The Honourable *Thomas Cushing*, Esq., Mr. *Samuel Adams*, the Honourable *John Hancock*, Esq., Doctor *Joseph Warren*, Doctor *Benjamin Church*, Mr. *Oliver Wendell*, Mr. *John Pitts*.

The meeting was then adjourned to the first *Wednesday* of *February* next, at eleven o'clock.

Attest: WILLIAM COOPER, *Town Clerk*.

THOMAS CUSHING TO J. QUINCY, JUN., LONDON.

Boston, December 30, 1774.

DEAR SIR: While at *Philadelphia* I received your favours of the 20th and 25th of *August* last, and agreeably to your request, I spoke to divers gentlemen to favour you with letters and with intelligence. I should have written you from *Philadelphia*, but I was so engaged that I had not a moment's time; and as Mr. *John Adams* and Mr. *Reed* told me they should write you by the same conveyance that I wrote Doctor *Franklin*, I knew you would by them be favoured with the proceedings of the Congress and the necessary intelligence, and therefore that my writing would at that time be needless. Since I have returned home I have had nothing of importance to communicate.

The proceedings of the Continental Congress are universally approved, and will be sacredly adhered to. The inhabitants of *Canada* are much dissatisfied with the late Acts relative to that Province; and instead of aiding Administration in carrying the late Acts relative to this Province into execution, they will unite with the Continent in measures to obtain their repeal.

When you left the Province it was in a convulsed state; they had a complication of difficulties and distresses to encounter. Under these circumstances, it was necessary to have a Provincial Congress, to consult upon measures to save themselves from impending ruin, and to preserve their inestimable liberty. They met in *October* last. If, in any of their proceedings, they have gone beyond the true line marked out by the Constitution, certainly people of candour and consideration will excuse it, and make all due allowance for a people in such an alarming, perplexed, and critical situation, and under the dreadful apprehension of having their dearest rights and liberties torn from them by the hand of violence. You are fully acquainted with our distressed situation; you doubtless have been furnished with the proceedings of the Provincial Congress, in *October* last; and as as you are capable, so, I doubt not, you will be disposed to make the most favourable representation of our conduct during this time of perplexity.

The Provincial Congress adjourned from *October* 29th to *November* 23d, when they met at *Cambridge*, and dissolved on the 10th instant. Their proceedings, or most of them, you have in the publick papers.

The late order of the King in Council, prohibiting the exportation of Powder, or any sort of Arms or Ammunition, from *Great Britain*, unless by special license, has alarmed the people in *America;* it forebodes the most vigorous exertions of martial force. They are therefore adopting the most effectual methods to defend themselves against any hostile invasion of the enemies to *America*. The people of *Rhode-Island* have used the precaution to remove the Powder, Cannon, and other Military Stores from the Fort at *Newport*, into the country. The people at *Portsmouth*, in *New-Hampshire*, have done the like by their Cannon and other Military Stores, at the Fort at *New-Castle*, at the entrance of their Harbour.

I remain, with strict truth, your friend and humble servant, THOMAS CUSHING.

P. S. Pray let me hear from you how it is likely to fare with my dear country.

EXTRACT OF A LETTER RECEIVED IN NEW-YORK, FROM A MERCANTILE HOUSE IN YORKSHIRE, DATED DECEMBER 31, 1774.

We are much obliged to you for the Resolves of the Congress. Unless the *Americans* are absolutely determined to throw off all dependence on *Great Britain*, (which to us seems the case,) they cannot seriously expect the one third of what they require. They publish it as a deliberatory Bill of Rights, but addressed so generally, that Parliament cannot with propriety notice it; a vague pamphlet would ill become the serious attention of the great National Council. If they expect any notice to be paid to it, they should have deputed a certain number from the Congress to have attended the House of Commons with their petitions and requisitions. The thinking part of *America* can't surely be weak enough to suppose that, on the strength of their Address to the People of *Great Britain*, we must immediately erect the standard of rebellion too,

Digitized by Google

and force Parliament to recede from every thing before they thought it requisite.

The Merchants in *London* have advertised a meeting on the 4th of *January;* but, as we are told, they are quite non-plussed how to act; they neither know what to petition for, nor what the *Americans* want. If their complaints be for the loss of trade, were we to judge of the briskness of it in other parts of *England*, by what we see and know of it from *Leeds* to *Manchester*, inclusive, they could not advance a greater falsity, than to say there is any want. At this place we can truly say there never was known a better at the season; we believe never so good, the Spring of the year 1771 only excepted. Both our and the *American* politicians err in the idea that our manufacturers cannot find a vent but on the other side the *Atlantic*. 'Tis true their sudden and uncertain demands now and then get our Goods above their intrinsick value; of course we lose our *European* trade; but when they get again into their regular channel, the *European* demands are renewed.

EXTRACT OF A LETTER FROM THE DEPUTY GOVERNOUR OF PENNSYLVANIA TO THE EARL OF DARTMOUH, DATED PHILADELPHIA, DECEMBER 31, 1774.

I am to inform your Lordship, that since my last the Assembly of this Province have met agreeable to their adjournment, and have, to my great surprise, unanimously approved the transactions of the late Congress, and appointed Deputies to attend another, proposed to be held at this City, in *May* next, as you will perceive by the printed votes, which I enclose for your Lordship's fuller information.

There seems to be too general a disposition every where to adhere strictly to the Resolutions of the Congress; and the Committees for this City and the adjacent Districts have already taken upon them to regulate the disposition of all *British* Goods imported since the first of *December*. They are put up at publick auction in lots, and I am informed it is so managed that they are struck off to the owners at an advance of one per cent. above their first costs and charges, which, according to the recommendation of the Congress, is to be applied to the relief of the poor of *Boston*.

Annapolis, December 31, 1774.

In compliance with the recommendation of the Deputies of the several Counties of this Province, at their late Convention, to such of the gentlemen, freeholders, and other freemen of this Province, as are from sixteen to fifty years of age, to form themselves into Companies, and to choose their officers, on *Saturday*, the 17th instant, a number of the citizens met, formed themselves into two Companies, and chose their officers agreeable to the recommendation. The Companies are composed of all ranks of men in this City; gentlemen of the first fortunes are common soldiers. This example, it is not doubted, will be followed by every Town and County in this Province. It is said that there are a sufficient number of citizens to form another Company, which it is hoped will be immediately done.

And this day the inhabitants of *Elk Ridge* Hundred, in *Anne Arundel* County, met, formed themselves into a Company, and chose their proper officers, being of opinion that a well-regulated Militia will contribute to the preservation of *American* Liberty.

CHARLES COUNTY (MARYLAND) COMMITTEE.

At a Meeting of the Inhabitants of *Charles* County, at *Port Tobacco* Town, on the 2d day of *January*, Anno Domini 1775, in consequence of notice by the Committee,

Captain GEORGE DENT, *Chairman*,
JOHN GWIN, *Clerk*.

The Proceedings of the last Provincial Convention, held at the City of *Annapolis*, were read, considered, and unanimously approved.

Resolved unanimously, That Captain *George Dent*, *Samuel Hanson*, *William Smallwood*, *Josias Hawkins*, *Francis Ware*, *Joseph H. Harrison*, *Thomas Stone*, *Daniel Jenifer*, *Robert T. Hooe*, *John Dent*, *Samuel Love*, *Thomas Hanson Marshall*, and *Philip Richard Fendall*, be, and are by this meeting appointed Deputies to represent this County in the next Provincial Convention to be held at the City of *Annapolis*, and that any three or more of them have power and authority to act for and bind this County.

Resolved, That a general subscription, to be managed and conducted by gentlemen in each Hundred of this County, will be the most agreeable and effectual method to collect what remains to be made up of the sum of money appointed to be raised in this County by the last Provincial Convention.

Resolved, therefore, That the following gentlemen do forthwith open subscriptions in the respective Hundreds for which they are appointed, to be offered to every free person in each Hundred, and subscriptions taken, viz:

PICCAWAXEN PARISH.—Mr. *Samuel Love* in the Lower Hundred, and Captain *George Dent* in the Upper Hundred.

PORT TOBACCO PARISH.—Mr. *Josias Hawkins* and Captain *Francis Ware* in the East Hundred, Mr. *Samuel Hanson*, Jun., in the Upper Hundred, Mr. *Daniel Jenifer* in *Cedar-point* Hundred, and Mr. *Robert T. Hooe*, in *Port Tobacco* Town.

DURHAM PARISH.—Captain *Joseph H. Harrison* in the Lower Hundred, and Mr. *William Smallwood* in the Upper Hundred.

KING GEORGE PARISH.—Captain *John Dent* for the part within this County.

TRINITY PARISH.—Mr. *Belain Posey* in the West Hundred, Doctor *John Parnham* in the East Hundred, Mr. *Alexander M'Pherson* in *Bryantown* Hundred, and Mr. *Robert Young*, in *Benedict* Hundred.

Resolved, That it is the duty of the said gentlemen to note, and return to the Committee of this County, a list of such persons (if any there be) who are able, and on application refuse to subscribe, that their names and refusal may be recorded in perpetual memory of their principles.

Resolved, That the said gentlemen do, as soon as possible, collect the subscriptions to them respectively made, and pay the same to *Philip Richard Fendall*, Esquire, Treasurer, to be applied by the Committee of this County to the purposes mentioned in the tenth Resolve of the last Provincial Convention.

Resolved, That the gentlemen appointed to take subscriptions for the purpose aforesaid, do collect the subscriptions already made to the Town of *Boston*, and also do obtain such additional subscriptions for the relief of the brave sufferers in that distressed Town, as can be got, and that the whole may be made in readiness to be sent as soon as possible.

It is recommended by this meeting that the inhabitants of this County, in forming themselves into Companies, do confine themselves to their respective Hundreds as much as can with convenience be done.

The following gentlemen, to wit: *Philip Richard Fendall*, *George Dent*, Jun., *Daniel Jenifer Adams*, *William Harrison*, *John Skelton*, *John Lancaster*, *James Neale*, *Walter Rye*, *Thomas Sims*, *Joshua Saunders*, *Henry Boarman*, *John Craig*, *Robert Gill*, Jun., *John Moran*, and *George Tubman*, are, by this meeting, added to the Committee of Observation for this County.

Ordered, That these proceedings be published in the *Maryland Gazette*. JOHN GWIN, *Clerk*.

MEETING OF WEST INDIA MERCHANTS, LONDON.

London Tavern, Bishopsgate Street, January 3, 1775.

At a General Meeting of the *West India* Merchants, the Chairman produced a Letter which he received, signed by several gentlemen of the *West India* Islands, of which the following is a copy:

London, January 1, 1775.

SIR: The very alarming situation in which the *West India* Islands are placed by the late *American* proceedings, induces us to apply to you, as Chairman of the Society of *West India* Merchants, to request that they will not come to any resolution, as a separate body, at their next meeting, but that they will join with us in calling a General Meeting of the whole body of Planters, and *West India* Merchants,

Digitized by Google

to deliberate on the steps necessary to be taken by us jointly on the present important crisis.

John Pennant,	B. Edwards,	Flo. Vassell,
Charles Spooner,	Montague James,	John Ellis,
Thomas Storer,	Samuel Torr. James,	J. Kennion,
Peeke Fuller,	Nathaniel Phillips,	Neil Malcolm,
Samuel Vaughan,	John Davis,	Philip Gibbs,
George Chandler,	Charles Fuller,	Thomas Walker,
Michael McNomara,	Rose Fuller,	William Gunthorpe.
John Trent,		

To *Beeston Long*, Esquire, Chairman of the Society of *West India* Merchants, at the *London* Tavern.

In consequence of which it was *Resolved*, That this Society do very cheerfully concur in opinion with the gentlemen Planters, that we ought not to come to any resolution, as a separate body, at this meeting; and do also readily join in calling a General Meeting of the whole body of Planters and *West India* Merchants.

And having been informed that the 18th of the present month is a day recommended by the subscribers to the above letter as proper for such meeting, it is further *Resolved*, That immediate notice be given in the publick papers, that such General Meeting be called and held on the day aforesaid, at the hour of twelve, at the *London* Tavern, in *Bishopsgate* Street, then and there to deliberate on the measures necessary to be taken for the preservation of the general interest of the *West India* Islands in the present important crisis.

JAMES ALLEN, *Secretary*.

EXTRACT OF A LETTER FROM LONDON, TO A MERCHANT IN NEW-YORK, DATED JANUARY 3, 1775.

We shall not give you or any other person with whom we have formerly had connection in *New-York*, or other parts of *North America*, cause to censure us, by sending over books, or other things, until you have again a general and free authority to import Goods as heretofore.

We hope your just ground of complaint will speedily be removed. Lord *North*, who is at the head of Administration, is in great tribulation, owing, in a great measure, to the well-timed, sensible, and spirited pamphlet of extracts from the votes and proceedings of the *American* Continental Congress. These proceedings, we hope, will have the desired effect; they are reprinted in this place, and are circulating in every part of the Kingdom. The two Houses of Parliament have adjourned for the holidays, and will not assemble again till the 21st instant. The principal business the House of Commons will proceed upon will be the *North American* Grievances; and by the next Packet you will certainly know whether the Acts passed last sessions, and others made some years back, with all or a part of them, be repealed. The Merchants, particularly trading to *North America*, meet together this week, with a view to petition his Majesty that he would recommend it to his Ministers to be early on the affairs of *America*, and grant the prayer of the petition, by rescinding the Acts. The Petition from the General Congress to the King was presented to him by Lord *Dartmouth*, last week; his Majesty has ordered it to be laid before his Parliament.

MIDDLESEX COUNTY (NEW-JERSEY) RESOLUTIONS.

According to a notice of the 20th of *December*, sundry of the Freeholders of *Middlesex* County assembled at the Court House in *New-Brunswick*, on the 3d day of *January*, 1775, but finding their number insufficient to pursue the business recommended by the Continental Congress:

It was agreed that every City, Township, and District should have a meeting by themselves, and choose Committees of Observation and Inspection; and when chosen, meet at *New-Brunswick*, the 16th day of this instant, and, by majority of votes, choose a Committee of Correspondence for the County, to have existence for a limited time.

Accordingly the several Districts in the County have had meetings, and have chosen Committees of Observation, as follows, to wit:

For WOODBRIDGE.—*Ebenezer Foster, Henry Freeman, Nathaniel Heard, Reuben Potter, William Smith, Jeremiah Manning, Matthias Baker, Charles Jackson, Samuel Force, John Pain, James Manning, John Heard, Daniel Moores, John Ross, Ellis Barron, William Cutter, Reuben Evans, James Randolph, Timothy Bloomfield, John Noe*, and *John Conway*.

For PISCATAWAY.—*John Gilman, Henry Sutton, John Langstaff, William Manning, Benjamin Manning, Jacob Martin, Charles Suydam, Jeremiah Field, Daniel Bray, Jacob Fitsworth, Micajah Dunn, Melancthon Freeman*, and *John Dunn*.

For SOUTH AMBOY.—*Stephen Pangburn, John Layd, Luke Schenck, Matthew Rice, William Vance*, and *Joseph Potter*.

For NEW-BRUNSWICK.—*Azariah Dunham, J. Schureman, John Dennis, John Lyle*, Jun., *Abraham Schuyler, George Hame, Jacobus Van Huys, John Slight, John Voorhees, Barent Stryker, William Williamson, Peter Farmer, Ferdinand Schureman, Abraham Bucklew*, and *Jonathan Roeff*.

For SOUTH BRUNSWICK.—*David Williamson, William Sender, Isaac Van Dyck, John Wetherill*, Jun., *Abraham Terheune, Jacob Van Dyck*, and *Charles Barclay*.

For WINDSOR.—*James Hebron, Samuel Minor, Jonathan Combs, Andrew Davison, Isaac Rogers, Ezekiel Smith*, and *Jonathan Baldwin*.

By a Meeting of the General Committee of Observation and Inspection for the County of *Middlesex*, in the Province of *New-Jersey*, chosen in pursuance of the eleventh Article of the Association of the late Continental Congress, and assembled at *New-Brunswick*, in the said County, on *Monday*, the 16th day of *January*, 1775:

AZARIAH DUNHAM, Esquire, in the Chair.

1. *Resolved*, That this Committee have been duly empowered and authorized by the Freeholders and Freemen of the County of *Middlesex*, to meet this day at *New-Brunswick*, and, in their names, to transact all such publick business as the Committee, or a majority of them, think of importance to the general interest of the County.

2. *Resolved*, That we heartily and entirely approve of the Proceedings of the late Continental Congress, as published in their Journal, entitled "Journal of the Proceed- "of the Congress, held at *Philadelphia, September* fifth, "1774;" and that we esteem ourselves bound by the ties of virtue, honour, and the love of our country, to contribute all in our power towards carrying into practice the measures which they have recommended.

3. *Resolved*, That we look upon ourselves as under particular obligations of gratitude to the worthy and publick spirited gentlemen who composed the late Congress, for the knowledge with which they have pointed out and defined our rights, the firmness with which they have asserted them, and the wisdom with which they have devised the most likely and peaceable means of recovering, establishing, and perpetuating them.

4. *Resolved*, That *James Neilson, William Oak, Azariah Dunham, John Wetherill, Jonathan Combs, Stephen Pangburn*, and *Ebenezer Foster*, Esquires, Messrs. *Wm. Smith, Matthias Baker, Jacob Fitsworth, John Dunn, David Williamson, Jonathan Baldwin*, and *Jacob Schenck*, be and they are by this Committee appointed a Committee of Correspondence for the County of *Middlesex*, and that they do, as soon as possible, by their humble petition, address the General Assembly now sitting at *Perth Amboy*, to nominate Deputies from this Province to the General Congress, to be held at *Philadelphia* in *May* next; and provided the Assembly do not undertake such nomination, that they then meet and join with the other Committees of Correspondence appointed by the several Counties in the Province, at a proper time and place, and elect Deputies for the service aforesaid; and that this Committee be and continue the Committee of Correspondence for the County of *Middlesex*, till the rising of the next General Congress, and no longer.

5. *Resolved*, That we think it our duty publickly to declare our contempt and detestation of those insidious scribblers, who, with the vilest views, enlist themselves in the cause of the Ministry, and by the vilest means endeavour to effect a disunion among the good people of the Colonies, that they may become a prey to the oppression against which they are so laudably and unanimously struggling; who skulk behind prostituted printing presses, and with the assistance of the prostituted conductors of them,

Digitized by Google

labour to circulate their pestilent compositions through the land, under the show of friendship and a regard to the publick good; who, with the most unexampled effrontery against the sense of every man of the least information and impartiality, will persist in retailing the rotten, exploded, and ten thousand times confuted doctrines of a passive acquiescence in the measures of Government, however distempered and tyrannical.

6. *Resolved*, That we will preserve on this trying occasion a resolute spirit, directed by loyalty to our King, prudence, temper, and dispassion, testifying that, as our cause is clearly just, we mean to support it by just exertions, and not by misrule and outrage.

Signed by order and on behalf of the meeting, by

JOHN DENNIS, *Clerk*.

THE EARL OF DARTMOUTH TO THE GOVERNOURS OF THE SEVERAL COLONIES.

[Circular.] Whitehall, January 4, 1775.

SIR: Certain persons styling themselves Delegates of several of his Majesty's Colonies in *America*, having presumed, without his Majesty's authority or consent, to assemble together at *Philadelphia*, in the months of *September* and *October*; and having thought fit, among other unwarrantable proceedings, to resolve that it will be necessary that another Congress should be held at the same place, on the tenth of *May* next, unless redress for certain pretended grievances be obtained before that time, and to recommend that all the Colonies in *North America* should choose Deputies to attend such Congress, I am commanded by the King to signify to you his Majesty's pleasure, that you do use your utmost endeavours to prevent any such appointment of Deputies within the Province under your government, and that you do exhort all persons to desist from such an unjustifiable proceeding, which cannot but be highly displeasing to the King. I am, sir, your most humble servant, DARTMOUTH.

EXTRACT OF A LETTER FROM LONDON, TO A GENTLEMAN IN NEW-YORK, DATED JANUARY 4, 1775.

The reasons why I hope the unhappy differences between *Great Britain* and the Colonies will soon subside, are these following, viz: that the deliberations of that celebrated body of gentlemen who constituted the General Congress, are held in the highest esteem by every sensible man in this Metropolis; and our great patriot, Lord *Chatham*, has declared that he wants words to express the great satisfaction he received in reading them, and that he does not think there are fifty-two men besides in the universe, that could have done what those gentlemen did, and that they must have been divinely inspired in their glorious work.

The Petition of the Congress to the King was received graciously, but referred to the deliberations of Parliament, which meet the 19th instant. The Ministry keep their intentions close, but it is said are inclined to relax a little and to accommodate matters.

The Merchants and Traders to *North America* met this day, and unanimously chose a Committee of twenty-three persons to frame a petition to the House of Commons, which avoiding political discussions, is to be confined to a representation of commercial grievances. The people here are a good deal divided in opinion on this important question; many of them do not understand it, and others, pretending the necessity of a sovereign power being lodged somewhere in every state, indulge themselves in declaiming with all the virulence of party against *America*, which wants not, however, able supporters. The Press teems with publications on both sides, though the advocates for *American* Liberty have, in my opinion, greatly and manifestly the advantage. The manufacturing Counties begin already to discover symptoms of distress.

EXTRACT OF A LETTER FROM LONDON, TO A GENTLEMAN IN VIRGINIA, DATED JANUARY 4, 1775.

I now apprize you that the Merchants and Manufacturers in *Glasgow* and its neighbourhood are drove to the greatest distress, from the amazing quantity of Goods already manufactured for the *Virginia* and other *American* markets, which now lay a dead weight on hand, as they dare not export them.

In *Manchester*, it is said, they are fully employed by persons who intend shipping them to *Ireland*, and thence smuggle them into the Continent. I give you this intelligence, that you may apprize all *America* of this cursed machination; for as sure as it is known to this tyrannical Administration, that *British* Goods are any how admitted, they will never repeal the cursed Acts; whereas, an inflexible adherence to the Resolutions of the Congress, will eventually work their wo and our relief.

A very large body of Merchants had a meeting this day to consider what is best to be done on the present alarming crisis. That Ministerial puppet, *Anthony Bacon*, advised them against petitioning till after the Parliament met, and strove all he could to divide the meeting, but he was opposed and silenced. The result is, that a Committee is appointed to draw up a petition, setting forth the inevitable destruction of the petitioners, and of this Nation in general, if some measures are not speedily adopted to regain the Commerce of the Colonies, which is in a great degree lost, and will soon be totally so to this Kingdom.

I am just now credibly informed, that above fifty of the principal *West India* Planters in this City, had a meeting this day, to prepare a state of their impending ruin, to be laid before all Planters, Money-lenders, and Merchants, interested in the welfare of the Islands, which state is afterwards to be formed into a remonstrance to his Majesty. They now plainly see that the Resolutions of the Congress will be maintained in every particular, and therefore they mean to acquaint his Majesty that the *West India* trade will soon be lost to *Britain*, and every Planter, Money-lender, and Merchant, concerned in the Islands, will meet inevitable bankruptcy, unless the Acts complained of are repealed.

I tell you that if *America* supports her patriotism on the ground established by the Congress, she will soon remove this world-wasting Ministry, and forever establish liberty in its full perfection throughout *North America*.

King's Arms Tavern, Cornhill, January 4, 1775.

At a Meeting of the Merchants and others, concerned in the *American* Commerce, held here this day,

THOMAS LANE, Esquire, was called to the Chair.

It was unanimously *Resolved*, that it is the opinion of this meeting, that the alarming state of the Trade to *North America* makes it expedient to petition Parliament for redress.

It was also *Resolved*, That a Committee be appointed to prepare a Petition to the House of Commons, and lay the same before a general meeting, to be held at this place this day se'nnight.

It was also *Resolved*, That the Committee consist of the following gentlemen:

For NEW ENGLAND.—Mr. *Lane*, Mr. *Champion*, and Mr. *Bromfield*.

For NEW-YORK.—Mr. *Pigou*, Mr. *Blackburn*, and Mr. *Sergeant*.

For PENNSYLVANIA.—Mr. *Barclay*, Mr. *Mildred*, and Mr. *Neate*.

For MARYLAND.—Mr. *Hanbury*, Mr. *Molleson*, and Mr. *Campbell*.

For VIRGINIA.—Mr. *Norton*, Mr. *Gist*, and Mr. *Athawe*.

For NORTH CAROLINA.—Mr. *Bridgen*, Mr. *Clark*, and Mr. *Wooldridge*.

For SOUTH CAROLINA.—Mr. *Greenwood*, Mr. *Nutt*, and Mr. *Rolleston*.

To the above gentlemen were added Mr. *Lee* and Mr. *Baker*.

It was also *Resolved*, That the Committee be desired to entitle the Petition—"A Petition of the Merchants, Traders, and others, concerned in the *North American* Commerce."

It was also *Resolved*, That the Minutes of this meeting be inserted in the publick morning and evening Papers, signed by the Chairman.

It was also *Resolved*, That this meeting be adjourned to *Wednesday* next, at ten o'clock in the forenoon, at this house, then to receive the Report of the Committee.

THOMAS LANE, *Chairman*.

Digitized by Google

A Speech intended to have been spoken at the Meeting of the NORTH AMERICAN *Merchants, at the King's Arms Tavern,* JANUARY 4, 1775.

The great and important business you are here convened upon, cannot, I presume, be conducted well in so large a body as I see here met at present; therefore, I suppose you will appoint a Committee; and lest I should not be present when you have determined on those who are to compose it, I beg leave to recommend to those gentlemen all that coolness and deliberation which the importance of the object demands, and to bear always in mind that every resolution which irritates, disserves any cause, as violence destroys it; witness the late violent measures at *Boston*, respecting the Tea. The whole world condemned the outrage, in consequence of which Parliament passed an Act to block up the Port of *Boston*; and lest that should not be sufficient to inflame the neighbouring Colonies, the same power takes away the Charter, mutilates the whole form of Government of *Massachusetts Bay*, and, to complete all, presents our new *Canadian* subjects, purely to oblige them, with a code of Laws as near to those of *France* as could possibly be framed.

You see, then, gentlemen, how violence produces violence; notwithstanding which, it is hardly to be believed that three or four hundred people should consent to such measures; but it so happened. Now, gentlemen, I will speak a few words on the subject of your meeting.

If you had petitioned Parliament last Spring against those ruinous Acts which then passed, I should now have been against any petition; nor indeed is it clear to me that it is at this time expedient; but as so many respectable gentlemen think it ought to be done, I entirely acquiesce, in expectation that a new Parliament, which I am told is composed of wise men, honest men, and of men who are open to conviction, which I think there is not a gentleman present will or can say of the last. I say, gentlemen, if you had then petitioned against those ruinous Acts, you ought now to leave the authors of them to get out of the pit they had dug for themselves, as well as they could; but as, by your silence, if you did not aid them, you did not warn them of the danger, you ought now, as good Christians, to lend Administration your hand to get out of that dismal hole into which the rashness of the last Parliament has precipitated it. On this principle I am for an humble petition, as an excuse for their undoing that which no wise Administration would have ventured to propose, much less to have carried it to so ruinous a length. I say, gentlemen, as an excuse; for if I am informed right, that is all Administration wants. But I beg, gentlemen, that neither in your petition nor advice, if asked by men of power, that you require less than a repeal of all the Acts passed last year respecting *America*, as well as the remains of that impolitick one passed in 1767, which laid a duty of three pence per pound on Tea. This being done, I will venture to engage, and so will every one present who is fully acquainted with the disposition of the Colonists, that peace and good order will soon be re-established, and that love and brotherly affection restored, which subsisted at the conclusion of the late war between the mother country and the Colonies, besides our having any reasonable pecuniary assistance in their power, which this Kingdom shall require or stand in need of from them.

—

EXTRACT OF A LETTER FROM LONDON, DATED JANUARY 6, 1775.

A circumstantial account of the proceedings of the *American* Merchants assembled on *Wednesday*, at the King's Arms Tavern: *Thomas Lane*, Esq., being placed in the Chair, Mr. *Barclay* first opened the debate. He went fully into the nature of the meeting, which was to consider of some proper methods for stemming those evils that threatened no less than the destruction of the whole Empire, by the present unhappy disputes between this country and *North America*. As this was a subject of the greatest magnitude and importance to the trade of this country, he hoped it would be treated with great temper and circumspection, and that consequently it should be only taken up merely on a commercial ground, leaving the political to those who should best know how to discuss it. He then produced the two following written propositions, which were severally read and seconded: "That it is the opinion "of this meeting, that the alarming state of the trade to "*North America* makes it expedient to petition Parlia-"ment for redress. That a Committee be appointed to "prepare a Petition to the House of Commons, and lay "the same before a general meeting to be held at this place "this day se'nnight."

Mr. *Bacon*, Member for *Aylesbury*, rose after Mr. *Barclay*, and after joining with him in thinking the present question of the greatest importance to this country, yet thought the mode of petitioning rather premature. There was, he said, a Petition from *America* already presented to the King, and the King had given his answer it should be laid before the Parliament. Now, says he, let us wait till we hear how this Petition is received, before we go upon one, the prayer of which might be different from the other.

Mr. *Barclay* answered him, by saying that the least protraction might be dangerous; and that if they waited for the fate of one Petition, the Parliament, by that time, might take some measures which might defeat, in a great measure, the purpose of petitioning at all; that besides, so large a body as the *North American* Merchants of *London*, should not sit idle spectators in so great a struggle as the present; that their not exerting themselves before, was made a handle of last session by the Minister; and that their present union and assistance must necessarily strengthen the grounds of an amicable accommodation.

Mr. *Samuel Vaughan* acquainted the assembly, that having had the honour of attending a meeting of the *West India* Merchants and Planters, on the night before, at *London* Tavern, upon the same subject as the present, he would declare to them their Resolutions. He then read a letter from the Merchants, Traders, &c., in the *West India* business, residing at *Bristol*, requesting to join themselves to the *London* meeting of Merchants, &c., and that, upon this letter being read at the last night's meeting, they had resolved to accept of the association, and likewise resolved to have a general meeting at the *London* Tavern, on the 18th instant, for that purpose.

Mr. *Hayley* read a letter from the Council of Commerce at *Liverpool*, requesting to know what steps the *London American* Merchants intended to take. He likewise said he had letters from *Manchester*, *Leeds*, and other places, to the same purport. These letters urged for the immediate necessity of coming to some determination. Mr. *Barclay* corroborated this by reading a letter from *Leeds*, giving a most pitiable account of the miseries and distresses of the Manufacturers in that Town, on account of the Non-Importation Article.

After several other gentlemen had spoken successively to the business of the meeting, in which they all essentially agreed, (though two warned them of petitioning in favour of those who had resisted the authority of Parliament,) the motions were severally put by the Chairman, and carried unanimously. The Committee were then appointed to consist of twenty-three, and the names given in accordingly, at the proportion of three to a Province, and two over, nine of whom were to constitute a Committee. A short debate then ensued, on including the Tradesmen and others concerned in *American* Commerce, in the prayer of the Petition, which was finally agreed to. It was unanimously agreed that these Resolutions should be inserted in all the Newspapers.

The above meeting consisted of between three and four hundred of the most respectable Merchants and Traders concerned in the *American* business, and was conducted throughout with much spirit, good sense, and moderation.

It is supposed the Petition of the *American* Merchants will be followed by others from *Bristol*, *Liverpool*, *Manchester*, *Leeds*, *Birmingham*, and by the other manufacturing Towns in *England*.

—

TO THE PRINTER OF THE LONDON EVENING POST.

Leeds, January 9, 1775.

Observing that in the narrative printed in your Paper, dated the 5th instant, of the proceedings of the *American* Merchants, assembled at the King's Arms Tavern, it is said that Mr. *Barclay* read "a letter from *Leeds*, giving a most "pitiful account of the miseries and distresses of the Manu-

Digitized by Google

facturer in that "Town, on account of the Non-Importa-"tion Article;" we, whose names are hereunto subscribed, inhabitants of the Town of *Leeds*, being convinced that no publick letter of such import has been sent from hence, and happy in knowing that such account is a misrepresentation of the situation of the Manufacturers of this place, are unwilling that the opinion or allegation communicated by any private person to his correspondent, should be imposed upon the publick as the general sense of the Town; and call upon you to disclose what authority you had for saying that Mr. *Barclay* did read such a letter; or that if you had such authority, then that Mr. *Barclay* would set forth so much of the contents of his letter as relates to this affair, with the name of the person who subscribed it, and desire that this may be printed in your Newspaper.

John Blayds, *Mayor*,
Richard Wilson, *Recorder*,
J. Kirkshaw, D. D. *Vicar*,
Thomas Medhurst,
John and Thomas Wade,
Samuel Davenport,
Thomas Wolrich,
J. B. Bischoff, and Sons,
Lloyds and Cattaneo,
Wormold and Fountaine,
Richard Cotton,
William Dawson,
T. Cockson and Son,
James Maude,
John Shepley,
Richard Lee,
John Smith.

—

Cheapside, (London,) January 16, 1775.

The Printer of the *London Evening Post* is desired to insert the following, being that part of a letter from *Leeds* which was read, on the fourth instant, at the meeting of the *North American* Merchants, at the King's Arms Tavern, viz:

"Leeds, December 28, 1774.

"The unhappy differences betwixt *Great Britain* and *America* throws the Merchants in this country into great inconveniences, and the Manufacturers into great distress: there are now a great many Cloth Dressers in this Town out of employ, and a much greater number of Cloth Makers, such as Carders, Spinners and Weavers, in the country adjacent. The poor's rate, at *Dewsbury* is already got up to eight Shillings in the Pound; and at *Batley*, *Heckmondwick*, and the other Towns thereabouts, the poor's rate are nearly as much; and it is my firm belief that if the Trade to *America* is shut up until this time twelve months, all the rents of the lands and houses in the above Townships will not be sufficient to support the poor alone. I wish our Rulers, who are at the head of affairs, could spare a day to visit a few of the poor cottagers, and see for themselves the manner in which they live, their poor diet, their wan looks, their ragged clothing, their starved children, it might be a better guide for them, in the ordering of affairs, than their always being in *London*, and seeing nothing but affluence and plenty; but as this, I fear, is not likely to be the case, and as this country now feels the bad effects of the stop to *America*, if any thing can be done to obtain redress, it is a pity but it was done. If the Merchants of *London* petition Parliament for a repeal of those Acts that are the cause of the difference, the Merchants and Manufacturers of this country will be glad to join in a petition to the like import, provided the Merchants in *London* should think it necessary; for the people at this distance cannot so well judge what is expedient as you that are upon the spot. I therefore could wish we had the direction of the Merchants, in *London*, what to do; for, if there is the least prospect of doing good, our endeavours should not be wanting."

I have wrote to the author of the above, desiring that he will avow the contents to the Mayor and the rest of the gentlemen who signed the letter from *Leeds*, dated the 9th of *January*, 1775. DAVID BARCLAY.

—

Leeds, January 21, 1775.

The Mayor, and other gentlemen of this Town, having thought proper to call upon the author of a private letter, which was read, on the 4th instant, at the meeting of the *American* Merchants, and others, at the King's Arms Tavern, in *London*, please to inform them that I wrote the letter, and that the contents thereof related only to such Merchants in *Leeds* as trade to *North America*, and to the Manufacturers of Goods for that trade, who reside in this Town and parts adjacent; and I thought it was explicit enough for my correspondent, if not for the publick, for whom it was not intended.

I am conscious, to myself, that I never designed to disguise the truth; and, until my opponents do bring the proofs of some new sources of trade being opened to this country, I must, and do insist, that whatever number of hands were usually employed for the *North American* Trade, these hands, be they more or less, remain at this moment, by the stagnation of the *North American* Trade, wholly unemployed, or only sharing in the labour and wages of those who were usually employed for the *European* Trade; and whatever was the number of labourers employed for the *American* Trade over and above the number necessary for the *European* Trade, the sufferings of the poor must be estimated according to that number. That the want of employment, and that great distress prevail amongst the poor labouring Manufacturers, in consequence of the Non-Importation Agreement, the enclosed certificates, taken on the spot, incontestibly prove; that a great number of Clothworkers, in this Town, are now out of employment; and that many more do not earn half the wages sufficient to support their families, I do still aver, and have a list of such now in my possession, which may be seen by any one here who doubts the truth of it.

Those who are acquainted with Parish Rates must know that they are laid at certain seasons only; so that when I informed my correspondent that the poor's rate at *Dewsbury* was got up to eight Shillings in the Pound, my design was not to intimate that this was solely to be attributed to the stop of the Trade to *America*, that being but of a short standing; but in order to give him an idea of the numerous poor at that place, and also what might be apprehended from the same cause, if continued. I have been at *Dewsbury*, this week, and there I was told that the next half year's assessment for the poor would be five Shillings in the Pound; now, as there is no material alteration in the prices of provisions, nor any unusual sickness amongst them, the advance from about four Shillings the half year to five Shillings the half year, may, I think, be fairly attributed to the want of trade to *America*.

In that part of my letter where I said it was my belief, that if the Trade should be shut up till that time twelve months, all the rents of the lands and houses in the Townships there specified, would be insufficient to maintain their respective poor, my zeal for the cause may seem to have carried me beyond the bounds of probability; and I own, that upon further reflection, I think so in some degree myself, though the bounds of probability in this case must vary greatly in the opinions of different men, according as they are more or less sensible of the vast consequence of the *American* Trade to those Townships; and I hope the freedom of expression allowed in private letters, will clear me of any wilful design to impose upon the publick in this point.

There are not in any part of the King's Dominions that I am acquainted with, more dutiful and loyal subjects than the Master Manufacturers in the *West Riding*, of the County of *York*. They have good natural abilities; they can tell to others their own feelings, and the obvious causes of them; and for frugality and industry, they are perfect patterns; and though the enclosed testimonies of their sufferings, as related in my private letter of the 28th ultimo, are signed but by hundreds of these very useful members of the community, yet, did the occasion require it, the like testimonies, if I may be allowed to judge, would soon, very soon, be signed by thousands.

Some may object, and say, the season for shipping Woollens to *America*, does not come on until four or five months hence; granted; but this is the season when the Master Manufacturer used heretofore to be preparing his Warp and Woof for the goods proper for that trade; it is also the time when the moneyed Merchant and Warehouseman used heretofore to be laying in their stocks of goods against the shipping season came on; by which the labouring poor had employment within doors in the severest season of the year. SAMUEL ELAM.

"These are to certify all whom it may concern, that from the total stagnation of the Trade to *North America*, great numbers of the labouring poor of this place are out of employ, and a great number that are but part employed; by which the distresses of the labouring poor are very much increased amongst us. And we, the underwritten

Digitized by Google

Master Manufacturers of Woollen Cloths, already feel great inconveniences for want of that branch of Trade as usual. Witness our hands, *January*, 1775.

Hightown.

David Murfitt, Joseph Charleworth, William Dex, John Cawthro, Thomas Hanson, Thomas Lawford, Daniel Rouse, Daniel Hemingway, John Jackson, Joseph Jackson, and eleven others.

Heckmondwick.

Jeremiah Firth, Samuel Whitely, John Whitely, Abraham Naylor, George Tetley, William Keighley, Thomas Keighley, Thomas Ruck, Stephen Greenhold, Joseph Goodall, and twenty-five others.

Dewsbury.

Joseph Wilson, Joseph Gill, Abraham Thomas, Francis Dransfield, Joseph Whitely, John Clay, William Day, John Clayton, John Knowles, Richard Oldroyd, and sixteen others.

Batley.

Abraham Stubbey, William Walker, William Fearnsides, David Healey, John Hey, Joseph Newsom, Matthias Blakely, Samuel Robinson, William Knowles, John Scatcherd, and thirty-three others.

Woodhouse, near Leeds.

Richard Walker, Samuel Walker, Benjamin Chapman, John Chadwick, John Sims, George Smith, Walter Ross, Jun., Joseph Ibbetson, John Atkinson, Abraham Smith, and twenty-six others.

Armley, near Leeds.

Richard Robinson, Joseph Hawkshaw, Thomas Wright, Edward Roberts, Samuel Taylor, Joseph Hill, James Lumpton, Henry Slater, Thomas Simpson, Robert Walker, and fifty-three others.

Hanslet, near Leeds.

John Glover, William Copley, Benjamin Rogerson, John Rothery, Saml. Walker, Jun., Saml. Walker, Sen., Joseph Williams, Joseph Jewitt, Benjamin Carr, Jonathan Wade, and fifty-three others.

Holbeck, near Leeds.

And. Hollingsworth, William Allison, Thomas Watson, Thomas Dawson, Thomas Robinson, John Gott, Benjamin Settle, John Atha, Joseph Atha, Benjn. Pearson, and fifty-six others.

EXTRACT OF A LETTER FROM MANCHESTER, TO A MERCHANT IN LONDON, DATED JANUARY, 1775.

I can in no better way describe to you what is likely to be the state of this country, than by sending you the following copy of a letter, which was received this week from *New-York*, by a principal Merchant here. Letters of the like import have been received by all the rest of our *American* Merchants, and need no comment on them. The pernicious consequences are self-evident. Into what deep distress must thousands of innocent families now sink; families that have hitherto comfortably maintained themselves by preparing Goods for *America*. Our Ministers, instead of sending Soldiers to besiege, and be besieged, at Boston, had now better send for them back, to quell any riot and tumults that may happen in the Manufacturing Counties, and prevent the hungry poor from plundering their neighbours' houses. By one means or another, the people will have food; and if the Government deprives them of the legal method of procuring it, where is the wonder if they help themselves by other means?

"New-York, October 29, 1774.

"SIR: Having desired you to ship our second order so soon as was convenient after executing the first, may probably have occasioned you to suppose that three or four months would be time enough; this is therefore to request, that if the said Goods are not laden, (or, if they are, and you can get them out of the vessel again,) you will please absolutely to decline shipping them at all, under any circumstances whatever, as they cannot possibly be received here. Should they have been manufactured on purpose for us, and ready for exportation before this reaches you, we will allow every thing that is just and reasonable for your loss and disappointment. Being with great esteem and regard, your most assured friends, and very humble servants."

CHARLES CITY COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Committee for the County of *Charles* City, *Virginia*, at the Court House of said County, on *Wednesday*, the 4th *January*, 1775, the Committee being informed by *Amos* and *James Ladd*, that they have lately imported Goods from *Great Britain* to the amount of £114. 3*s*. 3*d*. current money, and also a crate of Glass Ware, the invoice of which they have not yet received; and having delivered up the same to the Committee, and made their election that the same should be sold, according to the Association,

Ordered, That *William Green Munford*, *William Gregory*, *Peter Royster*, *Thomas Holt*, and *James Eppes*, gentlemen, or any three of them, do forthwith sell the said Goods, having first advertised the time of sale in the publick Papers, in small parcels, not exceeding £10 each, for ready money, and apply the same according to the direction of the Association.

John Ladd having also informed the Committee that he hath lately imported Goods from *Great Britain* to the amount of £5. 0*s*. 2*d*. sterling, and *Andrew Crew*, that he hath also imported Goods in like manner, to the amount of £0. 13*s*. 9*d*. sterling, and having severally delivered up the same to the Committee, and made their election that they should be sold,

Ordered, That the same gentlemen, as in the foregoing order, do sell the same, and dispose of the money as in manner aforesaid.

By order of the Committee.

PATRICK MURDOCK, *Clerk*.

EXTRACT OF A LETTER FROM LIEUTENANT GOVERNOUR COLDEN, TO THE EARL OF DARTMOUTH, DATED NEW-YORK, JANUARY 4, 1775.

MY LORD: The measures pursued, as well by the Southern as Eastern Provinces, put the moderate and peaceable disposition which prevails among the majority of the people of this Province, daily to the trial. Enthusiasm is ever contagious; and when propagated by every artifice, becomes almost irresistible. The Assembly of this Province, as I formerly informed your Lordship, are to meet next *Tuesday*. If I find that there will not be a majority for prudent measures, I shall incline to prorogue them for a short time, that the plan of the new Parliament may be known here, before the Assembly do any thing. On the other hand, there is room to fear, that if the Assembly do not meet, an attempt will be made to convene a Provincial Congress, in imitation of our neighbours, which may be of worse consequence. I propose to take the advice of his Majesty's Council to-morrow upon the interesting and important situation of affairs. When all depends upon the humour of the populace, one can only, my Lord, form very uncertain conjectures of future measures. I can only say, with certainty, that there is still a good majority of the most respectable people in this place who promote peace, and discountenance violence.

BARNSTABLE (MASSACHUSETTS) TOWN MEETING.

At a Town Meeting, duly notified, to be held at *Barnstable*, on the fourth day of *January*, 1775, pursuant to a warrant granted for that purpose, by *Joseph Otis*, and *Daniel Davis*, Esqrs., being the major part of the Selectmen of said Town, to act on the several matters and things hereafter mentioned, there being a very full assemblage of qualified voters; *Edward Bacon*, Esq., was chosen Moderator by a great majority.

The Town then proceeded to the business, in said warrant specified, and voted on the several articles therein, as follows, viz:

1st *Question*, Whether the Town will give the Assessors any directions respecting their making the Province Rates, for the present year, and returning a certificate to *Harrison Gray*, Esquire? Passed in the affirmative; but that the Constables should suspend collecting any monies in consequence of said assessment, until further orders of said Town.

2d *Question*, Whether the Town would order any sum of money to be paid to *Henry Gardner*, of *Stow*, as Receiver General of this Province? Passed in the negative, by a great majority.

3d *Question*, Whether the Town will order the late Constables, who have any monies in their hands collected, or to be collected, on the late Provincial Rate Lists, to pay

Digitized by Google

the same to *Henry Gardner*, Esq.? Passed in the negative.

4th *Question*, Whether the Town will come into any method to purchase a number of Small Arms for the use of the Town? Passed in the negative.

5th *Question*, Whether they will order any new supply of Ammunition for said Town's use? Passed in the negative.

6th *Question*, Whether the Town will take any method to encourage Minute-Men, agreeable to the recommendation of the Provincial Congress? Passed in the negative.

7th *Question*, Whether the Town will choose a Committee of Inspection, to see the Association of the Continental Congress carried into execution? Voted that a Committee be appointed for said purpose, so far as it relates to Imports and Exports only.

8th *Question*, Whether the Town does approve of the Resolves of the County Congress? Voted the same to be referred to the *March* meeting.

The last Question is said warrant, Whether the Town will choose one or more persons to attend a Provincial Congress, recommended to be held at *Cambridge*, in *February* next, and to give them instructions, &c., passed in the negative, by a very great majority.

The Moderator then declared the business of the day to be over.

Fifth Day of the first Month, (January,) 1775.

The Quakers of *Pennsylvania*, much alarmed at the present distracted proceedings of the Colonies, in the opposition making to the authority of the Parliament of *Great Britain*, foresee the most fatal conseqences both to themselves and the parent country, have thought it necessary to address their brethren in the adjacent Provinces, and have published the following Epistle, declaring their disapprobation of the measures prosecuting for obtaining redress, and earnestly requesting all of their communion to avoid joining in such measures as are totally inconsistent with their religious principles.

An Epistle from the Meeting for Sufferings, held in PHILADELPHIA, *for* PENNSYLVANIA *and* NEW-JERSEY, *fifth day of the first Month*, 1775.

To our Friends and Brethren in these and the adjacent Provinces:

DEAR FRIENDS: During the troubles and commotions which have prevailed, and still continue in this once peaceful land, much seasonable and weighty advice hath been frequently communicated, and particularly by our late yearly meeting, exhorting Friends in every part of their conduct, to act agreeable to the peaceable principles and testimony we profess; which we fervently desire may be duly attended to, and put in practice; yet as some publick Resolves have been lately entered into, with the concurrence and approbation of some members of our religious society, the nature and tendency of which are evidently contrary to our religious principles, our minds have been deeply affected with affliction and sorrow, and we have in much affection and brotherly love, been engaged to use our endeavours to convince these our brethren of their deviation; in the discharge of which duty, so far as we have proceeded, we have had the evidence of peace.

And, dear friends, we are now constrained in the renewings of true love, to entreat and exhort all, with humility and reverence, to bear in mind that our real welfare and preservation on the foundation of our religious fellowship and communion, depends on one faithfully adhering to the doctrines and precepts of our Lord Jesus Christ, who expressly declared, "my Kingdom is not of this world. If "my Kingdom were of this world then would my ser-"vants fight, that I should not be delivered to the *Jews;* "but now is my Kingdom not from hence,"—*John* xviii. 36, which ever since we were a people, we have publickly professed should be religiously observed by us as the rule of our conduct.

As divers members of our religious society, some of them without their consent or knowledge, have been lately nominated to attend on and engage in some publick affairs, which they cannot undertake, without deviating from these our religious principles, we therefore earnestly beseech and advise them, and all others, to consider the end and purpose of every measure to which they are desired to become parties, and with great circumspection and care to guard against joining in any for the asserting and maintaining our rights and liberties, which on mature deliberation, appear not to be dictated by that "wisdom which is from "above; which is pure, peaceable, gentle, and full of "mercy and good fruits."—*James* iii. 16.

"Every instance of conduct, inconsistent with our Chris-"tian profession, tends to violate the testimony we ought "to maintain of the sufficiency of that divine principle of "light and grace, by a steady attention to which, our "ancestors were led, in times of great commotion and diffi-"culty, to an humble, patient waiting for that relief and "liberty, which, after a time of deep suffering, was granted "them."

And as they were often engaged with Christian fortitude and freedom to remonstrate to those who were in power, whenever under sufferings, they could safely do it, without fear of being reproached for any part of their conduct having ministered just occasion of offence; or for having ever been concerned in any kind of conspiracies or combinations against the Government under which they lived.

"Should any now so far deviate from their example, and "the practice of faithful Friends at all times since, as mani-"fest a disposition to contend for liberty by any methods or "agreements, contrary to the peaceable spirit and temper "of the Gospel, which ever breathes peace on earth, and "good will to all men," as it is the duty, we desire it may be the care of Friends in every meeting where there are any such, speedily to treat with them, agreeable to our Christian discipline, and endeavour to convince them of their errour; in which labour, let all be done in true charity and brotherly love, and the effect will be happy to those who receive it in the same spirit. This religious care, steadily maintained, will certainly testify the sincerity of our desires to "guard against being drawn into measures, "which may minister occasion to any to represent us as a "people departing from the principles we profess; and "will likewise excite such who have been so incautious as "to enter into engagements, the terms and tendency of "which they had not duly considered, to avoid doing any "thing inconsistent with our principles;" and constantly to remember, that to fear *God*, honour the King, and do good to all men, is our indispensable duty.

And dear Friends in a degree of that divine love which unites in Christian communion and fellowship, we tenderly salute you, desiring that we may more diligently press after, and seek for an establishment on that rock against which the gates of hell shall never prevail, that we may be supported steadfast, when storms and tempests, which for the trial of our faith, and the more thoroughly purging us from those things which are of defiling nature, are permitted; for the Lord, whom we desire to serve, tenderly regards his depending children, and all his chastisements are in mercy directed to redeem and preserve them from evil.

Signed in, and on behalf of, said Meeting, by

JOHN PEMBERTON, *Clerk.*

TO MESSRS. S. CRANE, JOHN DE HART, WILLIAM LIVINGSTON, W. P. SMITH, ELIAS BOUDINOT, AND JO. RIGGS, JUN., &c:

GENTLEMEN: Your notice to the Freeholders of *Essex*, of the 28th of *November*, was conveyed to me by *Holt's* Paper of the 1st of *December*, and as your motive for convening us is declared to be in conformity to the *wise* and *prudent* Resolves of the Congress, of which I had before heard, I determined to read their Resolves with the greatest attention, and therefore sent *Tom* with my best horse, who soon brought me the extracts of the Proceedings of the Congress; I eagerly sat down to read them, but, alas! how was I disappointed; instead of *wise* and *prudent*, I found nothing but rude, insolent, and absurd Resolves, calculated to answer no end but to stir up strife, and increase confusion among us, and to unite every spirited *Briton* against us. Even *Burke* and *Barre*, if they have the least regard for national honour, must be roused by the humiliating terms this Congress make as a preliminary to *Great Britain*. When I voted for you, gentlemen, last

Digitized by Google

Summer, and a Congress was appointed, and Deputies sent, I hoped to hear that something had been done to secure our liberties, and make up the breach with the mother country; but by this Congress the liberty we had is taken from us, and the breach widened. Pray, gentlemen, how can you ask us, nay, confidently tell us, that we will "unquestionably carry into execution, &c., the wise "and prudent Resolutions entered into by the Delegates "of this Continent in General Congress?" Did I think them wise and prudent, or believed that you can think them so, I would unquestionably support them; but when this Congress, instead of healing differences, create confusion; when, under the pretence of limiting the power of the King, Lords, and Commons, they create a power unknown to our Constitution, a mere Inquisition, what do they make of us? Do you and they apprehend us to be fools, and that we are implicitly to be led as you direct? We know what it is to be governed by Acts of Parliament, and never thought ill of them until we were alarmed into other sentiments; and although we may wish, and will take all lawful ways to get those restrained, repealed, or amended, that affect our liberty, yet we never can submit, nor I hope will any of us approve of men "whose busi-"ness it shall be to observe the conduct of all persons touch-"ing this Association;" nor do I think that you will find many so "lost to a sense of publick virtue," and a regard for his neighbours, as to obey you or any set of men clothed with the dangerous power to "hold up to publick "notice, as unfriendly to the liberties of his country, and "thenceforward to break off all dealings with" any man that you, or a majority of you, shall think fit to post in the publick Papers as an enemy to his country. To such an inquisition I never will subscribe, and, by Heaven, I had rather submit to Acts of Parliament implicitly, nay, to the will of a King, than to the caprice of Committee-men; in the two first cases I shall fare with my neighbours, and shall be allowed to speak at least; in the last, I shall not dare to think or act, but I shall be in danger of being held up as an enemy to my country, and tarring and feathering is the least I am to expect.—I am to be a slave. I will then be a slave to a King and a Parliament. I never will have it said that I voted for, or consented to, my own Executioners, Inquisition, Observe-men, Committee-men, or what you please to call yourselves, or your successors in office. Let me ask you seriously, and particularly five of you who are lawyers, how can you so barefacedly ask us to do this thing, when you know it is an open violation of our Constitution, and that the powers Committee-men will acquire by the Congress Resolve, are unlimited—not to be defined, for they are to make such regulations as they shall think proper to enforce the Association, so they will have it in their power to rule and proscribe as they please. How can you say that you cannot in the least doubt "our ready and immediate compliance with this Article," and blasphemously tell us that "the salutary effects to arise from this Association, must, "under *God*, depend upon the fidelity of individuals," when you know the Almighty cannot approve of it, he is a *God* of order and mercy, and in this Association there is neither order nor mercy; you know it can have no other end than to clothe you and your succeeding Committee-men with absolute power, and so far from relieving us, that the measure will make us worse than slaves to you Committee-men; and for this you "depend upon the fidelity of individuals."

While I live, I will not bow my head to such servitude; I will oppose the measures of a King and his Parliament whenever they are dangerous to my liberty; but I will never give my voice for measures by which the Constitution of my country is thus wantonly to be altered, and by which men are to be clothed with power to revenge themselves upon their neighbours, without control, and the poor victim of their mad zeal, malice, or wrath, is to be exposed to infamy and disgrace, unheard, without the form of a trial, and against the laws of his country.

Reflect, Committee-men, for a moment on the tendency of this Resolve; in the powers it invests you with; shudder at the consequences; use not these powers, nay, not sparingly, as we are to kill our Sheep. Let not the prospect of unlimited power turn your heads, but amidst your zeal for liberty, and desire to prevent tyranny, alter not the Constitution of your country, and usurp not powers you will not allow to, nay, such as the King and Parliament dare not attempt.

I have thought proper thus to deliver my sentiments, and should have done it in the first Paper succeeding your notice, and before the intended meeting, had not my distance from a Printer prevented; but, that the Freeholders of the Province, and of this County in particular, may consider of the dangerous step you have advised them to take, and in time may drop the absurd and destructive measure of Committee-men and Delegates, and constitutionally, by their Representatives, ask redress of such real grievances as they labour under, I have published my resolves, which, by-the-bye, are equally, if not more constitutional, rational, wise, and prudent, than either the Resolves of the Congress, or your notification; and I sincerely wish that my fellow-freeholders would look before they leap; without the first, I am sure the last will endanger their *necks*, &c. A FREEHOLDER OF ESSEX.

TO "Z." OF NEW-JERSEY.

When a person departs from principles he has heretofore, on a similar occasion, openly avowed, it makes people suspect that there is some secret motive to influence him. I would just beg leave to ask you why this sudden change in your politicks?

In the time of the memorable Stamp Act, you was one of the foremost to espouse the cause of your country; you was not that sycophant to men in power; not that enemy to meetings of the people to consult for the preservation of their rights and liberties, that you now are; for then you attended one with the rest of your profession, at which you held forth, and denied the omnipotence of the *British* Parliament; neither were the names of Delegate or Congress ungrateful to your ear At the time above alluded to, you attended a Convention of the Representatives of your Colony, at a publick house, for the express purpose of appointing Delegates to meet in Congress; and even went so far (if I am not misinformed) as to act as their Clerk. But now the case is altered; meetings of the people, and appointments of Committees, in your opinion, are illegal; Delegates and Congresses are unconstitutional, and the resolves and proceedings of the best and wisest men in *America*, entered into upon the noblest principles, the good of their country, are not to be regarded or adhered to. But, on the other hand, Acts of Parliament, or rather Edicts of the *British* Ministry, for blocking up the Port of *Boston*; for robbing the people of *Massachusetts Bay* of their Charter, (which is, and ought to be as sacred as Magna Charta;) depriving those people of the Trial by Jury, the palladium of *British* liberty; and for carrying them to *Great Britain* to be tried for offences committed in *America*, (an Act made to shelter villains from the hands of justice;) and the Act for introducing Popery and *French* Laws in *America*, meet with your warmest patronage and support; and I make no doubt that if the Ministry and *British* Parliament should, in their great wisdom, take it in their heads to pass an Act for abolishing Christianity, and introducing the *Alkoran* and *Mahometan* religion into *America*, it would likewise partake of your approbation; for, as it is a proverb among the *Turks*, that one Renegadoe is worse than ten *Turks*, so it has always been one among the Christians, that one Apostate is worse than ten Infidels.

In your last performance, inserted in *Rivington's* Paper of the first of last month, addressed to the people of *New-Jersey*,* you endeavour to set the proceedings of the Congress in a ridiculous light. You say, "that chosen on one "side, they seem to have had nothing else in view than to "please their electors, and forward confusion among us." What you mean by chosen on one side, I cannot divine; but if you mean that a few placemen did not give their votes for them, or that the inhabitants of your great City did not attend any of the meetings for choosing Committees, though nine-tenths of them approve of what was done, and of the opposition to the Acts of Parliament; I say if either of these be your meaning, I readily agree that they were chosen on one side. But at the same time you know, and

[* See Address to the People of *New-Jersey*, dated 19th *November*, 1774. Ante Folio, 987.]

Digitized by Google

must confess, that never men were chosen with more honour to themselves than the Congress were, or executed the great trust reposed in them by their constituents with more wisdom, spirit, and integrity. And it has been matter of surprise to me, as well as to others, that you, in your all sufficiency, have not issued your mandate to convene together all placemen and pensioners, the only friends of Government, (as you style yourselves,) when you might form a Monarchical Congress, in opposition to the Grand Continental Republican Congress; then you could in the plainest language, represent to your masters, the Ministry and Parliament of *Great Britain*, that you were a set of the cleverest, the worthiest, the loyalist, and the honestest fellows in *America;* that the rest of your fellow-subjects in *America* were a parcel of Republican Traitors; that their grievances were ideal, and had no existence but in their own clamours. Then you might form a system by which the present differences might be solved: but what sort of a system it would be, I leave your "friends and countrymen, the people of *New-Jersey*," to judge; for my part, I am afraid it would be a system of slavery.

In the next place, you seem to be apprehensive that the people of *Great Britain* will receive the appeal to them with disgust, because (as you say) the Congress have overlooked their Legislature with sovereign contempt, and ask, whether that people will not take offence at the indignity so manifestly shewn them? I answer you, they will not. They will receive it with that conscious dignity becoming freemen, appealed to by a brave and spirited people, tenacious of their just rights and liberties; and who are oppressed by the machinations of a wicked and abandoned Ministry, aided by a corrupt and venal part of their Legislature.

I shall pass over the rest of your performance unnoticed, as every person possessed of the least discernment can see your drift, and that it is a piece of mere declamation, manifestly intended to create jealousies, and divide the people in the Colonies; who, I am sure, have more understanding and integrity than to be led away by the idle fears and apprehensions of any anonymous Ministerial writer, especially when opposed to the united wisdom of the Grand Continental Congress.

But before I conclude, I shall just beg leave to ask how, in the name of wonder, you came to let the following sentence drop from your pen?—"All changes in Government, my brethren, are dangerous to the people." There I agree with you; it is what the people of *America* are now guarding against, and the cause in which the brave *Bostonians* are now suffering. Those eleven words have overthrown all you have already written, or hereafter shall write on the disputes between the Colonies and the mother country; but truth, though involuntary, will come out, and I shall not hereafter look upon you to be that enemy to the liberties of your country that you have affected to seem; but rather as an opposer of the tyrannical measures of the *British* Ministry.

As the Congress, in all their proceedings, have done what they ought to have done; and you, in all yours, have done what you ought not to have done, let me entreat you, as a friend, and as you regard your reputation, and the approbation of your *American* brethren, to reform and turn from your evil ways; for, believe me, you will not, for your doughty performances, be Closeted by your Sovereign, nor be made a Privy Counsellor; you will neither be made a Knight of the Garter, a Knight Banneret, nor a Knight of the Bath; neither will you be made even one of the poor Knights of *Windsor;* you will not receive the thanks of the House of Lords or Commons; nor, if I had my will, should you get (what you are seeking after and expect) either place or pension. Y.

Elizabethtown, January 5, 1775.

COMMITTEE OF CORRESPONDENCE OF ALBANY, NEW-YORK, TO THE PUBLICK.

At a time when union in sentiment and conduct is essential to the salvation of this Continent, the attempts that are daily made by the tools of Administration to divide us, must give pain to every real friend to *America*. No sooner were the measures adopted by the Continental Congress for our relief fully known, but every Court sycophant, able to hold a pen or indite a sentence, was employed to misrepresent and censure their conduct, and deceive the publick; for this purpose Lord *North's* Press in this City has, for several months, groaned with productions filled with calumnies, misrepresentations and falsehoods; and the Newspapers of two of our Printers have been stuffed with pieces tending to hold up this Province as opposed to the measures recommended by the Congress. It is the duty of every man who has a regard to the honour and interest of this country, to prevent the publick from being imposed upon by those artful and interested wretches, who have long since devoted themselves to the service of a venal Minister, and stand ready to surrender every thing we hold dear as *Englishmen* for a post or pension. Influenced by this motive alone, I am led to expose the misrepresentations contained in an extract of a letter, (said to be) from *Albany*, and published in Mr. *Gaine's Gazette* of the 6th instant. Who, upon reading that extract, would not conclude that a division had arisen in the Committee of Correspondence for the County of *Albany*, and that the approbation of the proceedings of the Continental Congress was carried only by a majority of one voice? This would be the conclusion of every man that could read *English;* and yet the very reverse of this would appear had the writer related the whole truth, and this I hope clearly to evince.

The Committee of Correspondence, referred to in that extract, met on *Wednesday*, the 4th of *January* last. At a former meeting they had fully approved of the proceedings of the Congress, but the weather being extremely bad, there was not a full meeting; it was therefore proposed to resume the matter at this meeting, and to give instructions to the Representatives of the County on this important subject. Several gentlemen of the Committee opposed instructing the Representatives, as altogether unnecessary, their sentiments being well known, (though they all agreed in the propriety of adopting the proceedings of the Congress) yet, as others of the Committee differed in opinion as to the necessity of instructing the Members, the question was put whether instructions should be given or not, which was carried in the affirmative by a majority of three or four. The proposed instructions were then read, amended, and unanimously agreed to; and so united was the whole Committee in sentiment as to the necessity of adopting the measures of the Congress, that when they were at a loss to know the principles which induced our Delegates to consent to the exportation of Rice from *South Carolina*, it was agreed by all present to write to them, and the following letter was immediately written, unanimously agreed to, and sent:

Albany, January 5, 1775.

GENTLEMEN: At a meeting of this Committee on the 10th ultimo, I had the pleasure to inform you by letter that the Committee approved of, and adopted, the proceedings of the Continental Congress. The Committee at this meeting are so well aware of the necessity of unanimity in every constituent part of that Congress, that rather than give the *British* Ministry the satisfaction of learning that a single County in any Province had not adopted their measures, that they readily confirm what was done at a former meeting. They think it, however, indispensably their duty to beg of you, gentlemen, to inform them on what principles you agreed to the exportation of Rice from *South Carolina*, as they cannot form the least probable guess why a discrimination should be allowed in favour of either of the Provinces in the article of exportation.

I am, with great respect, gentlemen, your obliged humble servant. By order of the Committee.

JACOB LANSING, Jun., *Chairman.*

To *Isaac Low*, *John Alsop*, *Philip Livingston*, *John Jay*, and *James Duane*, Esquires.

COMMITTEE OF NEWPORT, RHODE-ISLAND, TO THE PHILADELPHIA COMMITTEE.

Newport, January 5, 1775.

GENTLEMEN: Being informed that it is reported at *New-York* and at other parts of the Continent, that the inhabitants of this Town are fitting out vessels and determined to carry on their trade in violation of the Continental As-

Digitized by Google

sociation; and as the propagators of this infamous falsehood can have no other intention than to weaken the bands of union between the Colonies, we think it our duty to acquaint you, that several vessels designed for the coast of *Africa*, which could not be got ready by the first of *December*, have been actually laid up; that several parcels of Sheep purchased for exportation have been stopped; and that so far as we can learn, the Association hath been strictly adhered to by the Merchants in this Colony, who declare their intention to abide by it. Indeed the absolute necessity of an union in common measures for the common safety, is so obvious, that we can assure you that the trade of *Rhode-Island* will be carried on with a punctual regard to the Association.

We pray an early communication of any intelligence you may receive of importance to the Colonies, and are, with great esteem, gentlemen, your most humble servants,

The Committee of Correspondence.

To the Committee of Correspondence for *Philadelphia*.

Charlestown, South Carolina, January 6, 1775.

Letters from *West Florida* inform us, that, in the beginning of *November* last, the *Mortar*, a Chief of the *Creek* Indians, with upwards of eighty Warriours, in ten canoes, went from the Upper *Creek* Town down the *Alabama* River to *Tansa*, and from thence proceeded to Mr. *Strother's* Plantation, opposite to *Mobile*, where were about thirty *Choctaw Indians*, who called to them and then fired into their canoes. The *Creeks* immediately landed, but one of them was accidentally shot by his own piece in getting out of the canoe; the other Warriours mounted the bluff, and the *Choctaws* took shelter in Mr. *Strother's* house, which being built of logs, was musket-proof. Mr. *Strother*, his wife and children, escaped only with what clothes they had on. The house was soon after burnt to the ground; but the besieged had undermined the foundation and got into the kitchen, which being likewise burnt, they retreated to a little garden adjoining, which was enclosed with pickets, and there they defended themselves until six more of the *Creeks* were killed, and as many wounded. The *Mortar* then told his people that this was not the proper method of attack; for as they were numerous enough to eat the *Choctaws* up, they ought to break in upon them at all events. After desiring them to follow him, he ran up to the fence, though he had then a fresh wound in his thigh, and pulled down two of the pickets with his own hands, when he was shot through the body. His people having carried him off, retired, and allowed the *Choctaws* to escape during the night, after a siege which had lasted near three days. Four of the *Choctaws* were killed, and two wounded, one of them very slightly. The *Mortar* being asked if he did not think his life in danger from his wounds, replied, that if any *Choctaw* bullet could have killed him he would have been dead long ago. Three of the ten canoes returned immediately with the *Mortar* and the rest of the wounded; the other seven, with *Tipoe*, a Head-man, and second in command, proceeded to *Mobile* Point, where he expected to meet a very considerable body from the *Lower Creek* Towns; but the large batteaux being damaged, he went up *Mobile* River to a place called *Hay's Bluff*, where two more of the party were killed by the *Choctaws*; and it is believed that all that were left then returned home.

About the middle of *November*, the other party, consisting of upwards of an hundred and sixty Warriours from the *Lower Creek* Towns, went to the Westward as far as *Beloxi*, or *Presque Isle*, and destroyed the cattle wherever they went; Mr. *Kreba* alone lost thirty head; they took only the tongues and tallow of most of them. They made no secret, that if the *Mortar* had not been so unfortunate, they were all to have gone to *New-Orleans*; to have got a *French* officer there; to have given their Peace Talk to the *Choctaws*, and to have sent *French* Traders by that route to their country. They even hoped he could persuade the *French* King to send as many Troops as, joined with them and the *Choctaws*, would drive both *English* and *Spaniards* out of the country.

It is said that, notwithstanding the late bloody action, the *Creeks* have sent a Peace Talk to the *Choctaws*, telling them they came not intentionally against them.

The *Houmas*, a small Tribe of *Indians* on the Eastern side of the *Mississippi*, have lately sold their Village to a person at *New-Orleans*, named *Conway*, and three leagues front on the River, which has been approved off by the *Spanish* Governour. They are to go to the Western side of the *Mississippi*.

We are assured that it is an undoubted fact, that a party of the *Creek Indians* go every year to the *Havana*. They go over in some of the fishing vessels, and return with their presents in one sent on purpose by the Governour of the *Havana*. About a dozen of them went over last summer, but the people who carried them did not know their names. A gentleman who was on that coast, advised the fishermen never to carry any more of them; but they said the *Indians* every year came on board and obliged them to carry them over.

ULSTER COUNTY (NEW-YORK) MEETING.

At a Meeting of a great number of the most respectable Freeholders of the Towns of *Kingston*, *Hurley*, *Marbletown*, *Rochester*, and *New-Paley*, in the Town of *Hurley*, in *Ulster* County, *New-York*, on *Friday*, the 6th day of *January*, 1775, a Committee of six being chosen, viz: Colonel *Johannes Hardenbergh*, Captain *John Elmendorph*, *Adrian Wynkoop*, *Matthew Cantine*, *Johannes G. Hardenbergh*, and *Jacob Hasbrouck*, Jun., Esquires, of whom Colonel *Johannes Hardenbergh* was chosen Chairman:

Resolved, first, That it is the opinion of this meeting that we most heartily approve of the Association, and acquiesce in all the other measures entered into by the late General Congress, and we will use every means in our power to render them effectual; and that it be recommended to the several Towns and Precincts within this County, to choose Committees to see the same faithfully observed and carried into execution.

A certain Pamphlet, entitled "Free Thoughts on the Resolves of the Congress, &c.," under the signature of A. W. Farmer, dated *November* 16, 1774, being then produced and publickly read, it was

Resolved, secondly, That it is replete with falsehoods, artfully calculated to impose upon the illiterate and unthinking; to frustrate the Resolves of the Congress, and to destroy that union so necessary for the preservation of our constitutional liberty; therefore,

Resolved, thirdly, That the said Pamphlet, in detestation and abhorrence of such infamous publications, be now burnt; and that the Authors, Publishers, and Circulators of such performances, be henceforth deemed the enemies of their country.

Resolved, fourthly, That the Chairman transmit copies of the above Resolves to the Committees of Correspondence for the several Towns and Precincts within this County.

Which Resolves being read and unanimously approved, the above Pamphlet was burnt accordingly.

Ordered, likewise, that the Resolves be printed.

COMMITTEE OF BOSTON TO THE COMMITTEE OF PHILADELPHIA.

Boston, January 6, 1775.

GENTLEMEN: I am directed by the Committee of the Town of *Boston*, appointed to receive and distribute the Donations that are made for the relief of the poor of this Town, to acknowledge the receipt of your favours of the 28th of *November*; and to return their unfeigned thanks to the inhabitants of the City and Liberties of *Philadelphia*, for the generous Donations they have made and transmitted by Captains *Church* and *Allen*, consisting of four hundred and six barrels of Flour, and one hundred and five barrels of Ship-stuff, which you may rely upon it will be applied by the Committee to the benevolent purpose for which you designed it.

Our situation is truly distressing. Families that have lived in the greatest affluence, are now reduced to the most disagreeable circumstances; but through *God's* goodness the hearts of our brethren have been opened for our relief; they have enabled us to bear up under oppression, to the astonishment of our enemies; and we trust we shall be

Digitized by Google

enabled still to remain firm, and never to desert the glorious cause of our country.

I remain, with great truth, your friend and humble servant, THOMAS CUSHING.

To the Committee of Correspondence for *Philadelphia*.

THE EARL OF DARTMOUTH TO LIEUTENANT GOVERNOUR COLDEN.

Whitehall, January 7, 1775.

SIR: Since my letter to you of the 10th of *December*, I have received two from you, the one dated the 2d of *November*, enclosing the Proceedings of the General Congress, the other of the 7th of *December*, enclosing a Plan of Union between *Great Britain* and the Colonies, proposed by Mr. *Galloway* in that Congress.

The affairs of *America* are now come to a crisis, and as the consideration will be taken up by both Houses of Parliament, immediately after the holidays, it cannot but be the wish of every candid and unprejudiced person, that the proceedings of the General Congress had been of such a colour and complexion as to have invited accommodation, without provoking the vengeance of the mother country.

The idea of union upon some general constitutional plan, is certainly very just, and I have no doubt of its being yet attainable through some channel of mutual consideration and discussion.

Enclosed I send you the copy of a Memorial of Colonel *Ord*, whose long and faithful services in *America* render him an object of publick attention; and I am commanded by the King to signify to you his Majesty's pleasure, that he be allowed the five thousand acres for which he obtained a mandamus, upon the tract to which he refers in his Memorial.

With this letter you will receive a package enclosing to General *Carleton* the King's commission and instructions, and other documents for the Government; and as it is of great consequence that he should receive these instruments as early as possible, I am commanded by the King to signify to you his Majesty's pleasure, that you do engage some trusty person to carry the despatch to *Quebec*, by the way of the Lakes; and that you do draw a bill upon Mr. *Pownall*, for whatever reasonable expense shall be incurred in that service. I am, sir, your most obedient humble servant, DARTMOUTH.

Lieutenant Governour *Colden*.

MEMORIAL OF COLONEL THOMAS ORD.

To the Right Honourable the Lords Commissioners for Trade and Plantations; the Memorial of Colonel THOMAS ORD, *of the Royal Regiment of Artillery, humbly sheweth:*

That your Memorialist, in consideration of long and faithful services in the *West Indies*, *North America*, and elsewhere, obtained, in the year 1765, a mandamus for five thousand acres of Land, in the Province of *New-York*, but has not been able, on account of the unreasonable claims and pretensions to Lands in that Province, to obtain a location there.

That your Memorialist is now informed that there is a certain tract of Land vacant and vested in the Crown, bounded as follows, viz: West upon the East bounds of the Patent of *Kinderhook*; North upon the South bounds of the Manor of *Rensselaer Wyck*; East upon the line between the Province of *Massachusetts Bay* and *New-York*, and South upon the North bounds of the late confirmation of Colonel *John Van Rensselaer*. The Land is also described in a Plan, as bounded by an Act of the General Assembly of the Province of *New-York*, and the lines of the several Patents thereunto adjoining.

And your Memorialist therefore humbly requests the favour of your Lordships' interposition with the King, that his Majesty may be graciously pleased to grant an order for locating the said mandamus upon that tract.

EXTRACT OF A LETTER FROM LONDON, TO A GENTLEMAN IN NEW-YORK, DATED JANUARY 7, 1775.

This is the important crisis which will determine the fate of *America*. The Petition to the King has been presented, and is thought a moderate one; but the new claims stated in the Bill of Rights, and the points foreign to the one immediately in question, insisted on, will much injure the cause. The bold Resolves of your Congress have pushed matters to an extremity, and render a complete decision of the dispute inevitable. Whether *America* shall be independent of or subordinate to Parliament, is now the question. I wish the prospect was clearer of an amicable settlement. The leaders of Government were heartily disposed to fall in with any proposals of accommodation which might have secured your liberties and preserved the sovereignty in the *British* Legislature, which is essential to the welfare of the Empire; but hot men among you have extended your claims so far as to make it impossible for Parliament to comply, without relinquishing every shadow of its authority. The Merchants have met on the subject. They are to petition Parliament for redress; but are neither to find fault with the late measures, nor to propose any mode for your relief, but to submit it entirely to Parliament. This intelligence is from two respectable Merchants, who are of the Committee.

What particular measures will be adopted by Parliament on its ensuing meeting, no one can precisely determine; but this may be depended on, that there will be no relaxation with respect to *Boston*.

The strongest hope which we have left, is, that the Assembly of *New-York* will firmly and dutifully state their grievances, unembarrassed with points foreign to the subject, and free from an undistinguishing approbation of the measures of others. Such a petition will assuredly be honourably received, and in all probability open the way for a lasting accommodation of the present differences. How little do they seem sensible of the uncertainty and miseries of a civil war, who would plunge headlong into violence rather than sacrifice a punctilio!

WOODBRIDGE (NEW-JERSEY) COMMITTEE.

At a General Meeting of the Inhabitants of the Township of *Woodbridge*, in the County of *Middlesex*, in *New-Jersey*, on *Saturday*, the 7th day of *January*, 1775:

Captain REUBEN POTTER being chosen *Moderator*,

The Association entered into and recommended by the late General Congress at *Philadelphia*, being read and approved of, it was,

1st. *Resolved unanimously*, That the said Association be adopted by this Town, and carried into execution.

2d. *Resolved unanimously*, That a Committee of Observation, consisting of twenty-one members, be appointed by those "qualified to vote for Representatives in the Legislature." Accordingly, the following persons were chosen without a dissenting voice, viz: *Ebenezer Foster*, *Henry Freeman*, *Nathaniel Heard*, and *Reuben Potter*, Esquires, Messrs. *William Smith*, *Jeremiah Manning*, *Matthias Baker*, *Charles Jackson*, *Samuel Force*, *John Pain*, *James Manning*, *John Heard*, *Daniel Moores*, *John Ross*, *Ellis Barron*, *William Cutter*, *Reuben Evans*, *James Randolph*, *Timothy Bloomfield*, *John Noe*, and *John Conway*, to see the said Association be punctually observed and carried into execution; that any nine or more of them be authorized to act for the purpose specified in the eleventh Article of said Association.

3d. *Resolved unanimously*, That it is the desire of the people now met, that the said Committee do execute the trust reposed in them with firmness and fidelity, and in every respect follow the directions of the Association, as much as if it was a law of this Province; and they be upon oath for the conscientious discharge of their duty.

The Committee of this Town appointed to meet the Committees of the other Townships in County Committee and Provincial Congress, in *July* last, desiring to be dismissed, it was,

4th. *Resolved unanimously*, That they be thanked for the faithful discharge of the trust reposed in them, and dismissed agreeable to their request.

5th. *Resolved unanimously*, That a Committee of this Town be chosen to meet the Committees of the other Townships in this County, to choose a Committee of Correspondence, agreeable to the directions of the said Association; accordingly, *Ebenezer Foster*, Esquire, Messrs.

Digitized by Google

William Smith, and *Matthias Baker*, were chosen; and are hereby instructed, that in case the Assembly of *New-Jersey* do not appoint Delegates to meet the Continental Congress in *May* next, they meet the Committees from the other Counties of this Province, in Provincial Congress, and choose them. JOHN ROSS, *Clerk*.

At a Meeting of the above Committee of Observation for the Township of *Woodbridge*, the 10th day of *January*, 1775, pursuant to advertisement; present, sixteen members:

Ordered, That *Ebenezer Foster*, Esquire, Messrs. *Jeremiah Manning*, *Matthias Baker*, *Ellis Barron*, and *John Conway*, wait on Messrs. *Joseph Shotwell* and Sons, Merchants, immediately, and ask them if they are disposed to comply with the Association of the late Continental Congress, respecting the importation of Goods, it being represented that said *Shotwell's* have imported sundry Goods since the first day of *December* last.

The Deputies aforesaid returned and reported to the body that they had waited on Messrs. *Shotwell's*, according to appointment, who assured them "that all Goods imported by their house since the first of *December*, remained unopened as they came to hand;" but observed, "that as said Goods were imported into and entered at *New-York*, and had been under the inspection of the Committee for said City, they did not come under the inspection of this Committee, and requested the favourable construction of this body, and the inhabitants in general, respecting their conduct and answer." The Committee, in consequence of said report, allow that the answer of Messrs. *Shotwell's* is satisfactory; and are of opinion that any Goods or Merchandise imported into the City of *New-York*, which may even escape the notice of their Committee, are not subject to our inspection.

This Committee earnestly recommend to all Merchants and Retailers in this Township, to adhere strictly to the ninth Article of the Association respecting the sale of Goods.

And we do further recommend to all the inhabitants of this Township, a strict compliance with the eighth Article of the Association, respecting Frugality, Economy, and Industry, and the prohibition of all kinds of Gaming.

This Committee also taking into consideration the many pieces and pamphlets published by *James Rivington*, tending to frustrate and defame the proceedings of the late Continental Congress, and disunite the Colonies, are of opinion that he is a person inimical to the liberties of this country, and as such ought to be discountenanced; we therefore do cordially recommend to all our constituents to drop his Paper and have no further dealings with him.

Voted, That these Proceedings be published in Messrs. *Holt's* and *Gaine's* Papers.

Signed by order of the Committee,

REUBEN POTTER, *Chairman*.

EXTRACT OF A LETTER FROM LONDON, DATED JANUARY 9, 1775.

Every reasonable expectation of the Colonists will be complied with, but no claims for exemption from Parliamentary jurisdiction can deserve that title. Such an exemption would be a dissolution of the *British* Empire. The outrages of the *Bostonians* will not pass with impunity, if vigour and firmness in *Great Britain* can effect it.

If *New-York* would be handed down to posterity as the truest friend to *America*, let its Legislature assert and exercise those powers which have been wrested from it by the Congress; and petition, with decency and moderation, to Parliament, and their desires will be fully gratified.

EXTRACTS FROM A LETTER WRITTEN BY A LONDON MERCHANT TO HIS FRIEND IN VIRGINIA, DATED JANUARY 9, 1775.

No address or signature is requisite to this, as it is purely political, and you know the writer. Your eulogium for wisdom, ability, and amiable publick principles are resounded here from every part of *America*, since your shining in Congress. This you may be sure is most grateful to me, who love you so much, and have an *Hampdean* ardour for liberty.

The publick Papers will inform you of the proceedings of the *London* Merchants and Traders, which it is supposed will be followed by *Bristol*, *Liverpool*, *Glasgow*, *Birmingham*, *Leeds*, *Manchester*, &c., as the leading men in those Towns had before wrote, painting in strong terms the distress of Commerce and the poor Manufacturers, on the very slight beginning of stopping your importations; from this you may easily guess what will be the case when your exports are stopped. The Ministers being totally confounded at the unanimity of *America*, are at a stand; this, together with the clamours from *Liverpool*, &c., has occasioned the proceedings in *London*; but do not from thence conclude that any thing effectual will be done this session of Parliament. The King, your inveterate enemy, has ordered the Ministers to persevere in the old plan, which, from principle, they wish to do, if they find it practicable; but this they will not find in twelve months time, if *America* perseveres in the plan adopted by the Congress. You may rely on it that I have the very best authority for assuring you that there is no disposition in the Cabinet to give *America* any redress; but, on the contrary, it is absolutely determined by the secret ruling power to distress you as much as possible. There is one comfort; this Ruler is the veriest coward human nature can know; and when the spirit appears, that must show itself in the House of Commons when the several Petitions are delivered, fear will take place, and may produce a repeal of some of the last *Massachusetts* Acts. This is the utmost that can be expected this session, which for a time may quiet people here, in expectation of the Congress, in *May*, receding from your Association. But should the *May* Congress continue firmly united as that in *September* was, and persevere in the plan of stopping your imports and exports till all your grievances are redressed, by the next session of Parliament one half of the Kingdom, for want of bread, will be at *Westminster* to fight your battles, in which every *West Indian* must join or starve.

The advice I am going to give, you must allow, will be more particularly injurious to myself than to almost any man in *North America*; but my ardent love of liberty will ever prevail over selfish considerations. Should your grievances, as stated in the Association, be not fully redressed before the meeting of Congress in *May*, (of which there is not the least glimmering of hope at present,) by all means confirm your Non-Importation and Non-Exportation, and adopt such farther measures as by that time you will find necessary. In the mean while, to make the measure as little injurious as possible to *America*, employ every nerve to prepare, within yourselves, necessary clothing and implements for Manufactures, of the useful kind, instead of raising raw materials to purchase the Manufactures of this country. No effort should be left untried to get a sufficiency of Arms and Ammunition, for it is more than probable you may have occasion for them; therefore it is absolutely necessary, through all *America*, to pay great attention to training the Militia. Thus acting, and thus provided, I will pawn my life on every thing being properly settled next Winter.

The plan of despotism is too deeply settled to give up the contest without full redress; especially as *America* is infinitely better able to contend now, than she will be ten or twenty years hence, if the *Quebec* Bill remains. Had your exports as well as imports stopped last *December*, your grievances must have been completely settled this Winter; as it is, by your own determinations, the business is spun out so long, I hope you have firmness to persevere, and will, by every possible means, provide against the last extremity. You must not rely on any man, or body of men here, therefore you yourselves must work out your own salvation, which you are fully able to do if you have but virtue enough; and if you have not ************.

This country is, in comparison of what it was, weak to an extreme, with profligacy, debauchery, and luxury.—The highest and lowest orders of men are as abandoned to every vice as the *Romans* were in the age of the *Cæsars*. In the middling class there is yet a great deal of true sterling independency; among them your friends were always very numerous, and among the others, necessity will very soon make you many more. Lords *Temple*, *Chatham*, (who are now perfectly united) *Camden*, *Shelburne*, and the amiable Bishop of *Asaph*, are the only real friends

Digitized by Google

you have among the great. I speak of the two first from my own personal knowledge, and of the others from report, their publick conduct and writings. The *Rockinghams*, with *Burke*, their political pilot, still obstinately persevere in the right of Parliament to Tax *America*, and therefore cannot be your friends; places, &c., being their object. They will nevertheless support you against the present Ministry, to distress and overturn them if they can. The proceedings of Congress are universally admired, and the compositions compared to those of the Patriots in the reign of *Charles* the First. I have mentioned my own private capital objection respecting your delay of Non-Exportation, by which I understand remittances of every kind; and I beg leave to caution against any strictures on the Roman Catholick Religion, as it will be much more advantageous for you to conciliate to you the *Canadians*, than to exasperate or rouse the people here; let us alone to do that. When your Assembly meets, surely your Governour will be severely reprehended for not immediately issuing writs on the last dissolution; for the iniquitous *Indian* War he has so wickedly kindled, which has already cost the lives of so many brave *Virginians*, and will cost so much money, if you are simple enough to pay for his madness; and for his contemptuous treatment in not meeting the Assembly, &c. These are grounds amply sufficient for a strong remonstrance to the Throne, for his removal.

I have just received your letter of *September* 20, from *Philadelphia*, through the *London* Post Office, which is the only one since that from *Rousby* Hall. This convinces me several of your letters must have miscarried. So very few of the Merchants here are in the least friendly to you, that it seems to me an essential political principle for every independent *American* to put his business only into the hands of such men whom they are certain, in times like these, will boldly stand forth and openly support your rights whenever they may be injured. 'Tis very hard, indeed, if every Colony cannot find honest and trusty natives sufficient to send here that can do their business.

EPSOM (NEW-HAMPSHIRE) RESOLVES.

At a legal Meeting of the Inhabitants of the Town of *Epsom*, held on *Monday*, the 9th day of *January*, 1775, Deputies were chosen to meet at *Exeter*, on the 25th instant, agreeable to the letter sent to said Town for that purpose.

Whereas the Grand Continental Congress has recommended a Non-Importation and a Non-Consumption of Goods to be the most effectual method to ease our deplorable situation; and as we view the *Scotch* Merchants and Traders, in general, to be no friends to our country, and are altogether for self-interest and lucrative gain; and to accomplish their designs have filled the country with Hawkers, Pedlars, and Petty-Chapmen, with their Lawns, Cambricks, Ribbons, &c., tempting women, girls, and boys with their unnecessary fineries, which is a moth to our country, and a damage to all honest Merchants and Traders that are true friends to our country, and that deal upon honour;—and to prevent all such diabolical proceedings for the future,

Resolved, That no Pedlars, Hawkers, or Petty-Chapmen shall be tolerated, for the future, to sell or dispose of any Goods, of whatever name or nature soever, in said Town, upon no less penalty than receiving a new suit, agreeable to the modern mode, and a forfeiture of their Goods.

A Committee of Inspection was then chosen to see that the above Resolve is carefully executed.

EXTRACT OF A LETTER FROM EXETER, IN NEW-HAMPSHIRE, DATED JANUARY 2, 1775.

At a legal Meeting of the Inhabitants of this Town, held here last *Monday*, among other things it was voted unanimously to adopt the Association of the Continental Congress, and a numerous Committee was chosen to see the same was duly observed and strictly adhered to.

At the same meeting five Deputies were appointed to assist at the Convention to meet here the 25th instant, for the choice of Delegates to represent this Province at the Continental Congress proposed to be held at *Philadelphia*, in *May* next; and the said Deputies were empowered to join with the other Deputies of the Convention in choosing a Committee of their body to proportion the sum to be allowed such Delegates, among the several Towns and Parishes in this Government.

It was also voted not to suffer any Hawkers, Pedlars, or Petty-Chapmen to sell, or expose to sale, among us any Goods, Wares, or Merchandise. It is the opinion of many, that if this vote, with the law of the Province, should prove ineffectual to prevent the intrusion of such persons, an experiment ought to be made of Tar and Feathers.

MORRIS COUNTY (NEW-JERSEY) MEETING.

At a Meeting of the Freeholders of the County of *Morris*, at *Morristown*, on *Monday*, the 9th day of *January*, 1775,

WILLIAM WINDS, Esquire, *Chairman*.

The Committee of Correspondence, for the County of *Morris*, having produced and read the Association of the Continental Congress, the same was deliberately considered by the whole assembly, and by them unanimously approved as a wise, prudent, and constitutional mode of opposition to the late several tyrannical and oppressive Acts of the *British* Parliament. Whereupon they unanimously determined strictly to abide by the same, and gratefully expressed their acknowledgments and hearty thanks to the Delegates of this Colony for their great attention to the rights and liberties of their constituents, and for the faithful discharge of the important trust reposed in them.

The assembly then unanimously agreed that the inhabitants of each several Township in the County should meet at their respective places of holding Town Meetings, on *Monday*, the 23d day of *January* instant, at one o'clock in the afternoon, then and there respectively to choose (by those who are qualified to vote for Representatives in the Legislature) a Committee of Observation, pursuant to, and for the purposes expressed in the eleventh Article of the said Association. After which the Committee of Correspondence declared to the assembly that they had thought proper to dissolve themselves, in order that their constituents might have an opportunity of a new choice, and that they were dissolved accordingly: Whereupon *Jacob Ford*, *William Winds*, and *Jonathan Stiles*, Esquires, Messrs. *Jacob Drake*, *Peter Dickerson*, and *Ellis Cook*, together with *Samuel Tuthill*, Doctor *William Hart*, and *Abraham Ogden*, Esquires, were elected; and at the same time authorized to instruct the Representatives of this County, when convened in General Assembly, to join in the appointment of Delegates for this Colony, to meet in General Congress, at *Philadelphia*; but if the said Assembly should not appoint Delegates for that purpose by the first day of *April* next, then the said Committee of Correspondence to meet with the several County Committees of this Colony, and appoint the said Delegates, at such time and place as shall be agreed upon by the said Committees.

The assembly afterwards taking into consideration the conduct of *James Rivington*, Printer in *New-York*, in publishing two certain Pamphlets; the one entitled "*A Friendly Address*," &c., &c.; the other, under the signature of "*A. W. Farmer*," and several others; all containing many falsehoods, wickedly calculated to divide the Colonies—to deceive the ignorant, and to cause a base submission to the unconstitutional measures of the *British* Parliament for enslaving the Colonies, do unanimously resolve, that they esteem the said *James Rivington* an enemy to his country; and therefore that they will, for the future, refrain from taking his Newspapers, and from all further commerce with him; and that, by all lawful means in their power, they will discourage the circulation of his Papers in this County.

LETTER FROM BOSTON TO THE COMMITTEE APPOINTED IN NEW-YORK TO RECEIVE AND TRANSMIT DONATIONS FOR THE RELIEF OF THE SUFFERERS IN THAT TOWN.

Boston, January 9, 1775.

GENTLEMEN: The Committee appointed by the inhabitants of this Town to receive and distribute the donations of our friends, for the benefit of the sufferers by the *Boston*

Digitized by Google

Port Bill, acknowledge your several letters of the 7th and 17th of *December* last, enclosing invoices of Flour, &c., amounting with charges, to one thousand and sixty-two Pounds, nine Shillings, and six Pence, which, agreeable to your kind wishes, are come safe to hand.

I am directed by the Committee to request that you would assure our benefactors, the worthy citizens of *New-York*, of their warmest gratitude for the very seasonable relief they have afforded their brethren in this place, by such generous donations, in this most difficult time of the year. While we acknowledge the superintendency of Divine Providence, we feel our obligations to the sister Colonies.—By their liberality they have greatly chagrined the common enemies of *America*, who flattered themselves with hopes, that, before this day they should have starved us into a compliance with the insolent demands of despotick power.—But the people, relieved by your charitable contributions, bear the indignity with becoming patience and fortitude. They are not insensible of the injuries done them, as men as well as free *American* subjects; but they restrain their just resentment, from a due regard to the common cause.

The Committee beg the favour of you, gentlemen, to return their thanks to our worthy brethren of *Marbletown*, for the valuable donation received from them.

I am, with due acknowledgments for the care you have taken in transmitting these donations, in the name of the Committee, gentlemen, your affectionate friend and humble servant, &c. SAMUEL ADAMS, *Chairman*.

MEETING OF AMERICAN MERCHANTS, LONDON.

King's Arms Tavern, Cornhill, January 11, 1775.

At a very numerous Meeting of Merchants, Traders, and others, concerned in the *American* Commerce, agreeable to adjourment,

THOMAS LANE, Esq., in the Chair.

The Committee informed the meeting, that they had prepared the Petition proposed at their last meeting.

Moved, That the said Petition be read. It was read accordingly.

Resolved unanimously, That the Petition now presented and read, is approved of by this meeting.

Resolved unanimously, That the above mentioned Petition be fairly engrossed, under the inspection of the same Committee that prepared it, with the addition of Mr. *Strettell*, Mr. *Watson*, Mr. *Hunter*, for the Province of *Quebec*; and that the said Committee be desired to attend the signing and presenting of the same to the House of Commons, and to prepare and digest such evidence as may be necessary for proving the allegations of the said Petition, and for supporting the same.

Resolved unanimously, That the Committee be desired to call another meeting of the Merchants, Traders, and others, concerned in the *American* Commerce, (as soon as they know the fate of the Petition in the House of Commons) in order that the publick may be properly informed thereof.

Resolved unanimously, That the minutes of this meeting be fairly transcribed, and inserted in the publick morning and evening Papers, signed by the Chairman.

THOMAS LANE, *Chairman*.

A circumstantial account of the Proceedings of the NORTH AMERICAN *Merchants, held at the King's Arms Tavern,* CORNHILL, LONDON, *on* WEDNESDAY, 11*th of* JANUARY, 1775.

There was a very numerous and respectable meeting of the Merchants, &c., trading to *North America*, consisting of between four and five hundred, for the purpose of the Committee (appointed at the last meeting) reporting the particulars of a Petition to be presented to Parliament in the present alarming situation of *American* affairs.

The business of the meeting was opened about eleven o'clock, by the reading of the Petition, the substance of which was as follows:

"First, stating to the House, the several particulars of "the extensive trade carried on between this country and "*America*, as it respected the barter of commodities, the "balance of cash, as well as the negotiation of exchange in "several parts of *Europe*; it next stated how this very "extensive trade was hurt by the several Revenue Bills "affecting *North America*, passed since the repeal of the "Stamp Act, to the year 1773; it then concluded by pray-"ing redress in these particulars, as well as in the opera-"tion of all other Acts which may affect the general trade "carried on between this country and *North America*." The whole was couched in decent, manly terms; and in point of style, good sense and precision, shewed the Committee appointed for drawing it up every way equal to the great trust delegated to them.

As soon as the Petition was read, Mr. *Haley* made the following motion: "That the Petition entitled &c., &c., now read, be approved of." This opened a very long, yet an able and candid debate.

Mr. *Watson* said he had no objection to the Petition then as it went; on the contrary he highly approved of it, yet he was for adding a clause where the late *Quebec* Bill should be particularly expressed, and where the very great constitutional, as well as commercial evils, resulting from that Bill should be marked out; that he saw no reason why so extensive a Province as *Canada*, the trade whereof was so very material to the interest of this country, should be left out of so great a question as the present; he therefore proposed a clause after, "the operation of all other Acts," particularly specifying the late *Quebec* Bill.

Mr. *Baker* answered Mr. *Watson*, by first calling the recollection of the gentlemen present to the general wish thrown out last meeting, of the Committee's avoiding every thing that was political in the Petition; he said that they had, in consequence, been very guarded in this particular; but however, to be as extensive as they could with prudence, they had still left an opening, by the words, "the operation of all other Acts," for Counsel at the bar of the House to plead any inconveniences arising from the *Quebec* or other Acts; the *Boston* Port and *Massachusetts Bay* Bills were omitted for the same purpose, yet were by no means precluded, if the Committee should afterwards think proper to instruct their Counsel so, from being remonstrated against, either in part or in the whole.

Mr. *Sargeant* supported Mr. *Baker*, in a very eloquent and forcible manner and shewed, by fresh implications, that the words in the Petition, "as in the operation of all other Acts," were fully competent to any clauses that could be added either in favour of *Quebec* or *Boston*.

Mr. *Nutt* acquainted the meeting, that probably he could reconcile this difference of opinion, by informing them, on almost positive grounds, that the King, by a clause in the *Quebec* Bill, empowering him to allow at his pleasure, of the trial by Juries, and the use of the Habeas Corpus Act, had either sent out, or was preparing to send out, an order for their continuing in full force, and that as the *Quebec* Bill was not to take place till the first of *May* next, the ill effect of that Bill in these two particulars would never operate; this being the case, he imagined it would be found less necessary to insist on adding the clause respecting *Quebec*. Several other gentlemen for these and other reasons, were for having no additions made to the Petition.

Mr. *Watson* replied to them, and urged with greater confidence, the necessity of particularizing *Quebec*. He said, though our present gracious Sovereign might feel for his *Canadian* subjects in allowing them the use of Juries and the Habeas Corpus Act, this Nation might one day or other have a Sovereign of a different way of thinking; he was therefore not for leaving things on such uncertain ground as the will of a Prince, but for having them established with more certainty and precision.

Mr. *Sharp* and some others agreed with Mr. *Watson*, particularly the former, who said, among other things, "that "*Canada* was universally looked upon as a cudgel, in the "hands of Government, against the rest of the *Americans*."

Mr. *Creighton* more than once attempted to meet the differences of the assembly, by complimenting, in high terms, the draught, purport, and extent of the Petition; and then expressing his wish, that three *Canadian* Merchants should be added to the Committee, for the purpose of instructing Counsel touching those points, which Mr. *Watson* and his friends so much insisted on, by which they might bring about, equally as well, the effects they so much desired.

Digitized by Google

This debate continued several hours, in which Mr. *Watson*, and Mr. *Baker*, were principals, on different sides, at the close of it the question was put, and carried unanimously.

After this a motion was made by Mr. *Watson*, for entering into a Resolution, independent of the Petition, expressing the opinion of the meeting as to the evil consequences of the *Quebec* Bill. This, though in fact agreed to by almost every body, yet as they thought proper, for reasons already given, not to insert them in the Petition, it was urged by the majority present that such a Resolution would rather be out of place. Mr. *Watson*, after awhile, seeing the sense of the company lean this way, withdrew his motion.

A Resolution was then agreed to, "that the Petition be "forthwith engrossed; that the Committee do attend for "that purpose, and that three *Canadian* Merchants, Mr. "*Watson*, Mr. *Strettell*, and Mr. *Hunter*, be added to the "Committee already appointed for the purpose, of in-"structing Counsel and preparing such evidences and al-"legations as the Petition warranted them to support."

This Resolution was followed by another, "that the "Petition after being engrossed, should lie at that house "for signing; and that the Committee should afterwards "advertise the meeting at large of the day they intended "presenting it."

A motion of thanks to the Chairman being then unanimously agreed to, the assembly adjourned.

SOUTH CAROLINA PROVINCIAL CONGRESS.

A List of the several Members of the Provincial Congress, held at CHARLESTOWN, *in* SOUTH CAROLINA, *on* WEDNESDAY, *the* 11*th day of* JANUARY, *and continued from day to day till* TUESDAY *evening, the* 17*th of* JANUARY, 1775.

For the Parish of ST. PHILIP *and* ST. MICHAEL, CHARLESTOWN.—Colonel *Charles Pinckney*, Mr. *John Neufville*, *Roger Smith*, Esquire, Mr. *Peter Bacot*, Mr. *Daniel Cannon*, Colonel *Henry Laurens*, Mr. *Thomas Corbett*, *Thomas Heyward*, Junior, Esquire, *Christopher Gadsden*, Esquire, *Isaac Huger*, Esquire, *Thomas Savage*, Esquire, *John Edwards*, Esquire, *Miles Brewton*, Esquire, Mr. *Peter Timothy*, Mr. *Jos. Verree*, *Arthur Middleton*, Esquire, Mr. *Edward Weyman*, Mr. *John Ernest Poyas*, Mr. *Anthony Toomer*, Mr. *Cato Ash*, Mr. *James Brown*, Mr. *Daniel Legaré*, Senior, Mr. *Joshua Lockwood*, Captain *Owen Roberts*, Mr. *Theodore Trezevant*, Mr. *Mark Morris*, Reverend Mr. *William Tennent*, Mr. *John Berwick*, Mr. *Felix Long*, Mr. *Michael Kalteisen*.

For the Parish of CHRIST-CHURCH.—*John Rutledge*, Esquire, *Arn. Vanderhorst*, Esquire, *Clement Lempriere*, Esquire, *John Sand. Dart*, Esq., *Gabriel Capers*, Esquire, Mr. *Isaac Legaré*.

For ST. JOHNS, BERKLEY *County*.—*James Ravenell*, *Daniel Ravenell*, *Job Marion*, *John Frierson*, Esquires, Mr. *Gabriel Gignilliat*, Mr. *Francis Marion*.

For ST. ANDREWS.—*William Scott*, *Thomas Bee*, *William Cattell*, Esquires, Colonel *Thomas Fuller*, Captain *Benjamin Stone*, *Isaac Rivers*, Esquire.

For ST. GEORGE, DORCHESTER.—*David Oliphant*, *Benjamin Waring*, *Wm. Sanders*, *John Matthewes*, Junior, Esquires, Mr. *Richard Waring*, Mr. *Richard Walter*.

For ST. JAMES, GOOSE *Creek*.—*Thomas Smith*, Sen., Esquire, Colonel *Benjamin Singleton*, *John Parker*, *Benjamin Smith*, *John Izard*, *John Wright*, Esquires.

For ST. THOMAS *and* ST. DENNIS.—*James Aiken*, *Isaac Harleston*, *John Huger*, *John Moore*, *Wm. Parker*, *John Syme*, Esquires.

For ST. PAUL'S.—*Thomas Ferguson*, *Benjamin Elliot*, *George Haig*, *Charles Elliott*, *Robert Williams*, *Robert Ladson*, Esquires.

For ST. BARTHOLOMEW'S.—Hon. *Rawlins Lowndes*, Colonel *James Parsons*, *William Skirving*, Esq., *Philip Smith*, Esquire, *James Skirving*, Junior, Esquire, Mr. *Edmund Hyrne*.

For ST. HELENA.—Mr. *Thomas Rutledge*, Mr. *John Barnwell*, Junior, Mr. *Daniel Heyward*, Junior, Captain *John Joyner*, Mr. *Daniel De Saussure*, Colonel *William Moultrie*.

For ST. JAMES, SANTEE.—Colonel *Daniel Horry*, *Paul Douxsaint*, Esq., *Thomas Horry*, *Edward Jerman*, *Thomas Lynch*, Junior, *Capers Boone*, Esquires.

For PRINCE GEORGE'S, WINYAH.—*Thomas Lynch*, *Elias Horry*, Junior, *Benjamin Huger*, *Joseph Allston*, *Benjamin Young*, Esquires, Mr. *Paul Trapier*, Junior.

For PRINCE FREDERICK'S.—*Theodore Gaillard*, *Thos. Porte*, Esquires, Captain *Adam M'Donald*, Mr. *Anthony White*, Mr. *Samuel Richbourg*, Mr. *Benjamin Screven*.

For ST. JOHN'S, COLLETON *County*.—*William Gibbes*, *Charles C. Pinckney*, *Thos. Evance*, Esquires, Mr. *Thos. Legaré*, Junior, Captain *Thomas Tucker*, Mr. *Benjamin Jenkins*.

For ST. PETER'S, PURRYSBURG.—Col. *Stephen Bull*, *William Williamson*, Esquire, *Cornelius Dupont*, *Gideon Dupont*, *Thomas Middleton*, Esquires, Mr. *Philotheos Chiffelle*.

For PRINCE WILLIAM'S.—Colonel *Benjamin Garden*, *Isaac Motte*, Esquire, *John Ward*, *John Bull*, *Wm. Bull*, *Isaac Macpherson*, Esquires.

For ST. STEPHEN'S.—*John Gaillard*, *Philip Porcher*, *Peter Sinckler*, *Charles Cantey*, *Gabriel Marion*, Esqrs., Mr. *James Sinckler*.

For ST. MARK'S, *viz*: 1. NINETY-SIX *District*.—Col. *John Savage*, Colonel *James Mayson*, Major *Andrew Williamson*, *Le Roy Hammond*, Esquire, *Patrick Calhoun*, *John Lewis Gervais*, *Edward Rutledge*, *John Purves*, *Richard Rapely*, Esquires, Mr. *Francis Salvador*.

For the District between BROAD *and* SALUDA *Rivers*.—Major *John Caldwell*, *John Colcock*, *Rowland Rugely*, Esquires, *Jonathan Downes*, Esquire, Mr. *John Satterthwaite*, Mr. *Jas. Williams*, Mr. *John Williams*, Mr. *John M'Nees*, Mr. *Charles King*, Mr. *George Ross*.

For the District between BROAD *and* CATAWBA *Rivers*.—Honourable *Henry Middleton*, *gohn Chesnut*, Esquire, *Robert Goodwin*, *John Winn*, *Henry Hunter*, Esquires, Mr. *Thomas Woodward*, Mr. *Thomas Taylor*, Mr. *John Hopkins*, Mr. *William Howell*.

For the District Eastward of WATEREE *River*.—Col. *Richard Richardson*, *Joseph Kershaw*, Esquire, *Matthew Singleton*, *Thomas Sumpter*, *Aaron Loocock*, *Wm. Richardson*, *Robert Patton*, Esquires, Mr. *Robert Carter*, Mr. *William Wilson*, Mr. *Ely Kershaw*.

For SAXE GOTHA *District*.—Honourable *Wm. Henry Drayton*, Honourable *Barnard Elliott*, *Benjamin Farrar*, *William Arthur*, *Jonas Beard*, *William Tucker*, Esquires.

For the Parish of ST. MATTHEW.—Colonel *Tacitus Gaillard*, Colonel *William Thomson*, Rev. Mr. *Paul Turquand*, Mr. *John Caldwell*, Mr. *George King*, Mr. *Simon Berwick*.

For ST. DAVID'S.—Honourable *G. G. Powell*, *Claudius Pegues*, Esq., *H. W. Harrington*, *Alexander M'Intosh*, *Samuel Wise*, Esquires, Colonel *George Pawley*.

—

On *Wednesday*, the 11th day of *January*, 1775, the Deputies from every Parish and District in the Province of *South Carolina*, met at the Exchange, in *Charlestown*, agreeably to the Resolutions of Election, when

They unanimously chose Colonel *Charles Pinckney*, to be their President,

And *Peter Timothy*, a Member, to be their Secretary.

They then adjourned to the Chamber of the Commons House of Assembly, in the west end of the State House;

When the Proceedings of the Continental Congress were laid before them.

Ordered, That the *American* Bill of Rights, as declared by the Continental Congress, be taken into immediate consideration.

And after some debate, it was

Resolved, That this Congress do approve the Declaration of *American* Rights, as framed by the Continental Congress.

Ordered, That the Association formed by the late Continental Congress, be taken into immediate consideration.

The Association was then read, and, after long debate, its was

Digitized by Google

Resolved, That this Congress do approve the *American* Association. *

Ordered, That the Resolutions of the late Continental Congress, on the 10th of *September* last, and the first, second, fourth, and sixth Resolutions of the said Congress, on the 14th of *October* last, be taken into immediate consideration.

Resolved, That this Congress do approve the above Resolutions of the Continental Congress.

Ordered, That the President do return the most cordial and grateful thanks of this Congress to each of the late Delegates from this Colony to the late Continental Congress, for their able and faithful discharge, in the said Congress, of the high trust reposed in them by their country. And the same was done accordingly.

Resolved, That the unfeigned thanks of every *American* are justly due to the worthy and patriotick Members of the late Continental Congress, held at *Philadelphia*, for their wise and spirited exertions in behalf of *American* Liberty: and the Representatives of this Colony, now met in Provincial Congress, do hereby, in behalf of themselves, and in the names of their constituents, unanimously express their sense of the great services rendered them by those important proceedings.

Ordered, That the Reverend Mr. *Turquand*, a Member, be desired to celebrate divine service in Provincial Congress.

Resolved, That the President do return the thanks of the Congress to the Reverend Mr. *Turquand*, Rector of *St. Matthews* Parish, for his devout and pious performance of divine service before the Congress. And the same was done accordingly.

Resolved, That it be recommended by this Congress to the inhabitants of this Colony, that they give a preference

* Our Delegates from Congress being present, the proceedings of that body at *Philadelphia* were taken into consideration, and many questions were proposed to them relative to various parts of the proceedings, to which answers and explanations were given by them. One of the most important of these was, why, at a time when a number of gentlemen were sent to Congress from all parts of *America*, for the express purpose of considering and stating the *American* grievances, and for devising the proper means of redressing them; why did they limit their researches to the year 1763, and not trace back, as could easily have been done, the many aggressions which had been committed by *Great Britain* upon her infant Colonies, in the jealousies, monopolies, and prohibitions, with which she was so prodigal towards them, for the express purpose of depressing their population, confining their trade, and crippling their attempts at even the most domestick and necessary manufactures? To this it was answered, that our Delegates were willing to have stated all the grievances, as were the greater part of the other Delegates; but the people of *Virginia* would not retrospect farther back than 1763, being limited in their powers. And, although they did not avow the reason, yet it was privately declared, it had been agreed upon at home, not to go beyond that year; as thereby the greater odium would be thrown upon the reign of *George* the Third, which was so fatal to the peace of *America*. The Delegates farther answered, it was then pressed in Congress, that the other Colonies should in this measure act independently of *Virginia;* but *Maryland* and *North Carolina* represented, that as their exports were similar to those of *Virginia*, so they could not with any advantage to the common cause act independently of her; for their own commodities would be carried to the *Virginian* Ports, which would run away with all their trade. And that in this manner was the measure of stating all the grievances defeated.

The Articles of Association determined upon by Congress, and recommended to the Provincial Conventions and Congresses to be carried into execution, now came on to be considered, and the four last words of the fourth article of that instrument, ("except Rice to *Europe*,") gave room for a long and a violent debate. This exception had created an alarming disunion throughout the whole Colony, in consequence of which, the Representatives had met with jealous feelings on the subject; as by that article of the Association, it was contracted, that after the 10th day of *September*, 1775, *America* "will not directly or indirectly export any merchandise or commodity whatsoever to *Great* "*Britain*, *Ireland*, or the *West Indies*, except Rice to *Europe*." This exception had given so general a disgust, that the whole interiour of the Province considered their interests as sacrificed to the emolument of the Rice Planters, and accordingly a motion was made and seconded, "that the Delegates to be elected, use their utmost endeavours at the "ensuing Congress at *Philadelphia*, to cause those words to be expunged."

Mr. *Gadsden* then rose, and explained to the Congress what had taken place in the Continental Congress during the passage of the obnoxious exception. He said he thought it was his duty to declare, he had not any hand in causing those words to stand in the instrument of Association; that they had well nigh occasioned a division in Congress. And so ill was a proposition of that nature received, that it had occasioned a cessation from business for several days, in order to give our Deputies time to recollect themselves. That when the Association was completing, and the Members of Congress were signing that instrument, all our Deputies but himself withdrew. That he would have been glad of the honour of signing his name alone; and for doing so, would have trusted to the generosity of his constituents. That he had offered to do so, and that *Carolina* was on the point of being excluded the Association, when our Deputies being again summoned by the Secretary, they returned into Congress, yielding up the article of Indigo; and that Congress, only for the sake of preserving the union of *America*, allowed the article Rice to be added to the Association. That this, however, was illy received by the other Colonies, who had thence become jealous of the Rice Colonies; and therefore, it was his opinion, that for the common good, as well as our own honour, we ought to remove this as soon as possible, by having the words "*except Rice to Europe*" struck out of the fourth article of the Association.

Mr. *John Rutledge* now undertook his own defence, and that of his three associates. He said that at an early period, he and the other Delegates from this Colony had warmly pressed an immediate Non-Importation, and total Non-Exportation. That, as a Non-Exportation to *Great Britain* and *Ireland*, was to withhold from thence the advantages their people might acquire from a receipt of *American* commodities, so the end would be more surely effected by retaining those commodities altogether in *America*. Such measures, however, could not be effected; the Northern Colonies resolving to remit to *England*, as usual, to pay their debts by the circuitous mode of their Flour and Fish trade to the rest of *Europe*. In short, the commodities they usually sent to the mother country were but trifling, and their real trade would be but little affected by the Association. For instance, *Philadelphia* carried on a trade of export to the amount of seven hundred thousand Pounds sterling, whereas, scarce fifty thousand Pounds value of it went to the market of the mother country. That, as it was evident those Colonies were less intent to annoy the mother country in the article of trade, than to preserve their own trade; so he thought it was but justice to his constituents, to preserve to them their trade as entire as possible. That, as the Northern trade would be but little affected by the Association, he saw no reason why ours should be almost ruined; for nearly all our Indigo, and two-thirds of our Rice, went to the ports of the mother country. That, if we must bear burdens in the cause of *America*, they ought to be as equally laid as possible. Upon the whole, he said the affair seemed rather like a commercial scheme among the Flour Colonies, to find a better vent for their Flour through the *British* Channel, by preventing, if possible, any Rice from being sent to those markets; and that, for his part, he could never consent to our becoming dupes to the people of the North, or in the least to yield to their unreasonable expectations. That, as by the Association, the Rice Planters preserved their property, so it had been the idea of the Delegates at the Congress, that they should make compensation to the Indigo Planters, who could not send their crops to the mother country. Such a plan was just and practicable, and it ought to be the subject of our debate, rather than expunging the means of exporting a great part of our annual crop, and therewith, supplying ourselves with those necessaries we might require.

The subject thus increased by this new matter of compensation brought into view, the debate became more general, and several members took parts in the same. Among the principal of these were, *John Rutledge*, *Thomas Lynch*, *William Henry Drayton*, *Edward Rutledge*, and Mr. *Lynch*, Jun., on one side; on the other, the principal speakers were, *Christopher Gadsden*, *Rawlins Lowndes*, and the Reverend Mr. *Tennent*.

By these latter gentlemen, it was contended the compensation scheme was impracticable. That if it were to operate in favour of the Indigo Planter, it should afford in justice also relief to the Hemp Grower, the Lumber Cutter, the Corn Planter, the Makers of Pork and Butter, &c., for why should this benefit be confined to the Indigo Maker, in exclusion of other classes of citizens, whose commodities were their means of support, and would equally, nay, more, be unsaleable by the Association? That, as we were all one people, we should all suffer alike; and then, all would struggle through difficulties which might arise. That union among ourselves was a *sine qua non*, and this odious distinction had cruelly convulsed the Colony. Besides which, our Northern brethren beheld us with a jealous eye, and we ought to induce them to look upon us more favourably; for, if blood were to be spilt in the *American* cause, theirs would be first shed, while ours would be running only in the usual channels.

In reply, it was contended by the Delegates, and the first named gentlemen, that a compensation was very practicable, and therefore ought to be proceeded in; and particularly so, as it would render any opposition to the Association unnecessary. That we ought not by any measure, to express a publick dislike of any thing the late Congress had done, as such conduct would be bad policy; on the contrary, we ought to evince the utmost confidence in their determination, as contributing to the general apparent union; and at this time, such an appearance alone, was of the utmost importance.

In this manner, the whole day was expended; when, at sunset, a Committee was appointed to form a plan of compensation, and to report it on the next morning.

The Committee met in an hour, and sat until twelve o'clock at night; and the next morning, at eleven o'clock, they brought in their Report, the Provincial Congress having impatiently waited two hours for them. The first part of the Report contained the famous Resolve relating to debt, by which the Committees of the several Parishes and Districts became Judges and Juries, and upon application, were to give permission for the bringing, or proceeding on, suits, where the debtors refused to renew their obligations, or to give reasonable security, or where they were justly suspected of intentions to leave the Province, or to defraud their creditors, or where there should appear to the majority of such Committee, any other reasonable cause for granting such permission; that the Congress would indemnify the Committees in so doing; and that no summons should be issued by any Magistrate, in small and mean causes, without the like consent. This part of the Report was immediately agreed to; but all the other parts were so intricate, and so little satisfactory, that they were rejected; and the Congress resumed the debate on the four words.

This debate was now carried on without any cessation, until dark. Great heats prevailed, and the members were on the point of falling into downright uproar and confusion. At length, all parties being wearied out, the question was put by candle-light, and by mere accident, at the desire of one among the Indigo party, it was put in a manner that lost it: for, instead of voting as usual, by acclamation, to save time, and mistakes in counting, each man's name was called, and he declared himself *yea*, or *nay*, which was minuted down. By this mode, some were overawed, either by their diffidence, circumstances, or connexions; and to the surprise of the nays, they themselves carried the point, by a majority of twelve voices—eighty-seven to seventy-five.—*Drayton*.

Digitized by Google

to their own Flour and other Manufactures; and that such articles be sold at reasonable rates.

Resolved, That it is the unanimous opinion of this Congress, that no action for any Debt shall be commenced in the Court of Common Pleas of this Colony, nor any such action pending there, which was commenced since last *September* Return, be proceeded in without the consent of the Committee of the Parish or District, in which the defendant resides, until it shall be otherwise determined in Provincial Congress. That the said Committees, respectively, or a majority of such of them as shall meet, (provided they are not less than three, in the country Parishes and Districts,) do, upon application, give permission for the bringing or proceeding on such suits, in the following cases:—that is to say, where the debtors refused to renew their obligations, or to give reasonable security, or are justly suspected of intentions to leave the Province, or to defraud their creditors, or where there shall appear to the majority of such Committees, as aforesaid, any other reasonable cause for the granting such permission; which Committees shall meet and sit on the first and third *Saturdays* in every month, at twelve o'clock, at noon, or oftener if it shall be found necessary, for the purpose of hearing and determining on such applications. That seizures and sales upon mortgages shall be considered on the same footing as actions for debts. That it be recommended to the Committees for each Parish and District, that they use their best endeavours to prevent any debtors from removing their effects out of the Colony, without the knowledge and consent of their creditors. That the Congress will indemnify the Committees for so doing. And that no summons shall be issued by any Magistrate, in small and mean causes, without the like consent.

Resolved, That any eleven members of the *Charlestown* Committee shall be a sufficient number to receive and determine upon applications relative to the issuing of writs and process, and proceeding on suits and mortgages, in the Parishes of *St. Philip* and *St. Michael*.

Resolved, That the following gentlemen be the Committees for the several Districts and Parishes hereinafter mentioned, for effectually carrying into execution the Continental Association, and for receiving and determining upon applications relative to law processes as aforesaid.

For the Parish of CHRIST-CHURCH.—Messrs. *Gabriel Capers, Clement Lempriere, Sims White, Joseph Maybank, Robert Dorrel, Nathan Legaré, Isaac Legaré, Levi Duraud*, and *Joshua Toomer*.

For the Parish of ST. GEORGE, DORCHESTER.—Messrs. *John Joor, John Glaze, Daniel Stewart, Thomas Waring, William Dewitt, David Rumph*, and *William Morgan*.

For the Parish of ST. ANDREW.—Messrs. *Wm. Scott, Thomas Bee, William Cattell, Thomas Fuller, Benjamin Stone, Isaac Rivers, Henry Samways, Benjamin Fuller*, and *Richard Hutson*.

For the Parish of ST. JAMES, GOOSE *Creek*.—Messrs. *Benjamin Coachman, Henry Smith, John Davies, James Streater, Alex. Mazyck, Benjamin Mazyck*, and *Thomas Walter*.

For the Parish of ST. JOHN, BERKLEY *County*.—Messrs. *James Cordes, John Cordes, Elias Ball*, Junior, *Richard Gough, Peter Witten, Peter Marion*, and *Stephen Mazyck*, Junior.

For the Parish of ST. PAUL.—Messrs. *Roger Sanders, Robert Miles, Allen Miles, Melchior Garner, Morton Wilkinson, Joseph Bee, Edward Perry*.

For the Parish of ST. BARTHOLOMEW.—Messrs. *James Skirving*, Junior, *Philip Smith, William Skirving, Edmund Hyrne, Thomas Hutchinson, Joseph Glover, Charles Shepheard, James Donnom*, and *William Mills*.

For the Parish of ST. JOHN, COLLETON *County, viz*:

For JOHN'S *Island and* WADMELAH *Island*.—Messrs. *Abraham Waite*, Senior, *James Laroach, William Boone, Thomas Ladson, Thomas Hunscomb, John Wilson*, and *John Holmes*. And

For EDISTO, *in the said Parish*.—Messrs. *Joseph Seabrook, Patrick Simpson, Joseph Fickling, Daniel Jenkins, James Murray. James Fickling*, and *Samuel Eaton*.

For the Parish of ST. JAMES, SANTEE.—Messrs. *John Barnett, Joseph Legaré*, Jun., *Jonah Collins, John Egan, Richard Withers, John Drake*, and Col. *Elias Horry*.

For the Parish of PRINCE GEORGE; that is to say,

For GEORGETOWN.—Messrs. *Paul Trapier, Samuel Wragg, Paul Trapier*, Junior, *Benjamin Young, Joseph Allston, Thos. Godfrey, Anthony Bonneau, John Withers, Hugh Horry, Daniel Tucker*, and *Robert Heriot*. And

For LITTLE *River, in the said Parish*.—Messrs. *Josias Allston, Samuel Dwight, Dennis Hankins, Francis Allston*, and *John Allston*, Junior.

For the Parish of ST. MATTHEW.—Colonel *Tacitus Gaillard*, Colonel *Wm. Thomson*, Colonel *John Savage*, Reverend *Paul Turquand*, Messrs. *George King, John Caldwell, Simon Berwick, Henry Felder*, Col. *Michael Christopher Rowe*, Messrs. *Lewis Golson, Adam Snell*, and *Christopher Zahn*.

For the Parish of ST. HELENA.—Messrs. *Thomas Rutledge, John Joyner, John Barnwell*, Junior, *Daniel Heyward*, Junior, *Daniel De Saussure, William Reynolds, James Dougharty, Wm. Waite, Joseph Jenkins, Francis Martingale*, and *Tunis Tebout*.

For the Parish of PRINCE FREDERICK.—Messrs. *John James, Hugh Giles, Anthony White*, Jun., *Wm. Gamble, Robert M'Cottery, John Witherspoon, Thos. Potts, Francis Britton, William Michau, William Thompson*, and *William Snow*.

For the Parish of ST. STEPHEN.—Messrs. *Hezekiah Mayham, David Gaillard, John Pamor*, Jun., *René Richbourg, John Dubois, John Peyre*, and *John Coutourier*.

For the Parish of ST. PETER.—Messrs. *Cornelius Dupont, John Louis Bourquin, James Thompson, John Chisolme, Adrian Mayer, John Buche*, Senior, and *Charles Dupont*.

For the Parish of ST. THOMAS *and* ST. DENNIS.—Messrs. *Daniel Lesesne, Edward Thomas*, Junior, Rev. *Alex. Garden, Thomas Screven, Thomas Ashby, Thomas Dearington*, and *Benjamin Simons*.

For the Parish of PRINCE WILLIAM.—Colonel *Stephen Bull*, Messrs. *Benjamin Garden, Thomas Hudson, Joseph Brailsford, Ulysses Macpherson, John Ward, William Harden, William Bull*, and *John Wheatley*.

For the Parish of ST. DAVID.—Messrs. *Henry William Harrington, George Pawley, Alexander M'Intosh, Claudius Pegues, Samuel Wise, Burwell Boyakin, George Hicks, Philip Pledger*, and *John Donalson*.

For NINETY-SIX *District*.—Col. *Jas. Mayson*, Messrs. *Andrew Williamson, Le Roy Hammond, Richard Rapley, Patrick Calhoun, Francis Salvador, John Purves, Benjamin Tutt, William Moore, John Bowie, Wm. Anderson, Hugh Middleton, David Zubly, Moses Kirkland, William Calhoun*, and *Arthur Symkins*.

For the District in the FORKS, *between* BROAD *and* SALUDA *Rivers*.—Colonel *Thomas Fletchall*, Major *John Caldwell*, Messrs. *Charles King, John Williams, John Satterthwaite, Jonathan Downes, James Williams, James Creswell, John M'Nees, Robert Cunningham, George Ross, Samuel Savage, John Thomas, John Ford, John Caldwell, John Gordon*, and *John Prince*.

For the District between BROAD *and* CATAWBA *Rivers*.—Messrs. *Thos. Taylor, Thomas Woodward, John Hopkins, John Chesnut, Robert Goodwin, William Howell, John Winn, Henry Hunter, David Hopkins, Joseph Kirkland*, and *Robert Hancock*.

For the District of SAXE GOTHA.—Messrs. *Benjamin Farrar, Jonas Beard, William Tucker, Samuel Boyakin, Godfrey Drier*, and *Ralph Humphries*.

For the District Eastward of the WATEREE *River*.—Colonel *Richard Richardson*, Messrs. *Robert Carter, Wm. Richardson, William Wilson, Matthew Singleton, Thomas Sumpter, Joseph Kershaw, Robert Patton, Richard Richardson*, Junior, *John James*, Senior, *Samuel Little, John Marshall*, and *Isaac Ross*.

Resolved, That a strict conformity to the requisition of this Congress, be recommended to the Gentlemen of the Law, and all other persons, in regard to the issuing of writs and process, and proceeding on suits and mortgages.

Resolved, That it is the opinion of this Congress that after the 10th day of *September* next, compensation shall be made by those who raise articles which may be then exported to those who cannot raise such articles, for the losses which they may sustain by not exporting the commodities which they raise.

Resolved, That if the exportation of Rice should be continued after the 10th day of *September* next, one-third

Digitized by Google

of the Rice made in this Colony shall, as it is brought to *Charlestown*, *Beaufort*, and *Georgetown*, be deposited in the hands of the Committees hereinafter appointed, at each of those places, respectively, and sold by such Committees.

Resolved, That the said Committees receive such of the following commodities as shall be brought to them, the same being the produce of this Colony, merchantable, and not more in quantity or value than one-third of the commodities of each kind raised for sale in one season, by the owner of them, (Butter excepted,) viz: Indigo; Copper, of the best sort, at thirty Shillings per pound, and other kinds in proportion to that value; Hemp, at eight Pounds per hundred weight, exclusive of the bounty; Corn, at twelve Shillings and six Pence per bushel; Flour, of the best sort, at four Pounds ten Shillings, and of the second sort, at four Pounds per hundred weight; Lumber, inch pine boards, per thousand feet, at twenty Pounds in *Charlestown*, and fifteen Pounds in *Beaufort* and *Georgetown*, and other plank and scantling in proportion; Pork, at thirteen Pounds per barrel; Butter, at three Shillings per pound.* And that in case the price of Rice should be higher or lower than fifty-five Shillings per hundred weight, when the said commodities are deposited with such Committees, the price of such commodities shall be raised or lowered from the above rate, in proportion to such rise or fall of the price of Rice.

Resolved, That the said Committees shall pay for the said commodities in the order they are brought to them, according to the foregoing rates; either in money arising from the sale of Rice, as it shall be delivered to them, if such Rice shall be sold and the money received, or in Rice, if the owner of such commodities chooses to take it, or in certificates setting forth the quantity and value of the commodities which the Committee have received, and to whom they belonged; and that such person, or the person holding such certificate, may receive the said sum in his turn, as money shall be received for Rice brought to the Committee, which certificates shall pass and be received as money.

Resolved, That the persons making Indigo shall produce to the Committee of the Parish or District, in which it shall have been made, on oath, samples of it, according to its different qualities.

Resolved, That the person bringing any of the said commodities to the said Committees in *Charlestown*, *Beaufort*, and *Georgetown*, shall at the same time produce a certificate from the Committee of the Parish or District where such commodities shall have been made or raised, (which certificate, such Committee being satisfied of the truth thereof, on oath of the party, shall give) specifying that the commodities so brought, are only one-third according to the quantity and quality of the commodity of that kind, raised in this Colony in one season, for sale by the owner requiring such certificate.

Resolved, That the commodities, brought to the said Committees, shall be at the risk of the persons bringing them down, until they shall be sold or exchanged as aforesaid. And that the Rice Planter, on delivering a third of his Rice, as it shall be brought to market to the Committee, shall have his proportion of such commodities as aforesaid, in the order they shall have been brought down, delivered to him, or disposed of as he shall think proper.

Resolved, That the Committees settle their accounts of this business in *November*, 1776, and pay to the Rice Planters the balance of money (if any) belonging to them, which shall be in the hands of the said Committees. And in case the Rice so delivered shall not be sufficient to sink the said certificates, the same shall be made good out of the next crop of Rice.

Resolved, That persons making any other commodities than those above enumerated, which cannot be exported, shall be put upon a footing, in point of compensation for their losses by a non-exportation, with the makers of the commodities above specified.

Resolved, That the following gentlemen be Committees, to exchange Rice for other commodities after the 10th day of *September* next, if the non-exportation of Rice should be continued after that day, viz:

For CHARLESTOWN.—*Christopher Gadsden*, *Isaac Huger*, *William Gibbes*, *William Parker*, *Aaron Loocock*, *Roger Smith*, *Maurice Simons*, *John Poaug*, Esquires, Messrs. *Thomas Legaré*, Sen., *Edward Simons*, *Edward Blake*, *Samuel Prioleau*, Junior, *Hugh Swinton*, *John Champneys*, *William Hort*, *John Brewton*, *Alexander Chisolme*, *Alexander Chovin*, *William Livingston*, and *John Baddeley*.

For GEORGETOWN, WINYAH.—*Paul Trapier*, *Samuel Wragg*, *Benjamin Young*, *Joseph Allston*, *Thomas Godfrey*, *Robert Heriot*, Esqrs., Messrs. *Paul Trapier*, Jun., *Anthony Bonneau*, *John Withers*, *Hugh Horry*, *Daniel Tucker*, *Samuel Smith*, *George Croft*, *James Gordon*, *George Heriot*, and *Thomas Mitchell*.

For BEAUFORT, PORT-ROYAL.—Colonel *Stephen Bull*, Messrs. *Thomas Hughes*, *William Kelsall*, *Andrew Deveaux*, *William Elliott*, *Nathaniel Barnwell*, Jun., *John Fripp*, *William Waite*, *George Barksdale*, *James Cuthbert*, *John Edwards*, Jun., *James Frazer*, *Charles Givens*, and *John Joyner*, Jun.

Resolved, That in case of a General Exportation or Non-Importation, these Resolutions respecting compensation shall cease.

Resolved, That it be recommended to the inhabitants of this Colony, to raise Cotton, Hemp, Flour, Wool, Barley, and Hops.

Resolved, That after the first day of *March* next, no Lambs or Sheep be killed for sale.

Resolved, That stores in *Charlestown*, *Beaufort*, and *Georgetown*, be taken, and Storekeepers employed to buy all the Wool that may be brought to them, at three Shillings per pound for unwashed, and five Shillings for clean Wool; that it be sold out at the same rates, to any person who shall undertake to manufacture it: and that such Storekeepers receive, and expose to sale, for the benefit of the persons bringing them down, all Linen, Woollen, and Cotton manufactures of this Colony.

Resolved, That the present Representation of this Colony shall continue until the next general meeting of the inhabitants, under the title of the Provincial Congress. That it shall be adjourned from time to time by the President. That it be summoned to convene for the despatch of business, upon any emergency, by a vote of the *Charlestown* General Committee, at which Committee, every Member of this Congress who may happen to be in Town, shall attend, and shall be considered as a Member.

Resolved, That any forty-nine Members of the Provincial Congress, be a sufficient number to proceed on business.

Resolved, That any twenty-one Members of the *Charlestown* Committee, assembled, be a sufficient number to proceed upon business.

Resolved, That when vacancies shall happen in any Parish or District, by the death, removal, or refusal to act as a Member of the present Congress, or the above-mentioned Committees, the same shall be filled up by the inhabitants of such Parishes or Districts respectively.

Resolved, That it be strongly recommended to the Parochial and District Committees, to use their utmost endeavours to obtain liberal donations for the relief of the suffering people in the Town of *Boston* and Colony of *Massachusetts Bay*. And that all such donations as may be collected from time to time, be transmitted to the General Committee in *Charlestown*.

Resolved, That the Hon. *Henry Middleton*, Esquire, *Thomas Lynch*, *Christopher Gadsden*, *John Rutledge*, and *Edward Rutledge*, Esqrs., or any three of them, be, and they are hereby, appointed and authorized to represent this Colony on the 10th day of *May* next, or sooner, if necessary, at the *American* Congress, to be held at *Philadelphia*, or elsewhere, with full power to concert, agree upon, direct and order such further measures as in the opinion of the said Deputies, and the Delegates of the other *American* Colonies to be assembled, shall appear to be necessary, for the recovery and establishment of *American* Rights and Liberties, and for restoring harmony between *Great Britain* and her Colonies.

Resolved, That this Congress will pay the expenses of the said Deputies, in going to, attending at, and returning from the said *American* Congress.

Resolved, That a Committee be appointed to prepare a proper Address to his Honour the Lieutenant-Governour, touching the sitting of the General Assembly.

* This was the Paper currency of the Province, and was depreciated to seven for one of Specie.

Digitized by Google

The Committee reported the Address to the Lieutenant-Governour, which having been amended, is as follows:

To the Honourable WILLIAM BULL, Esquire, *Lieutenant-Governour and Commander-in-Chief in and over his Majesty's Colony of* SOUTH CAROLINA.

MAY IT PLEASE YOUR HONOUR: We his Majesty's faithful and loyal subjects, the Representatives of all the good people in this Colony, now met in Provincial Congress, think ourselves indispensably obliged to address your Honour, for redress of a grievance, which threatens destruction to the Constitution, and ruin to the inhabitants of this country: we mean the long and still continued disuse of General Assemblies, contrary, not only to every principle of free Government, but directly against a law of this Province.

To enumerate all the unhappy consequences which must follow a denial of the right of the People, to appear, frequently, by their Representatives in General Assembly, must be unnecessary. Your Honour, who has as a private person enjoyed the blessing of freedom and good Government amongst us, can want no information on that head.

Taxes continuing to be raised and paid, and laws to be executed, against the sense of the people, are but a part of our grievances.

Mortifying as these considerations are, the causes are more so; being, according to our best information, no other than a refusal of the House of Assembly to obey Ministerial mandates, contrary to their consciences, and subversive of the rights of their constituents; and his Majesty's Council, composed chiefly of place-men, paying an implicit and servile obedience to unconstitutional instructions. Such acts tend immediately to a total abolition of Assemblies; for, if freedom of debate, and a constitutional independence be denied to them, they cannot possibly be useful; probably they will become dangerous.

We forbear to trouble your Honour with reasons in support of the request which we now as of right make, in behalf of all the good subjects of his Majesty in this Colony, that the holding and sitting of the General Assembly be no longer delayed, but that it be permitted to sit for the despatch of publick business as formerly.

We pray your Honour to be assured, that by this our humble Address, we do not intend to question his Majesty's prerogative of calling, proroguing, and dissolving the General Assembly, but only to request that this power be exercised for the good of the people.

By order of the Provincial Congress.

CHARLES PINCKNEY, *President.*

IN PROVINCIAL CONGRESS, *Charlestown, January* 17, 1775.

The Address having been presented by the Congress, his Honour the Lieutenant-Governour was pleased to return the following Answer:

GENTLEMEN: I know no legal Representative of the good people of this Province, but the Commons House of Assembly, chosen according to the Election Act, and met in General Assembly. As gentlemen of respectable characters and property in this Province, I acquaint you, that the General Assembly stands prorogued to the 24th instant. I have always endeavoured to make the law of the land my rule of government in the administration of publick affairs, and I shall not omit observing it in meeting the General Assembly according to the prorogation; with whom I shall, under the guidance of my duty to the King, and zeal for the service of the Province, do every thing in my power, that can contribute to the publick welfare.

WILLIAM BULL.

Charlestown, January 17, 1775.

Resolved, That it be recommended by this Congress, to all the inhabitants of this Colony, that they be diligently attentive in learning the use of Arms; and that their officers be requested to train and exercise them at least once a fortnight.

Resolved, That it be recommended to the inhabitants of this Colony, to set apart *Friday*, the 17th *February* next, as a day of fasting, humiliation and prayer, before Almighty *God*, devoutly to petition him to inspire the King with true wisdom, to defend the people of *North America* in their just title to freedom, and to avert from them the impending calamities of civil war.

Resolved, That the several Ministers of the Gospel throughout the Colony be requested to prepare and deliver suitable discourses upon this solemn occasion.

Resolved, That every Member of the present Congress who may be in Town, do meet at the Commons House of Assembly, and proceed from thence in a body, to attend divine service in *St. Philip's* Church: and that the President do request of the Rev. Mr. *Robert Smith*, that he will prepare, and preach on that day, a Sermon suitable to the importance of the occasion.

Resolved, That the President do accept of the most hearty thanks of this Congress, for the unwearied attendance he has given on the service of it, and for the very satisfactory conduct which he has pursued during the course of its important transactions.

Resolved, That the thanks of this Congress be returned to the Member who performed the duty of Secretary, for his faithful and diligent attention to that service.

The Congress then adjourned until it shall be summoned to convene by the *Charlestown* General Committee.

COUNCIL OF NEW-JERSEY.

Proceedings of his Majesty's Council for the Province of *New-Jersey*, at a Session of the General Assembly of the said Province, begun and holden at the City of *Perth Amboy*, on *Wednesday*, the eleventh day of *January*, in the fifteenth year of the reign of our Sovereign Lord King *George* the Third, Anno Domini 1775.

Friday, January 13, 1775.

The House met: Present, *David Ogden, James Parker*, Esquires, the Chief Justice, *Daniel Coxe, John Lawrence*, and *Francis Hopkinson*, Esquires.

His Excellency came into the Council Chamber, and having, by the Deputy Secretary, commanded the attendance of the House of Assembly, the Speaker with the House attended, when his Excellency was pleased to make a Speech to both Houses. After which the Speaker, with the House of Assembly, withdrew.

—

Wednesday, January 18, 1775.

The House met: Present, *David Ogden*, Esquire, the Earl of *Stirling, John Stevens, James Parker*, Esquires, the Chief Justice, *Richard Stockton, Daniel Coxe, John Lawrence*, and *Francis Hopkinson*, Esquires.

His Excellency's Speech to both Houses, at the opening of this session, being read,

Ordered, That Mr. *Parker*, Mr. *Stockton*, and Mr. *Hopkinson*, be a Committee to prepare and bring in a draught of an Address to his Excellency, in answer to the said Speech.

—

Tuesday, January 24, 1775.

The House met: Present, *David Ogden, John Stevens, James Parker*, Esquires, the Chief Justice, *Richard Stockton, Daniel Coxe, John Lawrence*, and *Francis Hopkinson*, Esquires.

Mr. *Parker*, from the Committee to whom it was referred to prepare and bring in a draught of an Address to his Excellency, in answer to his Speech at the opening of the session, reported that the said Committee had prepared the draught of an Address, which he was ready to report when the House would be pleased to receive the same.

Ordered, That the said Report be made immediately.

Mr. *Parker* then read the said draught in his place, and delivered it in at the table.

And the said draught having been again read, and some amendments made thereto,

Ordered, That the said Address be engrossed.

—

Wednesday, January 25, 1775.

The House met: Present, *Peter Kemble, David Ogden*, Esquires, the Earl of *Stirling, John Stevens, James Parker*, Esquires, the Chief Justice, *Richard Stockton, Daniel Coxe, John Lawrence*, and *Francis Hopkinson*, Esquires.

The engrossed Address to his Excellency being read and compared, was approved by the House.

Digitized by Google

Ordered, That the Speaker do sign the same.

Ordered, That Mr. *Coxe* and Mr. *Hopkinson* wait upon his Excellency, and request to know when he will be pleased to receive the Address of the House.

Mr. *Coxe* reported that Mr. *Hopkinson* and himself had obeyed the order of the House, and that his Excellency was pleased to say the House should hear from him.

—

Thursday, January 26, 1775.

The House met: Present, *Peter Kemble*, *David Ogden*, Esquires, the Earl of *Stirling*, *John Stevens*, *James Parker*, the Chief Justice, *Daniel Coxe*, *John Lawrence*, and *Francis Hopkinson*, Esquires.

His Excellency came into the Council Chamber, and having signified that he was ready to receive the Address of this House, the House attended, and by their Speaker presented the following Address, viz:

To his Excellency WILLIAM FRANKLIN, Esquire, *Captain-General, Governour and Commander-in-Chief in and over his Majesty's Province of* NEW-JERSEY, *and Territories thereon depending in* AMERICA, *Chancellor and Vice Admiral in the same, &c.*

The humble Address of his Majesty's Council of the said Province:

MAY IT PLEASE YOUR EXCELLENCY: We his Majesty's most dutiful and loyal subjects, the Council of the Province of *New-Jersey*, beg leave to return your Excellency our thanks for your Speech at the opening of this session, and to express our obligations for having given us so early an opportunity of transacting the publick business; and that you have been pleased therein to consult our convenience.

We agree with your Excellency that it would argue not only a great want of duty to his Majesty, but of regard to the good people of this Province, were we, on this occasion, to pass over in silence the present alarming transactions which are so much the object of publick attention; and therefore beg leave to assure you, that, feeling ourselves strongly influenced by zealous attachment to the interests of *Great Britain* and her Colonies, and deeply impressed with a sense of the important connection they have with each other, we shall, with all sincere loyalty to our most gracious Sovereign, and all due regard to the true welfare of the inhabitants of this Province, endeavour to prevent mischiefs which the present situation of affairs seems to threaten; and by our zeal for the authority of Government on the one hand, and for the constitutional rights of the people on the other, aim at restoring that health of the political body, which every good subject must earnestly desire.

Your Excellency may be assured that we will exert our utmost influence, both in our publick and private capacities, to restore that harmony between the parent state and his Majesty's *American* Dominions, which is so essential to the happiness and prosperity of the whole Empire; and earnestly looking for that happy event, we will endeavour to preserve peace and good order among the people, and a dutiful submission to the laws.

To which his Excellency was pleased to reply in the words following, viz:

GENTLEMEN: I heartily thank you for this Address. Your sentiments concerning the present alarming transactions; your expressions of zealous attachment to the interests of *Great Britain* and her Colonies; your promises to exert your utmost influence to restore harmony between them, and to preserve peace, good order, and a dutiful submission to the laws, are such as evince your loyalty to the most gracious of Sovereigns, and your regard for the true welfare of the people. Their constitutional rights will ever be found best supported by a strict obedience to the laws and authority of Government. Whenever that barrier is broken down, anarchy and confusion, with all their attendant evils, will most assuredly enter and destroy all the blessings of civil society.

—

Friday, February 10, 1775, 4 o'clock, P. M.

The House met: Present, *Peter Kemble*, Esquire, the Earl of *Stirling*, *John Stevens*, Esquire, the Chief Justice, *Richard Stockton*, *Stephen Skinner*, and *Daniel Coxe*, Esquires.

Mr. *Coxe* in his place acquainted the House that he had received information that *James Murdock*, of the City of *Perth Amboy*, Surgeon, had presumed to send a challenge to one of the Members of this House, sitting as the General Assembly of this Colony, and moved the House that the said Member be called upon to produce the Letter containing the said challenge;

Whereupon, by order of the House, the said Letter was produced, and is in the words following, viz:

MY LORD: It is needless to repeat your Lordship's behaviour last night. Mr. *Murdock* now desires of your Lordship time and place to have the satisfaction of a gentleman. I am your Lordship's most obedient servant,

JAS. MURDOCK.

Friday Morning.

Superscribed "This to Lord *Stirling*."

Resolved unanimously, That the said Letter is a most audacious insult to Lord *Stirling*; and that sending the same to him during the sitting of the General Assembly of this Colony, is a daring contempt of the authority, and a manifest violation of the rights and privileges of this House.

Ordered, therefore, That the Speaker do issue his Warrant, directed to the Sergeant-at-Arms, commanding him to apprehend and bring the said *James Murdock* forthwith before the House, to answer for the said contempt.

The House being informed that *James Murdock* was attending at the door in custody of the Sergeant-at-Arms,

Ordered, That he be brought in.

And on his appearance before the House, and the said Letter being shown to him, he acknowledged that he wrote and sent the same as directed, and that he meant it as a challenge; but said he had done it in the heat of passion; that he was sensible he had done exceedingly wrong, and was sorry for his indiscretion; and that he was ready to make such farther acknowledgments as the House should be pleased to direct.

Ordered, That the Sergeant-at-Arms withdraw with the said *James Murdock*, and that he remain in his custody till farther orders.

—

Saturday, February 11, 1775.

The House met: Present, *Peter Kemble*, Esquire, the Earl of *Stirling*, *John Stevens*, Esquire, the Chief Justice, *Richard Stockton*, *Stephen Skinner*, and *Daniel Coxe*, Esquires.

The House resumed the consideration of the Insult and Breach of Privilege committed by *James Murdock*.

Resolved, That the said *Murdock* be brought up before this House by the Sergeant-at-Arms; and that he receive such reprimand and admonition from the Speaker, as the nature of his offence requires; and that he be also commanded to make such submission and acknowledgment of his offence, as may be satisfactory as well to the House as to Lord *Stirling*.

Whereupon, the said *James Murdock* was accordingly brought before the House, in custody of the Sergeant-at-Arms, and being reprimanded and admonished, did declare his unfeigned sorrow for the insult by him offered to the House, thanked the House for their lenity towards him, and with the fullest acknowledgments of his submission to the House, implored their pardon and forgiveness, as well for the publick insult offered to them, as for the affront to Lord *Stirling*.

Whereupon, he was ordered to be discharged from custody, on paying the accustomed Fees to the Sergeant-at-Arms.

—

Monday, February 13, 1775.

The House met: Present, the Earl of *Stirling*, *John Stevens*, Esquire, the Chief Justice, *Stephen Skinner*, and *Daniel Coxe*, Esquires.

A Message from the House of Assembly, by Mr. *Fisher* and Mr. *Eldridge*, informing this House that the House of Assembly have no farther business before this House, and that the House have no objection to such application being made for a dismission.

To which the Speaker answered that there was no further business before this House, and that the House have no objection to such application being made for a dismission.

Digitized by Google

Afternoon.

The House met: Present, the Earl of *Stirling*, *John Stevens*, Esquire, the Chief Justice, *Stephen Skinner*, and *Daniel Coxe*, Esquires.

The Speaker, with the House of Assembly, came into the Council Chamber, when the Deputy Secretary read to both Houses his Majesty's Proclamation, proroguing the General Assembly to *Tuesday*, the fourteenth day of *March* next, then to meet at the City of *Burlington*.

ASSEMBLY OF NEW-JERSEY.

Votes and Proceedings of the General Assembly of the Colony of *New-Jersey*, at a session began at *Perth Amboy*, on *Wednesday*, *January* 11, 1775, and continued until the 13th day of *February* following; being the third session of the twenty-second Assembly of *New-Jersey*.

NAMES OF THE REPRESENTATIVES.

City of PERTH AMBOY.—*Cortland Skinner*, Speaker, and *John Combs*.

County of MIDDLESEX.—*John Wetherill*.

MONMOUTH.—*Edward Taylor* and *Richard Lawrence*.

ESSEX.—*Stephen Crane* and *Henry Garritse*.

SOMERSET.—*Hendrick Fisher* and *John Roy*.

BERGEN.—*Theunis Dey* and *John Demarest*.

MORRIS.—*Jacob Ford* and *William Winds*.

City of BURLINGTON.—*James Kinsey* and *Thomas P. Hewlings*.

County of BURLINGTON.—*Henry Parson* and *Anthony Sykes*.

GLOUCESTER.—*John Hinchman* and *Robert F. Price*.

SALEM.—*Grant Gibbon* and *Benjamin Holme*.

CAPE MAY.—*Jonathan Hand* and *Eli Eldridge*.

HUNTERDON.—*Samuel Tucker* and *John Mehelm*.

CUMBERLAND.—*John Sheppard* and *Theophilus Elmer*.

SUSSEX.—*Nathaniel Pettit*.

Perth Amboy, Wednesday, January 11, 1775.

Pursuant to his Excellency's several prorogations of the General Assembly from time to time till this day, the House met, and, for want of a sufficient number of Members to proceed upon business, adjourned till to-morrow morning, ten o'clock.

Thursday, January 12, 1775.

The House met.

Ordered, That Mr. *Kinsey* and Mr. *Combs* do wait on his Excellency and acquaint him that a sufficient number of Members to proceed upon business are now met, and are ready to receive any thing he may please to lay before them.

Mr. *Kinsey* reported that Mr. *Combs* and himself waited on the Governour, pursuant to the order of the House, who was pleased to say the House should hear from him.

Friday, January 13, 1775.

Mr. *Kinsey* laid before the House a duplicate of his Majesty's allowance of the Act entitled "An Act for establishing the Boundary or Partition Line between the Colonies of *New-York* and *Nova-Caesarea* or *New-Jersey*, and for confirming the Titles and Possessions."

A Message from his Excellency, by Mr. Deputy Secretary *Pettit*:

MR. SPEAKER: His Excellency is in the Council Chamber, and requires the immediate attendance of this House. Whereupon,

Mr. Speaker left the Chair, and with the House went to wait upon his Excellency; and being returned, Mr. Speaker resumed the Chair, and reported that the House had waited on his Excellency, who was pleased to make a Speech to the Council and House of Assembly, of which Mr. Speaker said he had, to prevent mistakes, obtained a copy, and the same, by order of the House, was read, and is as follows, viz:

Gentlemen of the Council and Gentlemen of the Assembly:

Although not more than ten months have elapsed since your last meeting in General Assembly; yet, as there are several matters of importance which require the particular attention of the Legislature, I have thought it proper to give you as early an opportunity of transacting the publick business, as was consistent with your conveniency.

Gentlemen of the Assembly:

The support of Government having been expired ever since the first of *October*, I must recommend that matter to your early consideration.

The Barrack-master's accounts for the expenditure of the money granted last year for the supply of the King's Troops, shall be laid before you as soon as they can be prepared.

Gentlemen of the Council and Gentlemen of the Assembly:

It would argue not only a great want of duty to his Majesty, but of regard to the good people of this Province, were I, on this occasion, to pass over in silence the late alarming transactions in this and the neighbouring Colonies, or not endeavour to prevail on you to exert yourselves in preventing those mischiefs to this country, which, without your timely interposition, will, in all probability, be the consequence.

It is not for me to decide on the particular merits of the dispute between *Great Britain* and her Colonies; nor do I mean to censure those who conceive themselves aggrieved, for aiming at a redress of their grievances; it is a duty they owe themselves, their country, and their posterity. All that I wish to guard you against, is the giving any countenance or encouragement to that destructive mode of proceeding which has been unhappily adopted in part by some of the inhabitants of this Colony; and has been carried so far in others, as totally to subvert their former Constitution. It has already struck at the authority of one of the branches of the Legislature, in a particular manner. And if you, gentlemen of the Assembly, should give your approbation to transactions of this nature, you will do as much as lies in your power to destroy that form of Government of which you are an important part, and which it is your duty, by all lawful means, to preserve. To you your constituents have entrusted a peculiar guardianship of their rights and privileges. You are their legal Representatives, and you cannot, without a manifest breach of your trust, suffer any body of men, in this or any of the other Provinces, to usurp and exercise any of the powers vested in you by the Constitution. It behoves you particularly, who must be constitutionally supposed to speak the sense of the people at large, to be extremely cautious in consenting to any act whereby you may engage them as parties in, and make them answerable for measures which may have a tendency to involve them in difficulties far greater than those they aim to avoid.

Besides, there is not, gentlemen, the least necessity, consequently there will not be the least excuse for your running any such risks on the present occasion. If you are really disposed to represent to the King any inconveniences you conceive yourselves to lie under, or to make any propositions on the present state of *America*, I can assure you from the best authority, that such representations or propositions will be properly attended to, and certainly have greater weight coming from each Colony in its separate capacity, than in a channel, of the propriety and legality of which there may be much doubt.

You have now pointed out to you, gentlemen, two roads, one evidently leading to peace, happiness, and a restoration of the publick tranquillity, the other inevitably conducting you to anarchy, misery, and all the horrours of a civil war. Your wisdom, your prudence, your regard for the true interests of the people, will be best known when you have shown to which road you give the preference. If to the former, you will probably afford satisfaction to the moderate, the sober, and the discreet part of your constituents. If to the latter, you will, perhaps, for a time, give pleasure to the warm, the rash, and the inconsiderate among them, who, I would willingly hope, violent as is the temper of the present times, are not even now the majority. But it may be well for you to remember, should any calamity hereafter befall them from your compliance with their inclinations, instead of pursuing as you ought, the dictates of your own judgment, that the consequences of their returning to a proper sense of their conduct, may prove deservedly fatal to yourselves.

I shall say no more at present on this disagreeable sub-

Digitized by Google

ject, but only to repeat an observation I made to a former Assembly, on a similar occasion. "Every breach of the "Constitution, whether it proceeds from the Crown or the "People, is in its effects equally destructive to the rights "of both." It is the duty, therefore, of those who are entrusted with Government, to be equally careful in guarding against encroachments from the one as the other. But it is, says one of the wisest of men, a most infallible symptom of the dangerous state of liberty, when the chief men of a free country show a greater regard to popularity than to their own judgment. WM. FRANKLIN.

Council Chamber, January 13, 1775.

Ordered, That his Excellency's Speech be read a second time.

—

Saturday, January 14, 1775.

Ordered, That Mr. *Wetherill*, Mr. *Crane*, Mr. *Fisher*, Mr. *Taylor*, Mr. *Ford*, Mr. *Kinsey*, Mr. *Price*, Mr. *Tucker*, Mr. *Sheppard*, and Mr. *Hand*, be and they are hereby appointed a Committee of Grievances, and they or any three of them, may meet together at such times and places as they or any three of them shall think proper to appoint, either during the sitting of the Assembly, or at any other time, and make report of their proceedings to the House.

—

Monday, January 16, 1775.

His Excellency's Speech was read the second time, and committed to a Committee of the Whole House.

Ordered, That the Committee sit to-morrow morning.

—

Tuesday, January 17, 1775.

The House, according to order, resolved itself into a Committee of the Whole House on his Excellency's Speech; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported that the Committee had made some progress in the matters to them referred, and desired leave to sit again, to which the House agreed.

—

Friday, January 20, 1775.

The House again, according to order, resolved itself into a Committee of the Whole House, on his Excellency's Speech; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported that they had made some further progress in the matters to them referred, and had come to two Resolutions, which he was ready to report whenever the House would please to receive the same, and that the Committee desired leave to sit again.

Ordered, That the said Report be made immediately, and that the Committee have leave to sit again;

Whereupon, Mr. *Fisher* reported the Resolutions of the Committee, as follows:

1. *Resolved*, That an humble Address be presented to his Excellency, in answer to his Speech.

To which the House agreed.

2. *Resolved*, That the Government of this Colony be honourably supported from the first day of *October*, 1774, to the first day of *October*, 1775.

To which the House agreed.

—

Saturday, January 21, 1775.

The House again, according to order, resolved itself into a Committee of the Whole House on his Excellency's Speech; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported that they had made some further progress in the matters to them referred, and desired leave to sit again; to which the House agreed.

—

Monday, January 23, 1775.

The House again, according to order, resolved itself into a Committee of the Whole House on his Excellency's Speech; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported that they had made some further progress in the matters to them referred, and desired leave to sit again; to which the House agreed.

Ordered, That Mr. *Wetherill*, Mr. *Kinsey*, Mr. *Fisher*, Mr. *Lawrence*, and Mr. *Crane*, be a Committee to prepare and bring in the draught of an Address to his Excellency, in answer to his Speech.

Ordered, That Mr. *Price*, Mr. *Tucker*, Mr. *Dey*, Mr. *Sheppard*, Mr. *Roy*, Mr. *Sykes*, and Mr. *Elmer*, be a Committee to bring in a Bill for support of Government.

—

Tuesday, January 24, 1775.

Mr. *Crane* and Mr. *Kinsey* laid before the House the following Memorial, which was read, and is as follows, to wit:

To the Honourable the House of Representatives of the Colony of NEW-JERSEY, *in General Assembly met:*

GENTLEMEN: We the subscribers, having been appointed and requested by the Committees of the several Counties in this Colony, including a majority of the Members of your House, to represent the Colony of *New-Jersey* in the Continental Congress of Delegates from the other *American* Colonies, at *Philadelphia*, in *September* last, beg leave to report to the House that we attended the said Congress, and did every thing in our power to answer the intention of our appointment; and hope and trust that the Proceedings of the said Congress, which we now lay before you for your consideration, will receive your approbation, and have the desired effect in producing that peace, happiness, harmony, and confidence, between *Great Britain* and the Colonies, so ardently wished for by all good men.

We are, gentlemen, your most obedient servants,

JAMES KINSEY, WILLIAM LIVINGSTON,
STEPHEN CRANE, JOHN DE HART.

January 11, 1775.

Mr. *Crane* and Mr. *Kinsey* also laid before the House the Proceedings of the Continental Congress, held at *Philadelphia*, in *September* last, which were read. On the question, whether the House approve of the said Proceedings? It passed in the affirmative.

Resolved, That this House do unanimously approve of the Proceedings of the Congress; such as are of the people called Quakers, excepting only to such parts as seem to wear an appearance, or may have a tendency to force, (if any such there be,) as inconsistent with their religious principles.

Resolved unanimously, That *James Kinsey*, *Stephen Crane*, *William Livingston*, *John De Hart*, and *Richard Smith*, Esquires, or any three of them, be and they are hereby appointed to attend the Continental Congress of the Colonies, intended to be held at the City of *Philadelphia*, in *May* next, or at any other time and place; and that they report their proceedings to the next session of the General Assembly; instructing the said Delegates to propose and agree to every reasonable and constitutional measure for the accommodation of the unhappy differences at present subsisting between our mother country and the Colonies, which the House most ardently wish for.

The House also being informed, that at the Congress held at *Philadelphia*, the 6th of *September* last, a motion was made to give some of the Colonies a greater number of votes in the determination of questions to be agitated therein, than to others; and conceiving such motion to be of dangerous consequence, do also instruct their Delegates not to agree to a measure of that kind, unless it should be agreed at the same time that no vote to be taken on such principles, shall, in future, be obligatory on any Colonies whose Delegates do not consent thereto.

Ordered, That Mr. Speaker do transmit a copy of the foregoing Resolutions to the Speakers of the Assemblies of *New-York* and *Pennsylvania*.

Resolved unanimously, That the Thanks of this House be given to *James Kinsey*, *Stephen Crane*, *William Livingston*, *John De Hart*, and *Richard Smith*, Esquires, for their faithful and judicious discharge of the trust reposed in them at the late Continental Congress.

—

Wednesday, January 25, 1775.

The House again, according to order, resolved itself into a Committee of the Whole House on his Excellency's Speech; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Com-

Digitized by Google

mittee, reported that they have gone through the matters to them referred, and had come to one more Resolution, which he was ready to report whenever the House would please to receive the same.

Ordered, That the Report be made immediately;

Whereupon, Mr. *Fisher* reported the Resolution of the Committee, as follows:

Resolved, That an humble Petition be presented to his most gracious Majesty, praying a redress of the Grievances under which this and the neighbouring Colonies now labour; to which the House agreed.

Ordered, That Mr. *Wetherill*, Mr. *Fisher*, Mr. *Ford*, Mr. *Tucker*, and Mr. *Sheppard*, be a Committee to prepare and bring in a Petition accordingly.

—

Friday, January 27, 1775.

Mr. *Tucker*, from the Committee appointed for that purpose, brought in a Bill, entitled "An Act for Support of "Government of his Majesty's Colony of *New-Jersey*," &c., which was read and ordered to a second reading.

—

Monday, January 30, 1775.

Mr. *Wetherill*, from the Committee appointed to prepare the draught of an Address to his Excellency, brought in a draught, which was read and ordered a second reading.

—

Tuesday, January 31, 1775.

A Message from his Excellency, by the Deputy Secretary, which was read, and is as follows:

GENTLEMEN: I send you the Barrack-master's Accounts of Expenses incurred for the repair of the Barracks and supply of the King's Troops, including furniture, bedding, &c., from *June*, 1773, to *December*, 1774, by which you will see in what manner the money has been expended, which I was authorized by law to draw out of the Treasury for that service. There is a balance remaining in my hands of about thirty-four Pounds, eight Shillings and six Pence, Proclamation Money.

As the House had some objections last session to the charge in Colonel *Robertson's* Account for Sheets furnished the King's Troops, I directed the Barrack-master not to pay that article of the Account, and to acquaint the Colonel with the occasion. I now lay before you a letter from the Colonel on that head, which appears to me to contain so many just reasons why the charge ought to be allowed by the Province, that I cannot but recommend it to your particular consideration. WM. FRANKLIN.

January 30, 1775.

The Secretary also laid before the House the Accounts mentioned in the Message.

Ordered, That his Excellency's Message have a second reading.

The draught of an Address to his Excellency was read the second time.

Ordered, That the same be referred to a Committee of the Whole House;

Whereupon, the House resolved itself into a Committee of the Whole House on the Address to his Excellency; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported that the Committee had gone through the Address to his Excellency, and had made several amendments thereto, which he was ready to report whenever the House would please to receive the same.

Ordered, That the Report be made immediately.

Whereupon, Mr. *Fisher* reported the Address with several amendments; and the same being read,

Ordered unanimously, That the said Address be engrossed.

—

Wednesday, February 1, 1775.

The engrossed Address to his Excellency was read and compared.

Ordered, That Mr. Speaker do sign the same.

Ordered, That Mr. *Kinsey* and Mr. *Combs* do wait on his Excellency, and desire to know when he will please to be waited on by the House with their Address.

Mr. *Kinsey* reported that Mr. *Combs* and himself waited on his Excellency with the Message of the House, who was pleased to say the House should hear from him.

—

Friday, February 3, 1775.

A Petition was presented from a number of Inhabitants of *Nottingham*, in the County of *Burlington*, praying the House will take some measures to settle the unhappy disputes between *Great Britain* and the Colonies, which was read and ordered a second reading.

On motion made, it is the opinion of, and this House do advise, that the present Committee of Correspondence may draw any part of the sum of one thousand Pounds, made subject to their order by an Act passed at the last session, not exceeding three hundred Pounds, to pay the expenses of the Delegates appointed by this House to attend the intended Congress, and that this House will allow thereof.

A Message from his Excellency, by Mr. Deputy Secretary *Pettit:*

MR. SPEAKER: His Excellency is in the Council Chamber, and ready to receive the Address of the House.

Whereupon, Mr. Speaker left the Chair, and with the House went to wait upon his Excellency; and being returned, Mr. Speaker resumed the Chair, and reported that the House had waited on his Excellency with their Address, in these words, viz:

To his Excellency WILLIAM FRANKLIN, Esquire, *Captain General, Governour, and Commander-in-Chief in and over the Colony of* NEW-JERSEY, *and Territories thereon depending, in* AMERICA, *Chancellor and Vice Admiral in the same, &c.*

The Humble Address of the Representatives of said Colony, in General Assembly convened:

MAY IT PLEASE YOUR EXCELLENCY: We his Majesty's loyal and dutiful subjects, the Representatives of the Colony of *New-Jersey*, in General Assembly convened, have taken into our consideration your Excellency's Speech at the opening of the present session.

We should have been glad that your Excellency's inclinations to have given us as early an opportunity of transacting the publick business, as was consistent with our "convenience," had determined in a manner more agreeable to your design, and more favourable to us, than it really has done on the present occasion. If the Petitions which we understand have been presented to you, had been granted, we should have had a meeting more convenient to us than the present, and that meeting, perhaps, would have prevented some of those "alarming transactions" which your Excellency's apprehension of your duty leads you to inform us as having happened in this Colony. We thank you for your intention to oblige us; but that it may not be so entirely frustrated in future, permit us to inform you it would be much the most agreeable to us, that the meeting of the House to do publick business, should not be postponed to a time later than when the Bill for the support of Government expires.

We are sorry to hear that in your Excellency's opinion, there has been of late any "alarming transactions" in this and the neighbouring Colonies, our consent to, or approbation of which, may lead the good people we represent into "anarchy, misery, and all the horrours of a civil war." It is true you are pleased to tell us that this destructive mode of proceeding has been adopted but "in part" by some of the inhabitants of this Colony. We assure you that we neither have nor do intend to give our approbation to measures destructive to the welfare of our constituents, and in which we shall be equally involved with them; their interests and our we look upon as inseparable. No arguments are necessary to prevail on us to endeavour to prevent such impending calamities; and if we should, at any time, mistake our duty so much, we hope your regard to the people will induce you to exert the prerogative, and thereby give them the choice of other Representatives, who may act with more prudence. The uncertainty, however, to what "alarming transactions" in particular you refer, renders it sufficient for us to assure you only, that we profess ourselves to be the loyal subjects of the King, from whose goodness we hope to be relieved from the present unhappy situation; that we will do all in our power to preserve that excellent form of Government under which we at present live; and

Digitized by Google

that we neither intend to usurp the rights of others, nor suffer any vested in us by the Constitution, to be wrested out of our hands by any person or persons whatsoever.

We sincerely lament the unhappy differences which at present subsist between *Great Britain* and her Colonies. We shall heartily rejoice to see the time when they shall subside, on principles consistent with the rights and interests of both, which we ardently hope is not far off; and though we cannot perceive how the separate Petition of one Colony is more likely to succeed than the united Petitions of all; yet, in order to show our desire to promote so good a purpose by every proper means, we shall make use of the mode pointed out by your Excellency, in hopes it will meet with that attention which you are pleased to assure us will be paid to the Representatives of the people.

We have already resolved to support his Majesty's Government; and we beg leave to assure your Excellency, that though we are warmly attached to that liberty which, as subjects of our august Monarch, we apprehend ourselves to be justly entitled to, and firmly resolved to preserve it by every constitutional means in our power; yet we shall, with pleasure, lay hold of every proper occasion to manifest that loyalty to his person, and regard to the Constitution, which, as subjects and freemen, can be reasonably expected from us.

By order of the House,

CORTLAND SKINNER, *Speaker*.

House of Assembly, February 1, 1775.

To which his Excellency was pleased to make the following Answer:

GENTLEMEN: Were I to give such an answer to your Address as the peculiar nature of it seems to require, I should be necessarily led into the explanation and discussion of several matters and transactions, which, from the regard I bear to you and the people of this Colony, I would far rather have buried in perpetual oblivion. It is, besides, in vain now to argue on the subject, as you have, with a most uncommon and unnecessary precipitation, given your entire approbation to that destructive mode of proceeding which I so earnestly warned you against.

Whether, after such a resolution, the Petition you mention can be reasonably expected to produce any good effect; and whether you or I have best consulted the true interests of the people on this important occasion, I shall leave others to determine.

You may be assured, however, that the advice which I gave you was totally uninfluenced by any sinister motive whatever. It came from an heart sincerely devoted to my native country, whose welfare and happiness depend, as I conceive, upon a plan of conduct very different from what has been hitherto adopted.

—

Saturday, February 4, 1775.

The Bill for support of Government was read the second time; whereupon, the House resolved itself into a Committee of the Whole House on the said Bill for support of Government; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Crane*, Chairman of the Committee, reported that the Committee had made some progress in the matters to them referred, and desired leave to sit again; to which the House agreed.

—

Monday, February 6, 1775.

The House again, according to order, resolved itself into a Committee of the Whole House on the Bill for the support of Government; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Crane*, Chairman of the Committee, reported that the Committee had gone through the matters to them referred, and had come to several Resolutions, which he was ready to report whenever the House would please to receive the same;

Ordered, That the said Report be made immediately.

Whereupon Mr. *Crane* reported the Resolutions of the Committee, as follow, viz:

1. *Resolved*, That in and by the said Bill when passed into a law, there be paid to his Excellency *William Franklin*, Esq., Governour of this Colony, at the rate of twelve hundred Pounds per annum, Proclamation Money, to commence the first day of *October* last.

And, on the question, whether the House agreed to the said sum or not?

It passed in the affirmative, as follows:

Yeas.		*Nays.*
Mr. Crane,	Mr. Hewlings,	Mr. Combs,
Garritse,	Hinchman,	Wetherill,
Fisher,	Eldridge,	Taylor,
Roy,	Tucker,	Lawrence,
Dey,	Mehelm,	Sykes,
Demarest,	Sheppard,	Hand.
Ford,	Elmer,	Who voted for £1000.
Winds,	Pettit.	
Kinsey,		

2. To *David Ogden*, Esquire, second Justice of the Supreme Court of this Colony, at the rate of one hundred and fifty Pounds per annum, money aforesaid.

And on the question, whether the House agrees thereto or not?

It passed in the affirmative, as follows:

Yeas.		*Nays.*	
Mr. Crane,	Mr. Sykes,	Mr. Combs,	Mr. Dey,
Fisher,	Hinchman,	Wetherill,	Winds,
Roy,	Mehelm,	Taylor,	Hand,
Demarest,	Sheppard,	Lawrence,	Eldridge,
Ford,	Elmer,	Garritse,	Tucker.
Kinsey,	Pettit.	Who voted for £100.	
Hewlings,			

3. To *Richard Stockton*, Esquire, third Justice of the Supreme Court of this Colony, at the rate of one hundred and fifty Pounds per annum, money aforesaid.

And on the question, whether the House agrees thereto or not?

It passed in the affirmative, as follows:

Yeas.		*Nays.*	
Mr. Crane,	Mr. Sykes,	Mr. Combs,	Mr. Winds,
Fisher,	Hinchman,	Wetherill,	Hand,
Roy,	Mehelm,	Taylor,	Eldridge,
Demarest,	Sheppard,	Garritse,	Tucker.
Ford,	Elmer,	Dey,	
Kinsey,	Pettit.	Who voted for £100.	
Hewlings,			

4. To *Cortland Skinner*, Esq., Attorney General of this Colony, at the rate of forty Pounds per annum, money aforesaid.

And on the question, whether the House agrees thereto or not?

It passed in the affirmative, as follows:

Yeas.		*Nays.*	
Mr. Crane,	Mr. Kinsey,	Mr. Combs,	Mr. Hand,
Garritse,	Hewlings,	Wetherill,	Eldridge,
Fisher,	Sykes,	Taylor,	Tucker,
Roy,	Hinchman,	Lawrence,	Sheppard.
Demarest,	Mehelm,	Dey,	
Ford,	Elmer,	Who voted for £30.	
Winds,	Pettit.		

5. To *Samuel Smith*, and *John Smith*, Esquires, Treasurers of this Colony, each at the rate of forty Pounds per annum, money aforesaid.

To which the House agreed.

6. To the Clerk of Council for the time being, at the rate of thirty Pounds per annum, money aforesaid.

To which the House agreed.

7. To the Agent of this Colony for the time being, at the rate of one hundred Pounds per annum, money aforesaid.

To which the House agreed.

8. To the Clerk of the Circuits for the time being, residing in this Colony, the sum of twenty Pounds per annum, money aforesaid.

To which the House agreed.

9. To the Doorkeeper of the Council of this Colony, at the rate of ten Pounds per annum, money aforesaid.

To which the House agreed.

10. To his Excellency *William Franklin*, Esquire, at the rate of sixty Pounds per annum, money aforesaid, for house rent, provided he makes *Perth Amboy*, or *Burlington* the place of his residence.

To which the House agreed.

11. To the Justice or Justices of the Supreme Court of this Colony for attending the Circuit Courts, and Courts of Oyer and Terminer in the manner prescribed by the said Act, the sum of ten Pounds for each time.

To which the House agreed.

12. To each of the Council for the time being, for the time they may attend at any sitting of the General Assembly within the time, eight Shillings per day.

On the question, whether the sum be eight Shillings or

Digitized by Google

six Shillings? It was carried for eight Shillings, as follows, viz:

For Eight Shillings per Diem.		*For Six Shillings per Diem.*	
Mr. Crane,	Mr. Winds,	Mr. Combs,	Mr. Eldridge,
Garritse,	Kinsey,	Wetherill,	Tucker,
Fisher,	Hewlings,	Taylor,	Sheppard.
Roy,	Mehelm,	Lawrence,	
Dey,	Elmer,	Sykes,	
Demarest,	Pettit.	Hinchman,	
Ford,		Hand,	

13. *Jonathan Deare*, one of the Clerks of the House of Representatives, or any other Clerk for his attendance, the sum of ten Shillings per day, for the time he hath or shall attend at any sitting of the General Assembly, during the continuance of this Act; and also the sum of four Pence per sheet, reckoning ninety words to the sheet, for entering the Minutes of any sitting during the continuance of this Act, fair in the Journals, and copying the Laws and Minutes for the Printer; and to the said *Jonathan Deare*, the sum of twelve Pounds, for Pen, Ink, and Paper, and hiring Clerks to forward the business of this session.

To which the House agreed.

14. To *Charles Pettit*, Esq., Deputy Secretary, or to the Deputy Secretary for the time being, for copying publick Laws to send home to *England*, during the continuance of this Act, four Pence per sheet, reckoning ninety words to the sheet.

To which the House agreed.

15. To each of the Treasurers of this Colony, six Pence per Pound for exchanging ragged and torn Bills of Credit of this Colony.

To which the House agreed.

16. To *Isaac Collins*, or any other Printer hereafter to be appointed, for printing the Minutes of the House of Representatives, of any sitting during the continuance of this Act, and for printing the Laws passed at any sitting as aforesaid, or any other printing, such sums as *Hendrick Fisher*, *Stephen Crane*, *James Kinsey*, and *Thomas Polgreen Hewlings*, Esquires, or any two of them, shall agree to be paid for the said service.

To which the House agreed.

17. To the Sergeant-at-Arms for the time being, who shall attend the Council, the sum of three Shillings per diem; and to the Sergeant-at-Arms who shall attend the House of Representatives, the sum of three Shillings per diem.

To which the House agreed.

18. To the Doorkeeper of the House of Representatives for the time being, who shall attend the House in manner aforesaid, the sum of three Shillings and six Pence per diem.

To which the House agreed.

19. To the Speaker and every of the Members of the House of Representatives for the time each of them shall attend at any sitting of the General Assembly, during the continuance of this Act, eight Shillings per diem.

On the question, whether the sum be eight Shillings or six Shillings per diem? It was carried for eight Shillings as follows, viz:

For Eight Shillings per Diem.		*For Six Shillings per Diem.*	
Mr. Crane,	Mr. Winds,	Mr. Combs,	Mr. Eldridge,
Garritse,	Kinsey,	Wetherill,	Tucker,
Fisher,	Hewlings,	Taylor,	Sheppard.
Roy,	Mehelm,	Lawrence,	
Dey,	Elmer,	Sykes,	
Demarest,	Pettit.	Hinchman,	
Ford,		Hand,	

Ordered, That the Bill for support of Government, as reported and agreed to, be engrossed.

—

Tuesday, February 7, 1775.

On motion made,

It is ordered by the House, that the late Treasurer do appear before the House at ten o'clock to-morrow morning, in order that they may inquire of him concerning the deficiency reported due from him to the Province; and that a copy of this order be served on him immediately.

The House took into consideration his Excellency's Message, of the 30th day of *January* last, which was read, together with Colonel *Robertson's* Letter, and his Account, &c., whereupon, after some debate,

Resolved, That this House will not allow the charge for Sheets, as charged in Colonel *Robertson's* Account.

Ordered, That Mr. *Mehelm*, and Mr. *Hewlings*, do wait on his Excellency and inform him that the House have taken his Message of 30th day of *January* last, relating to the charge made by Colonel *Robertson*, of three hundred and fifty-four Pounds, seven Shillings and six Pence, for Sheets furnished the King's Troops in this Colony, and the balance in his hands of thirty-four Pounds, eight Shillings and six Pence, into their consideration:

That the House beg leave to acquaint his Excellency, that they cannot allow of the charge so made, it being new, uncommon, and never allowed of by this Colony; and that the House request his Excellency will be pleased to pay the balance in his hands to the Eastern Treasurer.

—

Wednesday, February 8, 1775.

A Letter was presented to the House, from the Honourable *Stephen Skinner*, Esq., which by order of the House was read, and is as follows, viz:

Mr. Speaker: The Message of the House, ordering the late Treasurer to attend this day at ten o'clock, to inquire of him the deficiency of the Treasury, I have received; but as I have the Honour to be one of his Majesty's Council, I can't possibly attend till such time as I have laid the order before the Council, which I shall immediately do upon their meeting.

As the order is to inquire concerning the deficiency of the Treasury, I can assure the House, had I been apprized of their wanting the publick money, I should have taken care that the whole should have been in the Treasury for their inspection; but as I have amply secured the Treasurer, I shall take care that he shall have the whole amount of the bond I have given him within the time appointed for cancelling the publick money.

I am with great respect, your's and the House's most humble servant, Stephen Skinner.

February 8, 1775.

The Petition from a number of Inhabitants of *Nottingham*, in the County of *Burlington*, praying the House will take some measures to settle the unhappy differences between *Great Britain* and the Colonies, was read the second time; on the question,

Ordered, That the same be referred to the Committee appointed to prepare a Petition to his Majesty.

—

Thursday, February 9, 1775.

The House met.

It appearing to the House, from the Report of the Committees appointed to settle the Accounts of the Eastern Treasury, that there ought to be therein upwards of twenty thousand Pounds; and the House being informed by the Eastern Treasurer that there is therein upwards of fifteen thousand Pounds, great part of which is in Gold and Silver, and the Bills of Credit of this Colony; in order that the Colony may be secured from accidents, Mr. *Kinsey* moves that leave be given to bring in a Bill for that purpose, and that a Committee be appointed to consider of ways and means to effect it; and the previous question being put, whether the question be put on the said motion or not? It passed in the negative.

Yeas.	*Nays.*	
Mr. Combs,	Mr. Lawrence,	Mr. Winds,
Wetherill,	Crane,	Hewlings,
Taylor,	Garritse,	Sykes,
Kinsey,	Fisher,	Hinchman,
Tucker,	Roy,	Hand,
Mehelm.	Dey,	Eldridge,
	Demarest,	Sheppard,
	Ford,	Pettit.

On motion, made by Mr. *Tucker*,

Resolved, nem. con., That there is a large deficiency in the Eastern Treasury of the moneys which either ought to be therein, or ought to have been cancelled and burned some time past; and that it is a manifest breach of duty for any Treasurer of this Colony to apply any such publick money to any private purposes whatsoever.

John Smyth, Esquire, desiring to attend the House, was called in, and informed the House that he had entered into a new Bond with securities, for the true and faithful execution of his office as Treasurer of the Eastern Division, and desired to have the sentiments of the House as to the sufficiency of his securities, and that his former Bond may be cancelled:

Digitized by Google

Whereupon the said Bond was read; and on the question,

Resolved, nem. con., That, in the opinion of this House, his said securities are very sufficient, and that his former Bond may and ought to be cancelled.

The engrossed Bill, entitled An Act for support of Government of his Majesty's Colony of *New-Jersey*, to commence the 1st day of *October*, 1774, and to end the 1st day of *October*, 1775, and to discharge the Publick Debts and Contingent Charges thereof, was read and compared; on the question,

Resolved, That the same do pass.

—

Friday, February 10, 1775.

The House being informed that Doctor *James Murdock* did, this day, send a challenge to one of the Members of this House, which was delivered in the House, and an answer insolently demanded; the House taking the same into consideration,

Resolved unanimously, That the challenging a Member of this House is a contempt and breach of the privileges of this House:

Ordered, therefore, That Mr. Speaker do issue his Warrant to the Sergeant-at-Arms, immediately to take the said Doctor *James Murdock*, and bring him to the Bar of the House for the contempt aforesaid.

The Sergeant-at-Arms attended with Doctor *James Murdock* at the Bar of the House, who, being there examined, confessed his sending a challenge to a Member of this House; that he knew the gentleman to be a Member of the House, but did not apprehend it an insult to the House, and was extremely sorry for it, and declared his sorrow for writing the said letter, and his ignorance of the consequences, and hoped the favour of the House:

Whereupon, the Sergeant-at-Arms being ordered to withdraw with his prisoner, the House took the matter into consideration, and the Member injured moving that the said Doctor *Murdock's* acknowledgments might be accepted by the House; after some debate,

Ordered, That the said Doctor *James Murdock* do humbly ask pardon of this House, in general, and the Member in particular; that he be thereupon reprimanded by the Speaker, and that he then be discharged on payment of his Fees;

Whereupon the said Doctor *Murdock* did humbly ask pardon of the House, and the Member in particular; and being reprimanded by the Speaker,

Ordered, That he be discharged on payment of his Fees.

—

Saturday, February 11, 1775.

Mr. *Wetherill*, from the Committee appointed to prepare a draught of a Petition to his Majesty, brought in a draught, which, by order of the House, was read and ordered a second reading.

The draught of the Petition to his Majesty was read the second time,

Ordered, That the same be committed to a Committee of the Whole House;

Whereupon the House accordingly resolved itself into a Committee of the Whole House, on the Petition to his Majesty; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported that the Committee had made some progress in the matters to them referred, and desired leave to sit again; to which the House agreed.

—

Monday, February 13, 1775.

The House taking into consideration the state of the Debt due to this Colony from Lord *Stirling*, and it appearing that Mrs. *Mary Verplank* hath a mortgage upon the same Lands, prior to that given to the late Treasurer,

Ordered, That Mr. *Fisher*, Mr. *Crane*, and Mr. *Lawrence*, or any two of them, do wait on Lord *Stirling*, and endeavour to procure security for the Debt due to the Colony.

The House again, according to order, resolved itself into a Committee of the Whole House, on the Petition to his Majesty; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Fisher*, Chairman of the Committee, reported that the Committee have gone through the said Petition, and made several amendments thereto, which he was ready to report whenever the House would please to receive the same.

Ordered, That the Report be made immediately:

Whereupon Mr. *Fisher* reported the said Petition and amendments, which, being read and agreed to by the House; on the question,

Ordered, That the same be engrossed.

Mr. *Fisher* and Mr. *Lawrence* reported that they had waited on Lord *Stirling*, pursuant to the order of the House, who informed them that he could not give the Province other security, unless a general mortgage, but that in four or five months the matter should be settled.

Ordered, That Mr. *Fisher* and Mr. *Eldridge* do go to the Council and inquire whether they have any business before them; if not, that this House proposes to apply to his Excellency for a dismission.

Mr. *Fisher* reported that Mr. *Eldridge* and himself went to the Council, according to order, who said they had no business before them.

The engrossed Petition to his Majesty was read and compared, and is as follows:

To the King's most Excellent Majesty:

Most Gracious Sovereign: We, your Majesty's most dutiful and loyal subjects, the Representatives of the Colony of *New-Jersey*, in General Assembly convened, beg leave to approach your royal presence to express our unfeigned attachment to your Majesty's person, family, and Government, and to return you our most humble thanks for your gracious assurance, signified to us by our Governour, that "the representations or propositions of your Colonies will be attended to."

Firmly persuaded of your Majesty's solicitude for the happiness of your subjects in the remotest parts of your Dominions, from the above gracious assurance, we cannot but encourage ourselves in the prospect of your royal interposition for our relief from the grievances under which your *American* subjects have been so long labouring.

We do, with the greatest sincerity, assure your Majesty that our complaints do not arise from a want of loyalty to your royal person, or a disposition to withdraw ourselves from a constitutional dependence on the *British* Crown; but from well grounded apprehensions that our rights and liberties are intimately affected by the late measures, in their consequences pernicious to the welfare and happiness both of *Great Britain* and your Majesty's Colonies.

The Grievances of which we complain are:

A Standing Army has been kept in these Colonies ever since the conclusion of the late war, without the consent of our Assemblies; and this Army, with a considerable Naval Armament, has been employed to enforce the collection of Taxes.

The authority of the Commander-in-Chief, and, under him, of the Brigadiers General, has, in time of peace, been rendered supreme in all the Civil Governments of *America*.

The Commander-in-Chief of all your Majesty's Forces in *North America*, has, in time of peace, been appointed Governour of a Colony.

The charges of usual Officers have been greatly increased, and new, expensive, and oppresssive Offices have been multiplied.

The Judges of Admiralty and Vice Admiralty Courts are empowered to receive their salaries and fees from the effects condemned by themselves.

The Officers of the Customs are empowered to break open and enter houses without the authority of any Civil Magistrate, founded on legal information.

The Judges of Courts of Common Law have been made entirely dependent on one part of the Legislature for their salaries, as well as for the duration of their commissions.

Counsellors, holding their commissions during pleasure, exercise Legislative authority.

The Agents of the People have been discountenanced, and Governours have been instructed to prevent the payment of their salaries.

Assemblies have been frequently and injuriously dissolved, and Commerce burdened with many useless and oppressive restrictions.

By several Acts of Parliament, made in the fourth, fifth, sixth, seventh, and eighth years of your Majesty's reign,

Digitized by Google

Duties are imposed on us for the purpose of raising a Revenue; and the powers of Admiralty and Vice Admiralty Courts are extended beyond their ancient limits, whereby our property is taken from us without our consent; the Trial by Jury, in many civil cases, is abolished; enormous Forfeitures are incurred for slight offences; vexatious Informers are exempted from paying damages to which they are justly liable, and oppressive Security is required from owners, before they are allowed to defend their rights.

Both Houses of Parliament have resolved that the Colonists may be tried in *England* for offences alleged to have been committed in *America*, by virtue of a Statute passed in the thirty-fifth year of *Henry* the Eighth; and, in consequence thereof, attempts have been made to enforce that Statute.

A Statute was passed in the twelfth year of your Majesty's reign, directing that persons charged with committing any offence therein described, in any place out of the Realm, may be indicted and tried for the same in any Shire or County within the Realm, whereby inhabitants of these Colonies may, in sundry cases, by that Statute made capital, be deprived of a trial by their peers of the vicinage.

In the last session of Parliament an Act was passed for blocking up the Harbour of *Boston;* another empowering the Governour of *Massachusetts Bay* to send persons indicted for murder, in that Province, to another Colony, or even to *Great Britain*, for trial, whereby such offenders may escape legal punishment; a third, for altering the Chartered Constitution of Government in that Province; and a fourth, for extending the Limits of *Quebec*, abolishing the *English* and restoring the *French* Laws, whereby great numbers of *British* freemen are subject to the latter, and establishing an absolute Government and the Roman Catholick Religion throughout those vast regions that border on the Westerly and Northerly boundaries of the free Protestant *English* settlements; and a fifth, for the better providing suitable quarters for Officers and Soldiers in his Majesty's service in *North America*.

To a Sovereign, who "glories in the name of *Briton*," the bare recital of these Acts must, we presume, justify the loyal subjects who fly to the foot of his Throne, and implore his clemency for protection against them.

Although all the grievances above enumerated do not immediately affect the people of this Colony, yet as, in their consequences, they will be deeply involved, we cannot remain silent and unconcerned.

Should our properties be liable to the disposal of those of our fellow-subjects in whose elections we have no voice, we conceive it evident that we have no property but at their will and pleasure.

And should we be carried for trial to places where it is impossible for the accused to compel the appearance of his witnesses, innocence will be no security from punishment.

Nor is the jurisdiction lately given to the Courts of Admiralty, which deprive your Majesty's *American* subjects of Trial by Juries of the vicinage, less repugnant to the fundamental principles of the common law.

All which necessarily tend to reduce us to a state of servitude, from which our affection for the *English* Constitution, and duty to ourselves and our posterity, loudly call upon us to avert, by all lawful means in our power.

The Colony of *New-Jersey*, during the late glorious war, though not immediately affected, because, surrounded by your Majesty's other more extensive and opulent Colonies, complied with every royal requisition for aid, and cheerfully exerted itself, at a very considerable expense, whereby it incurred a heavy debt, under a great part of which it at present labours.

And as this Colony hath always, according to its ability, cordially defrayed the charge of the administration of justice, and the support of the Civil Government, your Majesty may be assured, that it will ever be ready, not only to defray the same charge, but also to contribute when constitutionally required, to every reasonable and necessary expense, for the defence, protection, and security of the whole *British* Empire.

We do solemnly, and with great truth, assure your Majesty that we have no thoughts injurious to the allegiance which, as subjects, we owe to you as our Sovereign; that we abhor the idea of setting ourselves up in a state of independency, and that we know of no such design in others.

We therefore most earnestly beseech your Majesty to interpose your royal authority for the redress of the above grievances, and to vouchsafe us a gracious answer to this our humble Petition.

That the Omnipotent Being, "by whom Kings reign and Princes decree justice," and who hath placed your Majesty on the throne of your ancestors, to which they were called by the suffrage of a free people, to protect them against Popery and arbitrary power, may bless you with every felicity, both temporal and eternal, and that the Colonies may vie with the most faithful of your subjects, in every dutiful and loyal attachment to your royal person, family, and Government, is, and always will be, the sincere and fervent prayer of your Majesty's loyal and dutiful subjects the Representatives of the Colony of *New-Jersey*.

House of Assembly, February 13, 1775.

On the question, whether the Speaker do sign the same? It passed in the affirmative, as follows:

Yeas.			*Nays.*
Mr. Combs,	Mr. Roy,	Mr. Hand,	Mr. Kinsey,
Wetherill,	Dey,	Eldridge,	Hewlings.
Taylor,	Demarest,	Tucker,	
Lawrence,	Ford,	Mehelm,	
Crane,	Winds,	Elmer,	
Garritse,	Sykes,	Pettit.	
Fisher,	Hinchman,		

Ordered, That the Speaker do sign the same.

Mr. Speaker dissenting from the Petition to the King, requested, as a favour, that his dissent might be entered in the Journals of the House; and on the question, whether the same be entered or not? It passed as follows:

Yeas.		*Nays.*	
Mr. Lawrence,	Mr. Ford,	Mr. Combs,	Mr. Hinchman,
Garritse,	Kinsey,	Wetherill,	Hand,
Fisher,	Hewlings,	Taylor,	Eldridge,
Roy,	Mehelm,	Crane,	Tucker,
Dey,	Pettit.	Winds,	Elmer.
Demarest,		Sykes,	

The votes being equal, Mr. Speaker gave his voice in the affirmative;

Ordered, That the same be entered accordingly.

Ordered, That the Committee of Correspondence do transmit the said Petition to the Agent, by the first opportunity.

Mr. Deputy Secretary *Pettit* then, by Writ, prorogued the House to *Tuesday*, the fourteenth day of *March* next, then to meet at *Burlington*.

EXTRACT OF A LETTER FROM A GENTLEMAN IN CONNECTICUT, TO HIS FRIEND IN NEWPORT, RHODE-ISLAND, DATED JANUARY 11, 1775.

Dear Sir: Your favour of the 21st ultimo, together with that of the 5th instant, are now before me; the contents of which afford me singular pleasure, as they breathe that genuine spirit of patriotism and love for your country, which are characteristick of a soul ennobled with the most generous sentiments.

The Pamphlet, accompanying your last, obliges me greatly, and is here esteemed a most spirited performance. I have sent it to *Norwich* to be reprinted, and dispersed through the country, where I hope it will be of eminent service in exposing the futility of the bugbear representations of a few corrupt miscreants, who would sell their *God*, King, country, and posterity, for a small pittance to excuse themselves from what they account the toil of honest industry. A dismally regulated state, indeed, when such worthless, idle, lazy, unprincipled villains are the sole candidates for places of profit and honour.

Our Assembly have formed a Militia Bill, whereby it is enacted that the whole Militia of the Colony shall train twelve times between the passing of the Bill and *May* next; and for their encouragement they are to receive six Pence per man each time. This is, indeed, doing something, but our Governour has been applied to to call the General Assembly together to make some more effectual provision for the preservation of our liberties; but the

Digitized by Google

Governour having called the Council, and taken their advice, they thought proper to wait a little longer for fresher intelligence; meanwhile they have ordered a quantity of Powder and Lead to be provided at the expense of Government.

I view the time as near approaching when we must gird on our swords, and ride forth to meet our enemies; and I hope, in *God*, that in such case we shall be so united as to insure success.

The united forces of *America*, animated with a love of liberty, and a just abhorrence of slavery, will surely be able to withstand all the Troops that *England* can spare, joined with as many auxiliaries as will choose to enlist in her service for the execution of so execrable a commission as the murder and plunder of a brave and honest people, contending only for rights guarantied to them by the most sacred Charters.

DARIEN (GEORGIA) RESOLUTIONS.

In the Darien Committee, Thursday, January 12, 1775.

When the most valuable privileges of a people are invaded, not only by open violence, but by every kind of fraud, sophistry, and cunning, it behoves every individual to be upon his guard, and every member of society, like beacons in a country surrounded by enemies, to give the alarm, not only when their liberties in general are attacked, but separately, least a precedent in one may affect the whole; and to enable the collective wisdom of such people to judge of its consequence, and how far their respective grievances concerns all, or should be opposed to preserve their necessary union. Every laudable attempt of this kind by the good people of this Colony, in a constitutional manner, hath been hitherto frustrated, by the influence and authority of men in office, and their numerous dependants, and in every other natural and just way, by the various arts they have put in practice. We, therefore, the Representatives of the extensive District of *Darien*, in the Colony of *Georgia*, being now assembled in Congress, by the authority and free choice of the inhabitants of the said District, now freed from their fetters, do Resolve,

1st. That the unparalleled moderation, the decent, but firm and manly conduct of the loyal and brave people of *Boston* and *Massachusetts Bay*, to preserve their liberty, deserves not only the applause and thanks of all *America*, but also, the imitation of all mankind. But, to avoid needless repetitions, we acquiesce and join in all the Resolutions passed by the Grand *American* Congress in *Philadelphia* last *October*. We thank them for their sage counsel and advice, and most heartily and cheerfully accede to the Association entered into by them, as the wisest and most moderate measure that could be adopted in our present circumstances to reconcile and firmly unite *Great Britain* and the Colonies, so indispensably necessary to each other, by the surest and best basis—mutual interest. But, as the wisest Councils upon earth are liable to the errours of humanity, and notwithstanding our reverence and partiality for that august Assembly, we beg leave to differ in opinion from them, in charging the unjust measures of the present and preceding Ministry, to a person qualified rather for a private than a publick station; and as the resentment of his countrymen, on a former occasion, was raised by the illiberal and unjust abuse of them, indiscriminately, for the faults of that man, we humbly presume the renewing it at this time, on so little foundation, at least impolitick; being confident that every Member of that late, wise, patriotick, and truly honourable Congress, from a principle of candour and justice, will rather commend than blame our honest and well meant freedom.

2d. That in shutting up the Land Offices, with the intention of raising our quit-rents, and setting up our Lands at publick sale, representations of the Crown tract have not been duly considered (and attended to) in all its consequences to this vast Continent: That it is a principal part of the unjust system of politicks adopted by the present Ministry, to subject and enslave us, and evidently proceeds from an ungenerous jealousy of the Colonies, to prevent as much as possible the population of *America*, and the relief of the poor and distressed in *Britain* and elsewhere, for whom a kind Providence has opened a new world from their merciless oppressor, when the old is overrun with such monsters: That monopolizing our Lands into few hands, is forming and encouraging petty tyrants to lord it over us, or reside in any other part of the world in extravagance, luxury, and folly, by the fruit of our labour and industry—such oppressions, neither we nor our fathers were able to bear, and it drove us to the wilderness: And that all encouragement should be given to the poor of every Nation by every generous *American*.

3d. That Ministerial Mandates, under the name of Instructions, preventing the legal Representatives of the people to enact laws suiting their own respective situation and circumstances, are a general grievance, and more especially in this young Colony, where our internal police is not yet well settled; and as a proof of the intention of these restrictions, when time and opportunity offers, we point out particularly, amongst many others of like nature, the not suffering us to limit the term of our Assembly, or passing a quit-rent law, to ascertain and fix the most valuable part of our property.

4th. That an over proportion of Officers, for the number of inhabitants, and paying their salaries from *Britain*, so much cast up to us by Court parasites, and for which we are so often charged with ingratitude, are in truth real and great grievances, rendering them insolent, and regardless of their conduct, being independent of the people who should support them according to their usefulness and behaviour, and for whose benefit and conveniency alone they were originally intended. That besides these exorbitant salaries, which enables them all to act by Deputies, whilst they wallow in luxury themselves, their combining to raise their exorbitant and illegal fees and perquisites, by various arts upon the subject, to an alarming height, are more dangerous to our liberties than a regular Army; having the means of corruption so much in their power, the danger of which is imminently exemplified in the present unhappy state of our brethren and fellow-subjects in *Britain*, and even in the late conduct of this Colony. To prevent therefore as much as in us lies these direful effects, we do resolve never to choose any person in publick office, his Deputy, Deputy's Deputy, or any expectant, to represent us in Assembly, or any other publick place, in our election, hoping the example will be followed throughout this Colony, and all *America*.

5. To show the world that we are not influenced by any contracted or interested motives, but a general philanthropy for all mankind, of whatever climate, language, or complexion, we hereby declare our disapprobation and abhorrence of the unnatural practice of Slavery in *America*, (however the uncultivated state of our country, or other specious arguments may plead for it,) a practice founded in injustice and cruelty, and highly dangerous to our liberties, (as well as lives,) debasing part of our fellow-creatures below men, and corrupting the virtue and morals of the rest; and is laying the basis of that liberty we contend for (and which we pray the Almighty to continue to the latest posterity) upon a very wrong foundation. We therefore resolve, at all times to use our utmost endeavours for the manumission of our Slaves in this Colony, upon the most safe and equitable footing for the masters and themselves.

6th. That we do hereby choose Messrs. * * * * * * * to represent us for this District, in the Provincial Congress at *Savannah*, the 18th instant, or at any other time and place appointed hereafter, for the space of one year from this day, and that a copy of these our Resolutions be given them as expressing the sense of this District of publick grievances, which will serve for their direction and instructions; and it is further our desire, that our said Deputies shall use their endeavours to send two Delegates from this Colony to the General Continental Congress, to be held at *Philadelphia* next *May*.

ASSOCIATION.

Being persuaded that the salvation of the Rights and Liberties of *America* depend, under *God*, on the firm union of the inhabitants, in its vigorous prosecution of the measures necessary for its safety, and convinced of the necessity of preventing the anarchy and confusion which attend the dissolution of the powers of Government, we, the Freemen, Freeholders, and Inhabitants of the Province of *Georgia*, being greatly alarmed at the avowed design of

Digitized by Google

the Ministry to raise a Revenue in America, and shocked by the bloody scene now acting in the *Massachusetts Bay*, do, in the most solemn manner, resolve never to become slaves, and do associate under all the ties of religion, honour, and love of Country, to adopt and endeavor to carry into execution, whatever may be recommended by the Continental Congress, or resolved upon by our Provincial Convention, that shall be appointed for the purpose of preserving our Constitution, and opposing the execution of the several arbitrary and oppressive Acts of the *British* Parliament, until a reconciliation between *Great Britain* and *America*, on constitutional principles, which we most ardently desire can be obtained; and that we will in all things follow the advice of our General Committee, to be appointed, respecting the purposes aforesaid, the preservation of peace and good order, and the safety of individuals and private property. Signed,

Lachn. M'Intosh,	John Fulton,	Reu. Shuttleworth,
Geo. Threadcraft,	Samuel Fulton,	John M'Cleland,
Charles M'Donald,	Isaac Cuthbert,	Richard Cooper,
John M'Intosh,	Isaac Hall,	Seth M'Collugh,
Rayd. Demere,	Jones Newsom,	Thomas King,
Jiles Moore,	A. Daniel Cuthbert,	Paul Judton,
Samuel M'Cleland,	John Hall,	John Roland,
Peter Sallens, Jun.,	Jno. M'Collugh, Sen.	Pr. Shuttleworth,
James Clark,	Jno. M'Collugh, Jun.	Joseph Stobe,
Jno. Witherspoon, Jr.	William M'Collugh,	To. Bierry.
John Witherspoon,		

GEORGIA.

By His Excellency Sir JAMES WRIGHT, *Baronet, Captain General, Governour, and Commander-in-Chief of his Majesty's said Province of* GEORGIA, *Chancellor and Vice Admiral of the same.*

A PROCLAMATION.

Whereas, by a Proclamation under my hand, and the Great Seal of this Province, dated at *Savannah*, on the twenty-second day of *April* last past, setting forth the several Murders which had been committed by sundry *Creek Indians* on divers of his Majesty's subjects in this Province, and also setting forth that by and with the advice of his Majesty's Honourable Council, I had thought it necessary to demand satisfaction of the *Creek* Nation for the several Murders committed by some of their people as in the said Proclamation is particularly mentioned, and also setting forth that, with the advice aforesaid, I had thought it expedient that all Trade and Intercourse with all or any part of the *Creek Indians*, within this Province, should immediately cease, and be totally stopped until satisfaction should be given by the said *Indians* for the Murders aforesaid. And whereas, a great number of Kings, Warriours, and Chiefs of the said *Creek Indians*, have lately come to *Savannah*, and declared themselves to be fully authorized and empowered by the whole Nation of Upper and Lower *Creek Indians*, to negotiate and settle all matters relative to the aforesaid Murders, and to solicit a renewal of peace, friendship, and commerce. And whereas, a Congress hath been held by me, and the Honourable *John Stewart*, Esquire, his Majesty's Superintendent, and his Majesty's Honourable Council for this Province, with the said *Indian* Chiefs. And whereas, the said *Indians* have entirely submitted to the demand of satisfaction made as aforesaid. And whereas, by a Treaty of Peace, Friendship, and Commerce, made in his Majesty's name, and signed by me, and all the parties aforesaid, on the twentieth day of this instant, all differences and disputes with the said *Indians* are thereby fully and wholly adjusted and agreed upon, and a full and firm peace settled with them. I have, therefore, with the advice of his Majesty's Council aforesaid, thought fit to issue this, my Proclamation, notifying the same to all his Majesty's subjects, and that the trade with the said *Indians* will be opened again, and that all persons who are disposed to trade with the said *Indians*, and qualified to take out Licenses, may apply for the same, and which will be granted on such terms and conditions as have been stipulated and agreed upon with the said *Indians*, and as may be judged will be most conducive to preserve peace and good order between and amongst his Majesty's subjects in this Province, and the said *Creek Indians*. And I do hereby, in his Majesty's name, strictly charge and command all his Majesty's liege subjects, that they do not on any pretence whatever, attempt to settle or trespass upon any lands belonging to the said *Indians*; also, that they do not presume to go over or beyond the several *Indian* boundary lines with stock of Cattle, or to hunt upon the same. And I do hereby, also, in his Majesty's name, strictly charge and command all persons whomsoever, not to molest, assault, or insult any *Indian* or *Indians* whatsoever, who may happen to be, or come down into the settlements, or elsewhere, and to pay due obedience to this Proclamation, as they will answer the contrary at their peril.

Given under my hand, and the Great Seal of his Majesty's said Province, in the Council Chamber, at *Savannah*, the twenty-fourth day of *October*, in the year of our Lord one thousand seven hundred and seventy-four, and in the fourteenth year of his Majesty King *George* the Third.

JAS. WRIGHT.

By his Excellency's command,

THOS. MOODIE, *Deputy Secretary.*

GOD *save the King.*

CHARLOTTE COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of Freeholders at the Court House in the County of *Charlotte*, on *Friday*, the 13th of *January* last, a Committee of the following persons were elected, for the purposes recommended in the eleventh Article of the Continental Association, viz: *Paul Carrington, Thomas Read, Isaac Read, James Speed, John Brent, Thomas Spencer, Joel Watkins, M'Ness Good, William Hubbard, John White, Sion Spencer, Thomas Bedford, Thomas Carter, William Morton*, and *Joseph Morton.*

Paul Carrington, Esquire, was unanimously elected Chairman. The Committee then proceeded to the choice of a Clerk.

On the 6th day of *February*, at another meeting of the Committee, held at the Court House aforesaid, it was *Resolved*, that this Committee do testify their sincere approbation of the Association Agreement entered into by the Congress, in exercising unwearied diligence in attempts for its true maintenance and inviolate preservation within their County; and that their unfeigned thanks are due to the worthy Members that composed the late Continental Meeting, for their zeal and steady attention to the interests and happiness of *British America*. It was *Resolved*, that Committees, deputed by the County Committee, do examine the Day-Books, Invoices, &c., of the several Merchants, or Storekeepers, within this County; that their report might discriminate the worthy Merchants, and quiet the minds of the people from future suspicions; that Mr. *Thomas Read*, Mr. *Isaac Read*, Mr. *Speed*, Mr. *Thomas Spencer*, Mr. *Watkins*, Mr. *Good*, Mr. *Sion Spencer*, Mr. *Bedford*, and Mr. *William Morton*, be a Committee to inspect the Store Books of Accounts, and Invoices, kept by Mr. *Christopher M'Connico*, as factor for *Alexander Speirs* and Company; that Mr. *Isaac Read*, Mr. *Speed*, Mr. *Brent*, Mr. *Watkins*, Mr. *Hubbard*, Mr. *White*, Mr. *Carter*, and Mr. *William Morton*, be a Committee to inspect the Store Books of Accounts, and Invoices, kept by Mr. *William Barksdale*, as factor for *Field* and *Call*; and that Mr. *Thomas Read*, Mr. *Good*, Mr. *Sion Spencer*, and Mr. *Thomas Bedford*, do examine the Store Books of Accounts, and Invoices, belonging to Mr. *Matthew Marable*, at his Store, in this County.

At a further meeting of the Committee at the Court House aforesaid, on the 14th of said month, Mr. *Thomas Read* reported, that, in pursuance of their order for inspecting the Books of Mr. *Christopher M'Connico*, they had, on the 8th of the month, waited on Mr. *M'Connico* at his house, for the liberty of carrying the said order into execution, but were refused any view of the said Books, Mr. *M'Connico* offering for excuse, that he had not the consent of his employers for subjecting his Books to such inspection. The Committee are of opinion, that such refusal from an Associator, (Mr. *M'Connico* appearing to be one,) is refusing to comply with the dictates of the Association Agreement, and induces a suspicion of his having taken advantage in the sale of Goods, contrary to the sense of the tenth Article; therefore, they have determined that *Christopher M'Connico* has so far violated and departed from the true spirit and meaning of the Association, that

Digitized by Google

they will immediately break off all correspondence with him, until he shall give full and ample satisfaction to the said Resolution of this Committee, for examining his Books, &c. And they recommend it to the publick, and particularly to his customers, and the people of this County, to withdraw all dealings with the said *M'Connico*, agreeable to the Resolution of this Committee, except that necessary intercourse that may arise in the adjustment of their accounts, and payment of their debts; and this Committee earnestly hope, that such of his customers as are in arrear on his Books, will make good their respective balances by a punctual discharge thereof.

Mr. *Isaac Read*, from the Committee for inspecting the Store Books, &c., of Mr. *William Barksdale*, reported that, on their application, Mr. *Barksdale* produced his Books, and had given them all the assistance and information in the course of their examination that they required; and are of opinion that Mr. *Barksdale* has not taken advantage of the present scarcity of Goods, by advancing on sales, and, as far as their inquiry extended, appears to have sold his Goods on lower terms than in the preceding year.

The Committee for inspecting Mr. *Marrable's* Books, &c., were disappointed in their attendance by bad weather. It is *Resolved*, that they do prosecute the former order of this Committee for examining Mr. *Marrable's* Books, and make report thereon at the next County Meeting, &c. Mr. *Speed* is added to the Committee for inspecting Mr. *Marrable's* Store Books, &c.

PAUL CARRINGTON, *Chairman.*

EXTRACT OF A LETTER FROM HARTFORD, IN CONNECTICUT, TO A GENTLEMAN OF NEW-YORK, DATED JANUARY 13, 1775.

The Governour of our Colony called his Council in this Town on the 4th instant; their deliberations are kept very secret; but, we are told, they have ordered three hundred barrels of Gunpowder, and Lead in proportion, to be purchased at the publick expense. The Militia in the whole Colony is mustered every week; in most Towns, they have a Deserter from his Majesty's Forces, by way of Drill-Sergeant. Nothing but a spirit of *Independence* would suffer matters to be carried to such extremities, as make all prudent inhabitants fear that our parchment Governments will soon totter.

EXTRACT OF A LETTER FROM BRISTOL, ENGLAND, TO NEW-YORK, DATED JANUARY 15, 1775.

I am obliged to you for your communication of the Proceedings of Congress, which are highly approved of by all your friends. But if a Non-Exportation had been resolved upon the 1st of *March*, instead of *September*, I think it would have had a greater effect in alarming the Nation, and hastened your relief, and shown the importance of the Colonies, which would have been justified by the severe measures employed against them; but, no doubt they have wise and just reasons which we are not acquainted with, for protracting it. *London* has given the lead and example of petitioning. We have got one, which I signed yesterday, which I believe will be signed by your friends and foes, as their interest and feelings are affected. I have just received advice of *Birmingham* having voted one, which is to be prepared next *Tuesday*; and I believe they will be general through the Kingdom, which will be constructed not in a political, but commercial view. It is not known yet what plan the Ministry will adopt; but as Lord *North* has given out that no more Troops will be sent to *Boston*, it is not intended to enforce it *vi et armis*, but by withdrawing the Troops and blocking up your Harbours, which would be aiding your measures. It is my private opinion that they will be obliged to repeal the obnoxious Acts this present session, provided you remain firm, and they see no prospect of breaking the union of the Colonies. I believe they are as much afraid for their Troops as you are of them; and that those Marines sent per the three Men-of-War, were only sent to strengthen General *Gage*, and to act upon the defensive. The Parliament will meet in a few days, when we shall be able to form some judgment of their intentions; for which purpose I intend going up to *London*.

ANNE ARUNDEL COUNTY (MARYLAND) MEETING.

At a full Meeting of the Inhabitants of *Anne Arundel* County, including the citizens of *Annapolis*, on *Monday*, the 16th day of *January*, 1775,

CHARLES CARROLL, Esq., Barrister, *Chairman*,
Mr. ISAAC M'HARD, *Clerk*,

The Association agreed on by the *American* Continental Congress, and the Proceedings of the Deputies of the several Counties of this Province, at their late Provincial Convention, were read and approved; and thereupon it is *Resolved*,

1st. That this County will strictly and inviolably observe and carry into execution the said Association, and the several Resolves of the late Provincial Convention.

2d. That *Charles Carroll*, Barrister, *B. T. B. Worthington*, *Thomas Johnson*, Junior, *William Paca*, *John Hall*, *Matthias Hammond*, *Samuel Chase*, *Charles Carroll*, of Carrollton, *Rezin Hammond*, *Charles Wallace*, *Richard Tootell*, *Thomas Harwood*, Junior, *John Davidson*, *John Brice*, *John Bullen*, *James Brice*, *Philemon Warfield*, *Nicholas Worthington*, *Thomas Jennings*, *Allen Quynn*, *William Williams*, *James Tootell*, *Thomas Dorsey*, *John Hood*, Junior, *John Dorsey*, *Philip Dorsey*, *Thomas Sappington*, *Ephraim Howard*, *Caleb Dorsey*, Junior, *Richard Stringer*, *Reuben Meriweather*, *Charles Warfield*, *Edward Gaither*, Junior, *Greenberry Ridgely*, *Ely Dorsey*, *John Burgess*, *Michael Pue*, *Edward Norwood*, *James Howard*, *Henry Ridgely*, *William Hammond*, *Thomas Hobbs*, *John Dorsey*, son of *Michael*, *Brice Howard*, *Edward Dorsey*, son of *John*, *Amos Davis*, *Elisha Warfield*, *John Dorsey*, son of *Severn John*, *Samuel Dorsey*, son of *Caleb*, *Joshua Griffith*, *Vachel Howard*, *Charles Hammond*, son of *John*, *Stephen Steward*, *John Weems*, *Thomas Harwood*, *Thomas Belt*, *Stephen Watkins*, *John Steward*, *Samuel Lane*, *Thomas Tillard*, *Thomas Tongue*, *Marmaduke Wyvil*, *John Thomas*, *Joseph Galloway*, *Samuel Harrison*, *Samuel Galloway*, *Robert Brown*, *Thomas Deale*, *William Tillard*, *David Weems*, *Edward Tillard*, *Samuel Chew*, *Thomas Sprigg*, *Thomas Watkins*, *Thomas Hall*, *Gerard Hopkins*, Junior, *Richard Harwood*, Junior, *Thomas Watkins*, Junior, *Richard Burgess*, *Thomas N. Stockett*, *Elijah Robosson*, *Thomas Mayo*, *James Kelso*, *George Watts*, *David Kerr*, *William Buchanan*, *William Gambrill*, and *Richard Cromwell*, or any seven or more of them be, and they are hereby appointed a Committee of Observation for this County.

3d. That the said Committee of Observation have full power to represent and act for this County, until the second *Tuesday* in *October* next, to carry into execution within this County, the said Association, and the several Resolves of the late Provincial Convention, without favour or partiality; that the said Committee, or a majority of any fifty, or greater number of the members thereof, have power and authority to nominate and appoint, by way of ballot, thirteen of the said Committee, and any seven or more of that number, Deputies to represent this County in any Provincial Convention that may be held before the second *Tuesday* in *October* next, with ample power to such Deputies to consent and agree, on behalf of this County, to all measures which such Provincial Convention may deem necessary and effectual to obtain a redress of *American* Grievances; and in case any of the said Deputies shall not attend, or die, or refuse to act, from time to time, to nominate, by ballot, one other of the said Committee in the place of such Deputy who shall not attend, or die, or refuse to act; and the said Committee, or a majority of any fifty, or greater number of the members thereof, are also empowered to nominate, by ballot, seven of the said Committee; and any three, or more, of that number, a Committee of Correspondence for this County; and in case any of the said Committee of Correspondence shall not attend, or die, or refuse to act, to appoint by ballot, one other of the said Committee, in the room of such person who shall not attend, or die, or refuse to act; and such Committee of Correspondence, or any five of them, are authorized to call a meeting of this County as often as they may think necessary.

4th. That every inhabitant of this County, who, on personal application by any one of the aforesaid Committee of Observation, or by any person appointed by them, shall

Digitized by Google

refuse to contribute, before the 1st day of *February* next, to the purchase of Arms and Ammunition, for the use of this County, is, and ought to be, esteemed an enemy to *America;* and that the name of every person who shall refuse to contribute, on such application, be published by the said Committee in the *Maryland Gazette.**

Ordered, That these Proceedings be published in the *Maryland Gazette.* ISAAC M'HARD, *Clerk.*

PRINCE GEORGE'S COUNTY (MARYLAND) MEETING.

At a Meeting of a number of the Freeholders and other Inhabitants of *Prince George's* County, held on *Monday*, the 16th day of *January*, in *Upper Marlborough*, for the purpose of choosing a Committee of Inspection, &c.,

JOHN ROGERS, Esquire, was chosen *Chairman.*

The Proceedings of the Convention, held at *Annapolis* in *December* last, were read, and unanimously approved.

The Committee of Inspection, chosen here at the meeting in *November* last, was continued, and the following persons added thereto, viz: Colonel *Joseph Sim, Thomas Contee, Benjamin Hall*, son of *Francis, Richard Bennet Hall, Clement Hill, Clement Hill*, Junior, *Thomas Sim Lee, Stephen West, Basil Waring*, Sen., *Ignatius Digges, Notley Young, William Digges, William Digges*, Junior, *George Digges, John Hill, Henry Hill, Fielder Bowie, Edward Boteler, Henry Rozer, John Fendall Beall, William Turner Wootton, Singleton Wootton, Edward Edelin, Marsham Waring, Thomas Clagett, (Piscataway,) John Baynes, John Hawkins Lowe, John Harrison, John Read Magruder, Benjamin Brookes, James Drane, Henry Brookes, Richard Carns, Jacob Green, John M'Gill, Thomas M'Gill, Leonard Brooke*, Captain *Henry Brooke*, Doctor *Joseph Digges, Thomas Duckett, Henry Humphrey, Charles Eversfield, Robert Wade*, Junior, *Barton Lucas, Henry Boone, Edward Digges, Nicholas Brooke, Henry Hill*, Jun., *Walter Hoxton, Benjamin Wales, John Duvall, Clement Wheeler, Charles Haggart, Clement Hill*, son of *John, Benjamin Berry*, Jun., *Frank Leeke, Richard Contee, Jacob Duckett, Alexander Symmer, John Smith Brookes, Robert Waters, Arnold Waters, Richard Henderson, William Lydebotham, Alexander Howard Magruder, Christopher Lowndes, Robert Dick, James Collings, John Beanes, Robert Darnall, Jeremiah Riely, Richard Queen, Joseph Pope, Elisha Berry, Anthony Smith, James Smith, William Morton, John Boone*, Jun., *Zacariah Berry, Daniel Stephenson, James Miller, Judson Coolidge, Christopher Richmond, George Naylor*, Junior, *Henry Waring*, and *John Dorsett.*

The Committee of Correspondence, chosen last *November*, was also continued, and the following gentlemen added thereto, viz: *Thomas Sim Lee, Joseph Sim, Thos. Contee, Stephen West, Clement Hill*, Senior, *Thomas Gantt*, Jun., *Ignatius Digges*, and *Benjamin Hall*, son of *Francis.*

The following gentlemen were chosen to attend the next Provincial Meeting at *Annapolis*, viz: Doctor *Richard Brooke, Josias Beall, Robert Tyler, John Rogers, William Bowie, Walter Bowie, George Lee, Thomas Gantt*, Junior, Colonel *Joshua Beall, Osborn Sprigg, David Crawford*, Colonel *Joseph Sim, Thomas Contee, Benjamin Hall*, son of *Francis, Luke Marbury, Stephen West, John Contee*, and *Thomas Sim Lee*, and it was resolved that any five or more of them have power to act.

The following gentlemen, viz: *Addison Murdock*, and *Edward Sprigg*, chosen to attend the last Provincial Meeting, were discontinued at their own request, the state of their health not permitting them to attend.

It was recommended to the gentlemen of the Committee of Inspection for this County, to use their utmost diligence to procure subscriptions, to collect the same as soon as possible, and pay the money into the hands of Messrs. *John Rogers, David Crawford*, and *Edward Sprigg*, of the Committee of Correspondence, and resolved, that the said Committee, or a majority of them, of which the above gentlemen shall be a part, have authority to lay out the said money in the purchase of Arms and Ammunition, according to a Resolution of the last Provincial Convention, and that fair Accounts of the expenditure shall be kept, and ready to be laid before the General Committee when required.

Ordered, That a sufficient number of subscription papers be printed, and forwarded to the several Committee-men appointed for the said County, in order to forward the said subscriptions; and that the Committee of Correspondence take care to procure the said papers, and pay for the same out of the subscription money.

Ordered, That the Proceedings of this day be published in the *Maryland Gazette.*

BALTIMORE COUNTY (MARYLAND) MEETING.

At a Meeting of the Inhabitants of *Baltimore* County, qualified to vote for Representatives, at the Court House, in *Baltimore* Town, on *Monday*, the 16th day of *January*, 1775,

Captain CHARLES RIDGELY, *Chairman*,
JEREMIAH TOWNLEY CHASE, *Clerk:*

The Proceedings of the late Provincial Convention were read, considered, and unanimously approved.

Resolved unanimously, That every member of this meeting will, and every person residing in this County ought, strictly and inviolably to observe and execute the Resolu-

---

* TO THE PRINTERS OF THE MARYLAND GAZETTE.

Be pleased to give a place to the following Queries, and oblige a friend to liberty and moderation.

1st. Whether an assembly of two hundred, or at most two hundred and fifty persons, exclusive of the citizens, can, with propriety, be called a full meeting of the inhabitants of *Anne Arundel* County?

2d. Whether, after a power is delegated to a chosen few, to act on the behalf of the whole, any persons not empowered have a right to determine questions of the first importance, contrary to the sentiments of a majority of such chosen Committee.

3d. Whether the fourth Resolve was *tumultuously* entered into in the night, after many of the country gentlemen had left Town, and the citizens also had in general retired?

4th. Whether it be not probable, and even certain, that a majority of the Committee, as well as of the inhabitants of the County who were in Town, and citizens, would have waited to have prevented the measure, had they apprehended any such Resolve would have been moved for?

5th. Whether such procedure be warranted by any thing published by the Continental Congress?

6th. Whether, in fine, the publication of the Proceedings of last *Monday*, as it now stands, be by the order of, and with proper authority from, the Committee?—ANNAPOLIS, *January* 19, 1775.

TO THE PRINTERS OF THE MARYLAND GAZETTE.

As the Resolves in the last Handbill are to be published in the *Gazette*, relative to the Proceedings on *Monday* last, an impartial spectator begs you will submit the following Queries to the consideration of your readers:

Can it be reasonably asserted that the meeting on that day was a full meeting of the inhabitants of this County?

At the time the polling commenced respecting the fourth Resolve, were not a great majority of the country gentlemen gone out of Town, not expecting any transaction of that nature; were there many inhabitants of the City present; and is it not reasonable to believe, that if the meeting of the County and City had been really numerous, the question relative to the publication of Non-Subscribers would have been rejected as a violent and improper proceeding?

When all *America* appears unanimous in opposing the principle of Parliamentary Taxation, is it just, is it equitable, to proscribe many respectable characters, zealous in the general cause, yet dissenting from the plan of redress recommended, and enforced by particular people?

Can it with truth be asserted that the fourth Resolve was entered into, with the approbation and concurrence of the Committee, when it is notoriously evident, that a very considerable number of those gentlemen entirely disapprove the same, as a violent, hasty, and improper mode of conduct?

Is it consistent with liberty—the distinguishing characteristick of *British* subjects—to condemn, with a partial fury, those who dissent from any popular opinion; can it consist with freedom, to point them out as victims of vengeance, to the hazard of the publick peace, the distress of worthy families, and the destruction of private property?

When the most perfect union and harmony ought to subsist throughout every rank of men here, is it wise, is it politick, to ferment and create divisions among ourselves? ought we to exert an arbitrary authority, arbitrary in the highest degree, by compelling each other, under the severest penalties, to adopt the same violent extremes, and to run before every other Province in the fantick career of military opposition? A little reflection, I am confident, will convince my countrymen that we are strangely precipitate in our conduct. Let us act with firmness, yet with a just and becoming respect to our mother country. While we object to proceedings that we deem oppressive and unconstitutional, let us not burst through the barriers of law; let us not, in the warmth of mistaken zeal, commit violences greater than those of which we complain, and thereby lose those friends and adherents, who can only be secured by a steady and uniform deportment; let not mean suspicions and violent principles take root among us; so shall success crown our present efforts, enmity shall be buried in oblivion, peace shall be re-established on a permanent foundation, and amity, eternal amity, shall flourish between *Great Britain* and her Colonies.—ANNAPOLIS, *January* 19, 1775.

Digitized by Google

tions and Recommendations of the late Provincial Convention.

Unanimously resolved, That Captain *Charles Ridgely*, *Thos. Cockey Dye*, *Walter Tolley*, Jun., *Charles Ridgely*, son of *John*, *Robert Alexander*, *Samuel Purviance*, *Benjamin Nicholson*, *Darby Lux*, *Jeremiah Townley Chase*, *George Risteau*, *Thomas Harrison*, *John Moale*, *Andrew Buchanan*, *William Lux*, and *Samuel Worthington*, be Delegates to represent this County in the next Provincial Convention; and that they, or any of them that shall attend, have full and ample power to consent and agree to all measures that the said Provincial Convention may deem necessary and expedient to obtain a redress of *American* Grievances.

Resolved, That the following gentlemen be added to the Committee of Observation appointed on the 12th of *November* last:

HUNDREDS.

PATAPSCO, LOWER.—*Charles Rogers*, *John Gorsuch*, *William M'Cubbin*, and *William Williamson*.

PATAPSCO, UPPER.—*James Croxall*, *John Elliott*, and *Edward Norwood*.

BACK RIVER, UPPER.—*John Cockey*, *Edward Talbot*, *Joshua Stevenson*, *Edward Cockey*, and *Ezekiel Towson*.

MIDDLE RIVER, UPPER.—*Benjamin Rogers*, *Robert Cummings*, *Benjamin Buck*, *Joshua Hall*, *Gist Vaughan*, and *Benjamin Merryman*.

BACK RIVER, LOWER.—*George Matthews*, and *John Buck*.

MIDDLE RIVER, LOWER.—*Moses Galloway*, *George Goldsmith Presbury*, *Abraham Britton*, and *Nicholas Britton*.

SOLDIER'S DELIGHT.—*Thos. Cradock*, *Charles Walker*, *Samuel Owings*, Junior, *Christopher Randall*, Junior, and *Benjamin Wells*.

MIDDLESEX.—*Jacob Myers*, *Richard Cromwell*, and *Thomas Rutter*.

DELAWARE.—*Christopher Owings*, *Benjamin Lawrance*, and *Nicholas Dorsey*, Junior.

NORTH.—*John Hall*, and *Stephen Gill*, Junior.

PIPE CREEK.—*John Showers*, and *George Everhart*.

GUNPOWDER, UPPER.—*Samuel Young*, *Jesse Bussey*, *Thomas Gassaway Howard*, *James Bosley*, *William Cromwell*, and *Zaccheus Barrett Onion*.

MINE RUN.—*Edward Stansbury*, *John Stevenson*, *Daniel Shaw*, *William Slade*, Junior, *Joseph Sutton*, and *John Steward*.

BALTIMORE TOWN.—*James Sterret*, *Charles Ridgely*, *William Goodwin*, Doctor *Charles Wiesenthall*, and *Thomas Ewing*.

Resolved, That subscriptions be opened in each Hundred, under the direction of the Committee, and that the same be paid into the hands of a Treasurer to be appointed by the contributors in each Hundred, and be laid out agreeable to the Resolve of the Provincial Convention.

Resolved, That the name of every person who shall, upon personal application made to him, by the Committee, or any person under their appointment, refuse or decline to subscribe or contribute for the purchase of Arms and Ammunition, be taken down, and laid before the Committee at the next meeting after such refusal, together with the reasons of such refusal.

Resolved, That the forming of the inhabitants of this County into Companies, and their using their utmost endeavours to make themselves masters of the Military Exercise, and their resisting, with force, every illegal attempt upon their liberty and property, is not repugnant to the oaths of allegiance.

Resolved unanimously, That subscriptions be opened in each Hundred, in this County, under the direction of the Committee of the respective Hundreds, for raising contributions to supply the necessities and alleviate the distresses of our oppressed brethren of *Boston*.

Resolved, That *William Goodwin*, *Richard Moale*, *William Buchanan*, and *William Lux* be, and are hereby, empowered to purchase three thousand pounds of Powder, and twelve thousand pounds of Lead, on the credit of the subscriptions for the use of this County.

Resolved, That the Committee meet at the Court House, on *Wednesday*, the 8th of *February* next, to produce their several subscriptions.

Ordered, That these Proceedings be published in the *Maryland Gazette*, the *Baltimore Journal*, and in handbills, to be circulated through the County.

Signed per order, J. T. CHASE, *Clerk*.

Newtown, Bucks County, Penn., January 16, 1775.

A large majority of the Committee chosen in said County, on the 15th of *December* last, in pursuance of notice for that purpose given, this day assembled in said Town, and unanimously chose

JOSEPH HART, Esquire, *Chairman*, and
JOHN CHAPMAN, *Clerk*.

The Committee then taking into consideration the measures recommended by the Continental Congress, for the redress of *American* Grievances, entered into the following Resolves, unanimously:

1st. That we highly approve of the pacifick measures recommended by the Continental Congress, for the redress of *American* Grievances, and do hereby render our unfeigned thanks to the worthy gentlemen who composed that august assembly, for the faithful discharge of the trust reposed in them.

2d. That we hold ourselves bound, in justice to ourselves, our posterity, our King, and our country, strictly to observe and keep the Association of said Congress, especially as it is recommended to us by the united voice of our Representatives in Assembly, and, as a Committee, will use our utmost endeavours to have it carried into execution.

3d. That we hold it as our bounden duty, both as Christians and as countrymen, to contribute towards the relief and support of the poor inhabitants of the Town of *Boston*, now suffering in the general cause of all the Colonies; and we do hereby recommend the raising a sum of money for that purpose, to every inhabitant or taxable in this County, as soon as possible.

The Committee then taking into consideration a late Resolve of the Committee of the City of *Philadelphia*, setting forth an absolute necessity that the Committees of the Counties of this Province, or their Deputies, be requested to meet together in Provincial Convention, on the 23d day of *January*, instant, cannot conceive, from any information we have had, the necessity of such Provincial Convention, or that any good effects can be produced thereby, towards carrying into execution the Association so clearly pointed out to us by the Continental Congress.

Voted, That *Joseph Hart*, *John Wilkinson*, *Henry Wynkoop*, *Joseph Watson*, and *John Chapman*, or any three of them, be a Committee of Correspondence, and that *Henry Wynkoop* be Treasurer, to receive such charitable donations as may be collected, in pursuance of the third Resolve of this Committee.

JOHN CHAPMAN, *Clerk*.

TO THE FARMERS OF BERKS COUNTY.

Reading, January 16, 1775.

The Committee of the County of *Berks*, having considered the Association of the Butchers of this Town, not to kill any Sheep whatsoever till the first day of *May* next, take the liberty earnestly to recommend to the inhabitants of this County, not to sell any Sheep whatsoever to any Butcher from *Philadelphia*, or elsewhere, till the first day of *May*. The preserving of Wool being an object of the greatest consequence, the Committee flatter themselves that the Farmers will cheerfully observe this recommendation: and as the Committee will meet in *Reading*, on *Tuesday*, the 14th day of *February* next, if any inhabitants have any objections to make to the measure, hereby recommended, such inhabitants are requested to attend the Committee to make their objection, that the same may be maturely considered.

Any person having Wool, which he cannot dispose of in the country, may bring it to the house of Mr. *Mark Bird*, in *Reading*, who will give fourteen Pence per pound for any quantity. By order of the Committee,

JONATHAN POTTS, *Secretary*.

Digitized by Google

SOCIETY OF THE SUPPORTERS OF THE BILL OF RIGHTS.

London Tavern, January 17, 1775.

At a Meeting of the Supporters of the Bill of Rights, held this day, the Right Honourable the Lord Mayor of the City of *London* in the Chair, it was

Resolved unanimously, That the liberties, franchises, and chartered rights of our fellow-subjects in *America*, are so nearly connected with those of *Great Britain*, that the subversion of either must prove equally fatal to both.

Resolved unanimously, That it be earnestly recommended to such members of this society, who have seats in Parliament, to exert themselves in bringing to the justice of their country the advisers of measures for establishing arbitrary Government over our affectionate fellow-subjects in *America*, by Taxing them without their consent; refusing them a fair Trial by Jury; establishing Popery, and taking from them the right of the Habeas Corpus Act; and to obtain for that much injured people a full redress of grievances. By order of the Society,

JOHN WILKES, *Chairman*.

FAIRFAX COUNTY (VIRGINIA) COMMITTEE.

Extracts from the Proceedings of the Committee of *Fairfax* County, on the 17th of *January*, 1775.

GEORGE WASHINGTON, Esquire, *Chairman*,
ROBERT H. HARRISON, *Clerk*:

Resolved, That the defenceless state of this County renders it indispensably necessary that a quantity of Ammunition should be immediately provided; and as the same will be for the common benefit, protection, and defence of the inhabitants thereof, it is but just and reasonable that the expenses incurred in procuring the same should be defrayed by a general and equal contribution. It is therefore recommended that the sum of three Shillings per poll, for the purpose aforesaid, be paid by, and for every tithable person in this County, to the Sheriff, or such other Collector as may be appointed, who is to render the same to this Committee, with a list of the names of such persons as shall refuse to pay the same, if any such there be.

Resolved, That this Committee do concur in opinion with the Provincial Committee of the Province of *Maryland*, that a well regulated Militia, composed of gentlemen freeholders, and other freemen, is the natural strength and only stable security of a free Government, and that such Militia will relieve our mother country from any expense in our protection and defence, will obviate the pretence of a necessity for taxing us on that account, and render it unnecessary to keep Standing Armies among us—ever dangerous to liberty; and therefore it is recommended to such of the inhabitants of this County as are from sixteen to fifty years of age, to form themselves into Companies of sixty-eight men; to choose a Captain, two Lieutenants, an Ensign, four Sergeants, four Corporals, and one Drummer, for each Company; that they provide themselves with good Firelocks, and use their utmost endeavours to make themselves masters of the Military Exercise, published by order of his Majesty in 1764, and recommended by the Provincial Congress of the *Massachusetts Bay*, on the 29th of *October* last.

FAIRFAX COUNTY, (VIRGINIA) ASSOCIATION.

Threatened with the destruction of our ancient Laws and Liberty, and the loss of all that is dear to *British* subjects and freemen, justly alarmed with the prospect of impending ruin,—firmly determined at the hazard of our lives, to transmit to our children and posterity those sacred rights to which ourselves were born; and thoroughly convinced that a well regulated Militia, composed of the gentlemen, freeholders, and other freeman, is the natural strength, and only safe and stable security of a free Government, and that such Militia will relieve our mother country from any expense in our protection and defence, will obviate the pretence of a necessity for taxing us on that account, and render it unnecessary to keep any Standing Army (ever dangerous to liberty) in this Colony, we the subscribers, inhabitants of *Fairfax* County, have freely and voluntarily agreed, and hereby do agree and solemnly promise, to enroll and embody ourselves into a Militia for this County, intended to consist of all the able-bodied freemen from eighteen to fifty years of age, under Officers of their own choice, and for that purpose to form ourselves into distinct Companies of sixty-eight men each; and so soon as the said Companies or any of them in convenient neighbourhoods and Districts are completed, to choose from among our friends and acquaintance, upon whose justice, humanity and bravery, we can rely, a Captain, two Lieutenants, an Ensign, and four Sergeants, for each Company; every Captain respectively to appoint four Corporals and a Drummer for his Company, which election of Officers is to be annual in any Company, if the majority of the Company think fit; and whenever a sufficient number of Companies shall be made up, all the said Companies are to be formed into a Regiment, under the command of a Colonel, Lieutenant Colonel, and Major, to be chosen by the Captains, Lieutenants, and Ensigns of the said Companies; which election of Field Officers is to be annual also, if the majority of the Officers think fit. And such of us as have, or can procure Rifle-Guns, and understand the use of them, will be ready to form a Company of Marksmen or Light-Infantry for the said Regiment, choosing our own Officers as aforesaid, and distinguishing our dress, when we are upon duty, from that of the other Companies, by painted hunting-shirts and *Indian* boots, or caps, as shall be found most convenient; which regulation and establishment is to be preserved and continued until a regular and proper Militia Law for the defence of the country, shall be enacted by the Legislature of this Colony. And we do each of us for ourselves respectively, promise and engage to keep a good Firelock, in proper order, and to furnish ourselves as soon as possible with, and always keep by us, one pound of Gunpowder, four pounds of Lead, one dozen Gun-Flints, and a pair of Bullet-Moulds, with a Cartouch-Box, or Powder-Horn, and Bag for Balls. That we will use our best endeavours to perfect ourselves in the Military Exercise and Discipline, and therefore will pay due obedience to our Officers, and regularly attend such private and general musters as they shall appoint. And that we will always hold ourselves in readiness, in case of necessity, hostile invasion, or real danger, to defend and preserve to the utmost of our power, our religion, the laws of our country, and the just rights and privileges of our fellow-subjects, our posterity, and ourselves, upon the principles of the *English* Constitution.

BALTIMORE COUNTY (MARYLAND) COMMITTEE.

At a Meeting of the Committee of Observation appointed for *Baltimore* County, at the Court House, in *Baltimore* Town, on *Tuesday*, the 17th day of *January*, 1775, were present:

Captain CHARLES RIDGLEY, in the Chair,
JEREMIAH TOWNLY CHASE, *Clerk*.

Samuel Purviance,	Walter Tolley, Jun.,	Ezekiel Towson,
John Moale,	George Matthews,	Thomas Cradock,
Thomas Sollers,	James Calhoun,	Richard Cromwell,
Andrew Buchanan,	Benjamin Nicholson,	Thomas Rutter,
Robert Alexander,	John Deaver,	James Bosley,
John Mercer,	Doctor John Boyd,	William Cromwell,
William Smith,	George Lindenburger,	Dr. C. F. Wiesenthall,
Nicholas Jones,	Darby Lux,	Thomas Ewing,
Isaac Gist,	William Worthington,	William Lux,
Mark Alexander,	William Wilkinson,	Richard Moale,
William Randall,	Jesse Bussey,	Thomas Harrison,
Gerard Hopkins,	Daniel Shaw,	Archibald Buchanan,
Philip Rogers,	James Gittings,	William Spear,
D. Stansbury, Jun.,	Barnet Eichelberger,	John Smith,
Thomas Johnson,	Hercules Courteney,	George Woolsey,
Benjamin Griffin,	Mordecai Gist,	David M'Mechan,
Charles Ridgely, son of John,	Job Garretson,	Mayberry Helmes,
John Cradock,	James Croxall,	Nathan Cromwell.
	John Cockey,	

Information being made to the Committee by Mr. *Benjamin Nicholson*, that the Reverend Mr. *William Edmiston*, had publickly asserted, "that all persons who "mustered were guilty of treason; and that such of them "as had taken the oath of allegiance, and took up Arms, "were guilty of perjury," and that the said *William Edmiston* had "approved publickly of the *Quebec* Bill,"

The Committee were of opinion, that such declarations have a tendency to defeat the measures recommended for the preservation of *America* and her Liberties, and that it is their duty to take notice of persons guilty of such offences; whereupon,

Resolved unanimously, That this Committee will meet

Digitized by Google

at two o'clock P. M., and that the Reverend Mr. *Edmiston* have notice to attend.

A copy of the charge was made out by the Clerk, and enclosed to Mr. *Edmiston*, with notice to attend.

Tuesday, two o'clock, P. M.

The Committee met according to adjournment; present the same members as were this morning.

The Reverend Mr. *Edmiston* attended, agreeable to the notice given him, and requesting an indulgence of two hours, to prepare his answer, the same was unanimously granted.

The Reverend Mr. *Edmiston* appeared, and delivered to the Chairman, his answer in writing, as follows:

"After maturely considering the charges exhibited against me before the Committee, I observe in answer to them, that as mankind frequently differ in sentiment, and as no questions are agitated with greater warmth and intemperate zeal than those in politicks, so expressions are often used, and sentiments hastily adopted, at such times, which in the cool moments of reflection, men would omit or disavow. That I spoke the words mentioned in the charge, is true—that they were spoken in warmth, is equally certain. With respect to that part of the charge containing an accusation of perjury and treason upon those who had taken the oaths to the Government, I would beg leave to explain myself. What I meant had a reference to the political opinions which prevail, and was founded conditionally; that is, they who do not apprehend a departure on the side of Government from fundamental express stipulations, could not, consistently with their oaths, arm or prepare for war: but I did not, and do not mean to charge any person with perjury or treason, who really thinks that his rights are or may be so far invaded as to justify resistance.

"As my political sentiments are different from what most people think at this time, concerning these matters, particularly as they are disagreeable to the gentlemen of the County, and may, contrary to my intention, have the unhappy tendency of spreading confusion among the inhabitants of my Parish, I solemnly promise to avoid giving any just cause of offence, by propagating hereafter any opinion opposite to the decisions of the Continental Congress, or Provincial Convention, and upon the most serious reflection, I disapprove of the *Quebec* Bill, as it establishes the Roman Catholick Religion in the Province of *Quebec*, abolishes the equitable system of *English* Laws, and erects a tyranny there, to the great danger (from so total a dissimilarity of Religion, Law, and Government,) of the neighbouring *British* Colonies, by the assistance of whose blood and treasure the said country was conquered.

"I tenderly love my country; I wish for her prosperity, and devoutly pray that the present contest may terminate to her advantage, and I sincerely hope that brotherly love will bury in oblivion all animosity between me and my parishioners, with whom to live in harmony and peace is my warmest wish. WILLIAM EDMISTON.

"January 17, 1775."

The above being read and considered was accepted, and ordered to be published.

MEETING OF WEST INDIA MERCHANTS, LONDON.

Agreeable to previous invitation, an exceedingly numerous meeting of *West India* Merchants and Planters, on the 18th of *January*, 1775, assembled at the *London* Tavern, "to deliberate on the measures necessary to be pursued on "this very important crisis." About one o'clock, *Beetson Long*, Esquire, took the Chair,

When Mr. *Rose Fuller* opened the business by calling the attention of the meeting to what he was about to propose. He stated with conciseness, yet with extreme judgment and precision, the alarming situation into which the present plan of measures respecting *America* was likely to plunge this country; and from a desire of averting those evils which it so materially concerned the *West India* Merchants and Planters to prevent, he evinced the absolute necessity of "petitioning Parliament as the only probable means of warding off impending ruin."

Having thus pleaded for a Petition as the ground-work of every subsequent proceeding, Mr. *Fuller* declared, that before he preferred his motion, he would lay open the whole of his intentions, which were, "first, to move for a "Petition; and if that motion passed, then to explain to "the meeting the objects to which such Petition should be "confined, as well as the particular facts it should set forth."

After some trifling altercation, Mr. *Fuller's* motion, both for a Petition and the articles to which, in his opinion, the framers should confine themselves, were called for and attended to.

The motion for a Petition was conceived nearly in the following words:—

"That it is the opinion of this meeting, a Petition "should be presented to Parliament, representing the "alarming state of affairs in the *West India* Islands, and "setting forth the apprehensions of the Petitioners, on "account of certain Resolutions entered into by the *Ame-* "*rican* Congress, held at *Philadelphia*, on the 5th of "*September*, 1774; and praying interposition."

Mr. *Fuller* grounded the necessity of a Petition of this kind on the two Resolves of the Congress, whereby they firmly covenant, in behalf of the whole Continent of *America*, "not to have any commercial dealings, either in the "way of Export, or Import, with the *West India* Islands, "unless certain obnoxious Acts, passed by the *English* "Legislature, shall be repealed."

The articles to which Mr. *Fuller* wished the framers of the Petition to confine themselves were, first,

"That an investment of stock, the property of various "Merchants, to a very large amount, was now placed in "the *West India* Islands, and that, by the circuitous opera- "tion of events, the returns arising from this stock would "be considerably lessened, and the stock itself would be "diminished in value, provided that the stoppage of com- "mercial intercourse between the *West India* Islands and "*America*, threatened by the Resolves of the Congress, "should take effect."

A second article, which Mr. *Fuller* wished the framers of the Petition to state fully, was, "the amount of debt "due from the Planters and others in the *West India* "Islands to those Merchants in *England* with whom they "carried on a reciprocal communication."

Mr. *Fuller's* motion having been seconded by Sir *Philip Gibbes*, and ably supported by Mr. *Walker*, Agent for *Barbadoes*, a very warm and interesting debate ensued. The foremost in opposing it was Mr. *Willet*, of *St. Kitts*, who stated his objections to petitioning substantially thus:

Before a Petition for the removal of an evil was agreed on, it should be determined whether the evil actually existed or not; a Petition for *redress* implies a state of suffering. Had the *West India* Merchants *yet* experienced the smallest inconvenience from any Resolves, passed by the Congress? Mr. *Willet* ventured to answer for them, "that they had not." Were the *West India* Islands *yet* in a suffering state? So far from it, that they had now sufficient, and to spare of every article supplied by the *North American* Colonies; and, *if* they should hereafter stand in need, they might be easily supplied from *Quebec*, and various other places willing and able to supply them. As therefore no inconveniences had as yet arisen from the Resolutions of the Congress, the *West India* Merchants should at least *delay* their Petition until inconveniences were experienced, which, in the opinion of Mr. *Willet*, would never be the case, as he did not apprehend that the Resolves of the Congress would be long adhered to.

In support of this conjecture, Mr. *Willet* begged leave to produce a letter, dated the 7th *December*, from Mr. *Galway*, a young man at *New-York*, a near relation of Sir *Ralph Payne*, who, Mr. *Willet* observed, was so closely connected with Mr. *De Lancey*, that the sentiments contained in the letter might be supposed exactly consonant with those Mr. *De Lancey* held.

The purport of this letter was, "that the Resolutions of "the Congress were never meant to be observed; that "the Delegates themselves were so *ashamed* of them, "that they were only studying ways and means to elude "them; that the moderate party at *New-York laughed* at "these Resolutions, and the most flaming zealots despised "themselves for passing them; that as, on the occasion of "the Stamp Act, there had been similar confederacies "formed, which a defection soon put an end to, there "could be no doubt but that a similar defection would

Digitized by Google

"soon demonstrate how little was to be apprehended from "the Resolutions of a Congress; that four or five Prov- "inces to the writer's certain knowledge were preparing to "violate these Resolutions."

The writer concludes by hoping, "that the *West India* "Merchants will not be duped by specious appearances, "as they must be fools indeed to be alarmed at what "a Congress like that held at *Philadelphia* can pro- "pose; and that, as the *West India* Islands are at pre- "sent overstocked with Staves, and every article they "want, nothing is to be feared from a scarcity on their "account."

Mr. *Willet* having read this letter, a gentleman begged to know "how long the writer had been at *New-York*, when he wrote the letter?" Mr. *Willet* replied "five days."—It was observed, "that he must be a young man "of surprising abilities, to penetrate so intimately into the "minds of the people in so short a time; and he must "have a tolerable share of confidence to answer for four "or five Provinces, when he had himself been in one of "them only five days."

Mr. *Willet* accounted for this by saying, though Mr. *Galway* had *wrote* the letter, yet the sentiments might be supposed more properly to be those of Mr. *De Lancey*.

Here a gentleman addressed the Chair, by observing that he was a native of *New-York*, and connected with some of the first people in that Province; that Mr. *De Lancey* was a mere creature of Government, connected with the Governour, who had attempted to enforce the Stamp Act, which Governour was a subservient minion to the Duke of *Grafton*.

The gentleman acknowledged that on a former Association a defection had happened, but that very defection, he contended, was brought about by the machinations of Mr. *De Lancey*. Considering, therefore, the political principles, the conduct, the views, and connections of Mr. *De Lancey*, *his* opinions were to be examined with cautious distrust; his letters were to be read with grains of allowance.

Mr. *Edwards*, of *Jamaica*, next observed, that there was one part of the letter which totally misrepresented the real matter of fact; for, so far were the *West India* Islands from being "overstocked" with Staves, and other articles, that, to his certain knowledge, they lately called for a supply.

Several other gentlemen testified the same; and letters were offered to be produced of as late a date, all written in a very different style, all declaring, that there was every reason to believe that the Resolutions of the Congress would be strictly adhered to, the measures of resistance increased, not diminished, unless the obnoxious Acts were speedily repealed.

The result of this debate (to which the letter of an inexperienced youth gave rise,) was, "that the letters of "particular persons deserved no greater respect than the "sentiments of any individual present; that it was injudi- "cious to produce them, the sole point for discussion being, "whether the motion for a Petition should be read?"

This question being vehemently called for, the motion was read from the Chair, when Mr. *Edwards*, with great force of reasoning, evinced the absolute necessity, not only of petitioning, but of petitioning without a moment's loss of time.

In answer to Mr. *Willet*, he ventured to affirm, that the *West India* Merchants were now actually suffering on account of the *American* measures; that the low price of Sugars was occasioned chiefly by those measures; that it was not merely in the article of Lumber the *West India* Islands would suffer, but in various other instances. It had been said, that "*Quebec* could supply Staves." Mr. *Edwards* denied the fact, and demonstrated the extreme folly of expecting Staves and other necessaries from *Canada* and the *Floridas*, at least in sufficient quantity, as well from the inadequate population at the extremities of the Continent, as from the difficulty at certain times of the year of the navigation from *Canada*. He gave reasons equally forcible against a notion which he said some people entertained of being supplied with the article of Staves from *Hamburgh*, or *Norway*; but, he said, putting supplies of all kinds out of the question, the produce of *America* was not more necessary to the support of the *West Indies*, than her markets were for the sale of a considerable part of their Rum and Sugar. *America*, says he, purchases annually from our Sugar Islands, (*Jamaica* included,) twenty thousand hogsheads of Sugar, and twenty-five thousand puncheons of Rum, besides all our Molasses not used in distillation. She exports annually from *Great Britain*, upwards of ten thousand hogsheads of refined Sugar, which creates a farther consumption of thirty thousand hogsheads of raw or *Muscovado* Sugar. By the Resolutions of the Congress, this last great consumption is already suspended; and will any man say that the planting interest is not thereby *immediately* affected? Should the great export from the Islands be stopped also, and the whole brought to a glutted market, the consequence to every Planter will be absolute ruin. It may be said indeed, that Sugar will be so much the cheaper in *England*; but this argument is fallacious and foolish. No man will raise commodities which he cannot sell. Who but a madman will continue a losing adventure? It is the same in *England*, in regard to Corn: Stop the exportation, you create a famine.

This gentleman then proceeded to demonstrate that *Great Britain*, as a commercial Nation, must participate deeply in whatever affects the Sugar Islands. He said the whole of the *West India* Colonies must be considered as *British* property, or national stock. He proved that the whole of this stock amounted to the enormous sum of sixty millions Sterling, the particulars of which he enumerated, and he appealed to Mr. *Walker*, Agent for *Barbadoes*, for the accuracy of the estimate; which that gentleman confirmed, and declared he produced the same amount by a different mode of calculation. The whole profits and produce of this great capital, Mr. *Edwards* averred, centred in, and tended to, the increase of the Navigation, Commerce, Manufactures, and Revenues of *Great Britain*. "Should, therefore," he said, "any interruption happen in "the general system of the commerce and cultivation of "these Islands; should the vast national stock thus em- "ployed, become unprofitable and precarious, will not "*Great Britain*, with a debt of one hundred and forty "millions, be sensibly affected? Sir, it will shake her Em- "pire to its base. Her *African* trade will be lost, and the "many other great branches of her commerce, with her "Colonies, which, during the last war, rendered her sole "arbitress of the fate of *Europe*, will be dried up and ex- "hausted forever." He concluded by observing, that no opposition to this motion could arise, but from interested motives, or from a mistaken notion, that Government would be offended at our proceedings, which he said was a most absurd idea; for that no personal reflections against people in power, nor any questions of mere political disquisition, had been once introduced; and he added that, admitting, however, that the *West India* Islands had not yet experienced any inconvenience from the *American* measures, were we to await until ruin had overtaken us before we applied for relief? Were we to feel nothing for those Planters whom the *American* Resolves would reduce to beggary? Nothing for the trade, prosperity, or Constitution of our country? If there were any *West India* Merchants whom contract, pensions, or the smiles of Government allured to approve measures baneful in their operations, destructive in their effects, they ought to be marked out, that the honest Planter might in future know the men in whom he ought not to confide.

Mr. *Atkinson* next spoke against the motion, on the ground, that as the Petition was only meant to recommend to the consideration of Parliament, what Parliament would certainly consider of themselves, it was a futile measure.

This argument Mr. *Edwards* refuted in a masterly manner. "The gentleman," says he "lays it down as a fact, "that Parliament mean to consider this business; if they "mean to consider it at all, they must intend to take it up "on the largest scale possible; to do this, every informa- "tion they can possibly procure is necessary for their as- "sistance, and therefore, as we mean only to afford them "every information in our power, the very reason the gen- "tleman urges for our not petitioning, is the very reason "why we ought to petition. Nor can the Ministry be dis- "pleased, for their welfare, as well as ours, is at stake; if "this country is ruined, (and ruined it must be, unless a re- "conciliation with *America* takes place,) the Ministry who "projected the Acts must be ruined also."

Mr. *Fuller* added this pertinent observation: that as the

Digitized by Google

Petition would be supported by evidence, it would be absurd not to petition before Parliament took the matter into consideration; for that would be to let the House of Commons consider a business first, and produce the evidence afterwards; a method of proceeding hitherto unprecedented.

Mr. *Fuller* concluded by observing, that although some of the Members of the Lower House might be, yet he would be bound to say, the majority of them were not apprised of the magnitude of the *American* business as a national concern; the Petition, therefore, from the *West India* Merchants, would furnish them with information on that head, which they much wanted.

The question being now called for, the Chairman was about to put it, when a gentleman started an objection to the word "Congress." He said that, as a meeting under that description had not yet been recognised by Parliament, it might be construed as taking a part in the political disputes to adopt the term. It was therefore proposed to vary the language of the motion thus: "Two Resolves passed "by a Meeting held at *Philadelphia*, called a Congress."

Mr. Alderman *Turner* very properly objected, that the words "called" a "Congress," were certainly of the reflective kind, and might be supposed to contain an oblique censure on the *Americans* for giving the name of "Congress" to the meeting of their Delegates. The Alderman observed, that equal care should be taken not to offend either the *Americans* or the Government.

Mr. *Fuller* yielded, and to avoid the possibility of offence, both the words "Congress" and "called" were struck out of the motion, and it stood simply thus: "*A Meeting* held at *Philadelphia*."

Thus put, the motion for a Petition was carried by a majority of about two hundred to seven.

This point being settled, Mr. *Fuller* proceeded in the next place to move for the instructions to be given to the Committee that might be appointed to prepare the Petition. Accordingly, he offered a second Resolution, which being first read throughout, and the question afterwards put on each paragraph, was, after receiving many amendments, and considerable additions, finally agreed to, (with one division only, on the last paragraph,) and is as follows:

"*Resolved*, That the said Petition do set forth, that the "Petitioners are exceedingly alarmed at an Agreement and "Association entered into by a Meeting held at the City of "*Philadelphia*, in *North America*, the 5th of *September*, "1774, whereby the Members thereof have agreed and "associated for themselves and the inhabitants of the seve-"ral Colonies lying between *Nova-Scotia* and *Georgia*, "that from and after the 1st day of *December*, 1774, they "will not import into *British America* any Molasses, "Syrups, Paneles, Coffee, or Pimento, from the *British* "Plantations; and that, after the 10th day of *September*, "1775, if the Acts of the *British* Parliament therein men-"tioned, are not repealed, they will not, directly or indi-"rectly, export any Merchandise, or commodity whatso-"ever, to the *West Indies*.

"To represent, that the *British* property, or stock vest-"ed in the *West India* Islands, amounts to upwards of "thirty millions Sterling.* That a further property of "many millions is employed in the commerce created by "the said Islands; a commerce comprehending *Africa*, "the *East Indies*, and *Europe*. That the whole produce "and profits of these capitals ultimately centre in *Great* "*Britain*, and add to the national wealth, while the navi-"gation necessary for the support of this commerce through "all its various branches, establishes a strength which wealth "can neither purchase nor balance.

"That the Sugar Plantations in the *West Indies* are "subject to a greater variety of contingencies than many "other species of property, from their necessary depend-"ence on external support; and that, therefore, should "any interruption happen in the general system of their "commerce, the great national stock thus employed must "become unprofitable and precarious.

"That the profits arising from the present state of the "said Islands, and that are likely to arise from their future "improvement, in a great measure depend on a free and "mutual intercourse between them and the several Prov-"inces of *North America*, from whence they are furnish-"ed with provisions of all kinds, and other supplies abso-"lutely necessary for the support and maintenance of their "Plantations. And that the scarcity in *Great Britain*, "and the inadequate population of the Provinces at the "extremities of *America*, forbid them to hope for any ma-"terial addition to the feeble imports of such supplies from "other places.

"That, if the first part of the said Agreement and As-"sociation for a Non-Importation hath taken place, and "shall be continued, the same will be highly detrimental to "the Sugar Colonies; and if the second part of the said "Agreement and Association for a Non-Exportation shall "be carried into execution, (which the Petitioners are ap-"prehensive will be the case, unless some measures are "immediately fallen upon to restore the harmony that sub-"sisted a few years ago between this Kingdom and *Ameri-"ca*, which was of infinite advantage to both,) the smallest "Islands, which are supplied with most of their subsist-"ence, both for themselves and Slaves, from thence, will "be reduced to great distress; and the Trade between all "the said Colonies and this Kingdom, will of course be ob-"structed, to the ruin of most of the Planters, and to the "great prejudice of the Merchants, not only by the said "obstruction, but also by the delay of payment of the "principal and interest of the immense debt due from the "former to the latter.

"And, referring to the salutary effects of that system of "policy which formerly subsisted between *Great Britain* "and her Colonies, humbly to pray that the House "would take the premises into consideration, and adopt "such measures as to their wisdom shall seem adequate to "quiet the minds of their fellow-subjects in *America*, and "prevent the evils with which the Planters and Merchants "are now threatened, and restore that confidence and affec-"tion between the mother country and *North America*, on "which the general happiness of this Empire depends; and "that the Petitioners may be heard by themselves or Coun-"sel in support of their Petition, &c."

* It was first stated at sixty millions, but it being observed that by inserting a less sum than could really be proved in evidence, it would give an air of moderation and caution to the Petition, it was altered as above.

Savannah, Georgia, January 18, 1775.

This day the General Assembly of this Province met here, when his Excellency Sir *James Wright*, Baronet, Governour-in-Chief, &c., was pleased to deliver the following Speech to both Houses, viz:

Honourable Gentlemen, Mr. Speaker, and Gentlemen of the Commons House of Assembly:

This being the first opportunity that has offered in General Assembly, I must not omit acquainting you, that in consequence of the Petition of both Houses, his Majesty was graciously pleased to direct, that if this Province should be engaged in an actual *Indian* war, we should have every proper succour and protection; and I was ordered to apply to the Commander-in-chief of his Majesty's Forces in *America* for that purpose, who had received directions thereupon.

The alarming situation of *American* affairs at this juncture, makes it highly necessary for me to say something to you on the subject; and it is with the utmost concern that I see by every account of all the Colonies to the Northward of us, as far as *Nova-Scotia*, in a general ferment, and some of them in such a state as makes me shudder when I think of the consequences which it is most probable will soon befall them. The unhappy disputes with the mother country are now become of the most serious nature, and I am much afraid the very extraordinary and violent measures adopted and pursued, will not only prevent a reconciliation, but may involve all *America* in the most dreadful calamities.

Gentlemen, I think myself very happy in having it in my power to say that this Province is hitherto clear, and I much hope by your prudent conduct will remain so. Be not led away by the voices and opinions of men of overheated ideas; consider coolly and sensibly of the terrible consequences which may attend adopting resolutions and measures expressly contrary to law, and hostile to the mother country, especially at so late a season, when we may almost daily expect to hear the determination of *Great*

Digitized by Google

Britain on the matters in dispute, and therefore I conceive can answer no purpose but that of throwing the Province into confusion; and I tremble at the apprehension of what may be the resolution and declaration of the new Parliament relative to the conduct of the people in some parts of *America*.

You may be advocates for liberty, so am I, but in a constitutional and legal way. You, gentlemen, are Legislators, and let me entreat you to take care how you give a sanction to trample on Law and Government; and be assured it is an indisputable truth, that where there is no law there can be no liberty. It is the due course of law and support of Government which only can insure to you the enjoyment of your lives, your liberty, and your estates; and do not catch at the shadow and lose the substance. I exhort you not to suffer yourselves to be drawn in to involve this Province in the distresses of those who may have offended; we are in a very different situation, and on a very different footing from the other Colonies. Do not consider me as speaking to you merely as the King's Governour of this Province. As such, gentlemen, it is certainly my duty to support his Majesty's just right and authority, and to preserve peace and good order within my Government, and to contribute as much as possible towards the prosperity and happiness of the Province and people. Believe me when I tell you I am at this time actuated by further motives than a show only of discharging my duty as the King's Governour. I have lived amongst and presided over you upwards of fourteen years, and have other feelings. I have a real and affectionate regard for the people, and it grieves me to think that a Province which I have been so long in, and which I have seen nurtured by the Crown, at a vast expense to the mother country, and grow up from mere infancy—from next to nothing, to a considerable degree of maturity and opulence, should, by the imprudence and rashness of some inconsiderate people, be plunged into a state of distress and ruin. We have been most happy in, I hope, avoiding *Scylla*, and let me in the strongest terms conjure you to steer clear of *Charybdis*.

It is a most melancholy and disagreeable subject, and therefore I shall avoid making any observations on the Resolutions adopted by the other Colonies; but hope that, through your prudence and regard for the welfare and happiness of this Province, of yourselves, and your posterity, none will be entered into here. The strongest reasons operate against it, and as they must occur to every considerate person, I shall not mention any.

Gentlemen of the Assembly:

The very dangerous and critical situation of our affairs with the *Creek Indians* last Spring, prevented your going on the necessary business of the Province at that time. I therefore hope and depend that, agreeable to your Address to me of the 12th of *March*, 1774, you will now take the several matters formerly recommended to you into consideration, and proceed thereupon with that serious attention they require, and to which I shall only add, that in order to preserve and continue to us peace and quietness with the *Indians*, it seems absolutely necessary that a law should be framed to regulate some matters relative to the *Indian* trade and transactions in the *Indian* country, to prevent encroachments and trespasses on the lands and hunting grounds of the *Indians*, and other irregularities and abuses being committed by hunters and other disorderly people, both within and without the settlements, and therefore most earnestly recommend a revisal of a Bill relative to *Indian* affairs, which was before the House of Assembly in the year 1769, in which I am persuaded you will find some clauses that may be most useful and salutary to the Province.

I have ordered the Treasurer to lay all the Publick Accounts before you, and will very soon send you an estimate of the usual and necessary supplies since the last Tax.

JAMES WRIGHT.

—

IN THE UPPER HOUSE OF ASSEMBLY, JANUARY 18, 1775.

A Message to the Commons House of Assembly.

Mr. Speaker and Gentlemen:

This House having taken into serious consideration those matters mentioned by his Excellency in his Speech to both Houses, respecting the present alarming state of the unhappy disputes between *Great Britain* and the Colonies; and conceiving the subject to be of the highest importance to the welfare and safety of both, is therefore desirous of having a free conference with your House thereon, in hopes of being able to fix on such a plan of conduct as may reasonably be expected will prove conducive to the obtaining the great point which every true friend to *America* hath or ought to have only in view, to wit: that of securing to its inhabitants, on a clear, solid, and permanent footing, all the rights and privileges to which, as *British* subjects, they are entitled, on the principles of the Constitution.

For however warmly this House may and doth condemn the violent and ill-judged measures pursued by some of the other Provinces, which they conceive have an evident tendency to widen the breach between *Great Britain* and the Colonies, and may involve all *America* in a scene of the utmost distress and misery; yet it is the sincere wish of this House, as far as in their power, to see every obstacle removed which may interrupt a cordial and lasting union with the mother country, or obstruct or prevent his Majesty's *American* subjects from enjoying all the constitutional rights of *British* subjects, and will therefore cheerfully join in pursuing such measures as will at once testify loyalty to our most gracious Sovereign, a firm attachment to the *British* Constitution, and a warm and proper regard to the rights and liberties of *America*.

—

On *Friday*, the 20th of *January*, the following Addresses were presented to his Excellency, viz:

To his Excellency Sir JAMES WRIGHT, *Baronet, Captain-General, Governour and Commander-in-Chief in and over his Majesty's Province of* GEORGIA, *Chancellor and Vice Admiral of the same.*

The humble Address of the Upper House of Assembly.

May it please your Excellency:

We his Majesty's most dutiful and loyal subjects, the Council of *Georgia*, in General Assembly met, beg leave to return your Excellency our most cordial thanks, for your truly affectionate Speech to both Houses of Assembly, at the opening of this session.

We receive with pleasure and gratitude the information you have been pleased to give us of the favourable reception the Petitions from both Houses met with from our most gracious Sovereign, and that his Majesty had been pleased to order Troops for our protection, in case we had been unhappily engaged in an *Indian* war.

After having had the experience of your Excellency's prudent and equitable administration for upwards of fourteen years, we can have no doubt of your real and friendly concern for the true interests of this Province. The language of your Excellency's Speech, upon a subject of the highest importance to the people of *Georgia*, is so truly paternal, that every unprejudiced person must be convinced of its being dictated by a heart warm with love and affection for the people over whom yon preside; and we hope it will meet with that return of gratitude and attention, which the affectionate spirit it breathes and the great importance of the subject merit.

It is with the deepest concern we see the alarming lengths to which the present unhappy disputes between the mother country and the Colonies are carried; lengths that threaten a dissolution of all good order and Government, and of that union on which the happiness and prosperity of both countries ultimately depend.

But whilst we lament these unhappy divisions, and disapprove of all violent and intemperate measures, and at the same time declare it to be our pride and glory to be constitutionally connected with *Great Britain*, by the closest and most endearing ties, and that we dread nothing more than a dissolution of those ties; yet, anxious for the present welfare of our country, and the interests of our posterity, our ardent wish is, that his Majesty's *American* subjects may enjoy all the rights and privileges of *British* subjects, as fully and effectually, in all respects, as the inhabitants of *Great Britain* do; and to that end, it now appears highly necessary that the constitutional rights of his *American* subjects may be clearly defined and firmly established, that so they may hold those inestimable bless-

Digitized by Google

ings on such a footing as will unite the mother country and the Colonies by a reciprocation of benefits, and on terms consistent with the spirit of the Constitution, and the honour, dignity, and safety of the whole Empire. And we wish and hope to see a matter of such importance taken up in a constitutional way by both Houses of Assembly, not in the least doubting but that if such prudent and temperate measures are adopted by the Legislatures of the other Provinces, we shall see them crowned with that success which may remove the unhappy divisions now subsisting, and bind us to our mother country by the ties of interest, love, and gratitude, and establish the prosperity, power, and grandeur of the *British* Empire on foundations which may last till time shall be no more. Nor can we doubt of success, when we reflect that we are blessed with a King who glories in being the equal father of all his people; and therefore can and do submit our cause, with full confidence, to his royal wisdom and paternal goodness. Neither will we suppose that a *British* Parliament, that great and august body, who have so often generously asserted and defended the liberties of other Nations, will disregard the equitable claims of their fellow-subjects.

We entirely agree with your Excellency in opinion, that where there is no law there can be no true liberty, and that it is the due and regular course of law and support of Government which can alone insure to us and our posterity the enjoyment of our lives, liberty, and property.

We will cheerfully concur in the several matters recommended by your Excellency, and give them that serious attention which the utility of them requires.

By order of the House, N. Jones.

His Excellency's Answer.

Honourable Gentlemen:

The loyalty and affection expressed towards his Majesty in this Address, gives me the greatest satisfaction, as it likewise does to see that your sentiments on the very important matters mentioned, in many respects coincide with my own; and happy would it have been for *America*, had the several Legislatures proceeded in the manner you propose.

I return you my best thanks, gentlemen, for your kind opinion of my regard for, and wishes to serve this Province. James Wright.

To his Excellency Sir James Wright, *Baronet, Captain General and Governour-in-Chief of his Majesty's Province of* Georgia, *Chancellor and Vice Admiral of the same.*

The Address of the Commons House of Assembly.

May it please your Excellency:

We his Majesty's dutiful and loyal subjects, the Commons of *Georgia*, in General Assembly met, return your Excellency our thanks for your Speech to both Houses on the opening of this session.

We are greatly obliged to his Majesty for his gracious intentions; but allow us, sir, to observe, that we apprehended the Province was actually involved in a war when we submitted our Petition for assistance; and whilst we confess our real obligations to your Excellency for your conduct, assiduity, and perseverance, and render you our warmest acknowledgments for putting a happy end to that war, we cannot but with horrour reflect on the dreadful crisis to which this Province must have been reduced, had we experienced no other resource than those dilatory succours which Administration meant conditionally to afford us.

We cannot be less affected by, and concerned for, the present alarming situation of our affairs between *Great Britain* and *America*, than your Excellency; we must be equally insensible not to feel our numerous grievances, and not to wish them redressed; it is that alone which every good *American* contends for; it is the enjoyment of our constitutional rights and liberties that softens every care of life, and renders existence itself supportable. At the same time, in all our proceedings, we shall studiously avoid every measure that shall not appear to us at once strictly consonant with our duty to his Majesty, and the interest, liberty, and welfare of our constituents. We shall, on all occasions, exert ourselves to accomplish every assurance we have already made, or may make to your Excellency, and will not fail to take into consideration the Bill which you are pleased to point out and recommend.

When the Publick Accounts and Estimates are laid before us, we will give them proper attention.

By order of the House,

William Young, *Speaker.*

His Excellency's Answer.

Mr. Speaker and Gentlemen of the Commons House of Assembly:

I am sorry that I must beg leave to differ with you in opinion with respect to the state we were in when your Petition to his Majesty was given to me, and which I immediately transmitted. It is true several people had been murdered by some *Indians*, but I conceive that could by no means be called being actually involved in a war with that Nation. They were murders committed by a small party only of the *Creek Indians*, without the concurrence or even the privity of the Nation, and disavowed by them as soon as they knew of it; and I apprehend something farther was necessary, before we could be said to be engaged or involved in an actual war with the *Indians;* and every account I received from them after that time, was favourable, and showed rather a pacifick than an hostile disposition, and which accounts I always transmitted to his Majesty's Secretary of State, as it was my duty to do.

It gives me great pleasure to observe my conduct approved of by the Representatives of the people, and for which I thank you. I have every inducement to serve the Province, and to promote the welfare and happiness of the people, and which I shall continue to do to the utmost of my power; and, on the other hand, I cannot doubt but you will also approve of my endeavours to discharge my duty to the Crown with honour and integrity. And let me assure you, gentlemen, that no man can more wish his Majesty's *American* subjects the full and perfect enjoyment of their constitutional rights and liberties than I do.

James Wright.

House of Assembly, Georgia, January, 1775.

The House taking under consideration that the Parliament of *Great Britain* claim a power of right to bind the People of *America*, by Statute, in all cases whatsoever, and who have, in some Acts, expressly imposed Taxes on the *Americans*, under various pretences, but in fact, for the purpose of raising a Revenue; hath established a Board of Commissioners, with unconstitutional powers, and extended the jurisdiction of the Courts of Admiralty, not only for collecting the Duties imposed by the said Acts, but for the trial of causes merely arising within the body of a County. And whereas Standing Armies have been, and now are, kept in *America*, in time of profound peace; and being resolved, in Parliament, that by force of a Statute, made in the thirty-fifth year of the reign of *Henry* the Eighth, Colonists may be transported to *England* and tried there upon accusations for treasons and misprisions, or concealments of treason committed in the Colonies; and by a late Statute such trials have been directed in cases therein mentioned. And whereas, also, Assemblies have been frequently dissolved, contrary to the rights of the People, when they attempted to deliberate on Grievances; therefore this House doth, as *Englishmen*, their ancestors, in like cases have usually done for assisting and vindicating their Rights and Liberties, Declare,

First, That the inhabitants of the *English* Colonies of *North America*, by the immutable laws of nature, the principles of the *English* Constitution, and the several Charters or compacts, have the following Rights:

Secondly, That they are entitled to life, liberty, and property, and they have never ceded to any sovereign power whatever a right to dispose of either without their consent.

Thirdly, That our ancestors, who first settled these Colonies, were, at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities of free and natural-born subjects within the Realm of *England*.

Fourthly, That, by such emigration, they by no means forfeited, surrendered, or lost any of these rights, but that they were, and their descendants now are, entitled to the

Digitized by Google

exercise and enjoyment of all such of them as their local and other circumstances enable them to exercise and enjoy.

Fifthly, That the foundation of *English* liberty, and of all free Government, is a right in the people to participate in the Legislative Council; and as the *English* Colonists are not represented, and, from their local and other circumstances, cannot properly be represented in the *British* Parliament, they are entitled to a free and exclusive power of Legislation, in their several Provincial Legislatures, where their right of representation can alone be preserved, in all cases of Taxation and Internal Polity, subject only to the negative of their Sovereigns, in such manner as has been heretofore used and accustomed; but from the necessity of the case, and a regard to the mutual interest of both countries, we cheerfully consent to the operation of such Acts of the *British* Parliament as are, bona fide, restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole Empire to the mother country, and the commercial benefits of its respective members, excluding every idea of Taxation, internal or external, for raising a Revenue on the subjects in *America*, without their consent.

Sixthly, That the respective Colonies are entitled to the Common Law of *England*, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage, according to the course of that law.

Seventhly, That they are entitled to the benefit of such of the *English* Statutes as existed at the time of their Colonization, and which they have by experience respectively found to be applicable to their several local and other circumstances.

Eighthly, That his Majesty's Colonies are likewise entitled to all the immunities and privileges granted and confirmed to them by Royal Charters, or secured by their several codes of Provincial Laws.

Ninthly, That they have a right peaceably to assemble and consider of their Grievances, and petition the King; and that all Prosecutions, Prohibitory Proclamations, and Commitments for the same are illegal.

Tenthly, That the keeping a Standing Army in these Colonies in times of peace, without the consent of the Legislature of that Colony in which such Army is kept, is against law.

Eleventhly, And as it is indispensably necessary to good Government, and rendered essential by the *English* Constitution, that the constituent branches of the Legislature be independent of each other,

Resolved, That the exercise of Legislative power in any Colony, by a Council appointed, during pleasure, by the Crown, may prove dangerous and destructive to the freedom of *American* Legislation.

All and each of which the Commons of *Georgia*, in General Assembly met, do claim, demand, and insist on as their indubitable Rights and Liberties, which cannot be legally taken from them, altered, or abridged by any power whatsoever, without their consent.

And whereas there are many infringements and violations of the foregoing Rights, which, from an ardent desire that harmony and mutual intercourse of affection and interest may be restored, we pass over for the present, and proceed to state such Acts and measures as have been adopted since the close of the last war, which demonstrate a system formed to enslave *America*.

Resolved, That the following Acts of Parliament are infringements and violations of the rights of the Colonists, and that the repeal of them is essentially necessary in order to restore harmony between *Great Britain* and the *American* Colonies, viz: The several Acts of 4 *George* the Third, chapter 15 and chapter 34; 5 *George* the Third, chapter 25; 6 *George* the Third, chapter 52; 7 *George* the Third, chapter 41 and chapter 46; 8 *George* the Third, chapter 22, which impose Duties for the purposes of raising a Revenue in *America*; extend the powers of the Admiralty Courts beyond their ancient limits; deprive the *American* subjects of Trial by Jury; authorize the Judges' certificate to indemnify the prosecutor from damages that he might otherwise be liable to; requiring oppressive security from a claimant of Ships and Goods seized before he shall be allowed to defend his property, and are subversive of *American* Rights.

Also 12 *George* the Third, chapter 24, entitled "An Act "for the better securing his Majesty's Dock-Yards, Magazines, Ships, Ammunition, and Stores," which declares a new offence in *America*, and deprives the *American* subjects of a constitutional Trial by Jury of the vicinage, by authorizing the trial of any person charged with committing any offence, described in the said Act, out of the Realm, to be indicted and tried for the same in any Shire or County within the Realm.

Also the three Acts, passed in the last session of Parliament, for the stopping the Port and blocking up the Harbour of *Boston*; for altering the Charter and Government of *Massachusetts Bay*; and that which is entitled "An Act for the better administration of Justice," &c.

Also the Act, passed in the same session, for establishing the Roman Catholick Religion in the Province of *Quebec*; abolishing the equitable system of *English* Laws, and erecting a tyranny there, to the great danger, from so total a dissimilarity of Religion, Law, and Government, to the neighbouring *British* Colonies, by the assistance of whose blood and treasure the said country was conquered from *France*.

Also the Act, passed in the same session, for the better providing suitable Quarters for Officers and Soldiers in his Majesty's service in *North America*.

Also, that the keeping a Standing Army in several of these Colonies in time of peace, without the consent of the Legislature of that Colony in which such Army is kept, is against law.

Resolved, That this House do present their most grateful acknowledgments to those truly noble, honourable, and patriotick advocates of civil and religious liberty, who have so generously and powerfully, though unsuccessfully, espoused and defended the cause of *America*, both in and out of Parliament.

Resolved, That the thanks of this House be given to the Members of the late Continental Congress for their wise and able exertions in the cause of *American* Liberty.

Resolved, That ********** be Deputies to represent this Province in the intended *American* Continental Congress, proposed to be held at the City of *Philadelphia*, on the 10th of *May* next, or any other place or time as may hereafter be agreed on by the said Congress.

Ordered, That Mr. Speaker do transmit a copy of the above Resolves to the Honourable *Peyton Randolph*, Esq., President of the said Congress.*

Association entered into by forty-five of the Deputies assembled in Provincial Congress, at SAVANNAH, *in* GEORGIA, *on the 18th of* JANUARY, 1775, *and by them subscribed on the 23d, when they chose* NOBLE WIMBERLY JONES, ARCHIBALD BULLOCK, *and* JOHN HOUSTON, *Esquires, Delegates to represent that Colony in the Continental Congress, to be held in* MAY *next.*

Whereas a Non-Importation, Non-Consumption, and Non-Exportation Agreement, faithfully adhered to, will probably prove the most speedy, effectual, and peaceable measure to obtain redress of *American* Grievances: We do, therefore, for ourselves and our constituents, firmly agree and associate, under the sacred ties of virtue, honour, and love of our country, as follows:

First. That we will not receive into this Province any Goods, Wares, or Merchandises that shall be shipped from *Great Britain* or *Ireland*, after the 15th day of *March* next; or from any other place any such Goods, Wares, or Merchandises as shall be shipped from those Kingdoms after that time, except such as come under the rules and directions of the ninth Article herein mentioned; and except such Goods, Wares, or Merchandises as are absolutely necessary for carrying on the *Indian* trade, subject, nevertheless, to the control of the Continental Congress, intended to be held at *Philadelphia*, on the 10th day of *May* next. Nor will we from this day import or purchase any Tea from any part of the world, nor import any Molasses, Syrups, Paneles, Coffee, or Pimento, from the *British* Plantations, or from *Dominica*, nor Wines from *Madeira* or the Western Islands, nor foreign Indigo.

Second. That we will neither import or purchase any Slaves imported from *Africa*, or elsewhere, after the 15th day of *March* next.

* See Letter from *Noble Wimberly Jones, Archibald Bullock*, and *John Houston*, to the President of the Continental Congress, dated *Savannah, April* 6, 1775.

Digitized by Google

Third. That we will not export any Merchandise, or commodity whatsoever, to *Great Britain* or *Ireland*, or to the *West Indies*, after the first day of *December* next, except Rice to *Europe*.

Fourth. Such as are Merchants, and use the *British* and *Irish* trade, will give orders, as soon as possible, to their factors, agents, and correspondents in *Great Britain* and *Ireland*, not to ship any Goods to them on any pretence whatsoever, as they cannot be received in *Georgia;* and if any Merchants, residing in *Great Britain* or *Ireland*, shall, directly or indirectly, ship any Goods, Wares, or Merchandises for this Province, in order to break such Non-Importation Agreement, or in any manner contravene the same, on such unworthy conduct being well attested, it ought to be made publick; and on the same being so done, we will not, from thenceforth, have any commercial connection with such Merchant.

Fifth. That such as are owners of Vessels will give positive orders to their Captains or Masters not to receive on board their Vessels any Goods prohibited by the said Non-Importation Agreement, on pain of immediate dismission from their service.

Sixth. We will use our utmost endeavours to improve the breed of Sheep, and increase their number to the greatest extent, and to that end will kill them as sparingly as may be, especially those of the most profitable kind; nor will we export any to the *West Indies*, or elsewhere; and those of us who are, or may become overstocked with, or can conveniently spare any Sheep, will dispose of them to our neighbours, especially to the poorer sort, on moderate terms.

Seventh. That we will, in our several stations, encourage frugality, economy, and industry, and promote Agriculture, Arts, and the Manufactures of *America*, especially that of Wool; and will discountenance and discourage every species of extravagance and dissipation, especially Horse-Racing, and all kinds of gaming, Cock-Fighting, exhibitions of Shew, Plays, and other expensive diversions and entertainments; and on the death of any relation or friend, none of us, or our families, will go into any further mourning dress than a Black Crape or Ribbon on the arm or hat, for gentlemen; and a Black Ribbon and Necklace, for ladies; and we will discontinue the giving of Scarfs and Gloves at Funerals.

Eighth. That such as are venders of Goods or Merchandise, will not take advantage of the scarcity of Goods that may be occasioned by this Association, but will sell the same at the rates they have been accustomed to do for twelve months last past; and if any vender of Goods or Merchandise shall sell any Goods on higher terms, or shall, in any manner, or by any device whatsoever, violate or depart from this Agreement, no person ought, nor will any of us, deal with any such person, or his or her factor or agent, at any time thereafter, for any commodity whatever.

Ninth. In case any Merchant, Trader, or other person, shall receive any Goods or Merchandises which shall be shipped after the 15th day of *March*, and before the 15th day of *May* next, the same ought, forthwith, at the election of the owner, to be either re-shipped or delivered to the Committee of the Town, Parish, or District wherein they shall be imported, to be stored at the risk of the importer, until the Non-Importation Agreement shall cease, or be sold, under the direction of the Committee aforesaid; and in the last mentioned case, the owner or owners of such Goods shall be reimbursed, out of the sales, the first costs and charges; the profit, if any, to be applied towards relieving such poor inhabitants of the Town of *Boston* as are immediate sufferers by the Port Bill; and a particular account of all Goods so returned, stored, or sold, to be inserted in the publick Papers: and if any Goods or Merchandises shall be shipped after the said 15th day of *May* next, the same ought, forthwith, to be sent back again, without breaking any of the packages thereof.

Tenth. That a Committee be chosen in every Parish, Town, and District, by those who contribute towards the general tax, whose business it shall be attentively to observe the conduct of all persons touching this Association; and when it shall be made to appear to the satisfaction of a majority of any such Committee, that any person, within the limits of their appointment, has violated this Association, that such majority do forthwith cause the truth of the case to be published in the *Gazette*, to the end that all such foes to the rights of *British America* may be publickly known, and universally contemned as the enemies of *American* Liberty, and thenceforth we will respectively break off all dealings with him or her.

Eleventh. That the Committee of Correspondence do frequently inspect the entries of the Custom House, and inform the Committees of the other Provinces, from time to time, of the true state thereof, and of every other material circumstance that may occur relative to this Association.

Twelfth. That all Manufactures of this Province be sold at reasonable prices, so that no undue advantages be taken of a future scarcity of Goods.

And we do solemnly bind ourselves, and our constituents, under the ties aforesaid, to adhere to this Association, until *American* Grievances are redressed.

The foregoing Association being determined upon by the Congress, was ordered to be subscribed by the several Members thereof; and, thereupon, we have hereunto set our respective names accordingly.

In Congress, *Savannah, Georgia*, January 23, 1775.

John Glen, *Chairman.*	D. Zubly, Junior,	Samuel Germany,
Noble W. Jones,	James De Veaux,	John Wereat,
Samuel Farley,	Joseph Clay,	Jonathan Cochran,
Ambrose Wright,	Philip Box,	George M'Intosh,
Peter Tondee,	William Ewen,	Raymond Demere,
Thomas Lee,	George Walton,	William Jones,
William Young,	John Stirk,	James Cochran,
John M'Cluro,	Isaac Young,	Joseph Gibbons,
Archibald Bullock,	Robert Rae,	Francis H. Harris,
John Houston,	Robert Hamilton,	Samuel Elbert,
Joseph Habersham,	Edmund Bugg,	Henry Jones,
George Houston,	William Glascock,	William Lord,
Edward Telfair,	John Germany,	John Mann,
William Gibbons,	L. Marbury,	David Lewis,
Peter Bard,	Hugh Middleton,	George Wyche.

EXTRACT OF A LETTER FROM GEORGIA TO A GENTLEMAN IN NEW-YORK, DATED FEBRUARY 18, 1775.

Our Assembly met on the 18th of *January*, to which time it had been prorogued. The first day of the session, a Petition, signed by upwards of eighty principal people, was presented to the Commons House, condemning the measures pursued by the Northern Provinces, and praying they would take up the business in a temperate manner, and address the King, &c. Soon after, another Petition was presented to the same effect, signed by one hundred and eighty, from *St. George's* Parish, both which were read and laid on the table, but no farther notice taken of them.

The day of the Assembly's meeting, the Council sent the lower House a Message, desiring a conference with them on the present state of *American* affairs, and expressing their readiness to join them in constitutional measures for effecting a reconciliation with the mother country, on terms consistent with the dignity and safety of the whole *British* Empire, and the rights and liberties of *America*, to which no answer was sent for many days; at last the Commons House met in conference; the result was, they declined joining in the measures proposed.

Some time after a motion was made in the Commons House, to take into consideration some Papers and Letters received by the Speaker from some of the Northern Provinces, which was agreed to, and an early day appointed for it, but an adjournment till *May* put a stop to their proceedings.

Some months before the House met, a set of men, who had assumed to themselves the name of a Committee for the Parish of *Christ Church*, in which the Town of *Savannah* is included, issued their mandate for a Provincial Meeting of Delegates, to meet also on the 18th of *January*.

Accordingly, a number of people met, but how little were they to be considered in such a light, even supposing their election to have been a regular and legal one, I leave you to judge, for five Parishes out of twelve sent none at all, and in that of *St. Andrew's*, containing at least eight hundred men fit to bear arms, the Delegates were chosen by thirty-six only; also in *St. Paul's* Parish, which contains at least an equal number, there were no more than eighty that voted for sending Delegates, and I believe the same number voted only in *Christ Church* Parish. They continued to sit for eight or ten days, but as they have not printed or made publick their resolutions, it is not certainly known what they were, and I hope for the honour of the Province ever will remain so.

Digitized by Google

It is under consideration to augment the Army at large; but an augmentation to the Regiments in *America* is actually determined upon.

ST. JOHN'S PARISH, GEORGIA.

On *Thursday* evening, the 23d *February*, 1775, *Joseph Wood*, Esq., Mr. *Daniel Roberts*, and Mr. *Samuel Stevens*, three members of the Committee for the Parish of *St. John*, in *Georgia*, arrived in *Charlestown*, *South Carolina*, deputed to wait on the General Committee there, with the following Letter and account of the Proceedings of the patriotick Inhabitants of the said Parish, in the present critical situation of *American* affairs, viz:

At a Meeting held in the Parish of *St. John* and Province of *Georgia*, on the 9th of *February*, 1775:

A Letter from this Committee to the Committee of Correspondence in *Charlestown*, *South Carolina*, was agreed on and written.

It was then moved and agreed that some person or persons of this Committee do wait on the Committee in *Charlestown* with the said Letter.

Accordingly, Messrs. *Daniel Roberts* and *Samuel Stevens*, and *Joseph Wood*, Esquire, were appointed and authorized to present the same, and transact such matters relative thereto as shall seem prudent and necessary.

Taken from the Minutes by order of the Chairman, and certified by BENJAMIN BAKER, *Clerk*.

GENTLEMEN: We, the Committee of the Parish of *St. John*, take the earliest opportunity to lay before you the several steps taken by this Parish, to conform, as near as possible, to the Resolutions entered into by the other Provinces, and the measures now adopted for carrying into execution the Continental Association. As it was particularly recommended to us, we readily embraced those measures,* by subscribing an Agreement to accede to the General Association, on condition "that Trade and Commerce might be continued to us with the other Provinces," and we should immediately have sent it to you for your approbation, but were delayed by a summons to attend a Provincial Congress at *Savannah*, the 18th of *January* last, for the purpose, as we understood, of a General Association with the other Provinces, and for choosing Delegates to attend at the next Continental Congress, to be held at *Philadelphia*, in *May* next. We met at that time and place, and acquainted the Committees of the other Parishes then assembled, that the inhabitants of this Parish had acceded to the General Association on the above mentioned conditions, and earnestly recommended the same to them. They did enter into an Association, (a copy of which we transmit to you) but so different in our opinions from the Continental Association, that it appears to be a contravention of it, and exposes them to the censure of the fourteenth clause of the General Association.

First. They have extended the time limited for Exportations, beyond what is allowed by the Continental Congress, and thereby indulged a liberty of Exportations, to the prejudice of the other Provinces.

Secondly. For that, in their limited time of Importations, they have, contrary to the Continental Association, extended it in general to the 15th of *March* next, for Goods to be shipped in *England*, and for the *Indian* trade to a still greater latitude, under the cloak of which we have reason to believe may be introduced a large importation, equally adapted to the Whites as to the *Indians*; and, on the whole, such as we could not, consistent with our own Association, possibly join in.

Had they acceded fully to the General Association, even at so late a time as our Provincial Congress, we should have had no occasion to trouble you with this address; but, as they did not, we now apply to you to admit us, the subscribers of this Parish, to an alliance with you, requesting that you will allow trade and commerce to be continued to us, exclusive (if you think proper) of this Province in general; the same to be continued and conducted under such regulations and restrictions as shall be consistent with the Continental Association, and which, on our parts, we engage with all possible care to keep inviolate.

Our being a Parish of a non-associated Province, cannot, we presume, prevent our joining the other Provinces, as the restriction mentioned in the fourteenth clause of the General Association, must, as we apprehend, be considered as a general rule only, and respects this Province, considered in a mixed or promiscuous sense; but, as we of this Parish are a body detached from the rest, by our Resolutions and Association,* and sufficiently distinct by local situation, large enough for particular notice, and have been treated as such by a particular Address from the late Continental Congress; adjoining a sea-port, and in that respect capable of conforming to the General Association, (if connected with you,) with the same fidelity as a distant Parish of your own Province, therefore we must be considered as comprehended within the spirit and equitable meaning of the Continental Association; and we are assured you will not condemn the innocent with the guilty, especially when a due separation is made between them. We now wait your answer, and shall be glad of your advice.

Signed by order of the Committee,

LYMAN HALL, *Chairman*.

Midway, February 9, 1775.

To the Committee of Correspondence in *Charlestown*, *South Carolina*.

Extracts from the Minutes of the Proceedings of the Committee of the Parish of ST. JOHN, *met at* SAVANNAH, *the* 18*th day of* JANUARY, 1775.

Wednesday, *January* 18, 1775.—The Committee met, and Doctor *Lyman Hall* took the Chair.

The following Message was sent to the Committees of the several Parishes in Congress sitting:

GENTLEMEN: The Committee of the Parish of *St. John*, present the Committees of the other Parishes with a copy of the Letter received by them from the late Continental Congress, and, agreeably to the advice therein contained, the inhabitants of the Parish of *St. John* have acceded to the General Association entered into and recommended by the said Continental Congress. They hope you will adopt the same measures.

Thursday, *January* 19, 1775.—The Committee sat until six o'clock in the afternoon, in expectation that the Committees of the several Parishes in Congress sitting, would return an answer to the Message delivered to them yesterday, which not being received, the Committee adjourned.

Friday, *January* 20, 1775.—Another Message was sent to the Committees of the several Parishes in Congress met, in the following terms:

GENTLEMEN: On the first day of your meeting we presented you with a Message, acquainting you that the inhabitants of the Parish of *St. John* had acceded to the General Association entered into, and particularly recommended to them by the late Continental Congress. We have patiently waited your answer, and wish to impute your silence rather to inattention than design. We now assure you, that if you think proper to enter fully into the measures of the late Continental Congress, we will heartily join you in every thing that may tend to enforce them.

The Committees of the several Parishes met in Congress, sent the following Answer thereto:

GENTLEMEN: In answer to your Message of this morning, we beg leave to inform you of three determinations, from which, this Congress, we hope, will never recede.

First. That we shall be glad to have the Province upon this occasion, as fully represented as possible; and will therefore cheerfully receive the Delegates of *St. John's* Parish, as a part of us.

Secondly. That we apprehend every Delegate here, is accountable to his constituents and his own conscience, for the opinion he gives at this time; and therefore, ought not to let any other man, or set of men, judge for him.

Thirdly. That we trust no Member amongst us has any other object in view than the publick good.

Saturday, *January* 21, 1775.—The Committee met, and came to the following Resolutions:

Resolved, That the Committees of the several Parishes in Congress now sitting, are not or cannot be called a Pro-

* On the first of *December* last.

* The number that subscribed the said Association amount to one hundred and seventy-five substantial inhabitants.

Digitized by Google

vincial Congress, as the greater number of the Parishes in this Province are not represented therein; they therefore are not bound by the proceedings of the said Committees, although they may arrogate to themselves such a power.

Resolved, That as the Committees of the several Parishes in Congress now sitting, have not fully approved of and adopted the measures entered into and recommended by the late Continental Congress, this Committee cannot join them without violating the General Association, which they have already acceded to, and betraying the trust reposed in them by their constituents.

And then the Committee adjourned *sine die*.

The above Extracts taken from the original Minutes, by JOSEPH WOOD, *Secretary*.

IN GENERAL COMMITTEE,

Charlestown, South Carolina, February 8, 1775.

Inasmuch as the Colony of *Georgia* hath not acceded to the Continental Association entered into by the General Congress at *Philadelphia*, on the 20th of *October* last; therefore, and in conformity to the Resolutions of the said General Congress,

Resolved, That we will, from henceforth, have no Trade, Commerce, Dealings, or Intercourse, with the said Colony of *Georgia;* but will hold them as unworthy of the rights of freemen, and as inimical to the liberties of their country: provided that this Resolution shall not be construed to extend to the inhabitants of this Colony now having Plantations in *Georgia*, so as to prevent them from bringing their Crops into this Colony; or to such persons resident in this Colony as now have debts due to them in *Georgia*, so as to prevent them from receiving payment of such debts there, in money, or in the commodities of that Colony, they having such commodities shipped from thence to *Europe*.

Ordered, That copies of the above Resolution be transmitted to all the Northern Colonies.

February 16, 1775.

Resolved, That the persons residing in this Colony, who hold Plantations in *Georgia*, may, under the inspection of the Committee of Observation, send necessaries from hence for the use of those Plantations, without the same being deemed a violation of the Resolution of this Committee, of the 8th instant, respecting the Colony of *Georgia*.

February 24, 1775.

A Letter and sundry other Papers, from the Parish of *St. John's*, in *Georgia*, (as above) was read, and maturely considered. But the Committee being determined, in all cases, to adhere literally, as far as possible, to every Article of the Continental Association, could do no more in the present, than enter into the following Resolution, viz:

Resolved, That the Chairman be desired to write a proper Letter to the Committee of the Parish of *St. John*, in *Georgia*, assuring them of the high sense we have of their arduous struggles in favour of the common cause of *America*, and that we sincerely lament their present unhappy situation; but that, as the said Parish, being a part of the Colony of *Georgia*, in our opinion, falls under the fourteenth Article of the General Association, so we apprehend that it is not in our power to give them the relief they desire; and we can only recommend that they will persevere in their laudable exertions, and lay a state of their case before the ensuing Continental Congress, making no doubt that it will by them be properly considered.

Ordered, That the Secretary do furnish the Deputies from *St. John's* with copies of all the Proceedings of this Committee, relative to the Colony of *Georgia*.

HUNTERDON COUNTY (NEW-JERSEY) COMMITTEE.

At a Meeting of the several Township Committees, in the County of *Hunterdon*, and Province of *New-Jersey*, held at *John Ringo's*, the 18th day of *January*, 1775: Present, sixty members.

JOHN HART, Esquire, *Chairman*.

The Committee taking into consideration the Proceedings of the late Continental Congress, highly approve thereof, and the Association entered into do recommend and will abide by, and thank the Delegates for their firm and steady conduct.

The Committee then taking into their consideration the method of choosing Delegates for this Province, to attend at *Philadelphia*, the 10th day of *May* next, or sooner, if necessary, in Continental Congress, agreed to adopt the measure pursued by the several County Committees of this Province, the 21st day of *July* last, and do recommend that the several County Committees meet at *Trenton*, on *Wednesday*, the 29th day of *March* next, unless some other time and place should be agreed on by a majority of the Counties in this Province, to choose Delegates for the purpose aforesaid, and we do hereby appoint *Samuel Tucker, John Mehelm, John Hart, Daniel Hunt, Jasper Smith, Charles Coxe, Richard Stevens, Samuel Johnson*, Esquires, Messrs. *Thomas Jones*, and *Thomas Stout*, a County Committee for the purpose aforesaid, who, or any three of them, are also appointed a Committee of Correspondence, and a majoriy of the whole Committee to have power to call Committees of the several Townships together, at such times and places as they may judge necessary.

This Committee to continue till the Proceedings of the next Continental Congress be published, or a new Committee chosen. SAMUEL CORWINE, *Clerk*.

DUTCHESS COUNTY (NEW-YORK) ASSOCIATION.

We, the subscribers, being desirous to convince mankind that we are firmly attached to our most happy Constitution, and are disposed to support and maintain peace and good order under his Majesty's Government, do therefore declare, that our Sovereign Lord King *George* the Third, is the only Sovereign to whom *British America* can, or ought to owe and bear true and faithful allegiance, and that there is no legal power or authority therein but what is only derived from them; that our Representatives, in General Assembly convened, are the only guardians of our Rights and Liberties; that without them no laws here can be made to bind us, and that they only are the channel through which our grievances can properly be represented for redress; and that, to support their right and authority, we do hereby associate and mutually covenant and engage to and with each other as follows, namely:

First. That we will upon all occasions stand by and assist each other in the defence of his life, liberty, and property, whenever the same shall be attacked or endangered by any bodies of men riotously assembled, upon any pretence, or under any authority whatsoever, not warranted by the laws of the land.

Second. That we will upon all occasions mutually support each other in the free exercise and enjoyment of our undoubted right to liberty in eating, drinking, buying, selling, communing, and acting what, with whom, and as we please, consistent with the laws of *God*, and the laws of the land, notwithstanding the Association entered into by the Continental Congress to the contrary.

Lastly, That we will endeavour to promote, encourage, and, when called upon, enforce obedience to the rightful authority of our most gracious Sovereign King *George* the Third, and the laws which can, do, or may constitutionally extend to, or in the *British* Colonies in *America*.

In witness whereof, we have hereunto set our hands, this eighteenth day of *January*, in the fifteenth year of the reign of our Sovereign Lord *George* the Third, by the grace of *God* of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c., and in the year of our Lord Christ one thousand seven hundred and seventy-five.

Signed by a number of Inhabitants of DUTCHESS *County*.

EXTRACT OF A LETTER FROM MONTREAL, DATED JANUARY 18, 1775.

The *French* translations of the Address to the inhabitants of this country, which were ordered by the Congress to be sent here, are not yet come to hand; but there has been a translation made at *Quebec*, and munuscript copies of it handed about among the *French* Bourgeois, (our Printer dares not publish any thing of that nature,) but they have been so little accustomed to speak or think on subjects of that kind, and are so much afraid of giving

Digitized by Google

the smallest offence to Government, that they will avoid taking any part in the matter. The Noblesse enter very sanguinely into the scheme of raising Troops, but the Priests, we are well assured, disapprove of it. The greatest part of the Noblesse reside in this District, and upwards of fifty of them are now gone down to *Quebec*, to pay their respects to the Governour, and attend a Ball, usually given by Government on the Queen's birth-night. They expect to come back with commissions in their pockets, but our Governour has not yet received his instructions. Wheat, owing to the great orders last year, is extravagantly high, nothing less than three Shillings, nine Pence, (equal to five Shillings, and three Pence, *Pennsylvania* currency, for our bushel.) We would be glad to know whether the Resolve of the Congress will be adhered to, in dropping connection with us, unless we come into their measures. In this case we must order shipping from *England*. We have never exported more than ten thousand bushels of Flaxseed in a year; the small quantity exported is owing to the low price, being often at two Shillings, and two Shillings and six Pence. This year it has been as high as five Shillings and six Pence, and if, before Spring, the people are assured of a good price, there will be one hundred thousand bushels raised in the Province, or even more.

EXTRACT OF A LETTER TO A GENTLEMAN IN NEW-YORK, DATED SHREWSBURY, NEW-JERSEY, JANUARY 18, 1775.

In consequence of an anonymous advertisement fixed up at this place, giving notice to the Freeholders and others, to meet on *Tuesday*, the 17th instant, in order to choose a Committee of Inspection, &c., &c., between thirty and forty of the most respectable Freeholders accordingly met; and after a few debates on the business of the day, which were carried on with great decency and moderation, it was generally agreed (there being not above four or five dissentient voices,) that an appointment of a Committee was not only useless, but they were apprehensive would prove a means of disturbing that peace and quietness which had hitherto subsisted in the Township, and which they were extremely desirous, and would continue to use their utmost endeavours to preserve, and to guard themselves against running upon that rock, on which, with much concern, they behold others, through an inattentive rashness, daily splitting.

FINCASTLE COUNTY (VIRGINIA) MEETING.

In obedience to the Resolves of the Continental Congress, a Meeting of the Freeholders of *Fincastle* County, in *Virginia*, was held on the 20th day of *January*, 1775, who, after approving of the Association framed by that august body in behalf of all the Colonies, and subscribing thereto, proceeded to the election of a Committee, to see the same carried punctually into execution, when the following gentlemen were nominated: the Reverend *Charles Cummings*, Colonel *William Preston*, Colonel *William Christian*, Captain *Stephen Trigg*, Major *Arthur Campbell*, Major *William Inglis*, Captain *Walter Crockett*, Captain *John Montgomery*, Captain *James M'Gavock*, Captain *William Campbell*, Captain *Thomas Madison*, Captain *Daniel Smith*, Captain *William Russell*, Captain *Evan Shelby*, and Lieutenant *William Edmondson*. After the election the Committee made choice of Colonel *William Christian* for their Chairman, and appointed Mr. *David Campbell* to be Clerk.

The following Address was then unanimously agreed to by the people of the County, and is as follows:

To the Honourable PEYTON RANDOLPH, *Esquire*, RICHARD HENRY LEE, GEORGE WASHINGTON, PATRICK HENRY, *Junior*, RICHARD BLAND, BENJAMIN HARRISON, *and* EDMUND PENDLETON, *Esquires, the Delegates from this Colony who attended the Continental Congress held at* PHILADELPHIA:

GENTLEMEN: Had it not been for our remote situation, and the *Indian* War which we were lately engaged in, to chastise those cruel and savage people for the many murders and depredations they have committed amongst us, now happily terminated under the auspices of our present worthy Governour, his Excellency the Right Honourable the Earl of *Dunmore*, we should before this time have made known to you our thankfulness for the very important services you have rendered to your country, in conjunction with the worthy Delegates from the other Provinces. Your noble efforts for reconciling the mother country and the Colonies, on rational and constitutional principles, and your pacifick, steady, and uniform conduct in that arduous work, entitle you to the esteem of all *British America*, and will immortalize you in the annals of your country. We heartily concur in your Resolutions, and shall, in every instance, strictly and invariably adhere thereto.

We assure you, gentlemen, and all our countrymen, that we are a people whose hearts overflow with love and duty to our lawful Sovereign *George* the Third, whose illustrious House for several successive reigns have been the guardians of the civil and religious rights and liberties of *British* subjects, as settled at the glorious Revolution; that we are willing to risk our lives in the service of his Majesty, for the support of the Protestant Religion, and the rights and liberties of his subjects, as they have been established by Compact, Law, and Ancient Charters. We are heartily grieved at the differences which now subsist between the parent state and the Colonies, and most ardently wish to see harmony restored on an equitable basis, and by the most lenient measures that can be devised by the heart of man. Many of us and our forefathers left our native land, considering it as a Kingdom subjected to inordinate power, and greatly abridged of its liberties; we crossed the *Atlantic*, and explored this then uncultivated wilderness, bordering on many nations of Savages, and surrounded by Mountains almost inaccessible to any but those very Savages, who have incessantly been committing barbarities and depredations on us since our first seating the country. These fatigues and dangers we patiently encountered, supported by the pleasing hope of enjoying those rights and liberties which had been granted to *Virginians*, and were denied us in our native country, and of transmitting them inviolate to our posterity; but even to these remote regions the hand of unlimited and unconstitutional power hath pursued us, to strip us of that liberty and property with which *God*, nature, and the rights of humanity have vested us. We are ready and willing to contribute all in our power for the support of his Majesty's Government, if applied to constitutionally, and when the grants are made by our own Representatives, but cannot think of submitting our liberty or property to the power of a venal *British* Parliament, or to the will of a corrupt Ministry.

We by no means desire to shake off our duty or allegiance to our lawful Sovereign, but on the contrary, shall ever glory in being the loyal subjects of a Protestant Prince, descended from such illustrious progenitors, so long as we can enjoy the free exercise of our Religion as Protestants, and our Liberties and Properties as *British* subjects.

But if no pacifick measures shall be proposed or adopted by *Great Britain*, and our enemies will attempt to dragoon us out of those inestimable privileges, which we are entitled to as subjects, and to reduce us to a state of slavery, we declare that we are deliberately and resolutely determined never to surrender them to any power upon earth, but at the expense of our lives.

These are our real, though unpolished sentiments, of liberty and loyalty, and in them we are resolved to live and die.

We are, gentlemen, with the most perfect esteem and regard, your most obedient servants.

New-York, January 19, 1775.

ADDRESS FROM THE COMMITTEE OF CORRESPONDENCE OF THE TOWNSHIP OF JAMAICA, IN QUEEN'S COUNTY, LONG-ISLAND, PRESENTED TO THE DELEGATES WHO REPRESENTED THIS PROVINCE IN THE LATE GENERAL CONGRESS:

GENTLEMEN: We cheerfully embrace this opportunity of publickly acknowledging in behalf of ourselves, and our constituents, our most grateful sense of the arduous, faithful, and important services you have rendered your country, in the present most alarming conjunction of affairs.

Permit us to declare our hearty acquiescence in the prudent, just, and well concerted measures adopted by you at the last General Congress, held at *Philadelphia*, and to assure you, that we will exert our utmost endeavours to carry those measures into execution.

Digitized by Google

We ardently pray that the Supreme Disposer of events, who is the refuge of the distressed, and the assured friend of the benefactors of mankind, may signally reward and succeed your noble and generous designs and efforts, for the redress of our grievances, and the vindication of our injured rights and liberties.

We joyfully anticipate the pleasure of seeing your names, and the names of your worthy and respectable brethren of the Congress, enrolled in the annals of *America*, and transmitted to the latest generations, as the friends and deliverers of your country; of beholding your conduct and measures, applauded and adopted by every City, Town, and County, in the *British* Colonies, and of having your just and well merited praises resounded from one end of this extensive Continent to the other.

Gentlemen, with hearts penetrated with unutterable gratitude, and overflowing with benevolent wishes for every blessing on you and your posterity, we have the honour of being your affectionate countrymen, and much obliged humble servants. By order of the Committee.

ABRAHAM KETELTAS, *Chairman.*

To *Philip Livingston, James Duane, John Jay, John Alsop, Isaac Low, Simon Boerum, Henry Wisner,* and *William Floyd,* Esquires.

TO WHICH THEY RETURNED THE FOLLOWING ANSWER:

GENTLEMEN: In the present important contest for the rights and liberties of *America,* it gives us pleasure to find so respectable a number of the inhabitants of *Queen's* County publickly testifying their approbation of our conduct at the late Congress, and cheerfully disposed to cooperate with their countrymen in the defence of the common cause.

The pacifick mode of opposition prescribed by the Association, against the ruinous policy of a deceived and vindictive Ministry, although productive of temporary inconveniences, will, in all probability, terminate in the restoration of those inestimable privileges, which, as *Englishmen,* are our unalienable birth-right.

The power, the glory, and stability of the *British* Empire, (of which *America* composes so capital a branch,) depend on the connection and harmony of its several members, and therefore a cordial and permanent union with the parent state, founded on principles of constitutional liberty, cannot cease to be the object of our earnest solicitude, and the grand point in which the efforts of every wise and virtuous Patriot must ultimately centre. Directed by a motive so laudable and salutary, while, by faithfully adhering to the Association, we manifest a zealous attachment to the interest of our country, and an inflexible resolution to maintain our just rights with manly fortitude, let us, by studiously preserving the internal order and tranquillity of the Province, and discountenancing every act of outrage and licentiousness, convince our enemies, that, far from being intoxicated by giddy ambition, or inflamed by a restless spirit of faction, we hold nothing in greater abhorrence than the malignant charge that we aspire after domination and independence.

Permit us to add our most grateful acknowledgments for the obliging and affectionate sentiments expressed in your letter, and to assure you, that we shall esteem ourselves happy in every opportunity of contributing to your welfare and prosperity. We are, gentlemen, with the greatest esteem, your most obedient and obliged servants,

PHILIP LIVINGSTON, ISAAC LOW,
JAMES DUANE, JOHN JAY.
JOHN ALSOP,

To the Reverend Mr. *Abraham Keteltas,* Chairman, and the Gentlemen of the Committee for the Township of *Jamaica.*

EXTRACT OF A LETTER FROM A GENTLEMAN IN MASSACHUSETTS TO HIS FRIEND IN LONDON, DATED JANUARY 21, 1775.

You have no doubt long before this time heard the particulars of the General Congress, and that the Court and the Country have digested their thoughts upon them, if not adopted their consequent plans of conduct. *God* grant that the Nation and Parliament may think favourably of them, and grant the prayer of our Petition to the King. *Britain* and *America* are made to be friends; and it is the most unnatural, detestable quarrel between them, that ever happened in the world. *Britons* and *Americans* may write or say what they will, but this quarrel never will, and never can, be made up, but by restoring us to the state we were in, in 1763. It is as certain as that *London* or *Boston* exist, that no other plan or scheme of policy that ever can be invented, will keep the two countries together, but that which nature dictated, and which experience found useful for one hundred and fifty years. It is in vain, it is delirium, it is phrenzy, to think of dragooning three millions of *English* people out of their liberties, at the distance of three thousand miles. It is still more extravagantly wild for a Nation to think of doing it, when itself is sinking down into a bottomless gulf of debt, in order to make the conquered lift her out of it.

The Congress have drawn a line by the banks of the Ocean. They have claimed their own exclusive jurisdiction in all interiour concerns, and in all cases of Taxation. They have left to *Great Britain* the exclusive sovereignty of the Ocean, and over their Trade. They have placed both upon constitutional principles; and if *Britons* are not content with all we have but our liberty, we say, as the Corporation of *London* said to the King, in 1770, "we "call *God* and men to witness, that as we do not owe our "liberty to those nice and subtile distinctions which pen-"sions and lucrative employments have invented, so neither "will we be deprived of it by them; but as it was gained "by the stern virtue of our ancestors, by the virtue of their "descendants it shall be preserved."

The Congress consisted of the Representatives of twelve Colonies. Three millions of free white people were there represented. Many of the Members were gentlemen of ample fortunes and eminent abilities. Neither corruption nor intrigue had any share, I believe, in their elections to this service, and in their proceedings you may see the sense, the temper, and principles of *America,* and which she will support and defend even by force of arms, if no other means will do.

The state of this Province is a great curiosity. I wish the pen of some able historian may transmit it to posterity. Four hundred thousand people are in a state of nature, and yet as still and peaceable at present as ever they were when Government was in full vigour. We have neither Legislators, nor Magistrates, nor Executive Officers. We have no officers but Military ones. Of these we have a multitude, chosen by the people, and exercising them with more authority and spirit than ever any did who had commissions from a Governour.

The Town of *Boston* is a spectacle worthy of the attention of a Deity; suffering amazing distress, yet determined to endure as much as human nature can, rather than betray *America* and posterity. General *Gage's* Army is sickly, and extremely addicted to desertion. What would they be if things were brought to extremities? Do you think such an Army would march through our woods and thickets, and Country Villages, to cut the throats of honest people contending for liberty?

The neighbouring Colonies of *New-Hampshire, Rhode-Island,* and *Connecticut,* are arming and training themselves with great spirit; and if they must be driven to the last appeal, devoutly praying for the protection of Heaven.

There is a spirit prevailing here such as I never saw before. I remember the conquest of *Louisburg,* in 1745; I remember the spirit here when the Duke *D'Anville's* Squadron was upon this Coast, when forty thousand men marched down to *Boston,* and were mustered and numbered upon the Common, complete in Arms, from this Province only in three weeks; but I remember nothing like what I have seen these six months past.

CHARLES COUNTY (MARYLAND) COMMITTEE.

At a Meeting of the Committee of *Charles* County, at Mrs. *Anne Halkerston's,* in *Port Tobacco* Town, on *Saturday,* the 21st day of *January,* 1775:

Captain GEORGE DENT, *Chairman,* and
JOHN GWINN, *Clerk.*

Moved and seconded, That the sense of this Committee be taken, whether any Directions shall be given to the Attorneys of this County, to prevent their bringing Suits at Law, further than is done by the last Provincial Conven-

Digitized by Google

tion; whereupon, the sense of this Committee was taken, and it was

Resolved, by a great majority, That no further restraint should be laid upon the bringing Suits at Law in this County, than is done by the last Provincial Convention.

By his Excellency the Right Honourable JOHN, *Earl of* DUNMORE, *his Majesty's Lieutenant and Governour-General of the Colony and Dominion of* VIRGINIA, *and Vice Admiral of the same:*

A PROCLAMATION.

VIRGINIA, *to wit:*

Whereas, by the blessing of *God*, and the prudence and resolution of the officers and men employed in the expedition against the *Indians*, the disturbances which had occasioned such distress and devastation in the back settlements in this Colony, have happily been put an end to; and the *Shawanese*, from whose incursions the most dreadful effects were felt, to remove all ground of future quarrel, have agreed not to hunt on this side the *Ohio*, and have solemnly promised not to molest any passengers on that River; but, on the contrary, to give them every assistance and protection; and have consented to receive and to follow all such regulations of their trade as shall hereafter be dictated to them, which may be productive of infinite benefit to the trading people of *Virginia;* and in return, I have engaged for the people of this Colony, that they will treat the said *Shawanese Indians* with every possible indulgence, and every mark of friendliness, and when their occasions oblige them to pass through any part of this Dominion, that they shall be protected from all injury.

And whereas, I have received authentick accounts that the *Cherokee* Nation of *Indians* have put to death the persons of their Tribe who had been concerned in the murder of young *Russell*, and others in company with him, which remarkable instance of their good faith and strict regard to justice, as it cannot but evince the sincere desire they entertain of living in peace and good agreement with us, so I hope will dispose all the people of this Colony to acts of beneficence towards, and a friendly intercourse with, all this part of their fellow-creatures.

I have therefore thought fit, with the advice of his Majesty's Council, to issue this Proclamation, hereby requiring all persons in this Government strictly to refrain from committing any violence upon, or doing any injury to, *Indians* of whatsoever Tribe or Nation, and from every encroachment upon their territory, which may give them cause of complaint; and I do direct and command all Magistrates and other Officers to be aiding and assisting in preserving the peace now established, by immediately apprehending all violators of it, and by protecting the *Indians* by every means in their power.

Given under my hand and the seal of the Colony, at *Williamsburg*, this 23d day of *January*, in the fifteenth year of his Majesty's reign. DUNMORE.

GOD *save the King*.

PENNSYLVANIA CONVENTION.

Proceedings of the Convention for the Province of PENNSYLVANIA, *held at* PHILADELPHIA, JANUARY 23, 1775, *and continued by adjournments until the* 28*th:* Present,

For the City and Liberties of PHILADELPHIA.—*John Dickinson*, Esquire, *Thomas Mifflin*, Esquire, *Charles Thompson*, Esquire, *John Cadwallader*, Esquire, *George Clymer*, Esquire, *Joseph Read*, Esquire, *Samuel Meredith*, *William Rush*, *James Mease*, *John Nixon*, *John Cox*, *John Bayard*, *Christopher Ludwig*, *Thomas Barclay*, *George Schlosser*, *Jonathan B. Smith*, *Francis Wade*, *Lambert Cadwallader*, *Reynbold Keen*, *Richard Bache*, *John Benezet*, *Jacob Rush*, Esquire, *William Bradford*, *Elias Boys*, *Thomas Robinson*, *Manuel Eyre*, *Owen Biddle*, *William Heysbram*, *James Milligan*, *John Wilcox*, *Sharp Delany*, *Francis Gurney*, *John Purviance*, *Robert Knox*, *Francis Hassenclever*, *Thomas Cuthbert*, Senior, *William Jackson*, *Isaac Melchor*, *Samuel Penrose*, *Isaac Coates*, *William Coates*, *Blathwaite Jones*, *Thomas Pryor*, *Samuel Massey*, *Robert Towers*, *Henry Jones*, *Joseph Wetherill*, *Joseph Copperthwaite*, *Joseph Dean*, *Benjamin Harbeson*, *James Ash*, *Benjamin Loxley*, *William Robinson*, *Rickloff Alberson*, and *James Irvine*.

County of PHILADELPHIA.—*George Gray*, Esquire, *John Bull*, Esquire, *Samuel Ashmead*, Esquire, *Samuel Ervine*, Esquire, *John Roberts*, *Thomas Ashton*, *Benjamin Jacobs*, *John Moore*, Esquire, *Samuel Miles*, Esquire, *Edward Milnor*, *Jacob Laughlan*, and *Melchior Wagener*.*

County of CHESTER.—*Anthony Wayne*, Esquire, *Hugh Lloyd*, *Richard Thomas*, *Francis Johnson*, Esquire, *Samuel Fairlamb*, *Lewis Davis*, *William Montgomery*, *Jos. Musgrave*, *Joshua Evans*, and *Persifer Frazer*.

County of LANCASTER.—*Adam Simon Ruhn*, Esquire, *James Climson*, Esquire, *Peter Grubb*, *Sebastian Graaf*, *David Jenkins*, and *Bartram Galbraith*.

County of YORK.—*James Smith*, Esquire, *Thos. Hartley*, Esquire, *Joseph Donaldson*, *George Eichelberger*, *John Hay*, *George Irwin*, and *Michael Smyser*.

County of CUMBERLAND.—*James Wilson*, Esquire, and *Robert Magaw*, Esquire.

County of BERKS.—*Edward Biddle*, Esquire, *Christopher Schultz*, *Jonathan Potts*, Esquire, *Mark Bird*, Esquire, *John Patton*, Esquire, *Baltazar Gehr*, Esquire, and *Sebastian Levan*.

County of NORTHAMPTON.—*George Taylor*, Esquire, *John Oakley*, Esquire, *Peter Ruehlain*, Esquire, and *Jacob Arndt*, Esquire.

County of NORTHUMBERLAND.—*Wm. Plunkett*, Esq., and *Casper Weitsell*, Esquire.

The Chairman of the *Philadelphia* Committee opened the Convention, by explaining the motives which induced said Committee to propose the holding this Convention.

Joseph Read, Esquire, was chosen President of this Convention.

Messrs. *Jonathan B. Smith*, *John Benezet*, and *Francis Johnson*, Esquire, were chosen Secretaries.

On motion,

Resolved unanimously, That the Committee of the City of *Philadelphia*, and each County Committee, shall have one vote in determining every question that may come before this Convention.

Resolved unanimously, That this Convention most heartily approve of the conduct and proceedings of the Continental Congress; that we will faithfully endeavour to carry into execution the measures of the Association entered into and recommended by them; and that the Members of that very respectable body merit our warmest thanks, by their great and disinterested labours for the preservation of the rights and liberties of the *British* Colonies.

On motion,

Resolved unanimously, That it be and it is hereby recommended to the several Members of this Convention, to promote and encourage Instructions or Advice from their several Counties, to their Representatives in General Assembly, to procure a law prohibiting the future Importation of Slaves into this Province.

Resolved unanimously, That in case the Trade of the City and Liberties of *Philadelphia* shall be suspended, in consequence of the present struggle, it is the opinion of this Convention that the several Counties should, and that the Members of this Convention will, exert themselves to afford all the necessary relief and assistance to the inhabitants of the said City and Liberties, who will be more immediately affected by such an event.

Resolved unanimously, That if any opposition shall be given to any of the Committees of this Province, in carrying the Association of the Continental Congress into execution, the Committees of the other Counties, in order to preserve the said Association inviolate, will give all the weight and assistance in their power to the Committee who shall meet with such opposition.

Resolved unanimously, That it is the most earnest wish and desire of this Convention to see harmony restored between *Great Britain* and the Colonies; that we will exert our utmost endeavours for the attainment of that most de-

* TO THE PUBLICK.—I think it necessary to say, that the late Convention held at *Philadelphia*, undeservedly inserted my name in the County Committee list. As I left said Convention before the second Resolve was ended, I think it my duty to recall my name from the said list, as I cannot comply with every resolve made in my absence, and do not intend to meet them again. MELCHIOR WAGENER.

Digitized by Google

sirable object; that it is the opinion of this body that the commercial opposition pointed out by the Continental Congress, if faithfully adhered to, will be the means of rescuing this unhappy country from the evils meditated against it. But if the humble and loyal Petition of said Congress to his most gracious Majesty, should be disregarded, and the *British* Administration, instead of redressing our grievances, should determine, by force, to effect a submission to the late arbitrary Acts of the *British* Parliament; in such a situation, we hold it our indispensable duty to resist such force, and at every hazard to defend the Rights and Liberties of *America*.

Whereas, it has been judged necessary, for the preservation of our just Rights and Liberties, to lay a restraint on our Importations; and as the freedom, happiness, and prosperity of a state greatly depend on providing within itself a supply of articles necessary for subsistence, clothing, and defence, a regard for our country, as well as common prudence, call upon us to encourage Agriculture, Manufactures, and Economy; therefore, this Convention do resolve as follows:

Resolved unanimously, That from and after the first day of *March* next, no person or persons should use in his, her, or their families, unless in cases of necessity, and on no account sell to the Butchers, or kill for the market, any Sheep under four years old; and where there is a necessity for using any Mutton in their families, it is recommended to kill such as are the least profitable to keep.

Resolved unanimously, That we recommend the setting up of Woollen Manufactures in as many different branches as possible, especially Coating, Flannel, Blankets, Rugs, or Coverlids, Hosiery, and Coarse Cloths, both broad and narrow.

Resolved unanimously, That we recommend the raising and manufacturing of Madder, Woad, and such other Dye Stuffs as may be raised in this Province to advantage, and are absolutely necessary in the Woollen Manufactories.

Resolved unanimously, That each person having proper land should raise a quantity of Flax and Hemp, sufficient not only for the use of his own family, but also to spare to others on moderate terms; and that it be recommended to the Farmers to provide themselves early with a sufficient quantity of Seed, for the proposed increase of the above articles of Hemp and Flax.

Resolved unanimously, As Salt is a daily and almost indispensable necessary of life, and the making of it among ourselves must be esteemed a valuable acquisition, we therefore recommend the making of it in the manner used in *England* and other countries; and are of opinion it may be done with success in the interiour parts of this Province, where there are Salt springs, as well as on the sea-coasts.

Resolved unanimously, That Saltpetre being an article of great use and consumption, we recommend the making of it, and are of farther opinion it may be done to great advantage.

Resolved unanimously, That the necessity we may be under for Gunpowder, especially in the *Indian* trade, induces us to recommend the manufacturing that article as largely as possible, by such persons who are or may be owners of Powder-Mills in this Province.

Resolved unanimously, That we recommend the manufacturing of Iron into Nails and Wire, and all other articles necessary for carrying on our Manufactures, evidently in general use, and which, of consequence, should our unhappy differences continue, will be in great demand.

Resolved unanimously, That we are of opinion the making of Steel ought to be largely prosecuted, as the demand for this article will be great.

Resolved unanimously, That we recommend the making of different kinds of Paper now in use among us, to the several Manufacturers; and as the success of this branch depends on a supply of old Linen and Woollen Rags, request the people of this Province, in their respective houses, may order the necessary steps to be taken for preserving these otherwise useless articles.

Resolved unanimously, That as the consumption of Glass is greater than the Glass-Houses now established among us can supply, we recommend the setting up other Glass-Houses, and are of opinion they would turn out to the advantage of the proprietors.

Resolved unanimously, That whereas Wool Combs and Cards have for some time been manufactured in some of the neighbouring Colonies, and are absolutely necessary for carrying on the Hosiery and Clothing business, we do recommend the establishing such a Manufactory in this Province.

Resolved unanimously, That we also recommend the manufacturing of Copper into Sheets, Bottoms, and Kettles.

Resolved unanimously, That we recommend the making of Tin Plates, as an article worthy the attention of the people of this Province.

Resolved unanimously, That as Printing Types are now made to a considerable degree of perfection by an ingenious Artist in *Germantown*, it is recommended to the Printers to use such Types in preference to any which may be hereafter imported.

Resolved unanimously, That we recommend the erecting a great number of Fulling-Mills, and Mills for breaking, swingling, and softening Hemp and Flax, and also the making of Grindstones in this country.

Resolved unanimously, That as the brewing of large quantities of Malt Liquors within this Province, would tend to render the consumption of Foreign Liquors less necessary, it is therefore recommended that proper attention be given to the cultivation of Barley; and that the several Brewers, both in City and Country, do encourage it by giving a reasonable and sufficient price for the same.

Resolved unanimously, That we recommend to all the inhabitants of this Province, and do promise for ourselves in particular, to use our own Manufactures, and those of the other Colonies, in preference to all others.

Resolved unanimously, That for the more speedily and effectually putting these Resolves in execution, we do earnestly recommend Societies may be established in different parts, and are of opinion that Premiums ought to be granted in the several Counties, to persons who may excel in the several branches of Manufactory; and we do further engage, that we, in our separate Committees, will promote them to the utmost of our power.

Resolved unanimously, That if any Manufacturer or Vender of Goods and Merchandises in this Province, shall take advantage of the necessities of his country, by selling his Goods or Merchandise at an unusual and extravagant profit, such person shall be considered as an enemy to his country, and be advertised as such by the Committees of the place where such offender dwells.

On motion,

Resolved unanimously, That the Committee of Correspondence for the City and Liberties of *Philadelphia*, be a Standing Committee of Correspondence for the several Counties here represented; and that if it should at any time hereafter appear to the Committee of the City and Liberties, that the situation of publick affairs render a Provincial Convention necessary, that the said Committee of Correspondence do give the earliest notice thereof to the Committees of the several Counties.

Ordered, That the Proceedings of this Convention be sent to the Press and printed in *English* and *German*, under the direction of the President and Messrs. *Jonathan B. Smith* and *John Benezet*.

JONATHAN B. SMITH,
JOHN BENEZET,
FRANCIS JOHNSON, } *Secretaries.*

TO THE PUBLICK.

Boston, January 20, 1775.

The Committee appointed by the Town of *Boston* to receive and distribute Donations for the charitable purpose of relieving and employing the sufferers by means of the Act of Parliament commonly called the *Boston* Port Bill, from a due regard to their own characters and that of the Town under whose appointment they act, as well as for the sake of the said sufferers, who depend upon the continued beneficence of their friends for necessary relief, think themselves obliged, in this publick manner, to contradict a slanderous report raised by evil-minded persons, spread in divers parts of this Province, and perhaps more extensively through the Continent.

The report is, that "each member of the Committee is "allowed six Shillings, as some say half a Guinea, for every "day's attendance, besides a commission upon all the Do-

Digitized by Google

"nations received, and other emoluments for their trouble." The Committee, therefore, thus openly declare that the above mentioned report is in every part of it groundless and false; and that they have hitherto attended and acted in their office, and still continue so to do, without any intention, hope, or desire, of receiving any other reward in this life but the pleasure which results from a consciousness of having done good. So satisfied are they of their own disinterested motives and conduct in this regard, that they can safely appeal to the Omniscient Being for their sincerity in this declaration.

And whereas, the Committee have this evening been informed by a letter from the country, of another report equally injurious, viz: that "the Committee have employed poor persons in working for themselves and gentlemen of fortune with whom they are particularly connected in their private concerns, and paid them out of the Donations received." The Committee do, with the same solemnity, declare the said report to be as false as it is scandalous.

They were early apprehensive that the enemies of truth and liberty would spare no pains to misrepresent their conduct and asperse their characters, and therefore, that they might have it in their power to vindicate themselves, they have constantly kept regular books, containing records of the whole of their proceedings, which books, as the Committee advertised the publick some months ago, are open for the inspection of such as are inclined to look into and examine them.

The Committee now challenge any person whatever to make it appear that there is a just foundation for such reports. Until this reasonable demand is complied with, they confide in the justice of the publick, that no credit will be given to reports so injurious to the Committee and to this oppressed and insulted people.

If the friends of truth will inform the Committee of any reports they may hear tending to defame the Committee, and by that means to discourage further Donations for the benevolent purpose of relieving the sufferers above mentioned, it will be acknowledged as a particular favour.

Signed by order of the Committee,

SAMUEL ADAMS, *Chairman.*

LETTER FROM CONNECTICUT TO A GENTLEMAN IN NEW-YORK, DATED JANUARY 24, 1775.

Every body among us seems determined not to survive the loss of their civil and religious liberties. We have favourable sentiments of the justice and clemency of our Sovereign, but are preparing against the worst.

It is not pretended to vie with a sister Colony in the noble art of war, though you must allow one that has had long acquaintance with that service, to assure you that our Militia is become respectable. By fresh returns from various parts of the Government, we find that a park of forty pieces of Cannon may be formed in the Spring, should there be occasion, (which may *God* forbid,) and our Army will be pretty expert at most of the manœuvres; will have in the first Grand Division about ten thousand men, that need not blush to encounter an equal number of foreign Troops from any quarter of the globe. This and some neighbouring Towns are preparing a token of their sympathy for the distressed inhabitants of *Boston*, which will be sent to the Honourable Committee, who merit highly of their country.

FREDERICK COUNTY (MARYLAND) COMMITTEE.

At a Meeting of the Inhabitants of *Frederick* County, at the Court House, on *Tuesday*, the 24th of *January*, 1775:

JOHN HANSON, Esquire, *Chairman*,
ARCHIBALD BOYD, *Clerk*.

The Association and Resolves of the *American* Congress, and the Proceedings of the last Provincial Convention were read and unanimously approved:

1. *Resolved*, That Messrs. *Charles Beatty, Henry Griffith, Thomas Sprigg Wootton, Jacob Funk, Nathan Magruder, Richard Brooke, Zadock Magruder, William Baker, Thomas Cramphin*, Junior, *Alexander Bowie*, Junior, *William Deakins*, Junior, *John Murdock, Thomas Johns, Bernard O'Neal, Brooke Beall, Edward Burgess, Charles G. Griffith, Henry Griffith*, Junior, *William Bayly*, Junior, *Samuel Wade Magruder, Nathaniel Offutt, Archibald Orme, Joseph Threlkeld, Walter Smith, Thomas Beall*, of *George, Richard Crabb, William Luckett, William Luckett*, Junior, *Greenbury Griffith, Samuel Griffith, John Hanson, Thomas Price, Thomas Bowles, Conrad Grosh, Thomas Schley, Jonathan Wilson, Francis Deakins, Casper Shaaff, Peter Hoffman, George Scott, Baker Johnson, Philip Thomas, Alexander C. Hanson, Archibald Boyd, Arthur Nelson, Andrew Scott, George Striker, Adam Fischer, Ludwick Weltner, Van Swearingen, William M. Beall, Jacob Young, Peter Grosh, Æneas Campbell, Elias Bruner, Frederick Kemp, John Haas, John Remsburg, Thomas Hawkins, Upton Sheredine, Basil Dorsey, John Lawrence, Charles Warfield, Ephraim Howard, Joseph Wells, David Moore, Joseph Wood, Norman Bruce, William Blair, David Schriver, Roger Johnson, Henry Cock, Robert Wood, William Albaugh, Jacob Mathias, Henry Crawle, Jacob Ambrose, Daniel Richards, William Winchester, Philip Fishburn, William Hobbs, Thomas Cresap, Thomas Warren, Thomas Humphreys, Richard Davis*, Junior, *Charles Clinton, James Prather, George Dent, James Johnson, James Smith, Joseph Chapline, John Stull, Samuel Beall*, Junior, *William Baird, Joseph Sprigg, Christian Orendorff, Jonathan Hagar, Conrad Hogmire, Charles Swearingen, Henry Snavely, Richard Davis, Samuel Hughes, Joseph Perry, Joseph Smith, Thomas Hog, Thomas Prather, William M'Lary, John Swan, Eli Williams, Christopher Bucket, Thomas Brooke, Michael Raymer, Nicholas Tice, John Adlum, Samuel Harwood, Bartholomew Booth, Jacob Boyer, Michael Grosh, Jacob Miller, Andrew Bruce, John Darnall, John Remsburg, William Darrin, John Key, John Beall, John M'Callister, Charles Beall, Lewis Kemp, John Stoner, Thomas Beatty, Thomas Gilbert, Abraham Hoff, P. Henry Thomas, Jacob Good, Vestel Ridgely, Samuel Carrick, Abraham Hoster, Baltzer Kelcholumer, Samuel Emmet, John Cary, Christopher Edelin, Amon Riggs, John Grimber, Leonard Smith, Nicholas Hower, Richard Northcraft, John Herriot, Richard Smith, Zacariah Ellis, Azel Waters, Martin Cassil, James Johnson, George Bare, Benjamin Johnson*, and *Abraham Faw*, be a Committee of Observation, with full powers to prevent any infraction of the said Association, and to carry the Resolves of the *American* Congress, and of the Provincial Convention, into execution; that any seventy-five of those gentlemen have power to act for the County, and any five in each of the larger Districts be authorized to act in any matter that concerns such Division only.

2d. *Resolved*, That *Charles Beatty, Thomas Sprigg Wootton, John Hanson, Thomas Bowles, Casper Shaaff, Thomas Price, Baker Johnson, Philip Thomas, George Murdock, Alexander C. Hanson, Thomas Cramphin*, Jun., *William Bayly*, Junior, *Evan Thomas, Richard Brooke, Thomas Johns, Walter Smith, William Deakins*, Junior, *John Murdock, Bernard O'Neal, John Stull, Samuel Beall*, Junior, *James Smith, Joseph Chapline, Joseph Sprigg, Charles Swearingen, Richard Davis, Jonathan Hagar*, and *Joseph Perry*, who were appointed at the last meeting of this County a Committee of Correspondence, be hereby continued, and that the duration of their authority be limited to the second *Tuesday* in *October* next.

3d. *Resolved*, As the most convenient and effectual method of raising the sum of £1,333, being this County's proportion of the sum of £10,000 which the Provincial Convention has appointed to be raised for the purchase of Arms and Ammunition, that a subscription be immediately opened in every part of the County, and that the following gentlemen be appointed to promote such subscriptions in their several Hundreds:

For SALISBURY HUNDRED.—*Jonathan Hagar, Henry Snavely*, and *Jacob Sellus*.

For UPPER KITOCTON.—*Peter Bambridge, Benjamin Eastburn, Casper Smith*, and *Thomas Johnson*.

For the lower part of NEWFOUNDLAND.—*Edward Burgess, Walter Beall*, and *Joseph Perry*.

For SHIPTON.—*Thomas Cresap, Moses Rawlings*, and *Richard Davis*, Junior.

For GEORGETOWN.—*William Deakins, Thomas Johns*, and *Walter Smith*.

Digitized by Google

For SHARPSBURGH.—*Joseph Chapline*, and *Christian Orendorff*.

For lower part of POTOMACK HUNDRED.—*William Bayly, Samuel Wade Magruder, Andrew Hugh*, and *Charles Jones*.

For TOM'S CREEK HUNDRED.—*William Blair, William Sheales*, and *Benjamin Ogle*.

For KITOCTON HUNDRED.—*George Striker, William Luckett*, Junior, and *Westel Ridgely*.

For UPPER ANTIETAM HUNDRED.—*Jacob Funk, Conrad Hogmire, Joseph Perry*, and *John Ingram*.

For LINTON HUNDRED.—*Martin Johnson*, and *Joseph Flint*.

For CUMBERLAND HUNDRED.—*Charles Clinton*.

For MIDDLE MONOCACY HUNDRED.—*Thomas Beatty, Matthias Ringer, Christopher Stull*, and *T. Fleming*.

For ROCK CREEK HUNDRED.—*Thomas Cramphin, Zadock Magruder, W. Baker*, and *Allen Bowie*.

For SUGAR LOAF HUNDRED.—*Francis Deakins, R. Smith, S. Plummer, Z. Waters*, and *Z. Linthicum*.

For BURNT-WOODS HUNDRED.—*Ephraim Howard, Charles Warfield, David Moore, John Lawrence, Henry Crawle*, and *William Hobbs*.

For LOWER ANTIETAM HUNDRED.—*Thomas Hog, Henry Butler*, and *Thomas Cramphin*.

For LINGANORE HUNDRED.—*John Beall, Charles G. Griffith, Nicholas Hobbs, Bazil Dorsey*, and *William Duvall*.

For CONOCOCHEAGUE.—*David Jones, Isaac Baker*, and *Jacob Friend*.

For PINEY CREEK HUNDRED.—*Jacob Good, John M'Callister, Samuel M'Farren, Abraham Heiter*, and *John Key*.

For LOWER MONOCACY HUNDRED.—*Lewis Kemp, John Darnall, Thomas Nowland*, and *Leonard Smith*.

For NORTHWEST HUNDRED.—*Samuel Harwood, Peter Becraft*, and *Richard Beall*, of *Samuel*.

For MARSH HUNDRED.—*Charles Swearingen, Eli Williams, James Smith, Richard Davis*, Senior, and *George Swimley*.

For upper part of POTOMACK HUNDRED.—*Brooke Beall, Samuel West, Nathaniel Offutt*, and *Alexander Clagett*.

For SENECA.—*Charles Perry, Richard Crabb*, and *Gerard Briscoe*.

For PIPE CREEK HUNDRED.—*Andrew Bruce, William Winchester, David Schriver*, and *Nathaniel Norris*.

For MANOR HUNDRED.—*Wm. Beatty, Joseph Wood*, Junior, *Azel Waters, John Remsburg, Abraham Hoff*, and *Valentine Creager*.

For upper part of MONOCACY HUNDRED.—*Henry Cox, Roger Johnson*, and *Richard Butler*.

For upper part of NEWFOUNDLAND HUNDRED.—*Henry Griffith, Richard Brooke*, and *Henry Gaither*, Senior.

For ELIZABETH HUNDRED.—*John Stull, Otho Holland Williams, John Swan*, and *John Rench*.

For FREDERICKTOWN HUNDRED.—*Phil. Thomas, Thomas Price, Baker Johnson, Peter Hoffman*, and *Ludwick Weltner*.

For FORT FREDERICK HUNDRED.—*Ezekiel Cox*.

For SUGAR-LAND HUNDRED.—*Æneas Campbell, John Fletcher, John Luckett, Alexander Whitaker*, and *Solomon Simpson*.

The said gentlemen are instructed to apply personally, or by deputy, to every freeman in their respective Districts, and to solicit a generous contribution. They are ordered to state accounts of the money received, and to pay it to the Committee of Correspondence, which is hereby appointed to meet at *Fredericktown*, the 23d day of *March* next; and they are further ordered to report to the said Committee the names of such persons (if any) who shall refuse to subscribe.

4th. That Messrs. *Thomas Johns, William Deakins, Charles Beatty, George Murdock, John Stull*, and *John Swan*, or any one of them, be empowered to contract, in behalf of the Committee of Correspondence, for any quantity of Powder and Lead, to be paid for on the said 23d day of *March*.

5th. In order that a Committee of Observation may be more conveniently chosen, and a more proper representation of the people may be had, the several Collectors, in each Hundred, are desired to give notice, to those qualified by their estates to vote for Representatives, of some time and place of meeting, in the Hundred, to elect members for a Committee, agreeably to the following regulation:

When the number of taxables exceeds not two hundred, the District shall elect one member; where it exceeds two hundred, and amounts not to more than four hundred, the District shall choose two members; where it exceeds four hundred, the District shall elect three members. The Collectors are ordered to return such Representatives to the Committee of Correspondence, on the said 23d day of *March*; the Committee, so chosen, shall then meet, and the authority of the present Committee of Observation be dissolved.

6th. *Resolved*, That Messrs. *John Hanson, Charles Beatty, Upton Sheredine, Baker Johnson, Philip Thomas, Jacob Funk, Samuel Beall, Joseph Chapline, John Stull, James Smith, Henry Griffith, Thomas Sprigg Wootton, Richard Brooke, William Deakins*, and *Thomas Cramphin*, or any five of them, shall represent this County at any Provincial Convention to be held at the City of *Annapolis*, before the second *Tuesday* of *October* next.

A Petition, from the people called Dunkers and Menests, was read; they express a willingness freely to contribute their money in support of the common cause of *America*, but pray an exemption from the Military Exercise, on the score of their religious principles.

Resolved, That this Petition be referred to the consideration of the Committee to be chosen, agreeably to the fifth Resolve. In the mean time it is strictly enjoined that no violence be offered to the person or property of any one, but that all grounds of complaint be referred to the said Committee. ARCH. BOYD, *Clerk*.

The Testimony of the people called QUAKERS, *given forth by a Meeting of the Representatives of said people, in* PENNSYLVANIA *and* NEW-JERSEY, *held at* PHILADELPHIA, *the twenty-fourth day of the first month*, 1775.

Having considered, with real sorrow, the unhappy contest between the Legislature of *Great Britain* and the People of these Colonies, and the animosities consequent thereon, we have, by repeated publick advices and private admonitions, used our endeavours to dissuade the members of our Religious Society from joining with the publick Resolutions, promoted and entered into by some of the people, which, as we apprehended, so we now find, have increased contention, and produced great discord and confusion.

The divine principle of grace and truth, which we profess, leads all who attend to its dictates to demean themselves as peaceable subjects, and to discountenance and avoid every measure tending to excite disaffection to the King, as Supreme Magistrate, or to the legal authority of his Government; to which purpose many of the late political writings and addresses to the people appearing to be calculated, we are led, by a sense of duty, to declare our entire disapprobation of them; their spirit and temper being not only contrary to the nature and precepts of the Gospel, but destructive of the peace and harmony of civil society, disqualifying men, in these times of difficulty, for the wise and judicious consideration and promoting of such measures as would be most effectual for reconciling differences, or obtaining the redress of grievances.

From our past experience of the clemency of the King, and his royal ancestors, we have grounds to hope and believe, that decent and respectful addresses, from those who are vested with legal authority, representing the prevailing dissatisfactions, and the cause of them, would avail towards obtaining relief; ascertaining and establishing the just rights of the people, and restoring the publick tranquillity; and we deeply lament that contrary modes of proceeding have been pursued, which have involved the Colonies in confusion; appear likely to produce violence and bloodshed, and threaten the subversion of the constitutional Government, and of that liberty of conscience, for the enjoyment of which our ancestors were induced to encounter the manifold dangers and difficulties of crossing the Seas, and of settling in the wilderness.

We are therefore incited, by a sincere concern for the peace and welfare of our country, publickly to declare against every usurpation of power and authority, in oppo-

Digitized by Google

sition to the Laws and Government, and against all Combinations, Insurrections, Conspiracies, and Illegal Assemblies; and as we are restrained from them by the conscientious discharge of our duty to Almighty *God*, "by whom Kings reign, and Princes decree justice," we hope, through his assistance and favour, to be enabled to maintain our testimony against any requisitions which may be made of us, inconsistent with our religious principles, and the fidelity we owe to the King and his Government, as by law established; earnestly desiring the restoration of that harmony and concord which have heretofore united the people of these Provinces, and been attended by the divine blessing on their labours.

Signed in, and on behalf of the said Meeting,

JAMES PEMBERTON, *Clerk at this time.*

EXTRACT OF A LETTER FROM A GENTLEMAN IN CONNECTICUT, TO HIS FRIEND IN NEW-YORK, DATED JANUARY 24, 1775.

Our Governour has lately called together his Council; nothing however, as yet, hath publickly transpired, saving that they have appointed a day of humiliation and prayer on account of the present alarming state of affairs between the mother country and Colonies. But I have it from good authority that letters have been received from our Agent at the Court of *Great Britain*, advising that Mr. *Penn* has cited him to answer before King and Council, in behalf of this Colony, for their encroachments on the *Susquehannah* Lands, and that the matter is now lying before the Board of Trade; and that he should shortly transmit to the Governour copies of Mr. *Penn's* Petition, &c., which, as soon as received, I am told our General Assembly will be convened. Some are ready to conjecture, why this intelligence is kept so very secret, may possibly be, lest the Western Members of our Assembly should be induced more generally to attend the session than they otherwise would do. I am likewise told that our Colony Stores of Ammunition are very deficient, and that by a law of this Colony, the Governour and Council are empowered at any time to supply the same, and that in consequence thereof, they have given orders for procuring a large quantity of Gunpowder, Lead, Flints, &c., and that a Vessel actually sailed a few days ago for *Holland*, in order to procure the same.

This cannot by supposed to be any infringement on the order of King and Council, which our Governour lately received from the Secretary of State, to prevent the importation of Arms, Ammunition, &c., as it is ordered by authority, it must be supposed to be for his Majesty's service *only*. However, when our Farmers come to pay the reckoning, I believe we shall hear a more particular story about these *arcani imperii*, for it is supposed that only the costs arising from our new Militia Act, will amount to near fifty thousand Pounds, besides the expenditure for Colony Stores, Powder, &c., and the sending and maintaining an Agent Extraordinary at the Court of *Great Britain*, together with other incidental charges arising on the trial of the *Susquehannah* affair; all which will amount to a pretty round sum.

EXTRACT OF A LETTER FROM MARSHFIELD, TO A GENTLEMAN IN BOSTON, DATED JANUARY 24, 1775.

Two hundred of the principal inhabitants of this loyal Town, insulted and intimidated by the licentious spirit that unhappily has been prevalent amongst the lower ranks of people in the *Massachusetts* Government, having applied to the Governour for a detachment of his Majesty's Troops to assist in preserving the peace, and to check the insupportable insolence of the disaffected and turbulent, were happily relieved by the appearance of Captain *Balfour's* party, consisting of one hundred Soldiers, who were joyfully received by the Loyalists. Upon their arrival, the valour of the Minute-Men was called forth by *Adams's* crew; they were accordingly mustered, and to the unspeakable confusion of the enemies of our happy Constitution, no more than twelve persons presented themselves to bear Arms against the Lord's anointed. It was necessary that some apology should be made for the scanty appearance of their volunteers, and they coloured it over with a declaration that "had the party sent to *Marshfield* "consisted of half a dozen Battalions, it might have been "worth their attention to meet and engage them; but a "day would come when the courage of their Minute host "would be able to clear the country of all their enemies, "howsoever formidable in numbers." The King's Troops are very comfortably accommodated, and preserve the most exact discipline; and now every faithful subject to his King dare freely utter his thoughts, drink his Tea, and kill his Sheep as profusely as he pleases.

EXTRACT OF A LETTER FROM BOSTON, TO A GENTLEMAN IN NEW-YORK, DATED JANUARY 26, 1775.

About a week ago, one hundred and fifty of the principal inhabitants of the Town of *Marshfield* entered into General *Ruggles's* Association against the Liberty plan. When this was known at *Plymouth*, the faction there threatened to come down in a body and make them recant, or drive them off their farms; on this the *Marshfield* Associators sent an express to General *Gage*, to acquaint him with their situation and determination, and to beg his support. This was readily granted them, and a Captain, three Subalterns, and a hundred private men, were immediately detached on board two small Vessels to *Marshfield*, where they landed very quietly last *Monday*, and when the last accounts came away there was no appearance of the *Plymouth* Rebels.

The detachment carried with them three hundred stand of Arms for the use of the gentlemen of *Marshfield*; one hundred and fifty more having joined the first Associators, on advice of the *Plymouth* threatenings; the whole three hundred have solemnly engaged themselves to turn out in case of an attack.

That the Liberty Rebels in this Town might save their own credit, and that of their adherents in *Plymouth*, and that they might have something to say for not opposing the detachment, they, on the first hearing where the Soldiers were going, wisely sent off an express to their *Plymouth* confederates, begging them to desist from doing what they really had no mind to do; and now they are praising themselves for their peaceable disposition, which they always do when their outrages have raised any opposition against them, and are execrating the Government for wanting to massacre them.

Our only news in this Town is a trifling affray which happened between some Officers and the Town Watch, occasioned by the Watchmen abusing them. The quarrel, I hear, has been inquired into, and the Selectmen have turned off some of the Watchmen; notwithstanding which, the Watchmen, supported by some of the Rebels with money, have commenced an action of damages against the Officers, on purpose to harass them, and to raise a clamour against military insolence and oppression; and there is no doubt the Rebels will bring witnesses enough to swear any thing they are desired.

A gentleman who signed the Address to General *Gage*, who happened to be present, and who did all in his power to prevent mischief, was complained of, against next day, before a Justice of the Peace, by four affidavit mongers, for having encouraged the Officers. These villains have sworn that this gentleman repeatedly called to the Officers to run the Watchmen through, damned their blood, and hoped to see the street run with it. By this you will see our Rebels have resorted to their old deceitful plan of first quarrelling with the Troops, and then swearing the Troops were the aggressors. This is a fairer plan than their fighting, and more suitable to their genius, and is well calculated to inflame all their adherents at a distance, who will undoubtedly believe their string of affidavits.

NORTHUMBERLAND COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Committee of *Northumberland* County, on *Wednesday*, the 25th of *January*, 1775, present, *Thomas Jones*, Chairman, *Peter Presley Thornton*, *Spencer M. Ball*, *David Boyd*, *John Cralle*, Junior, *Lindsy Opie*, *Pemberton Claughton*, *William Thomas*, *John Christopher*, *Charles Downing*, *Daniel Muse*, and *John Shearman Woodcock*.

The Chairman acquainted the Committee, that an infor-

Digitized by Google

mation had been made to him against *William Lewis*, of *Cherry* Point, for Gaming with one *Anthony M'Kenley*, of *Baltimore*, in the Province of *Maryland*, contrary to the eighth Article of the *American* Continental Association. The parties were called, and the witnesses sworn and examined; *Lewis* was present, and made his defence; *M'Kenley* failed to appear.

It appeared to the Committee, upon the evidence delivered, that the said *Lewis* had won from the said *M'Kenley*, a Silver Watch, two pair of Leather Breeches, and two men's fine Hats.

Resolved, That the said *Lewis* and *M'Kenley* are guilty of Gaming, and consequently have violated that part of the eighth Article of the *American* Continental Association.

Resolved, That the said *Lewis* and *M'Kenley* be advertised, agreeable to the eleventh Article of the aforesaid Association; and that the Clerk of this Committee forthwith transmit these Proceedings to one of the Printers in *Williamsburg*, to be printed in the *Virginia Gazette*.

JOHN S. WOODCOCK, *Clerk*.

PENNSYLVANIA COUNCIL.

At a Council held at *Philadelphia*, on *Wednesday*, 25th *January*, 1775, present, the Honourable *John Penn*, Esq., Governour, *William Logan*, *Andrew Allen*, *Benjamin Chew*, *Edward Shippen*, Junior, and *James Tilghman*, Esquires.

The Governour laid before the Board two Papers delivered to him by Captain *St. Clair*, which were read, and are as follows, viz:

WESTMORELAND County, *ss*.

Before us, *Robert Hanna* and *Arthur St. Clair*, Esqs., two of his Majesty's Justices for *Westmoreland* County, personally appeared *Samuel Whitesill*, Keeper of the Jail of the said County, and being duly sworn, according to law, deposeth and saith, that, on this instant, 24th of *December*, a number of armed men came to the Jail of said County, and ordered him to open the prison doors, and turn out a certain *William Thomas*, then in his custody, on sundry executions; that he believes a certain *William Christy*, and *Simon Girty*, who seemed to be Officers from their dress, were at the head of their party. That he, this deponent, refused to deliver his prisoner, or open the door where he was confined; that they then talked of throwing down the house, when a certain Major *Conolly* came up, inquired who resisted the releasement of the prisoner, threatened to tie and carry off this deponent, ordered the party to fire their pieces against the house, and strip off the roof, on which he (this deponent) being afraid of ill consequences, both to his person and property, did open the door to allow the prisoner to speak to the party, and one of them rushed in, seized him, and dragged him out, and also turned out a certain *William Dawson*, who was likewise in his custody on execution; and that it was *Conolly* himself who laid hands on *Thomas*, and dragged him out; and further saith not. SAMUEL WHITESILL.

Sworn and subscribed, *December* 24, 1774, before us,

ROBERT HANNA,
ARTHUR ST. CLAIR.

Whereas, I am well informed that certain persons, by written instructions, directed to different people through this country, under the denomination of Collectors, are apparently authorized to break open doors, cupboards, &c., and to commit sundry acts of violence, in order to extort money from the inhabitants, under the appellation of Taxes. These are therefore to acquaint all his Majesty's subjects, that as there can be no authority legally vested in any persons for such acts at this juncture, that such attempts to abuse publick liberty are unwarrantable, and that all persons have an undoubted natural, as well as lawful, right to repel such violence, and all his Majesty's subjects are hereby required to apprehend any person whatever, who may attempt a seizure of their effects, in consequence of such imaginary authority, to be dealt with as the law directs.

Given under my hand at Fort *Dunmore*, this 30th day of *December*, 1774. JOHN CONOLLY.

Captain *St. Clair* appearing at the Board, and representing that *William Crawford*, Esquire, President of the Court in *Westmoreland* County, hath lately joined with the Government of *Virginia*, in opposing the jurisdiction of *Pennsylvania*, in that County, the Board advised the Governour to supersede him in his office as Justice of the Peace and Common Pleas. A Supersedeas was accordingly ordered to be issued.

EXTRACT OF A LETTER FROM PHILADELPHIA, TO A GENTLEMAN IN NEW-YORK, DATED JANUARY 25, 1775.

The addresses to Governour *Colden* arrived here *Sunday* night. They were published in *Dunlap's* Paper the next morning, (the day the Provincial Congress met.) This has had a great effect; such expressions of loyalty offend the ears of Republicans; some of the Counties (at least one) see no propriety in this Convention, and will not send Delegates to attend it; several others have sent Delegates merely to oppose the mustering a Militia; upon this our Committee agreed not to propose it, so that these miserable politicians will rack their brains to invent some plausible pretence for calling the Province together at a season of the year so inconvenient; their transactions will consist of pious Resolves to kill no Wethers, and to encourage the industrious Farmer to make his own coat, and a hearty approbation of the Congressional Proceedings will be artfully brought about. This, and a little inflammatory matter to keep sedition alive, now almost expiring, will take up their whole time.

I am not without hopes that a Petition will be sent to our Assembly, at their meeting next month, to rescind their approbation of the Proceedings of Congress. Nothing but a shameful fear of popular resentment ever could have extorted from them such a Resolve. Your Assembly is revered by all sensible men in this City, for their great prudence and undaunted resolution in *first* making a stand against lawless usurpers of power, and violators of liberty; from that period I date the fall of anarchy, and the commencement of good order.

A worthy gentleman of my acquaintance from *Maryland*, of moderate sentiments, though one of their late Provincial Congress, informs me the *Marylanders* are in general mad; they are the most ignorant people that live; a moderate man dare not speak his sentiments; a person for drinking Lord *North's* health, was thrown into a fire, and had near been killed. This is the genuine spirit of patriotism which those people breathe; but although this is the vulgar conduct, the more sensible part disclaim such violences; and this gentleman assures me, that if the King's Standard were erected there, a great part of the people would immediately repair to it from sentiment; the rest would soon follow through timidity. In *Baltimore*, the people muster frequently; but so fearful are these *brave Soldiers* of the inclement air, that they shoulder their muskets under a roof *only*. They have broke open the Court House, and by a fire-side, within walls that are "bomb-proof," they talk heroically and gallantly of what they can do; they have raised near the amount they resolved on in Congress; what they could not by entreaty, they did by threats. The famous General *Lee* is mustering near *Annapolis*, (or rather *was* mustering.) From his professions and boasted skill, he had one day several hundred under his tuition; but he behaved so insolently, and discovered such a passionate, overbearing disposition, that the second day he had only seventy, and the third day only fifteen; a glorious declension.

PROVINCE OF NEW-HAMPSHIRE.

At the Convention of Deputies, appointed by the several Towns in the Province aforesaid, held at *Exeter*, on the 25th day of *January*, 1775: present one hundred and forty-four Members.

Hon. JOHN WENTWORTH, Esquire, *President*.

Voted unanimously, That we heartily approve of the proceedings of the late Grand Continental Congress, respecting the just state of the Rights and Liberties of the *British* Colonies, and of the means recommended to restore, secure, and protect the same; and that we return our most unfeigned thanks to the late Members of that

Digitized by Google

Congress in general, and to those of this Province in particular, for the faithful discharge of the important trust reposed in them.

Voted, That *John Sullivan* and *John Langdon*, Esqs., be Delegates to represent this Province in the Continental Congress, proposed to be held at *Philadelphia*, on the 10th day of *May* next; and that they, and each of them in the absence of the other, have full and ample power, in behalf of this Province, to consent and agree to all measures which said Congress shall deem necessary to obtain redress of *American* Grievances.

Voted, That two hundred and fifty Pounds, lawful money, be raised, for defraying the expenses of said Delegates.

Voted, That the Honourable *John Wentworth*, Esquire, Colonel *Nathaniel Folsom*, Honourable *Mesheck Weare*, Esquire, Colonel *Josiah Bartlet*, Colonel *Christopher Toppan*, *Ebenezer Thompson*, and *William Whipple*, Esquires, be a Committee in behalf of this Province, to call a Provincial Convention of Deputies, when they shall judge the exigencies of publick affairs require it; and that they, together with *Samuel Cutts* and *John Pickering*, Esquires, be a Committee of Correspondence for this Province.

Voted, The following Address:

TO THE INHABITANTS OF THE PROVINCE OF NEW-HAMPSHIRE.

BRETHREN: When we consider the unhappy condition to which you and your *American* brethren are reduced; when we reflect that for near ten months past you have been deprived of any share in your own Government, and of those advantages which flow to society from Legislative Assemblies; when we view the lowering clouds, charged with Ministerial vengeance, fast spreading over this extensive Continent, ready to burst on the heads of its inhabitants, and to involve the whole *British* Empire in one common ruin; at this alarming juncture, duty to Almighty *God*, to our country, ourselves, and posterity, loudly demands our most strenuous exertions to avoid the impending danger.

Such are the measures adopted by the *British* Ministry for enslaving you, and with such incessant vigilance has their plan been prosecuted, that Tyranny already begins to waive its banners in your borders, and to threaten these once happy regions with infamous and detestable slavery.

Shall we, knowing the value of freedom, and nursed in the arms of Liberty, make a base and ignominious surrender of our rights, thereby consigning succeeding generations to a condition of wretchedness, from which, perhaps, all human efforts will be insufficient to extricate them?

Duty to ourselves, and regard for our country, should induce us to defend our liberties, and to transmit the fair inheritance unimpaired to posterity.

Should our restless enemies drive us to arms in defence of every thing we hold dear, we should be reduced to a state, dreadful even in contemplation; for, should we prove victorious, the blood of our brethren shed in the unhappy contest, would cause the laurels to wither on our brows, and make the conquerors mourn with the vanquished. But should our enemies be successful, they will thereby rivet the chains of slavery upon us and our posterity.

Thus surrounded with dangers and distresses on every side, it behoves us to adopt and pursue such peaceable measures, as, under *God*, will be most likely to prevent those dreadful calamities with which we are threatened.

Fully sensible, that to point out, with any degree of certainty, the methods by which you may shun the threatening evils, would require more than human wisdom, we can only recommend such measures as appear to us most likely to answer that desirable end, and best calculated to restore to you that peace and harmony so ardently wished for by every good and honest *American*. We therefore earnestly recommend,

1st. That you discountenance and discourage all trespasses and injuries against individuals and their property, and all disorders of every kind; and that you cultivate and maintain peace and harmony among yourselves.

2d. That you yield due obedience to the Magis rates within this Government, and carefully endeavour to support the laws thereof.

3d. That you strictly adhere to the Association of the late Continental Congress, and deal with the violators of it in the manner therein recommended.

4th. That you endeavour particularly to enforce the laws of the Province against Hawkers, Pedlars, and Petty Chapmen.

5th. That you abstain from the use of *East India* Tea, whenever, or by whatever means it has or may be imported.

6th. That you encourage and support your several Committees of Correspondence and Inspection, in discharging the very important trust you have reposed in them.

7th. That in case any inhabitant of these Colonies should be seized, in order to be transported to *Great Britain*, or other parts beyond Seas, to be tried for offences supposed to be committed in *America*, you conduct yourselves agreeable to the advice of the late Continental Congress.

8th. That in your several stations you promote and encourage the Manufactures of this country, and endeavour, both by precept and example, to induce all under you, and with whom you are connected, to practice economy and industry, and to shun all kinds of extravagance.

9th. That the Officers of the several Regiments strictly comply with the laws of this Province for regulating the Militia; and as the Militia upon this Continent, if properly disciplined, would be able to do great service in its defence, should it ever be invaded by his Majesty's enemies, that you acquaint yourselves with the manual exercise, particularly that recommended and enjoined by the Captain General, the motions being natural, easy, and best calculated to qualify persons for real action; and also to improve themselves in those evolutions which are necessary for infantry in time of engagement.

10th. That, as your enemies are using every art to impoverish and distress you, in order to induce submission to their arbitrary mandates, you carefully shun those measures which may have a tendency to distress your brethren and fellow-sufferers, and avoid all unnecessary law suits, and endeavour to settle disputes between you in the most amicable and least expensive manner. That all debtors exert themselves in discharging their just debts, and all creditors exercise such lenity as their circumstances will admit of.

11th. That as the inhabitants of the Town of *Boston*, in the Province of the *Massachusetts Bay*, are now labouring under a load of Ministerial vengeance, laid upon them to enforce obedience to certain arbitrary and unconstitutional acts, which, if once submitted to, must involve all *America* in slavery and ruin; conscious that all these Colonies are largely indebted to the virtue and fortitude of those patriotick assertors of freedom, we heartily recommend a continuation of your contributions, for the relief of that oppressed people; and that you keep yourselves in constant readiness to support them in their just opposition, whenever necessity may require.

Lastly. We earnestly entreat you, at this time of tribulation and distress, when your enemies are urging you to despair, when every scene around is full of gloom and horrour, that in imitation of your pious forefathers, with contrition of spirit, and penitence of heart, you implore the Divine Being, who alone is able to deliver you from your present unhappy and distressing situation, to espouse your righteous cause, secure your liberties, and fix them on a firm and lasting basis; and we fervently beseech him to restore to you, and your *American* brethren, that peace and tranquillity so ardently desired, and earnestly sought for, by every true friend to liberty and mankind. By order of the Convention. J. WENTWORTH, *President*.

PITTSYLVANIA COUNTY (VIRGINIA) COMMITTEE.

The Freeholders of the County of *Pittsylvania*, being duly summoned, convened at the Court House of the said County, on *Thursday*, the 26th of *January*, 1775, and then proceeded to make choice of a Committee, agreeable to the direction of the General Congress, for enforcing and putting into execution the Association, when the following gentlemen were chosen members for the same, viz: *Abraham Shelton*, *Robert Williams*, *Thomas Dilliard*, *William Todd*, *Abraham Penn*, *Peter Perkins*, *Benjamin Lankford*, *Thomas Terry*, *Arthur Hopkins*, *Hugh Challus*, *Charles L. Adams*, *James Walker*, *William Peters Martin*, *Daniel Shelton*, *William Ward*, *Edmund Taylor*, *Isaac Clements*, *Gabriel Shelton*, *Peter Wilson*, *William*

Digitized by Google

Short, *Henry Conway*, *John Payne*, Sen., *Joseph Roberts*, *William Witcher*, *Henry Williams*, *John Salmon*, Reverend *Lewis Gwillam*, *Richard Walden*, *Peter Saunders*, *John Wilson*, and *Crispen Shelton*.

The Committee then proceeded to make choice of *Robert Williams* for their Chairman, and *William Peters Martin* their Clerk.

During the time of choosing the said Committee, the utmost good order and harmony was observed, and all the inhabitants of the County, then present (which was very numerous) seemed determined and resolute in defending their liberties and properties at the risk of their lives, and if required, to die by their fellow-sufferers (the *Bostonians*) whose cause they consider as their own; and it being mentioned in Committee, that their County had never contributed their proportionable part towards defraying the expenses of the Delegates, who attended on our behalf at the General Congress, that sum was immediately and cheerfully raised, and deposited in the hands of *Peter Perkins* and *Benjamin Lankford*, Esquires, the Representatives for the said County, to be transmitted by them, to whom it ought to have been paid; after which the Committee rose, and several loyal and patriotick toasts were drank, and the Company dispersed, well pleased with the behaviour of those people they had put their confidence in.

Ordered, That a copy of the above Proceedings be inserted in the *Virginia* Newspapers.

WILLIAM PETERS MARTIN, *Clerk Committee*.

PRECINCT OF SHAWANGUNK, IN THE COUNTY OF ULSTER, NEW-YORK, JANUARY 26, 1775.

A certain Pamphlet entitled "Free Thoughts on the Resolves of the Congress," &c., under the signature of "A. W. Farmer," dated 16th of *November*, 1774, having been privately dispersed among several of the Freeholders and Inhabitants of the County of *Ulster*, a notification thereof was given by a publick advertisement, whereon a number of the most respectable Freeholders and Inhabitants of the Precinct of *Shawangunk*, in the County of *Ulster*, met at the house of *George Smith*, in said Precinct, and a Committee of five being chosen, viz: *Johannes Jansen*, *Benjamin Smedes*, Junior, *Jacobus Bruyn*, *Johannes Hardenburg*, Jun., and *Lewis Gasherie*, of whom *Jacobus Bruyn*, being chosen Chairman, when the Proceedings of the late Continental Congress were read, as also the aforesaid Pamphlet having been produced and read, it was unanimously

Resolved, 1. That it is the opinion of this meeting, that they most heartily approve of the Association, and acquiesce in all the other measures entered into by the late General Continental Congress, and that they will use every means in their power to render them effectual.

Resolved, 2. That the said Pamphlet is replete with falsehoods artfully calculated to impose on the illiterate and unthinking, in order to frustrate the Resolves of the Congress, and to destroy that union so necessary for the preservation of our *American* constitutional Liberty; therefore,

Resolved, 3. That the said Pamphlet, in detestation and abhorrence of such infamous publications, be now publickly burnt, and that the authors, publishers, and circulators of such performances be henceforth deemed the enemies of their country.

Which Resolves being publickly read, and unanimously approved, the above Pamphlet was burnt accordingly.

Ordered likewise, That a copy of the Proceedings of this meeting be transmitted to the Committee of Correspondence for this County.

By order of the Committee,

JACOBUS BRUYN, *Chairman*.

TO THE PEOPLE OF AMERICA.

Boston, January 26, 1775.

MY WORTHY FRIENDS AND FELLOW-COUNTRYMEN: After making one or two previous observations, I shall endeavour to set before you what will probably be the consequences of your infatuated blindness, wishing and earnestly hoping by this or any other means, to see that social happiness, peace, and harmony, restored, which have reigned in this once happy land;—to see you convinced of your imprudent and rash behaviour, and returning to that obedience to the laws and authority of *Great Britain*, which alone can make you a free, wealthy, and happy people.

Mankind in general are too apt to indulge themselves in contemplating and forming Utopian schemes, and if they fail in the execution of them, to solace themselves with the reflection, that, "in great attempts, 'tis glorious even to fail." Nor is this a matter of wonder, as it gratifies an itch for superiority, and a thirst for applause, which are implanted by nature in every breast, in a greater or less degree. To what a pitch of infatuation then may we suppose these passions to be raised in those men who are unwilling to confine themselves within the bounds, or submit to the laws, prescribed by the Government to which they are subject; whose conduct has justly merited punishment and contempt, and who must inevitably sink into infamy and obscurity. When these men find it necessary by some bold step to retrieve their characters; set about a reformation of a Government already the envy of every other Nation, and are determined to accomplish their views, or perish in the attempt, we must at once be sensible, that not the united misery of all their fellow-men, nor the destruction of the peace and good order of the world, will ever deter them from their desperate undertaking; but, that rather than fail in their enterprise, they will exult to introduce anarchy and confusion into the state, and glory to riot upon the miseries of mankind in private life. Happy shall I think myself, and very fortunate esteem you, my friends and fellow-countrymen, if the consequences of their detestable conduct do not strictly justify this description of their wickedness and folly.

The independence which these leaders aim at, the means of obtaining it, and the necessary consequences which must result from it, are replete with the most distressing calamities, destructive mischiefs, and aggravated miseries, that ever were inflicted on mankind, and yet to these curses, horrid in idea, but which will prove much more dreadful in reality, you are tamely and quietly submitting, while it is yet in your power effectually to prevent them, and to save yourselves from ruin. Rouse, I beseech you, consider but one moment, before it is too late (which it shortly will be) on what ground you stand; revolve in your minds the dangerous situation you are in; and by a seasonable attention to, and amendment of your infatuated conduct, discharge that duty which you owe to *God*, your King, your country, to yourselves, and succeeding millions of your posterity yet unborn. You will pardon my warmth; I feel for your unfortunate and fatal security; fain would I snatch you from the surrounding flames; fain would I save you from the threatened destruction.

Let us now cooly consider what would be the consequences if you could obtain the darling object of your wishes, and erect an *independent Republick*; first premising the insurmountable obstacles and unforeseen difficulties, which must retard your progress, and finally frustrate your hopes. Your expectations of accomplishing this mad undertaking must at once appear to be groundless, when you consider that the Throne was never more secure in the hearts of a free and happy people; the Nation never more powerful in its resources, or more respected abroad; nor Administration more firmly established in the esteem and approbation of a great majority of the people (notwithstanding any artful suggestions to the contrary) than at this day. Little reason indeed can we then have to think that such a Nation will tamely admit the claims, and give way to the clamour of her rebellious Colonies, who depend upon her for their very existence, and have made such ungrateful returns for her parental care and protection of them. The *British* Nation, though humane and condescending to fault, yet when so highly provoked, and wantonly irritated, will not remain inactive, nor unsheath the sword in vain, but will severely correct and chastise our insolence: If she does not she will inevitably be rendered contemptible in the eyes of all *Europe*; there is not an Island in the *West Indies*, nor the most inferiour Corporation in her Dominions, but will at once be setting up new claims, and wrest from her even the very appearance of authority. Add to this that the honour and justice of the Nation are very materially interested in the present disputes,

Digitized by Google

and nothing short of an entire disavowal of any right or authority of *Great Britain* over her Colonies is now insisted upon. Can any man in his senses then suppose that she will make no opposition; that she will not make a point of reducing us to obedience, and establishing her authority over us, upon a sure and permanent foundation. If we may argue by analogy from smaller things to greater; if we may conclude from the experience of former ages and Nations; if we consult the dictates of human nature, she certainly will; and if she should, would it not be well for us to sit down and count the cost before we think of an opposition. Does not prudence, does not a regard for our safety, and every thing that we hold dear, demand the most serious consideration? Nothing less than *rebellion* is in question. Who can think of it without shuddering? who can rush into it without the most desperate madness? And when we reflect upon the little probability we have of success, the project appears ten times more senseless, unaccountable, and absurd; our folly a thousand times more glaring; and the danger infinitely more real and extensive. No single circumstance is in our favour, while every thing seems in a most extraordinary manner to conspire against us. We have no Officers capable of conducting an Army, and if by chance there should be any, they are men who will never sacrifice their honour, credit, character, reputation, and conscience, by engaging in open rebellion. No Soldiers disciplined for service; for let me assure you, that notwithstanding the parade and noise that has been made about learning the manual exercise, and the frequent trainings which you have had among you, these will never make you Soldiers fit for service;—these are but mere outside tinsel and ornamental show in comparison with the various manœuvres, evolutions, marchings, counter-marchings, advancing, retreating, breaking, rallying, and a thousand other circumstances, which (being unacquainted with military terms) I don't readily recollect, and of which you can have no idea. Most of you suppose, by all that can be collected, that the several Armies, should there ever be an engagement, will stand on the same ground, till a superiority of numbers and mere personal courage (which you vainly take for granted is on your side) shall decide the day in your favour against disciplined veterans; but be not too daring, from any misapprehensions of this kind; you will find yourselves at once astonished, confounded, and put to flight, by sudden and unexpected attacks from every quarter; at one time you will seem to have a handful of Troops to oppose; and the next minute they will appear almost innumerable, merely from their dexterous movements, and the different situations in which they will be placed. And should you be able to perfect yourselves even in this part of the discipline, your skill will rebound with ten-fold destruction upon your own heads; for by far the greater part, when matters shall be brought to such extremities, will declare on the loyal side, and extricate themselves from the guilt of rebellion, by the most vigorous efforts to suppress it. Add to this, that you neither have, nor can procure Camp Equipage, Military Stores, Arms, or Ammunition, except the trifling pittance already in our possession, (for nothing can be easier than to prevent the increase of your stock,) and how long do your infatuated zealots suppose that this can serve you? Perhaps they may endeavour to persuade you that Heaven will interpose and save you, by making your warlike stores inexhaustible, like the widow's cruise: this I firmly believe if their diminution depends upon your making use of them. But to be serious—*God* is a *God* of order, and not of confusion; he commands you to submit to your Rulers, and to be obedient to the higher powers for conscience sake, and therefore can never be supposed to favour Traitors and Rebels. So that if you should die in a state of actual rebellion, you will not only forfeit your worldly interest to your injured Sovereign, and entail misery, poverty, and infamy upon your posterity, but inevitably draw down the vengeance of the Almighty upon your guilty souls. But a terrible reverse of circumstances is presented to your view, if you turn your thoughts to those whom you will be obliged to oppose. They are commanded by a General, who, although respected, and amiable for his social virtues, for his prudence, humanity, long suffering, and clemency, of which you all cannot but be sensible, is nevertheless universally allowed to be a brave soldier, cool, intrepid, watchful, and resolute; perfectly acquainted with the military art; he will improve every advantage in his favour, and never expose himself by his imprudence or rashness. His exquisite sensibility and humane disposition will doubtless recoil at what his duty and interest oblige him to undertake; but those he will willingly sacrifice when his loyalty to his King, and his regard for the interest of both countries require it at his hands. How different also is the character of the Officers and Soldiers under his command from yours? Many of them have fought in defence of their country; many of them justly merit the character of true *British* veterans, for their honourable and successful services; many of them have been in battles which have reflected the highest honour upon themselves, and the most extensive reputation upon the *British* Arms; and all of them are skilled in military service and discipline; they are all firmly established in the most loyal principles, and entertain a just indignation at the unwarrantable and illegal practices which they daily see carried on under your direction and patronage; they are amply provided with all kinds of Military Stores, and can very readily at any time be recruited, should there be any necessity for it; they are engaged in a cause which their duty to *God*, their King, and country, require them to espouse, and will enable them to support. Here let me pause;—can any man upon this cursory, though true representation of facts, hesitate to determine at once to return to the allegiance from which he has revolted, and to make some atonement by his future loyal and dutiful behaviour for his past misconduct; or if he is not yet tainted with the infectious phrenzy of the times, to continue a faithful and true subject of the *British* Realm? He certainly cannot; the most powerful motives which can ever influence human counsels, urge him on one side, while nothing but what every good man must deprecate and abhor can stimulate him to a contrary conduct.

But I will now suppose that we have gained our wished for Independence, and admit for argument sake, (what is not supposed in fact) that *Great Britain* will relinquish her jurisdiction over us, disclaim all her authority, and give us up a prey to our own madness and folly; what mighty boon should we obtain? Let us consider the consequences; let us see in what manner it would probably affect us, abstracted from the influence it may have upon other States and Kingdoms in *Europe*. It will be necessary immediately to determine upon some form of Government; and here what intestine jars and jealousies must be the necessary consequence. Various as are the faces of mankind, so different are they in their opinions upon Civil Government, especially when every bold, ambitious man finds room for the exertion of his abilities; he will want no other motive to induce him to object to any plan proposed, than that any one has recommended it before him. Determined to be the leader of a party, his art and address will gain him followers, and you will soon have as many forms of Government contended for, as there are men who have ambition, resolution, and ability sufficient to conduct their cause. Necessity will then oblige you either to submit to a set of petty tyrants, who, unless divested of the passions and feelings which have uniformly actuated the conduct of all their predecessors, will at once be intoxicated with success, and rule you with a rod of iron, or to live in a state of perpetual war with your neighbours, and suffer all the calamities and misfortunes incident to anarchy, confusion, and bloodshed. Scenes of this kind we may naturally expect within the limits of a single Province. But when we extend our thoughts to the controversies which will arise between the several Colonies and Provinces, about the Seat of Government, each contending for its own Metropolis; the general form of Government to be established over the whole Continent; the choice of a Monarch; members of the Aristocracy, Oligarchy, or Democracy, as either of those modes shall be preferred, language fails me in the description of the universal carnage and desolation which must inevitably ensue. The most unfeeling breast must, on this occasion, be pierced with the most exquisite sensibility, and the very dumb creation burst with indignation at our astonishing folly, provoking madness, and unpardonable stupidity. But can any one suppose that the powerful states of *Europe* would sit still and lose so valu-

Digitized by Google

able an opportunity of increasing their power and extending their Dominions? They certainly would not. What misery, then, will you bring upon yourselves, when two formidable Armies, irresistible by any force that you can raise, shall make your country the scene of war. The event must be, that you will be treated as slaves and vassals to the conquering Power; or, to make the most favourable supposition, if one of the states of *Europe* should invade you, to procure salvation from entire destruction, you will be obliged to make a sacrifice of infinitely greater privileges than any that you unreasonably suppose yourselves in danger of losing from the exercise of the authority of the parent state over you. In proportion to the value of the acquisition, they will enhance their security; and, to make sure of your subjection, will put it out of your power to resist their authority or oppose their tyrannical designs against you. You will then, in the language of the most humiliating penitence and sorrow, fly for protection to that power which you now so wantonly resist, and beg to shelter yourselves under her wing upon any conditions she shall see fit to impose. You will readily renounce every claim that you now set up, and trust to her wisdom and justice for your future protection and government. But it may then be too late to appease the wrath of a spirited, provoked, and angry Nation.

But let us shift the scene. It can never be supposed that *Great Britain* will thus lose so bright a jewel in her Crown; she will rather, like a kind parent, bring us to our senses by a timely correction and chastisement of our insolence. To this, nothing further will be requisite than to shut up all the Ports upon the Continent, and make prize of all vessels that shall be found in these Seas; and a small part of the *British* Navy will be able effectually to execute this plan. What would then be our situation? You will perhaps readily answer, that this must be done at the expense of the ruin of the Nation; that she will never survive the loss of our trade. But in this you are equally mistaken, as in all the other preposterous notions you entertain. A temporary inconvenience she might suffer, but would soon recover the loss. She may be supplied with most if not all the articles that this country produces from other parts, where she would find a sale for all the manufactures she can spare. By opening and encouraging a free trade with foreign countries, commerce might be turned into a channel equally beneficial to her, and she would, in a short time, outgrow any inconvenience that can be suffered from relinquishing her dealings with us. But, in the mean time, what must be our situation? Distressing, indeed, when deprived of those necessaries which we should find it impossible to live without, and at the same time unable to procure them from any quarter. Moreover, a great proportion of the inhabitants upon the Continent, who obtain a livelihood by a maritime life, and the several trades and occupations which depend upon the encouragement of navigation, would at once be thrown out of bread and unable even to procure a sustenance, and would, by their numbers, and the encouragement which they would receive from others, equally sensible of the mischiefs you had brought upon them, finally compel you all to return to a sense of your true interest, and become dutiful and obedient children to the parent state. The probable truth of this we may easily collect from the necessity there is of the most generous and liberal contributions from our sister Colonies, to enable the suffering poor of the Town of *Boston* to support the poverty resulting from shutting up their Port. What a miserable plight, then, will they and all the others upon the Continent be in, should these unhappily be reduced to the same predicament? Self-preservation would force you all, my dear countrymen, to adopt any measures for your relief, and none would ever be effectual but a full submission to, and acknowledgment of, the supreme jurisdiction of the Parliament of *Great Britain* over the Colonies. You will perhaps say, that far different, probably, would be the consequences of shutting up all the Ports upon the Continent, from what I have suggested; you will rather insinuate that it would be attended with many circumstances which bear a much more favourable aspect; that the Colonies would at once declare a free trade with all the other states in the world; that, in consequence of it, ships would arrive from these states, which would be seized as prizes by the *British* ships; that this would irritate the several Governments to which they might belong, which would resent the injury; and that thus *Great Britain* would have all the Powers of *Europe* at once to oppose, and finally sink in the contest, or submit to the claims of the Colonies, and apply to them for assistance. A very formidable account indeed. Not to insist upon the absurdity of declaring a free trade with other states, when all your Ports are shut up, all vessels made prizes, and consequently all communication with any part of the world cut off, I would just reply, that no state in *Europe* will be quite so forward to incur the resentment of the *British* Nation; no state in this enlightened age, so regardless of the principles of justice, equity, and the Laws of Nations, as to interfere with the private concerns between *Great Britain* and her Colonies. And should any of them be so rash, *Great Britain* will find Powers enough who will remain so far true to her interest, as to oppose any attempts to injure her on such an account. But even admitting that all the states in the world should incline to take such a step, they must be blind not to see that it would be the most destructive, impolitick conduct, to attempt the ruin of the *British* Empire, which now preserves the balance between all the Powers upon earth, and which, should it be reduced, must finally bring on the downfall of half the Kingdoms in the world. Carnage, war, and bloodshed must ensue, till the wavering balance, after alternate preponderations, should, by these destructive calamities, once more be restored to its equilibrium, and Peace with her smiling train once more bless mankind with harmony and joy.

Thus, my dear countrymen, in whatever light we consider this truly Utopian project, the more attentively we view it, and the more thoroughly we scan it, the more impracticable, absurd, and ridiculous it appears. Let not, then, a conviction of the folly of your conduct suffer you any longer to remain in your errour. Some men are so obstinate, that when once they have adopted a plan, they will never relinquish it, however sensible they may be of its pernicious tendency. But this character, I am persuaded, is not applicable to you all. Let then, I beseech you, your regard for your own welfare, your attachment to the interest of the community, your natural good sense and humanity, induce you but one moment to reflect upon your dangerous situation. Nothing but an immediate reformation of your past behaviour can save you from the impending evils with which you are threatened. It is an instance of the most laudable goodness of heart and greatness of soul, to acknowledge and reform any errour which we have zealously embraced, when sensible of our deception and mistake. The experience of all ages may convince us that "to err is human." Let, then, an amendment of your conduct prove to you that "to forgive" is the "divine" attribute, which *Britons* ever rejoice to discover, and are most cordially willing to exercise towards their deluded, unhappy children in *America*. PHILEIRENE.

EXTRACT OF A LETTER FROM NEW-YORK, TO A GENTLEMAN IN ANNAPOLIS, DATED JANUARY 26, 1775.

I have the most perfect satisfaction in acquainting you that this day was made, in our Assembly, a motion for appointing a day for examining the Proceedings of the Continental Congress, and that it was thrown out of the House by a majority of one voice.

Of this event I heartily wish you joy, and that this example may be adopted by the Senators in your Province; but my fears almost preclude the hope of such good.

TO THE PUBLICK.

By the following Letters,* these facts appear unquestionable, viz: that the Committee of fifty-one first proposed a General Congress to the people of *Boston*; that the Committee have in the most explicit manner pledged their honour for the faithful observance of what should be determined on by the Congress.—And it is also unquestionable that the Committee nominated the Delegates for this City and County, who were after that publickly and unanimously elected. Their constituents are there-

* See Letters from *New-York* Committee to Committee of Correspondence of *Boston*, of *May* 23, 1774, Ante Folio, 297; and *June* 7, 1774, Ante Folio, 303.

Digitized by Google

fore bound by all the ties of honour, and the duty they owe to their posterity religiously to maintain the engagements entered into by the Delegates in their behalf. These Delegates received deputations from the Counties of *Ulster*, *Albany*, *Dutchess*, and *West Chester*; and, I am well informed, Colonel *Philips* was the Chairman of the respective Committees of his County, who authorized our Delegates to act for them, and that he was zealous for their appointment. The Counties of *Orange*, *Suffolk*, and *Kings*, sent other Delegates to the Congress. These eight Counties which were thus represented in the General Congress, are a great majority of the Colony, whether this is determined by Counties, inhabitants, wealth or the number of members they send to the General Assembly; it being evident their Representatives are twenty-three of thirty-one that constitute that body. Hence it appears how void of truth that assertion is of the shameless "*Westchester* Farmer," that "not a "hundredth part of the people of this Province had any "vote in sending the Delegates." This is a sample of his Pamphlets, which abound with barefaced falsehoods. It is a sure evidence of a bad cause when its advocates are drove to these vile arts to advance it. Of the six Counties unrepresented in the General Congress, four of them are new, thinly inhabited, and very remote from the capital; and the Farmers live so distant from each other that it would be difficult to convene them for the purpose of choosing Delegates; especially as the time when they were chosen in the other Counties, was the most valuable season for husbandry. The two old Counties may be ranked among the smallest of our Counties, the number of Freeholders in *Richmond* being under four hundred. From all this it appears the majority of Counties, inhabitants, and property, were represented in the Grand Continental Congress; and, therefore, there is no reason to doubt but the present Assembly will (after the laudable example of a former House, on a similar occasion) approve the acts of the late General Congress; especially if it be considered that the very Assembly now convened have given their thanks to our Merchants for a former restriction of our trade, intended to effect a repeal of the Tea Act, which still exists, besides many others since past, which threaten destruction to this Continent.

Extract of the Votes and Proceedings of the General Assembly of the Colony of NEW-YORK, JANUARY 26, 1775.

A motion made by Colonel TEN BROECK, in the words following, to wit:

"MR. SPEAKER: I move that this House take into con-"sideration the Proceedings of the Continental Congress, "held in the City of *Philadelphia*, in the months of *Sep-"tember* and *October* last." Then Colonel PHILIPS moved, "That the previous question be first put, whether "the question upon Colonel TEN BROECK's motion should "be now put;" and debates arising upon the said motion, and the previous question being accordingly put, it was carried in the negative, in the manner following, to wit:

For the question being put on Colonel TEN BROECK'S *motion:*

Colonel WOODHULL, Colonel SCHUYLER, Colonel P. LIVINGSTON, Mr. CLINTON, Mr. VAN CORTLANDT, Mr. DE WITT, Captain SEAMAN, Colonel TEN BROECK, Mr. NICOLL, Mr. BOERUM.

Against the question being put on Colonel TEN BROECK'S *motion:*

Mr. *Walton*, Mr. *De Lancey*, Mr. *Jauncey*; members for the City of *New-York*, which first proposed a Congress, and was represented there.

Colonel *Philips*, Mr. *Wilkins*; members for the County and Borough of *West Chester*, which were represented in Congress.

Mr. *Rapalje*; member for *Kings* County, represented in Congress.

Mr. VAN KLEECK; member for *Dutchess* County, whose District was represented in Congress.

Colonel *Seaman*, Mr. BILLOP; members for *Richmond* County, containing less than four hundred freeholders, not represented in Congress.

Mr. *Kissam*; member for *Queens* County, not represented in Congress.

Mr. BRUSH; member for *Cumberland* County, not represented in Congress.

N. B. The Members' names in Italick were of the Assembly's Committee of Correspondence, who approved, in their Letters to the other Colonies, of a Congress. Mr. JAUNCEY was also a Member of the Committee of fifty-one, for the City of *New-York*; and was present when their Letter of the 23d of *May* last, to the Committee of *Boston* was reported, and unanimously approved. And Colonel PHILIPS was Chairman of the Convention of the Committees of his County, who authorized the Delegates of *New-York* to act for them; and was zealous for their appointment: so that they must have had but little regard to their publick reputations, to vote against an inquiry into the Proceedings of the Congress. As to the vote, it can have no important influence on the cause of the Continent, if it be considered, that but two members, Representatives of one County, and one for each of two others unrepresented in Congress, were all the members of unrepresented Counties, against the inquiry. The Counties of the other seven members, on that side of the question, were represented in Congress, as above mentioned. And the inhabitants of such of them as are of any importance to the publick cause are determined to maintain the Association.

The Counties and Districts of the Members who voted for the inquiry, are warmly attached to the *American* cause: so that in this, as well as in every other point of view in which the sense of the Colony is considered, there are a great majority of it disposed to maintain the measures of the Congress.

EXTRACT OF A LETTER FROM BALTIMORE TO A GENTLEMAN IN NEW-YORK, DATED JANUARY 27, 1775.

The friends here to true liberty, are charmed with the late conduct of your respectable Council and Assembly. From their true patriotism, discernment, and moderation, we do presage the happiest consequences to our convulsed country. Unlike the Assembly of *Philadelphia*, (who have been really bullied into the most abject measures by the furious sons of the murderer of *Servetus*,) we hope they will nobly disdain to sacrifice, to prostitute their judgment, their honour, their country, at the furious shrine of popular errour. With unfeigned pleasure have we also seen the Testimony of the people called Quakers; through every line it breathes the true spirit of Christianity, and from every sentence, pours the blessed balm of peace on the wounds of our mangled country. In the *Philadelphia* Papers, you will perceive that some persons in this Town have had the imbecility to approve of the frantick proceedings of certain men, who lately styled themselves Delegates to a Provincial Congress, (with the same truth and propriety, indeed, they might have called themselves Electors of the Holy *Roman* Empire,) and abandoned to every sense of decency, propriety, and loyalty, have also in their turn, haberdashed certain Resolves extremely curious. This Town is chiefly settled by *Scotch-Irish*, (in liberality of sentiment at least three centuries behind even the other *British* subjects in *America*,) and it is a melancholy truth, that such are, to a man, violently bent on supporting the good old cause, (that is the cause of fanaticism and sedition,) by taking Arms against the best Government (with all its imperfections,) on earth. You see, sir, they have ordered three thousand pounds of Powder, and twelve thousand pounds of Lead, to be immediately purchased. While I compassionate their delusion, I cannot forbear smiling at their insanity, and at their gasconades. They have assessed the immense sum of ten thousand Pounds currency, (by-the-bye, it is not yet raised, though they accept the humble sums of two Shillings and six Pence from subscribers,) to oppose an Empire, who, last war, for years, expended only the trifling sums of fifteen or twenty millions Sterling annually. I shall shortly transmit a state of the Army now forming in this Province, to be commanded by *Orlando Furioso*, and of that other forming in the lower Counties on *Delaware*, to be commanded by *Midas M'Kinley*, Esq., Priest and Prophet of that County. Meantime, I do most

Digitized by Google

sincerely believe, that his Majesty's Troops, under the command of General *Gage*, are in no imminent danger from the said Armies.

EXTRACT OF A LETTER FROM NEW-YORK TO A GENTLEMAN IN BOSTON, DATED JANUARY 27, 1775.

As the enemies of *America* are indefatigable in giving the highest colouring to every event that has the least appearance of disunion among the Colonies, it is the duty of her friends to counteract them. For this purpose, I enclose you the late vote of our Assembly, in order that you may be fully informed of that fact, and be thereby enabled to defeat their wicked machinations. The meaning of the Previous Question in our Assembly's Proceedings, is, that any motion or question proposed shall not be then put; or, in other words, that the sense of the House shall not be taken on any such motion or question. Hence, therefore, you will be able fully to understand the import of the determination of the House. The present Assembly has existed since 1769, and most of the Members who were against an inquiry into the measures of the Congress, as preparatory to the approbation of them, have long since forfeited the esteem of their constituents, and are therefore looking for favours from the Crown for themselves and families. Others of them were imposed on from mere ignorance, and some from fear; being frightened by designing men into an apprehension that the approving the doings of the Congress, as they contained the *Suffolk* Resolves, which some called treason, would involve them in the guilt of it. In short, sir, no virtuous or spirited act could be expected from a House, which had, by its votes, violated the right of Election, suspended the Habeas Corpus Act, deprived the subject of his right to a trial by a Jury, and provided support six years for Troops kept here for the express purpose of enslaving *America*; but although these miscreants are the legal Representatives of the people, yet I can assure you they are not their true Representatives, and therefore you have no cause to fear that this City will depart from the Association.

HANOVER (NEW-YORK) COMMITTEE.

At a Meeting of the Freeholders of the Precinct of *Hanover*, in *Ulster* County, at the house of Mr. *Arthur Parks*, on *Friday*, the 27th of *January*, 1775, a Committee of the following members being chosen, viz: *Charles Clinton*, *Alexander Trimble*, *Arthur Parks*, *Hendrick Smith*, *James Latta*, *William Jackson*, and *Jacob Newkirk*; *Charles Clinton* was chosen Chairman, and the following Resolves were made:

1st. *Resolved*, That this meeting do unanimously approve of the Association, and gratefully rely on the wise and patriotick measures of the late Continental Congress, and that we will, to the utmost of our power, use every prudent measure to render them effectual, at the same time that we will earnestly recommend to the respective Towns and Precincts within this County, to choose Committees to act for their respective Districts, in conjunction with us.

A certain Pamphlet, entitled "Free Thoughts on the Resolves of the Congress," being then exhibited, and publickly read, it was

2dly. *Resolved*, That it contains a false but specious show of reasoning, contrived only to induce the ignorant and credulous to counteract the Resolves of the Congress, by discouraging that happy union that subsists among us for the preservation of our constitutional liberty.

3dly. *Resolved*, That the said Pamphlet, examplary to all such guilty performances, be now publickly burnt, and that the authors and propagators of such performance be held in due contempt, as enemies to their country. It was burnt accordingly. Signed by order of the Committee.

CHARLES CLINTON, *Chairman*.

JAMAICA (NEW-YORK) DECLARATION.

Jamaica, January 27, 1775.

Whereas, a few people in the Town of *Jamaica*, in *Queens* County, on *Long-Island*, have taken upon themselves the name of a Committee, said to be chosen by a majority of the inhabitants of the said Township, we, the subscribers, freeholders and inhabitants of the said Township of *Jamaica*, do think it our duty to declare, that we never gave our consent towards choosing that Committee, or making any Resolves, as we utterly disapprove of all unlawful meetings, and all tyrannical proceedings whatsoever; and as we have always been, so it is our firm resolution to continue peaceable and faithful subjects to his present Majesty King *George* the Third, our most gracious Sovereign; and we do further declare, that we do not acknowledge any other Representatives but the General Assembly of this Province, by whose wisdom and interposition we hope to obtain the wished redress of our grievances in a constitutional way.

John Williamson,	Henry Wiggins,	Nehemiah Carpenter,
Joseph Burling,	Benjamin Wiggins,	Nathl. Townsend,
Charles Smith,	Cornelius Bennett,	Jeremiah Valentine,
John Grant,	Jacob Bergon,	John Wiggens,
Joost Van Brunt,	John Bergen,	Nicholas Townsend,
John Mills,	Tunis Bergen,	George Fowler,
Nicholas Vanausdal,	Derick Bergen,	Ephraim Ludlam,
Benj. Whitehead, Jr.,	John Bergen, Jr.,	William Turner,
Isaac Vanausdal,	Jacob Bergen, Jr.,	Nicholas Losee,
Abraham Vanausdal,	Saml. Doughty, Jr.,	Peter Caverly,
John Amberman,	Obediah Hencksman,	Nathaniel Woodruff,
Nic. Lamberson, Jr.,	Samuel Doughty	John Hencksman,
Matthias Lamberson,	Johannes Lott,	Obediah Mills,
Cornel's Lamberson,	Martin Johnson,	John Polhemus,
Nicholas Lamberson,	E. Van Wicklin, Sr.,	Luke Eldrif,
Joseph Golden,	Johannes Snedegar,	Stephen Lott,
William Golden,	Abraham Snedegar,	William Welling,
Barnardus Ryder,	Johan. Williamson,	Samuel Welling,
Garret Nostrant,	Dow. Dittmas, Jr.,	John Dean,
John Nostrant,	Rem Remsen, Sr.,	Abraham Polhemus,
Ares Remsen,	Rem Remsen, Jr.,	Nicholas Jones,
John Remsen,	John Remsen,	Powall Amberman,
Rem Remsen,	Jacob Remsen,	Gar. Van Wyckten,
Samuel Mills,	William Smith,	David Mills,
Nathaniel Mills,	William Thadford,	Garret Latteu,
Charles Arding,	Daniel Whitehead,	Joseph Dunbar, Sr.,
Benj. Whitehead,	Mervin Perry,	Evert Van Wycklin,
Ab. Colyer,	Thomas Wiggins,	Abraham Lott,
John Troup,	Nathaniel Mills, Jr.,	Jacob Lott,
Robert Howell,	Samuel Simmons,	Daniel Remsen,
Jabe Woodruff,	Waters Lamberson,	Garret Durling,
Nicholas Ludlam,	Tunis Lamberson,	Rem Snedegar,
John Bennett,	John Lamberson, Jr.,	Hendk. Emmens, Jr.,
Isaac Bennett,	John Johnston,	John Snedegar,
Tunis Covett,	Ludlam Smith,	William Pettit,
Richard Covett,	John Smith,	Henry Higby,
Tunis Covett, Jr.,	John Hutchins,	Aury Boorum,
Aaron Van Nostrant,	Gilbert Combes,	Nathaniel Higby,
Ruliff Durye,	Benjamin Carpenter,	Luke Barragin,
James Everett,	Hope Mills, Jr.,	William Cornwall,
William Valentine,	Joseph Furman,	Joseph Oldfield,
John Doughty,	Isaac Pettit,	John Lamberson,
George Bates,	Richard Batts,	Hendk. Emmens, Sr.,
John Wiggins,	Charles Willing,	Rem. Snedegar,
Jacob Dean,	Garret Murphey,	Isaac Ditmas.
Seph Higby,		

N. B. Ninety-one of the above subscribers are freeholders, and the others very respectable inhabitants within the Township of *Jamaica*. There are not above one hundred and fifty or one hundred and sixty freeholders at most in this Township.

WORCESTER (MASSACHUSETTS) CONVENTION.

At a Convention of Committees for the County of *Worcester*, convened at the Court House in *Worcester*, *January* 27, 1775, the following Votes and Resolves passed, viz:

Voted, That a Committee of nine persons be chosen, to take into consideration the form of a Covenant for this County to adopt, and make report to this body.

They reported as follows:

Resolved, That it be recommended to the inhabitants of this County, that have not signed this or a similar Covenant, that they do it as soon as may be with conveniency.

We the subscribers, having seen the Association, &c., drawn up by the Grand Continental Congress, respecting the Non-Importation, Non-Consumption, and Non-Exportation of Goods, signed by our Delegates, and the Delegates of the other Colonies on the Continent, and also the addition thereto, made by the Delegates in Provincial Congress, dated *Cambridge*, *December* 5th, 1774, for carrying into execution the said Association, and having attentively considered the same, do heartily approve of said Association, and every part thereof, and in order to make the same Association, &c., our own personal act, do by these presents "associate, under the sacred ties of virtue, honour, and "love of our country," strictly to observe, and keep all and every article and clause in said Association, and addition contained, with respect to Importation, Exportation, and Consumption, according to the true intent, meaning, and

Digitized by Google

letter thereof, and will duly inform and give notice of every evasion or contravention of said Agreement, as far as we are able. All and every of which clauses aforesaid, to remain firm and in force, until overruled by a Continental and Provincial body assembled.

Witness our hands, this 27th day of *January*, 1775.

The above was accepted by the Convention, and signed by the Members thereof.

Voted, That a Committee of seven take under consideration the conduct of several persons, who, by their behaviour, have evinced a disposition inimical to their country, and make report to this body, and is as follows:

Whereas, the Convention of Committees from the County of *Worcester*, did, on the 31st of *August*, 1774, resolve that it be recommended to such Innholders and Retailers in said County, who may be approbated by the Selectmen in their respective Towns, to continue and exercise their respective functions, provided they strictly adhere to the laws of this Province respecting Innholders and Retailers, and it was the sense of that Convention, that no person or persons ought to sell Spirituous Liquors in said County, but such as shall be approbated by the Selectmen of their respective Towns or Districts; and as complaint has been made to the Convention now sitting, that a number of persons in this County do practise the selling Strong Liquors, without the approbation as aforesaid, which is not only counteracting a Resolve of said Convention, but is against the law of the Province, is of dangerous consequence, and has a tendency to corrupt the morals of the people, &c. And for preventing the same, and promoting peace and good order, it is *Resolved*, That it be recommended to the Committees of Correspondence, Inspection, and Selectmen, in every Town and District in this County, carefully to inquire into such illegal practices and disorders, and not only discountenance, but discourage and put a final stop to such breaches of good order; but provided any person will not be reclaimed, he, or they, ought to be held up to publick view, and treated with not only neglect, but contempt, as enemies of all publick as well as private good, until they reform.

And whereas, *Isaac Jones*, of *Weston*, in the County of *Middlesex*, Innholder and Trader, has, by his conduct of late years, in various instances, manifested a disposition inimical to the rights and privileges of his countrymen; therefore,

Resolved, That it be earnestly recommended to all the inhabitants of this County, not to have any commercial connections with the said *Isaac Jones*, but shun his house and person, and treat him with that contempt he deserves; and, should any person in this County be so lost to a sense of their duty, after this recommendation, as to have any commercial connections or dealings with the said *Jones*, we do advise the inhabitants of this County to treat such persons with the utmost neglect.

Whereas, the enemies of these United Colonies are indefatigable in their endeavours to create divisions among the inhabitants, and as there are several Printers on the Continent, that incessantly assist them in their endeavours, by publishing their scandalous performances in their several Newspapers; therefore,

Resolved, That it be recommended to the good people of this County not to take any more of the aforesaid Papers, but that they encourage those Printers who have invariably appeared friendly to this country.

It is strongly recommended by this body to the Committees of Inspection, in the several Towns in this County, that they be very assiduous in the discharge of the trust reposed in them, with respect to Trade, to see that all Traders keep strictly to the rules laid down by the Continental and Provincial Congresses, and also, that they make strict inquiry of every person that purchases Goods abroad, who they trade with, and when the Goods were imported. We also recommend to the inhabitants of this County, whenever they purchase Goods as above said, that they be very careful not to break Covenant, and that they take bills of parcels of every article, and lay the same before the Committee for their inspection, that no person may be imposed upon by those villains that are inimical to the cause of liberty.

Whereas, we are fully sensible that our enemies are assiduously endeavouring to provoke us to acts of violence, not only with those we esteem inimical to our liberties, who are natives of this Province, but also with General *Gage* and the King's Troops, endeavouring thereby, as we apprehend, to exceed the bounds of our patience, that they may have a pretence to represent us as the aggressors; therefore,

Resolved, That we are disposed to conduct ourselves friendly towards his Majesty's Troops, agreeable to the recommendation of the Continental Congress, so long as they behave peaceably towards us.

2. *Resolved*, That it be recommended to the inhabitants of this County, to be very careful in discountenancing and suppressing all acts of violence, except so much as is necessary to carry the Resolves of the Continental and Provincial Congresses into execution. And being fully convinced of the justness of our cause, we are determined firmly and religiously to support and maintain our rights, even to the loss of our lives and fortunes, before we will dastardly and impiously give up and submit to an arbitrary power.

EXTRACT OF A LETTER FROM A MERCHANT AT ANNAPOLIS, IN MARYLAND, TO HIS FRIEND IN PHILADELPHIA, DATED JANUARY 28, 1775.

The measures of the late Continental Congress, have occasioned much warmth and discord in this country. A turbulent man, of no consideration, unless with the needy and desperate like himself, has found means, by frequent publications, tending to sedition and rebellion, to assemble the inhabitants in *Anne Arundel* County, and with haranguing, and urging the necessity of adopting every measure of the Association, and the other wild, impracticable views of the Congress, he fascinated a multitude of people here; but to the confusion of these enemies of the good old Constitution, his progress has been stopped by the spirited opposition of a writer who attacked him in several printed papers, under the signature of "*A Citizen*;" to this happy interposition, we owe the liberty of speaking and acting, assenting and dissenting, in all political business, as we were wont to do before this busy demagogue obtained an existence amongst us. In short, we have defeated him in an insolent plan of levying money upon his Majesty's faithful subjects, to raise a fund for the express purpose of purchasing Arms and Ammunition, to join the treasonable purpose projected by *Adams* and the Eastern Republicans, to carry on a formal rebellion in the Colonies. Be assured, there is too much loyalty, wisdom, and conduct in the principal people of *Maryland*, to suffer this Firebrand's projects to throw the Province into a state of further distraction, which he labours to effect, merely to secure in the scramble, something for himself. The eyes of our inhabitants are now opened to his crafty designs; blasted and withered, he will torment us no more, for he is chased to the ground. We have just got the piece entitled, "What Think ye of the Congress now?" It expresses the sentiments of all the true Loyalists, and will recover many here who have been misled by the loud unlettered Orators of the Republican tribe. The conduct of the *New-York* Assembly, in acting consistently with their own dignity, and daring to speak the true constitutional language, was received amongst us with the most fervent plaudits. We wish your *Pennsylvanians* had taken the lead in so glorious a cause. Oh! what a falling off was that of your Assembly, to approve of the measures which the majority of the Members of it, in their hearts, most sincerely condemned. In such a Government, a very different determination was expected; but *Adams*, with his crew, and the haughty Sultans of the South, juggled the whole conclave of the Delegates. Fie on't, Oh fie! We are impatient for the Speech from the Throne, and the temper of the new Parliament.

Philadelphia, January 30, 1775.

Answers of the Governour of his Majesty's Province of PENNSYLVANIA, *in* AMERICA, *to the several heads of inquiry relative to the present state and condition of the said Province, transmitted by the Right Honourable the Earl of* DARTMOUTH, *in his Letter of the 5th of July*, 1773.

1. What is the situation of the Province under your Government; the nature of the country, soil, and climate;

Digitized by Google

the Latitudes and Longitudes of the most considerable places in it; have those Latitudes and Longitudes been settled by good observations, or only by common computations; and from whence are the Longitudes computed?

Answer. The Province of *Pennsylvania* is situated on the River *Delaware*, in *North America*, lying (agreeable to the Royal Charter) from the beginning of the 40th to the beginning of the 43d degree of Latitude; and in Longitude computed West, from *Greenwich*, from 75 to 80 degrees. The nature of the country is various, being in many places much broken with hills, mountains, and barrens, but this is compensated by a proportionable number of fertile vallies and plains, watered by the noble Rivers the *Delaware*, the *Susquehannah*, part of the *Alleghany* or *Ohio*, and the numerous branches, streams, and springs that empty themselves into these three great Rivers. The soil, where good, (which is a large proportion of the whole) is well adapted to the raising Wheat and all other sorts of grain raised in *England*, besides some others, such as *Indian* Corn, &c., suitable to our more Southern Latitude. The climate is salubrious, differing little from *European* climates in the same Latitude, excepting in this, that the Winter colds are something more intense from the vast extent of country to the Northwestward; but the purity of the air during the cold season, which seldom lasts above two months, compensates for its keenness. The City of *Philadelphia*, situated near the conflux of *Delaware* and one of its chief branches, the *Schuylkill*, is the most considerable Town in the Province, or, indeed, in *North America*. The State House of this City lies in North Latitude 39° 56′ 53″; its Longitude, from the Royal Observatory, at *Greenwich*, computed West 75° 8′ 45″; or, in time, 5 hours and 35 seconds. This Latitude and Longitude were both fixed by accurate astronomical observations, at the Transit of *Venus*, 1769. Some of the County Towns are considerable places, as *Lancaster* and *York*, the chief Towns of the Counties that go by their names; *Reading*, the chief Town of *Berks*; and *Carlisle*, the chief Town of *Cumberland*. But their Latitudes and Longitudes are not yet fixed by any accurate observations.

Easton, the chief Town of *Northampton* County, situated at the conflux of the main branch of the *Delaware*, and the *Lehigh* Branch, lies in Latitude 40° 43′ 10″, and about the same Longitude as *Philadelphia*.

The conflux of the *Popauchton*, and *Mohock* Branches of the *Delaware*, lies in Latitude 41° 56′ 30″. And about eight miles higher than this, on the *Mohock* Branch, is fixed, by accurate astronomical observations, the beginning of the 43d degree of Latitude, through which the boundary line of *New-York* and *Pennsylvania* passes.

Sunbury, the County Town of *Northumberland*, situated at the conflux of the East and West Branches of the *Susquehannah*, lies in Latitude 40° 48′ 7″.

Wyoming, on the East Branch of the *Susquehannah*, (where some intruders, from *Connecticut*, have forcibly seated themselves, under pretence of extending their Colony to the South Sea,) is situated in Latitude 41° 14′ 17″.

Fort Pitt, at the conflux of the *Ohio* and *Monongahela* Rivers, lies in Latitude 40° 26′ 22″; and its Longitude, West from *Greenwich*, 79° 59′ 0″. This has been accurately ascertained, and leaves *Fort Pitt* undoubtedly about six miles within our Western boundary, as that part of the *Delaware*, which lies in the Latitude of *Fort Pitt*, is three miles forty-seven chains East of *Philadelphia*.

The Light-House, on Cape *Henlopen*, at the entrance of *Delaware* Bay, is situated in Latitude 38° 47′ 8″; its Longitude, West from *Greenwich*, 75° 5′ 18″.

2. What are the reputed boundaries; and are any parts thereof disputed; What parts, and by whom?

Answer. The boundaries of *Pennsylvania*, as described in the Royal Charter, by King *Charles* the Second, to *William Penn*, the first founder of the Province, are as follows: "All that tract or part of land in *America*, with "the Islands therein contained, as the same is bounded on "the East by *Delaware* River, from twelve miles distance "Northward of *New-Castle* Town, unto the three and "fortieth degree of Northern Latitude, if the said River "doth extend so far Northward; but if the said River "shall not extend so far Northward, then by the said "River so far as it doth extend, and from the head of the "said River the Eastern bounds are to be determined by "a meridian line to be drawn from the head of the said "River unto the forty-third degree. The said land to ex-"tend, Westward, five degrees in Longitude, to be com-"puted from the said Eastern bounds; and the said lands "to be bounded on the North by the beginning of the "three and fortieth degree of Northern Latitude, and on "the South by a circle drawn at twelve miles distance from "*New-Castle* Northward and Westward unto the begin-"ning of the fortieth degree of Northern Latitude, and "then by a straight line Westward to the limits of Longi-"tude above mentioned."

There was a serious contention between the Proprietaries of *Maryland* and *Pennsylvania* concerning the boundaries and extent of their Provinces, from the time of the original grant of *Pennsylvania*, till the year 1732, when they entered into Articles of Agreement for the settlement and establishment of their boundaries, by which it was agreed that a due North line should be drawn from the tangent point of the twelve miles circle of *New-Castle*, so far only until it should come unto the same Latitude as fifteen *English* Statute miles due South of the most Southern part of the City of *Philadelphia*, and that a due East and West line should be run in manner following: To begin at the Northern point or end of the said due South and North line, and should from thence run due West across *Susquehannah* River to the utmost extent of the Province of *Pennsylvania*, which said East and West line was to be the lines of division between *Maryland* and *Pennsylvania*. And these lines are established as the boundaries between them by a Decree in Chancery, in *England*, after a long, tedious, and expensive suit, instituted in that Court by the Proprietaries of *Pennsylvania* against the Proprietary of *Maryland*, for a specifick performance of those Articles. In the year 1760 another Agreement was made between the Proprietaries of these two Provinces, reciting and ratifying the Agreement of 1732, and the Decree aforesaid, and this latter Agreement was also established by a Decree in Chancery. These lines have been run and marked by Commissioners on both sides, in consequence of the several Agreements and Decrees, and at the joint Petition of the Proprietaries of each Province, the Agreements and Decrees, and the execution of them, were ratified by his Majesty, in Council, on the 11th day of *January*, 1769, so that those divisional lines thus established, and the Charter bounds of *Pennsylvania*, so far as the Province of *Maryland* does not interfere, according to the Agreements and Decrees aforesaid, may be said, at this day, to be the reputed bounds of *Pennsylvania*, which, however, are considerably short of the intention of the original grant, which appears by the Minutes of Council at the time of the Grant, and from the expressions of the Grant itself, to have been an extent of three degrees of Latitude and five of Longitude, from which the Province of *Maryland* takes off about fifty miles in Latitude, in the full extent of *Maryland*, from East to West. A claim has lately been made by the Colony of *Connecticut* to a part of *Pennsylvania*, which they have not ascertained with any degree of precision, but allege they have a right to at least the whole forty-second degree of North Latitude, in breadth, to extend the whole Longitude of the Province of *Pennsylvania*. No other part of *Pennsylvania* is disputed, that I know of, except that Lord *Dunmore*, as Governour of *Virginia*, hath lately taken possession of *Pittsburgh*, and claims the country as far Eastward as the *Laurel Hill*, which, in many places, is at least fifty miles within the Charter bounds of *Pennsylvania*.

3. What is the size and extent of the Province; the number of acres supposed to be contained therein; what part thereof is cultivated and improved, and under what titles do the inhabitants hold their possession?

Answer. The extent of the Province is mentioned in the answer to the first question, viz: Three degrees of Latitude by five of Longitude, as it should be by Charter, which contains fifty-four thousand nine hundred and twelve square miles, or thirty-five millions one hundred and forty-three thousand six hundred and eighty acres. But the prior grant to Lord *Baltimore* having been determined to interfere with the grant to Mr. *Penn*, the Southern boundary of *Pennsylvania*, so far West as *Maryland* extends, has been settled in Chancery at fifteen miles South of *Philadelphia*, viz: in Latitude 39° 43′ 42″. By this settlement *Pennsylvania* loses

Digitized by Google

eleven thousand sixteen square miles, or seven millions fifty thousand two hundred and forty acres, being something more than one-fifth of the whole grant; indeed, if the Southern boundary was to be continued quite through to the Western extremity of the Province in the aforesaid Latitude of 39° 43′ 42″, one-fourth of the whole Royal Grant to *Pennsylvania* would be lost. But as *Pennsylvania* reaches about fifty-one miles West of *Maryland*, it is presumed that there at least the Province should run South to the fortieth degree, and then West to the end of five degrees from *Delaware*, after which the aforesaid quantity of seven millions fifty thousand two hundred and forty acres will be still deficient of what it was the gracious intention of Government to grant to *William Penn*, and it may be submitted to his Majesty's goodness, whether this deficiency ought not to be made good somewhere. It is not easy to ascertain what proportion of the Province is cultivated, but, on the whole, it is a much larger proportion than in any other Colony of the same age in *North America*, the country being, in general, very fully settled as far as the quality of the lands and purchase from the *Indians* will permit. The lands are held by the inhabitants under patents from the Proprietaries, and yearly quit-rents of various denominations, the highest one Penny per acre; a great part only a half Penny, and many of the old patents, under small acknowledgments in Corn or Wheat, &c.

4. What Rivers are there, and of what extent and convenience in point of Commerce?

Answer. The principal Rivers in this Province are only two, viz: the *Delaware* and *Susquehannah*, into which several smaller Rivers empty themselves, which may, with some expense, be made very useful for inland navigation. The small Rivers which communicate with the *Delaware* are the *Brandywine*, *Schuylkill*, *Neshaming*, and the *Lehigh*, commonly called the *West Branch* of *Delaware*. The only considerable River communicating with the *Susquehannah*, is the *Juniata*, which rises in the *Alleghany*, or *Appalachian* Mountains, and runs an Easterly course to its confluence with that River; and about forty miles higher, the *Susquehannah* divides itself into two large Branches, one of which takes its rise in the Western part of this Province, and the other in the Northwestern parts of *New-York*, and runs from thence through the Northern parts of this Province, in a general course nearly Southwest. There are also within the Western limits of this Province several Rivers which rise in the *Appalachian* Mountains and empty into the *Ohio*, and these are called the *Alleghany*, *Kiskemenetas*, *Monongahela*, and *Yauhogany*, which are navigable for small boats, and only useful for inland navigation. These Rivers, being generally shallow, and not having tide-water, are of no use in point of Commerce, except the *Delaware*, which is a fine deep River, the tide rising in it from five to seven feet, and is navigable for Ships of six hundred tons burthen, to the extent of about one hundred and forty miles from the Ocean.

5. What are the principal Harbours; how situated; of what extent; and what is the depth of water, and nature of anchorage in each?

Answer. This Province having but one outlet to the Sea, which is the River *Delaware*, there is properly but one Harbour, and that is the River itself, and may be said to be about forty miles in extent, viz: from what is called the Bite of *New-Castle*, to the North end of the City of *Philadelphia*; in which extent the depth of water in the channel, at low water, is from three to seven fathom. The bottom of the River being, in general, muddy and free from rocks, the anchorage is very safe and good.

6. What is the Constitution of the Government?

Answer. By the Royal Grant, made by King *Charles* the Second to *William Penn*, the Proprietaries for the time being are appointed Governours-in-Chief, but they have generally acted by the Deputy Governours, commissioned by them, and approved of by the Crown. By the Constitution there are only two branches of the Legislature, viz: the Governour, and the Representatives of the people, who are elected annually on the first day of *October*; but all laws passed by them are subject to the repeal of his Majesty in Council, within six months after they are presented to them. By the Proprietary Charter of Privileges, the Assembly sit on their own adjournments, but are liable at any time to be convened by the Governour's Writ, when the publick exigency requires it. The Governour has a Council, consisting when full of twelve members, which is only in the nature of a Privy Council, and has not a Legislative capacity. By Act of Assembly the President and Council, upon the death or absence of the Lieutenant Governour, have the exercise of all the powers of Government, except that of Legislation.

7. What is the Trade of the Province; the number of Shipping belonging thereto; their Tonnage; and the number of Sea-faring Men, with the respective increase or diminution within ten years past?

8. What quantity and sorts of *British* Manufactures do the inhabitants annually take from hence; what Goods and Commodities are exported from thence to *Great Britain*, and what is the annual amount at an average?

9. What Trade has the Province under your Government with any foreign Plantations, or any part of *Europe*, besides *Great Britain*; how is that Trade carried on; what commodities do the people under your Government send to, or receive from foreign Plantations, and what is the annual amount thereof at an average?

10. What is the natural produce of the country, staple Commodities and Manufactures, and what value thereof, in sterling money, may you annually export?

For a minute and precise answer to these last four heads of inquiry, I beg leave to refer to the copy of a Report made by the Deputy Collector of his Majesty's Customs, for the Port of *Philadelphia*, from the Custom-House Books, herewith transmitted.

11. What methods are there used to prevent illegal Trade, and are the same effectual?

Answer. There is but one Port for the lading and unlading Goods within the Province of *Pennsylvania*, which is that of *Philadelphia*, where there is a regular Custom-House established, and a number of subordinate Officers, as Surveyors, Searchers, and Tidesmen, kept in pay, whose duty it is to prevent illicit trade. A Schooner, well manned, belonging to the Customs, is employed in cruizing up and down the River *Delaware*, to examine all vessels coming into, or going out of Port, and there generally is at least one armed vessel of his Majesty in the same service. The seizures made from time to time shew that these precautions do not effectually put a stop to the practice of smuggling; however, there can be no doubt but that they have a very considerable effect in checking the progress of that kind of trade.

12. What Mines are there?

Answer. There are no Mines in this Province except Iron Ore, though in two or three parts of it there have been found some appearances of Copper Mines, but the attempts hitherto made to discover any quantity of Ore have proved expensive and fruitless.

13. What is the number of Inhabitants, Whites and Blacks?

Answer. From the best information and estimate I have been able to procure, there are in the Province of *Pennsylvania* three hundred and two thousand souls, of whom three hundred thousand are Whites, and two thousand Blacks.

14. Are the Inhabitants increased or decreased within the last ten years; how much, and for what reasons?

Answer. There has been a great increase of inhabitants within the last ten years. This is evident from the numerous grants of lands and new settlements which have been made within that period; but it is impossible for me to say, with the least degree of certainty, how great that increase has been, as I have not been able to procure any materials on which I can form a judgment. The population is owing to the annual importation of *German* and *Irish* servants and passengers, and the natural increase of the inhabitants, who marry earlier, and more generally, here than is usual in *Europe*.

15. What is the number of the Militia, and under what regulations is it constituted?

Answer. No Militia has ever been established in this Government.

16. What Forts and places of defence are there within your Government, and in what condition?

Answer. Since the conclusion of the last war no Forts

Digitized by Google

or places of defence have been kept up within this Government; but there is, at present, a stone Fortification, which was began about three years ago, at the expense of this Province, on an Island in the River *Delaware*, called *Mud Island*, about ten miles below the City of *Philadelphia*, intended for the security and protection of the City against Privateers and other small vessels of force, which might otherwise, in time of war, without any difficulty or interruption, pass up the River to the City, and plunder and destroy it in a few days; but this Fort is left unfinished for want of sufficient funds provided by the Assembly to complete it?

17. What number of *Indians* have you, and how are they inclined?

Answer. Before the late *Indian* war there were a number of *Indians* settled in several parts of the Province, but during that war and since they have withdrawn themselves beyond the Western and Northern limits of the Province.

18. What is the strength of the neighbouring *Indians*?

Answer. As there has been no intercourse between this Government and the neighbouring *Indians* since the general superintendency of *Indian* Affairs was committed to Sir *William Johnson*, I cannot well ascertain their number and strength.

19. What is the Revenue arising within your Government, and how is it appropriated and applied?

Answer. The present Revenue of the Government arises principally from two temporary Acts of Assembly; one, an Act for laying an Excise on Wine, Rum, Brandy, and other Spirits, the other an Act for emitting on Loan at five per cent. interest, Bills of Credit struck for that special purpose. The nett amount of this Revenue is about eight thousand Pounds sterling. The appropriation is made by the Governour and Assembly, and has been hitherto applied by them to the defraying the ordinary and extraordinary expenses of Government mentioned in the next question. This is exclusive of an annual sum of fifteen thousand Pounds sterling raised by Tax on the Real and Personal Estates of the inhabitants, for sinking and destroying the Bills of Credit issued at different times during the late war, and granted by way of supplies to his late and present Majesty. These Taxes were by Act of Assembly, till sufficient sums should be thereby raised for the above purpose, and will not cease for two years to come. Neither does the above state of the Revenue include a duty of Tonnage on Vessels, imposed by an Act of Assembly, amounting yearly to about the sum of one thousand Pounds sterling, which, by law, is appropriated towards the paying for, and maintenance of, a Light House, lately erected at the Capes of *Delaware*, and Buoys placed in the Bay and River; nor a duty of twenty Pounds per head laid on Negroes and Mulattoes, Slaves imported, which produces about the nett sum of fifty Pounds sterling, and is appropriated to the payment of the owners of such Slaves as are executed for capital offences, and the surplus, if any, to be disposed of by the Governour and Assembly.

20. What are the ordinary and extraordinary expenses of your Government?

Answer. The ordinary expenses of the Government of *Pennsylvania, communibus annis*, amount to about the sum of three thousand Pounds sterling. This is exclusive of the charges and expenses of each County yearly for paying the wages of their Representatives in Assembly, making and repairing of Roads, maintenance of their Poor, erecting and repairing of Court Houses and Prisons, building of Bridges, and other local purposes, all which are raised by Tax on the Real and Personal Estates of the inhabitants. The extraordinary expenses of Government consists in Presents and expenses to *Indians* who occasionally come on business, or pass and repass through this to the neighbouring Colonies, Messages to and Treaties with *Indians*, to settle differences which happen from time to time between them and our frontier inhabitants, furnishing bedding and other necessaries for his Majesty's Troops in the several Barracks, raising, paying, and victualling Rangers, to guard and protect our frontier inhabitants from *Indian* incursions and depredations, clearing Rivers and Creeks for inland navigation, making Provincial Roads, publick rewards for the discovering and apprehending Murderers and other capital offenders, and like publick purposes. As many of these expenses are in their nature contingent, no certain account can be given of the annual amount of them. They are defrayed as occasion requires, out of the surplus money arising from the Revenue, stated in answer to the 19th question.

21. What are the establishments, Civil and Military, within your Government, and by what authority do the Officers hold their places? What is the annual value of each office, Civil and Military, how are they respectively appointed, and who are the present possessors?

Answer. There are no Military establishments in *Pennsylvania*. The Civil establishments are as follows:

The Honourable *James Hamilton*, Esquire, *Joseph Turner*, Esquire, *William Logan*, Esquire, *Richard Peters*, Esquire, *Benjamin Chew*, Esquire, *Thomas Cadwallader*, Esquire, *Richard Penn*, Esquire *James Tilghman*, Esquire, *Andrew Allen*, Esquire, *Edward Shippen*, Junior, Esquire, the Council, being in the nature of a Privy Council, having no Legislative power; appointed by the Governour, no Salary or Perquisites.

The Honourable *Benjamin Chew*, Esq., Chief Justice; by the Governour, Salary £200.

John Lawrence, Esquire, *Thomas Willing*, Esquire, *John Morton*, Esquire, Assistant Judges of the Supreme Court; by the Governour, £100 each.

Benjamin Chew, Esquire, Register-General for Probate of Wills and granting Administrations; by the Governour, £200.

Andrew Allen, Esquire, Attorney General; by the Governour, £50.

Joseph Shippen, Junior, Esquire, Provincial Secretary and Clerk of the Council; by the Governour, £200.

Jared Ingersoll, Esquire, Judge of the Court of Vice-Admiralty for the Provinces of *New-York*, *New-Jersey*, *Pennsylvania*, *Maryland*, and *Virginia*, held at *Philadelphia*, appointed by his Majesty, £600.

John Smith, Esquire, Register of the Vice-Admiralty Court; by his Majesty, £40.

Arodi Thayer, Esquire, Marshal of the Vice-Admiralty Court; by his Majesty, £30.

Edward Shippen, Esquire, Judge of the Court of Admiralty for the Province of *Pennsylvania*; by his Majesty, of little or no value since the establishment of the preceding Court.

Richard Peters, Junior, Esquire, Register of the Provincial Court of Admiralty; by his Majesty; of little value.

Judah Foulke, Esquire, Marshal of the Provincial Court of Admiralty; by the Judge; of little value.

William Parr, Esquire, Master of the Rolls and Recorder of Deeds; by the Governour, £40.

Laughlin M'Cleane, Esquire, Principal, *John Patterson*, Esquire, Deputy, Collector of his Majesty's Customs for the Port of *Philadelphia*; by his Majesty, £1,000.

Zachariah Hood, Esquire, Comptroller; by his Majesty, £300.

Richard Penn, Esquire, Naval Officer; by the Governour, £600.

Owen Jones, Esquire, Provincial Treasurer; by the Assembly, £300.

Edward Shippen, Jun., Esquire, Prothonotary of the Supreme Court; nominated by the Judges, and approved and commissioned by the Governour, £200.

Charles Moore, Esquire, Clerk of the House of Assembly; by the Assembly, £100.

James Tilghman, Esquire, Secretary of the Proprietaries' Land Office; by the Proprietaries, £500.

Edmund Physick, Esquire, Keeper of the Great Seal; by the Proprietaries, £25.

John Lukens, Esquire, Surveyor General; by the Proprietaries, £250.

James Hamilton, Esquire, Principal, *James Biddle*, Esquire, Deputy, Prothonotary of the Court of Common Pleas for the County of *Philadelphia*; by the Governour, £500.

John Lawrence, Esquire, Principal, *William Parr*, Esquire, Deputy, Clerk of the Court of Quarter Sessions of the Peace for *Philadelphia* County; nominated by the Justices, and approved and commissioned by the Governour, £70.

William Dewees, Esquire, Sheriff of *Philadelphia* County; two persons being elected by the people, are presented to the Governour, who approves and commissions one of them, £300.

John Knight, Esquire, Coroner of the County of *Philadelphia*; appointed in the same manner as the Sheriff, £40.

William Crispin, Collector of the Excise for *Philadelphia* County; by Act of Assembly, £100.

Levi Hollingsworth, Flour Brander for *Philadelphia* County; by Act of Assembly, £300.

Henry Hale Graham, Esquire, Prothonotary of the Court of Common Pleas, and Clerk of the Court of Quarter Sessions for *Chester* County; by the Governour, £120.

Nathaniel Vernon, Esquire, Sheriff of *Chester* County; as Sheriff of *Philadelphia* County, £100.

John Bryan, Esquire, Coroner of *Chester* County; as Sheriff of *Philadelphia* County, £20.

Thomas Tucker, Collector of Excise for *Chester* County; by Act of Assembly, £30.

Isaac Hicks, Esquire, Prothonotary of the Court of Common Pleas, and Clerk of the Court of Quarter Sessions for *Bucks* County; by the Governour, £100.

Samuel Biles, Esquire, Sheriff of *Bucks* County; as Sheriff of *Philadelphia* County, £100.

George Fell, Esquire, Coroner of *Bucks* County; as Sheriff of *Philadelphia* County, £10.

John Wolston, Collector of Excise for *Bucks* County; by Act of Assembly, £20.

Edward Shippen, Senior, Esquire, Prothonotary of the Court of Common Pleas, and Clerk of the Court of Quarter Sessions of *Lancaster* County; by the Governour, £300.

John Ferree, Esquire, Sheriff of *Lancaster* County; as the Sheriff of *Philadelphia* County, £140.

Digitized by Google

Samuel Boyd, Esquire, Coroner of *Lancaster* County; as the Sheriff of *Philadelphia* County, *l*15.

Sebastian Graff, Esquire, Collector of Excise for *Lancaster* County; by Act of Assembly, *l*30.

Samuel Johnson, Esquire, Prothonotary of the Court of Common Pleas, and Clerk of the Court of Quarter Sessions of *York* County; by the Governour, *l*150.

Charles Lukens, Esquire, Sheriff of *York* County; as the Sheriff of *Philadelphia* County, *l*75.

Joseph Adlum, Esquire, Coroner of *York* County; as the Sheriff of *Philadelphia* County, *l*5.

Henry Miller, Collector of Excise for *York* County; by Act of Assembly, *l*10.

Turbutt Francis, Esquire, Prothonotary of the Court of Common Pleas, and Clerk of the Quarter Sessions for the County of *Cumberland*; by the Governour, *l*150.

Robert Semple, Esquire, Sheriff of *Cumberland* County; as the other Sheriffs, *l*75.

James Pollock, Esquire, Coroner of *Cumberland* County; same as the Sheriffs, *l*5.

Thomas Beard, Esquire, Collector of Excise for *Cumberland* County; by Act of Assembly, *l*7.

James Read, Esquire, Prothonotary of the Court of Common Pleas, and Clerk of the Quarter Sessions for *Berks* County; by the Governour, *l*250.

Henry Vanderslin, Esquire, Sheriff of *Berks* County; as the other Sheriffs, *l*125.

Peter Brecht, Esquire, Coroner of *Berks* County; as the Sheriffs, *l*5.

John Biddle, Collector of Excise for *Berks* County; by Act of Assembly, *l*15.

Lewis Gordon, Esquire Prothonotary of the Court of Common Pleas, and Clerk of the Quarter Sessions of *Northampton* County; by the Governour, *l*75.

Henry Fullert, Esquire, Sheriff of *Northampton* County; as the other Sheriffs, *l*40.

Jonas Hartzell, Esquire, Coroner of *Northampton* County; as the Sheriffs, *l*5.

Jesse Jones, Collector of Excise for *Northampton* County; by Act of Assembly, *l*7.

Thomas Smith, Esquire, Prothonotary of the Court of Common Pleas, and Clerk of the Court of Quarter Sessions of *Bedford* County; by the Governour, *l*50.

James Piper, Esquire, Sheriff of *Bedford* County; as the other Sheriffs, *l*30.

John Chesna, Esq., Coroner of *Bedford* County; as the Sheriffs, *l*5.

Thomas Urie, Collector of Excise for *Bedford* County; by Act of Assembly, *l*3.

William Maclay, Esquire, Prothonotary of the Court of Common Pleas, and Clerk of the Court of Quarter Sessions of *Northumberland* County; by the Governour, *l*40.

William Cook, Esquire, Sheriff of *Northumberland* County; as other Sheriffs, *l*25.

James Murray, Esquire, Coroner of *Northumberland* County; as the Sheriffs, *l*3.

Thomas Lemon, Collector of Excise for *Northumberland* County; by Act of Assembly, *l*2.

Arthur St. Clair, Esquire, Prothonotary of the Court of Common Pleas, and Clerk of the Court of Quarter Sessions of *Westmoreland* County; by the Governour, *l*50.

John Comaghan, Esquire, Sheriff of *Westmoreland* County; as other Sheriffs, *l*35.

James Kincaid, Esquire, Coroner of *Westmoreland* County; as the Sheriffs, *l*3.

Thomas Coombe, Esquire, Collector of the Duties on the Tonnage of Vessels; by Act of Assembly, *l*30.

Thomas Coombe, Collector of the Duties on Slaves Imported; by Act of Assembly, *l*15.

WALLKILL, (NEW-YORK) COMMITTEE.

At a Meeting of a great number of the most respectable Freeholders of the Precinct of the *Wallkill*, in the County of *Ulster*, *January* 30th, 1775, a Committee of five being chosen, viz: *Abimael Young*, *James Wilkins*, *Hezekiah Gale*, *Moses Philips*, and *Henry Wisner*, Jun.; of whom *Abimael Young* was chosen Chairman:

Resolved, 1. That it is the opinion of this meeting, that we most heartily approve of the Association, and acquiesce in all the other measures entered into by the General Congress; and that we will use all prudent measures in our power to render the same effectual.

A certain Pamphlet entitled "Free Thoughts on the Resolves of the Congress," &c., under the signature of "A. W. Farmer," dated *November* 16, being then produced and publickly read, it was,

Resolved, 2. That it is replete with falsehoods, artfully calculated to impose upon the illiterate and unthinking, to frustrate the Resolves of the Congress, and to destroy the union so necessary for the preservation of our constitutional liberty, therefore,

Resolved, 3. That the said Pamphlet, in abhorrence and detestation of such infamous publications, be now burnt, and that the authors, publishers, and circulators of such performances be henceforth deemed enemies to their country.

Which Resolves being unanimously approved, the above Pamphlet was burnt accordingly.

Ordered, That the Resolves be printed.

LETTER FROM LONDON TO A GENTLEMAN OF NEW-YORK, DATED JANUARY 30, 1775.

From unquestionable authority I learn, that about a fortnight ago, despatches were sent from hence by a Sloop-of-War to General *Gage*, containing among other things, a Royal Proclamation, declaring the inhabitants of *Massachusetts Bay*, and some others in the different Colonies, actual Rebels; with a blank Commission to try and execute such of them as he can get hold of;—with this is sent a list of names, to be inserted in the Commission as he may judge expedient. I do not know them all, but Messrs. *Samuel Adams*, *John Adams*, *Robert Treat Paine*, and *John Hancock*, of *Massachusetts Bay*, *John Dickinson* of *Philadelphia*, *Peyton Randolph* of *Virginia*, and *Henry Middleton* of *South Carolina*, are particularly named, with many others. This black list, the General will no doubt keep to himself, and unfold it gradually, as he finds it convenient. Four Regiments from *Ireland*, one of them Light Dragoons, are under sailing orders for *Boston*, with several capital Ships-of-War from hence, and six Cutters, to obstruct the *American* trade, and prevent all *European* Goods from going there, particularly Arms and Ammunition, which makes it expedient without a moment's delay, to be provided with such things as you may want.

Last *Friday* night, the 27th instant, in a Privy Council, the *American* measures were all settled by the Ministry, part of them is to pass an Act of Parliament, inflicting pains and penalties on particular persons and Provinces in *America*, to countenance the infamous Proclamation and Commission already sent to General *Gage*; also it is determined to take away the Charters of *Rhode-Island* and *Connecticut*. I have not been able to learn the whole; though in general I am informed it is denouncing utter destruction to *American* Liberty. Depend upon all this to be fact.

RIDGEFIELD (CONNECTICUT) RESOLUTIONS.

Whereas, application hath been made to the Selectmen of the Town of *Ridgefield*, in *Connecticut* Colony, by several of the Inhabitants of said Town, to call a special Town Meeting, in order to take into consideration the Resolutions entered into by the Continental Congress; and the Inhabitants being accordingly met on the 30th day of *January*, 1775,

NATHAN OLMSTEAD was chosen *Moderator*.

The meeting then proceeded to take into consideration the said Resolutions; and, after mature deliberation, the question was put, "whether this Town will adopt and "conform to the Resolves contained in the Association of "the Continental Congress or not?"

Resolved in the negative (nine dissentients only.)

2d. *Resolved*, *nem. con.*, That we do acknowledge his most sacred Majesty, King *George* the Third, to be our rightful Sovereign; and do hereby publickly avow our allegiance to him and his legal successors; and that we will, to the utmost of our power, support his throne and dignity against every combination in the universe.

3d. *Resolved*, *nem. con.*, That we acknowledge that the three branches of Legislation, to wit: the King, the House of Lords, and the House of Commons, concurring and acting together, have a constitutional right of government over the whole and every part of the *British* Empire.

4th. *Resolved*, *nem. con.*, That the Governour, Council, and Representatives of this Colony, being indulged with, and having an established right of legislation (though restricted) in and over this Colony, and do hereby acknowledge and avow their right of Government and legislation in and over this Colony, and are confident that they are the rightful and constitutional rulers, directors, and guardians of our persons, properties, rights, liberties, and privileges; and we desire no other political guides or guardians than said Assembly, and the Officers constitutionally appointed by them to keep the peace and order of the Colony, and to superintend the execution of the Colony Laws.

5th. *Resolved*, *nem. con.*, That it would be dangerous and hurtful to the inhabitants of this Town to adopt said Congress's measures; and we hereby publickly disapprove of, and protest against said Congress, and the measures by them directed, as unconstitutional, as subversive of our real liberties, and as countenancing licentiousness.

Digitized by Google

6th. *Resolved, nem. con.*, That the Town Clerk be desired to make out a true copy of the aforesaid Resolves, and transmit them to one or more of the Printers in *New-York*, that they may be published to the world.

STEPHEN SMITH, *Town Clerk.*

P. S. There were present in said meeting about two hundred voters; and the said Resolutions are entered on the Town Records.

Committee Chamber, New-York, January 30, 1775.

Whereas, by the first article of the Association of the late Continental Congress, held at *Philadelphia*, the fifth day of *September*, 1774, it is agreed that from and after the first day of *December* next, we will not import into *British America* from *Great Britain* or *Ireland*, any Goods, Wares, or Merchandise whatsoever, or from any other place any such Goods, Wares, or Merchandise, as shall have been exported from *Great Britain* or *Ireland*: and whereas, by the last clause of the tenth article of the said Association, it is further agreed, that if any Goods, Wares, or Merchandise shall be imported after the first day of *February*, 1775, the same ought forthwith to be sent back again, without breaking the packages thereof; and the sense of this Committee being taken, whether all Goods imported from *Great Britain* or *Ireland*, into this City and County, after the said first day of *February*, should not, according to the true intent and meaning of the clauses of the said first and tenth articles of the Association, be sent back in the same Vessel in which such Goods, Wares, or Merchandise, shall be imported,

Resolved unanimously in the affirmative.

By order of the Committee,

ISAAC LOW, *Chairman.*

A motion was made and seconded, that a Sub-Committee be appointed, to observe the conduct of all Vessels which may arrive after the first day of *February* next, having on board any Goods, Wares, or Merchandise, not allowed to be imported by the Association.

Resolved unanimously, That a Sub-Committee be appointed for the purpose above mentioned.

By order of the Committee,

ISAAC LOW, *Chairman.*

EXTRACT OF A LETTER FROM NEW-YORK, TO A GENTLEMAN IN BOSTON, DATED JANUARY 30, 1775.

The enclosed will unriddle the joy that fills the breasts of all the friends to Government, decency, and good order. Since the glorious eleven, with Colonel *Philips* at their head, have carried the day, two more Members are come, both of which are of the right side, so that there is now no chance of the Assembly's aiding or abetting the Congress. The friends to Government plume themselves on this victory, and are now open-mouthed against the proceedings of Congress, and no one dares, among gentlemen, to support them. Worthy old Silver Locks, (Lieutenant Governour *Colden*) when he heard that the Assembly had acted right, cried out, "Lord, now lettest thou thy servant depart in peace."

WESTMORELAND COUNTY (VIRGINIA) COMMITTEE.

At a Meeting of the Freeholders, after due notice, at *Westmoreland* Court House, on *Tuesday*, the 31st day of *January*, 1775, *Richard Henry Lee* and *Richard Lee*, Esquires, were unanimously chosen Delegates to represent this County in Colony Convention, at the Town of *Richmond*, in *Henrico* County, on the 20th day of *March* next.

After they were chosen, the following Instructions were publickly read to them by the desire of the people:

To *Richard Henry Lee* and *Richard Lee*, Esquires:

The Freeholders of *Westmoreland* County having often experienced your fidelity, abilities, and firm attachment to the cause of liberty, have now appointed you to represent them in a Colony Convention, proposed to be held at the Town of *Richmond*, on the 20th of *March* next; and as we are convinced, from the maturest deliberation, that the safety and happiness of *North America* depend on the united wisdom of its Councils, we have no doubt you will comply, on your parts, with the recommendation of the late Continental Congress, to appoint Deputies from this Colony to meet in *Philadelphia* on the 10th day of *May* next, unless the redress of *American* Grievances be obtained before that time; and as it is our firm determination to stand or fall with the liberties of our country, we desire that you may consider the people of *Westmoreland* as ready and willing to join with their countrymen in the execution of such measures as may appear to the majority of their Deputies assembled at *Richmond*, wise and necessary to secure and perpetuate the ancient, just, and legal rights of this Colony and of *British America*.

At the same time and place the following gentlemen were chosen a Committee to see the Association faithfully observed in this County, according to the direction of the Continental Congress: the Reverend Mr. *Thomas Smith*, *Philip Smith*, *Richard Henry Lee*, *John Augustin Washington*, *John Turberville*, *Daniel M'Carty*, *William Pierce*, *Joseph Pierce*, *Thomas Chilton*, *William Bernard*, *Richard Parker*, *Beckwith Butler*, *Fleet Cor*, *Daniel Tebbs*, *George Steptoe*, *John Ashton*, *William Nelson*, *Richard Bucknor*, *Burdett Ashton*, *Benedict Middleton*, *George Turberville*, *John Middleton*, *William Bankhead*, *John Martin*, *Joseph Fox*, *John Ashton*, Jun., *Samuel Rust*, *William Berryman*, *James Davenport*, *Woffendel Kendel*, *Daniel Fitzhugh*, *Benjamin Weeks*, *Richard Lee*, *Thomas Fisher*, and *Edward Sanford*.

JAMES DAVENPORT, *Clerk.*

FROM THE (LONDON) PUBLICK LEDGER.

TO LORD NORTH.

The Minister whose mind can remain in a quiescent state whilst surrounding calamities threaten ruin to his country, is beyond redemption lost to those virtuous feelings which should characterize our species.

There is a period when the people should resist, because the laws of nature and of *God* would justify resistance. There is also a crisis when a state of neutrality would be downright meanness; and not to be active would be the very worst of crimes. At a crisis of this kind, my Lord, we are now arrived. Without hyperbole, it may be pronounced that, on the measures pursued with respect to *America*, the welfare of *Great Britain* ultimately depends. All men, therefore, being interested in the event of those measures, every man should take a decided part by delivering an opinion on their rectitude or impropriety. Our political Sun seems setting in the West, and unless some leader of the people, aided by Providence, should, like another *Joshua*, arrest it in its swift declension, the cheering ray of national prosperity will be forever vanished from our Island.

Various have been the Parliamentary arguments; as various have been the opinions of Parliamentary leaders on *American* affairs; the question of Right hath agitated one, the question of Propriety another, class of disputants. But remarkable it is, my Lord, that, amidst the dissimilar exercitations of judgment, nothing like a plan for adjusting the affairs of the Colonies hath been struck out. The present measures have deservedly undergone the severity of reprehension, though a system less exceptionable hath not hitherto been offered in their stead. It is to supply this defect that I have ventured to suggest a mode which, if adopted, will mutually reconcile *Great Britain* and the Colonies, re-invigorate *American* Commerce, and establish a lasting harmony on so permanent a basis that the authority of Parliament and the rights of the Colonists shall henceforth coalesce without conflicting struggles, and ever after, like righteousness and peace, shall salute each other with a kiss of perfect amity.

It is a concomitant inseparable from a projector, to doat even on the foulest excrescence of his brain. Not quite so partial, though by no means indifferent to my mental offspring, I give it to your Lordship with all the fond solicitude of a parent, and only request you to cherish it for the benefit of my country. Many a worse favoured fœtus has been nurtured at *St. James's*; and, if common fame speaks true, some of the bantlings of which your Lordship

Digitized by Google

is the reputed father, are infinitely more deformed than the foundling I now shall drop at your Ministerial portal.

To quit the figurative style and descend to the unentertaining language of politicks; the one has more of the pleasing, the other of the useful.

In propounding a system of measures to be pursued with the Colonies, I shall wave all disputes about Charters.—The question now, as I conceive the matter, respects not a mere speculative theory, but a practical system. We are not searching after a fanciful compact, which, like a mathematical point, is a something undefinable. Abstract reasoning, where immediate decision is necessary, is a mere waste of time, a display of faculties, wherein acuteness too often employs itself in confounding the order of nature and annihilating all distinctions between right and wrong.

As the difference between the mother country and her Colonies hath originated from an exercise of unconstitutional Taxations, so can it never be expected that those differences should subside until the cause of contention be effectually removed. The short and simple question, then, is this: What method can be adopted to remove the cause of contention, without subjugating the *Americans* on the one hand, or impairing the supreme authority of the Legislature, by an impolitick yielding, on the other? I do conceive, my Lord, that a representation is the only mean which can, in the nature of things, bring about so desirable an end; for here lies the mischief. It is a sacred truth in the law of *English* Jurisprudence, "that no man can be "taxed who is not either virtually or actually represent-"ed." Now, if there are some hundred thousands of *British* subjects who entertain an opinion "that they are "not either virtually or actually represented in the *British* "Parliament," the very attempt to tax such, by doing violence to their feelings, can occasion nothing but infinite distraction to the Empire. Nor will recourse to authority, as experience has proved, contribute aught to silence clamour or remove contention. The sword may conquer, but it cannot convince. To punish men for erroneous tenets, before you convince them that the opinions they maintain are of that cast—what is this but to assume the offices of Judge, Interpreter, and Executioner?—offices never arrogantly claimed by any society of men, the members of the Inquisition, and those of the late House of Commons, excepted.

From the unanimity with which the principle that Taxation and Representation are inseparable, is adopted throughout *America*, I infer the absolute necessity of the latter, that the former may take place. I conceive "that the "*Americans*, in common with other *British* subjects, "should be Taxed, and in order to their being Taxed, "they should be represented." Here then, my Lord, we meet the Colonists on their own ground; we concede to their principles; we allow the validity of their positions; and admitting thus much, I presume, with deference, that the following plan, if adopted, would answer every end that could be proposed by *American* Representation in the *British* Parliament:

PLAN OF AMERICAN REPRESENTATION.

Provinces.	Members.	Provinces.	Members.
Massachusetts Bay,	6	*East & West Jerseys*,	6
Pennsylvania, - - -	6	*New-Hampshire*, - -	6
Virginia, - - - -	6	*Nova Scotia*, - - -	6
New-York, - - - -	6	*Georgia*, - - - -	6
Canada, - - - - -	6	*East & West Florida*,	4
Carolina, North & South,	6	The *Island of Jamaica*,	6
Maryland, - - - -	6	*Barbadoes*, - - - -	6
Connecticut, - - -	6	*Rhode-Island*, - - -	4

The number of Members thus proposed to represent the Provinces corresponding exactly with the number of the Members returned to Parliament for the several Counties in *England* and *Wales*, should be chosen from amongst them. It is presumed that, besides an actual Representation of *America*, other constitutional benefits would, from this scheme, accrue to *Great Britain*. An additional weight would be thrown into the Representative scale of the Counties, which might more than equiponderate to the influence of the Boroughs.

The four Members for the City of *London* might represent the following Islands:

Antigua, St. Christopher's, Bahama, Bermudas, Montserrat, Nevis, the *Grenadas, Newfoundland* and *St. John's, Dominica, St. Vincent, Tobago.*

Having sketched the outlines of the Plan of Representation, I shall offer a few Propositions relative to the mode of Election; the procedure of Members on *American* business, the levying Taxations, and supporting Military Establishments.

Proposition 1. The *Americans* throughout the several Provinces, to whom the right of Election was allowed, should ballot for such County Members as they wished to represent them.

2. Such County Members, on business appertaining to the Colonies, to have each a double vote, one as an *English*, the other as an *American* Member.

3. Summonses for the attendance of *American* Members to be issued a certain number of days previous to the Parliamentary discussion of any business relative to the Colonies.

4. Each *American* Province as well as Island, to support their own Taxations.

5. To avoid as much as possible the infringement of Charter rights, the General Assemblies or Provincial Councils shall assess the quota and point out the mode of collecting the Taxes. The mode so adjusted, and the assessment so made, to be transmitted within a specified time to the Colony Agents in *London*, who are forthwith to lay them before the Board of Trade for inspection and consideration, previous to their being carried into Parliament to be passed as laws.

6. That each *American* Province or Island, shall, as occasion requires, convey instructions to their Members; and the packets containing such instructions shall be free of postage.

7. That such Military and Civil Establishments as the *British* Parliament shall deem absolutely requisite for the interest and preservation of each Province, shall be supported by the respective Provinces and Islands, at their own expense, preserving this necessary caution, that the number of Revenue Officers be always few, and the Military Establishment in time of peace small, to render the burthen of Taxation as light as possible.

8. Infant Colonies to be supported by *Great Britain*, until judged capable of bearing the weight of Taxation.

9. In case of an *Indian* war, the respective Provinces and Islands throughout *America* shall mutually assist each other with Men and Troops, according to certain stipulations agreed on by the Parliament of *Great Britain.*

10. The Taxation levied and Supplies granted by each Province, shall be expended solely in the service of the Province, and appropriated to no other use whatsoever, except in cases where *Great Britain* shall require the aid of Sea or Land Forces for a Military expedition; then such Forces shall be marched to the utmost boundaries of such Province; and from the time of quitting the Province, or the moment of embarkation, all subsequent charges, (those for pay and recruiting excepted,) shall be defrayed by *Great Britain.*

Besides some such articles as these for harmonizing the *American* Governments, it would still, my Lord, further contribute to establish a commercial connection between *Great Britain* and the Colonies, on a solid basis, if a new Tariff of Trade was adjusted, and various articles in the several Acts of Navigation were either superseded, differently modified, or thoroughly amended. With your Lordship's permission, I will state certain Commercial Proposals, to which the *Americans*, if reasonable, cannot object, nor *Great Britain*, if wise, neglect to execute.

Commercial Propositions. 1. The Looms throughout *America* for the manufacture of Linen or Woollen Cloth, to be forthwith destroyed, and severe penalties to be levied on those convicted of erecting such Looms.

2. Foreign Cloth, Linen or Woollen, to be deemed contraband throughout *America.* The buyer, seller, or wearer, to incur heavy penalties.

3. Whatever Goods or Merchandise that can be manufactured in any part of the United Kingdoms, being transported to *America* from any foreign country, shall be deemed contraband throughout the Continent. Fines and confiscations, which shall go towards the supplies of the Prov-

Digitized by Google

ince wherein the seizures are made, to be levied with rigidness.

4. To prevent, as much as possible, the illicit practice of Smuggling, the Province or Island detected in encouraging it, shall be liable to maintain, agreeable to a stipulation in the Tariff of Trade, whatever Military force or additional number of Revenue Officers the *British* Legislature shall think fit to announce.

5. Considerable premiums shall be assigned to such persons in the Provinces as rear and keep the best flocks of *Spanish* Sheep, whose wool shall be judged the nearest in quality to that of *Spain*.

6. A distribution of premiums and every national encouragement to be afforded for the growth of Indigo, for planting Vineyards of *French*, *Spanish*, and *Portuguese* Grapes, as well as those of the *Archipelago*; for planting and cultivating Mulberry Trees for the Silk Worms; for the growth of Hemp, Flax, and other commodities, which the climate of *America* is calculated to raise.

7. Premiums should be assigned for the erection of the best kind of Saw-mills, in those forests where Oak might be prepared for the use of the *English* Navy.

Ships built for the *American* trade should have a back freight from the Government or the Merchants, that the price of timber might be as low as possible. The Saw-mills used near *Ostend* are universally allowed to be the best constructed.

8. As the foreign Hat trade is nearly annihilated in *Great Britain*, *America*, possessing the materials, might, with industry and encouragement, undermine almost every Nation of *Europe* in that branch of commerce. To accomplish this, the Colonists should be prohibited from exporting Furs, Beavers, &c., (unless to the United Kingdoms subject to the Crown of *Great Britain*.) In which case, by taking off the Drawback, the *Americans* might raise a manufacture that would more than amply compensate for the loss sustained in being deprived of their Looms.

9. The Duties on Rums should be considerably lessoned, and that on Brandies considerably augmented.

I have now, my Lord, submitted to the inspection of my countrymen a "Plan for Regulating the *American* Affairs." That it is not thoroughly digested, I admit; that it is wholly undeserving of notice, I cannot be made to believe. You, no question, have superiour lights, whilst ordinary men have scarce a glimmering to guide them through the labyrinth of politicks; yet, my Lord, with all these lights, of what complexion are your measures? Is there any thing like system in your conduct, unless tyranny be deserving of the name? Where is that superiour skill; where that penetrating sagacity which takes in the whole of things, and from an intimate acquaintance with the vast machine of state, perceives when a single movement is out of order, and adjusts it with such precision as immediately to restore the corresponding harmony? Endowments of this kind are necessary in a Minister. Are they to be found in the catalogue of your Lordship's qualities? You are gifted, indeed, but then it is with arithmetick powers; and whilst we wonder at your elevation to the post of Prime Minister, we deplore that your expertness in the science of numbers should be lost to the community! You would keep a numerical register with exactness; you make dreadful blunders when reckoning on the virtue, the spirit, or abilities of the Colonists! They are above your strength to compute, your capacity to comprehend.

In the behalf, then, of Commerce and of Liberty; in behalf of the *English* Nation, let me conjure you to desist from measures destructive to the Empire; let the *Americans* be heard in their Provincial Assemblies; let them state their Grievances, and propose their conditions; and, as an earnest of future justice, let the Port of *Boston* be instantly opened until some system affording but a prospect of reconciliation can be devised. But, my Lord, on no account venture to push matters to extremity; the baneful influence of your measures is already felt in the miseries of the times; if those miseries continue, an insulted people may grow furious with exasperation; they may cast aside restraint and mindful only of their Saviour's admonition: "those who have no swords may part with their garments for the purchase;" the love of liberty shall animate them to wield; the arm of Omnipotence will successfully direct their points to the breasts of those who aim only at the establishment of despotism in *Great Britain* and her Colonies.

SAMUEL CLAY HARVEY.

King street, Soho.

THOMAS CUSHING TO ARTHUR LEE.

Boston, February, 1775.

DEAR SIR: I am obliged to you for your favour of the 6th of *December* last. I heartily rejoice to hear you are safely arrived in *London*; we are much obliged to you for travelling night and day from *Rome*, in order to do what service you can at so important a crisis. The people in *America* are not all dismayed at the King's Speech; they wish for peace, and for an amicable and equitable settlement of this unhappy controversy; but if their hopes should be called off by the intemperate and violent conduct of the mother country, after the conciliatory offers that have been made by the Continental Congress, by which they have reduced the dispute to mere matter of speculation, and Administration should determine to carry into execution the late Acts of Parliament, by a Military Force, the people of *America*, I am persuaded, will make the last appeal. They are determined life and liberty shall go together. You need not be concerned; firmness and unanimity prevail through all the Colonies; the Association of the Continental Congress is sacredly adhered to, and I have just been informed that the Merchants at *New-York* have obliged a Vessel that arrived there from *Scotland*, since the 1st of *February*, to return immediately without breaking bulk. Our people are prompt and forward in their military exercises. There never was, since we have been a people, such a military spirit prevailing as at present; but *God* forbid we should settle this dispute by Arms. May the great Governour of the Universe direct the Councils of the Nation, and lead them into such measures as may restore peace, harmony, and happiness to both countries. I had the pleasure of seeing your brother, Colonel *Lee*, at the Congress, at *Philadelphia*, and spending many an agreeable hour with him; he is a steady friend to his country, and an able defender of her rights. Pray let me hear from you by every opportunity, and advise me constantly of the designs of Administration relative to *America*. I am, with great truth, your sincere friend and humble servant,

THOMAS CUSHING.

Arthur Lee, Esquire, *London*.

P. S. The terms of accommodation between *Great Britain* and the Colonies, which you and I have joined in judgment in, and have heretofore thought reasonable, happen to be approved by all the leading men in *America*, as you will perceive by the Resolutions of the Continental Congress.

T. C.

EXTRACT OF A LETTER FROM ANNAPOLIS TO A GENTLEMAN IN NEW-YORK, DATED FEBRUARY, 1775.

Oblige me by tendering my thanks to Mr. *Rivington* for the "Alarm," which I received as soon as it was possible, after its publication. Several copies were distributed among our leading Patriots, who were alarmed sufficiently. *Johnson*, by far the most shrewd and sagacious amongst them, declared that the political salvation of *America* depended on the present conduct of your Legislature;—and I think so too. Oh, my good friend, could it but be that they would break their chains and shew us the way, by only declaring aloud, what every man, in private, must think, that those Congressmen and their satellites, the Committee-men, are the truest, though absurdest tyrants that any country ever had cause to complain of; depend upon it, we should follow them in shoals. There wants but a head: the foolishest and maddest are tired of their projects; and were it not that their leaders, with horrid cunning, have rendered a retreat so difficult, I foresee thousands anxious for a defection; and yet, what are the difficulties that would attend a return to their duty and allegiance compared with the dismal, the unutterable distresses which must of necessity be the final portion of such unhappy men as shall blindly or wickedly persevere in their present line of conduct.

Digitized by Google

COLONEL ADAM STEPHEN TO R. H. LEE.

February 1, 1775.

My dear Colonel: A grateful remembrance of old friendship will, I hope, apologize for my troubling you so often without hearing the least whisper from you, since I came from the *Shawanese* expedition.

The important session of Assembly, big with matters of great moment, is now at hand. I wish that a firm and dispassionate conduct may shine through the whole, and all our passions may be soothed by agreeable accounts from the new Parliament. I must acknowledge my dread to hear from them. Several sensible men, lately from *England*, inform us the people there seem but little affected with our dispute; and that they, without thought or consideration, declare that *America* ought to be taxed.

In these troublesome times it is absolutely necessary that you pay the men employed in the late expedition; they have done honour to our country. The *Indians* are daily delivering up prisoners and horses, and do really stand in awe of us. Unless the men are paid off directly, their certificates will be sold for a fourth part of their value to Pedlars and Storekeepers, and the brave men who did the service, be nothing the better of their pay. Appoint Commissioners from below to settle the accounts; let no interested persons, or their connections, be concerned in the affair; send the Squire up again, *Tom Marshall*, and *Frank Peyton*, and as many more as you think proper. By this means the people will have justice done them, and, at the same time, many thousands will be saved to the country. The House must settle what pay they are to get per day, and from what time they are to be paid, as they were raised and detained some considerable time for want of Arms and Ammunition; this time was employed in disciplining them for the service; but, without the consideration and sanction of the House, the Commissioners may think it matter of altercation. With the greatest economy matters on this quarter were managed; but the expense of Fort *Pitt* must be kept apart by itself, as I am afraid the reverse of economy will appear there; it has no connection with the rest of the campaign. I would have you discharge that Garrison immediately; but, then, I desire you may keep my opinion to yourself. In renewing the Militia Law, let there be one hundred well appointed horse disciplined in every County; to be superiour in horse, commands the field, and no enemy can safely show himself out of sight of their camp; we are immediately apprised of the strength of their escorts, and of every motion they make, and can act accordingly. At the Courts Martial, let a majority present determine any matter; and during an attack, or in battle, let the men be subject to the Articles of War, with what alteration the House thinks proper. Until the men who want Fire-Arms can be provided, let them be furnished with Spears and Tomahawks; the iron of the Spear to be made in shape of a triangular bayonet, only broader at the shoulder, to go on the staff with a large socket, and thin plates of iron reaching up the staff about two feet to stiffen it, and guard it against any cutting instrument, the plates being part of the socket; the Spear of the men in front to be six inches larger than the Musket with fixed bayonet; those of the second rank eighteen inches longer than the Spears in front; and those in the third rank eighteen inches longer than the second, that three Spears may reach the breast of the enemy at once, before our men could be touched with the first Bayonet.

This moment I am informed that the Assembly is prorogued till *May*,—confusion worse confounded; I wish, for the encouragement of the Soldiers, that you would meet, in Provincial Congress, and order an emission of Bills of Credit for their payment. I am sorry that, Lord *Dunmore* may depend on it, the Militia will never obey his orders again. If the country has a mind to secure useful men, it is absolutely necessary to contrive some method to pay the common men, if the Officers and Provisions should lie over; let us be firm, and the gates of hell cannot prevail against us. A handfull of men in *Canada*, six broken Regiments from *France*, withstood, for five years, all the force of *British* Fleets and Armies from home, and fifteen or twenty thousand *Americans*, every campaign. They gained several victories over us, and chance had a great hand in their reduction at last. What can we do, if united? We only want a Navy to give law to the world, and we have it it in our power to get it. I am, dear sir, firmly yours,

Adam Stephen.

EXTRACT OF A LETTER FROM A GENTLEMAN IN BOSTON TO HIS FRIEND IN PHILADELPHIA, DATED FEBRUARY 1, 1775.

The day appointed by the Provincial Congress for a Publick Thanksgiving, a number of persons in this Town showed their disapprobation thereto, by opening their Shops as usual, for which they were treated in an uncivil manner, and those persons were said to be Quakers. I therefore think it my duty, as an honest, impartial, and most unbiassed member of this community, and one who wishes nothing more ardently than a true, fair, and candid representation of facts might appear, to assure thee, and I can of my own certain knowledge assure thee, that it is a most malicious and injurious falsehood, and no doubt propagated by the base enemies of our invaluable constitutional rights and privileges, for the most vile and malevolent purposes; for I do well know, that the Friends in this Town did not open their Shops on said Thanksgiving Day; nor have I heard the least unfriendly or uncivil expression uttered by any of the inhabitants of this Town against them, as a people, for many years; but, on the contrary, I do most certainly know, that they are always, and on all occasions, treated with full as much (and I think more) Catholick tenderness, friendly and neighbourly kindness and affection, than persons of any other sect or denomination amongst us.

Ridgefield, Connecticut, February 2, 1775.

Whereas, in a Meeting of the Town of *Ridgefield*, held on the 30th of *January* last, the question was put, whether the Town would adopt and conform to the Resolves contained in the Association of the Continental Congress, or not; which question was resolved in the negative. We, the subscribers, inhabitants of the society of *Ridgbury*, within the said Town, do hereby declare, that we were not on the negative side of the above question, and are very sorry that the Town did not adopt the abovesaid Association, as we think it of importance to the cause of *American* freedom that it should be faithfully observed, and do accordingly purpose to observe it ourselves, as far as we can, under our present circumstances, and stand ready to concur with the Town, if a majority could be obtained for that purpose in appointing a Committee of Observation.

Daniel Coley,	Samuel Bennet,	Knowles Sears,
Samuel Camp,	William Forrester,	Comfort Sears,
Ephraim Smith,	Nathan Foster,	Thomas Frost, Jun.,
David Rockwell,	Samuel Keeler, Jun.,	Benjamin Vickry,
Jonah Foster,	Timothy Benedict,	David Rockwell, Jun.,
Azor Hurlbut,	Bartholomew Weed,	Isaiah Burchard,
Henry Whitney,	Nathan Stevens,	Jeremiah Burchard,
Josiah Rockwell,	Zachariah Stevens,	Samuel Northrup,
Abraham Rockwell,	Nath. Stevens, Jun.,	Matthew Northrup.
Abijah Rockwell,	James Sears,	

A considerable number of other subscribers to the above paper are expected to be sent in.

EXTRACT OF A LETTER FROM LONDON TO A GENTLEMAN IN PHILADELPHIA, DATED FEBRUARY 4, 1775.

I am writing to as many of my friends as I can by this opportunity, as I do not know how soon the communication may be cut off by hostilities, to which, as I apprehend, we are hastening very fast; for our Ministry seem determined to risk their own heads, and the interest of the Nation, in pursuit of their infamous measures.

Your kind remembrance of *November* 4, seems to breathe that true spirit of liberty which I hope will be universal in *America*, and will be your only means of escape from the slavery that is preparing for you. As to us, we are lost to all the noble purposes of life, and have not virtue enough to save ourselves, much less to assist you; the immense power of the Crown in the disposition of the publick money, carries every thing before it like a torrent; and while that continues, the two Houses of Parliament are of no security to the people; they both speak the language of the Court, and they have been so long used to it, that they can speak no other.

You have many enemies in this Kingdom, and though they differ in their reasons for being so, yet they unite in the

Digitized by Google

wicked purpose of distressing you. As for instance, the King is your enemy, as you are obstacles to a settled design of despotism; the Ministry second his views, that they may share in his power; the Parliament wants to establish their illegal authority over you, and are enemies in course; the Bishops want to rule you in matters of faith; the country gentlemen are mostly against you from their ignorance and avarice, childishly supposing that every penny that is laid on you will ease them in the same proportion; the Officers of the Army and Navy are wishing for plunder; but for what reasons a considerable part of the Merchants, Traders, and Manufacturers, would wish you ill, is beyond my comprehension. I can only suggest two suppositions, and those very vague ones; it may be to curry favour with the Ministry for the sake of jobs, contracts, &c., or it may be from downright stupidity, in supposing the *English* Commoners should have a superiority over their brethren in *America;* of this last class, it is difficult for me to paint the ingratitude; but I hope, ere long, the friends of freedom will be able to send over a list of their names by way of *memento*.

EXTRACT OF A LETTER FROM PHILADELPHIA TO JAMES RIVINGTON, NEW YORK, DATED FEBRUARY 4, 1775.

Merely to give the enemies of our happy Constitution an opportunity of contradicting what was asserted in your paper, "that the Farmer had deserted the Committee," they thought nothing more was necessary to invalidate your testimony than to get him once amongst them in Provincial Congress; for this purpose, they exerted themselves and prevailed on him to attend, and insert his name; but how different was his conduct from heretofore; he formerly took the lead in every matter, and now he did not speak at all. You may assure your readers, that he has declared, "he was really alarmed at the Proceedings of our Committee." And though you was scandalously insulted in *Bradford's* Paper on that occasion, the publick will, before long, be convinced, that there was a solid foundation for the article you inserted, as far as related to his prudent resolution of withdrawing himself from their society. Your pamphlets continue daily to change the minds of people, and in spite of the arts of our fiery Republicans, associations are concerting to counteract the authority of unconstitutional Congresses and unwarrantable Committees of all sorts.

TO THE AMERICANS.

FRIENDS AND COUNTRYMEN: Much time and treasure have been spent to accommodate the contests between *Britain* and her Colonies; though the affair has been very serious, yet no one just or proper step has been taken to accomplish it. Every one who can see the length of his nose, must see the folly of all irritating measures; such ludicrous attempts have, and forever will, widen the breaches between *Great Britain* and her Colonies. The temperate, discreet Colonists, have been too indolent, whilst restless spirits, by *ignis fatuus*, led the inconsiderate into the deep gulfs of sedition, where they lost virtue, loyalty, and good manners.

The mode of accommodation, or opposition, call it which you please, adopted by the Congress, was borrowed from the seditious *Bostonians*, who formed the plan before the Congress had a being, and was vigorously opposed by the virtuous among themselves, by the name of a Solemn League and Covenant, which the seditious entered into in the manner, and enforced by the penalties, the Association is established by.

Had the Congress checked the seditious then; had they supported the loyalists, who had long bitterly complained; had they opposed the anarchy and tumultuous tyranny then prevalent; had they laid the *Bostonians* under firm obligations to do justice to the *India* Company, and to make decent acknowledgments to their Sovereign for their violence and insults; had this been the preamble to the Association, the Port might have been opened, the threepenny duties and petty complaints removed, their loyalty and our liberty secured.

Something like this would have laid a foundation to have built upon; the Congress might then have merited the praise of the *Bostonians* forever, and of the Colonies during good behaviour. This was the way to have entered into an accommodation; and it was so plain and obvious, that nothing but a peculiar enchantment could have led them from it. However, they joined the factious, and by that junction, the virtuous were, and are persecuted; all Government trampled upon; the King's Officers, Civil and Military, insulted, and his property invaded. They also wantonly adopted, "approved, recommended," the seditious Resolves of *Suffolk* County. This imprudent, ill-timed conduct, threw the Province into an irregular fit, out of which it is not likely to recover, confirmed the seditious, and gave too much countenance to sedition in the Colonies.

Now, seeing we can entertain no hopes of peace with our parent state, from the mediation of the Congress, let us consider the provision made for the peace of the Colonies. The Association, which with some is every thing, is calculated for the meridian of a *Spanish* Inquisition; it is subversive of, inconsistent with, the wholesome laws of our happy Constitution; it abrogates or suspends many of them essential to the peace and order of Government; it takes the Government out of the hands of the Governour, Council, and General Assembly; and the execution of the laws out of the hands of the Civil Magistrates and Juries. The Congress exercises the Legislative, the Committees the Executive Powers: the injustice and oppression of the one and the other are self-evident. But as it is of the *Bostonian* manufactory, a new edition, fitted to the necessities of his Majesty's most loyal subjects at home and abroad, will soon appear in both worlds with a pacifick, patriotick Address, agreeable to the old Catholick, generous principles of the Colony.

In the meantime, we must learn the humiliating doctrine of a blind implicit faith, and of passive obedience, and non-resistance; for a Committorial Court of Inquisition is introduced throughout the deluded Colonies; with all its horrid appendixes, our lives, liberties, and properties, are submitted to it. These Inquisitors and Spies are to inspect and watch the motions of the Colonists, and to enforce a due obedience to the rules of the Congress.

Their power is arbitrary and unlimited; they may judge by appearances, and condemn unseen and unheard; they are under no check, there is no appeal to another Court, they are not accountable to any power. Willing, or unwilling, we must be willing to obey the mandates of the Congress; we, though unwilling, must will all the profits of our late importations to the seditious Saints at *Boston*. The charitable Congress have given a title to them; the Committees, by and with the authority of lawless mobs, claim them; the very least these pious Saints can do for such unheard of favours, is, to stir up sedition, and pray for the continuance of such charitable donations.

But, as the power is tyrannous, so the punishment is horrible; they are authorized to proclaim his Majesty's best subjects foes to *America*; to pass an act of outlawry against them; to cast them out of all civil society; deprive them of the benefit of law and civil commerce! For the same reason, they might have proclaimed them traitors! foes to *America!* Why are the best subjects so wantonly abused? Are they foes to the King? No; but you want they should be. Are they foes to the laws of the Empire or Province? No; but the Association is. Are they foes to the interest of *America?* No; but their persecutors are. Why are the best men outlawed, who obey the laws of *God*, of nature, of the Province, and of the Empire. Where there is no law, there can be no transgression. How will the loyal *Canadians* relish your insidious, ensnaring addresses, when they hear of a tyranny that exceeds all they had ever heard of?

The *Canadian* Act, which occasioned so much canting on the one hand, and disloyal invectives on the other, has no such hostile appearance as this. This, however, reminds me of a remark, that the late Usurper's finger was heavier than the King, Lords, and Commons. He used these engines to cover and forward his rebellious pranks; and as he gained ground he built upon them, until at length he and his tools passed an edict that it was high treason against the Commonwealth for any person, in any case, to aid and assist the King, the Queen even not excepted! By these wicked, arbitrary engines, the Rebels were increased there as they have been here, and a pretext given to murder the best people in the Nation, and to seize their estates, the King not excepted!

Digitized by Google

Send back, we pray you, these insidious engines of persecution and cruelty from whence they came; for you have no reason, no right, no power to use them. How similar your ends and designs are to his, your next edition may with horrour inform us. Fie, fie, *Americans*, fie! Are these proofs of your love and gratitude to your good King and happy country? Are these the effects of your feigned patriotism and liberty? You see who went before you with all your specious pretexts of patriotism and every thing else; and you know how they all ended. Review the tyranny, the horrours, and havock of those days, and how long they lasted, even until all things returned into the old channel again.

But it is time to think of terms of accommodation with our King and his Parliament; and who are proper persons to undertake this? The Congress have adopted such irritating measures as disqualify them for this pacifick office; and we pray that love and duty to their King and country, may induce them forever to decline that very great undertaking.

After the hostile combinations entered into by the Colonies, we can expect nothing of this nature from the Throne; for our King cannot dispense with the rebellion of the *Bostonians*, without submission and proper acknowledgments; he cannot repeal the Acts of Parliament in a lump; nor yet declare that they have not a lawful authority over us. If, then, we go on as we have begun, he must either attack us sword in hand; or, as he is averse to shed human blood, he may lawfully sell his Colonies to such as can and will govern them. We cannot exist without Government, and we are not in a capacity to unite among ourselves, nor to govern one another; and then, like the miserable *Corsicans*, we shall pay very dear for our past rebellion and ingratitude.

It is then our duty and interest to offer terms of reconciliation to our parent state; and they ought to be reasonable ones, such as may be made with safety on our side, and accepted with dignity on theirs. I can think of no example so worthy of our imitation as the prodigal son's. Let us then arise, and jointly, by and with the influence of our worthy Representatives, go and address our most gracious King and Parliament, saying, fathers, we have sinned against Heaven and before you, and we are not worthy to be called your loyal subjects. Such filial love, duty, and obedience, will assuredly meet with a kind and welcome reception, and be indulged with all that we can reasonably want here, or justly hope for hereafter.

Suffolk County, New-York, February 4, 1775.

LANCASTER COUNTY (VIRGINIA) COMMITTEE.

The Freeholders of *Lancaster* County being convened on the 6th of *February*, 1775, to re-elect a Committee to act as guardians of the said County, in carrying into execution the *American* Association, agreeable to the recommendation of the Continental Congress; and having made choice of the following persons: *James Selden, Charles Carter, James Gordon, Thomas B. Griffin, Thaddeus M'Carty, Richard Mitchell, Burgess Ball, Nicholas Currell, Henry Tapscot, John Taylor, John Chinn, John Ball, James Kirk, Hugh Brent, Edwin Conway, Rawleigh Downman, William Sydnor, Henry Lawson, John Fleet, William Montague, James Ball, Dale Carter, Peter Conway, Henry Towles*, and *Thomas Lawson*, gentlemen, conveniently situated to superintend the notice paid to the said Association through the whole County, and having chosen *James Ball*, Esquire, Chairman, and requested the favour of *Thomas B. Griffin* to officiate as Secretary, it was then unanimously resolved to appoint Deputies to repair to the Colony Congress, in order to choose Delegates for the ensuing Continental Congress, to be held at *Philadelphia*, on the 10th day of *May*, and to join their hearty concurrence to the proceedings of the former, and to do whatever further may be judged necessary, in instructing the Delegates, &c., if before that time *American* Grievances are not redressed, and their rights and liberties amply restored. *James Selden* and *Charles Carter*, Esquires, Representatives, being unanimously appointed Deputies, were desired to be informed from their constituents, that from an assurance that the Assembly of this Colony will not meet before the time appointed for the Continental Congress; and that in order duly to comply with the requisitions of the last, they are requested to attend at *Richmond* Town, on the 20th day of *March*, to promote the purposes intended by such meeting, with their utmost abilities and attention; and should it so happen that our Assembly should be dissolved before such Convention, we do, in such vacation, nominate and constitute you to meet in such Colony Convention, at the time and place, and for the purposes above mentioned. The present critical situation of *American* Liberty, becoming every day more dangerous and alarming, induces us to make this appointment and give this instruction, that, as the united wisdom of *British America* is so eminently requisite to be fully known, we could wish this Colony would by no means be prevented from a representation in such intended Congress, on whose consultations the rights of this vast Continent depend; and we entreat you to return our best wishes to the worthy Delegates who attended the former Grand Congress, for their wise deliberations, and spirited, though pacifick conduct, in support of the freedom of millions they represented; and hope and expect that the blessings of this and generations yet unborn, will forever accompany their services and memory. By order of the Committee, THOMAS B. GRIFFIN, *Secretary*.

New-York, February 6, 1775.

The following is an extract of a Letter from a gentleman in *London*, not less remarkable for the greatness of his abilities, and the extent of his political knowledge, than a most zealous attachment to the welfare of his country. His principles of Government, indeed, are not in the style of modern Sons of Liberty, who can see the interest of the Colonies placed in a state of separation from, and independence on, the mother country. His objects are more enlarged, and his patriotism derived from a purer fountain; for it is aimed at an union between both countries, upon the basis of freedom and mutual benefit.

"The inflammatory performances from this country, calculated to excite jealousies and animosity, have, I find, been but too successful among you. Nothing can be more false than the representations of hostile intentions against *America*, formed by the present Administration.

"They exercise even severities, which they consider necessary, with reluctance, and are too prudent Statesmen to be ignorant that if *America* suffers, *Great Britain* must suffer with it. They ardently wish to adopt a liberal and firm Constitution, which may preserve as well your rights as the just supremacy of Parliament—a supremacy which you once universally acknowledged. Nothing is wanting to this end but advances on the part of the Colonies, to a reconciliation and thorough settlement of the dispute. Both sides may have run into excesses; but it is certainly more becoming in *America* to pay a deference to its august mother, and by the first advances give her an opportunity of relieving her children with safety to her own dignity. A petition from the Assemblies will be attended with success, if their claims are accurately limited and defined, and represented with temper as well as firmness. Should it be rejected, you will have a fairer plea to the favour of moderate men in this country. Should it be received, you may probably preserve both countries from misery. Your indefinite claims have much injured your cause of late. It has been heretofore argued, that the doctrine of exemption from Parliamentary Taxation, rested on principles which reached to a denial of Parliamentary Legislation. The author of the *Summary* has avowed these consequences, and opened a wide field for future contention, as if resolved to convince *Great Britain* of the impossibility of satisfying *America* with any thing short of Independence. Great use has been made of his extravagant claims, by the Ministerial writers, and the arguments from them seem to be unanswerable. The Instructions also drawn up by the Committee of *Philadelphia*, in which a claim of exemption from the Acts of Regulation, &c., is held up, have been adduced as evidences of the danger of admitting the foundation of Parliamentary jurisdiction to be in the least impaired. The author, Mr. *Dickinson*, seems to have forgotten his own concession: 'that a power of regulating 'trade is undeniably in the *British* Parliament, and essen-'tial to the union between a mother country and her Col-'onies.'"

Digitized by Google

EXTRACT OF A LETTER FROM A GENTLEMAN IN PHILADELPHIA, TO HIS CORRESPONDENT IN NEW-YORK, DATED FEBRUARY 6, 1775.

It is much to be lamented that your Province has not yet adopted the Proceedings of the Congress; but a faithful adherence to the Association will go far to remove the infamy which must certainly fall upon that Province, whose defection may tend to defeat the virtuous struggles in which we are engaged. We observe a number of publications in *Rivington's* Paper from your City, to which there is not the least spark of credit due. They dare not offer them to our Printers, because their notorious falsehood would ruin the credit of the Paper.

Newtown, Connecticut, February 6, 1775.

At a Meeting of the Freemen and Inhabitants of this Town, convened at the Town House, for the purpose of declaring their sentiments with regard to the great political controversy now in vogue, on the day and date above:

HENRY GLOVER, Esquire, being chosen *Moderator*, and Mr. WILLIAM BURWELL, *Clerk*.

The meeting then proceeded to give their opinions upon the following queries:

Query 1st. Whether we will adopt and conform to the Resolves contained in the Association of the Continental Congress?

Voted in the negative, except one single vote.

Query 2d. Whether we do acknowledge his most sacred Majesty King *George* the Third to be our rightful Sovereign, and do hereby publickly avow our allegiance to him and his legal successors; and whether we will, to the utmost of our power, support his throne and dignity against every combination in the universe?

Voted in the affirmative, *nem. con.*

Query 3d. Whether we do acknowledge that the three branches of Legislation, to wit: the King, Lords, and Commons, concurring and acting together, have a constitutional right of government over the whole and every part of the *British* Empire?

Voted in the affirmative, *nem. con.*

Query 4th. Whether the Governour and Council and General Assembly of this Colony, have and ought to have a subordinate Legislative power and authority in and over this Colony?

Voted in the affirmative, *nem. con.*

Query 5th. Whether it would not be dangerous and hurtful to the inhabitants of this Town, to adopt the said Congress's measures; and whether we do not hereby publickly disapprove of and protest against said Congress and the measures by them directed, as unconstitutional, subversive of our real liberties, and as tending to licentiousness?

Voted in the affirmative, *nem. con.*

WILLIAM BURWELL, *Clerk*.

The meeting was the fullest that ever was known in this Town House, there being one hundred and sixty-two freemen, qualified according to law, and seventy other inhabitants, which were numbered some time after voting, besides several who had departed before the numbering.

Danbury, Connecticut, February 6, 1775.

On the 29th day of *November* last, was held in *Danbury*, a Town Meeting, to know the minds of the Town, respecting the doings of the late Continental Congress, when the Town adopted said doings, appointed a Committee of Inspection, &c., which I have seen published in Mr. *Holt's* Paper. I could not then believe that if it had been a full meeting, the Town would have voted in the form as they then did; for there was but a thin meeting, and those who were friends to Government were fearful of discovering their sentiments, as the honour and credit of the Congress appeared to be great, in the adjoining Towns, and no one dared open his mouth against what they had done; but since then many have not been afraid of disputing the doings of that sacred body; which has emboldened many to shew their firm attachment to their gracious King and their present happy Constitution; so that, in a very full Town Meeting, held in this Town, this day, the following votes were passed.

At a Town Meeting, legally held in *Danbury, February* 6th, 1775.

Captain THOMAS STEPHENS, *Moderator:*

At the said meeting, the question was put, whether the Town of *Danbury* would do any thing respecting appointing a Committee to meet at a County Congress, to be held at *Fairfield*, on *Tuesday*, the 14th day of this instant, *February;* which question passed in the negative, one hundred and six, to eighty-six, to which sixty persons entered their protest in open meeting.

Also, the question, whether this meeting would disannul the vote passed in *Danbury*, the 29th day of *November*, 1774, appointing a Committee of Inspection; which passed in the affirmative. JOHN WOOD, *Town Clerk*.

HANDBILL DISTRIBUTED THROUGH BOSTON ON MONDAY, FEBRUARY 6, 1775.

Friends, Countrymen, and Citizens:

Have you read and weighed his Majesty's Speech? the Address of the Lords and Commons of *Great Britain?* I fear we have got into the wrong box! therefore let us not any longer be led by phrenzy, but seize upon and deliver up to justice (at once) those who have seduced us from our duty and happiness! or, depend upon it, they will leave us in the lurch! nay, I am assured, some of them (who had property) have already mortgaged all their substance for fear of confiscation, but that shall not save their necks, for I am one (of forty misled people) who will watch their motion, and not suffer them to escape the punishment due to the disturbers of our repose. Remember the fate of *Wat Tyler;* and think how vain it is for *Jack, Sam*, or *Will*, to war against *Great Britain*, now she is in earnest! It is greatly inferiour to the Giants waging war against *Olympus?* These had strength, but what have we? Our leaders are desperate bankrupts! Our country is without money, stores or necessaries of war! without one place of refuge or defence! If we were called together, we should be a confused herd, without any disposition to obedience; without a General of ability to direct and guide us, and our numbers would be our destruction! Never did a people rebel with so little reason, therefore our conduct cannot be justified before *God!* Never did so weak a people dare to contend with so powerful a state; therefore it cannot be justified by prudence. It is all the consequence of the arts of crafty knaves, over weak minds and wild enthusiasts, who, if we continue to follow, will lead us to inevitable ruin.

Rouse, rouse, ye *Massachusetians*, while it be yet time! ask pardon of *God*, submit to our King and Parliament, whom we have wickedly and grievously offended. Eyes had we but saw not; neither have we heard with our ears. Let not our posterity curse us for having wantonly lost the estates that should have been theirs; or for entailing misery upon them, by implicitly adhering to the promises of a few desperadoes. Let us seize our seducers, make peace with our mother country, and save ourselves and children. Amen! A YEOMAN OF SUFFOLK COUNTY.

Boston, Sabbath Eve, February 5, 1775.

EXTRACT OF A LETTER FROM BOSTON, TO A GENTLEMAN IN PHILADELPHIA, DATED FEBRUARY 6, 1775.

In my last I gave you some account of the state of politicks here. The Tories in this Town, and indeed every where, sensible what effects a Continental Union must produce towards the subversion of their infernal system of oppression, tyranny, and rapine, are mustering their whole force, and straining every nerve to contravene the salutary measures the people are prosecuting for their deliverance. Incapable of reasoning us out of our sentiments, they are now aiming, by intimidating, to divert us from the execution of the only plan that can rescue the Colonies from the jaws of political perdition. They are perpetually holding up to view all the terrifick consequences of treason and rebellion, wilfully mistaking, or stupidly imagining the inhabitants of this Province deeply involved in both; not considering that a state, the fundamentals of

Digitized by Google

whose Constitution are subverted, which is indisputably the case with the *Massachusetts*, is reduced to a state of nature, and therefore cannot be guilty of crimes peculiar only to a regular constitutional form of Government.—But they bellow to the winds—their scheme is seen through, and they detested. So generally are the principles of liberty disseminated, and so deeply fixed, that nothing but Arms, that supreme lex of tyrants, will be able to suppress the generous ardour which now stimulates our countrymen to defend, at all hazards, the freedom handed down to them from their ancestors; nor will they be slaves without the most obstinate and bloody contest.

Our Provincial Congress met last week, but nothing has as yet transpired; they consist of one hundred and seventy-eight Members, and act with great unanimity.

The small-pox is lurking about in different parts of the Town, and it is apprehended will spread. A pestilential fever prevails in the Army, which is even more dreaded than the small-pox. How distressful is the state of *Boston!* Surrounded and insulted by a numerous Fleet and Army; shut out from trade; and deprived of all the advantages of law process!

Committee Chamber, Norfolk, Virginia, February 7, 1775.

We the subscribers, ballotted for, and duly elected by the Freeholders and Freemen of the Borough of *Norfolk*, to act as a Committee of Observation under the Continental Association, in obedience to the same, and in discharge of the trust reposed in us by our constituents, do find ourselves unhappily compelled to hold up for publick censure Doctor *Alexander Gordon*, of this Borough. Upon what facts the justice of our censure is founded will appear from the following detail:—On *Monday*, the 23d of *January*, Doctor *Gordon* informed this Committee, who were then sitting, that he had just imported in the *Active*, Captain *Huntley*, two crates, four hogsheads, one chest, one barrel, two casks, and one case of Medicines, of more than two hundred Pounds sterling value, and desired the opinion of this Committee, whether they might not be delivered up to him, agreeable to the exception in favour of Medicine, in the Provincial Association. This Committee informed him that our decisions were regulated by the directions of the Continental Association, which had superseded the Provincial one, inasmuch as it was subscribed and acceded to by the Delegates from this Colony; and that therefore, agreeable to the tenth article of our own Provincial Association, it was our duty to submit to this further restriction imposed by the Congress. It was also observed to him, that if a freedom from Provincial restrictions would exempt any from the Continental Regulations made in Congress, all Goods imported into most of the Northern Colonies might, for the same reason, be delivered up to the proprietors, as the importation of them was not subject to any Provincial restrictions. Instances were pointed out to him of Medicines being sold in this Town agreeable to the tenth article of the Continental Association that were ordered some time before our Provincial Convention, of the 1st of *August*; and indeed one gentleman of this Committee, to convince the Doctor how unjust any notions of partiality would be, mentioned his own case, as much harder than the Doctor's; for, as the gentleman observed, trusting that the Congress would make the same exception in favour of Medicine as the Convention had done, he had neglected to give his orders for his Medicines till some time in *October*, so that they probably would not arrive till after the 1st of *February*, but that yet he did not conceive a doubt with respect to the conduct he should observe on the occasion, and was satisfied they must go back. All arguments, however, availed nothing with the Doctor; but, upon a final declaration from this Committee, that we had no authority to dispense with the Association, but requested him to make his election what should be done with his Medicines, as directed by the tenth article of the Association, the Doctor, to the surprise of this Committee, chose to have them stored. Pains were taken to convince him of the loss he himself might sustain by this election, and to point out to him the injury that might be done to the publick at large, by thus storing such a quantity of Medicines at a time when we have reason to apprehend a general scarcity. He was also informed, that where there did not appear in the importers any design to contravene the Provincial or Continental Associations, there had never been an instance in this place of the inhabitants bidding against the proprietors; that as he had the sanction of the Convention for the importation of Medicines, there could be no suspicion in this case of any such sinister motive in him; and that, were we to judge from the sale of the other Medicines imported under the like circumstances, in all probability he might purchase them in at the very trifling expense of only the vendue-master's charge. The Doctor however remained inflexible, and with much warmth insisted upon the *immediate* appointment of persons to receive the packages, and a store-house to put them in; as he said, "they "might be landed in the rain, and damaged for want of "knowing where to carry them." Two gentlemen of this Committee were accordingly appointed in his hearing to receive them, and the store-house, which was a very safe one, was also mentioned to him. Thus matters rested till the 30th day of *January*, when the Sub-Committee appointed to receive and store the Medicines, reported, that having waited two or three days expecting to be sent for by Doctor *Gordon* for that purpose, and finding he did not pay any regard to the appointment of the Committee, one of them at length applied to him, to know where they were, and what he had done with them; to which the Doctor replied, "he had taken charge of them himself, "and as some of them were damaged, he had obtained an "order from the Mayor for a survey, and had broken open "the packages and examined the contents, and had stored "them in a store he had rented solely for that purpose, "where he should keep them till he should receive an "answer to a letter he had written on the subject to the "Honourable *Peyton Randolph*, Esquire, by which an-"swer he said he would be governed." In consequence of this report, the Doctor was summoned to appear the next day before the Committee, which he did accordingly, and delivered in a writing, purporting to be a vindication of his conduct, which confirmed the truth of the report of the Sub-Committee, and desired we would not remove the Medicines from the store they then were in, before he should hear from Mr. *Randolph*. Willing to give him every indulgence, although the Committee were sensible of the impropriety of his application, or appeal as he called it, if it was intended to influence our deliberations, as we conceive the Association to be the only rule of our conduct, yet we granted his request, and put off the further hearing of the matter till the 6th of *February*; at which time one of this Committee, at the request of the Doctor, laid before us the letter from Mr. *Randolph*, which being read, and the Doctor's former defence re-considered, and the Committee being desirous that the Doctor should entitle himself to his insurance by selling the Medicines, it was agreed that he should be sent for to make a new election, if he thought proper. The Doctor, however, still adhering to his former opinion, with great warmth rejected all the mild proposals of this Committee, refused to make any election as required, and would neither deliver them up to be stored or sold, nor even show his invoice. For all which reasons we, the Committee for *Norfolk* Borough, think ourselves bound in obedience to the eleventh article of the Association, "to publish the truth of the case," and give it as our unanimous opinion that Doctor *Alexander Gordon* has violated the Continental Association.

M. Phripp, *Chairman*.	Thomas Newton. Jr.,	Niel Jamieson,
James Taylor,	Thomas Ritson,	Robert Taylor,
John Hutchins,	John Boush,	Thomas Clairborne,
John Lawrence,	James Holt,	Samuel Inglis,
Joseph Hutchins,		

WILLIAM DAVIES, *Secretary*.

ADDRESS PRESENTED TO GENERAL GAGE, FROM THE SELECTMEN OF SIX TOWNS, IN THE COUNTY OF PLYMOUTH, MASSACHUSETTS.

To his Excellency THOMAS GAGE, *Esquire*.

May it please your Excellency:

We his Majesty's loyal subjects, Selectmen of the several Towns of *Plymouth*, *Kingston*, *Duxbury*, *Pembroke*, *Hanover*, and *Scituate*, deeply affected with a sense of the increasing dangers and calamities which menace one

of the most promising countries upon earth with political exition, cannot but lament that while we are endeavouring to preserve peace and maintain the authority of the laws, at a period when the bands of government are relaxed, by violent infractions on the Charter of the Province, our enemies are practising every insidious stratagem to seduce the people into acts of violence and outrage.

We beg leave to address your Excellency on a subject which excites our apprehensions extremely; and in the representation of facts, we promise to pay that sacred regard to truth, which, had our adversaries observed, we flatter ourselves it would have precluded the necessity of our addressing your Excellency on this occasion.

We are informed from good authority that a number of people from *Marshfield* and *Scituate*, have made application to your Excellency, soliciting the aid of a detachment of his Majesty's Troops, for the security and protection of themselves and properties. That their fears and intimidation were entirely groundless; that no design or plan of molestation was formed against them, or existed, but in their own imaginations, their own declarations, and their actions, which have a more striking language, abundantly demonstrate. Several men of unquestionable veracity, residing in the Town of *Marshfield*, have solemnly called *God* to witness, before one of his Majesty's Justices of the Peace, that they not only never heard of any intention to disturb the complainants, but repeatedly saw them, after they pretended to be under apprehensions of danger, attending to their private affairs without arms, and even after they had lodged their arms a few miles distant from their respective houses.

They frequently declared in conversation with the deponents, that they were not apprehensive of receiving any injury in their persons or properties; and one of them, who is a minor, (as many of them are) being persuaded to save his life by adjoining himself to the petitioners, but afterwards abandoning them by the request of his father, deposeth in the like solemn manner, that he was under no intimidation himself, nor did he ever hear any of them say that he was. It appears as evident as if written with a sun-beam, from the general tenor of the testimony, (which we are willing to lay before your Excellency, if desired,) that their expressions of fear were a fallacious pretext, dictated by the inveterate enemies of our Constitution, to induce your Excellency to send Troops into the County, to augment the difficulties of our situation, already very distressing; and what confirms this truth, (if it need any confirmation,) is the assiduity and pains which we have taken to investigate it; we have industriously and impartially scrutinized into the cause of this alarm, and cannot find that it has the least foundation in reality.

All that we have in view in this Address, is to lay before your Excellency a true state of facts, and to remove that opprobrium which this movement of the military reflects on this country; and as a spirit of enmity and falsehood is prevalent in the country, and as every thing which comes from a gentleman of your Excellency's exalted station, naturally acquires great weight and importance, we earnestly entreat your Excellency to search into the grounds of every report previous to giving your assent to it.

Signed by a number of Selectmen.

Pembroke, February 7, 1775.

London, February 7, 1775.

At a respectable meeting, yesterday, of the Merchants, Traders, and others, concerned in the *American* Commerce, Mr. *Lane* took the Chair at one o'clock, and Mr. *Baker* informed the company, that, agreeable to their instructions at the last meeting, the second Petition had been presented to the House of Commons, and a motion made thereon to rescind the order of *Monday*, the 23d of *January*, which had referred the first Petition to the Committee; that, after a long debate, the House refused to receive the motion, and the Petition was ordered to lie on the table; that, under this circumstance, the Committee had no alternative but to be heard before that ineffectual Committee, or to waive appearing at the bar; and being of opinion the latter was the most manly conduct, they resolved to desire one of the Committee to deliver the following Declaration, which Mr. *Wooldridge* accordingly complied with, viz: "I am "directed by the Committee of Merchants, Traders, and "others, of the City of *London*, concerned in the Commerce "of *America*, to represent to this Honourable Committee, "that Merchants revealing at this bar the state of their af-"fairs, is a measure which all the world wish to avoid, unless "upon such great occasions as the present, when the publick "weal is evidently at stake, when their duty as good sub-"jects requires it of them; but when the mode of exami-"nation is such as totally precludes them from answering "the great publick object, (which in their opinion is clearly "the case at present,) they beg leave humbly to signify, "that they waive appearing before the Committee which "has been appointed, and that the Merchants are not un-"der any apprehensions respecting their *American* debts, "unless the means of remittance should be cut off by mea-"sures that may be adopted in *Great Britain*."

That the Committee, trusting in the propriety of the measure, and it being, in point of time, not in their power to take the sense of a general meeting, they hoped for the general approbation. He added that their Petitions were not withdrawn, or placed in any more favourable situation than when they were presented. He made some judicious and pertinent remarks on Lord *North's* motion on *Friday* last, and observed that the *Americans* ought to expect something more than indulgence, as expressed in the motion, when they were contending only for their just rights and unalienable privileges.

The proceedings of the Committee being generally approved, a motion was made and seconded to return them thanks for their conduct therein, and to Mr. *Wooldridge*, for his firm and manly conduct at the bar.

Mr. *Baker* then intimated that it was the opinion of the Committee that a Petition should be presented to the House of Lords, and a motion was accordingly made, and unanimously agreed to, "that it is the opinion of this "meeting that, in the present alarming situation of *Ame-"rican* affairs, the Right Honourable the House of Lords "should be petitioned forthwith."

The draft of a Petition was then presented and read, the substance of which is, "first, stating the very great "consequence of the *American* Commerce to these King-"doms, and how it had been injured by the operations of "Parliament; secondly, soliciting redress from them, as "the hereditary guardians of the Nation; and, lastly, pray-"ing the petitioners may be heard by counsel at the bar of "the House previous to their Lordships' having any con-"ference with the House of Commons on that subject."

This Petition, after being read three times, was unanimously approved of; it was ordered that it should be presented this day, as soon as the House of Lords should sit.

February 8, 1775.

There was a very respectable meeting of the Merchants, Traders, and others, concerned in *American* Commerce, at the King's Arms Tavern, *Cornhill*, yesterday evening, at five o'clock, agreeable to publick notice, "on very special affairs."

Mr. *Lane* took the Chair at half an hour after six o'clock, and then acquainted the meeting that the purpose of their being called together, was to report to them the progress and fate of their Petition to the House of Lords, for the further particulars of which he referred to Mr. *Barclay*, one of the Committee.

Mr. *Barclay* accordingly rose and stated the following particulars relative to the progress of the Petition since it had been agreed upon: On *Tuesday*, he said, it was given by the Committee to the Marquis of *Rockingham*, who promised to present it as soon as convenient, and further politely assured them he would otherwise give it all the assistance in his power. Accordingly, as soon as the Lords returned from the conference in the Painted Chamber to the House of Lords, his Lordship got up and was going to present the *American* along with the *West Indian* Petition, when Lord *Dartmouth* was adjudged by the House to be up before, consequently was heard first. Lord *Dartmouth's* motion being for the Lords "to agree with the Commons "in an Address to his Majesty to enforce due obedience, "&c., from the *Americans*," gave rise to a debate which lasted till between two and three o'clock in the morning, during which time Lord *Rockingham* read the prayer of

Digitized by Google

the Petition, and frequently urged the necessity of their Lordships being informed in respect to the contents of it, previous to their deciding the present motion. He was, however, disregarded, and it was carried in favour of Lord *Dartmouth's* motion, 104 for it, against it 29. The Petition being by this majority in effect nullified, (the prayer of it being to beg the Lords would hear them at their bar by counsel, before they would agree with the Commons,) his Lordship moved for the Petition's lying on the table, as a memorial of their proceedings; and at the same time urged, in very manly and spirited terms, the unconstitutional proceedings of that House, in hurrying on so important a measure, and so warmly supported by so respectable a body as the Merchants trading to *America*, in such a sudden and surreptitious manner. Mr. *Barclay* likewise observed, that Lord *Rockingham* was warmly seconded by his Grace the Duke of *Richmond*, and Lord *Camden*; but that, notwithstanding such able solicitors, during the time of the reading of the Petition, most of the noble Lords were in clusters up and down the House, talking on indifferent matters.

Mr. *Wooldridge* supported this account given by Mr. *Barclay*, and observed on the fate of their Petition with great manliness, temper, and good sense.

These facts being stated to the general meeting, Mr. *Sharpe* moved "that the Thanks of the meeting be given "to such of the Right Honourable and Honourable Mem-"bers in both Houses, who supported their Petition." On this a trifling debate ensued, about its being in order, when at length it was agreed to, with the following amendment: "as well as to the Right Honourable the Earl of *Chatham*, "for his polite message to the Committee."

Mr. *Wooldridge* then proposed that a Petition may be presented to the King; on which a long debate took place, rather about the mode of doing it than a positive objection to it.

Mr. *Lee*, in this debate, distinguished himself very much, by showing that though the Address was agreed on by both Lords and Commons, it was no Act of Parliament, but the advice of Parliament, which his Majesty's subjects at large had a right to give as well as they, and which may be done both as an act of duty and decency.

About nine o'clock, after the question had undergone a very able and spirited discussion, it was put, and carried unanimously. It was then agreed that the Committee should prepare a draught of the same by *Wednesday* next, to be then referred to a general meeting, after which they adjourned to that day.

THE MERCHANTS, TRADERS, AND MANUFACTURERS, OF BIRMINGHAM, CONCERNED IN THE TRADE TO AMERICA, TO MR. EDMUND BURKE.

Birmingham, February 8, 1775.

SIR: The Merchants and Manufacturers who have had a principal share of the *American* Trade from this Town and neighbourhood, beg your acceptance through our hands of their warmest acknowledgments for your liberal support of our Petition to the Honourable House of Commons, wherein are stated the evils we already feel, and the greater we have yet to apprehend, from a continued stagnation of so important a branch of our Commerce as that with *North America*.

At the same time we also unite in expressing our particular thanks for the motion you was pleased to make for an inquiry into the manner of both the late Petitions from the Town of *Birmingham* having been obtained, an inquiry which could scarcely have failed to give some useful intelligence, and to have fully justified our application to Parliament at so critical a juncture.

We cannot wonder, sir, that defamation should have made its appearance on such an occasion as this, which is the notorious evidence of a weak cause, and whose mischiefs, we are persuaded, will be as transient as its efforts have been intemperate.

We only take the liberty, therefore, of adding our sincere wishes, that you may long fill your distinguished place in the *British* Senate; and that your persevering endeavours to preserve the rights of the subject, to maintain the prosperity of our Commerce, and to secure the tranquillity of this extensive Empire, may meet with a success adequate to the patriotick zeal with which they are animated. Being, with the greatest regard, sir, your much obliged and most obedient servants,

S. Freeth,	J. Kettle,	J. Startin,
J. Twigg,	J. Richards,	G. Russell,
W. Russell,	J. Smith,	J. Welsh,
R. Rabone,	W. Welsh,	J. Bingham,
J. Wilkinson,	J. Rickards,	J. Walford.

To *Edmund Burke*, Esquire.

WESTMORELAND COUNTY (VIRGINIA) COMMITTEE.

At a Meeting held for *Westmoreland* County, *February* 8, 1775,

Ordered, That every itinerant or casual Vender of Goods, who shall be found selling Goods in this County, be obliged to produce proof to the Committee, that the said Goods were imported into *North America* before the first day of *February*, 1775, according to the directions of the Continental Congress.

JAMES DAVENPORT, *Clerk*.

DOCTOR JOHN CONNOLLY TO COLONEL GEORGE WASHINGTON.

Winchester, Virginia, February 9, 1775.

DEAR SIR: I was this far determined to proceed to *Williamsburg*, to lay before his Excellency some matters which concerned the interest of this Government, and the frontiers in particular; but finding that my immediate return to *Pittsburgh* was indispensably necessary, I have despatched my servant express to my Lord, by whom I now write you.

As his Lordship, in the late Treaty with the *Indians*, acquainted them that he would, by a preparative message, let them know at what time it would suit him to meet the Chiefs in the Spring at *Pittsburgh*, to settle every minute matter; and the distracted affairs of Government will now (I fear) put it out of his power to attend personally, I have requested that his Excellency would let me know how I should deport myself towards the *Indians*, and in what manner I am to act with the prisoners, *Mingoes*, now in my custody, as they begin to think their Nation rather more severely dealt with than the *Shawanese*; and without some proper measures are pursued, these troublesome people may again disturb our settlements. If I have proper orders how to proceed, every thing may be extremely well adjusted, and I think much to the honour of Government.

I have desired my man to leave this letter in the office at *Fredericksburg*, to be conveyed to you as expeditiously as possible, and I hope I shall be favoured with an answer and your opinion by return express.

I have transmitted a copy of the Treaty to his Excellency, and should have sent you one also, only as I have desired the Journal of the expedition to be printed, including the whole, I deemed it unnecessary.

I am, dear sir, your most obedient servant,

JNO. CONNOLLY.

BRENTWOOD (NEW-HAMPSHIRE) COMMITTEE.

At a Meeting of the Committee of Correspondence in *Brentwood*, *February* 9, 1775,

Voted Doctor THOMAS PEABODY, *Chairman*,
Voted Mr. WILLIAM KEOUS, *Clerk*.

Voted, To abide by the advice of the Continental Congress, and to use our endeavours that others shall comply with the same.

Voted, That the thanks of this Committee be given to the Grand *American* Congress, and in particular to the truly patriotick Members of this Province.

Voted, That if any Pedlars, Hawkers, or Petty-Chapmen, shall offer for sale any sort of Merchandise whatsoever, that we will use the utmost of our endeavours that they be dealt with according to law; and if any person or persons shall trade with, or otherwise encourage such Pedlars, by entertaining them, such person or persons shall be deemed and treated as enemies to this country.

Voted, If any Merchant, Trader, or other person within our limits, shall take advantage of the present distressed circumstances of *America*, and by an avaricious thirst after

Digitized by Google

gain, shall raise the price of any commodities whatever beyond their usual reasonable prices, or use their influence, by words or actions, to disconcert the measures advised to by the Grand Continental Congress, when made to appear to this Committee, or the major part of them, shall have their names published in the *New-Hampshire Gazette*, that they may be publickly known, and treated as enemies to this country. By order of the Committee,

THOMAS PEABODY, *Chairman*,
WILLIAM KEOUS, *Clerk*.

PORTSMOUTH (NEW-HAMPSHIRE) COMMITTEE.

The Committee for carrying the Association recommended by the Continental Congress, into execution, have taken under their serious consideration the practice of Gaming, more especially that at Cards and Billiards, which there is great reason to think still prevails in this Town; they therefore do earnestly recommend it to all those who furnish the accommodations for these purposes, to discontinue their unjustifiable proceedings at this time, when all the Colonies are involved in deep distress and danger; otherwise they may depend upon seeing their names in the publick Papers, as recommended in the Association.

The Committee do likewise recommend it to the Merchants and Traders in this Town, who are dealing in *European* Goods, that they do not take any advantage of the times, by raising the price of Goods, lest they be found violating the Grand *American* Association, and of course deemed and treated as inimical to the glorious cause, so zealously espoused by every true friend to the just rights of mankind. H. WENTWORTH, *Chairman*.

Portsmouth, February 10, 1775.

EXTRACT OF A LETTER FROM LONDON TO A GENTLEMAN IN VIRGINIA, DATED FEBRUARY 10, 1775.

The die is now thrown: the two Houses of Parliament have declared the *Massachusetts* in rebellion, and the rest of the Provinces abetting them, which is tantamount to declaring them too Rebels. It becomes every *American* now to look firmly forward: submission and chains, or resistance and liberty; this is the alternative. If the former be most eligible, it cannot be too soon; we cannot too soon cover our shame and silence, and compose our minds to the inexorable yoke. If the latter, with its worst consequences, labour, endurance, and even death, should, to free minds, be preferable, it becomes you most seriously and deeply to consider of, and provide the means of seconding the glorious resolution.

To contend with a mighty state, with all its lifted terrours and united powers, and for a prize so precious, the world never saw a contest more important. The very contemplation of it elevates and nerves the mind. But let your means be wisely prepared, and well husbanded; they will grow every hour more strong. The powerful opposition in this country; its Commerce and Revenue shocked; its Taxes augmented; its Merchants alarmed, and its Manufacturers starving; *France* and *Spain* watching for a favourable moment to strike, if your people have calm courage enough for a protractive defensive war, with the hardships of an interdicted commerce with the rest of the world, their success is sure. There is nothing upon earth more sure than that one year's determined resistance must reduce this country to any terms. On the contrary, from the declarations which have been made in both Houses of Parliament, the consequences of submission will be the execution of all those who have stood forth for the people, and a confiscation of their estates; a general disarming law; taxes to reimburse *Great Britain* her expenses; the abridgment of all chartered rights; and the degradation of Assemblies, so as to prevent them from making any stand for the people, while they are an instrument of their oppression, in carrying the edicts of Ministers into execution.

Were the non-export of Grain from *America* only now in force, this country would be in a state of famine and insurrection in six weeks. In my opinion one year's faithful adherence to that resolution must compel the King's Ministers to do justice. The utmost vigilance should be used to keep the Non-Export and Import Agreement inviolated.

Lord *Mansfield*, who is the author and instigator of taxing *America*, has declared in the House of Lords, that Parliament has also a right to tax *Ireland*. This you may depend upon.

Remember the danger of hesitation and inactivity on one side, while on the other the sword is drawn, and the scabbard thrown away.

The Petition from the General Congress was sent to the House, undistinguished, among a mass of other papers; and, as far as I can understand, not even read. For *God's* sake exert that vigour, fortitude, firmness, vigilance, and activity which the times call for, and to which we must owe the preservation of our inestimable rights.

It is current here, that orders are sent from hence to seize upon particular persons. A prudent caution, therefore, is necessary; for, in fact, we are in a state of warfare.

EXTRACT OF A SECOND LETTER FROM THE SAME GENTLEMAN.

You will see by Lord *North's* Address to his Majesty, agreed to by both Houses of Parliament, what a disposition there is here to do us justice. Generals *Howe*, *Clinton*, and *Burgoyne*, are appinted to go out, and with them six thousand Troops. You see, sir, that the question is now brought to the last issue, in which prudence and firmness must decide our fate. Be you prepared to prevent any attempt by force, or otherwise, to defeat your non-import and non-export plans from having their full effect on this country, and it is most certain that it cannot hold out one year. If the united wisdom of *America*, in Congress, should conclude her able to resist, by the commercial struggle longer than one year, her victory is certain.

EXTRACT OF A LETTER FROM LONDON, DATED FEBRUARY 10, 1775.

MY DEAR FRIEND: I have waited in great hopes I could find something to write to encourage you; but, to my great grief, worse and worse: it is impossible to describe the alarming situation of our affairs. While the debate was in Parliament I still had some small hopes, but this morning, at two o'clock, the death warrant was passed, and the Colonies declared Rebels. The Petitions and all attempts have failed. The efforts of *Manchester*, *Rockingham*, *Richmond*, and all the thirty-two Lords, could not prevent the fatal infatuation from taking place. An Address to the King has passed both Houses, to give the King power to call you Rebels, and to proceed against you on the late Acts, and direct to put them in force against the Congress, and to support the King against the Colonies, with their lives and fortunes. Nothing on earth can equal the consternation of all who have heard of it, and in their usual way now begin to see, when too late, the bad effects of their silence. The worthy Doctor *Fothergill*, Mr. *Barclay*, and *Rachael Wilson* have written to the King; but no answer. Two worthy women of the Friends have desired to speak to the King; but he will not see them. Oh! that the Lords would turn their hearts! But now you are to be left to your own prudence; your own wisdom will tell you no longer to depend on *England* to help you. I had twenty gentlemen this day called on me, and all say, pray write to your friends to declare those Rebels who will not fight for their country; for there is gone down to *Sheerness* seventy-eight thousand Guns and Bayonets, to be sent to *America* to be put into the hands of the Negroes, the Roman Catholicks, and the Canadians; and all the wicked means on earth used to subdue the Colonies. I don't write this to alarm you, but you must not any longer be deceived. Orders have now gone out to take up Mr. *Hancock*, *Adams*, *Williams*, *Otis*, and six of the head men in *Boston*. I have now a copy of the proceedings before me. My heart aches for Mr. *Hancock*. Send off expresses immediately that they intend to seize his estate, and have his fine house for General ******. They have ordered five commanding officers, General *Howe*, General *Burgoyne*, General *Clinton*, General *M'Kay*, and General *Drogheda*, from *Ireland*, for the Dragoons, or Horse. A troop of Light Horse is now actually embarking, and will land before this comes to hand.—You'll see by the newspapers, and I know it to be so; I saw the Generals, and I know of sending the fifteen hundred chests of Arms, part

Digitized by Google

of which are for *New-York*, and to be distributed among such of the inhabitants who are willing to take up Arms against you. A Proclamation is to be given out, that it is only the four Governments of *New England;* but depend upon it all the Colonies are to be treated in the same manner. General *Burgoyne* says that he will not let *New-York* know his intentions, but dance and sing with the ladies, and coax the inhabitants to submit by giving money and protection to those who will fight for the King against the country. Warn your people of their danger; put your Militia in good order; call the Delegates together, who will all be safe at *Philadelphia.* Act wisely, and if possible save Old *England.* Thirty-two Lords and Dukes, the richest and best men in the Kingdom, are your friends, and of opinion that *America* must save *England.*

Tell the Printers immediately to advertise for young men to go to *Boston* and bring *Hancock* and his brave men away; and if *Gage* refuses, seize him. Such a step as this will alarm *England,* and it is what they all wish you would do, and expect it. I pray you mind what I say: a Bill of Attainder is to be passed against them; the King is determined to make you submit;—the People are determined you shall not; the People are determined to break the Bank, and it will break before the first of *April;* so only hold out and exercise your men; watch your enemies, and all will be done for you. Let no head man be taken; take care of your Delegates; encourage your Committee to do their duty. It is hard for men to stand forward for their country, and then to be destroyed. For shame! Let it never be said in the House of Lords, that *New-York* will stand neuter. The shameless letters have disgraced the City; but as there are only a few rogues, you have not much to fear from them. Shame and cowardice will stop them, and the goodness of the cause make you act like men. Arm yourselves, and be ready at all times, for well I know that it will prevent bloodshed; but if you sit tamely and silent, you will not only be cut off, but despised by all good men. What a pleasure it is to see *England* roused. What a different temper has this week produced. Every day nothing is talked of but mobs; they say what I dare not write; guess what alterations since Captains *Lawrence* and *Falconer* sailed; indeed, the people are not the same. Since yesterday morning thousands from the country are coming up, and letters sent down to get *Birmingham* to rise and come up to stop the Address, but too late; and now you must trust to your own prudence and the *God* of your salvation to save you. With most tender love to all, and more particularly to those who are near and dear to you, remember me with affection. Great pain taken to find out who writes to *America,* and inform them of the proceedings of the Court. With the greatest confidence, I am your old faithful friend.

LETTER FROM LONDON TO A GENTLEMAN OF NEW-YORK.

London, February 10, 1775.

SIR: As it is too natural for us to believe what we wish, I fear my descriptions of the state of affairs relative to *America* have been hitherto exhibited to you in colours too tender. I must now acquaint you that all hopes of conciliation between *England* and her Colonies are entirely at an end; both the King and the Parliament have announced your destruction. Fleets and Armies are preparing with the utmost diligence for that purpose. Fifteen hundred chests of Arms have been shipped within these few days; enough, I am credibly informed, for seventy-eight thousand men. The Army that is destined against you will be commanded by Generals *Howe, Burgoyne,* and *Clinton;* the number of Troops they are to command is supposed to be fourteen thousand, so that it is supposed the surplus of the above quantity of Arms is designed for those among you who may be base enough to desert their country's cause; be then convinced you have now nothing to trust to but the God of Battles. In the mean time, let me assure you, that the people of Old *England,* I mean the Merchants and Manufacturers, and indeed the main body of the whole Nation, are most heartily with you. Besides the City of *London,* and others, the principal Corporations of *England,* you have also the wealthiest and most esteemed of our Nobility warmly in your favour, no less than thirty-four in number.

After this, nothing need be said to urge you to a sense of your long and unmerited sufferings, and rouse your courage to a degree worthy the name of *Americans,* nobly fighting in defence of their wives, their children, their properties, their most sacred religion and liberty, the glorious birthright of man. For Heaven sake, then, suffer no delay, but to your tents; Oh! *Israel,* your appeal my dear sir, is now to *God* only. Let firmness and unanimity preside among you; lift up the standard of the Holy One, who led your fathers into that new world.

The near connection I have with the Court, and the great opinion I have of you, and the knowledge I have of those facts, is a good reason for this letter. Every day brings new troubles, and all possible care will be taken to deceive or frighten you; but fight like men, and I will warrant you to come off with victory. I refer you to Lord *Chatham's* Speech. In the House of Lords of yesterday, he has pledged himself to that House, that *America* comes off with victory; and the first drop of blood spilt in *America,* will seal the destruction of Old *England,* and that the Government will be transferred to *New England;* a glorious prophecy! The doors of both the Houses of Parliament are shut, for fear that the arguments in your favour should be sent to you.

By the best authority I send you this; we all look up to *America* for our future blessing. Take the privilege of the Post Office into your own hands before it be seized. Some horrid dark designs are in agitation against *New-York.* The Standard is set up in many City Clubs. Your success is most ardently prayed for by all the good people in this Kingdom. Adieu.

Williamsburg, Virginia, February 10, 1775.

A private letter from the frontiers, gives an account that the *Cornstalk,* King of the *Shawanese* Nation, a few days ago arrived at the mouth of the *Great Kenhawa,* where Captain *Russell* is stationed, and delivered to him several of the old white prisoners, and a number of horses, agreeable to Lord *Dunmore's* desire. The *Cornstalk* informs that every thing at present is peaceable and quiet in the quarter he left; but that he would not undertake to say how long that pacifick disposition would last, as the *Pennsylvanians* have sent some of their traders there, who were endeavouring all they could to persuade them that Lord *Dunmore's* view in bringing the hostages to *Williamsburg,* was to deceive them, and that, whenever it was in his power to raise another Army, he would immediately take every advantage in order to cut them off. This kind of reasoning, however specious, had no material effect, it seems, as the *Indians* throughout the different Tribes entertain the highest opinion of his Lordship's conduct with respect to his late manœuvres on the frontiers.

This morning we received information from a gentleman at the *Ohio,* that the *Mingo Indians* have killed three of the *Delawares,* which gives much concern to the neighbouring white people. The *Pennsylvanians,* it appears, are greatly blamed, as they use every artifice in their power to create discontent and jealousy among the *Indians.* Our correspondent says they took one of our Constables, and immediately confined him in one of their Jails; upon which two Companies of the *Virginians* assembled, being determined to rescue him, which they did, together with some others which they served in the same manner, and also pulled down the Jail. The *Mingoes,* we are likewise informed, are very desirous to see Lord *Dunmore,* in order fully to comply with his terms, and to make a lasting peace with him.

Bedford, Pennsylvania, February 10, 1775.

Publick notice is hereby given, that for the encouragement of Industry and Manufactures, and agreeable to the recommendation of the General Congress, and of the Provincial Convention, that a Premium of Five Pounds will be paid by the Committee of Correspondence for the County of *Bedford,* to the person who shall erect the first Fulling Mill in the said County.

Three Pounds to the person in the said County who shall make the finest and best piece of Linen Cloth.

Forty Shillings to the person who shall make the next best piece.

Digitized by Google

Twenty Shillings to the person who shall make the third best piece; each containing not less than twenty yards, of Flax of the growth of this country.

And Twenty Shillings to the Weaver, who shall weave the finest piece before the 1st of *October* next.

On behalf of the Committee.

ROBERT GALBRAITH.

Divers other articles are under consideration, for which premiums will be offered hereafter.

Address of the Grand Jury to his Majesty's Justices, assembled at the General Quarter Sessions of the Peace for the City and County of NEW-YORK, *February* 10, 1775.

GENTLEMEN: While in the faithful discharge of our duty as Grand Jurors, we hand this Honourable Court Indictments against several persons for breaches of the peace, and offences committed against the person of a reputed informer of contraband Goods.

After acknowledging his most gracious Majesty, *George* the Third, King of *Great Britain*, &c., as our only true and lawful Sovereign, and the *British* Constitution, as founded on the compact of its Kings with their subjects; the laws made in support of and agreeable to that Constitution, together with our oaths and the dictates of our consciences, the rules of our action.

We cannot pass by this opportunity of publickly joining the general voice of our country in bearing testimony against many oppressive Acts of Parliament passed in his present Majesty's reign, relative to his *American* Colonies, and which, at present, are the cause of so much trouble and uneasiness in the minds of his loyal *American* subjects.

Particularly against the power exercised by the Parliament, of taxing and making laws binding upon the *American* Colonies in all cases whatsoever; against those Acts which strike at the very foundation of *British* liberty, the Trial by Juries; such are those by which the powers of Admiralty and Vice Admiralty Courts are extended beyond their ancient limits; the Judges empowered to receive their Salaries and Fees from effects condemned by themselves; the Officers of his Majesty's Customs empowered to break open and enter Houses without the authority of any Civil Magistrate, founded on legal information; enormous forfeitures incurred for slight offences; vexatious informers exempted from paying damages to which they are justly liable; and oppressive security required from owners before they are allowed to defend their rights; by all which, the lives, liberty, and property of *Americans* are rendered insecure.

EXTRACT OF A LETTER FROM CONNECTICUT TO MR. RIVINGTON, IN NEW-YORK, DATED FEBRUARY 10, 1775.

One day last week, a Presbyterian Minister not far distant from *North-Haven*, applied to a Lieutenant of the Militia to step into the market and give him the words of command, in order to his performing the manual exercise; the officer declined it, but being repeatedly pressed to a compliance, consented. The Minister declared he had practised the military exercise with an intention of going to *Boston* against the King's Troops, if there should be occasion for his service. Having taken post in the market, he shouldered, faced, marched, and performed all the motions with much exactness, to the great delight of a turbulent *Hibernian*, (who was about eighteen years ago sold in this part of the world,) and on all occasions, insults the name and Government of our most gracious Sovereign, and bids defiance to the laws. This Republican thanked the Divine for his fine performance, applauded his gallant resolution, and conducted him to enjoy a mug of flip at his own house; a gentleman passing by, whilst the puritan was exhibiting, *a-la-militaire*, asked him if he had quite forsaken his spiritual, for a Soldier's profession, on which the crowd menaced him with the discipline of tar and feathers, but the former secured himself by a precipitate retreat.

LETTER FROM A GENTLEMAN IN MASSACHUSETTS TO HIS FRIEND IN LONDON, DATED FEBRUARY 10, 1775.

The account you give of an overbearing influence in the House, and the want of feeling and spirit out of it, is of a very serious and melancholy kind; *Americans* are very sensible that such accounts are true, and expect to fall a sacrifice to the knavery in the Cabinet, and the folly out of it, unless preserved by their own virtue, their frugality, or valour, or both.

Shorter Parliaments; a more equitable representation; the abolition of taxes and the payment of the debt; the reduction of placemen and pensioners; the annihilation of bribery and corruption; the reformation of luxury, dissipation, and effeminacy; the disbanding the Army, are all necessary to restore your country to a free Government, and to a safe, honourable, and happy life. But is this practicable; is there a resource in human nature for hope of such a miraculous change? Is there one example of it in history, or experience? A Nation is easily corrupted, but not so easily reformed. The present reign may be that of *Augustus*, but upon my honour I expect twelve *Cæsars* will succeed it. What is to become of *America* if they should? Ought she not to think in time, and prepare for the worst?

I have a great curiosity to know how the proceedings of the Congress at *Philadelphia* are relished in *London*, at *St. James's* and *St. Stephen's*. I think it may be seen from them that *America* is not insensible of her danger, nor inattentive to the means of her safety.

I am also very anxious to know what the friends of liberty think of the hasty dissolution of Parliament; for my own part, I have ever thought this the most insidious and artful step of the present reign; it seems to betray more contempt of the people, at the same time that it betrays a dread of some remaining sense and integrity among them, than any thing else which has been done. You will allow, sir, that the broil with *America* is a very great national concern. At a time when *America* was assembled to concert measures relative to this great concern, a new Parliament is called of a sudden before the people could hear from *America*, as if the Minister disdained or dreaded that the Nation should have an opportunity to judge of the state of *America*, and choose or instruct their Representatives accordingly; as if the Minister scorned or feared that the people—the electors, should have opportunity to hear and converse together upon facts before they chose their Members.

The design of the Ministry seems to have been likewise to give the friends of liberty the go-by in *England* as well as in *America*; determined to pursue their system they would not suffer the friends of the Constitution to converse or correspond together before the day of election, lest the constituents should bind the candidates to act an honest part. It is not easy to convey to you, sir, an adequate idea of the state of this Province. It is now at last true that we have no Government—Legislative, Executive, or Judicial. The people, determined never to submit to the Act for destroying their Charter, so dearly purchased, preserved, and defended by the toil, treasure, and blood of their ancestors, are everywhere devoting themselves to Arms. Our Duke of *Alva* is shut up, with his Troops, and his forlorn Mandamus Counsellors, in *Boston*. What the Ministry will do is uncertain; all the *British* Fleet and Army cannot change men's opinions; they cannot make a Juror serve, nor a Representative. An attempt to cram a form of Government down the throats of a people, to impose a Constitution upon an united and determined people, by force, is not within the omnipotence of an *English* Parliament.

If they attempt a campaign like that of *Kirk*; if they send the sword and fire to ravage in this country, they will find in *New England* an hundred thousand descendants of the Puritans in the *Charles's* and *James's* days, who have not yet lost entirely the spirit of *Englishmen* under the *English* Commonwealth.

Our enemies give out that persons who have distinguished themselves here in opposition to the power of Parliament, will be arrested and sent to some County in *England* to be tried for treason; if this should be attempted it will produce a resistance and reprisals, and a flame through all *America*, such as eye hath not seen, nor ear heard, neither hath it entered into the head of the Minister or his minions to conceive.

I beg the continuance of your favours, and am, with the warmest wishes, for the safety of both countries.

Digitized by Google

HOLLIS (NEW-HAMPSHIRE) TOWN MEETING.

At a legal Meeting of the Inhabitants of the Town of *Hollis*, in the County of *Hillsborough*, in the Province of *New-Hampshire*, held on the 7th day of *November*, 1774, the following Resolves were unanimously passed, viz:

That we will at all times endeavour to defend our liberties and privileges, both civil and sacred, even at the risk of our lives and fortunes; and will not only disapprove of, but wholly despise all such persons as we have just and solid reason to think, even wish us in any measure deprived of the same.

That we do abhor, detest, and abominate all oppressive acts of persons in power, whether Magistrate or Officer, whereby the poor are distressed and unlawfully robbed of their properties in any manner whatever, and will always deem them not only inimical to individuals, but to the general good of mankind, and will always endeavour to treat them in such a manner as they justly deserve.

That we will at all times endeavour to assist the Civil Magistrate in the due execution of his office, in support of our laws, at the risk of our lives, and will always shew our dislike and disapprobation to all unlawful proceedings of unjust men, congregating together (as they pretend) to maintain their liberties, and very outrageously trample under foot the very law of liberty, and madly destroy that jewel which is so exceeding precious to our *American* land.

That all persons setting up themselves to adjudge and determine causes between party and party, only by the authority of a mobbish company of disorderly men, unlawfully assembled to commit riots and unlawful actions, are bold contumacious despisers of law, and their proceedings directly tend to the utter subversion of all regularity, good order, peace, and harmony among his Majesty's good subjects in this land.

SAMUEL CUMMINS, *Town Clerk.*

In Committee, Philadelphia, February, 1775.

Ordered, That the following Letter from *Bedford* County, in this Province, be published.

Bedford County, February 11, 1775.

SIR: We were yesterday favoured with your letter enclosing the Resolves of the Provincial Convention, and we have the pleasure to inform you that we not only unanimously and heartily accede to them ourselves, but (it being the time of the Appeal) we had the opportunity of communicating them to a large number of our constituents, who to a man signify their warm approbation of them. For our own parts we consider such prudent and *patriotick* Resolves (whatever may be the issue of our present unhappy dispute with the parent state) to be the most effectual means of promoting industry, economy, wealth, peace, freedom, and happiness amongst a loyal people, who, consistent with *true loyalty* are determined to hand down that liberty to their posterity which they have enjoyed at the expense of so much of the blood of their *British* forefathers.

It is with peculiar satisfaction, we assure you, that the people in this County shew the greatest unanimity and even anxiety in complying, as far as in them lies, with the Resolves of the Congress and of the Convention. For that purpose we have subscribed a sum of money, and advertised through the County that certain premiums will be given to the persons who shall excel in such branches of Manufactures as we have recommended them to apply themselves to, being such as we, from our local and other circumstances, could hope to undertake with any prospect of success, and such as will be of most general use, and most conducive to promote the great end we all have in view.

It was impossible for us, by reason of our distance, to attend the Convention on such short notice as we had; but you will be informed by this time that the three first named of us were, amongst others, deputed for that purpose; and they, in the capacity of Deputies for this County as well as all of us in that of the Committee of Correspondence for the same, take this method to testify our thankful acceptance of every one of the Resolves of the Convention, and that we consider ourselves as much bound by them, to every intent and purpose, as if we had been present when they were entered into.

The Committee of Correspondence.

To *Joseph Read*, Esquire, President of the Provincial Congress of *Pennsylvania*.

Ulster County, New-York, February 11, 1775.

Since the issuing the Governour's Proclamation for calling the Assembly, the leaders of the Republican faction in this Province have exerted themselves in exciting their despicable tools in this County to a variety of the most flagitious acts of licentiousness and violence—to effect which a thousand falsehoods and misrepresentations have been artfully contrived and industriously circulated among the ignorant, credulous multitude; circular letters have been written to the zealous party men in the different Precincts, animating them to erect Liberty Poles, and choose Committees of Inspection for enforcing obedience to the Resolutions of the Congress; individuals have been threatened with tarring and feathering merely for reading and communicating to their well meaning neighbours such publications as tend to enlighten their uninformed mind on the present subjects of universal animadversion. These measures the lovers of peace, order, and Government beheld with the deepest concern, and for a long time combated with reason and expostulatory arguments, by which many have been convinced of their errours and reclaimed from their wild and frantick pursuits. The abetters of faction, enraged at the increasing defection of their followers, endeavoured to re-animate the declining violence of their party by fresh propagations of falsehoods and misrepresentations; and among many scandalous and seditious insinuations, industriously disseminated the treasonable and malignant doctrine that his Majesty, in passing the *Quebec* Act, had established the Romish Religion in *America*, and thereby broken his Coronation oath, whereby the people were discharged from their allegiance, and were justifiable in associating to make proper provision for their common safety. This daring attempt to alienate the affections of the people from their Sovereign, and to excite them to an open subversion of all lawful authority, the friends of Government viewed with indignation, and conceived it high time to bear publick testimony against; accordingly a very respectable number of his Majesty's loyal subjects met at the house of Mr. *John Graham*, at *Shawangunk*, and erected a Royal Standard, on a mast seventy-five feet high, with the following inscription on it:

"In testimony of our unshaken loyalty and incorruptible "fidelity to the best of Kings; of our inviolable affection "and attachment to our parent state, and the *British* Con-"stitution; of our abhorrence of, and aversion to a Repub-"lican Government; of our detestation of all treasonable "associations, unlawful combinations, seditious meetings, "tumultuous assemblies, and execrable mobs; and of all "measures that have a tendency to alienate the affections "of the people from their rightful Sovereign, or lessen "their regard for our most excellent Constitution: and to "make known to all men that we are ready, when properly "called upon, at the hazard of our lives and of every thing "dear to us, to defend the King, support the Magistrates "in the execution of the laws, and maintain the just rights "and constitutional liberties of freeborn *Englishmen*, this "Standard, by the name of the King's Standard, was erect-"ed by a number of his Majesty's loyal and faithful sub-"jects, in *Ulster* County, on the 10th day of *February*, "in the fifteenth year of the reign of our most excellent "Sovereign *George* the Third, whom *God* long preserve."

EXTRACT OF A LETTER FROM KENT COUNTY ON DELAWARE.

With regard to political matters the people here begin to change their sentiments, concluding, in their more deliberate moments, that such violent measures as have been pursued will not heal, but, on the contrary, widen the breach; many who have kept their sentiments to themselves, begin to whisper their dislike of the proceedings gone into. I believe the Friendly Address, and other performances of the moderate stamp, have done much good

Digitized by Google

in opening the blind eyes of many, and when people come to taste feelingly of the hardships which a suspension of trade will occasion, they will change sides; nay, I believe if the King's Standard was now erected, nine out of ten would repair to it.

The people have not, till lately, considered the consequences of a civil war with so brave and powerful a Nation as that of *Great Britain;* the heat and rage of party had not given them leisure to reflect on the devastation and havock it would occasion; and if our rashness should yet bring one on, quere, if such reflections as these would not arise with many? I have seen this land blessed with peace and plenty, under the happiest form of Government in the world; every branch of business flourishing; men secured in their liberty and property; a trade open to foreign parts of the world, which occasioned a ready sale for our produce. I have been in possession of a wife and many children, some of whom are numbered among the slain, and others far separated; I have lived in a happy, harmonious neighbourhood, where the violence of party and the appelations of Whig and Tory were unknown. Who could think that a three Penny duty on Tea could have occasioned all these difficulties, when only a refusal to purchase the article would have kept us free.

Committee Chamber, Philadelphia, February 18, 1775.

The following Letter, in answer to one wrote by the Committee of Correspondence, to the Committee of *Kent* County, enclosing a Newspaper published by *James Humphreys*, Junior, dated *February* 11, was read and ordered to be published. J. B. Smith, *Secretary.*

Dover, Delaware, February 15, 1775.

Gentlemen: We are this morning favoured with yours of the 13th instant, informing us of the purport of a piece of intelligence published in the *Pennsylvania Ledger* of *Saturday* last, said to be, "an extract of a letter from *Kent* County, on *Delaware*," very injurious to the publick spirit of the inhabitants of this County. We can assure you, from the knowledge we have of the sentiments of the inhabitants, that they have not in the least changed their opinions with respect to the important subject of dispute between the mother country and the *British* Colonies in *America*, and are well disposed to make a virtuous stand against tyranny and oppression, from whatsoever quarter they may threaten us, as the inhabitants of any other of these Colonies; and that the said extract is a base calumny, replete with falsehood, and only designed by the wicked insidious author to cause divisions, and excite mutual suspicions and distrust in the minds of *Americans*, weaken our hands, and prepare the way for an easy victory to the enemies of *America*.

We would, therefore, request the favour of your Committee to call upon the Printer of the above Paper, to discover, if he can, the author of this piece of slander; and that this letter may be published in all the *Philadelphia* Newspapers.

We conclude, gentlemen, with our grateful acknowledgments to you for your vigilance and care, in endeavouring to guard and preserve the rights and privileges of *America* in general.

Signed by order of a full Committee for *Kent* County.
Mark M'Call, *Clerk.*

To the Committee of Correspondence for the City and Liberties of *Philadelphia.*

EXTRACT OF A LETTER FROM PHILADELPHIA, TO MR. RIVINGTON, NEW-YORK, DATED FEBRUARY 16, 1775.

I find the people in general here much cooler than I expected, though there is a party more violent than I could have formed any idea of. The day after my arrival there were some high debates at the Coffee House; not being there at the beginning, I made some inquiry into the merits of this dispute: I found the Committee had been to demand of a Printer the name of the person who handed him some letter he had published.—This letter gave great offence, not because it reflected upon any man or body of men, but because it contained some moderate sentiments. I thought this demand savoured a little of a Popish inquisition, and was still more surprised to find, that the persons who had usurped this novel right of demanding authors, were the Committee, who had been chosen guardians of our liberties, but had, instead of preserving them, introduced the worst species of tyranny, and the most dangerous kind of slavery that any country had ever experienced; however the matter was not so bad as was at first apprehended, for the Committee-men insisted with great warmth, that they did not demand, they only asked. This dispute would certainly have terminated in a general battle, but the Committee found a great majority against them; there was scarce one in five who justified them.

When the dispute ended, I went to dine with our friend ******* who you know was lately a high Whig; I informed him of what passed at the Coffee House; he was equally with me irritated at so flagrant an instance of despotism; I did not know the names of these Committee-men, but by the description I gave him, he knew them; he told me one of them, an avowed Republican, had lately met with some disappointments, that he could not much wonder at the part he took; another had acquired his fortune partly by an illicit trade last war, and partly by taking an advantage of a Resolve of the people here, not to deal with the *Rhode-Islanders*, after they had broke through the Non-Importation Agreement, by supplying them with Goods, when no other Merchant would do it; another was an illiterate Merchant; another too insignificant to notice, &c.

My friend observed that though he had heretofore been active in the measures of the Committee, yet their conduct now appeared to him so inconsistent and absurd, that he was determined never more to countenance them; he said he was well convinced they aimed at a general revolution, and were promoting every measure to overthrow our excellent Constitution;—drunk with the power they had usurped, and elated with their own importance, they were determined on nothing so much as to increase discord and confusion. By these they had risen to power—from these they derived their whole consequence; they know full well, if the present troubles should subside, they must again sink into their native obscurity; they are therefore willing to keep up the ball as long as possible, and nothing would give them more real concern than a speedy accommodation and reconciliation between the parent state and the Colonies; they have nothing to lose in a general havock, but all to gain from a scramble. I have great satisfaction from various information in finding that almost all the violent sons of licentiousness are of a particular sect; there are some others weak, deluded and flattered.

I have been assured that there are many of this Committee who could not get credit for twenty Shillings, and on inquiring how it happened that the inhabitants should choose such men, I was told that not one-sixth of the people ever voted at all—that in the City and Suburbs there were not six hundred votes for the sixty Committee-men, so that you see each one had only to procure ten voters; a mighty easy way this of getting into power.

Another thing I was told, which I must inform you of, for I know you are a lover of the laws and good order, and that you are fond of collecting curious instances of this kind. It seems a large quantity of Goods had arrived after the first of *December;* the Committee resolved that these Goods must be opened, agreeable to the Resolves of the Congress. It was looked upon as very hard that those Goods, which had been ordered near a year ago (which was the case with some) should be thus opened and exposed to sale; it was represented to the Committee as an unreasonable hardship, and they were requested to revoke their decree, but they were obdurate, and would not comply; not because the request was unreasonable, but because they had resolved. Their resolves were unalterable, as the laws of the *Medes* and *Persians*. The Goods were accordingly opened and sold, and the Merchants obtained them without any inconvenience, by paying one per cent. to the vendue-master. The Merchants requested they might have the liberty to choose their own vendue-master; this liberty was denied them; they requested they might have the liberty to agree with the vendue-master, what commission he should have; this liberty too was denied

Digitized by Google

them. The Merchants, convinced they had tyrants to deal with, even sold their Goods in the mode the Committee in their wisdom and justice had seen meet to order and direct, and none attempted to bid on them; but as soon as ever the Goods, belonging to individuals on the Committee were sold, and the favourites were released from their clutches, out pops a handbill by order of the Committee, signed by the Secretary, requesting the Shopkeepers and others to attend and purchase. At the call of the Committee, a number of their adherents appeared, and bought the Goods, by some of which they got five per cent. to carry on the rebellion at *Boston*. None but saints were to be spared;—if any of these had Goods none dared to bid—indeed none but the saints did bid, and they took care not to bid on one another.

I shall collect every thing in the political way, and take notice of every remarkable occurrence; and when I return shall lay before the publick every well attested circumstance.

EXTRACT OF A LETTER FROM PHILADELPHIA TO A GENTLEMAN IN NEW-YORK, DATED FEBRUARY 20, 1775.

We are astonished that your Sons of Liberty, and Committee suffer that base fellow *Rivington* to continue publishing his vile calumnies on every Province in *America:* I am sure was he in this place he would have been called on long ago to give up the authors of so much falsehood as is contained weekly in his Paper. We had an attempt of the same kind by a Printer in this place, who has just set up a Paper, and last week published an extract of a letter, said to be from *Kent* County, on *Delaware*, reflecting highly on the present measures adopted by the Congress, and asserting that nine-tenths of that County were opposed to them. Our Committee sent an express to the Committee of that County immediately, and requested them to let us know their true state;—they, in answer, have given us the strongest assurances that the letter is a base calumny, and that the County are universally well affected to the *American* cause;—they further request we would call on the Printer, and demand the author of him; this we have done; the Printer has given us the name of the person who handed him the extract, and this evening we meet to call said person before us. The Tories among us are all confounded at our proceeding, and it is thought it will be found at last that the letter was fabricated by a junto in this Town. This is strongly suspected to be the case of many publications in *Rivington's* Paper, said to be extracts of letters from *Maryland*, *Philadelphia*, &c.—Such villains deserve not to live among us; and perhaps it will become necessary to make examples of some of them to deter others from the like practices.

London, February 13, 1775.

At a Court of Common Council, held at *Guildhall*, the Town Clerk acquainted the Court that he had waited on Lord *Chatham* at *Hayes*, agreeable to their order on *Friday* last, with the following Resolution:

"*Resolved*, That the Thanks of this Court be given to "the right Honourable the Earl of *Chatham*, for having "offered to the House of Lords a plan for conciliating the "differences which unfortunately subsist between the "mother country and the Colonies, also to all those "Noblemen who supported the same."

His Lordship was pleased to return the following Answer, which was ordered to be entered on the City Book:

"Lord *Chatham* desires the favour of Mr. Town Clerk, "to offer to my Lord Mayor, the Aldermen, and Com-"mons, in Common Council assembled, his most respect-"ful and grateful acknowledgments for the signal honour "they have been pleased to confer on the mere discharge "of his duty, in a moment of impending calamity. Under "deep impressions of former marks of favourable con-"struction of his conduct, during the evil hour of a dan-"gerous foreign war, he now deems himself too fortunate, "to find his efforts for preventing the ruin and horrour of "a civil war approved, honoured and strengthened by the "great corporate body of the Kingdom."

At this Court the following Resolutions were adopted:

Resolved, That the present situation of our publick affairs, in consequence of the severe proceedings against the *American* Colonies, is so exceedingly alarming, that it is the duty of this Court to use every possible endeavour to prevent all further oppression, and to obtain relief to so numerous and valuable a part of our fellow-subjects.

Resolved, That as a Bill is proposed to be brought into Parliament to prohibit the *New England* Fishery, which, if complied with, may materially injure the commercial interests of this City, and of the Kingdom in general, the Lord Mayor be requested by this Court to convene the same to consider whether it may not be the duty of this Court to petition Parliament against the said proposed Bill, the principles of which, so far as they have hitherto been declared, appearing to be repugnant both to justice and the true interest of the *British* Empire.

EXTRACT OF A LETTER FROM LONDON, DATED FEBRUARY 13, 1775.

The determination of the ensuing Congress will be final and decisive. They cannot have too many lights, nor too mature deliberation to guide them. The united wisdom of our country will best judge whether any relaxation can be made in their Petition of Rights; and whether they can afford to purchase such a confirmation as my Lord *Chatham's* Bill proposes, by a perpetual Revenue of three hundred thousand Pounds sterling, per annum; such is the sum which he expects. I am of opinion that nothing will move the King and his Ministers but absolute submission or a successful resistance. But an offer from you of such a contribution to the relief of this country from its debt, would disarm them of their only popular argument, and therefore arrest the fatal measures by which they mean to establish arbitrary Government over us. If it will be practicable, I think it would be eligible. Our forefathers purchased their undoubted rights in Magna Charta, by the gift of a sum of money to the King; and I think we need not blush to follow so great an example.

I do believe the Ministry do not wish any such proposition, because they do not desire an accommodation; but if we must draw the sword, let us do it with as much apparent reluctance and justice on our side as possible. This will be hanging a mill-stone around the enemy's neck, which must sooner or later draw them down to destruction.

It is not expected that you will resist, at least the Ministry affect to believe so, and they assure themselves of the defection of *New-York*. I think it my duty to inform you that there is a report here, and it comes through Ministerial channels, that Mr. *Galloway* is in correspondence with the Ministry; from this they pretend to derive information of what you have not thought proper to publish. Among other things, Lord *Sandwich* asserted in the House of Lords, that the Congress came to a Resolution to consider of a plan of submission and conciliation, and next day ordered the Resolution to be expunged. From this he argued your intention to throw off all dependency on this country; and that when your present demands were gratified, you would frame others, till you had annihilated the authority of Parliament. You will use this information touching Mr. *Galloway* with that delicacy which the suspicion of so dishonourable and wicked a conduct requires, at the same time guarding against the dangerous consequences of it to the publick cause, should it be true. If I can get any further intelligence concerning him you shall have it.

Whatever measures you resolve upon, will, I am satisfied, be well weighed, and measured by your ability to execute them; for it is on a belief that you cannot hold out under your Non-Import and Non-Export Agreement, and a total stop put to your commerce by the *British* Navy, that our enemies build all their hopes of reducing you to a speedy and entire submission. I am fully satisfied that one year's faithful observation of your Agreements, and sacrifice of your trade, will compel the justice you demand, and establish your rights forever. It is impossible for me to believe that resources can be wanting, or spirit to search for them, when the prize is so great and important.

War is determined on; you should be prepared to meet it with success, or submit at once and be slaves.

Elizabethtown, New-Jersey, February 13, 1775.

Whereas, the inhabitants of *Staten Island* have manifested an unfriendly disposition towards the liberties of

Digitized by Google

America, and among other things have neglected to join in the General Association proposed by the Continental Congress, and entered into by most of the Townships in *America*, and in no instance have acceded thereto. The Committee of Observation for this Town, taking the same into consideration, are of opinion that the inhabitants of their District ought, and by the aforesaid Association are bound, to break off all trade, commerce, dealings, and intercourse whatsoever with the inhabitants of said Island, until they shall join in the General Association aforesaid; and do Resolve that all trade, commerce, dealings, and intercourse whatsoever be suspended accordingly, which suspension is hereby notified and recommended to the inhabitants of their District, to be by them universally observed and adopted. G. Ross, *Clerk*.

YORK COUNTY (PENNSYLVANIA) COMMITTEE.

At a Meeting of the Committee of *York* County, at *Yorktown*, in *Pennsylvania*, the 14th day of *February*, 1775: Present thirty-nine Members.

The Committee took into consideration the Proceedings of the late Provincial Convention, &c.

1. *Resolved unanimously*, That we heartily approve of the Proceedings of that Convention.

2. The Committee apprehending, that from the Non-Importation Agreement, and the present state of publick affairs, unless great care be taken, there would, in a short time, be a scarcity of Gunpowder, which is so necessary to our *Indian* trade and the hunters of this Province; therefore, *Resolved*, That we recommend it to the several members of this Committee, that they, in their respective Townships, with the assistance of the Township Committee-men, do discourage the consuming of that article but for the most useful purposes.

3. It being represented that sundry persons in this County had formed themselves into Military Associations, and that they would discontinue them if disagreeable to this Committee; upon consideration of which, *Resolved unanimously*, That we by no means would discourage those proceedings; on the contrary, we are of opinion that such Associations, if conducted with prudence, moderation, and a strict regard to good order, under the direction of men of probity and understanding, would tend much to the security of this country against the attempts of our enemies.

4. *Resolved unanimously*, That we recommend to the inhabitants of this County, a strict adherence to the Association of the Continental Congress, and the Directions of our late Provincial Convention; and that in case any Township Committee should meet with obstruction in carrying the same into execution, that we will, and the rest of the County ought, to assist them.

5. *Resolved unanimously*, That the Township Committee-men in this County ought, as soon as possible, to collect the Flour and Grain subscribed for the poor of *Boston*, and convert the same into cash; and that they immediately pay such cash and all other moneys subscribed, into the hands of Messrs. *John Donaldson* and *George Irwin*, who, with the direction of any ten of the Committee, are to remit the same in Bills of Exchange to the Committee of *Boston*, for the poor of that place.

6. *Resolved unanimously*, That in case the Committee of Correspondence of this Province appointed at the last Convention, shall think proper, or if a majority of the County Committee shall consider it expedient that another Provincial Convention should be held, we do appoint *James Ewing*, *Michael Swope*, *James Smith*, *Thomas Hartley*, and *Henry Slegle*, Esquires, and *George Irwin*, *George Eichelberger*, *David Kennedy*, and *John Houston*, or any five or more of them, as the Deputies of this County to attend such Convention, and to agree to such matters and things as may be deemed necessary for the safety and welfare of this Province, or the common cause of *American* Liberty.

Extracts from the Proceedings of the said Committee,
GEORGE LEWIS LEFLER, *Clerk Com.*

BURLINGTON (NEW-JERSEY) COMMITTEE.

At a General Meeting of the Freeholders and other Inhabitants of the City and County of *Burlington*, in *New-Jersey*, qualified to vote for Representatives in the Legislature, held at the Court House, on *Tuesday*, the 14th of *February*, 1775:

PETER TALLMAN, Esquire, in the Chair.

The Association entered into by the General *American* Congress, convened at *Philadelphia* on the 5th of *September* last, was read and approved.

Resolved, That in pursuance of the eleventh article of the said Association, a Committee of Observation for this City and County be now appointed, for the purposes in that Article mentioned; and the following persons were accordingly chosen, viz: *James Sterling*, *Colin Campbell*, *William Smith*, and *Jonathan Hough*, Esquires, *John Coates*, *Thomas Fenimore*, *Thomas Reynolds*, Esquire, *Joseph Budd*, *Jonathan Middleton*, *Joseph Borden*, Esq., *John Wood*, *William Newbold*, *Isaac Pearson*, Esq., *Randle Mitchell*, *William Lewis*, *Peter Tallman*, Esq., *William Potts*, *John Black*, *Joseph Read*, Esq., *Peter Shiras*, *Thomas Budd*, Jun., *Charles Read*, Esq., *John Evans*, *Josiah Foster*, *Joseph Stokes*, Esquire, *John Cox*, *Abraham Hewlings*, *Baldwin Wake*, Esquire, *Samuel Newton*, *Jacob Perkins*, *John Leek*, *Eli Matthis*, and *William Pharo*.

Resolved, That the said Committee shall be and continue for one year from this time, unless the measures of the next General Congress shall make an alteration necessary.

Signed by order of the meeting,
PETER TALLMAN, *Chairman*.

Wethersfield, Connecticut, February 14, 1775.

This evening two of the inhabitants of a place *lately known and called by the name of* RIDGEFIELD, put up at a publick house in this Town, and entering into conversation boldly justified the vote of said late Town of *Ridgefield*, in disapproving of the doings of the Continental Congress, and proceeded far in supporting Court Doctrines of passive obedience to Parliament, &c., which being taken notice of by a number of gentlemen present, they considered it in effect as a direct breach of the Association of the said Congress, and thereupon voted, that in their opinion it was proper that these persons should be returned the way from whence they came, under safe conduct, from Town to Town, *to the said place lately known by the said name of* RIDGEFIELD; and that all honest and true men to this country might know and avoid them, proper persons were appointed by the meeting instantly to attend them as far as *Farmington* on their return; and there to acquaint the inhabitants of their behaviour, and leave them to their further transportation, as is usual, and as by law is provided, in cases of strolling ideots, lunaticks, &c. A letter was accordingly wrote to the gentlemen at *Farmington*, representing their unhappy and desperate situation, which was signed by the principal gentlemen present, and the unhappy men, properly escorted, set off at nine o'clock, amidst the hisses, groans, &c., of a respectable concourse of people—the populace following them out of Town, beating a dead march, &c. Not the least violence was offered, but the whole was conducted with the utmost regularity, and the company dispersed, fully resolved, that as no one of those principles is supposed now to be an inhabitant of this Town, it shall be their care and attention that no such shall be hereafter tolerated within it—no not for a night.

FAIRFIELD COUNTY (CONNECTICUT) RESOLUTIONS.

At a Meeting of the Delegates from the several Towns in the County of *Fairfield*, (except *Ridgefield* and *Newtown*,) held at the County House, on the 14th day of *February*, A. D. 1775:

ROBERT FAIRCHILD, Esquire, in the Chair.

We are happy to find ourselves unanimous in concurring with our constituents in fully adopting and acceding to the Association and Agreement of the Continental Congress, and are determined to enforce a due observance of the same, according to its true spirit and intent; and take this opportunity to express our grateful sense of the good services of those worthy gentlemen who were members of that body.

The Counties of *Hartford* and *New-Haven* have given

Digitized by Google

us the result of their deliberations, and we are ready to concur with their sentiments and proposals with respect to the mode of trying offenders, which is in the words following, viz:

First. To avoid every appearance of precipitation or partiality in our proceedings,

Resolved, That we will vigilantly discharge our duty as Committees of Observation, and will use our utmost influence to prevent any violation of the Association in our several Districts; but if any person, contrary to our hopes and wishes, shall be accused of any wilful breach of said Association, in any particular, we do agree that the process against him shall be carried on in an open, candid, and deliberate manner, as follows, to wit: A summons or notice in writing, signed by one of the Committee of Observation for that Town, shall be served upon him, expressing the nature and circumstances of the matter laid to his charge, and inviting him, if he see cause, to appear before the Committee of Observation in that Town in which he resides, at a certain day and place, to exculpate himself, if he is able, which day shall be at least six days after service of such summons, at which day and place the Committee shall proceed to examine such charge; and the person accused, and his accuser, shall be openly, fairly, and fully heard, with their witnesses and other proofs; and upon such hearing, the Committee will proceed deliberately and coolly to determine the question, whether the person accused hath violated said Association or not. And in case any one or more of the Committee shall be an accuser or witness, he or they shall not in that case vote in condemning or acquitting the accused; nor shall any one be condemned but upon the fullest, clearest, and most convincing proof; and any person found guilty of a wilful and deliberate violation of said Association, in the calm and regular manner aforesaid, may assuredly expect that we will hold him up to publick view as an enemy to the liberties of his country.

And we also approve of and adopt their rule of advance on *European* and *East India* Goods, to be observed by the Venders, which is in the following words, viz:

"Whereas, certain Venders of Goods think they shall "be excusable for advancing the prices of certain articles, if "they are obliged to give a higher price for them to the im-"porter, than they did last year, *Resolved*, That although "the importer should violate the said Association, by raising "his prices, it can by no means exculpate those who deal "with him; and that no more certain and intelligible rule "can be fixed on this subject, (as the consumers are not, "and from their situation cannot be acquainted with the "original cost,) than the known and accustomed prices for "twelve months next before the sitting of said Congress."

And we join with them in recommending a particular attention to Agriculture, Arts, and Manufactures. We also recommend the improving the breed of Sheep, and increasing their number according to the method pointed out in the seventh article of the Association of the Continental Congress. And as the article of Flax is a very considerable part of the produce of this country, we wish to see the manufacture of that article carried to greater perfection. But we shall for the present dismiss the subject of Manufactures, cheerfully committing it to the patronage of our wise and patriotick Assembly.

We are deeply affected to hear of the defection of two considerable Towns in this County, viz: *Ridgefield* and *Newtown;* the former having publickly protested against the Continental Association; and the major part of the Selectmen in the latter, not having virtue enough to give the people a fair opportunity in a constitutional way, to show their sentiments on the present alarming state of the times; but have made use of every artifice to prevent a union in support of their liberty. And here we cannot, consistent with the duty we owe our Honourable House of Representatives, pass over in silence a glaring instance of impudence and contempt cast on that body by one of the Selectmen of *Newtown*, who had the boldness to set up at vendue and sell for a pint of *flip*, one or more of the copies of the Addresses and Association, printed by order of the Honourable House of Representatives for the use of the several Towns, and to burn or suppress the rest. It is at the same time with real satisfaction we find some respectable gentlemen who heartily adopt the peaceable measures recommended by the Congress, and have given us satisfactory evidence of their temperate zeal in the cause; Therefore,

Resolved, As the opinion of this Congress, and it is accordingly strongly recommended to the inhabitants in each of the aforesaid Towns who are warmly attached to the rights of their country, that they, as soon as may be, notify a meeting of said inhabitants, and proceed to choose a Chairman and Clerk, and fully adopt the doings of the Continental Congress, and publish and transmit the same, with their names thereunto affixed, to the several Towns in this County. And it is also recommended to said inhabitants that they have their meetings at least once a month, and that they cordially receive all such as are sincerely willing to join them, and transmit their names to the Committees of Inspection for the several Towns in the County, that they may be known and treated by the other Towns in the County as friends and brethren in the common cause.

It is with reluctance that we proceed to pass sentence against these two Towns who have given such striking evidence of their spirit of opposition and enmity to every peaceable measure recommended and adopted by the good people of this County in general, and throughout this Colony; but our duty to this distressed County command us to distribute justice impartially to all offenders; and that these two Towns may be brought to a proper sense of their duty, we do now solemnly, in the name of virtue, honour, and love to our country, recommend it to all the good people of this County, and throughout this Colony, to withdraw and withhold all commerce, dealings, and connection from all the inhabitants of those two Towns, except as above excepted and provided for; and also except in cases of absolute necessity, that they may feel the weight of the resentment of their country, which they are attempting to wound in its most tender part.

And we can with sincerity declare, that we recommend this proceeding for the good of our country, and not for the sake of distressing these misguided or obstinate people; and we are sincerely willing to receive them into favour when they return to their duty, and recommend to the Committees of Inspection in the several Towns in this County, to be vigilant in their duty, and take particular care that this sentence be carried into execution.

This Congress taking into consideration the conduct of the House of Representatives in the Province of *New-York*, in treating the Continental Association with neglect, and so cowardly avoiding the consideration of that important subject, are struck with surprise; but shall leave that respectable body to the animadversions of our own worthy House of Representatives; at the same time our hearts glow with joy and gratitude towards the worthy and respectable citizens of *New-York*, who have so gloriously exerted themselves, in a very critical season, when attempts were made to introduce Goods contrary to the Association.

And whereas the conduct of *James Rivington*, Printer in *New-York*, as a Printer, has been often animadverted upon, on account of the frequent publications from his Press that are most evidently calculated to injure the liberties and privileges of *America*, we are of opinion that those animadversions are made with the greatest justice, and we therefore do recommend it to our constituents to guard against the misrepresentations and false colourings in those publications contained.

The above and foregoing passed in Congress, and ordered they be made publick.

ROBERT FAIRCHILD, *Chairman.*

The above and foregoing is a true copy examined.
ANDREW ROWLAND, *Clerk of the Congress.*

The Congress prepared and sent addresses to the Towns of *Newtown* and *Ridgefield*, on the subject of their defection, and invited them to adopt the Association of the Continental Congress.

RIDGEBURY LIBERTY-MEN.

Whereas the Delegates from all the Towns in this County (except two) met in Congress, at *Fairfield*, on the 14th day of *February* last, being deeply affected to hear of the defection of the Towns of *Ridgefield* and *Newtown* from the Association of the Continental Congress, yet finding some who heartily adopt the peaceable measures recommended

Digitized by Google

by the Congress, did strongly recommend it to the inhabitants of each of the aforesaid Towns who are warmly attached to the rights of their country, to notify a meeting of said inhabitants, and proceed to choose a Chairman and Clerk, and fully adopt the doings of the Continental Congress, and publish and transmit the same, with their names thereunto affixed, to the several Towns in this County: We the subscribers, inhabitants of the Town of *Ridgefield*, being, in consequence of publick notification, assembled for the purposes aforesaid, at the Meeting-House in the Parish of *Ridgebury*, within the said Town, on the 20th of *March*, A. D. 1775, and having chosen Captain *Jonah Foster* our Chairman, and Mr. *William Forrester* our Clerk, do hereby declare,

First, That we approve of the Association of the late Continental Congress, and should rejoice to have an opportunity of adopting it fully in union with the Town as a body; and that, even under our present circumstances, we will pay all due regard to it, and observe the articles of it, as far we can, without involving ourselves in such peculiar difficulties as our brethren of other Towns are not exposed to, when the Town as a body adopt it.

Secondly, That we wholly disapprove and protest against every thing contained in the Resolves passed by this Town on the 30th day of *January* last which is contrary, or in anywise repugnant to the rights of the *American* Colonies, as stated by the late Continental Congress, or that is anywise calculated to cast an odium upon that reputable body, or to discountenance the measures by them adopted and recommended; and those of us who were active in passing said Resolves do sincerely retract whatever in them comes within the limits of the above disapprobation and protest.

Thirdly, In case it shall appear to our Chairman and Clerk to be necessary or expedient for us to meet again on any future day, we desire and authorize them to notify a meeting of us, the following Associators, and of all others within this Town who may be disposed to join with us, at such time and place as they shall think proper. And we further authorize them to admit, at any time, all such inhabitants of this Town as may be heartily disposed to join with us, to enter their names with us as subscribers to the foregoing declaration and protest. We also desire the Chairman and Clerk to meet for that purpose in a month, and as many others as may choose to attend with them, at such time and place as they shall appoint.

Fourthly, We gratefully acknowledge the respect shewn us by the worthy Delegates in the late County Congress at *Fairfield*, in taking notice of us under our present unhappy situation, and pointing out the method proper for us to take in order to be known and treated as brethren and friends in the common cause.

Fifthly, We desire the Clerk to make out true copies of the foregoing, and transmit the same, with our names thereunto affixed, to the several Towns in this County, or to their Committees of Inspection.

JONAH FOSTER, *Chairman*.

Timothy Benedict,	Nathaniel Sillick,	Philip B. Bradley,
Samuel Camp,	Abraham Rockwell,	Silas Full,
Nathan Stevens,	Nathaniel Northrup,	Hugh Cain,
David Rockwell,	Epinetus Foster,	Daniel Smith, Third,
Daniel Smith,	Jeremiah Birchird,	Samuel Olmstead,
Daniel Coley,	Jesse Foster,	James Scott,
Samuel Bennit,	Knowles Sears,	Job Smith,
Isaiah Birchird,	Zachariah Stevens,	Isaac Hind,
Ichabod Doolittle,	Israel Hamblin,	Joshua Porter,
Nathaniel Stevens,	Comfort Sears,	Justus Olmstead,
Josiah Rockwell,	Nehemiah Kuler,	Joseph Foster,
Matthew Northrup,	Thomas Frost, Jr.,	S. Olmstead, Third,
Nathan Stevens, Jr.,	Benjamin Wickry,	Elimeyes Olmstead,
James Northrup, Jr.,	James Sears,	Abraham Nash,
Azor Hurlbert,	Thomas Frost,	Ephraim Smith,
Abijah Rockwell,	Matthew Smith,	Henry Whitney,
Samuel Kuler, Jr.,	Benijah Smith,	Nathan Foster,
Bartholomew Weed,	Isaac Kuler,	Samuel Northrup,

SAMUEL ADAMS TO ARTHUR LEE.

Cambridge, February 14, 1775.

MY DEAR SIR: A few days ago I received your letter of the 7th *December*, and was greatly pleased to find that you had returned from *Rome* at so critical a time. The sudden dissolution of the late Parliament is a measure which I expected would take place. I must needs allow that the Ministry have acted a politick part; for if they had suffered the election to be put off till the Spring, it might have cost some of them their heads. The new Parliament can with a very ill grace impeach them for their present conduct, after having so explicitly avowed it. The thunder of the late Speech, and the servile answers, I view as designed to serve the purposes of saving some men from the block. I cannot conclude that Lord *North* is upon the retreat, though there seems to be some appearance of it. A deception of this kind would prove fatal to us. Our safety depends upon our being in readiness for the extreme event. Of this the people here are thoroughly sensible, and from the preparations they are making, I trust in *God* they will defend their liberties with dignity. If the Ministry have not abandoned themselves to folly and madness, the firm union of the Colonies must be an important objection. The claims of the Colonies are consistent * * * * * * * * * * * * * and necessary to their own existence as free subjects, and they will never recede from them. The tools of power here are incessantly endeavouring to divide them, but in vain. I wish the King's Ministers would duly consider what appears to me a very momentous truth, that one regular attempt to subdue those in any other Colony, whatever may be the first issue of the attempt, will open a quarrel which will never be closed till what some of *them* affect to apprehend, and we sincerely deprecate, shall take effect. Is it not then high time that they should hearken, not to the clamours of passionate and interested men, but to the cool voice of impartial reason? No sensible Minister will think that millions of free subjects, strengthened by such an union, will submit to be slaves; no honest Minister would wish to see humanity thus disgraced.

My attendance on the Provincial Congress now sitting here will not admit of my enlarging at present.

I will write you again by the next opportunity, and till I have reason to suspect our adversaries have got some of my letters in their possession. I yet venture to subscribe, yours affectionately, S. ADAMS.

Arthur Lee, Esquire, *London*.

HANOVER (NEW-JERSEY) COMMITTEE.

At a Meeting of the Committee of Observation for the Township of *Hanover*, in the County of *Morris*, and Province of *New-Jersey*, on the 15th day of *February*, Anno Domini 1775, Present: *Matthias Burnet*, Chairman, *Aaron Kitchel*, Clerk; *David Bruen*, Captain *Stephen Day*, *Stephen Munson*, *Benjamin Howel*, and Captain *James Kien*.

The following Resolutions were unanimously entered into:

1st. *Resolved unanimously*, That they will discourage all unlawful, tumultuous, and disorderly meetings of the people within their Districts, and upon all occasions exert themselves to the utmost of their power, and oppose and prevent any violence offered to the person or property of any one.

2d. *Resolved unanimously*, That they will take notice of all Horse-Racing, Cock-Fighting, and every kind of Gaming whatsoever, and cause the offenders to be prosecuted according to law; and discourage every species of extravagant entertainments and amusements whatsoever, agreeable to the eighth article of the Association of the Continental Congress.

3d. *Resolved unanimously*, That this Committee will after the first day of *March* next, esteem it a violation of the seventh article of the said Association if any person or persons should kill any Sheep until it is four years old, or sell any such Sheep to any person whom he or they may have cause to suspect will kill them, or carry them to market; and further, that they will esteem it a breach of said article if any inhabitant of this Township should sell any Sheep of any kind whatsoever, to any person dwelling out of this County, or to any person who they may have cause to suspect will carry them out of this County, without leave first obtained of this Committee.

4th. *Resolved unanimously*, That we do recommend to the inhabitants of this Township the cultivation of Flax and Hemp, to the greatest extent that their lands and circumstances will admit of.

5th. *Resolved unanimously*, That from several Pamphlets and Publications printed by *James Rivington*, of *New-York*, Printer, we esteem him as an incendiary employed

Digitized by Google

by a wicked Ministry to disunite and divide us; and therefore we will not, for ourselves, have any connection or dealings with him, and do recommend the same conduct towards him to every person of this Township; and we will discountenance any Post-Rider, Stage-Driver, or Carrier, who shall bring his Pamphlets or Papers into this County.

6th. *Resolved unanimously*, That if any Manufacturer of any article made for home consumption, or any Vender of Goods or Merchandises in this Township shall take advantage of the necessities of his country, by selling at an unusual price, such person shall be considered an enemy to his country; and do recommend it to the inhabitants of this Township to remember that after the 1st day of *March* next, no *East India* Tea is to be used in any case whatsoever.

7th. *Resolved unanimously*, That we will in all cases whatsoever, and at all events, use our utmost endeavours to comply with, and enforce every article of the Association of the General Continental Congress.

PENNSYLVANIA COUNCIL.

At a Council held at *Philadelphia*, on *Thursday*, 16th *February*, 1775: Present, the Honourable *John Penn*, Esquire, Governour, &c., *William Logan*, *James Tilghman*, *Benjamin Chew*, and *Edward Shippen*, Junior, Esquires.

The Governour acquainted the Board that —— *Waterhouse*, Esquire, Inspector of his Majesty's Customs, had represented to him, that one of the Magistrates, and the Sheriff of the County of *Chester*, had refused their aid and assistance to the Custom House Officers of this Port, in preventing the rescue of a seizure lately made by them in the River *Delaware*, of the Schooner *Isabella*, *John Ritchey*, Master, with contraband Goods, from *Dunkirk*, and had requested his Honour would call those Civil Officers to an account for neglect of duty, and likewise issue a Proclamation on the occasion; and as a foundation for such complaint, Mr. *Waterhouse* had put into his Honour's hands, the copy of a Letter from *Francis Welch*, a Tide Surveyor for this Port to the Custom House Officers, which was laid before the Board, and follows in these words, viz:

Philadelphia, February 8, 1775.

GENTLEMEN: According to your orders, on *Wednesday*, the 1st instant, I proceeded down the River in the small boat, with four Boatmen, and one Tidesman; coming up with *Gloucester* Point, I went on board the Schooner *Isabella*, where I found one *John Ritchey*, who called himself the Mate of the vessel, with five more persons. I desired to know where he came from. He told me he came from *Portsmouth*, *New England*, and that he had nothing in but ballast. I desired that I might search his vessel. His answer was I should not, as the Captain was not on board. I then ordered the people to open the hatches and search the vessel; upon that he directly took out a pistol, and swore the first man that offered to open the hatches, he would blow him to Hell. About five o'clock the same day, one *Matthew Strong*, whom I found was a Pilot, desired that I would let our boat put him on shore. My answer was, that I should not let the boat go from alongside; they then hoisted out their own boat, and put him on shore, which was about three miles from Town. I then went down into the cabin with said *Ritchey*; he told me that the vessel and cargo belonged to Captain *David Campbell*; that he was sole owner, and what was on board was all he was worth in the world. I then desired him to tell me where they were from; he told me from *Dunkirk*, in *France*, and was loaded with Dry Goods. I then searched under the cabins, and found a parcel of Kegs, which he told me was *Geneva*, which I found afterwards was true, and likewise about thirty pounds of Tea, done up in bundles. I then asked him if there was any thing else in the cabin; he then showed me one trunk of Goods, which belonged to the Captain, and another that belonged to a passenger. I then sent Mr. *Powel* to you. About eight or nine o'clock in the evening, Captain *Campbell*, with the Pilot and two gentlemen from Town, came on board, and ordered the anchor up immediately, and said he was bound to *St. Eustatia*. Soon after the gentlemen went away. About an hour after there came another boat, with three more gentlemen unknown to me, desiring that I would not pursue the vessel, for it would ruin the Captain; they then presented me twenty-five Guineas, and said they would give me more on shore. I told them that I would not accept of any money; but that I would do my duty as an Officer as long as it was in my power. They then went away; the vessel being under sail, going down the River. About two o'clock in the morning, on the second instant, I seized the vessel in the King's name. I then told the Pilot to take charge of her in the King's name, and if he carried her away, he must stand by the consequences, for she was the King's vessel. I then ordered one of our people to take the helm, and demanded of the Pilot to take her up to Town. Upon that, Captain *Campbell* said the King never paid for her. He then put a pistol to the Pilot's head, and swore by the eternal *God*, if he did not carry her down, and not run her ashore, he would put him to death. The next tide of ebb, we got down to *Chester* and came to anchor. I then went to shore, and Captain *Campbell* with me, to get something to eat, for he had nothing on board but bread; I then inquired if there was any Justice in that place; I was informed there was; I waited on Messrs. *Francis Richardson* and *Henry Graham*, the only two in the place, and demanded their assistance in behalf of the King. Mr. *Richardson* was sick, and Mr. *Graham* said he had no business to go on board any vessel. I then waited on Mr. *Vernon*, a Sheriff, who told me he would go and get more help and assist me. He went away, and I never saw him any more. I went on board again without any assistance; they then weighed anchor, and went down till they came to *New-Castle*, and then came to anchor again, as the tide would not serve them any further, which was about seven o'clock in the evening, I went on shore with two of my people, and left two on board, and waited on Mr. *Montgomery*, the Collector, and Mr. *Maurice*, Comptroller, and acquainted them that I was Tide Surveyor of the Port of *Philadelphia*, and that I had seized a vessel from *France*, and they had taken her away from me, and was going to carry her off, and I desired them to give me some assistance; they answered they could not; for the Commissioners would not allow them any men. I told them I wanted only their presence, and I would save the vessel; the Collector said he would go if the Comptroller would. The Comptroller asked whether I wanted him to go? I told him I did. He then said he would not go. I then demanded of him in the King's name, and as an Officer of the Customs, to assist me in holding this vessel. He went into his house and left me. Mr. *Montgomery*, the Collector, then said he could not go himself, but would get me a pair of pistols, which he did. I went on board again. As soon as they found I could not get help, they said it was all their own. They then weighed anchor, and carried us about five miles from the Cape, when Captain *Ritchey* ordered us into the boat, and that without delay, or he would put us to death. So we were obliged to get into the boat, and they cast us off, which was about one or two o'clock in the morning, although I begged them for *God's* sake to let us stay till daylight. After about three hours' rowing, we got on shore, and was taken up the next day about three o'clock in the afternoon, by Captain *Allen*, and brought up to Town.

I am, gentlemen, your most obedient humble servant,

FRANCIS WELCH.

Copy of Register.—"Schooner *Isabella*, *John Ritchey*, "Master, thirty Tons, built at *Boston*, 1773, *David Camp*-"*bell*, sole owner, dated *London*, *October* 6, 1774."

The Governour having thereupon desired the opinion and advice of the Board, the Council, on due consideration of the matter, gave it as their opinion, that the River *Delaware* not being included in the body of any County of this Province, the jurisdiction of the County of *Chester* does not extend into the River *Delaware*, and consequently, that the Magistrates and Sheriff of that County could not legally afford them any such assistance as was required of them, and that, therefore, it would be improper to call those Magistrates and Sheriff to account for any misbehaviour. And further, that as the vessel and her crew were gone to Sea, the issuing of any Proclamation upon this occasion would be useless and improper.

Digitized by Google

COMMITTEE OF CORRESPONDENCE OF PHILADELPHIA, TO THE COMMITTEE OF CORRESPONDENCE OF NEW-YORK.

Philadelphia, February 16, 1775.

GENTLEMEN: We are directed by the Committee of the City and Liberties of *Philadelphia*, to acquaint you, they have lately, with concern, seen frequent publications from *New-York*, containing false representations, and holding out to the world ideas of dissentions here which do not exist. As publications of this kind are evidently intended to injure the cause in which this great Continent is embarked, by creating jealousies and distrusts among the Colonies, when mutual confidence is so essential to common safety, the Committee think they can in no instance better discharge the important trust committed to them, than by contradicting and exposing such pernicious and wicked designs.

For this purpose, we think it necessary to declare that the Committee have not met with the least impediment or obstruction in carrying into execution any one Resolution of the Continental Congress; but, on the contrary, a cheerful and ready acquiescence in their proceedings, has been manifested here by all ranks and orders of people.

We have the pleasure also to assure you, from the most extensive informations, that the inhabitants of *Pennsylvania* continue immoveably firm to the cause of liberty, and will, with inviolable faith, observe the rules of conduct prescribed to them by the Continental Congress; any infraction of which, they deprecate as the greatest evil, and consider as productive of their political ruin.

Under such favourable circumstances, the Committee are apprehensive of no association or combinations whatever, that can in the least disturb them in the regular and exact discharge of their duty, in which they shall persevere, trusting for their support in it to those just and liberal sentiments that possess the breasts of their countrymen.

We doubt not this state of things, founded upon the strictest truth, will have the good effect to silence any unjust and groundless reports which may have obtained credit in *New-York*, concerning our City and Province; reports propagated and encouraged only by a few persons, (and such, unfortunately for mankind, are to be found in every large community,) who, setting up their private interest in opposition to the general good, have a malignant pleasure in exciting discords and dissensions; by which alone, the Law and Constitution of this free, and once happy country, can be laid prostrate at the feet of our enemies.

We are, gentlemen, your friends and humble servants,

JOHN CADWALLADER, THOMAS MIFFLIN,
THOMAS BARCLAY, GEORGE CLYMER,
SAMUEL MEREDITH, JONATHAN B. SMITH,
JAMES MEASE, JOHN NIXON.
JOSEPH READ,

New-York, February 16, 1775.

On *Thursday*, the 2d instant, arrived here from *Glasgow*, the Ship *James*, Captain *Watson*, with a cargo of Coals and Dry Goods; but as she did not arrive within the time prescribed by the tenth article of the Association of the Continental Congress, a strict watch was constantly kept by some of the Sub-Committee, and a number of inhabitants, to prevent the landing of any Goods in a clandestine manner; and the Captain was requested to procure such necessaries as he might stand in need of, and immediately quit the Port. With this request he seemed rather unwilling to comply, and was encouraged to hope that his cargo would be landed, from the assurance of a number of Ministerial tools, who promised to support him, for which purpose they employed a few vagrants to go on board the Ship, (which then lay in the Harbour,) and bring the colours on shore, with a view of raising a posse to assist in landing the Goods; but the banditti that were collected for this purpose, were soon suppressed by the inhabitants, who are for supporting the Association, and who began to assemble in great numbers; upon which, the Captain conceiving the Ship to be in danger, he sent the Mate on shore, requesting assistance to get her under sail, as the Seamen refused to do their duty. This request being complied with, they immediately got her under way, and fell down about four miles below the City, where she remained (attended by a boat, with a Member of the Committee, and some of the Townsmen on board,) till last *Thursday* night, when she was brought into the Harbour again by an Officer, and a number of men belonging to his Majesty's Ship *King-Fisher*; which Ship it is supposed came down from *Turtle's* Bay expressly for the purpose of protecting her, and intimidating the inhabitants. As soon as it was known that the Ship was coming up again, the people were greatly exasperated; began to assemble together in great numbers, and immediately went to the Captain's lodgings, seized him, and after conducting him through many of the principal streets, attended by a prodigious concourse of people, he was, without suffering the least hurt or injury, put on board a boat, with some hands to row him, and sent off. His Ship then lying at anchor two miles below the town, he went on board the Man-of-War which lay in the Harbour, where his own Ship did not arrive till the next morning, when she came to anchor under the cannon of the *King-Fisher*. In this situation, matters remained till *Saturday* morning, when they began to unmoor the Ship, intending to get under sail, but were prevented by the Lieutenant of the Man-of-War, who hailed the Ship, and demanded if they had a clearance, and on being answered in the negative, he ordered them not to unmoor; this obstruction greatly exasperated a number of people that were collected together to see her get under sail, who went immediately in quest of the Captain of the *King-Fisher*, to know by what authority he detained the Ship, but they could not meet with him; he was, however, soon after waited upon by one of the gentlemen to whom she was addressed; and on being informed of the Lieutenant's conduct, and asked his reasons for detaining her, he replied that he had nothing to do with her, and immediately gave orders to the Lieutenant to let her pass; she accordingly got under sail the next morning about ten o'clock, accompanied by a boat, with two of the Committee, and a number of inhabitants on board, which boat (after taking out the Pilot,) left her at two o'clock, P. M., about a league to the Southward of *Sandy Hook*, with a fresh gale; and at half past four o'clock, P. M., she was out of sight. As every artifice has been used, and a variety of manœuvres put in practice, (by a set of Ministerial hirelings,) in order to get the cargo of the above mentioned Ship landed, it must give real pleasure to every lover of his country, to observe, that the good people of this City are determined to support the Association of the General Congress at all events.

ADAM STEPHEN TO RICHARD HENRY LEE.

February 17, 1775.

DEAR SIR: Since I had an opportunity of forwarding the enclosed,* I put it in my pocket, and thought I should never trouble you with it; but I cannot forbear communicating my sentiments upon so alarming an occasion. If, in the Colony Congress, the Members should resolve to acquaint the men employed in the last Expedition, that they would be paid as soon as the general commotions are settled, it would keep them in heart; and, indeed, it would be highly imprudent to disgust a body of such useful men at this important era; for, by what I can hear, it will come to the shedding of blood, unless Providence interferes in a very special manner. For my part, before I would submit my life, liberty, and property, to the arbitrary disposal of a corrupt, venal aristocracy, the wanton and effeminate tools of power, I would set myself down with a few friends, upon some rich and healthy spot, six hundred miles to the Westward, and there form a settlement, which, in a short time, would command attention and respect. I wish you happy; and have the honour to be, with respect, dear sir, your most obedient humble servant, ADAM STEPHEN.

Colonel *Richard Henry Lee*, of *Westmoreland*.

EXTRACT OF A LETTER FROM THE HONOURABLE GOVERNOUR GAGE TO THE EARL OF DARTMOUTH, DATED BOSTON, FEBRUARY 17, 1775.

I am honoured with your Lordship's despatch, of the 10th of *December*, No. 13; as also of your Lordship's Circular Letter, of the same date, enclosing copies of his Majesty's most gracious Speech to both Houses of Parliament, with the Addresses of the Lords and Commons thereupon.

* Letter of *February* 1, Folio 1209.

Digitized by Google

The firm resolution expressed in his Majesty's Speech, to maintain the authority of the Supreme Legislature over all parts of the Empire, and the assurances given by the new Parliament to support his Majesty's measures, in which the demagogues here flattered themselves to find abetters and defenders of their conduct, has cast a damp upon the faction; but they still entertain hopes that the Resolves of their Continental Congress will work in their favour.

Your Lordship will be told of the late instance of loyalty in the *New-York* Assembly, which has had very good effects, and we are told that they are changing their sentiments at *Philadelphia*. The fury into which people were thrown, and which spread like an infection from Town to Town, and from Province to Province, is hardly to be parallelled, where no oppression was actually felt; but they were stirred up by every means that art could invent. They were made to believe that their religion was in danger; their lands to be taxed; and that the Troops were sent to enforce the measures, and wantonly to massacre the inhabitants. People well disposed caught the popular fever, and when it raged at the highest, the Delegates were chosen for the Continental Congress; so that, as we are told, the greatest incendiaries in most Provinces were elected. It required temperate management and much pains to undeceive the people, who are more moderate in general, though numbers still hold their first prejudices.

If this Provincial Congress is not to be deemed a rebellious meeting, surely some of their Resolves are rebellious, though they affect not to order, but only to recommend measures to the people, which measures, I have learnt from the emissaries I have sent through the country, have not been regarded as to the raising of money, though they have been training men in several Townships, as they could get them in the humour to assemble. This new elected Congress met on the first instant, and I transmit your Lordship some of their Resolves. I am just informed that they have adjourned themselves.

Nothing can be attempted here till the reception that the Proceedings of their great Congress meets with in *England*, is known. The sending a detachment to *Marshfield* has had a good effect in that quarter of the country, and I hope will encourage other places where oppression is felt, to make applications of the same nature.

PLYMOUTH (NEW-HAMPSHIRE) TOWN MEETING.

At a Meeting of the Freeholders of the Town of *Plymouth*, in said County, on *Friday*, the 17th day of *February*, 1775:

Voted Mr. JOHN WILLOUGHBY, *Moderator*.

Voted, That the Honourable *John Fenton*, Esquire, represent this Town in General Assembly.

Voted, That the following Instructions be given to the Honourable *John Fenton*, Esquire, as our Representative, and that a copy of the same be forwarded by the Town Clerk to the Printer of the *New-Hampshire Gazette*, to be published.

To the Honourable JOHN FENTON, Esquire, *Representative for the Town of* PLYMOUTH, *in the County of* GRAFTON:

SIR: We the Freeholders of the Town of *Plymouth*, being highly impressed with the most favourable sentiments of you, from the many eminent services conferred on this County, and the Town of *Plymouth* in particular, since your first acquaintance with us, should think it needless, at any other time than this, to give you instructions respecting your conduct as our Representative in General Assembly. But when we reflect on the momentous affairs that are now pending between *Great Britain* and her Colonies, and the imminent danger that threatens them, (for we look upon the interest to be mutual,) we trust that you will not construe our instructing you to arise from any distrust or want of confidence, but from an anxious wish and hearty desire to see the strictest harmony once more established between our parent state and her Colonies, according to their Charter and other rights, as they have been practised from the first accession of the august House of *Hanover*, to the time of the Stamp Act. We therefore think it our duty to instruct you as our Representative,

First, That you will do every thing in your power to preserve the laws of the land inviolate, and by every legal means prevent a diminution of them in every respect whatever; for should the people either throw them aside, or in any manner disregard them, we apprehend that anarchy and confusion must quickly ensue.

Secondly, We recommend to you in the strongest terms, to discountenance every act of oppression, either as to the persons or properties of individuals, as we look upon such proceedings to be highly prejudicial to the common cause, and directly tending to fill the minds of the people with jealousies and distrusts, the bad effects of which must appear obvious to every man of common understanding.

Thirdly, We desire you will not on any account give up, or in any manner suffer a diminution of the rights and privileges we now enjoy, as we live under good and wholesome laws; and,

Fourthly, That you will do the utmost in your power to keep harmony in the House, that the publick affairs of the Province may be discussed with coolness and impartiality; much depending on such conduct at this time of our difficulties; also, that you will endeavour to have the House open, that those out of doors may be acquainted with the debates of their Members, the practice of secrecy heretofore used, tending much to the disquiet of numbers of their constituents.

Portsmouth, New-Hampshire, February 17, 1775.

When the political body is thrown into such violent convulsions as threaten its dissolution, then should the advice and skill of the best state physicians be called in and exerted for its recovery, and the most lenient medicines applied to correct the corroding humours and remove every obstruction. But to write less metaphorically, it is too obvious to be denied that every Government in *America* is in a most disordered state, the cause of which is as obvious. I shall not, for that reason, take up time to explain it, but make such observations on such particular matters as regard the Province of *New-Hampshire*, of which I am an inhabitant.

Several occurrences have lately taken place, that will most assuredly render us obnoxious to his Majesty, who, with the present disposition of Parliament, may severely punish our precipitate measures; and although the actors therein were hurried into them through reports truly alarming, yet, as we find Administration is not disposed to examine the facts, but to involve the innocent and guilty in one general ruin, the most coercive measures will be used to call us back to our duty, and punish our indiscretion. By what ways and means we are to be censured, I am not able readily to suggest, but there is no doubt we shall soon know. I presume our trade will be distressed, and Troops quartered upon us to support the Civil Magistrate in the execution of such duties as he may be called upon to discharge. What will be the consequence of these means? It is not difficult to foresee anarchy and confusion must follow. How must the many industrious poor be supported, and from whence can supplies of provisions be procured? Our brethren in the country will withhold every necessary to induce us to leave the Town, the better thereby to show a resentment to the quartering of such Troops, by which the morals of our young men, already too much depraved, will be finally ruined, and the modesty of our women prostituted to the most indignant scenes of debauchery and lewdness. I could easily paint in lively colours the dreadful consequences of quartering Troops among us, but I shall forbear, from principles of good policy. It is enough to leave the judicious to think for themselves. The united wisdom of the Province was never wanted so much as at this day of *American* adversity. Our people are too inconsiderate and precipitate, being hurried by the violence of heated passions, they too often leave the subject in controversy, and wreak their vengeance for private injuries under the false pretext of the cause of liberty—a cause too glorious, too important, to be sullied by such evasive, unmanly principles. By some, complaints are made against the gentlemen of the law, if any such are really aggrieved by them, yet they are not to carve out for themselves the means of redress. These gentlemen are equally subjects of law as others, and may be silenced by the Court from

Digitized by Google

the privileges of pleading; and that an end may be put to such complaints in future, it is to be wished the Judges, at their Circuit or Term Courts, would cause publick outcry to be made, that if any of the King's subjects are aggrieved by any of the bar, they shall have a fair hearing, and their proofs examined; and in case of malfeasance, the person shall be dismissed and disrobed with disgrace. This summary way of proceeding will totally discourage unjust practices in future. Others of the people complain of Taxation without Representation. I acknowledge there is too much reason for this complaint, upon which the whole *American* dispute with *Britain* is supported. Much may be said on this head; but as it is probable the people will soon be quieted on this matter, I shall waive it at present. There are many other complaints too trifling to be canvassed. But does not the King complain also, that we have dismantled his Fort, carried away his Ammunition; and who appears to redress him? Is it not our incumbent duty to do justice to him as well as ourselves? And here I leave the matter to be considered of by the Legislature, what ought to be done by us to be reinstated in that favourable view which we should ever wish to be seen by him, as the person to whom we have sworn, avowed, and openly professed the strictest allegiance. There is only a short time left us for consideration; as we are hurried into the late measures by distressing reports, we may be considered more favourably than if we had meditated and planned the attempt, and more easily forgiven, especially if we discover a contrition for the offence.

CUMBERLAND COUNTY (VIRGINIA) COMMITTEE.

At a Committee held for *Cumberland* County, *Virginia*, on *Saturday*, the 18th of *February*, 1775; Present, *George Carrington*, Chairman, *William Fleming*, *John Mayo*, *Littleberry Mosby*, *Joseph Carrington*, *Richard James*, *Carter H. Harrison*, *George Carrington*, Junior, *John Netherland*, *Robert Smith*, *Maurice Langhorne*, *Benjamin Wilson*, *Joseph Calland*, *Frederick Hatcher*, *Edward Carrington*, *John Woodson*, the Reverend *John H. Saunders*, and *Charles Woodson*, Junior.

Resolved, That the members of the Committee now present, will give a premium of three Shillings per pound to the first person, or company of persons, who shall, within eight months from the date hereof, produce to the said Committee, or the Chairman thereof, fifty pounds weight of good Gunpowder, manufactured in *America*, on due proof that the same was made wholly of *American* materials.

Resolved, That whenever a suspicion shall arise of any Merchant in this County having infringed the Association of the late Continental Congress, the person or persons suspecting such infringement, do make information thereof to any three or more members of this Committee; and if, upon inquiry, they think the same well grounded, they shall forthwith inform the Chairman, and he call a meeting of the Committee to take it under consideration.

GEORGE CARRINGTON, *Chairman*.

At a Committee held for *Cumberland* County, on *Friday*, the 10th of *March*, 1775; Present, *George Carrington*, Chairman, *William Fleming*, *John Mayo*, *Joseph Carrington*, *Littleberry Mosby*, *Carter H. Harrison*, *James Pleasants*, *George Carrington*, Junior, *William Smith*, *Robert Smith*, *Maurice Langhorne*, *Benjamin Wilson*, *Richard Eggleston*, *Frederick Hatcher*, *Edward Haskins*, *Edward Carrington*, *John Woodson*, *Henry Macon*, and *Charles Woodson*, Junior.

Resolved, That the following Address of Thanks be presented to the Delegates who represented this Colony in the late Continental Congress:

To the Honourable PEYTON RANDOLPH, *Esquire*, RICHARD HENRY LEE, GEORGE WASHINGTON, PATRICK HENRY, *Junior*, RICHARD BLAND, BENJAMIN HARRISON, *and* EDMUND PENDLETON, *Esquires*.

GENTLEMEN: Permit us, in behalf of ourselves and of our constituents, to acknowledge our grateful sense of your faithful discharge of the trust reposed in you by the unbought suffrages of your countrymen, in the important services you have rendered them at the present alarming crisis of affairs.

We beg leave to declare our full approbation of, and hearty concurrence in, the prudent and pacifick measures adopted by the late Continental Congress, of which you formed so respectable a part, and to assure you that we will exert our utmost diligence and zeal to carry the same into effect. At the same time, when we reflect on the manner in which the schemes agitated against the Colonies for their destruction, have been conducted, we should be greatly wanting in our duty and prudence, did we not extend our views to the most unhappy events, and endeavour, as far as circumstances will permit, to prepare for every contingency.

With hearts deeply impressed with the pleasure of handing down to posterity your names, and those of your worthy brethren of the Congress, as the friends and guardians of your country; of beholding your wise measures applauded and adopted by every City, Town, and County, throughout *British America*, and overflowing with the warmest wishes for every blessing on you and your posterity, we beg leave to assure you that we shall be ready to risk our lives and fortunes in your defence, when any personal insult shall be offered you by the tools of an incensed and corrupt Administration, and that we are your affectionate countrymen, and much obliged humble servants.

GEORGE CARRINGTON, *Chairman*.

EXTRACT OF A LETTER FROM BOSTON, TO A GENTLEMAN OF NEW-YORK, DATED FEBRUARY 19, 1775.

The Republican leaders will, in the next Provincial Congress, once more try their efforts to levy a sum of money for raising, clothing, and paying an Army to take the field against the King's Troops in the ensuing Spring; the moneyed men are convinced that acts of rebellion will be punished with confiscation of their estates, and that is a penalty they do not feel bold enough to experience. The late Provincial Congress, distracted and divided by a variety of views and opinions, separated without doing any thing more than you see in their Resolves; the principal object of their meeting was to cajole the men of property, but no impression could be made on them; yet, as I have already intimated, another attempt is to be made to fill a Treasury to be under *Henry Gardner's* care, for the above purpose at their next meeting. Their dupes drop from them very fast, and it is expected the few demagogues will be soon left alone.

HANOVER (VIRGINIA) COMMITTEE.

At a Meeting of the Freeholders of *Hanover* County, after due notice, at the Court House, on *Monday*, the 20th of *February*, 1775, Mr. *Bartlett Anderson* being chosen Clerk of the said meeting, they proceeded to the choice of Delegates to represent them in the Colony Convention at the Town of *Richmond*, in *Henrico* County, the 20th of next month, when *Patrick Henry*, Jun., and *John Syme*, Esquires, were unanimously chosen; and on the 4th of *March*, at the place aforesaid, a fuller meeting of Freeholders appeared, when the following Resolves were voted:

Resolved, That the thanks of this meeting be given to our worthy Representatives for their faithful discharge of the trust reposed in them, at a Colony Convention held at *Williamsburg* in *August* last.

Resolved, That Colonel *John Syme* do present the thanks of this County, in the most respectful manner, to the honourable the Delegates that represented this Colony in the late Continental Congress, in *Philadelphia*, for the prudent, just, and well concerted measures adopted by the said Congress, and to assure them that we will exert our utmost endeavours to carry those measures into execution.

Resolved, That it is just and reasonable that the Delegates that attend Colony Conventions should be reimbursed their expenses, as well as the Delegates that attend the Continental Congress. We do therefore recommend to our Delegates that they use their influence to have the same taxed on the Colony by the Convention.

Resolved, That it would be unjust, as well as unnatural, to keep our countrymen that nobly fought and defended our country against a savage enemy, out of their pay; as

Digitized by Google

we conceive that many of them must be in distressed circumstances, especially the families of those that were killed and wounded in the battle with the *Indians*; therefore we do most earnestly recommend that our Delegates exert their well known abilities in Convention to have some provision made for the payment of their wages, by a Poll Tax, or any other way that shall be thought expedient.

Resolved, That it be an instruction to our Delegates to consent to the imposition of any Tax that the Convention may judge proper for defraying the expense of any measures necessarily adopted for securing *American* Liberty.

WOODBRIDGE (NEW-JERSEY) COMMITTEE.

The Committee of Observation for the Township of *Woodbridge* taking into consideration the conduct of the inhabitants of *Staten Island*, in neglecting or refusing to adopt the Association of the General Congress; and as a number of said inhabitants daringly attempted by force to prevent a Ship's returning to *Europe*, which arrived with Goods after the first day of *February*, by which they have justly incurred the displeasure of all the friends of liberty, we think it a duty incumbent on us to publish our dislike of such hostile measures, and suspend all trade, dealings, and intercourse with them till they join the Association aforesaid: Therefore,

Resolved unanimously, That we will from this day break off and suspend all trade, dealings, and intercourse with them, and will use every lawful means in our power to prevent the inhabitants of said Island getting any Timber, Plank, Iron, &c., from this Town. But as we are unwilling to involve the innocent with the guilty, we except, under particular restrictions, such of them as have openly approved of the Association, and are willing to adopt it.

And we do earnestly recommend to all the inhabitants of this Township a strict observance of this suspension, by having no dealings or intercourse with the inhabitants of said Island till they retract their late conduct, and join in the measures recommended by the Congress; and Messrs. *Matthias Baker*, *Samuel Force*, *William Smith*, *John Noe*, *William Cutler*, *John Conway*, *John Ross*, and *Jeremiah Manning*, are appointed Inspectors of the several Publick Landings to see that this Resolve is strictly adhered to. Signed by order of the Committee,

JOHN CONWAY, *Clerk*.

Woodbridge, February 20, 1775.

MARSHFIELD (MASSACHUSETTS) TOWN MEETING.

At a legal Town Meeting held in *Marshfield*, on the 20th of *February*, 1775,

Doctor ISAAC WINSLOW, *Moderator*:

A vote was put to know the mind of the Town, whether they will adhere to, and abide by the Resolves and Recommendations of the Continental and Provincial Congresses, or any illegal assemblies whatsoever? and it passed in the negative.

Secondly, The vote was put to know the mind of the Town, whether they will return their thanks to General *Gage*, and Admiral *Graves*, for their ready and kind interposition, assistance, and protection from further insults and abuses with which we are continually threatened? and it passed in the affirmative.

Thirdly, They voted that a Committee be chosen to draw up and send the same to General *Gage*, and Admiral *Graves*; the said Committee consisting of twenty-four persons. NEH. THOMAS, *Clerk*.

N. B. This Town Meeting was held agreeable to an Act of Parliament, entitled "An Act for the better regulating the Province of *Massachusetts Bay*," &c., passed in the last session of Parliament.

Protest of sixty-four of the Inhabitants of MARSHFIELD, *against the Proceedings of the Town Meeting held there on the 20th of* FEBRUARY, 1775.

We, the subscribers, inhabitants of the Town of *Marshfield*, being greatly aggrieved at the conduct of the said Town at their late meeting, on the 20th of *February* last, and sensible of the high colouring which the Tories never fail to bestow on every thing that turns in their favour, think ourselves obliged in duty to our King, our country, ourselves, and posterity, to remonstrate and declare,

First, That it is our opinion, that the Selectmen of the Town of *Marshfield*, with a design to answer a purpose, having previously raised the State Bill, which increased the number of voters in the Tory, more than in the Whig interest, so far availed themselves of it, that in the choice of a Moderator, who happened to be a Tory, there appeared about twenty-six or twenty-seven more Tory than Whig voters.

Secondly, that contrary to our minds, the Selectmen and others, inhabitants of this Town, have petitioned his Excellency, agreeable to a late Parliament Act, for leave to hold a meeting here (a thing so contrary to the general sense of the people in this Province) without the knowledge or advice of many in this Town.

Thirdly, That the vote which passed in the negative, whether the Town will adhere to, and abide by the Resolves of the Continental and Provincial Congresses, or any illegal assemblies whatsoever, we think was craftily drawn, and put as if these Congresses were illegal, when we suppose the present situation of our publick affairs makes them both legal and necessary.

Fourthly, That the Town voted thanks should be returned to General *Gage* and Admiral *Graves*, for their ready and kind interposition, assistance and protection, from further insults and abuses, with which we are continually threatened, when we do not know or believe that any of the inhabitants of this Town are threatened with insults and abuses.

Lastly, That the Selectmen gave but a single day's warning for the said Meeting; ordered it to be held in a part of the Town where a Town Meeting was never before had, and that information was not given in the notification of the design of said Meeting.

ADDRESS OF THE TOWN OF MARSHFIELD TO GEN. GAGE.

To his Excellency THOMAS GAGE, *Esq., Captain-General and Governour-in-Chief in and over his Majesty's Province of the* MASSACHUSETTS BAY.

We, the Inhabitants of *Marshfield*, in legal Town Meeting assembled, this 20th day of *February*, 1775, beg leave to return your Excellency our most grateful acknowledgments for your seasonable assistance and protection, in sending a detachment of his Majesty's Troops to secure and defend the loyal people of this Town, from the threats and violence of an infatuated and misguided people. We assure your Excellency (whatever may have been surmised to the contrary) that there were sufficient ground and reasons for making application; and we are fully convinced that this movement has preserved and promoted, not only the peace and tranquillity of this Town in particular, but of the County in general; owing, in great degree, to the prudence, firmness, and good conduct of Captain *Balfour*, who, with pleasure as well as justice we say it, has done every thing in his power to obtain those laudable ends and purposes.

Thankfully we acknowledge our obligations to our Sovereign, for his great goodness and wisdom, in placing at the head of affairs, in this Province, in this day of difficulty, confusion, and discord, a gentleman of your Excellency's well known humanity, moderation, capacity and intrepidity, and shall constantly implore the Supreme Governour of the universe to assist and direct you in the faithful discharge of the various functions of your exalted station, with fidelity to your King, with honour to yourself, and with happiness to the people committed to your charge.

With pleasure we embrace this opportunity of expressing our detestation and abhorrence of all assemblies and combinations of men (by whatever specious name they may call themselves) who have or shall rebelliously attempt to alter or oppose the wise Constitution and Government of *Great Britain*.

Furthermore, we beg leave to inform your Excellency, that in the most critical and dangerous times, we have always manifested and preserved our loyalty to the King, and obedience to his laws; carefully avoided all constitutional covenants and engagements whatsoever, that might warp us from our duty to our *God*, our King, and country;

Digitized by Google

and as we are determined to persevere in the same course, we flatter ourselves that our endeavours and exertions will meet with our most gracious Sovereign's approbation, as well as your Excellency's, and that under his and your gentle and humane government and kind protection, we may peaceably and quietly sit under our own vines and fig-trees, and have none to molest or make us afraid.

ISAAC WINSLOW, *Chairman of the Committee.*

His Excellency's Answer.

To the Loyal Inhabitants of the Town of MARSHFIELD.

GENTLEMEN: I return you my most hearty thanks for your Address, and am to assure you that I feel great satisfaction in having contributed to the safety and protection of a people so eminent for their loyalty to their King, and affection to their country, at a time when treason and rebellion is making such hasty strides to overturn our most excellent Constitution, and spread ruin and destruction through the Province.

I doubt not that your duty to *God*, your King, and country, will excite you to persevere in the glorious cause in which you are engaged, and that your laudable example will animate others with the like loyal and patriotick spirit. T. GAGE.

—

TOWN OF MARSHFIELD TO ADMIRAL GRAVES.

To the Honourable SAMUEL GRAVES, *Esq., Vice-Admiral of the Blue, and Commander-in-Chief of all his Majesty's Navy in* NORTH AMERICA, *&c.*

We, the Inhabitants of *Marshfield*, in Town Meeting legally assembled, the 20th of *February*, A. D. 1775, penetrated with the highest sense of gratitude, present our sincere and hearty thanks to you sir, for your ready compliance with a request of a number of our inhabitants, in ordering an armed Vessel to protect and defend us from the lawless insults and abuses with which we were threatened by numbers of seditious and evil-minded people, for no other reason (that we can conceive) but our loyalty to the best of Kings, and firm adherence to the laws of Government. With hearts replete with gratitude, we contemplate the paternal care and goodness of our most gracious Sovereign, in the appointment of a gentlemen to command his Navy in *America*, at this critical juncture, whose duty, inclination, and abilities, so happily coincide to answer the good purposes of his department.

Permit us to acquaint your Honour, that we have always endeavoured to comport ourselves, and regulate our conduct agreeable to the laws of *England* and this country; that we have not been guilty of any riots or illegal assemblies, or adopted or subscribed any unconstitutional resolves, covenants, or combinations whatsoever, but have constantly and uniformly borne our testimony against such measures and proceedings; that it is our serious intention and firm resolution to respect the *English* Constitution; and demean ourselves like true, loyal and obedient subjects, by doing which we apprehend we shall entitle ourselves to the continued protection of our most gracious King, your Honour, and every friend to peace and good Government.

ANSWER OF ADMIRAL GRAVES.

To the Inhabitants of the Town of MARSHFIELD.

GENTLEMEN: The warmth with which you declare your principles of loyalty to your Sovereign, and his constitutional Government, cannot fail of being grateful to the mind of every lover of his country; and it is much to be wished that the uniform propriety of your conduct will extend its influence to the removal of those groundless jealousies which have unhappily warped the affections of too many of your countrymen from the parent state, and which are now tending to raise violent commotions, and involve in ruin and destruction this unfortunate Province.

The approbation you are pleased to express of his Majesty's appointment, at this critical juncture, to the command of his *American* Fleet, is flattering; and you may be assured that my countenance and support shall never be wanting to protect the friends of the *British* Government, and reduce to order and submission those who would endeavour to destroy that peace and harmony which it is the end of good legislation to produce. S. GRAVES.

JOSEPH WARREN TO ARTHUR LEE.

Boston, February 20, 1775.

DEAR SIR: My friend, Mr. *Adams*, favoured me with the sight of your last letter. I am sincerely glad of your return to *England*, as I think your assistance was never more wanted there than at present. It is truly astonishing that the Administration should have a doubt of the resolution of the *Americans* to make the last appeal, rather than submit to wear the yoke prepared for their necks. We have waited with a degree of patience which is seldom to be met with; but I will venture to assert that there has not been any great allay of cowardice, though both friends and enemies seem to suspect us of want of courage. I trust the event, which I confess I think is near at hand, will confound our enemies and rejoice those who wish well to us. It is time for *Britain* to take some serious steps towards a reconciliation with her Colonies. The people here are weary of watching the measures of those who are endeavouring to enslave them; they say they have been spending their time for ten years, in counteracting the plans of their adversaries; and many of them begin to think that the difference between them will never be amicably settled; but that they shall always be subject to affronts from the caprice of every *British* Minister. They even sometimes speak of an open rupture with *Great Britain*, as a state preferable to the present uncertain condition of affairs; and although it is true that the people have yet a very warm affection for the *British* Nation, yet it sensibly decays. They are loyal subjects to the King; but they conceive that they do not swerve from their allegiance, by opposing any measures taken by any man or set of men, to deprive them of their liberties. They conceive that they are the King's enemies, who would destroy the Constitution; for the King is annihilated when the Constitution is destroyed.

It is not yet too late to accommodate the dispute amicably; but I am of opinion that if once General *Gage* should lead his Troops into the country, with a design to enforce the late Acts of Parliament, *Great Britain* may take her leave, at least of the *New England* Colonies, and, if I mistake not, of all *America*. If there is any wisdom in the Nation, *God* grant it may be speedily called forth. Every day, every hour, widens the breach. A *Richmond*, a *Chatham*, a *Shelburne*, a *Camden*, with their noble associates, may yet repair it; and it is a work which none but the greatest of men can conduct. May you be successful and happy in your labours for the publick safety.

I am, sir, with great respect, your very humble servant,

JOSEPH WARREN.

—

London, February 21, 1775.

At a Court of Common Council, held at *Guildhall*, the following Resolutions were come to:

Resolved, That the measures of Administration respecting our fellow-subjects in *America*, adopted by the late Parliament, appear to this Court in the highest degree dangerous and alarming, and demand our most serious attention.

Resolved, That as the opinion of this Court hath already been very fully and particularly declared against an Act of the late Parliament, entituled "An Act for the making more "effectual provision for the government of the Province of "*Quebec*, in *North America*," we think it equally our duty to bear testimony also against four other Acts of the said Parliament, which we esteem highly injurious to our fellow-subjects in *America*, viz: "An Act for the better regula-"ting the government of the Province of the *Massachu-"setts Bay*;" also "An Act for the impartial administra-"tion of Justice, in the cases of persons questioned for "any acts done by them in the execution of the Law, or "for the suppression of Riots and Tumults in the Province "of *Massachusetts Bay*;" and also "An Act to discon-"tinue the landing and discharging, &c., of Goods, Wares, "and Merchandises, at the Town and in the Harbour of "*Boston*;" and also an Act entituled "An Act for pro-"viding suitable Quarters for Officers and Soldiers in his "Majesty's service in *North America*;" they appearing to this Court to be not only contrary to many of the fundamental principles of the *English* Constitution, and most essential rights of the subject, but also apparently inconsistent with natural justice and equity; and we are there-

Digitized by Google

fore of opinion that our fellow-subjects, the *Americans*, are justified in every constitutional opposition to the said Acts.

GEORGIA.

By his Excellency Sir JAMES WRIGHT, *Baronet, Captain-General, Governour and Commander-in-Chief in and over his Majesty's Province of* GEORGIA, *Chancellor, Vice-Admiral, and Ordinary of the same:*

A PROCLAMATION.

Whereas, the Collector of his Majesty's Customs in the Port of *Savannah*, in this Province, did, on *Wednesday*, the fifteenth day of *February*, instant, in the Stores and upon a Wharf, (at the distance of about a quarter of a mile from the Town of *Savannah*,) in the occupation of *Andrew Elton Wells*, seize and take in his possession eight hogsheads of Molasses, and six hogsheads and one barrel of *French* Sugars, the Duties arising therefrom not having been discharged or paid; and the better to secure the said effects, appointed one *James Egdar*, a waiter, usually employed, to take care of the same, and applied for and obtained two Seamen from his Majesty's armed Schooner the *Saint John*, to assist the said waiter. And whereas, about twelve of the clock of the night ensuing the same day, a large number of people, disguised with their faces smutted, and armed with Pistols and Cutlasses, in a very riotous and unlawful manner, assembled themselves together and proceeded to the place where the effects seized as aforesaid remained in the possession and under the care of the persons aforesaid, and there struck, and in a very riotous and disorderly manner abused the waiter aforesaid, tore his clothes from his body, and tarred and feathered him, and threw the Seamen over the wharf into the River *Savannah*, and rescued, removed, and carried off the effects so as aforesaid seized. And whereas, one of the Seamen, namely, *David Martin*, was seen in the water begging for mercy, and hath not since, although the most diligent inquiry hath been made after him, been seen or heard of, and from the former conduct of said Seaman, and many other circumstances declared upon oath, there is the greatest and most probable reason to believe the said *David Martin*, not being permitted to come out of the River, there perished and was drowned.

And whereas, such proceedings are not only shocking, unwarrantable, and illegal, but subject the offenders and perpetrators thereof to great and severe pains and penalties; and it is highly necessary such atrocious offenders should receive the punishments due to their offences. To the intent, therefore, that the persons concerned in the above matters and offences, may be apprehended and brought to condign punishment, I have thought fit, by and with the advice of his Majesty's Honourable Council, to issue this my Proclamation, offering, and I do hereby promise a reward of Fifty Pounds, lawful money of this Province, to any person or persons who will give such information against any one or more who was active and concerned in rescuing the effects aforesaid, and in committing the other riotous, unlawful, and unwarrantable proceedings, so as he or they may be apprehended upon and convicted of the said offences; the said reward to be paid upon conviction of any one or more of the offenders. And if any person who may have been an accomplice, (other than the person or persons who actually treated the Waiter in the manner above described, or actually threw or forced the Seaman, non-resisting, into the River,) will inform me, he shall receive his Majesty's pardon, and be admitted as King's evidence.

Given under my hand and the great seal of his Majesty's Province, at the Council Chamber, in *Savannah*, the twenty-first day of *February*, in the year of our Lord one thousand seven hundred and seventy-five, and in the fifteenth year of the reign of his Majesty King *George* the Third.

JAS. WRIGHT.

By his Excellency's command,

THOS. MOODIE, *Dep. Secretary.*

GOD *save the King.*

AUGUSTA COUNTY (VIRGINIA) MEETING.

After due notice given to the Freeholders of *Augusta* County, to meet in *Staunton*, for the purpose of electing Delegates to represent them in Colony Convention, at the Town of *Richmond*, on the 20th day of *March*, the Freeholders of said County thought proper to refer the choice of their Delegates to the judgment of the Committee, who, thus authorized by the general voice of the people, met at the Court House on the 22d day of *February*, and unanimously chose Mr. *Thomas Lewis* and Captain *Samuel M'Dowell* to represent them in the ensuing Convention.

Instructions were then ordered to be drawn up by the Reverend *Alexander Balmain*, Mr. *Sampson Matthews*, Captain *Alexander M'Clenachan*, Mr. *Michael Bowyer*, Mr. *William Lewis*, and Captain *George Matthews*, or any three of them, and delivered to the Delegates thus chosen; which are as follows:

To Mr. THOMAS LEWIS *and Capt.* SAMUEL M'DOWELL:

The Committee of *Augusta* County, pursuant to the trust reposed in them by the Freeholders of the same, have chosen you to represent them in a Colony Convention, proposed to be held in *Richmond*, on the 20th of *March*, instant. They desire that you may consider the people of *Augusta* County as impressed with just sentiments of loyalty and allegiance to his Majesty King *George*, whose title to the Imperial Crown of *Great Britain* rests on no other foundation than the liberty, and whose glory is inseparable from the happiness of all his subjects. We have also a respect for the parent state, which respect is founded on religion, on law, and the genuine principles of the Constitution. On these principles do we earnestly desire to see harmony and a good understanding restored between *Great Britain* and *America*. Many of us and our forefathers left their native land, and explored this once savage wilderness, to enjoy the free exercise of the rights of conscience and of human nature. These rights we are fully resolved, with our lives and fortunes, inviolably to preserve; nor will we surrender such inestimable blessings, the purchase of toil and danger, to any Ministry, to any Parliament, or any body of men upon earth, by whom we are not represented, and in whose decisions, therefore, we have no voice.

We desire you to tender, in the most respectful terms, our grateful acknowledgments to the late worthy Delegates of this Colony, for their wise, spirited, and patriotick exertions in the General Congress, and to assure them that we will uniformly and religiously adhere to their Resolutions, prudently and generously formed for their country's good.

Fully convinced that the safety and happiness of *America* depend, next to the blessing of Almighty *God*, on the unanimity and wisdom of her Councils, we doubt not you will, on your parts, comply with the recommendation of the late Continental Congress, appointing Delegates from this Colony to meet in *Philadelphia* on the 10th of *May* next, unless *American* Grievances be redressed before that time; and as we are determined to maintain unimpaired that liberty which is the gift of Heaven to the subjects of *Britain's* Empire, we will most cordially join our countrymen in such measures as may be deemed wise and necessary to secure and perpetuate the ancient, just, and legal rights of this Colony and all *British America*.

As the state of this Colony greatly demands that Manufactures should be encouraged by every possible means, we desire you to use your endeavours that Bounties may be proposed by the Convention for the making of Salt, Steel, Wool Cards, Paper, and Gunpowder; and that, in the mean time, a supply of Ammunition be provided for the Militia of this Colony. We entirely agree in opinion with the gentlemen of *Fairfax* County, that a well regulated Militia is the natural strength and stable security of a free Government, and therefore wish it might be recommended by the Convention to the officers and men of each County in *Virginia*, to make themselves masters of the military exercise, published by order of his Majesty, in the year 1764.

Placing our ultimate trust on the Supreme Disposer of every event, without whose gracious interposition the wisest schemes may fail of success, we desire you to move the Convention that some day, which may appear to them most convenient, be set apart for imploring the blessing of Almighty *God*, on such plans as human wisdom and in-

Digitized by Google

tegrity may think necessary to adopt, for preserving *America* happy, virtuous, and free.

—

To the Honourable PEYTON RANDOLPH, *Esquire, President,* RICHARD HENRY LEE, GEORGE WASHINGTON, PATRICK HENRY, RICHARD BLAND, BENJAMIN HARRISON, *and* EDMUND PENDLETON, *Esquires, Delegates from this Colony to the General Congress.*

GENTLEMEN: We have it in command, from the Freeholders of *Augusta* County, by their Committee, held the 22d of *February*, to present you with their grateful acknowledgments of thanks, for the prudent, virtuous, and noble exertions of the faculties with which Heaven has endowed you in the cause of liberty, and of every thing that men ought to hold sacred, at the late General Congress; a conduct so nobly interesting, that it must command that tribute of applause, not only from this, but succeeding ages. May that sacred flame that has illuminated your minds, and influenced your conduct, in projecting and concurring in so many salutary determinations for the preservation of *American* Liberty, ever continue to direct your conduct, to the latest period of your lives. May the bright example be fairly transcribed on the hearts, and reduced into practice by every *Virginian*, by every *American*. May our hearts be open to receive, and our arms strong to defend, that liberty and freedom, the gift of Heaven, now banishing from its last retreat in *Europe*. Here let it be hospitably entertained in every breast; here let it take deep root, and flourish in everlasting bloom; that, under its benign influence, the virtuously free may enjoy secure repose, and stand forth the scourge and terrour of tyranny and tyrants of every order and denomination, till time shall be no more. Be pleased, gentlemen, to accept of their grateful sense of your important services, and of their ardent prayers for the best interest of this once happy country; and vouchsafe, gentlemen, to accept of the same from your most humble servants,

THOMAS LEWIS,
SAMUEL M'DOWELL, } *Delegates.*

—

To THOMAS LEWIS *and* SAMUEL M'DOWELL, *Esquires.*

GENTLEMEN: Be pleased to transmit to the respectable Freeholders of the County of *Augusta* our sincere thanks for their affectionate Address, approving our conduct in the late Continental Congress. It gives us the greatest pleasure to find that our honest endeavours to serve our country on this arduous and important occasion, has met their approbation, a reward fully adequate to our warmest wishes; and the assurances from the brave and spirited people of *Augusta*, that their hearts and hands shall be devoted to the support of the measures adopted, or hereafter to be taken, by the Congress, for the preservation of *American* Liberty, give us the highest satisfaction, and must afford pleasure to every friend to the just rights of mankind.

We cannot conclude without acknowledgments to you, gentlemen, for the polite manner in which you have communicated to us the sentiments of your worthy constituents; and are their and your obedient humble servants,

PEYTON RANDOLPH, RICHARD BLAND,
RICHARD HENRY LEE, BENJAMIN HARRISON,
GEORGE WASHINGTON, EDMUND PENDLETON.
PATRICK HENRY,

—

To the Honourable PEYTON RANDOLPH, RICHARD BLAND, EDMUND PENDLETON, RICHARD HENRY LEE, PATRICK HENRY, GEORGE WASHINGTON, *and* BENJAMIN HARRISON, *Esquires, Delegates from Virginia to the late General Congress.*

The Address of the Freeholders and Inhabitants of the County of BOTETOURT.

We, the Freeholders and Inhabitants of the County of *Botetourt*, assembled at the Court House, taking into our consideration the unhappy disputes which at present subsist between *Great Britain* and *America*, and being greatly alarmed at the dangerous and unconstitutional measures adopted by Administration, with respect to the Colonies, beg leave now to address you as the guardians of our rights and privileges.

Please, therefore, to accept our most sincere and grateful acknowledgments for your steady and patriotick conduct in the support of *American* Liberty, at the late General Congress. And we assure you, that although the alarming situation of our frontiers, for some time past, hath prevented our co-operating with our fellow-subjects, in their laudable efforts to obtain redress of our common grievances, we highly approve of the plan you have adopted for that purpose, and shall most cheerfully abide by your resolutions.

As you have so fully and clearly ascertained the Rights and Liberties of *American* subjects, we have nothing to add on that head. We are happy to find our sentiments entirely correspond with yours; because, in these sentiments, we are determined to live and die. We are too sensible of the inestimable privileges enjoyed by subjects under the *British* Constitution, even to wish for a change, while the free enjoyments of those blessings can be secured to us; but, on the contrary, can justly boast of our loyalty and affection to our most gracious Sovereign, and of our readiness in risking our lives, whenever it has been found necessary, for the defence of his person and Government.

But should a wicked and tyrannical Ministry, under the sanction of a venal and corrupt Parliament, persist in acts of injustice and violence towards us, they only must be answerable for the consequences. Liberty is so strongly impressed on our hearts, that we cannot think of parting with it but with our lives. Our duty to *God*, our country, ourselves, and our posterity, all forbid it. We therefore stand prepared for every contingency.

—

Philadelphia, February 22, 1775.

As the establishing of Manufactories among ourselves, must undoubtedly be of great advantage to the publick, it is hoped that every friend to his country will endeavour to promote the following Plan, to which a considerable number of gentlemen have already subscribed:

Plan of an AMERICAN *Manufactory.*

We the subscribers, being deeply impressed with a sense of our present difficulties, and earnestly solicitous, as far as in our power, to support the freedom and promote the welfare of our country on peaceable and constitutional principles, and well knowing how much the establishing Manufactories amongst ourselves, would contribute thereunto, besides exciting a general and laudable spirit of industry among the poor, and putting the means of supporting themselves into the hands of many, who at present are a publick expense, and also to convince the publick that our country is not unfavourable to the establishing Manufactories, do agree to form ourselves into a Company for the promoting of an *American* Manufactory, on the following principles, subject to such rules and regulations as shall be hereafter agreed on.

1. That the Company be called "The United Company of *Philadelphia* for promoting *American* Manufactures."

2. That the Company shall continue for three whole years, commencing on the day of the first general meeting of the subscribers.

3. That a share in the Company be fixed at ten Pounds; after the payment whereof, every subscriber shall be entitled to a vote in common on all occasions, and also to be elected to any office belonging to the Company, and no person shall be entrusted with any office but a member thereof.

4. That we will begin with the manufacturing of Woollens, Cottons, and Linens, and carry on the same to the greatest extent and advantage our stock will admit of during the three years aforesaid, for which purpose we do agree to pay into the hands of the Treasurer, who shall be hereafter chosen, one moiety, or full half of each of our subscriptions, within one week after the first general meeting of the subscribers, and the other moiety within two months after the aforesaid general meeting; all which moneys paid as aforesaid, together with all the profits arising from the Manufactory, shall be continued as Company stock, for the space, and to the full end of three whole years, commencing on the day of the first general meeting of the subscribers aforesaid.

5. That a general meeting of the subscribers shall be

Digitized by Google

called by written tickets, within one week after two hundred subscribers are obtained, in order to choose by ballot, for the first year, twelve Managers, a Secretary and Treasurer, to fix the time of the annual meeting for our future elections, and to do all other matters and things as may then be deemed necessary for the better regulating the affairs of the Company.

6. That one third of the Managers, and no more, be changed annually, on the day of the election, by their drawing lots for their going out; and on the death, or departure out of the City and its Districts, of any Manager, for the space of three calender months, the other Managers may choose another in his stead, who shall be considered as acting in the room of the deceased or departed Manager.

7. That the Managers carry on the Manufactory agreeable to the rules of the Company, and shall have the whole direction thereof, and shall attend two by two, in turn, every day, at the Manufactory Store, at such hours as they shall agree upon, to oversee the business, draw orders on the Treasurer, and give the necessary directions.

8. That the Treasurer shall give security for the faithful discharge of his trust, and for accounting for, and delivering up to his successor in said office, all such moneys, books, writings, and effects, as shall then be in his hands, belonging to the Company, at such times as the Managers, or a majority of them, shall direct and require, which security the Managers are hereby required to see duly given, executed, and recorded in the office for recording of Deeds for the County of *Philadelphia*, before any such Treasurer, so elected, shall enter upon his said office. And the Treasurer is hereby enjoined to answer no order but such as shall be signed by the two attending Managers for the day, as aforesaid, which said orders shall be good vouchers to indemnify him.

9. That a state of the Manufactory, and of the Company's accounts, shall be fairly made out at the end of every six months, and kept in the Manufactory Store, for the inspection of the Members.

10. That the Managers shall have power to call a general meeting, as often as they shall find it necessary to take the advice of the Company in any affair, or to lay any proposal or matter of importance before them.

11. That after the first general meeting of the subscribers, three weeks notice of the time and place of meeting, in one of the Newspapers, shall be sufficient to call a general meeting of the Company; and no rule nor regulation shall be binding on the Company, but such as shall have received the approbation of a majority of the Members present at a general meeting.

New-York, February 23, 1775.

On last *Thursday* night, the 16th instant, the Ship *Beulah*, Captain *William M'Bussell*, arrived at the Watering Place, about three leagues from this City, in nine weeks from *London*. The Pilots, we are informed, were ordered not to bring her up, lest her being in the Harbour should give uneasiness to the City. The same night, a Sloop with some members of the Sub-Committee of Observation, and other citizens on board, went down and anchored near the said Ship, to observe her conduct, and they will continue there till she departs. The Ship wants a new bowsprit; when she is furnished with this, and other necessaries for her voyage, she will be despatched without delay. She has neither entered nor broke bulk, and we are informed will be ready to sail about *Sunday* next.

SUFFOLK COUNTY (NEW-YORK) COMMITTEE.

At a Meeting of the Committees of Observation for the several Towns and Districts of *Huntington*, *Smithtown*, *Islip*, and *Southhaven*, and some of the principal inhabitants of the Town of *Brookhaven*, in the County of *Suffolk*, and Province of *New-York*, held at *Smithtown*, on the 23d day of *February*, 1775,

Colonel PLATT CONKLIN, being *Chairman:*

1. *Resolved, nem. con.*, That the Proceedings of the Committee of Correspondence for this County, at their meeting on the 15th of *November* last, be published in the *New-York Journal*, or *General Advertiser*.

Which Proceedings are as followeth:

"At a Meeting of the Committee of Correspondence for "the County of *Suffolk*, in the Province of *New-York*, at "the County Hall, on the 15th day of *November*, 1774:

"1. *Voted*, That we do recommend it to the several "Towns in this County to set forward a subscription for "the employment and relief of the distressed poor in the "Town of *Boston*, to be collected in such manner as the "Committees in each Town shall judge proper; to be in "readiness to be forwarded early next Spring.

"2. *Voted*, That Mr. *John Foster* have the care of "procuring a Vessel to call at the several Harbours in this "County to receive and carry the above donations to *Bos*-"*ton* for the purpose aforesaid.

"3. *Voted*, That we do fully approve of the Proceed-"ings of the late Continental Congress, and recommend it "to the Committees of the different Towns to see that the "Association by them entered into on behalf of themselves "and their constituents, be strictly observed.

"Signed by order of the Committees,

"EZRA L'HOMMEDIEU, *Clerk*."

2. *Resolved, nem con.*, That we think ourselves under obligations of gratitude to the worthy gentlemen in particular who represented this County in the late Continental Congress, and to that whole assembly in general, for their noble, patriotick, and faithful discharge of their important trust.

3. *Resolved, nem. con.*, That a Letter be sent to *William Nicoll*, and *Nathaniel Woodhull*, Esquires, Representatives of this County, informing them that if a motion should be made in the House for appointing Delegates to represent this Province at the Continental Congress to be held at *Philadelphia*, in *May* next, it is our opinion and desire that they should join in their appointment.

4. *Resolved, nem. con.*, That in case the Assembly do not appoint Delegates for the purpose above mentioned, the Committee of Correspondence for the City of *New-York* be desired, and they are accordingly hereby desired in that case to call a Provincial Convention for that purpose.

5. *Resolved, nem. con.*, That we do highly disapprove of the conduct of Major *Benjamin Floyd*, and others, inhabitants of *Brookhaven*, in this County, as it is represented in Mr. *Rivington's* and Mr. *Gaine's* Papers; and it is our firm opinion that most of the subscribers to the writing in said Papers mentioned, were induced to sign it by unfair practices and misrepresentations; for we are credibly informed that a great number of them are very much dissatisfied that they have signed an instrument which they since understand is in opposition to the measures of the Congress, and unfriendly to the liberties of their country.

6. *Resolved, nem. con.*, That we think that all those publications which have a tendency to divide us, and thereby weaken our opposition to measures taken to enslave us, ought to be treated with the utmost contempt by every friend to his country; in particular the Pamphlet entitled "A Friendly Address," &c., and those under the signature of "A. W. Farmer," and many others to the same purpose, which are replete with the most impudent falsehoods, and the grossest misrepresentations; and that the Authors, Printers, and abetters of the above and such like publications, ought to be esteemed and treated as traitors to their country, and enemies to the liberties of *America*.

Signed by order of the meeting,

PLATT CONKLIN, *Chairman*.

N. B. Most of the Towns and Districts in this County have, at publick Town Meetings fully adopted the measures recommended by the Congress, and determined upon a strict observance of the Association.

READING (CONNECTICUT) ASSOCIATION.

Mr. RIVINGTON: In the present critical situation of publick affairs, we the subscribers, Freeholders and Inhabitants of the Town of *Reading*, and the adjoining parts, in the County of *Fairfield*, and Colony of *Connecticut*, think it necessary (through the channel of your Paper) to assure the publick that we are open enemies to any change in the present happy Constitution; and highly disapprove of all measures in any degree calculated to promote confusion and disorder; for which purpose, and in order to avoid the

Digitized by Google

general censure incurred by a great part of this Colony from the mode of conduct here adopted for the purpose of opposing the *British* Government, we have entered into the following Resolves and Agreements, viz:

First. *Resolved*, That whilst me enjoy the privileges and immunities of the *English* Constitution, we will render all due obedience to his most gracious Majesty King *George* the Third; and that a firm dependence on the mother country is essential to our political safety and happiness.

Second. *Resolved*, That the privileges and immunities of this Constitution are yet (in a good degree) continued to all his Majesty's *American* subjects, except those who, we conceive, have justly forfeited their title thereto.

Third. *Resolved*, That we suppose the Continental Congress was constituted for the purpose of restoring harmony between *Great Britain* and her Colonies, and removing the displeasure of his Majesty towards his *American* subjects; whereas, on the contrary, some of their Resolutions appear to us immediately calculated to widen the present unhappy breach; counteract the first principles of civil society, and in a great degree abridge the privileges of their constituents.

Fourth. *Resolved*, That notwithstanding we will, in all circumstances, conduct with prudence and moderation, we consider it an indispensable duty we owe to our King, our Constitution, our country, and posterity, to defend, maintain, and preserve, at the risk of our lives and properties, the prerogative of the Crown, and the privileges of the subject from all attacks by any rebellious body of men, any Committees of Inspection, Correspondence, &c.

[*Signed by one hundred and forty-one Inhabitants, whose names are to be seen at the Printer's.*]

READING (CONNECTICUT) COMMITTEE.

Whereas, there was a certain number of Resolves published in *James Rivington's Gazetteer*, of the 23d of *February*, 1775, and said by said *Rivington* to be signed by one hundred and forty-one Freeholders and Inhabitants of the Town of *Reading*, and the adjoining parts, in the County of *Fairfield*, and Colony of *Connecticut*; and whereas said Resolves are injurious to the rights of this Colony, and breathe a spirit of enmity and opposition to the rights and liberties of all *America*, and are in direct opposition to the Association of the Continental Congress; and notwithstanding said Resolutions were come into with a (seeming) view to secure to the said signers some extraordinary privileges and immunities, yet either through negligence in the Printer, or upon design of the subscribers, said signers' names are not made publick: And now, if there be any advantage in adopting those principles, we are willing they should be entitled thereto; and for which end, and for the more effectual carrying into execution said Association, we have taken some pains, and by the assistance of him who carried said Resolves to said Printer, we have obtained the whole of said names. But as we mean not to publish the names of any except those that belong to said *Reading*, their names are as follows, viz:

David Knap,	John Drew,	John Sandford,
Andrew Knap,	Jonathan Meeker,	John Lyon,
Daniel Lyon,	Samuel Hawley,	John Mallery,
Nehemiah Seely, Jun.,	Jonathan Mallery, Jr.,	John Raymond,
Stephen Lacy,	John Seymour,	Eli Lyon,
James Adams,	Jesse Bearslee,	Enos Wheeler,
Zaccheus Morehouse,	Darling Gyer,	David Crowfoot,
Ephraim Whitlock,	Ebenezer Williams,	Thomas Munson,
Jabez Lyon,	Paul Bartram,	Nehemiah Seely,
Prince Hawse,	John Gyer,	Charles M'Neil,
Andrew Patchen,	Abel Burr,	Stephen Betts,
Ezekiel Hill,	Shubael Bennet,	Ephraim Meeker,
David Manrow,	John Picket,	John Layne,
Daniel Morehouse,	John Picket, Jun.,	James Morgan,
Ephraim Deforest,	Obed Hendrix,	Nathaniel Gyer,
Lazarus Beach,	Isaac Platt,	Asa Norton,
Seth Hull,	Enos Lee,	Eleazer Olmsted,
Hezekiah Platt,	John Lee.	Isaac Bunnel,
Zebulon Platt,	Nathaniel Barlow,	Thaddeus Gyer,
Timothy Platt,	Asael Patchen,	William Manrow,
Lazarus Wheeler,	Benjamin Sturgis,	Joseph Gyer,
Joshua Hall,	Ebenezer Sturgis,	John Sherwood,
Jonathan Knap,	William Lee,	Simeon Munger,
James Gray,	Seth Banks,	Joseph Burr.
Peter Lyon,	David Turney,	

N. B. There are only forty-two Freeholders in the above number; there are several minors, &c., to make the above number of seventy-four, that belong to said *Reading*; and we hereby hold them up to publick view, as opposers to the Association of said Congress.

Signed by order of the Committee of Observation for said Town of *Reading*.

EBENEZER COUCH, *Chairman*.

MR. RIVINGTON: You are desired by many staunch friends to the King and the Constitution, in this Colony, to insert the names of the subscribers to the *Reading* Association, as published in the *Gazetteer*, on the 23d of *February*.

JOHN LYON.

Captain Joshua Hall,	Ebenezer Lyon,	Seth Banks,
Capt. James Morgan,	Peter Thorn,	John Byington, Jun.,
Lieut. Daniel Lyon,	Peter Jackson,	John Pickwit,
Lieut. Peter Lyon,	David Munro,	John Pickwit, Jun.,
Ensign Sam. Hawley,	Jabez Adams,	Abel Platt,
David Knap,	John Bartram,	Joseph Platt,
Stephen Betts,	Andrew Knap,	Neh. St. John,
Timothy Platt,	David Turny,	Israel Rowland,
Joseph Lyon,	Gersham Bulkley,	Silas Griffen,
Lazarus Beach,	John Raymond,	William Bradley,
Seth Hull,	Eli Lyon,	William Hambleton,
John Sanford,	Nathaniel Guyer,	James Rowell,
James Gray, Jun.,	Ephraim Robbins,	Joseph Edwards, Jun.,
John Lyon,	Isaac Bunnell,	C. Fairchild,
John Drew,	Darling Guyer,	J. Morehouse,
John Mallery,	David Crofut,	Isaac Drew,
John Mallery, Jun.,	Thomas Munson,	Peter Drew,
Ephraim Meeker,	Jonathan Lyon,	Benjamin Williams,
Ephraim Deforest,	Gersham Lyon, Jun.,	Samuel Judd, Jun.,
James Adams,	Jesse Lyon,	James Gray,
Joseph Burr,	Thomas Lyon,	Nehemiah Whitlock,
Hezekiah Platt,	Stephen Couch,	Samuel Judd,
Zebulon Platt,	Ebenezer Williams,	Ezra Kellogg,
Jesse Bardslee,	Paul Barbram,	Jabez Taylor, Jun.,
Jonathan Knap,	John Guyer,	Silas Taylor,
Simeon Munger,	Abel Burr,	Jonathan Judd,
Prince Hawes,	Abel Burr, Jun.,	Benjamin Bailey,
John Seymour,	Shubael Bennet,	William Judd,
John Hall,	Eleazer Olmsted,	Hezekiah Whitlock,
Moses Knap,	Obed Hendrix,	Samuel Hoyt, Jun.,
Neil M'Neil,	Abner Gilbert,	James Hoyt,
Barnard Kane,	Isaac Platt,	Samuel Bailey,
C. M'Neil,	Jonathan Burr,	Michael Benedict,
Jabez Lyon,	William Manrow,	Comfort Barnum,
Calvin Wheeler,	Enos Lee,	Ezra Percy,
Lazarus Wheeler,	Silas Lee,	Nathaniel Picket,
Enos Wheeler,	John Lee,	Elijah Barnum,
Stephen Lacy,	Nathaniel Lee,	Ebenezer Whitlock,
Dr. Asa Vorton,	Joseph Fairchild,	James Davis,
Jonathan Meaker,	Nathaniel Barlow,	Solomon Cutis,
John Lane,	Thaddeus Guyer,	Daniel Cascis,
Neh. Seely, Jun.,	Joseph Guyer,	Nehemiah Seely,
Zaccheus Morehouse,	Asael Patchen,	Peter Bulkley,
Ephraim Whitlock,	Ben. Sturges,	Ebenezer Mills,
Andrew Patchen,	John Sherwood,	John Drew,
Ezekiel Hill,	Ebenezer Sturges,	Nathan Mallery, Jun.,
Daniel Morehouse,	William Lee,	Josiah Platt.
William Caldwell,		

N. B. *Obadiah Platt* having been proscribed in Mr. *Gaine's* Paper, on a suspicion of subscribing the Association, the publick may be assured the above is the very list delivered to the Printer; and that *Obadiah Platt's* name was not inserted in it.

There are no signers to this piece under twenty-one years of age.

TO THE PROVINCIAL CONGRESS OF MASSACHUSETTS.

GENTLEMEN: Your assuming the Government of *Massachusetts Bay*, makes it unnecessary for me to make any apology for addressing you in this publick manner, further, than by acquainting you that it is to represent to you the distresses of some of those people, who, from a sense of their duty to the King, and a reverence for his laws, have behaved quiet and peaceable; and for which reason they have been deprived of their liberty, abused in their persons, and suffered such barbarous cruelties, insults, and indignities, besides the loss of their property by the hands of lawless mobs and riots, as would have been disgraceful even for savages to have committed. And the Courts of Justice being shut up in most parts of the Province, and the Justices of those Courts compelled by armed force, headed by some who are members of your Congress, to refrain from doing their duty at present, it is rendered impracticable for those sufferers to obtain redress, unless it be by your interposition, or the aid of military force, which will be applied for in case this application fails.

A particular enumeration of all the instances referred to, is apprehended unnecessary, as many of your members are

Digitized by Google

personally knowing to them; and for the information of any of you, who may pretend ignorance of them, the following instances are here mentioned, viz: In *August* last, a mob in *Berkshire* forced the Justices of the Court of Common Pleas from their seats, and shut up the Court House. They also drove *David Ingersoll*, Esquire, from his house, and damaged the same, and he obliged to leave his estate; after which his enclosures were laid waste. At *Taunton*, *Daniel Leonard*, Esquire, was drove from his house, and bullets fired into it by the mob, and he obliged to take refuge in *Boston*, ever since last *August*, for the supposed crime of obeying his Majesty's requisition as one of his Council for this Province. Colonel *Gilbert*, of *Freetown*, a firm friend to Government, in *August* last, being at *Dartmouth*, was attacked at midnight by a mob of about an hundred; but by his bravery, with the assistance of the family where he lodged, they were beat off. The same night, Brigadier *Ruggles* was also attacked by another party, about the same time of the night, who were routed, after having painted, and cut the hair off of one of his Horses mane and tail, afterwards had his Arms taken from his dwelling-house, in *Hardwick*, all which are not yet returned; he had at another time a very valuable *English* Horse, which was kept as a stallion, poisoned to death, his family disturbed, and himself obliged to take refuge in *Boston*, after having been insulted in his own house, and twice on his way, by a mob. The Chief Justice of the Province in *Middleborough* was threatened to be stopped on the highway in going to *Boston* Court; but his firmness and known resolution for supporting Government in this, as well as in many other instances, intimidated the mob from laying hands on him; he was also threatened with opposition in going into Court, but the terrour of the Troops prevented it. The whole Bench were hissed by a mob as they came out of Court; since that, his carriages stopped, and some turned back; his goods and effects kept from him, and he obliged to take refuge in *Boston* ever since last *August*. In *September*, Mr. *Sewall*, his Majesty's Attorney General for this Province, was obliged to repair to *Boston* for refuge; his elegant house at *Cambridge* was attacked by a mob, his windows broke; but they were beat off by the gallant behaviour and bravery of some young gentlemen of his family. About the same time, the Lieutenant-Governour *Oliver*, President of his Majesty' Council, was attacked at his elegant seat at *Cambridge*, by a mob of about four thousand, and was compelled to resign his seat at the Board, since which, upon further threats, he has been obliged to leave his estate, and take refuge with his family in *Boston*. At *Worcester*, a mob of about five thousand collected, and prevented the Court of Common Pleas from sitting, (about one thousand of them had fire-arms,) and all drawn in two files, compelled Judges, Sheriffs, and gentlemen of the Bar, to pass them with cap in hand, and read their disavowal of holding Courts under the new Acts of Parliament, not less than thirty times in their procession. *Daniel Oliver*, Esquire, of *Hardwick*, was disarmed by the mob, for the purpose of arming some of the mob for putting down the Court of *Worcester*, and has been obliged to take refuge in *Boston* ever since, to the total loss of his business. Colonel *Phips*, the very reputable and highly esteemed Sheriff of the County of *Middlesex*, by a large mob, was obliged to promise not to serve any processes of Courts, and to retire to *Boston*, for protection from further insults. Colonel *Saltonstall*, the very humane Sheriff of the County of *Essex*, obliged to take refuge in *Boston*, to screen himself from the violence of the mob. The Court of Common Pleas was forbid to set at *Taunton*, by a large mob, with a Justice acting as one of their Committee. At *Middleborough*, *Peter Oliver*, Esquire, by a mob, was obliged to sign a paper not to execute his office under the new Acts. At *Springfield*, the Courts of Common Pleas and General Sessions of the Peace, were prevented sitting by a large mob, who kept the Justices from entering the Court House, and obliged them, the Sheriff, and gentlemen of the Bar, to desist, with their hats off, from holding any Courts. Colonel *Edson*, one of his Majesty's Council, has been driven from his house in *Bridgewater*, and kept from it ever since last *August*, by the threats of mobs, and has been obliged to take refuge in *Boston*, for his being a friend to Government, and accepting his Majesty's appointment as Counsellor.

The Courts of General Sessions of the Peace, and Inferiour Court of Common Pleas for the County of *Plymouth*, have been shut up by mobs. Colonel *Putnam* of *Worcester*, a firm friend to Government, had two fat Cows stolen and taken from him, and a very valuable Grist Mill burnt, and he obliged to leave a fair estate in *Worcester*, and retire to *Boston*, where he has been ever since *August* last, for his protesting against riots, &c. Colonel *Murray*, of *Rutland*, one of his Majesty's Council, has been obliged to leave a large estate in the County, and repair to *Boston*, to save himself from being handled by the mob, and compelled to resign his seat at the Council Board; his house has been attacked, his family put in fear, &c., &c. Colonel *Vassal*, of *Cambridge*, from intolerable threats, and insolent treatment of mobs to his friends and himself, has left his elegant seat there, and retired to *Boston*, with his amiable family, for protection. *John Borland*, Esquire, in the same predicament with Colonel *Vassal*. Honourable *John Chandler*, Esquire, Judge of Probate, &c., for the County of *Worcester*, obliged to retreat to *Boston* for protection, and leave his business, and a numerous family of hopeful youths behind him, with great reluctance, and who before he came away, was ordered by the mob to hold his office till further order. The *Plymouth* Protesters, Addressers, and Military Officers, were compelled, by a mob of two thousand, collected from *Plymouth* and *Barnstable* Counties, to recant and resign their military commissions. *Thomas Foster*, Esquire, an ancient gentleman, was obliged to run into the woods, and had like to have been lost; and the mob, although the Justices, with Mr. *Foster*, were sitting in the Town, yet ransacked his house, and damaged his furniture; he then fled into the woods, and had like to have lost his life there; he was obnoxious as a friend to Government, and for that reason they endeavoured to deprive him of his business, and prevent even his taking the acknowledgment of a deed. *Richard Clark*, Esquire, a consignee of the Tea, was obliged to retire from *Salem to Boston*, as an asylum; and his son *Isaac* went to *Plymouth* to collect debts, but in the night was assaulted by a mob, and obliged to get out of Town at midnight. *Jesse Dunbar*, of Halifax, in *Plymouth* County, bought some fat Cattle of Mr. *Thomas*, the Counsellor, and drove them to *Plymouth* for sale; one of the Oxen being skinned and hung up, the Committee came to him, and finding he bought it of Mr. *Thomas*, they put the Ox into a cart, and fixed *Dunbar* in his belly, and carted him four miles, and then made him pay a dollar, after taking three more Cattle and a Horse from him; the *Plymouth* mob delivered him to the *Kingston* mob, which carted him four miles further, and forced from him another dollar, then delivered him to the *Duxbury* mob, who abused him by throwing the tripe in his face, and endeavouring to cover him with it, to the endangering his life, then threw dirt at him, and after other abuses, carried him to said *Thomas's* house, and made him pay another sum of money: and he not taking the beef, they flung it in the road and quitted him. *Daniel Dunbar*, of *Halifax*, an Ensign of Militia there, had his colours demanded by the mob, some of the Selectmen being the chief actors; he refused, they broke into his house, took him out, forced him upon a rail, and was held on it by his hands and legs, and tossed up with violence; in resisting, when they attempted to put him on the rail, they seized him by his private parts to drag him on it, then beat him, and after keeping him two or three hours in such abuses, he was forced to give his colours up to save his life. A Constable of *Hardwick*, for refusing to pay his collections directly, contrary to the oath of his office, was bound and confined six and thirty hours, and threatened with being sent to *Simsbury* Mines; was not suffered to lay on a bed; his wife being dangerously ill, he was released, after signing a something which one of the mob drew up for him to sign. The Mob Committee of the County of *York*, ordered that no one should hire any of Sir *William Pepperell's* estates, buy any wood of him, or pay any debts due to him. In *February*, at *Plymouth*, a number of ladies attempted to divert themselves at their Assembly Room; but the mob collected, the Committee having met previous thereto; they flung stones, which broke the shutters and windows, and endangered their lives; they were forced to get out of the hall, and were pelted and abused to their own homes; after this,

Digitized by Google

the ladies diverted themselves by riding out, but were followed by a mob, pelted and abused with the most indecent Billingsgate language. These things happened at the time when some of the people of *Plymouth*, in conjunction with the Committee-men from other Towns in that County, aided and assisted by four dissenting Clergymen, were presenting to the General by their Memorial, the peaceable state they were in before the arrival of a party of Soldiers at *Marshfield*, in that County.

The Honourable *Israel Williams*, Esquire, one who was appointed of his Majesty's new Council, but had declined the office through infirmity of body, was taken from his house by the mob in the night, carried several miles, put into a room with a fire, the chimney at the top, and doors of the room being closed, and kept there for many hours in the smoke, till his life was in danger, then carried home, after being forced to sign what they ordered, and a guard put over him to prevent his coming from home.

To recount the suffering of all from mobs, rioters, and trespassers, would take more time and paper than can be spared for that purpose. It is hoped the foregoing will be sufficient to put you upon the use of proper means and measures for giving relief to all that have been injured by such unlawful and wicked practices.

Boston, February 23, 1775.

INSTRUCTIONS OF GENERAL GAGE TO CAPTAIN BROWN AND ENSIGN D'BERNICRE.

Boston, February 22, 1775.

GENTLEMEN: You will go through the Counties of *Suffolk* and *Worcester*, taking a sketch of the country as you pass; it is not expected you should make out regular plans and surveys, but mark out the Roads and Distances from Town to Town, as also the situation and nature of the country; all Passes must be particularly laid down, noticing the length and breadth of them, the entrance in and going out of them, and whether to be avoided by taking other routes.

The Rivers also to be sketched out, remarking their breadth and depth, and the nature of their banks on both sides; the Fords, if any, and the nature of their bottoms; many of which particulars may be learned of the country people.

You will remark the Heights you meet with, whether the ascents are difficult or easy; as also the Woods and Mountains, with the height and nature of the latter, whether to be got round or easily passed over.

The nature of the country to be particularly noticed, whether enclosed or open; if the former, what kind of enclosures, and whether the country admits of making Roads for Troops on the right or left of the main Road, or on the sides.

You will notice the situation of the Towns and Villages, their Churches, and Church-yards, whether they are advantageous spots to take post in, and capable of being made defencible.

If any places strike you as proper for encampments, or appear strong by nature, you will remark them particularly, and give reasons for your opinions.

It would be useful if you could inform yourselves of the necessaries their different Counties could supply, such as Provisions, Forage, Straw, &c., the number of Cattle, Horses, &c., in the several Townships.

I am, gentlemen, your most obedient humble servant,

THOMAS GAGE.

To Captain *Brown*, Fifty-second Regiment, and Ensign *D'Bernicre*, Tenth Regiment.

NARRATIVE OF ENSIGN D'BERNICRE.

The latter end of *February*, 1775, Captain *Brown* and myself received orders to go through the Counties of *Suffolk* and *Worcester*, and sketch the Roads as we went, for the information of General *Gage*, as he expected to have occasion to march Troops through that country the ensuing Spring.

We set out from *Boston*, on *Thursday*, disguised like countrymen, in brown clothes and reddish handkerchiefs round our necks; at the Ferry of *Charlestown*, we met a sentry of the Fifty-second Regiment, but Captain *Brown's* servant, whom we took along with us, bid him not to take any notice of us, so that we passed unknown to *Charlestown*. From that we went to *Cambridge*, a pretty Town, with a College built of brick; the ground is entirely level on which the Town stands. We next went to *Watertown*, and were not suspected. It is a pretty large Town for *America*, but would be looked upon as a Village in *England*; a little out of this Town we went into a Tavern, a Mr. *Brewer's*, a Whig; we called for dinner, which was brought in by a black woman, at first she was very civil, but afterwards began to eye us very attentively; she then went out and a little after returned, when we observed to her that it was a very fine country, upon which she answered so it is, and we have got brave fellows to defend it, and if you go up any higher you will find it so. This disconcerted us a good deal, and we imagined she knew us from our papers, which we took out before her, as the General had told us to pass for surveyors; however, we resolved not to sleep there that night, as we had intended, accordingly we paid our bill, which amounted to two Pounds odd Shillings, but it was old tenor. After we had left the house we inquired of *John*, our servant, what she had said; he told us that she knew Captain *Brown* very well, that she had seen him five years before at *Boston*, and knew him to be an officer, and that she was sure I was one also, and told *John* that he was a regular—he denied it; but she said she knew our errant was to take a plan of the country; that she had seen the River and Road through *Charlestown* on the paper; she also advised him to tell us not to go any higher, for if we did we should meet with very bad usage. Upon this we called a council, and agreed that if we went back we should appear very foolish, as we had a great number of enemies in Town, because the General had chose to employ us in preference to them; it was absolutely necessary to push on to *Worcester*, and run all risk rather than go back until we were forced. Accordingly we continued our route and went about six miles further; we met a country fellow driving a team, and a fellow with him whom we suspected to be a deserter; they both seemed very desirous to join company with us, and told us, upon our saying we were going towards *Worcester*, that they were going our way. As we began to suspect something, we stopped at a Tavern, at the sign of the Golden-ball, with an intention to get a drink and so proceed; but upon our going in the landlord pleased us so much, as he was not inquisitive, that we resolved to lie there that night; so we ordered some fire to be made in the room we were in, and a little after to get us some Coffee; he told us we might have what we pleased, either Tea or Coffee. We immediately found out with whom we were, and were not a little pleased to find, on some conversation, that he was a friend to Government; he told us that he had been very ill used by them some time before, but that since he had shewed them that he was not to be bullied, they had left him pretty quiet. We then asked him for the Inns that were on the road between his house and *Worcester*; he recommended us to two, one at about nine miles from his house, a Mr. *Buckminster's*, and another at *Worcester*, a namesake of his own, a Mr. *Jones*.

The second day was very rainy, and a kind of frost; with it, however, we resolved to set off, and accordingly we proceeded to Mr. *Buckminster's*; we met nothing extraordinary on the road; we passed some time in sketching a Pass that lay on our road, and of consequence were very dirty and wet on our arrival. On our entering the house we did not much like the appearance of things; we asked for dinner, and they gave us some sausages; we praised every thing exceedingly, which pleased the old woman of the house much; when we told them we intended staying the night, they gave us a room to ourselves, which was what we wanted; after being there some time we found we were pretty safe, as by that time we perceived that the *côte du pays* was not a dangerous one; of consequence we felt very happy, and *Brown*, I, and our man *John*, made a very hearty supper, for we always treated him as our companion, since our adventure with the black woman. We slept there that night, and the next morning being a very fine one we resolved to push on for *Worcester*, which was about thirty miles from us; we proceeded about nine miles without anything extraordinary happening, except meeting two men whom we suspected to be deserters.

Digitized by Google

We then dined in the woods on a tongue and some cherry brandy we brought with us, and changed our stockings, which refreshed us much, our feet being very wet. We then travelled through a very fine country, missed our way and went to *Southborough;* we were obliged to turn back a mile to get the right road. We then passed through *Shrewsbury*, all a fine open cultivated country. We came into a pass about four miles from *Worcester*, where we were obliged to stop to sketch. We arrived at *Worcester* at five o'clock in the evening, very much fatigued; the people in the Town did not take notice of us as we came in, so that we got safe to Mr. *Jones's* Tavern; on our entrance he seemed a little sour, but it wore off by degrees and we found him to be our friend, which made us very happy; we dined and supped without any thing happening out of the common run.

The next day being *Sunday*, we could not think of travelling, as it was contrary to the custom of the country; nor dare we stir out until the evening, because of meeting, and nobody is allowed to walk the streets during divine service, without being taken up and examined; so that thinking we could not stand the examination so well, we thought it prudent to stay at home, where we wrote and corrected our sketches. The landlord was very attentive to us, and on our asking what he could give us for breakfast, he told us Tea or any thing else we chose—that was an open confession what he was; but for fear he might be imprudent we did not tell him who we were, though we were certain he knew it. In the evening we went round the Town, and on all the Hills that command it, sketched every thing we desired, and returned to the Town without being seen. That evening about eight o'clock the landlord came in and told us there were two gentlemen who wanted to speak with us; we asked him who they were? on which he said we would be safe in their company; we said we did not doubt that, as we hoped that two gentlemen who travelled merely to see the country and stretch our limbs, as we had lately come from Sea, could not meet with anything else but civility, when we behaved ourselves properly; he told us he would come in again in a little time, and perhaps we would change our minds, and then left us;—an hour after he returned, and told us the gentlemen were gone, but had begged him to let us know, as they knew us to be officers of the Army, that all their friends of Government, at *Petersham*, were disarmed by the Rebels, and that they threatened to do the same at *Worcester* in a very little time; he sat and talked politicks, and drank a bottle of wine with us, and also told us that none but a few friends to Government knew we were in Town; we said it was very indifferent to us whether they did or not, though we thought very differently; however, as we imagined we had staid long enough in that Town, we resolved to set off at daybreak the next morning, and get to *Framingham;* accordingly off we set, after getting some roast beef and brandy from our landlord, which was very necessary on a long march, and prevented us going into houses where perhaps they might be too inquisitive.

We took a Road we had not come, and that led us to the Pass four miles from *Worcester;* we went on unobserved by any one until we passed *Shrewsbury*, where we were overtaken by a horseman who examined us very attentively, and especially me, whom he looked at from head to foot, as if he wanted to know me again; after he had taken his observations he rode off pretty hard and took the *Marlborough* Road, but by good luck we took the *Framingham* Road again to be more perfect in it, as we thought it would be the one made use of. We arrived at *Buckminster's* Tavern about six o'clock that evening; the Company of Militia were exercising near the house, and an hour after they came and performed their feats before the windows of the room we were in; we did not feel very easy at seeing such a number so very near us; however, they did not know who we were, and took little or no notice of us. After they had done their exercise, one of their commanders spoke a very eloquent speech, recommending patience, coolness and bravery, (which indeed they much wanted,) particularly told them they would always conquer if they did not break, and recommended them to charge us coolly, and wait for our fire, and every thing would succeed with them—quotes *Cæsar* and *Pompey*, Brigadiers *Putnam* and *Ward*, and all such great men; put them in mind of Cape *Breton*, and all the battles they had gained for his Majesty in the last war, and observed that the Regulars must have been ruined but for them. After so learned and spirited an harangue, he dismissed the parade, and the whole company came into the house and drank until nine o'clock, and then returned to their respective homes full of pot-valour.

We slept there that night and nobody in the house suspected us. Next morning we set off for *Weston*, had a very agreeable day, having fine weather and a beautiful country to travel through; we met nothing extraordinary on the road; nobody knew us, and we were asked very few questions.

On our arrival at Mr. *Jones's*, we met with a very welcome reception, he being our friend; we received several hints from the family not to attempt to go any more into the country; but as we had succeeded so well heretofore, we were resolved to go the *Sudbury* Road (which was the main Road that led to *Worcester,)* and go as far as the thirty-seven mile-stone, where we had left the main Road, and taken the *Framingham* Road. We slept at *Jones's* that night, and got all our sketches together and sent them to *Boston* with our man, so that if they did stop and search us, they would not get our papers. The next day was very cloudy and threatened bad weather; towards twelve o'clock it snowed; we dined soon, in hopes the weather would clear up. At two o'clock it ceased snowing a little, and we resolved to set off for *Marlborough*, which was about sixteen miles off; we found the Roads very bad, every step up to our ankles; we passed through *Sudbury*, a very large village, near a mile long; the Causeway lies across a great swamp, or overflowing of the River *Sudbury*, and commanded by a high ground on the opposite side; nobody took the least notice of us until we arrived within three miles of *Marlborough*, (it was snowing hard all the while,) when a horseman overtook us and asked us from whence we came; we said from *Weston;* he asked if we lived there, we said no; he then asked us where we resided, and as we found there was no evading his questions, we told him we lived at *Boston;* he then asked us where we were going, we told him to *Marlborough*, to see a friend, (as we intended to go to Mr. *Barnes's*, a gentleman to whom we were recommended, and a friend to Government;) he then asked us if we were in the Army, we said not,—but were a good deal alarmed at his asking us that question; he asked several rather impertinent questions, and then rode on for *Marlborough*, as we suppose, to give them intelligence there of our coming, for on our entering the Town the people came out of their houses (though it snowed and blew very hard) to look at us; in particular a baker asked Captain *Brown*, where are you going master? he answered, on to see Mr. *Barnes*.

We proceeded to Mr. *Barnes's*, and on our beginning to make an apology for taking the liberty to make use of his house, and discovering to him that we were officers in disguise, he told us we need not be at the pains of telling him, that he knew our situation, that we were very well known (he was afraid) by the Town's people. We begged he would recommend some tavern where we should be safe, he told us we could be safe no where but in his house; that the Town was very violent, and that we had been expected at Colonel *Williams's* the night before, where there had gone a party of liberty people to meet us—(we supected, and indeed had every reason to believe, that the horseman that met us and took such particular notice of me the morning we left *Worcester*, was the man who told them we should be at *Marlborough* the night before, but our taking the *Framingham* Road when he had passed us, deceived him.) Whilst we were talking, the people were gathering in little groups in every part of the Town. Mr. *Barnes* asked us who had spoke to us on our coming into the Town? we told him a baker; he seemed a little startled at that; told us he was a very mischievous fellow, and that there was a deserter at his house; Captain *Brown* asked the man's name, he said it was *Swain*, that he had been a drummer; *Brown* knew him too well, as he was a man of his own Company, and had not been gone above a month; so we found we were discovered. We asked Mr. *Barnes* if they did get us into their hands, what they would do with us? he did not seem to like to answer; we asked him

Digitized by Google

again, he then said we knew the people very well, that we might expect the worst of treatment from them. Immediately after this Mr. *Barnes* was called out; he returned a little after and told us the Doctor of the Town had come to tell him he was come to sup with him—(now this fellow had not been within Mr. *Barnes's* doors for two years before, and came now for no other business than to see and betray us;) *Barnes* told him he had company and could not have the pleasure of attending him that night; upon this the fellow stared about the house, and asked one of Mr. *Barnes's* children who her father had got with him? the child innocently answered that she had asked her pappa, but he told her that it was not her business; he then went, I suppose, to tell the rest of his crew. When we found we were in that situation, we resolved to lie down for two or three hours, and set off at twelve o'clock at night; so we got some supper on the table, and were just beginning to eat, when *Barnes* (who had been making inquiry of his servants) found they intended to attack us, and then he told us plainly he was very uneasy for us, that we could be no longer in safety in that Town; upon which we resolved to set off immediately, and asked Mr. *Barnes* if there was no road round the Town, so that we might not be seen; he took us out of his house by the stables, and directed us a bye road which was to lead us a quarter of a mile from the Town; it snowed and blew as much as ever I see it in my life; however, we walked pretty fast, fearing we should be pursued; at first we felt much fatigued, having not been more than twenty minutes at Mr. *Barnes's* to refresh ourselves, and the roads (if possible) were worse than when we came; but in a little time after it wore off, and we got, without being perceived, as far as the hills that command the Causeway at *Sudbury*, and went into a little wood where we eat a bit of bread that we took from Mr. *Barnes's*, and eat a little snow to wash it down. After that we proceeded about one hundred yards, when a man came out of a house and said those words to Captain *Brown*, "What do you think will become of you now?" which startled us a good deal, thinking that we were betrayed. We resolved to push on at all hazards, but expected to be attacked on the Causeway; however we met nobody there, so began to think it was resolved to stop us in *Sudbury*, which Town we entered when we passed the Causeway. About a quarter of a mile in the Town we met three or four horsemen, from whom we expected a few shot; when we came nigh they opened to the right and left and quite crossed the Road, however they let us pass through them without taking any notice, their opening being only chance; but our apprehensions made us interpret every thing against us. At last we arrived at our friend *Jones's* again, very much fatigued, after walking thirty-two miles between two o'clock and half-after ten at night, through a road that every step we sunk up to the ankles, and it blowing and drifting snow all the way. *Jones* said he was glad to see us back, as he was sure we should meet with ill usage in that part of the country, as they had been watching for us some time; but said he found we were so deaf to his hints that he did not like to say any thing for fear we should have taken it ill. We drank a bottle of mulled *Madeira* wine, which refreshed us very much, and went to bed and slept as sound as men could do that were very much fatigued. The next morning, after breakfast, we set off for *Boston*. *Jones* shewed us a Road that took us a quarter of a mile below *Watertown* Bridge, as we did not choose to go through that Town. We arrived at *Boston* about twelve o'clock, and met General *Gage* and General *Haldimand*, with their Aid-de-Camps, walking out on the *Neck*, they did not know us until we discovered ourselves; we besides met several officers of our acquaintance, who did not know us.

A few days after our return Mr. *Barnes* came to Town from *Marlborough*, and told us, immediately on our quitting the Town, the Committee of Correspondence came to his house and demanded us; he told them we were gone; they then searched his house from top to bottom, looked under the beds, and in their cellars, and when they found we were gone, they told him if they had caught us in his house they would have pulled it about his ears. They then sent horsemen after us every road; but as we had the start of them, and the weather being so very bad, they either did not overtake us, or missed us. Mr. *Barnes* told them we were not officers, but relations of his wife's, from *Penobscot*, and were going to *Lancaster*; that, perhaps, might have deceived them.

Salem, February 28, 1775.

Last Sabbath, the 26th instant, the peace of the Town was disturbed by the landing of a Regiment of the King's Troops, the particulars relative to which are as follows:

A Transport arrived at *Marblehead*, apparently manned as usual. Between two and three o'clock (as soon as the people had gone to meeting) the decks were covered with Soldiers, who having loaded, and fixed their bayonets, landed with great despatch, and instantly marched off. Some of the inhabitants suspecting they were bound to *Salem*, to seize some materials there preparing for an Artillery, despatched several messengers to inform us of it. These materials were on the North side of the *North* River, and to come at them it was necessary to cross a Bridge, one part of which was made to draw up to let vessels pass. The inhabitants kept a look out for the appearance of the Troops. The van guard arrived, and took their route down Town as far as the Long Wharf, perhaps to decoy the inhabitants thither, away from the place to which the main body was destined. The main body arrived soon after, and halted a few minutes by the Town-house. It is said inquiry was immediately made by some of the officers for a half-brother of Colonel *Browne*, the Mandamus Counsellor. Be this as it may, he was soon whispering in the Colonel's ear, in the front of the Regiment, and when he parted from the Colonel the Regiment marched with a quick pace towards the *North* Bridge; just before their entering upon which the Bridge was pulled up. The Regiment however pushed on till they came to the Bridge, not observing (as it seemed) that it was drawn up. The Colonel expressed some surprise; and turning about, ordered an officer to face his Company to a body of men standing on a wharf on the other side the draw-bridge, and to fire. One of our townsmen (who had kept alongside the Colonel from the time he marched from his own house) told him he had better not fire; that he had no right to fire without further orders, and if you do fire (said he) you will be all dead men. The Company neither faced nor fired. The Colonel retired to the centre of his Regiment, assembled his officers, and held a consultation; which being ended he advanced a little, and declared he would maintain his ground, and go over the Bridge if it was a month first. The same townsman replied, he might stay there as long as he pleased, no one cared for that. The half-brother, before mentioned, (it is said) made towards the Bridge, but seeing the draw-bridge up said "it is all over with us."

He has since disappeared, meanwhile two large gondolas that lay aground (for it was low water) were scuttled, lest they should cross the channel in them. But whilst one gentleman with his assistants was scuttling his own gondola, a party of about twenty Soldiers jumped into it, and with their bayonets charged against our unarmed townsmen, (some of whom they pricked) compelled them to quit it; but before this a sufficient hole was made in the bottom. This attack of the Soldiers, and some other occurrences occasioned a little bickering, but by the interposition of some of the inhabitants, the disputes subsided. At length some gentleman asked the Colonel what was his design in making this movement, and why he would cross the Bridge? He said, I have orders to cross it, and he would cross it if he lost his life with the lives of all his men; and asked, why the King's highway was obstructed? He was told it was not the King's Road, but the property of the inhabitants, who had a right to do what they pleased with it. Finally the Colonel said he must go over, and if the Bridge was let down so as he might pass, he pledged his honour he would march not above thirty rods beyond it, and then immediately return.

The Regiment had now been at the Bridge about an hour and an half; and every thing being secured, the inhabitants directed the Bridge might be let down. The Regiment immediately passed over, marched a few rods, returned, and with great expedition went back to *Marblehead*, where they went on board the Transport without delay.

Digitized by Google

When all the circumstances are considered, there can remain no doubt that the sole purpose of this manœuvre was to steal away the Artillery materials.

It is regretted that an officer of Colonel *Leslie's* acknowledged worth, should be obliged, in obedience to his orders, to come upon so pitiful an errand. Various reports were spread abroad respecting the Troops; the country was alarmed, and one Company arrived in Arms from *Danver's*, just as the Troops left the Town. We immediately despatched messengers to the neighbouring Towns, to save them the trouble of coming in; but the alarm flew like lightning (and some, doubtless, magnified the first simple reports) so that great numbers were in Arms, and some on their march, before our messengers arrived.

Charlestown, South Carolina, February 27, 1775.

This day arrived Captain *William Carter*, of the Snow *Lively*, from *Falmouth* and *Teneriffe*, having imported two ton of Potatoes, which fell under the last clause of the tenth article of the Continental Association. Rather than endanger the health of his people by carrying them back, he chose to throw them overboard into the River, which he did in the presence of the Committee of Observation.

The Ship *Charming Sally*, Captain *Fortune*, which arrived here the 16th instant, from *Bristol*, having on board a cargo which likewise falls under the tenth article of the Continental Association, (viz: three thousand eight hundred and forty-four bushels of Salt, and thirty-five chaldrons of Coal, consigned to Mr. *John Nutville*; forty thousand and five hundred Tiles, consigned to Mr. *John Webb*, for covering a house which he is building; and forty-four pieces of Sail Duck, consigned to the master) went over into *Hogs Island Creek*, the concerned therein choosing that the Salt, Coal, and Tiles should be thrown overboard as ballast, rather than be carried back to *Bristol*, and this morning the said cargo began to be thrown into the said Creek accordingly, the Committee of Observation attending by desire.

In Committee, Philadelphia, February 27, 1775.

Resolved, That the following Notification, and Extract from the Association of the Continental Congress be published in the Papers.

As the Continental Congress have recommended to the inhabitants of these Colonies the total disuse of all *East India* Teas, after the first day of *March*, this Committee think it expedient to remind the inhabitants of the City and Liberties of the great necessity of observing the Association of the General Congress in this particular.

From the uniform spirit and conduct of the people in the faithful execution of said Association, in all cases which have hitherto occurred, the Committee have no doubt but the general good, and a regard to the liberties of his country will continue to influence every individual to a steady adherence to measures upon which the political salvation of this country seems, under *God*, to depend; and that the honour and publick virtue of the people may be safely confided in.

Extract from the Association of the Continental Congress:—

"*Third.* As a Non-Consumption Agreement, strictly "adhered to, will be an effectual security for the observa-"tion of the Non-Importation, we, as above, solemnly "agree and associate, that, from this day, we will not "purchase or use any Tea imported on account of the "*East India* Company, or any on which a Duty hath been "or shall be paid; and from and after the first day of "*March* next we will not purchase or use any *East In-*"*dia* Tea whatsoever."

From the minutes of the Committee for the City and Liberties of *Philadelphia*.

J. B. Smith, *Secretary*.

Committee Chamber, New-York, February 27, 1775.

Ordered, That as the Non-Importation of *India* Tea is to take place in a few days, the third article of the Association be printed in all the publick Papers of this City, in order that the inhabitants be apprized thereof. By order of the Committee, Isaac Low, *Chairman*.

NEW-MILFORD (CONNECTICUT) RESOLUTIONS.

A great number of Freeholders and Inhabitants of the Town of *New-Milford*, in *Litchfield* County, being highly sensible of the blessings of good order and government, and much alarmed at the horrible prospect of anarchy and confusion, did, on *Monday*, the 27th instant, unanimously enter into the following Resolutions:

1. That we think it a point of duty, in this day of trouble and confusion, to make it known to the world, that we have signed a Protest against the Town of *New-Milford's* adopting the Resolves of the Continental Congress.

2. That we do acknowledge his most sacred Majesty, King *George* the Third, to be our rightful Sovereign; and do hereby publickly avow our allegiance to him and his legal successors.

3. That we acknowledge that the King and Parliament have a constitutional right of Government over every part of the *British* Empire; and that we look upon ourselves as not bound by any unconstitutional assemblies of men whatever, such as are not warranted by the laws of the land.

The above is signed by one hundred and twenty inhabitants of the Town of *New-Milford* in *Litchfield* County.

February 27, 1775.

EXTRACT OF A LETTER FROM PHILADELPHIA, TO A GENTLEMAN IN NEW-YORK, DATED FEBRUARY 27, 1775.

I hope you will not be misled by the puffs of Mr. *Rivington's Philadelphia* Correspondent, respecting the state of publick virtue in this Province. Our Assembly begin to vie with the Assemblies of *Virginia* and *Massachusetts Bay*. A motion was made a few days ago in the House to petition the Throne, but it was strenuously opposed, as a measure that detracted from the union and dignity of the Colonies. Mr. *Dickinson* acquired fresh laurels in this debate. His zeal and firmness in the cause of liberty cannot be too much commended. Our new Speaker, Mr. *Biddle*, has taken a decisive part in the present controversy, and has exerted the whole of his abilities and influence in supporting the measures of the Congress. The motion for petitioning the King was put off till next week, when there is no doubt but it will be rejected by a great majority of the House. Our Counties (*Bucks* excepted) are as one man, and are ready to do or suffer any thing in support of *American* freedom. Our City Committees have subdued all opposition to their measures; in a word, we have all the wealth, virtue, and understanding in the Province, on the side of liberty. I must here except that share of them which belong to the Friends; but even this body of people are divided; many of them, perhaps most of them, disapprove of the Testimony which was published against the Proceedings of the Congress: it was agreed upon and written at a meeting of only twenty-six of that society. There are but eight or ten avowed Tories in our City, and those consist chiefly of young lads who have just emerged from behind the counter; and like the Town of *Geneva*, owe their security entirely to their weakness. It would give them that kind of consequence they aim at, only to mention their names. The most contemptible of them all is universally suspected of being *Rivington's* lying Correspondent.

You may publish the whole of the above account of our Assembly, Province, &c., in Mr. *Holt's* Paper. It may serve as an antidote against some of the falsehoods in the *Gazetteer*.

EXTRACT OF A LETTER FROM PHILADELPHIA, TO MR. RIVINGTON, NEW-YORK, DATED FEBRUARY 28, 1775.

I have now to inform you that the opposition to the Congress has done some good in our Assembly. Mr. *Galloway* spoke most ably; he told the House that the measures of the Congress, if pursued, would ruin *America*, reduce it to a conquered country; that they ought to be opposed, &c., &c. A congressional termagant retorted on him with more violence than sense, declared that there was not one man in a thousand who disapproved of their proceedings. The former replied that he was mistaken; that thousands and tens of thousands abhorred and dreaded

Digitized by Google

them; that their numbers were increasing with the most amazing rapidity, &c., &c. These debates ensued upon a motion of the House to consider the Governour's Message relative to a Petition to the King; on a division, I think there were nineteen for taking the matter into consideration ten days hence, and eighteen for throwing it out. Before this division, the *Pennsylvania's* oracle proved, to the conviction of every Member, that no Petition from *America* had ever been rejected, when couched in such terms that it could be received with dignity. Should our Assembly agree to petition, it will be done in a very dutiful style, without retrospect on their own conduct.

PENNSYLVANIA COUNCIL.

At a Council held at *Philadelphia*, on *Saturday*, 25th *February*, 1775: Present, the Honourable *John Penn*, Esquire, Governour, *Benjamin Chew*, *James Tilghman*, *Edward Shippen*, Junior, Esquires.

The Governour laid before the Board several Letters he had this day received by expresses from the Magistrates of *Westmoreland* County, complaining of further violences in breaking open the Jail of that County, and discharging the prisoners, and other outrages lately committed by the Militia and people of *Virginia*, and enclosing sundry Depositions supporting those complaints; which were severally read, and follow in these words, viz:

ROBERT HANNA TO GOVERNOUR PENN.

MAY IT PLEASE YOUR HONOUR: On *Tuesday*, the 7th instant, came a number of armed men to this Town, who demanded entrance in the Jail of this County.—On the Jailer's refusing to admit them, they in a violent manner broke said Jail with a sledge, which they took out of the Smithshop without leave. One *William M'Geery* came to me about daybreak, to inform me of the affair, on which I as soon as possible went to the Jail, and demanded of them what they were about. *Benjamin Harrison* (one of the company) answered, "what they had done, they did by the authority from *Virginia*." They had before this broke the Jail doors, and released the prisoners. I then commanded silence, and read the Riot Act, and immediately the Sheriff of this County came up, and demanded by what authority they broke the Jail. They said they had authority, which they could show if they pleased. The Sheriff replied, a civil question demanded a civil answer. Then they produced a paper which they read as their order from *William Crawford*, Esquire, President of our Court, which will further appear from the Sheriff's Deposition, (and I believe the Sheriff does every thing in his power in the execution of his office.) After reading the Riot Act, they remained together upwards of one hour. They took three prisoners with them, and what they were committed for, your Honour will know by the enclosed Depositions. One *Samuel Wilson* presented his gun at me at the same time, which I catched hold of to prevent his shooting me; he also used very bad language. There will, it is thought, (unless your Honour does something respecting this affair,) be few *Pennsylvanians* here, as the chief of the people are taking out orders from *Virginia*. They are in so confused a situation, that they seem not to know what they are about. I have it from good authority, that *David Vance*, one of the above company, damned the *Pennsylvania* Magistrates, and also their authority.

I am your Honour's most humble servant,

ROBERT HANNA.

To the Honourable *John Penn*, Esquire, Governour-in-Chief of the Province of *Pennsylvania*, &c.

February 8, 1775.

JOHN CARNAGHAN TO GOVERNOUR PENN.

Hanna's Town, February 8, 1775.

MAY IT PLEASE YOUR HONOUR: Enclosed you have four Depositions, by which your Honour may see the proceedings of the *Virginians* against this Province.

I am at a loss how to proceed in matters, as I am daily threatened of my life and property, if I proceed to execute my office, which I have to the utmost of my power endeavoured to do, (having likewise seen a gun presented at Mr. *Hanna*, Esquire, by one of the *Virginia* party, *Samuel Wilson* by name, after reading the Riot Act to a party of them.) It is still my desire to go on accordingly, but should be glad your Honour would give me such directions as you in your wisdom shall think fit.

I am your Honour's most humble servant,

JOHN CARNAGHAN.

DEPOSITION OF JOHN CARNAGHAN.

WESTMORELAND *County, ss:*

Personally appeared before me, the subscriber, one of his Majesty's Justices of the Peace for the County aforesaid, *John Carnaghan*, Esquire, High Sheriff for the County aforesaid, who being duly sworn upon the Holy Evangelists of Almighty *God*, doth depose and say, that, yesterday morning, he hearing that there were a number of armed men breaking the Jail, he went to see whether it was so, and coming up to the Jail, he saw a number of armed men, (by name, as the party themselves gave them in,) *Benjamin Harrison*, *David Vance*, *Samuel Newal*, *Robert Newal*, *James People*, *Thomas Bays*, *Joseph Marshall*, *Charles Clark*, *Isaac Justice*, *David M'Kaw*, *John M'Kaw*, *William Bays*, *Charles Kyle*, *Hugh Newal*, (*Samuel Warden*, *Samuel Wilson*, *John Neil*, the three prisoners,) *George Watt*, who having broke two of the Jail doors, (both being locked,) upon which he, the said *Carnaghan*, demanded to know by what authority they broke those doors, they made answers, and told him that they had their authority, upon which he demanded to see it, when one *Benjamin Harrison*, who appeared to be their commander, told him they had their orders from Major *William Crawford*, and that he could shew them, if he pleased, upon which he told him, (the said *Harrison*,) that a civil question deserved a civil answer, upon which the said *Harrison*, shewed him, the said *Carnaghan*, a paper, and read to this effect, or near to this substance: For them, the party aforesaid, to press horses, and what was necessary, and to go to *Hanna's* Town, and to open the Jail, and let the prisoners go out; and signed by *William Crawford*. And the said *John Carnaghan* further saith, that the party aforesaid shewed a warrant signed by one *Dorsey Penticost*, as they told him, who acts as a Magistrate under the Colony of *Virginia*, to take one Captain *James Smith*, and one *Edward Murray*, for executing warrants, and taking one of the people, which the party aforesaid took out of Jail, (for committing a riot, and throwing down a man's house, and almost killing a woman,) and acting as Constables, under the Province of *Pennsylvania*, and upon which warrant, signed by *Dorsey Penticost*, (as they said,) they took the aforesaid *James Smith* and *Edward Murray* along with them to answer for the crime aforesaid, (as they called it,) and the said *John Carnaghan* further saith, that one of the aforesaid party, (*David Vance* by name,) told him that he would be taken soon, and that he, the said *Vance*, had positive orders, that if any *Pennsylvania* officer would offer to take him, or any of them, with precepts under the Government of *Pennsylvania*, to shoot them, and that he would do it; and further this deponent saith not. JOHN CARNAGHAN.

Sworn and subscribed before me, this 8th day of *February*, 1775. ROBERT HANNA.

DEPOSITION OF JAMES KINKAID.

WESTMORELAND *County, ss:*

Personally appeared before me, *William Lochey*, one of his Majesty's Justices for the County aforesaid, *James Kinkaid*, Coroner for said County, who, on his solemn oath on the Holy Evangelists of Almighty *God*, deposeth and saith, that on *Tuesday* morning, the 7th instant, about twilight, he heard some person or persons striking with a sledge on the Jail door, as he looked out of the window in a room of *Robert Hanna*, Esquire, and then went to the Jail, found the doors broken off the hinges, and hanging on the locks, and *Stephen* and a number of men armed present. Mr. *Hanna* says, boys, you are early up to buy a rope to hang yourselves. *Benjamin Harrison* answered, (one of the men under arms,) what we have done, we have done by authority, and we are not afraid of damage. Mr. *Hanna* brought the Riot Act, and called silence, and read the

Digitized by Google

same, so that every spectator might hear. *Harrison*, as well as others of the parties, said he might have let that alone, for they did not regard the Act, nor them that read it, nor them that made it; for they had their orders for what they had done. *John Carnaghan* then came, and demanded said *Harrison* to shew his authority, if he had any. At first he seemed to refuse, but at last did read, and this deponent saw the same signed by *William Crawford*, wherein he had orders to press horses, raise men, &c., go to *Hanna's* Town, open the Jail doors, and set the prisoners at liberty; and further saith not.

JAMES KINKAID.

Sworn and subscribed before me, the 13th of *February*, 1775. WM. LOCHEY.

—

DEPOSITION OF SAMUEL WHITESITT.

WESTMORELAND *County, ss:*

Personally appeared before us, the subscribers, three of his Majesty's Justices of the Peace for the County aforesaid, *Samuel Whitesitt*, who, being duly sworn upon the Holy Evangelists of Almighty *God*, did depose and say, that this day, the 7th day of *February*, in the morning, between twilight, there came a number of armed men, and with a large sledge, about ten pounds weight, broke open the outside Jail door, and one of the inside doors, both being locked, and sent the prisoners then in Jail, being three in number, (who were committed, one, by name *John Neil*, for a riot, and throwing down a man's house, with a number of others, the other two, by name *Samuel Warden* and *Samuel Wilson*, who were committed for a trespass,) off, and giving each of the prisoners, after the Jail being broke, a pistol, and told them, the prisoners, that they had helped them so far, and now to clear their own way; and the said *Samuel Whitesitt* further says, that he heard the number of armed men aforesaid say, that for their so doing they had orders from Captain *William Crawford*; and further this deponent saith not.

SAMUEL WHITESITT.

Sworn and subscribed before us, this 7th of *February*, 1775.

ROBERT HANNA,
WM. LOCHEY,
WM. BRACKEN.

—

DEPOSITION OF CHARLES FOREMAN.

WESTMORELAND *County, ss:*

Personally appeared before us, the subscribers, three of his Majesty's Justices of the Peace for the County aforesaid, *Charles Foreman*, who, being duly sworn upon the Holy Evangelists of Almighty *God*, doth depose and say, that this morning, between twilight, being the 7th day of *February*, he heard a noise at the Jail, and getting out of his bed, he saw a number of armed men breaking the door, and charging the prisoners then in Jail to go about their business, and he heard *John Carnaghan*, Esquire, Sheriff of the County aforesaid, ask one *Benjamin Harrison*, who appeared to be their head man, whether they had any orders for their so doing, upon which he read a paper, and said it was Captain *William Crawford's* orders so to do; and the said *Charles Foreman* further saith, that he saw one *Samuel Wilson* make a push at one *Robert Hanna*, Esquire, with a gun, and told him not to be so saucy, and a great deal of ill tongue; and further this deponent saith not.

CHAS. FOREMAN.

Sworn and subscribed before us, this 7th day of *February*, 1775.

ROBERT HANNA,
WM. LOCHEY,
WM. BRACKEN.

—

ROBERT HANNA, WILLIAM LOCHEY, JOHN CARNAGHAN, AND DEVEREUX SMITH, TO GOVERNOUR PENN.

MAY IT PLEASE YOUR HONOUR: SIR, Our difficulties on account of the *Connolly* party is now grown to an extreme; all we can do or say in favour of our privileges from *Pennsylvania* will not do; the Depositions sent down, or transmitted to you, will, we hope, give you a sense of their very irregular proceedings. We are sorry to have occasion to repeat our complaints so often, but *William Crawford*, Esquire, and *Dorsey Penticost*, hath each opened a Land Office, and assumed the title of Deputy Surveyors to execute their entries. Several surveys they have already made. The people in general have already given up; and what can we do to support Government, there now being writs granted for almost every acting officer in this County, and we are every day expecting confinement. In short, any person applying for justice to us, may be assured to be arrested by them. *James Smith*, Captain, was taken and bound over to the *Virginia* Court, for only applying to the laws of *Pennsylvania* to have a banditti of villains punished for pulling down his house. Our Jail is of no use; the worst rascal is set at liberty; so we rest with patience, waiting for the opinion of your Honour, with such instructions as you may think adequate to our present difficulties. This from, sir, your Honour's most obedient and most humble servants,

ROBERT HANNA, JOHN CARNAGHAN,
WILLIAM LOCHEY, DEVEREUX SMITH.

Hanna's Town, in Westmoreland County, February 13, 1775.

—

DEVEREUX SMITH TO GOVERNOUR PENN.

Hanna's Town, February 14, 1775.

SIR: The situation of this County, at present, is really distressing. Every man who has the least feeling, must pity the poor inhabitants, who, after returning to their places when the disturbances with the *Indians* subsided, are now daily plundered of what little provisions they had to support their families, by a party of men kept up by order of Lord *Dunmore*, for what reason I am not able to judge. The *Indians* were never more peaceable than at present; it is true they have nine *Mingoes* prisoners in the Garrison; but they have other places of confinement that might answer as well, and save the expense of keeping seventy-five men in pay, and robbing the country to support them with provisions.

A set of people who call themselves *Virginians*, have taken possession of most of the lands here, and say they have rights from the *Virginia* offices, two of which are held here, one by Captain *William Crawford*, and the other by *D. Penticost*.

The obstructions to the proceedings of our Court, prevents us from recovering our just debts; unless some speedy steps be taken to prevent their outrageous proceedings, this County must be inevitably ruined.

Mr. *Connolly* and Mr. *John Campbell* left *Pittsburgh* about fifteen days ago, and are gone for *Williamsburgh*. They had a petition handed about, which was signed by some people disaffected to this Government, praying the House of Burgesses that a Town might be laid out near *Pittsburgh*.

I send you the enclosed Depositions, that your Honour may see the many difficulties we labour under, and the unhappy situation of the inhabitants of this County. I am, with the greatest respect, your very humble servant,

DEVEREUX SMITH.

—

DEPOSITION OF DEVEREUX SMITH.

WESTMORELAND *County, ss:*

Personally appeared before *Joseph Spear*, Esquire, one of his Majesty's Justices of the Peace for said County, *Devereux Smith*, Esquire, and being duly sworn, deposeth and saith, that on the night of the 8th instant, between eight and nine o'clock, twelve or more armed men, belonging to the Garrison kept up by Lord *Dunmore's* orders at this place, surrounded the house of the said *Devereux Smith*, in *Pittsburgh*, in the said County, throwed stones, and attempted to break open his doors and windows, to the great terrour of his family, at the same time telling him that they would shew what *Virginia* boys could do. That with the violence of their throwing stones, &c., they split one of his window-shutters, and continued about the street till near twelve o'clock, during which he was under the necessity of sitting up in arms to protect his infant family; and further this deponent saith not.

DEVEREUX SMITH.

Sworn and subscribed, the 10th of *February*, 1775, before me. JOS. SPEAR.

Digitized by Google

DEPOSITION OF JAMES MEYERS.

WESTMORELAND *County, ss:*

Came before me, *Devereux Smith*, Esquire, one of his Majesty's Justices of the Peace for said County, *James Meyers*, and being duly sworn on the Holy Evangelists of Almighty *God*, deposeth, that upon the 9th instant, a man who said he was one of the Militia, came to my house, and remained there till after night, and then produced a green *Indian* scalp, which he said he had taken off an *Indian* that he had killed the day before; he said he was then on his way down the country; and further this deponent saith not. JAMES MEYERS, *Turtle Creek*.

Sworn and subscribed before me, this 13th day of *February*, 1775. DEVEREUX SMITH.

DEPOSITION OF DR. SAMUEL M'KENZIE.

WESTMORELAND *County, ss:*

Came before me, *Devereux Smith*, Esquire, one of his Majesty's Justices of the Peace for said County, Doctor *Samuel M'Kenzie*, and being duly sworn on the Holy Evangelists of Almighty *God*, deposeth, that on the night of the 8th instant, as he was sitting in the house of Mr. *Butler*, in *Pittsburgh*, they heard a noise, and on going to the door of said house, a number of men, armed with bayonets, run at Mr. *Richard Butler* and deponent; that they were obliged to retreat into the house, and there remain about three hours, till the mob dispersed. That on the 9th instant, a party again surrounded *Butler's* house, not less than twelve in number, armed with bayonets and large bludgeons, and threatened the life of Mr. *Butler* and deponent; that about three o'clock on said day, while one of the Militia officers was at *Butler's*, a man came in who belonged to the Garrison, and said that a party of their men had gone out that morning to commit murder; and further this deponent saith not. SAML. M'KENZIE.

Sworn and subscribed before me, the 14th of *February*, 1775. DEVEREUX SMITH.

DEPOSITION OF JAMES SMITH.

WESTMORELAND *County, ss:*

Personally appeared before me, *Robert Hanna*, one of his Majesty's Justices of the Peace of the County aforesaid, Captain *James Smith*, who, on his solemn oath on the Holy Evangelists of Almighty *God*, deposeth and saith, that he, this deponent, was bound over to answer the Court of *Virginia*, before *Dorsey Penticost*, one of their Justices; and at same time said *Penticost* granted precepts for *Robert Hanna*, Esq., *William Lochey*, Esq., and *John Carnaghan*, Sheriff; and at same time this deponent said to *Penticost*, What do you mean by these precepts. *Penticost* said they were impostors on the Government and Dominion of *Virginia*, and he would have them confined, and then he said he was sure he had the others forced to a compliance to their laws. This deponent further said, your proceedings are illegal and irregular; and one day or another I think you will repent your conduct. *Penticost* said Lord *Baltimore's* heirs was not of age, and there was a dispute between the heirs of Lord *Baltimore* and *Penn*, which cannot be settled for some years, and for that time he liked to keep them in suspense; and let them do what they would until then, there would be an oblivion act made before the matters would be settled and compromised. *David Vance* present, said, if he did not expect such an act, he would not have done what he had done; and further this deponent saith not. JAMES SMITH.

Sworn and subscribed before me the 14th of *February*, 1775. ROBT. HANNA.

March 1, 1775.

The Governour, this day, wrote a Letter to his Excellency the Earl of *Dunmore*, Governour of *Virginia*, enclosing copies of several Depositions which he lately received relative to the Disturbances in *Westmoreland* County, and despatched the same by express, which Letter follows in these words, viz:

Philadelphia, March 1, 1775.

MY LORD: When you reflect how many of my letters to your Lordship on publick affairs remain unanswered, you must be sensible it cannot be very agreeable to me to write to you on the present occasion; yet I find myself under a necessity of troubling you once more on the subject of the disturbances in the Western parts of this Province. The enclosed copies of several Depositions will inform your Lordship what recent outrages have been committed in the County of *Westmoreland*, under the sanction of your Government, as those who have been active in them publickly declare; and my intelligence informs me that your Lordship has set up an office for granting lands far within the limits of this Province, and that lands already patented by me have been granted by your Lordship, which cannot fail to produce the utmost confusion.

The justice due to myself and the other proprietors, and the protection I owe to the people who have taken up lands under this Province and settled there long before your Lordship thought fit to disturb its peace by extending the Government of *Virginia* within our Charter bounds, oblige me to apply to your Lordship to know if these violent proceedings are the effect of your orders, or have your countenance, that in case they have I may take the proper measures for redress; or if they have not that they may receive your discouragement. Your Lordship well knows that a Petition is depending before the Crown, for settling the bounds and running the lines of this Province, which, when done, will put an end to the unhappy disputes between the two Governments. You must remember that you have engaged to forward that good work, rather than throw impediments in its way; and I would fain hope that your Lordship, in the mean time, will use your power and influence in composing rather than inflaming the differences amongst his Majesty's subjects of the two Colonies, occasioned by our clashing jurisdictions, especially when you consider that the County which is the seat of the present disturbances, was first settled under this Province, and that our jurisdiction was extended there in the time of your predecessor, Lord *Botetourt*, and recognized by his Lordship, in his sending hither for trial a person who had committed a murder at *Stewart's Crossings*, which is Westward of the *Laurel Hill*. I shall forbear to take any steps in this disagreeable affair, till I have the honour of an answer to this letter, which I hope your Lordship will favour me with by the return of the express. I have the honour to be your Lordship's most obedient humble servant,

JOHN PENN.

To the Right Honourable the Earl of *Dunmore*, Governour and Commander-in-Chief of his Majesty's Province of *Virginia*, *Williamsburg*.

PENNSYLVANIA ASSEMBLY.

Monday, February 20, 1775.

The House met pursuant to their adjournment.

Ordered, That Mr. *Rodman* and Mr. *Humphreys* wait on the Governour and acquaint him that the House having met pursuant to their adjournment, are ready to receive any business he may be pleased to lay before them.

Mr. Speaker communicated to the House a Letter received in their recess from the Honourable *Cortland Skinner*, Esquire, Speaker of the Assembly of the Province of *East* and *West Jersey*, enclosing certain Resolves lately passed by that Assembly, which were read by order, and are as they severally follow, viz:

Perth Amboy, January 25, 1775.

SIR: By order of the House of Assembly, I enclose you the Resolutions of this House, approving of the Proceedings of the Continental Congress, and am, sir, your very humble servant,

CORTLAND SKINNER, *Speaker*.

To the Honourable *Edward Biddle*, Esq., Speaker of the Assembly of the Province of *Pennsylvania*.

HOUSE OF ASSEMBLY, *January* 25, 1775.

Mr. *Crane* and Mr. *Kinsey* laid before the House the Proceedings of the Continental Congress, held at *Philadelphia* in *September* last, which were read.

On the question, Whether the House approve of the said Proceedings? It passed in the affirmative.

Digitized by Google

Resolved, That this House do unanimously approve of the Proceedings of the Congress.

Resolved, That *James Kinsey*, *Stephen Crane*, *William Livingston*, *John De Hart*, and *Richard Smith*, Esquires, or any three of them, be and they are hereby appointed to attend the Continental Congress of the Colonies, intended to be held at the City of *Philadelphia* in *May* next, or at any other time or place, and that they report their proceedings to the next session of the General Assembly; instructing the said Delegates to propose and agree to every reasonable and constitutional measure for the accommodation of the unhappy difference at present subsisting between our mother country and the Colonies, which the House most ardently wish for.

Ordered, That Mr. Speaker do transmit a copy of the foregoing Resolutions to the Speakers of the Assemblies of *New-York* and *Pennsylvania*.

Resolved, That the thanks of this House be given to *James Kinsey*, *Stephen Crane*, *William Livingston*, *John De Hart*, and *Richard Smith*, Esquires, for their faithful and judicious discharge of the trust reposed in them at the late Continental Congress.

JONA. DEARE, *Clerk*.

The Members appointed to wait on the Governour, reported that they had delivered their message according to order, and that his Honour was pleased to say he had no business at present to lay before the House, but if any should occur during their sitting, he would acquaint them with it by Message.

—

Tuesday, February 21, 1775.

Upon motion, the Draught of Instructions reported at the last sitting for the Deputies appointed on the part of this Province to attend the Continental Congress to be held at *Philadelphia* in *May* next, were again read, and referred to further consideration.

The Governour, by Mr. Secretary, sent down a written Message to the House, which was read by order, and is as follows, viz:

GENTLEMEN: At a time when the disputes between *Great Britain* and her Colonies are drawing towards an alarming crisis, I cannot, consistent with my duty to his Majesty, or a proper attention to the true interests of the people over whom I preside, avoid recommending to you any measure which occurs to me as proper for the Representatives of the Province to pursue, or which, in my opinion, may have a tendency to compose those unhappy differences.

You will agree with me, gentlemen, that in all cases wisdom dictates the use of such means as are most likely to attain the end proposed. On the present occasion it is conceived that any grievances which his Majesty's subjects in *America* apprehend they have reason to complain of, should be humbly represented to his Majesty by the several Assemblies, as the only proper and constitutional mode of obtaining redress, and I have the best reason to believe that a proper attention will be paid to such representations and to any propositions that may be made through that channel, on the present state of *American* affairs.

This mode, therefore, I earnestly recommend to you to adopt; and I most ardently wish that the proceedings of this as well as the other Colonies, may be of such a temperate and dutiful nature, as to afford a foundation for a re-establishment of that harmony with the mother country which is so essential to both. JOHN PENN.

February 21, 1775.

—

Thursday, February 23, 1775.

The House met pursuant to adjournment, and taking into consideration the Governour's Message of the 21st instant, after some time spent in debate thereon, referred the same to further consideration to-morrow morning.

—

Friday, February 24, 1775.

The House met pursuant to their adjournment, and proceeded, agreeable to the Resolution of yesterday, in the consideration of the Governour's Message, which producing a debate of considerable length, the question was called for and put by the Speaker, Whether the further consideration thereof shall be postponed till some day in the week after next? Carried in the affirmative.

—

Saturday, February 25, 1775.

Upon motion,

Resolved, That this House will, on *Wednesday*, the 8th of *March* next, resume the consideration of the Governour's Message.

Saturday, March 4, 1775.

Upon motion by a Member, that the Doors be opened and the reputable inhabitants of the City admitted to hear the debates of the House on *Wednesday* next, the question was put by the Speaker, and carried in the negative.

Yeas.	*Nays.*	*Nays.*
Mr. Parker,	Mr. Gray,	Mr. Humphreys,
Mifflin,	Pawling,	Morton,
Chas. Thomson,	Israel Jacobs,	Webb,
Wayne,	Roberts,	Ferree,
Ross,	Hillegas,	Slough.
Ewing,	Brown,	
Swoope,	Foulke,	
Allen,	Rodman,	
Chreist,	Chapman,	
Edmonds,	Galloway,	
Dougherty,	Heany,	
Hunter,	John Jacobs,	
Wm. Thompson.	Pearson,	

—

Tuesday, March 7, 1775.

The Governour, by Mr. Secretary, sent down a written Message to the House, which was read by order, and is as follows, viz:

GENTLEMEN: On *Saturday* last a number of *Indians* of the *Tuscarora*, *Nanticoke*, and *Conoy* Tribes, who reside on the heads of the *Susquehannah*, came to Town with their families, on a friendly visit to this Government.

They have represented to me that they are very poor, and in great want of clothing and other necessaries, which they earnestly request to be supplied with.

As I think humanity, as well as good policy, requires that we should comply with their request, I must recommend it to you to make immediate provision for furnishing them with a present of such goods as their necessities demand, and defraying the expenses of their journey.

JOHN PENN.

March 7, 1775.

A Representation and Petition from the *American* Philosophical Society, was presented to the House, and follows in these words, viz:

To the Honourable the Representatives of the Freemen of the Province of PENNSYLVANIA, *in General Assembly met:*

GENTLEMEN: It must yield a sensible satisfaction to the good people of this Province which you represent, to find, that although it be among the youngest of our *American* settlements, its reputation has risen high among the sister Colonies, and has extended even to the remotest parts of *Europe*, on account of our many publick spirited Institutions, and our rapid improvements in all useful arts. This satisfaction is also greatly increased, when we consider that, notwithstanding these Institutions, through the necessity of the case, were generally obliged to derive much of their first support from the benevolence of individuals, yet, a liberal spirit for their encouragement and final establishment, has gone forth among our Representatives, in proportion to the increase of our Provincial funds; and indeed the savings of publick money, after supplying the exigencies of the state, are never more laudably directed than towards the promoting whatever is useful and ornamental in society.

It is with unfeigned gratitude that your Petitioners recollect the repeated occasions you have given them of acknowledging your bounty and protection in carrying on their designs "for the advancement of useful knowledge," and it is their firm resolution never to abuse your former indulgence by any future unnecessary or unimportant applications. By the means now in their own power, they hope in general to be able to prosecute their plan, except so far as they may sometimes find it incumbent on them humbly to suggest to you the encouragement of useful inventions, and the patronizing undertakings beneficial to the whole community; and it is in this last view that they presume to address you at this time.

Amidst the variety of fields which in this new world lie open to the investigation of your Petitioners, they have, for several years, turned their views towards one wherein they hope to gather some of their chief laurels, and to make discoveries alike honourable to their country and themselves. Our distance from the chief Observatories in the world, the purity and serenity of our atmosphere, invite us, nay, loudly call upon us, to institute a series of regular As-

Digitized by Google

tronomical Observations, the comparison of which with those made in *Europe* and elsewhere, might settle some very important points, and contribute greatly to give a last perfection to Geography and Navigation. The advantages derived to those noble and useful sciences, from such observations, are so obvious, that there is scarce a civilized Nation in the world that has not made some provision for prosecuting them, and your Petitioners have been honoured with repeated solicitations from some of the greatest men in *Europe*, to join with them in this great work, and in a mutual communication of our labours.

It would be inexcusable, therefore, in your Petitioners to neglect the present opportunity of endeavouring to set such a design on foot, when we have a gentleman among us whose abilities, speculative as well as practical, would do honour to any country, and who is nevertheless indebted for bread to his daily toil, in an occupation the most unfriendly both to health and study. Under his auspices the work may now be undertaken with the greatest advantages, and others may be bred up by him to prosecute it in future times; but if the present opportunity is neglected, perhaps whole centuries may not afford such another. To rescue such a man from the drudgery of manual labour, and give him an occasion of indulging his bent of genius, with advantage to his country, is an honour which crowned heads might glory in; but it is an honour also, which it is hoped in the case of a native, *Pennsylvania* would not yield to the greatest Prince or people on earth.

The design which your Petitioners have projected, and now humbly beg leave to lay before your Honourable House, is as follows, viz:

First. That the Honourable Proprietaries be petitioned to grant a lot of ground for erecting a publick Observatory, and to give such other encouragement to the design as they may think proper. And from their known attachment to the interest of this country, as well as their professed readiness to serve the gentleman who is proposed to conduct the design, your Petitioners cannot have any doubt of their kind compliance with this humble request.

Secondly. That the assistance of your Honourable House be also requested, agreeable to the concluding prayer of this Petition.

Thirdly. That a subscription be promoted for erecting a publick Observatory, and furnishing it with such instruments as may be wanted, in addition to those valuable ones now in the Province. Of the success of this subscription among our benevolent fellow-citizens, there can be no doubt, and the expense of the additional instruments will not be great, as the gentleman proposed to conduct the design is capable of constructing them all with his own hand, in the most accurate and masterly manner.

Fourthly. That the Observatory shall be at all times open to the curious, and particularly that captains and mates of vessels, and young gentlemen desirous of obtaining a practical knowledge in Astronomy, shall have admittance, and (under proper rules to be framed for that purpose,) be taught the use of instruments and the method of making observations; especially the new method of ascertaining the longitude at Sea, for the perfecting of which the Parliament of *Great Britain* has of late given such ample rewards to the singular advantage of trade and navigation.

Fifthly. That the observations to be made by the publick Observer, shall be annually published under the inspection of the *American* Philosophical Society, and communicated to the learned societies in *Europe*, with such remarks as may render them generally useful and entertaining.

Sixthly. That the same person might also be appointed Surveyor of the High Roads and Waters, in order that when any publick proposals are to be made for improving navigation and shortening the communications between capital trading places, there may be always a person who has leisure and is skilled in measuring and reducing distances, taking heights and levels, and who may be employed in conjunction with others, when necessary, to make report on all such matters, either at the expense of those who request such service, or at the publick expense, as the case may require.

Your Petitioners therefore humbly pray, that your Honourable House would take the premises into your consideration, and allow a yearly salary for such person, at least as a publick Astronomical Observer, if you should not view the additional office of Surveyor of High-Roads and Waters in the same important light as it is viewed by your Petitioners; and they further pray that you would give them leave to bring in a bill for the Legislative appointment of such publick Observer, and for regulating his duty in the execution of his trust; and your Petitioners shall ever pray, &c.

Signed in behalf and by order of the *American* Philosophical Society, at *Philadelphia*.

THOMAS BOND, *V. P.*

March 6, 1775.

—

Wednesday, March 8, 1775.

The House met pursuant to adjournment, when the Order of the 25th of last month being read, they proceeded to the consideration of the Governour's Message; and after a debate of some length,

Ordered, That Mr. *Dickinson*, Mr. *Mifflin*, Mr. *Galloway*, Mr. *Pearson*, Mr. *Morton*, Mr. *Ross*, Mr. *Swoope*, Mr. *Allen*, Mr. *Chreist*, Mr. *Edmonds*, Mr. *Dougherty*, Mr. *Hunter*, and Mr. *William Thompson*, be a Committee to prepare and bring in a draught of an Answer to the said Message.

March 8, P. M.

The House resumed the consideration of the Governour's Message of yesterday, relating to the company of *Indians* now in Town; and after some debate thereon,

Resolved, That a sum not exceeding one hundred Pounds be allowed for the expenses of the said *Indians*, and for purchasing such clothing as they may stand in need of.

The Committee appointed to prepare and bring in an Answer to the Governour's Message, reported that they had essayed a draught for that purpose, which was read, and referred for further consideration till to-morrow.

—

Thursday, March 9, 1775.

The House resumed the consideration of the Answer brought in last night to the Governour's Message, which was again read, when a Member moving that the said Answer be recommitted, a debate arose, and after some time spent therein, the question was called for and put by the Speaker.

Carried in the negative.

Yeas.	*Nays.*	*Nays.*
Mr. Pawling,	Mr. Gray,	Mr. Allen,
Israel Jacobs,	Parker,	Montgomery,
Roberts,	Hillegas,	Chreist,
Rhoads,	Mifflin,	Edmonds,
Brown,	C. Thomson,	Dougherty,
Foulke,	Bartholomew,	Hunter,
Rodman,	John Jacobs,	Wm. Thompson.
Chapman,	Gibbons,	
Galloway,	Pearson,	
Wynkoop,	Humphreys,	
Heany,	Morton,	
Pennock,	Wayne,	
Webb,	Ross,	
Ferree,	Ewing.	
Slough.	Swoope,	

The House then proceeded in considering the said Answer, which being debated by paragraphs, the question was put, Whether the same shall be transcribed and sent to the Governour?

Carried in the affirmative.

Yeas.	*Yeas.*	*Nays.*
Mr. Gray,	Mr. Allen,	Mr. Pawling,
Parker,	Montgomery,	Israel Jacobs,
Hillegas,	Chreist,	Roberts,
Mifflin,	Edmonds,	Rhoads,
C. Thomson,	Dougherty,	Brown,
Bartholomew,	Hunter,	Foulke,
John Jacobs,	Wm. Thompson.	Rodman,
Gibbons,		Chapman,
Pearson,		Galloway,
Humphreys,		Wynkoop,
Morton,		Heany,
Wayne,		Pennock,
Ross,		Webb,
Ewing,		Ferree,
Swoope,		Slough.

The Answer of the House to the Governour's Message, being transcribed according to order, was signed by the Speaker, and follows in these words, viz:

May it please your Honour:

We are sincerely obliged to your Honour for your atten-

Digitized by Google

tion to the true interests of the people over whom you preside, at a time when the disputes between *Great Britain* and the *American* Colonies are drawing towards an alarming crisis; and we agree with you, "that in all cases "wisdom dictates the use of such means as are most likely "to attain the end proposed."

We have with deep concern beheld a system of Colony administration pursued since the year 1763, destructive to the rights and liberties of his Majesty's most faithful subjects in *America*, and have heretofore adopted such measures as we thought were most likely to restore that affection and harmony between the parent state and the Colonies, which it is the true interest of both countries to cultivate and maintain, and which we most sincerely wish to see restored.

We must inform your Honour, that a most humble, dutiful, and affectionate Petition from the Delegates of all the Colonies from *Nova Scotia* to *Georgia*, is now at the foot of the Throne, and we trust in the paternal affection and justice of our most gracious Sovereign, that he will interpose for the relief of his greatly distressed and ever faithful subjects in *America*.

We assure your Honour that this House will always pursue such measures as shall appear to them necessary, for securing the liberties of *America*, and establishing peace, confidence, and harmony between *Great Britain* and her Colonies.

Signed by order of the House,

EDWARD BIDDLE, *Speaker*.

March 9, 1775.

Ordered, That Mr. *Morton* and Mr. *Wayne* wait on the Governour, and deliver the foregoing Answer to his Message.

—

Friday, March 10, 1775.

The House resumed the consideration of the Representation and Petition from the *American* Philosophical Society, and after some debate, referred the same to further consideration.

—

Monday, March 13, 1775.

Mr. Speaker laid before the House a Letter of the 24th of *December* last, from *William Bollan*, *Benjamin Franklin*, and *Arthur Lee*, Esquires, Agents in *London*, for the Provinces of *Massachusetts Bay*, *Pennsylvania*, and *Virginia*, informing the House that the Petition from the *American* Continental Congress to the Crown, had been presented by Lord *Dartmouth*, was very graciously received, and that his Majesty had been pleased to say it was of so great importance, that he should, as soon as they met, lay it before his two Houses of Parliament.

Tuesday, March 14, 1775.

A Letter from the Speaker was laid before the Members who met this morning, acquainting them he was so much indisposed that he could not leave his chamber, and desiring they would choose another Speaker, to prevent any delay of business.

Ordered, That Mr. *Hillegas* and Mr. *Ross* wait on the Speaker in the morning, and report whether the state of his health will allow him to attend the service of the House at any time to-morrow.

It was then moved that the Clerk do, by direction of the Members, adjourn them to ten o'clock to-morrow morning; and they were adjourned accordingly.

—

Wednesday, March 15, 1775.

A quorum met pursuant to the adjournment of yesterday, and the gentlemen appointed to wait on the Speaker, reported that he is still too much indisposed to leave his chamber; that he returns his acknowledgments to the Members for their kind attention to him, but requests they will make choice of another to supply his place, as it is at present uncertain when he may be able to attend the business of the House.

The Members then proceeded to choose another Speaker, when *John Morton*, Esquire, was unanimously chosen for that service, and accordingly placed in the Chair.

Ordered, That Mr. *Pearson* and Mr. *Humphreys* wait on the Governour, and acquaint him that the late Speaker being, through indisposition, prevented from attending the House, the Members have chosen Mr. *Morton* in his stead, and request to know when his Honour will be pleased to receive the House, that they may present their Speaker for his approbation.

The Members return, and report they had delivered their message according to order, and that the Governour was pleased to say he would be at the Council Chamber in half an hour, to receive the House with their Speaker.

Then Mr. Speaker with the whole House waited on the Governour, and being returned from the Council Chamber, the Speaker resumed the Chair, and reported that the House had waited on his Honour and presented their Speaker, (of whom he had been pleased to approve;) that he (the Speaker) had then mentioned that, as his predecessor had lately claimed in behalf of the present Assembly their usual privileges, it was unnecessary for him to renew such claim, except in respect to his own unwilling mistakes as Speaker, which he hoped might be excused by the Governour, and not imputed to the House.

—

Saturday, March 18, 1775.

The House adjourned to *Monday*, the first of *May* next, at four o'clock, P. M.

GENERAL ASSEMBLY OF THE COLONY OF NEW-YORK.

Die Martis, 10 ho., A. M., the 10th January, 1775.

His Excellency *William Tryon*, Esquire, Captain-General and Governour-in-Chief of this Colony, on the 19th day of *March* last, prorogued the General Assembly thereof, till the 17th day of *May* following; and on the 7th day of *April* last, his said Excellency departed from this Colony for *England*; in consequence whereof, the Government devolved upon the Honourable *Cadwallader Colden*, Esquire, his Majesty's Lieutenant-Governour, who, by Proclamation in Council, on the 16th day of *May* last, prorogued the said General Assembly till the 16th day of *June* following; and by several Proclamations since published, further prorogued them to this day, to meet and proceed upon business. In consequence of which, nine Members appearing in the Assembly Chamber, in the City Hall, in the City of *New-York*, they directed Mr. Speaker to take the Chair, and desired Mr. *Nicoll* and Colonel *Woodhull*, to wait on his Honour the Lieutenant-Governour, and acquaint him that there are not a sufficient number of Members met to proceed upon business, and that they intend to adjourn till ten o'clock to-morrow morning.

And then Mr. Speaker adjourned the House till ten o'clock to-morrow morning.

Die Mercurij, 10 ho., A. M., the 11th January, 1775.

Fifteen Members appearing in the Assembly Chamber, Mr. Speaker took the Chair, and adjourned the House till ten o'clock to-morrow morning.

—

Die Jovis, 10 ho., A. M., the 12th January, 1775.

Pursuant to adjournment of yesterday, fifteen Members appearing in the Assembly Chamber, Mr. Speaker took the Chair, and adjourned the House till ten o'clock to-morrow morning.

—

Die Veneris, 10 ho., A. M., the 13th January, 1775.

Seventeen Members appearing in the Assembly Chamber, Mr. Speaker took the Chair.

Ordered, That Mr. *Gale* and Colonel *Ten Broeck* wait on his Honour the Lieutenant-Governour, and acquaint him that a sufficient number of Members are met to proceed upon business, and that they wait his directions.

Colonel *Ten Broeck* reported, that Mr. *Gale* and himself had waited on his Honour the Lieutenant-Governour, and delivered their message; and that his Honour had been pleased to say, he would come up to the Council Chamber, in the City Hall, immediately, and would then send a Message to the House.

Digitized by Google

A Message from his Honour the Lieutenant-Governour, by Mr. *Bayard*, Deputy Secretary:

Mr. Speaker: His Honour the Lieutenant-Governour requires the immediate attendance of this House in the Council Chamber, in the City Hall.

Mr. Speaker left the Chair, and with the House, attended accordingly; and being returned, resumed the Chair, and reported that his Honour had been pleased to make a Speech to the House; of which, to prevent mistakes, he had obtained a copy; and the same being read, is as followeth, viz:

Gentlemen of the Council and General Assembly:

I think it unnecessary at this time, particularly to recommend to your attention the ordinary business of the Legislature. Whatever may be found conducive to the dignity of his Majesty's Government, or the happiness of his people in this Colony, I shall cheerfully promote.

Gentlemen of the General Assembly:

The support of his Majesty's Government, and other allowances for his service, I doubt not you will readily provide for.

Gentlemen of the General Assembly:

We cannot sufficiently lament the present disordered state of the Colonies. The dispute between *Great Britain* and her *American* Dominions, is now brought to the most alarming crisis, and fills every humane breast with the deepest affliction. It is to you, gentlemen, in this anxious moment, that your country looks up for counsel; and on you, it in a great measure depends, to rescue her from evils of the most ruinous tendency. Exert yourselves, then, with the firmness becoming your important office. If your constituents are discontented and apprehensive, examine their complaints with calmness and deliberation, and determine upon them with an honest impartiality. If you find them to be well grounded, pursue the means of redress which the Constitution has pointed out. Supplicate the Throne, and our most gracious Sovereign will hear and relieve you with paternal tenderness. But I entreat you, as you regard the happiness of your country, to discountenance every measure which may increase our distress. And anxious for the re-establishment of harmony with that Power with which you are connected by the ties of blood, religion, interest, and duty, prove yourselves, by your conduct on this occasion, earnestly solicitous for a cordial and permanent reconciliation.

Gentlemen of the Council and General Assembly:

In the absence of our most worthy Governour-in-Chief, no less distinguished by his extensive abilities, than his zeal for the honour of the Crown, and his affection for the people of this Province, and at so critical a conjuncture, it gives me great consolation that I can repose the utmost confidence in your wisdom, your attachment to the Constitution, and your regard for the interest of the *British* Empire. And you may be assured, that my most strenuous efforts shall be exerted to co-operate with you in restoring that tranquillity, which must be the ardent desire of every wise, virtuous, and loyal subject.

Cadwallader Colden.

Ordered, That his Honour's Speech be forthwith printed.

Resolved, That the same be taken into consideration immediately.

Resolved, That an humble Address be presented to his Honour, in answer to his Speech, and that a Committee be appointed to prepare the said Address; and a Committee was appointed accordingly.

Ordered, That the further consideration of his Honour's Speech be referred to a Committee of the Whole House, and that the said Committee take the same into consideration on *Tuesday* next.

Ordered, That the Votes and Proceedings of this House be printed from time to time, being first perused and signed by the Speaker; and that no other person but such as he shall appoint, do presume to print the same.*

The Committee appointed to correspond with *Edmund Burke*, Esquire, Agent of this Colony at the Court of *Great Britain*, laid before the House several Letters received from him during its recess, together with the copies of several Letters to him; and the same being read,

Ordered, That the said Letters and copies of Letters lie on the table, for the perusal of the Members.

Die Martis, 10 ho., A. M., the 17th January, 1775.

Mr. Speaker, in behalf of the Committee appointed by this House the last session, to obtain the most early and authentick intelligence of all such Acts and Resolutions of the *British* Parliament, or Proceedings of Administration, as do or may relate to or affect the liberties and privileges of his Majesty's subjects in the *British* Colonies in *America*, and to keep up and maintain a correspondence and communication with our sister Colonies, &c., laid before the House several Letters received by the said Committee since the last session, from several of the Speakers of the Houses of Assembly on this Continent, with sundry Resolutions entered into by them; also, several Acts of Parliament relating to, and affecting, the liberties and privileges of his Majesty's subjects in *America*, together with the copies of several Letters wrote by the said Committee, in answer to those received from the Speakers of the other Houses of Representatives on this Continent; and the same being severally read,

Ordered, That the said Letters, &c., be taken into further consideration by this House.

Resolved, That his Honour's Speech be taken into further consideration on *Friday* next.

ADDRESS OF THE COUNCIL, IN ANSWER TO THE GOVERNOUR'S SPEECH.

To the Honourable Cadwallader Colden, *Esquire, his Majesty's Lieutenant-Governour and Commander-in-Chief of the Province of* New-York, *and the Territories thereon depending in* America.

The humble Address of his Majesty's Council for the Province of New-York.

May it please your Honour:

We, his Majesty's most dutiful and loyal subjects, the Council for the Province of *New-York*, return you our thanks for your Speech.

The utility and necessity of promoting his Majesty's service, and the felicity of the Colony, are so apparent, that you may be assured of our ready concurrence in every measure friendly to those important and inseparable objects.

Attached, most affectionately and inviolably attached to the honour and interest of the King, zealously concerned for the prosperity and glory of *Great Britain* and her Dependencies, and impressed by a due sense of the innumerable benefits flowing from an harmonious connection between the several branches of the Empire, we cannot look at that awful precipice to which the unnatural discords between the parent state and her Colonies are tending, without horrour and consternation.

In controversies turning upon principles of the deepest policy, and of such amazing magnitude, as to involve the Colonies in the most distressing perplexities, the glorious work of restoring the common tranquillity, and establishing an intimate and permanent union between all the parts of the Empire, must (under *God*,) ultimately depend upon the wisdom and benignity of the Crown, and the justice and magnanimity of the *British* Nation.

Gladly shall we seize every opportunity to effect a reconciliation between countries whose interests are so inseparable, that the true patriot of either, must be a real friend to both. And while the means to this desirable end employ the Councils of the Nation, our most vigorous efforts shall be steadily exerted to prevent the destructive consequences of anarchy and confusion.

It affords us great relief in this critical hour to find your Honour heartily disposed to promote the same salutary designs; and it adds to our consolation, that in so alarming a conjuncture, this Colony has, in her Chief Governour, an advocate near the Throne, upon whose distinguished abilities, and active and generous benevolence, men of all ranks amongst us rely with the firmest confidence, for a true and faithful representation of our condition and character.

By order of the Council.

Daniel Horsmanden, *Speaker*.

Council Chamber, January 18, 1775.

* By virtue of an Order of the General Assembly, I do appoint *Hugh Gaine* to print these Votes, and that no other person presume to print the same. John Cruger, *Speaker*.

Digitized by Google

His Honour's Answer.

GENTLEMEN: I thank you for this Address. It will give me pleasure to convey to the Throne these warm expressions of your loyalty and attachment to our gracious Sovereign, and your solicitude for the glory of the *British* Empire.

While we with confidence rely on his Majesty's wisdom and paternal affection, and the justice and magnanimity of the Nation, for restoring harmony among the various parts of the Empire, our utmost efforts are necessary to prevent the destructive consequences of anarchy and confusion.

CADWALLADER COLDEN.

Die Veneris, 10 ho., A. M., the 20th January, 1775.

The House resumed the consideration of his Honour's Speech, and agreed to the following Address in answer thereto:

To the Honourable CADWALLADER COLDEN, *Esquire, his Majesty's Lieutenant-Governour and Commander-in-Chief, in and over the Colony of* NEW-YORK, *and the Territories depending thereon in* AMERICA.

The humble Address of the General Assembly of the said Colony.

May it please your Honour:

We, his Majesty's most dutiful and loyal subjects, the General Assembly of the Colony of *New-York*, beg leave to return your Honour our most hearty thanks for your Speech.

The assurances your Honour has given us of cheerfully promoting whatever may be conducive to the dignity of his Majesty's Government, and the happiness of the people in this Colony, merit our most grateful acknowledgments.

The provision for the support of his Majesty's Government, and the necessary allowances for his service, shall be the objects of our attention, together with the ordinary business of the session.

Affected with the deepest concern by the distressed state of the Colonies, and impressed with a due sense of the fatal consequences attending the unhappy dispute between *Great Britain* and his Majesty's *American* Dominions, we feel the most afflicting anxiety at the alarming crisis. Fully convinced that the happiness of our constituents depends greatly on the wisdom of our present measures, we shall exercise the important trust they have reposed in us, with firmness and fidelity, and with calmness and deliberation pursue the most probable means to obtain a redress of our grievances; and it affords us the highest satisfaction to hear from your Honour, that our most gracious Sovereign will be attentive to the complaints of his *American* subjects, and ready with paternal tenderness, to grant us relief.—Anxious for the interest and happiness of our country, and earnestly solicitous for the re-establishment of harmony with *Great Britain*, we shall discountenance every measure which may tend to increase our distress, and, by our conduct, shew ourselves truly desirous of a cordial and permanent reconciliation with our parent Kingdom.

The absence of our most worthy Governour-in-Chief, whose upright conduct so deservedly acquired him the affections of the Colony, will, we have the strongest reason to expect, be less sensibly felt from the wise administration of his experienced successor. The confidence your Honour has been pleased to repose in our attachment to our happy Constitution, and our regard for the interest and prosperity of the *British* Empire, demand the exertion of our most strenuous efforts to co-operate with you in endeavouring to restore the tranquillity so ardently desired by all true friends to the mother country and the Colonies.

By order of the General Assembly.

JOHN CRUGER, *Speaker.*

Assembly Chamber, City of New-York, 20th of January, 1775.

Resolved, That the said Address be presented to his Honour the Lieutenant-Governour, by the whole House.

Ordered, That Mr. *Kissam* and Captain *Seaman* wait on his Honour the Lieutenant-Governour, to know when and where he will be pleased to be attended by the House, with their humble Address.

Colonel *Seaman* reported that Mr. *Kissam* and himself had waited on his Honour the Lieutenant-Governour, and delivered their Message, and that his Honour had been pleased to say he would receive the Address of this House at half past two o'clock, at his house, in the City of *New-York*.

Mr. Speaker left the Chair, and with the House, attended his Honour the Lieutenant-Governour, with their humble Address, according to his appointment; and being returned, resumed the Chair, and reported that the House had attended his Honour with their humble Address, and that his Honour had been pleased to return the following Answer thereto; and the same being read, is in the words following, viz:

GENTLEMEN: I return you my most cordial thanks for this loyal and affectionate Address.

The affliction you express at the unhappy contest between *Great Britain* and his Majesty's *American* Dominions; your virtuous resolution to discharge your important trust with firmness and deliberation; your solicitude for a re-establishment of that harmony with our parent state, which can alone diffuse happiness and security to the various branches of the Empire; and your assurance that you will discountenance every measure which may increase our distress; while they hold you up as guardians on whose wisdom and integrity your constituents may rely with well grounded confidence, cannot fail of giving me the most sincere satisfaction, and of recommending you to general approbation.

You may be assured, gentlemen, that to deserve the good opinion and esteem with which you are pleased to honour me, shall be my constant study, and the object of my ambition. CADWALLADER COLDEN.

New-York, January 20, 1775.

Resolved, That there be a call of the House on *Tuesday*, the 7th day of *February* next.

Ordered, That the Clerk of this House write to the absent Members, to require their punctual attendance on that day.

Resolved, That his Honour's Speech be taken into further consideration on *Thursday* next.

Die Jovis, 10 ho., A. M., the 26th January, 1775.

A Message from his Honour the Lieutenant-Governour, by Mr. *Bayard*, Deputy Secretary; and the same being read, is in the words following, viz:

GENTLEMEN: In the month of *August* last Governour *Penn* made an overture to me for settling the boundary line between this Province and *Pennsylvania*. He very justly observed, that as the settlements under both Governments were daily approaching the line, it was of great importance to have the boundary marked without delay. The gentlemen of the Council were of opinion that it would be sufficient at this time to find the beginning of the forty-third degree of latitude upon the *Delaware* and *Susquehannah* Rivers; to mark those points and so much of the boundary line as lies between them. They advised me to appoint *Samuel Holland*, Esquire, to perform the work on the part of this Province, in conjunction with the persons whom Governour *Penn* should appoint on the part of *Pennsylvania*.

Mr. *Holland* and Mr. *Rittenhouse* went upon this work in *November* last, and fixed the latitude on *Delaware* River. They met with unexpected fatigue and danger, from the severity of the weather, which made it impossible for them to proceed any farther. I send you Mr. *Holland's* account; he has advanced a considerable part of the amount, and I recommend to you, gentlemen, now to make provision for the payment of this service, which I have reason to think has been accurately performed.

CADWALLADER COLDEN.

New-York, January 26, 1775.

Ordered, That the said Message, and the Account therein mentioned, be referred to the consideration of the Committee to whom his Honour's Speech is committed.

A motion was made by Colonel *Ten Broeck*, in the words following, viz:

Mr. Speaker: I move that this House take into consideration the Proceedings of the Continental Congress, held in the City of *Philadelphia*, in the months of *September* and *October* last.

Whereupon Colonel *Philips* moved that the previous

Digitized by Google

question be first put, whether the question upon Colonel *Ten Broeck's* motion should be now put? Upon which debates arose, and the said previous question being accordingly put, it was carried in the negative, in manner following, to wit:

For the Affirmative.	*For the Negative.*
Colonel Woodhull,	Mr. Walton,
Colonel Schuyler,	Mr. Rapalje,
Mr. Clinton,	Mr. De Lancey,
Mr. Van Cortlandt,	Mr. Brush,
Mr. De Witt,	Mr. Jauncey,
Colonel P. Livingston,	Colonel Philips,
Captain Seaman.	Colonel Seaman,
Colonel Ten Broeck,	Mr. Kissam,
Mr. Nicoll,	Mr. Wilkins,
Mr. Boerum.	Mr. Billopp,
	Mr. Van Kleeck.

Resolved, That his Honour's Speech and Message, &c., of this day, referred to the Committee thereupon, be taken into further consideration to-morrow.

—

Die Veneris, 10 ho., A. M., the 27th January, 1775.

A Message from his Honour the Lieutenant-Governour, by Mr. *Bayard*, Deputy Secretary; and the same being read, is in the words following, viz:

GENTLEMEN: In *April* last, *Joshua Root* and *Abijah Rood*, of the County of *Albany*, by their Petition to me in Council, prayed relief for the loss of time and expense they have incurred on account of the assistance they had given to an officer of this Government in executing a warrant issued by the Judges of the Supreme Court. For the particulars I refer you to the copies of the Petition and other Papers which I have ordered to be delivered to you. The gentlemen of the Council, at that time, advised me to issue a warrant to the Treasurer of this Colony to pay the Petitioners twenty Pounds, three Shillings, and four Pence, out of the contingent fund, and that I should recommend their case to your consideration. The Petitioners are now again come to this place in hopes of receiving something for their relief, and I doubt not that they will meet with that compensation which is due to those who suffer in supporting the Magistrates and authority of Government. CADWALLADER COLDEN.

New-York, January 27, 1775.

Ordered, That the said Message, and the Papers delivered therewith, be referred to the consideration of the Committee to whom his Honour's Speech is committed.

Resolved, That his Honour's Speech, and the several matters referred to the Committee thereupon, be taken into further consideration on *Tuesday* next.

—

Die Sabbati, 10 ho., A. M., the 28th January, 1775.

Mr. Speaker laid before the House a Letter he had received from the Honourable *Cortlandt Skinner*, Esquire, Speaker of the House of Assembly of the Colony of *New-Jersey*, enclosing sundry Resolutions entered into by the said House; and the said Resolutions being read, are in the words following, viz:

HOUSE OF ASSEMBLY, *January* 25, 1775.

Mr. *Crane* and Mr. *Kinsey* laid before the House the Proceedings of the Continental Congress, held at *Philadelphia* in *September* last, which were read.

On the question, Whether the House approve of the said Proceedings? It passed in the affirmative.

Resolved, That this House do unanimously approve of the Proceedings of the Congress.

Resolved, That *James Kinsey*, *Stephen Crane*, *William Livingston*, *John De Hart*, and *Richard Smith*, Esquires, or any three of them, be, and they are hereby appointed to attend the Continental Congress of the Colonies, intended to be held at the City of *Philadelphia* in *May* next, or at any other time and place; and that they report the proceedings to the next session of the General Assembly, instructing the said Delegates to propose and agree to every reasonable and constitutional measure for the accommodation of the unhappy difference at present subsisting between our mother country and the Colonies, which the House most ardently wish for.

Ordered, That Mr. Speaker do transmit a copy of the foregoing Resolutions to the Speakers of the Assemblies of *New-York* and *Pennsylvania*.

Resolved, That the thanks of this House be given to *James Kinsey*, *Stephen Crane*, *William Livingston*, *John De Hart*, and *Richard Smith*, Esquires, for their faithful and judicious discharge of the trust reposed in them at the late Continental Congress.

A true copy: JONATHAN DEARE, *Clerk*.

—

Die Martis, 10 ho., A. M., the 31st January, 1775.

A motion was made by Colonel *P. Livingston*, in the words following, viz:

Mr. Speaker: I move that a day may be appointed to take the state of this Colony into consideration, to enter such Resolutions as the House may agree to, on their Journals; and in consequence of such Resolutions, to prepare a humble, firm, dutiful and loyal Petition to our most gracious Sovereign.

On the question, whether the House agree to the said motion? It passed in the affirmative, *nemine contradicente*.

And then a motion was made by Mr. *De Lancey*, in these words, viz:

Mr. Speaker: I move that a Memorial to the Lords, and Representation and Remonstrance to the Commons of *Great Britain*, may be prepared, together with the Petition to his Majesty.

On the question, whether the House agree to the said motion? It passed in the affirmative, *nemine contradicente*.

Ordered, That Mr. *De Lancey*, Colonel *Schuyler*, Mr. *Clinton*, Mr. *Brinckerhoof*, Mr. *Gale*, Mr. *Wilkins*, Mr. *Brush*, Mr. *Billopp*, Mr. *Rapalje*, Mr. *Kissam*, and Mr. *Nicoll*, or the major part of them, be a Committee to prepare a state of the Grievances of this Colony, and report the same to this House with all convenient speed, after the call thereof, to be had on the 7th day of *February* next.

Resolved, That his Honour's Speech, and the several matters referred to the Committee thereupon, be taken into further consideration on *Thursday* next.

—

Die Mercurij, 10 ho., A. M., the 1st February, 1775.

Mr. *De Lancey* moved for leave to bring in a Bill for the general quiet of his Majesty's subjects in this Colony, against all pretences of concealment whatsoever.

Ordered, That leave be given accordingly.

—

Die Jovis, 10 ho., A. M., the 2d February, 1775.

Mr. *Kissam*, from the Committee of the Whole House, to whom his Honour the Lieutenant-Governour's Speech, Messages, &c., were referred, reported that he was directed by the Committee to report to the House, that they had made some progress therein, and had directed him to move for leave to sit again. Which Report he read in his place, and afterwards delivered it in at the table, where the same was again read, and thereupon it was

Resolved, That his Honour's Speech, and the several matters referred to the Committee thereupon, be taken into further consideration on *Tuesday* next.

—

Die Martis, 10 ho., A. M., the 7th February, 1775.

A Message from his Honour the Lieutenant-Governour, by Mr. *Bayard*, Deputy Secretary, which being read, is in the words following, viz:

GENTLEMEN: The settlements in the Northeastern part of this Province have, within a few years, advanced with that rapidity as affords the strongest prospect of their soon becoming, in a commercial view, highly beneficial to the Colony. The produce of that country has already appeared at our markets; and, from the great fertility of the soil, there can be no doubt of large and plentiful supplies from thence, whenever a safe and easy communication shall be opened to *Albany*, by great Roads from *Connecticut* River. The Circuit Courts are as necessary in the most remote County, as in the nearest; otherwise the laws cannot be duly executed; and the subject will, in many instances, be deprived of the aid and protection he is entitled to. The Judges cannot go into those distant Counties, with tolerable ease and safety, unless the Roads are made. This is an object not to be attained without the aid of the Legislature—the inhabitants, under their present circumstances, being unable to support the expense; and as the advantages which the publick will derive from it are apparent, and evince the propriety of the measure, I persuade myself you will think it deserving of your serious attention.

CADWALLADER COLDEN.

New-York, February 7, 1775.

Ordered, That the said Message be referred to the consideration of the Committee to whom his Honour's Speech, &c., are committed.

The Resolution of this House, of the 20th day of *Jan-*

Digitized by Google

uary last, respecting a call thereof to be made on this day being read,

Resolved, That the call of this House be postponed till *Friday* next.

Mr. *Kissam*, from the Committee of the Whole House, to whom was referred his Honour the Lieutenant-Governour's Speech, Messages, &c., reported, that he was directed by the Committee to report to the House, that they had made some further progress therein, and to move for leave to sit again; which Report he read in his place, and afterwards delivered it in at the table, where the same was again read, and thereupon it was

Resolved, That his Honour's Speech, Messages, &c., be taken into further consideration on *Friday* next.

—

Die Jovis, 10 ho., A. M., the 16th February, 1775.

A motion was made by Colonel *Schuyler*, in the words following, viz:

Mr. Speaker: I move that a certain Letter, dated *Hartford, June* 4, 1774,* directed, Honourable *John Cruger*, Esquire, *James De Lancey, James Jauncey*, &c., Esquires, Committee of Correspondence, *New-York*, and subscribed by *Silas Deane*, in behalf of, and per order of the Committee of Correspondence, *Connecticut*. And also a certain Letter enclosed within the foregoing, dated *Hartford, June* 3, 1774;* together with the copy of a Letter dated *New-York, June* 24, 1774,* directed to the Committee of Correspondence of the Colony of *Connecticut*, and subscribed by *John Cruger, James Jauncey, Frederick Philips, James De Lancey, Jacob Walton, Simon Boerum, John Rapalje, Daniel Kissam, Zebulon Williams*, late *Zebulon Seaman, Benjamin Seaman*. And also a Letter from the Committee of Correspondence appointed by this House, dated *September* 5, 1774, to *Edmund Burke*, Esq., Agent of this Colony, at the Court of *Great Britain*, be forthwith entered on the Journals of this House, and that the Clerk of this House be ordered to deliver copies of the same to the Printer of this Colony, that they may be by him inserted in the publick Newspapers.

And debates arising upon the said motion, and the question being put thereon, it was carried in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Walton,	Mr. Jauncey,	Mr. Thomas,
Colonel Seaman,	Mr. De Lancey,	Mr. Clinton,
Mr. Billopp,	Colonel Wells,	Mr. Van Cortlandt,
Mr. Brush,	Mr. Nicoll,	Colonel Ten Broeck,
Colonel Philips,	Mr. Rapalje,	Colonel Woodhull,
Mr. Kissam,	Mr. Brinckerhoff,	Colonel Schuyler,
Mr. Van Kleeck,	Mr. Gale.	Mr. De Witt,
Mr. Ten Eyck,		Col. P. Livingston,
Mr. Wilkins,		Captain Seaman.

Resolved, That his Honour's Speech, Messages, &c., be taken into further consideration on *Tuesday* next.

—

Die Veneris, 10 ho., A. M., the 17th February, 1775.

A motion was made by Colonel *Woodhull*, in the words following, viz:

Mr. Speaker: I move that the thanks of this House be given to *Philip Livingston, Isaac Low, John Jay, John Alsop, James Duane, Simeon Boerum, William Floyd*, and *Henry Wisner*, Esquires, for their faithful and judicious discharge of the trust reposed in them by the good people of this Colony, at the Continental Congress held at *Philadelphia*, in the months of *September* and *October* last.

And debates arising upon the said motion, and the question being put thereon, it was carried in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Walton,	Mr. Van Kleeck,	Mr. Clinton,
Mr. Ten Eyck,	Colonel Wells,	Mr. Thomas,
Mr. Jauncey,	Mr. Brush,	Mr. Brinckerhoff,
Colonel Seaman,	Mr. Billopp,	Mr. De Witt,
Mr. Gale,	Mr. Kissam,	Colonel Woodhull,
Mr. Rapalje,	Mr. De Lancey.	Colonel Schuyler,
Mr. Nicoll,		Colonel Ten Broeck,
Colonel Philips,		Captain Seaman,
Mr. Wilkins,		Col. P. Livingston.

Mr. *Boerum*, on request, being excused in voting on the above motion, he having been one of the Delegates.

* For these Letters, see Folios 304 and 306.

Die Martis, 10 ho., A. M., the 21st February, 1775.

A motion was made by Colonel *P. Livingston*, in the words following, viz:

Mr. Speaker: I move that the thanks of this House be given to the Merchants and Inhabitants of this City and Colony, for their repeated, disinterested, publick-spirited, and patriotick conduct, in declining the importation or receiving of Goods from *Great Britain*, and for their firm adherence to the Association entered into and recommended by the Grand Continental Congress, held at *Philadelphia*, in the months of *September* and *October* last; and that Mr. Speaker signify the same to the President of the Chamber of Commerce in this City, at their next meeting, and order a copy of the same to be published in the publick prints.

And debates arising on the said motion, and the question being put thereon, it was carried in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Jauncey,	Mr. Kissam,	Mr. Thomas,
Colonel Philips,	Mr. Walton,	Mr. De Witt,
Mr. Brush,	Mr. Wilkins,	Mr. Van Cortlandt,
Mr. Nicoll,	Mr. De Lancey,	Mr. Boerum,
Mr. Billopp,	Mr. Ten Eyck.	Colonel Schuyler,
Mr. Gale,		Colonel Woodhull,
Mr. Coe,		Mr. Clinton,
Colonel Wells,		Captain Seaman,
Mr. Van Kleeck,		Colonel Ten Broeck,
Mr. Brinkerhoff,		Colonel P. Livingston.

—

Die Jovis, 10 ho., A. M., the 23d February, 1775.

Mr. *Brush*, from the Committee appointed by this House, the 31st ultimo, to prepare a state of the grievances of this Colony, reported that he was directed by the said Committee to report to the House, that they had prepared a state accordingly, which he read in his place, and afterwards delivered it in at the table, where the same was again read; and thereupon it was

Resolved, That the said state of the grievances of this Colony be referred to the consideration of a Committee of the Whole House, and be proceeded on by the said Committee on *Wednesday* next.

A motion was made by Mr. *Thomas*, in the words following, viz:

Mr. Speaker: I move that the sense of this House be taken, on the necessity of appointing Delegates for this Colony, to meet the Delegates for the other Colonies on this Continent, in General Congress, on the 10th day of *May* next.

And debates arising on the said motion, and the question being put thereon, it was carried in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Walton,	Mr. Rapalje,	Mr. Clinton,
Mr. Jauncey,	Mr. Nicoll,	Colonel Woodhull,
Mr. Brinckerhoff,	Mr. Billopp,	Mr. Thomas,
Colonel Seaman,	Colonel Philips,	Mr. Boerum,
Mr. Brush,	Mr. Ten Eyck,	Captain Seaman,
Mr. De Lancey,	Colonel Wells,	Colonel Ten Broeck,
Mr. Coe,	Mr. Wilkins,	Mr. De Witt,
Mr. Van Kleeck,	Mr. Kissam,	Colonel Schuyler,
Mr. Gale,		Colonel P. Livingston.

—

SPEECHES OF MR. BRUSH AND MR. WILKINS, ON MR. THOMAS'S MOTION.

[On *Thursday, February* 23, the General Assembly now sitting, entered into the consideration of Mr. *Thomas's* motion for the appointment of Delegates on the part of this Colony, to attend the General Congress to be held at *Philadelphia*, in the month of *May* next. The House being divided on this important question, the matter was fully debated on both sides.* In the course of the debates, Mr. *Brush*, Member for *Cumberland*, offered his sentiments on the subject; in the answers given to which, that gentleman being frequently charged with using expressions which threw indecent reflections both on the conduct of the gentlemen of the Opposition, and on the proceedings of the last Congress, in order that the publick may form their own judgment on this subject, the Printer has been favoured with the following, by a friend, who assures him it contains nearly the very words made use of by Mr. *Brush* on that occasion.]

Mr. Speaker: The time and attention of this House during the present session, has been principally engaged by a series of motions tending to extort our approbation of the measures dictated by the late Congress. The address that has been shewn in varying the expressions of the several motions for that purpose, may evince the ingenuity of

* Colonel *Schuyler* and Mr. *Cinton* spoke several times in support of the motion, and were answered with great clearness and precision by Mr. *Wilkins*.

Digitized by Google

the gentleman who framed them; but it would reflect the utmost dishonour on this House, if it was to be so destitute of discernment as not to perceive their true intent. For my part, sir, I again freely repeat my opinion, that as the late Congress acted without any power or authority derived from this House, and (at least as far as respected this Province,) from the Laws and Constitution of our country, its Proceedings could not, with propriety, come before us for consideration. Of the same opinion was the majority of this House, upon a motion made at the beginning of the session, and I therefore hoped, that without entering into unnecessary debates, we would all have seriously applied ourselves to the constitutional mode of obtaining redress of our grievances; but I cannot help mentioning the precipitate manner in which the intemperate zeal of some gentlemen induced them to act, with respect to the motion which extracted this opinion. A special call of the House was resolved on the 20th of *January*, the time for which did not expire until the 7th of this month. This call was expressly resolved upon, that the present important and critical situation of publick affairs might be discussed in a full House; but the design of these gentlemen could by no means admit of so tedious a delay in the discussion of the motion to which I have alluded. The concurrence or nonconcurrence of this House with that motion, was universally allowed to be a matter of the most weighty and important nature ever offered to the consideration of a General Assembly of this Colony; and yet, setting aside every regard to the thinness of the House, and the indelicate treatment of many Members who were absent, the immediate design of that very weighty and consequential matter was urged with unremitting ardour, before the expiration of the call, from no other motive than an expectation that in the present situation of the House it was the only probable opportunity which would offer of laying the great corner stone of their future operations. But notwithstanding the sense of the majority was fully expressed upon this important point, and consequently the House precluded from taking up the Proceedings of the late Congress during the present session, yet two subsequent attempts have been made to extract from us an implied approbation of those very Proceedings; the first by a motion to return the thanks of the House to the Delegates from this Colony, which would naturally imply an unlimited approbation of what we had agreed ought not even to be considered, since upon the face of the Proceedings, it appears that those gentlemen had concurred in them all without any reserve, whatever private sentiments they may have then entertained or since adopted. This extraordinary motion meeting with the fate it deserved, a second was framed to obtain our thanks to the Merchants and Inhabitants of this City, for their firm adherence to the Association enacted by the Congress, which this House had already resolved not to consider, and consequently could not determine to be either good or bad. This motion, therefore, as well as the last, carried absurdity upon the very face of it, and if agreed to, would have subjected this House to the charge of inconsistency, must, in a great measure, have frustrated our designs for a constitutional redress of grievances, and, in all probability, would have been wrested from its genuine meaning, and made a sanction for past and future disorderly, illegal, and tumultuous acts of violence. The House having rejected all these motions, and firmly adhered to the principle which it at first established, another motion was now made, different in appearance, but similar in reality, to those already determined, for appointing Delegates on the part of this Colony, to meet at the General Congress to be held at the City of *Philadelphia* in *May* next.

As the proposed Congress is to be a continuation of the last, and is to meet in consequence of their vote declaring the necessity of holding it, by nominating Delegates for it we shall, in effect, recognise the last Congress, and make ourselves parties to all the measures then agreed upon. If this will be the consequence, as I conceive it clearly will, of the present motion, no other reason can be necessary why this House should not agree to it; because we have already determined not to consider the Proceedings of that Congress, much less espouse its principles or adopt its measures. But, sir, we are the legal and constitutional Representatives of the people; to us the care of their liberties is, in the most sacred manner, entrusted; and I think it would be a breach of our trust to delegate that most important charge to any body of men, whose powers are circumscribed by no law, and their existence unknown to the Constitution. If, indeed, we acknowledge ourselves incapable of executing the trust reposed in us, there may be some plea for agreeing to the present motion, but the moment we do, we agree to our own annihilation, and, with the powers of this House, subvert the Constitution of our country. I am sure, however, that an idea of this kind could never prevail within these walls, where such measures are at this very time in contemplation, as are most likely to establish a firm and permanent union between *Great Britain* and her Colonies, and maintain the liberties of the latter, without injuring the just and natural superiority of the former. I must therefore, sir, be of opinion, that the appointment of Delegates would involve us in inconsistency, be a departure from the trust reposed in us by our constituents, and plainly reduce this House to the condition of a Corporation, which only meets to enact by-laws, whilst all matters of higher importance are referred to a superiour assembly.

I have hitherto, sir, avoided particularizing the Proceedings of the late Congress; but as they have been frequently alluded to in our debates, and some gentlemen appear to lay great stress upon them, give me leave to add, that reasons of the most forcible nature against this motion, may be derived from the powers assumed and the spirit manifested by them. I believe no gentleman could have imagined, had not experience convinced him, that a Congress could have supposed itself vested with a power to enact laws for the government of the whole Continent. I say, sir, to enact laws, with the severest penalties, without previously consulting the several Colony Legislatures. But, sir, strange as this may appear, yet no one can be ignorant that the late Congress, (which even if it had been regularly chosen, yet, from its very nature was only to advise and consult upon the proper mode of obtaining redress of our grievances,) swelled with the idea of its own importance, erected itself into the Supreme Legislature of *North America*. How dangerous, then, must it be for us to countenance the meeting of a body which could in so glaring a manner deviate from its obvious intention, and assume to itself the powers peculiar only to the Legislature?

I am now to consider the spirit which the Congress manifested at their last meeting; and here I must observe, that in the present unhappy disputes between *Great Britain* and her Colonies, it was the wish of every wise and good member of society, that such a plan of conduct might be adopted as might tend to heal our differences, and bring about a firm and permanent reconciliation. For this purpose the most conciliating measures were proper; our disease required medicines of an emolient nature, not such as would irritate and inflame the parts affected. Our contest was with a parent country, from which we had always received protection, and with which we were connected by the ties of language and manners—by the ties of religion, and by the ties of law. Such being the case, what must we think of those who, so far from endeavouring to close, have attempted to widen the breach between us? The late Congress, sir, (I speak it with that boldness which truth inspires,) seem to have entertained a design of that nature; they have not only insisted upon the redress of real grievances, but have even industriously sought after and inserted in their catalogue what can never be esteemed as such; and they not only advise the people of the Colonies to prepare for mournful events, but seem resolved, even for the most trivial reasons, to involve this country in blood and confusion. They will not relinquish the most inconsiderable of their demands, and threaten that in case some late Acts are even attempted to be put in execution, all *America* shall unite in the opposition; by which they clearly mean to unsheath the sword and come to an open rupture. To keep this fiery spirit alive, is evidently the intention of the approaching Congress. The same Delegates, or others of still warmer sentiments, have been chosen in the other Colonies, so that we have not the least reason to expect greater moderation from them than appeared at their last meeting. I need not, sir, enter into a more minute examination of the late Congress, which as far at least as they regard *Ireland* and the *West Indies*, are

Digitized by Google

fraught with inhumanity, and totally destitute of good policy. It is sufficient for me, that the spirit by which they are actuated, and which is likely again to predominate, is a spirit of so dangerous a nature as ought not to receive our countenance. Whilst, therefore, we regard the dignity and importance of this House; whilst we desire to preserve consistency in our conduct, we cannot consent to a motion which would establish a body who have assumed the most unlimited powers, and are actuated by the most dangerous principles; therefore, I hope this House will have too much prudence, as well as virtue, to give a sanction to an assembly who would sap our Constitution, and may probably involve this once happy country in all the horrours of a civil war. However, let their determination be as it will, I shall have the satisfaction of doing my duty, in declaring my dissent to the motion now before the House.

—

[The following was sent to the Printer by a gentleman who assures him it is nearly verbatim as it was spoken by *Isaac Wilkins*, Esquire, of *Westchester*, during the late session of the General Assembly of the Province of *New-York*, in a debate relative to the Continental Congress.]

Mr. Speaker: The subject now under our consideration, is the most important, I believe, that has ever come before this House; nothing less than the welfare, I had almost said the existence, of this Colony, and perhaps of all *America*, depends upon the result of our present deliberations.

Deeply impressed with this idea, I rise with the greatest anxiety of mind to deliver my sentiments on this occasion. Whether they are such as this House will think proper to approve, I cannot tell; but sure I am they are such as are dictated by an honest heart—an heart biased by no selfish or sinister motives, and warped by no attachment to sect, persons, or party.

There is not, I am persuaded, an individual in this Assembly who does not wish well to *America* in general, and who is not solicitous for the preservation of this Province in particular. For my own part I feel more real concern than I can well express, at the gloomy prospect of our affairs, and I would sacrifice more, much more, than most men would be willing to believe, if I could by that means rescue my country from the ruin and destruction that is now ready to overwhelm her. The necessity of a speedy reconciliation between us and our mother country, must be obvious to every one who is not totally destitute of sense and feeling; so that there can be no dispute now, I presume, but about the means of accomplishing it. Before I give my opinion, however, upon this matter, I must beg the indulgence of the House, while I exhibit a short view of the rise and progress of our present disturbances in *America*.

Ever since the first settlement of these Colonies, *Great Britain* has claimed and exercised the right of jurisdiction over them, and her claim was founded in reason, and in the nature of Civil Government; for it is certain beyond all manner of doubt and controversy, that the supreme authority of every Empire must extend over the whole and every part of that Empire, otherwise there must be *imperium in imperio*, two absolute and distinct powers in one and the same Government, which is impossible; and consequently the supreme authority of the *British* Empire, which is vested in the King, Lords, and Commons, must extend over these Colonies, which are part of the *British* Empire. This authority was never disputed by the Colonists till the time of the Stamp Act, and then no farther than as to the right of imposing internal taxes; for the right of regulating trade, and of imposing duties upon articles of commerce, was universally acknowledged as essential to the supremacy of the *British* Parliament. Their right of internal taxation over the Colonies, was by the *Americans* opposed upon this principle, that it was contrary to one of the fundamentals of our free Constitution, which forbids the taking of the subjects' money without their consent, given either personally or by their Representatives. This power of disposing of their property, they imagined and asserted was lodged in their Provincial Legislatures only. Be that as it will, this was certainly placing their liberty upon a proper basis; here they ought to have rested; here they ought to have bounded their demands; this would have been a sufficient barrier against arbitrary power. The Parliament, in consequence of this, although they did not relinquish their claim of right to tax the Colonies, repealed that impolitick and oppressive Act; and although they afterwards imposed duties on Paper, Glass, Paints, Colours, &c., yet those also, in compliance with our demands, were taken off; so indulgent has our mother country been to the claims and the humours of her children. This complying disposition, however, in her, so far from exciting our gratitude, or satisfying our uneasiness and discontent, has only emboldened us to make further encroachments upon her authority. We foolishly attribute this gentle conduct towards us to fear, and to a consciousness of her inability to compel us to submission. And when a three-penny duty on Tea was demanded of us, we peremptorily refused to comply; and instead of expostulating, or of shewing our disapprobation of that Act, by remonstrating in a legal and constitutional way, as we ought to have done; or instead of taking that easy and effectual method that offered itself to us—I mean the not purchasing that commodity, while encumbered with the duty, we flew into the most indecent rage, and hastily adopted every unwarrantable measure that could irritate and provoke the Government; we either destroyed or sent back, in a most contemptuous manner, all the Tea that entered our Harbours; we insulted her Ministers, and absolutely denied her authority.

The Colony of *Massachusetts Bay* was the foremost and the most violent in this opposition, and chastisement followed close upon the transgression, which, though the mildest that could possibly have been inflicted, considering the nature of the offence, has kindled such a flame through the whole Continent of *America*, as threatens universal devastation. The Colonies, instead of endeavouring to extinguish it, are increasing its violence; instead of striving to restore peace and good harmony, so essential to the welfare of both countries, are using every possible means to widen the breach and make it irreparable. Good *God*! that we should be so void of common sense; that we should be so blind to our own happiness! What advantage, in the name of Heaven, can we propose to ourselves, in being at enmity with *Great Britain*? Shall we by this means become more powerful, more wealthy, or more free? Let us pause a moment, and reflect a little upon the absurdity and folly of such expectations.

On the contrary, shall we not derive every desirable advantage from being in friendship and amity with her? Shall we not derive strength, protection, and stability, from that oak around which we have so long twined ourselves, and under the shadow of whose branches we have so long flourished in security.

Permit me to carry on this allusion. We are a vigorous and fertile vine, but without some prop, without some sufficient support, we shall only trail upon the ground, and be liable to injury and destruction from the foot of every passenger. But if *Great Britain* gives us her protection; if she cultivates us with tenderness and care, we shall yield her a rich and plentiful vintage, as necessary to her welfare and prosperity, as her support is to our existence. In this mutual relation do we stand to each other. Let us, therefore, like wise men, endeavour to establish a lasting and permanent union between us; let us endeavour to remove every obstacle to this desirable end; and let us reject with the utmost disdain and abhorrence, every measure that can tend to increase the difference between us, and make this necessary union impracticable. Let us therefore, to the utmost of our power, endeavour to put a stop to the illegal and disorderly proceedings and resolutions of Committees, Associations, and Congresses. They have already driven this Colony to the brink of a precipice; some of our sister Colonies, (I speak it with the deepest concern) have already taken the desperate plunge, and unless the clemency of *Great Britain* shall work a miracle in their favour, I know not how they will escape perdition. Let us be warned by their example; let their folly and precipitation teach us wisdom; and instead of linking ourselves to the chain of their evil destiny, let us instantly break loose, and, by a well-timed effort, rescue ourselves from destruction, and endeavour to make peace for ourselves—not a shameful—not an ignominious peace, but such an one as shall be worthy of freemen; such an one as will secure to us our liberties and properties, and render the union be-

Digitized by Google

tween us and our mother country permanent and lasting; in short, such as will be worthy *Great Britain* to offer, and *Americans* to receive.

And here let it not be said that it will be a base desertion of our sister Colonies, to withdraw our assistance from them when in so critical and dangerous a situation. But let it be remembered that *Great Britain* is our mother—a kind and indulgent mother, who hath nourished, protected, and established us in this land of *Canaan*, this land flowing with milk and honey—a mother whose arms are open to receive all such of her children as will return to their duty, who is willing to hear their complaints, and to redress their grievances. And shall we take part against such a parent? Shall we, like detestable parricides, wound her bosom for the sake of ungrateful brethren, who have wilfully shut their eyes both to their interest and their duty, and who are obstinately bent upon their own destruction? Surely we cannot. No, I am persuaded there is not an individual in this House who would not reject such a proposal with the utmost abhorrence. We have too much understanding not to know that the interest of these Colonies and of *Great Britain* are the same; that we are all one people—of the same laws, language, and religion, each of us equally bound to each other by the ties of reciprocal affection; and we have too much loyalty to the best of Sovereigns—too great a regard to order and good Government, to assert that insurrections and tumults in one Colony, can or ought to justify them in another. Indeed, so far am I from thinking that this conduct in us would be deserting the common cause of the Colonies, that I am convinced it is the only expedient left, by which we can in any measure promote their real and true interest. By uniting with them, we shall in all probability sink with them, but by rending ourselves from the rash and ill-judged combination in which they are engaged, while we are doing good to ourselves, we may do good also to them. We may have it in our power, as I know we shall have it in our will, to stretch out an helping hand to raise them from the pit into which they are falling. And I will venture to assert it with boldness and confidence, that if this loyal Province will do her duty, and act with wisdom and moderation in the critical juncture, she may yet save *America*.

Great Britain is not the only quarter from whence danger is to be apprehended. Her resentment, no doubt, is to be dreaded, and it behoves us, if possible, to avert it. She may destroy our cities; she may ruin our commerce; she may reduce us to so deplorable a condition that we shall be willing to accept of peace and reconciliation upon any terms which she shall think proper to impose. This is what she may do, and what most probably she will do, unless we alter the mode of our conduct towards her. But if she should think proper to decline the contest; if in her wrath she should give us up to our own direction, and leave us to cut and shuffle for ourselves, and to settle our boundaries, and to appoint our own forms of Government, deeper and more terrible scenes of distress will present themselves to our view. Fain would I draw a veil over this melancholy prospect, and hide it from the eye of humanity; but my duty to my family—to my constituents—to my country, forbid me to be silent. Factions and animosities will lay waste our country. Provinces will rise against Provinces, and no umpire to determine the contest but the sword. This once flourishing and happy land will smile no more; it will become a field of blood, and a scene of terrour and desolation.

To such calamities shall we awake from our dreams of independence, and to such miseries will our unreasonable love of liberty lead us. Let us, therefore, moderate a little the eagerness of our pursuit, and not prostitute this noblest and best principle of the human heart, to the unworthy purposes of sedition and rebellion.

The *Americans* love liberty, 'tis their grand, their darling object, and may they ever have virtue and spirit enough to assert and defend it, as well as wisdom and prudence to enjoy it. But that love of liberty which beats so strongly at our hearts, and which seems to animate and inspirit almost every individual, if not carefully watched and attended to, will, on some future day, (should we be so fortunate as to escape our present danger,) prove a dreadful source of misfortunes to us, if not of ruin. Liberty and licentiousness are nearly allied to each other; like wit and madness, there is but a thin partition between them; and licentiousness invariably leads to slavery. Almost every page of history will furnish abundant proofs of the truths of these observations; and *God* grant that the annals of this country may not add to the number; but I fear from the present licentious conduct, we are much nearer to a state of slavery and oppression than we seem to be aware of. So far already have we advanced towards it, that all internal order and subordination is nearly at an end among us. The authority of the Civil Magistrate is become useless, and almost contemptible; even the authority of this House, nay, of the whole Legislative body of the Province, has been treated with the utmost contempt, and our power in a manner wrested from us, by a set of men who have arrogated to themselves the style of the People's Representatives. If they are in reality such, to what purpose are we here assembled? If they are authorized to make laws, to establish penalties, and to regulate the concerns of this Colony, why are we called together? What is left for us to do? Nothing, sir, but to do our duty; to undo, if possible, all that they have done; to strip them of their borrowed plumes, and to resume that authority which has been delegated to us for the most important purposes; for the preservation of liberty, order, and good Government. We are the Representatives of the inhabitants of this Colony; they have entrusted us with the guardianship of their rights and liberties, and they look up to us for the preservation of them. Let us therefore act as becomes us, with firmness and resolution. The eyes of all honest and good men are upon us: their hopes; their expectations of peace and safety, under Heaven, are centred here. Let us not disappoint those hopes, but let us lay aside every prejudice; let us suppress every passion and sentiment that can interfere with our country's welfare, and let us unite with one voice and one mind, to save her from destruction.

We have this day before us the choice either of peace or war; of happiness or misery; of freedom or slavery; and surely we cannot hesitate a moment which to choose. By proceeding in a firm, but in a peaceful, loyal, and constitutional manner, in the settlement of this unhappy difference with our mother country, we cannot fail, I am convinced, of meeting with all desirable success. We shall by these means, undoubtedly secure to ourselves a free Constitution; we shall have a line of Government stretched out and ascertained, and we shall be restored to the favour and protection of the parent state, which, next to the favour and protection of Heaven, will be our best and strongest safeguard and security.

But, if you listen to the dictates of violent and enthusiastick men; if you adopt the ill-judged, tyrannical, and destructive measures of the Congress, where will your miseries end? Where, indeed, I cannot tell; but from that moment you must date the commencement of them; from that moment be assured that your ruin is inevitable. Now is the critical moment of our fate; we have it now in our power to do the most essential good, or the most essential mischief to ourselves and our posterity. If we neglect this opportunity of promoting our common felicity, and of establishing our liberties upon a firm and lasting basis, we may perhaps never have another, and we shall repent of our fatal infatuation and folly, when too late to retrieve the mistake; when the horrours and miseries of a civil war shall be increased, if possible, ten fold upon our heads, by the curses and execrations of our distracted and deluded constituents; when all orders and degrees of men shall, in the bitterness of their hearts, point us out as the authors of their ruin; when we shall be obliged to submit to the laws of conquest, or to the penalties of rebellion.

I have now, sir, delivered my sentiments freely and candidly upon the subject under our consideration. I have shown that the rise of our present disputes with *Great Britain*, has been an unreasonable jealousy on our parts, originating from an impolitick exertion of authority on her's. I have proved that it is both our interest and our duty to cultivate the closest and most intimate union with her. I have shown that the authority of the *British* Parliament, which is the Supreme Legislature of the Empire, extends over these Colonies, which are parts of that Empire. I have shown the extreme danger of an undue opposition to that authority, which either by exerting itself against us, or giving us up to our own government, will equally involve us

Digitized by Google

in misery and destruction. I have shown, that by a peaceful and loyal conduct, we may now procure for ourselves, and perhaps for our sister Colonies, a more perfect system of Government than that which we have hitherto enjoyed, which was indeed better calculated for our infant state, than for the present period of our maturity—a period that requires, (however paradoxical it may seem,) at the same time more liberty and a stricter Government.

I have, therefore, Mr. Speaker, nothing more to add, than that, if contrary to my hopes and my most ardent wishes; if, contrary to the honour and dignity of this House; if, contrary to the dictates of humanity, and to the duty which we owe to our constituents and our country, you adopt the unjust and destructive measures of the Congress, and by that means involve our country in a civil war, the most dreadful calamity that can befall a people, I hereby declare my honest indignation to that measure, and now call Heaven and this House to witness, that I am guiltless of the blood of my fellow-subjects that will be shed upon the occasion—I am guiltless of the ruin of my country.

—

Die Veneris, 10 ho., A. M., the 24th February, 1775.

Resolved, That his Honour's Speech, and the several matters referred to the Committee thereupon, be taken into further consideration on *Wednesday* next.

—

Die Martis, 4 ho., P. M., the 28th February, 1775.

A Petition of *Herman Zedwitz*, and thirty-one other persons, was presented to the House, and read, setting forth that they are, by education and profession, Protestants, but of foreign birth, and are very desirous of becoming his Majesty's liege subjects within this Colony, and therefore humbly pray they may have leave to bring in a Bill for their Naturalization.

Ordered, That leave be given accordingly.

—

Die Mercurij, 10 ho., A. M., the 1st March, 1775.

The Order of the Day being read, the House resolved itself into a Committee of the Whole House upon the Report of the Committee appointed to prepare a state of the grievances of this Colony; and after some time spent therein, Mr. Speaker resumed the Chair, and Colonel *Seaman* reported that he was directed by the Committee to report to the House that they had made some progress therein, and to move for leave to sit again; which Report he read in his place, and afterwards delivered it in at the table, where the same was again read; and thereupon it was

Resolved, That this House will again to-morrow resolve itself into a Committee of the Whole House, to proceed to the further consideration of the said Report.

Resolved, That his Honour's Speech, and the several matters referred to the Committee thereupon, be taken into further consideration on *Tuesday* next.

—

Die Jovis, 10 ho., A. M., the 2d March, 1775.

The House, according to order, resolved itself into a Committee of the Whole House, upon the Report of the Committee appointed to state the grievances of this Colony; after some time spent therein, Mr. Speaker resumed the Chair, and Colonel *Seaman* reported that he was directed by the Committee to report to the House that they had made some further progress therein, and to move for leave to sit again; which Report he read in his place, and afterwards delivered it in at the table, where the same was read; and thereupon it was

Resolved, That this House will again to-morrow resolve itself into a Committee of the Whole House, to proceed to the further consideration thereof.

—

Die Veneris, 10 ho., A. M., the 3d March, 1775.

The Order of the Day being read, the House resolved itself into a Committee of the Whole House upon the Report of the Committee appointed to prepare a state of the grievances of this Colony; which Report is in the words following, viz:

Resolved, That it is the opinion of this Committee that the Act of 6th *George* the Third, chapter 12, entitled "An "Act for the better securing the dependency of his Ma-"jesty's Dominions in *America* upon the Crown and Par-"liament of *Great Britain*; declaring the right of Parlia-"ment to bind the Colonies in all cases whatsoever," is a grievance.

A motion was then made by Colonel *Schuyler* in the words following, viz:

Mr. Chairman: I move that the Act of 4th *George* the Third, chapter 15, so far as it imposes Duties for the purpose of raising a Revenue in *America*; extends the Admiralty Courts beyond their ancient limits; deprives his Majesty's *American* subjects of Trial by Jury; authorizes the Judge's Certificates to indemnify the prosecutor from damages which he might otherwise be liable to; and holds up an injurious discrimination between the subjects in *Great Britain* and those in *America*, is a grievance.

Mr. *De Lancey* then moved that the previous question be first put, whether the question upon that part of Colonel *Schuyler's* motion which is comprehended in the following words, that is to say, "So far as it imposes Duties for the purpose of raising a Revenue in *America*," be now put? And debates arising thereon, and the said previous question being accordingly put, it was carried in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Colonel Schuyler,	Mr. Clinton,	Mr. De Lancey,
Mr. Brinckerhoff,	Mr. Billopp,	Mr. Wilkins.
Mr. Gale,	Mr. Nicoll.	
Mr. Kissam,		

The question being then put on Colonel *Schuyler's* motion, it was carried in the affirmative; and thereupon it was

2d. *Resolved*, That it is the opinion of this Committee that the aforesaid Act of 4th *George* the Third, chapter 15, so far as it imposes Duties for the purpose of raising a Revenue in *America*; extends the Admiralty Courts beyond their ancient limits; deprives his Majesty's *American* subjects of Trial by Jury; authorizes the Judge's Certificates to indemnify the prosecutor from damages that he might otherwise be liable to; and holds up an injurious discrimination between the subjects in *Great Britain* and those in *America*, is a grievance.

Mr. *De Lancey* then made a motion, in the words following, viz:

Mr. Chairman: I move that the opinion of this Committee be taken, whether his Majesty and the Parliament of *Great Britain* have a right to regulate the Trade of the Colonies, and to lay Duties on articles that are imported directly into the Colonies, from any foreign country or plantation which may interfere with the Products or Manufactures of *Great Britain*, or any other part of his Majesty's Dominions.

Mr. *Clinton* then moved that the previous question be first put, whether the question upon Mr. *De Lancey's* motion be now put? And debates arising thereon, and the said previous question being accordingly put, it was carried in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Mr. Billopp,	Mr. Nicoll,	Colonel Schuyler,
Mr. Wilkins,	Mr. Rapalje,	Mr. Clinton.
Mr. Gale,	Mr. Brinckerhoff,	
Mr. Kissam,	Mr. De Lancey.	

The question being then accordingly put on Mr. *De Lancey's* motion, it was carried in the affirmative; and thereupon, it was

3d. *Resolved*, That it is the opinion of this Committee, that his Majesty, and the Parliament of *Great Britain*, have a right to regulate the Trade of the Colonies, and to lay Duties on articles that are imported directly into this Colony from any foreign country or plantation, which may interfere with the Products or Manufactures of *Great Britain*, or any other parts of his Majesty's Dominions.

Colonel *Schuyler* then made a motion in the following words, viz:

Mr. Chairman: I move the following, in addition to the preceding Resolution, to wit: "Excluding every idea of "Taxation, internal or external, for the purpose of raising "a Revenue on the subjects in *America*, without their "consent."

Mr. *Billopp* then moved that the previous question be first put, whether the question upon the said motion be now put? And debates arising thereon, and the said previous question being accordingly put, it was carried in the negative, in manner following, viz:

Digitized by Google

For the Negative.		*For the Affirmative.*
Mr. Nicoll,	Mr. Rapalje,	Colonel Schuyler,
Mr. Kissam,	Mr. Billopp,	Mr. Clinton,
Mr. Gale,	Mr. De Lancey.	Mr. Brinckerhoff.
Mr. Wilkins,		

The Act of 3d *George* the Third, chapter 22, section 8th, being read, and debates arising thereon, the question was put, whether the sum directed therein to be given as security by claimants of vessels, is a grievance? The same passed in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. De Lancey,	Mr. Nicoll,	Mr. Clinton,
Mr. Gale,	Mr. Rapalje,	Colonel Schuyler,
Mr. Kissam,	Mr. Wilkins.	Mr. Brinckerhoff.
Mr. Billopp,		

4th. *Resolved therefore*, That it is the opinion of this Committee, that the sum directed in the said last mentioned Act, to be given as security by claimants of vessels, is not a grievance.

5th. *Resolved*, That it is the opinion of this Committee, that the ninth section of said last mentioned Act, giving the Courts of Admiralty a concurrent jurisdiction with the Courts of Common Law in causes arising within the body of a County, and thereby leaving it in the power of the prosecutor to deprive the subject of a trial by Jury of the vicinage; and the Act of 8th *George* the Third, chapter 22, giving similar powers to Courts of Vice-Admiralty, are grievances.

6th. *Resolved*, That it is the opinion of this Committee, that the Act of 4th *George* the Third, chapter 34, is a grievance, inasmuch as it prohibits the Legislature of this Colony from passing any law for the emission of a paper currency, to be a legal tender within the Colony, so advantageous to the growth and commerce of this Colony; the want whereof might, in a great measure, disable his Majesty's subjects here, upon proper requisition, from granting such aids as may be necessary for the general weal and safety of the *British* Empire.

7th. *Resolved*, That it is the opinion of this Committee, that the Act of 6th *George* the Third, chapter 52, so far as the same lays a duty on Molasses and Syrups, or Coffee, and on Pimento, of the growth or produce of any *British* Colony or Plantation in *America*, which shall be imported or brought from thence into any other *British* Colony or Plantation in *America*, is a grievance.

8th. *Resolved*, That it is the opinion of this Committee, that the Act of 7th *George* the Third, chapter 46, raising a Revenue for making provision for defraying the charge of the administration of justice, and the support of Civil Government, is a grievance, as it lays a duty on Tea, which is a commodity we are obliged to get from *England*, and prohibited from importing from any other place; as it raises a Revenue for the support of Government, and the administration of justice in the Colonies, independent of the people, is contrary to, and a revocation of that system of rights and privileges on which the Government of the Colonies hath been established; as it deprives the Legislatures of the Colonies of that check and control upon the servants of the publick, which the Parliament hath in *Great Britain*, and deprives the subjects in the Colonies of the rights and privileges which they always, before the passing of that Act, have been esteemed entitled to, and of right enjoy, equal with the people of *Great Britain*.

9th. *Resolved*, That it is the opinion of this Committee, that the Act of 7th *George* the Third, chapter 59, requiring the Legislature of this Colony to provide for the services therein mentioned, without application made to the Representatives of the people of this Colony, in General Assembly, and holding up by any other Acts a suspension of the legislative powers of this Colony, until such requisition be complied with, is a grievance, dangerous to the rights of his Majesty's subjects in this Colony.

10th. *Resolved*, That it is the opinion of this Committee, that the Act of 12th *George* the Third, chapter 24, entitled "An Act for the better securing and preserving his "Majesty's Dock-Yards, Magazines, Ships, Ammunition "and Stores," as it deprives the *American* subject of a trial by Jury of the vicinage, and authorizes the trial of persons charged with committing certain offences out of the Realm, in any Shire or County within the Realm, is dangerous to the lives and liberties of the subject.

11th. *Resolved*, That it is the opinion of this Committee, that the construction of the Statute of 35th *Henry* the Eighth, chapter 2, as held up by both Houses of Parliament, in their Address to his Majesty, in the ninth year of his reign, recommending the issuing a special commission for inquiring of Treasons, and misprision of Treasons, committed in the Province of *Massachusetts Bay*, in order to have the offenders, if any there were, tried in *Great Britain*, is a grievance.

12th. *Resolved*, That it is the opinion of this Committee, that the Statute of 14th *George* the Third, chapter 88, so far as it imposes Duties upon certain articles of Merchandise imported into the Province of *Quebec*, (which, by another Statute of the same year, chapter 83, is so extended, as to comprehend all the *Indian* country from *Hudson's* Bay to the mouth of the River *Ohio*,) is a grievance; as by the said Statutes the grand commerce formerly carried on from this Colony, with the numerous *Indian* natives, is in a great measure destroyed; and by which the beneficial and useful intercourse with them is almost entirely cut off, as the only place by which the dutied articles may be imported into the said Province, is restricted to the Port of *St. John's*, on the River *Sorel*, which is so extremely remote from the other Colonies, that the carrying of Goods to be entered there to prosecute the *Indian* Trade, must necessarily be attended with such a heavy expense, as to amount to a total prohibition. That the discrimination made in the said Statute of 14th *George* the Third, chapter 88, in favour of the Sugar Colonies, by subjecting the Continental Colonies to a larger Duty on the dutied articles, is a grievance. And that the said Statute of 14th *George* the Third, chapter 83, so far as it may be construed to establish the Roman Catholick Religion in the Province of *Quebec*, so extended, is a grievance.

The Act of 14th *George* the Third, entitled "An Act "to discontinue, in such manner and for such time as are "therein mentioned, the landing and discharging, lading or "shipping of Goods, Wares, or Merchandise, at the Town, "and within the Harbour of *Boston*, in the Province of "*Massachusetts Bay*, in *North America*;" being read, and debates arising thereon, and the question being put, whether the same is a grievance that affects this Colony? it was carried in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Colonel Schuyler,	Mr. Clinton,	Mr. De Lancey,
Mr. Nicoll,	Mr. Brinckerhoff.	Mr. Wilkins,
Mr. Rapalje,		Mr. Billopp,
Mr. Kissam,		Mr. Gale.

13th. *Resolved therefore*, That it is the opinion of this Committee, that the last mentioned act is a grievance. Mr. *Nicoll*, Mr. *Kissam*, and Mr. *Rapalje*, conceive the above Act to be a grievance, so far as the same affects the Trade of this Colony.

14th. *Resolved*, That the Act of 14th *George* the Third, chapter 39, entitled "An Act for the Impartial "Administration of Justice in the cases of persons ques-"tioned for any acts done by them in the execution of the "Law, or for the suppression of Riots and Tumults in the "Province of the *Massachusetts Bay*, in *New England*," so far as the same may establish a dangerous precedent in *America*, is a grievance.

The Act of 14th *George* the Third, chapter 45, entitled "An Act for the better regulating the Government of the "Province of the *Massachusetts Bay*, in *New England*," being read, the question was put, whether the same is a grievance? And debates arising thereon, it was carried in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Colonel Schuyler,	Mr. Nicoll,	Mr. De Lancey,
Mr. Clinton,	Mr. Brinckerhoff.	Mr. Billopp,
Mr. Kissam,		Mr. Wilkins,
Mr. Gale,		Mr. Rapalje.

15th. *Resolved therefore*, That it is the opinion of this Committee, that the last mentioned Act is a grievance.

Mr. *Nicoll*, Mr. *Kissam*, and Mr. *Gale*, conceived that the aforesaid Act, so far as the same may form a precedent for altering or taking away Charter rights granted to the subjects in *America*, contrary to the ordinary course of law, is a grievance.

After some time spent thereon, and having gone through the same, Mr. Speaker took the Chair, and Colonel *Seaman* reported, that he was directed to make the following Report to the House, to wit:

Digitized by Google

That after reading the Report in the Committee, and upon reading it again, paragraph by paragraph, on the questions upon the first and second Resolutions, severally, whether they agreed to the same? they passed in the affirmative.

That he then read the third Resolution; upon which debates arose, and the question having been put thereon, it passed in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Mr. Jauncey,	Mr. Ten Eyck,	Mr. Thomas,
Mr. Brush,	Colonel Philips,	Colonel Schuyler,
Mr. Gale,	Mr. Brinckerhoff,	Captain Seaman,
Mr. Wilkins,	Colonel Wells,	Mr. De Witt,
Mr. Rapalje,	Mr. Nicoll.	Colonel P. Livingston,
Mr. Kissam,		Mr. Boerum,
Mr. Speaker,		Colonel Woodhull,
Mr. De Lancey,		Mr. Clinton,
Mr. Billopp,		Colonel Ten Broeck,
Mr. Van Kleeck,		Mr. Coe.

That he next read Colonel *Schuyler's* motion for the following addition to the said third Resolution, to wit: "Excluding every idea of Taxation, internal or external, "for the purpose of raising a Revenue on the subjects in "*America*, without their consent." On the question, whether they agree to the said addition? debates arose, the Committee divided, and it passed in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Mr. Brinckerhoff,	Colonel Ten Broeck,	Mr. Jauncey,
Mr. Thomas,	Captain Seaman,	Mr. Brush,
Mr. De Witt,	Mr. Coe.	Mr. Wilkins,
Mr. Boerum,		Mr. Rapalje,
Mr. Gale,		Mr. Kissam,
Mr. Van Kleeck,		Mr. Speaker,
Mr. Ten Eyck,		Mr. De Lancey,
Colonel Schuyler,		Mr. Billopp,
Colonel P. Livingston,		Colonel Philips,
Colonel Woodhull,		Colonel Wells,
Mr. Clinton,		Mr. Nicoll.

Resolved therefore, That it is the opinion of this Committee, that the foregoing addition, as moved by Colonel *Schuyler*, be added to the said third Resolution.

On reading the fourth Resolution, debates arose, and the question being put, whether they agree thereto, it passed in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Mr. Coe,	Mr. Speaker,	Mr. Brinckerhoff,
Mr. Jauncey,	Mr. Billopp,	Mr. Boerum,
Colonel Philips,	Mr. Walton,	Mr. Clinton,
Colonel Wells,	Mr. Van Kleeck,	Mr. De Witt,
Mr. Wilkins,	Mr. Brush,	Col. P. Livingston,
Mr. Kissam,	Mr. Gale.	Colonel Woodhull,
Mr. Nicoll,		Captain Seaman,
Mr. Rapalje,		Colonel Ten Broeck,
Mr. Ten Eyck,		Mr. Thomas,
Mr. De Lancey,		Colonel Schuyler.

That the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, and twelfth Resolutions, were severally read, and on the questions severally put thereon, were agreed to *nemine contradicente*.

The thirteenth Resolution being then read; on the question, whether they agree to the same, debates arose, the Committee divided, and it passed in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Mr. Coe,	Colonel Schuyler,	Mr. Jauncey,
Mr. Van Kleeck,	Mr. Kissam,	Colonel Philips,
Mr. Brinckerhoff,	Mr. Nicoll,	Colonel Wells,
Mr. Boerum,	Mr. Rapalje.	Mr. Wilkins,
Mr. Clinton,		Mr. De Lancey,
Mr. De Witt,		Mr. Speaker,
Col. P. Livingston,		Mr. Billopp,
Colonel Woodhull,		Mr. Walton,
Captain Seaman,		Mr. Brush,
Colonel Ten Broeck,		Mr. Gale,
Mr. Thomas,		Mr. Ten Eyck.

The question was next put on the fourteenth Resolution; which passed in the affirmative, *nemine contradicente*.

The fifteenth Resolution being next proceeded on; after some time spent in debates, and the question being put thereon, it passed in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Mr. Gale,	Mr. Kissam,	Mr. Rapalje,
Mr. Thomas,	Captain Seaman,	Mr. Jauncey,
Mr. Van Kleeck,	Mr. De Witt,	Mr. Walton,
Mr. Clinton,	Mr Brinckerhoff,	Mr. Brush,
Mr. Coe,	Col. P. Livingston,	Mr. Speaker,
Colonel Schuyler,	Colonel Ten Broeck.	Mr. De Lancey,
Mr. Nicoll,		Colonel Wells,
Colonel Woodhull,		Mr. Wilkins,
Mr. Boerum,		Mr. Ten Eyck,
Colonel Philips,		Mr. Billopp.

Mr. *Nicoll*, Mr. *Kissam*, Mr. *Gale*, and Col. *Philips*, conceive the Act alluded to in the said fifteenth Resolution, so far as the same may form a precedent for altering or taking away Charter rights granted to the subject in *America*, contrary to the ordinary course of law, is a grievance.

Which Report he read in his place, and afterwards delivered it in at the table, where the same was again read. On the question whether the House agree thereto, debates arose, and it passed in the affirmative.

Resolved therefore, That this House doth agree with the Committee, in their said Report and Resolutions.

—

Die Martis, 10 ho., A. M., the 7th March, 1775.

Ordered, That Mr. *De Lancey*, Mr. *Clinton*, and Mr. *Kissam*, or the major part of them, be a Committee to prepare a set of Resolutions, agreeable to Colonel *P. Livingston's* motion on the 31st of *January* last, and lay the same before this House, with all convenient speed.

Resolved, That his Honour's Speech, and the several matters referred to the Committee thereupon, be taken into further consideration on *Friday* next.

—

Die Mercurij, 10 ho., A. M., the 8th March, 1775.

Mr. *Kissam*, from the Committee appointed to prepare a set of Resolutions to be entered on the Journals, pursuant to Colonel *P. Livingston's* motion of the 31st day of *January* last, reported that they had prepared sundry Resolutions accordingly; which he read in his place, and afterwards delivered them in at the table, where the same were again read; and thereupon, it was

Ordered, That the said Resolutions be referred to the consideration of a Committee of the Whole House, and that the House resolve itself into a Committee thereupon immediately.

The House then accordingly resolved itself into a Committee of the Whole House upon the said Resolutions. After some time spent therein, Mr. Speaker resumed the Chair, and Colonel *Seaman* reported, that he was directed by the Committee to report to the House, that they had gone through the said Resolutions, and made some amendments thereto; which he read in his place, and afterwards delivered them, as amended, in at the table, where the same were again read, and are as follow, viz:

1st. *Resolved*, That it is the opinion of this Committee, that the people of this Colony owe the same faith and allegiance to his most gracious Majesty, King *George* the Third, that are due to him from his subjects in *Great Britain*.

2d. *Resolved*, That it is the opinion of this Committee, that his Majesty's subjects in this Colony owe obedience to all Acts of Parliament calculated for the general weal of the whole Empire, and the due regulation of the Trade and Commerce thereof, and not inconsistent with the essential rights and liberties of *Englishmen*, to which they are equally entitled with their fellow-subjects in *Great Britain*.

3d. *Resolved*, That it is the opinion of this Committee, that it is essential to freedom, and the undoubted right of *Englishmen*, that no Taxes be imposed on them but with their consent, given personally, or by their Representatives in General Assembly.

4th. *Resolved*, That it is the opinion of this Committee, that the Acts of Parliament, raising a Revenue in *America*, especially to provide for the support of the Civil Government and administration of justice in the Colonies—extending the jurisdiction of the Courts of Admiralty beyond their ancient limits—authorizing the Judge's Certificate to indemnify the prosecutor from damages he would otherwise be liable to, giving them a concurrent jurisdiction of causes heretofore cognizable only in the Courts of Common Law, and by that means depriving the *American* subject of his trial by a Jury, are destructive to freedom, and subversive of the rights and liberties of the Colonies.

5th. *Resolved*, That it is the opinion of this Committee, that a trial by a Jury of the vicinage, in all capital cases, is the grand security of freedom, and the birthright of *Englishmen*; and therefore, that the seizing any person or persons residing in this Colony, suspected of Treasons, misprisions of Treason, or any other offences, and sending such person or persons out of the same to be tried, is dan-

Digitized by Google

gerous to the Lives and Liberties of his Majesty's *American* subjects.

Colonel *Seaman* then also reported, that when they came to the second Resolution, Colonel *Woodhull* moved, that between the word "thereof" and the word "and," the following words be inserted, to wit: "excluding every idea of "Taxation, internal or external, for the purpose of raising a "Revenue on the subjects in *America*, without their con-"sent."

That Mr. *De Lancey* then moved that the previous question be first put, whether the question upon Colonel *Woodhull's* motion be now put? And debates arising thereon, and the said previous question being accordingly put, it was carried in the negative, (that is to say, that the question upon Colonel *Woodhull's* motion be now put,) in manner following, viz:

For the Negative.	*For the Affirmative.*
Mr. Wilkins,	Colonel P. Livingston,
Mr. Kissam,	Mr. Clinton,
Mr. Billopp,	Mr. De Witt,
Mr. Brush,	Colonel Woodhull,
Colonel Wells,	Captain Seaman,
Mr. Speaker,	Mr. Boerum,
Mr. Jauncey,	Mr. Ten Eyck,
Mr. De Lancey,	Mr. Van Kleeck,
Mr. Nicoll,	Colonel Ten Broeck,
Mr. Walton,	Mr. Brinckerhoff,
Mr. Coe,	Colonel Schuyler,
Mr. Gale,	Mr. Van Cortlandt,
Colonel Philips,	Mr. Thomas.
Colonel Seaman, *Chairman.*	

That on reading the third Resolution, a motion was made by Mr. *Clinton*, in the words following, viz:

Mr. Chairman: I move that the following words be inserted in the third Resolution, between the words "Taxes" and "be," to wit: "of any kind or nature, or under any denomination whatever." And debates arising upon the same, and the question being put thereon, it was carried in the negative, in manner following, viz:

For the Negative.	*For the Affirmative.*
Mr. Wilkins,	Colonel P. Livingston,
Mr. Kissam,	Mr. Clinton,
Mr. Billopp,	Mr. De Witt,
Mr. Brush,	Colonel Woodhull,
Colonel Wells,	Captain Seaman,
Mr. Speaker,	Mr. Boerum,
Mr. Jauncey,	Mr. Van Kleeck,
Mr. Walton,	Colonel Ten Broeck,
Mr. De Lancey,	Mr. Brinckerhoff,
Mr. Nicoll,	Colonel Schuyler,
Mr. Coe,	Mr. Van Cortlandt,
Mr. Gale,	Mr. Thomas.
Colonel Philips,	
Mr. Ten Eyck.	

Which Report he read in his place, and afterwards delivered the Bill in at the table, where the same, with the aforesaid Resolutions, were severally read a second time. On the question whether the House agree to the same? debates arose, the House divided, and it passed in the affirmative, in manner following, viz:

For the Affirmative.	*For the Negative.*
Mr. Wilkins,	Mr. Coe,
Mr. Kissam,	Mr. Livingston,
Mr. Billop,	Mr Clinton,
Mr. Brush,	Mr. De Witt,
Colonel Wells,	Colonel Woodhull,
Mr. Jauncey,	Captain Seaman,
Mr. Van Kleeck,	Mr. Boerum,
Mr. Walton,	Colonel Ten Broeck,
Mr. De Lancey,	Mr. Brinckerhoff,
Mr. Nicoll,	Colonel Schuyler,
Mr. Gale,	Mr. Van Cortlandt,
Colonel Philips,	Mr. Thomas.
Colonel Seaman,	
Mr. Ten Eyck.	

Resolved therefore, That this House doth agree with the Committee, in their said Report and Resolutions.

—

Die Jovis, 10 ho., A. M., the 9th March, 1775.

Ordered, That Mr. *Nicoll*, Mr. *Van Kleeck*, and Mr. *Wilkins*, or the major part of them, be a Committee to prepare and lay before the House, with all convenient speed, the draft of an humble, firm, dutiful, and loyal Petition, to be presented to our most gracious Sovereign, pursuant to Colonel *P Livingston's* motion on the 31st day of *January* last.

Ordered also, That Mr. *Brush*, Colonel *Seaman*, and Mr. *Gale*, or the major part of them, be a Committee to prepare the draft of a Memorial to the Lords; and that Mr. *Kissam*, Mr. *De Lancey*, and Mr. *Walton*, or the major part of them, be a Committee to prepare the draft of a Representation and Remonstrance to the Commons of *Great Britain*, pursuant to Mr. *De Lancey's* motion on the said 31st day of *January* last; and that the said Committee lay the said drafts before this House, with all convenient speed.

—

Die Sabbati, 10 ho., A. M., the 11th March, 1775.

The Committee appointed to correspond with *Edmund Burke*, Esquire, Agent of this Colony at the Court of *Great Britain*, laid before the House a Letter received from the said Agent, by the Packet; which being read,

Ordered, That the said Letter lie on the table, for the perusal of the Members.

—

Die Lunæ, 4 ho., P. M., the 13th March, 1775.

Mr. Speaker laid before the House a Letter from *William Bollan*, *Benjamin Franklin*, and *Arthur Lee*, Esqs., Agents for some of the *North American* Colonies, dated *London*, *December* 24, 1774, directed to the Speaker of the General Assembly of this Colony, acquainting him that they had presented the Petition of the Continental Congress to Lord *Dartmouth*, who had laid it before his Majesty. And the same being read,

Ordered, That the said Letter lie on the table, for the perusal of the Members.

A Message from his Honour the Lieutenant-Governour, by Mr. *Bayard*, Deputy Secretary; and the same being read, is in the words following, viz:

GENTLEMEN: The very insufficient state of the publick office of the Secretary of the Province is obvious. The records and papers, which are of the greatest importance to the whole Province, are, from the ruinous state of the house, daily exposed to the worst effects of the weather.

You will find this business requires your immediate attention; and I therefore recommend it to your consideration. CADWALLADER COLDEN.

New-York, 13th March, 1775.

Ordered, That the said Message be referred to the consideration of the Committee to whom his Honour's Speech, &c., are committed.

—

Die Mercurij, 10 ho., A. M., the 15th March, 1775.

The Order of the Day being read, the House resolved itself into a Committee of the Whole House, upon his Honour's Speech, Messages, &c. After some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Kissam* reported, that he was directed by the Committee to report to the House, that they had come to sundry Resolutions thereon; which he read in his place, and they are as follow, viz:

Resolved, That it is the opinion of this Committee, that there be allowed unto his Honour the Lieutenant-Governour, or to the Commander-in-Chief, for the time being, for his administering the government of this Colony, from the 7th day of *April* last, till the 1st day of *September* next, after the rate of two thousand Pounds per annum.

Resolved, That it is the opinion of this Committee, that there be allowed unto his said Honour, for Fire-wood and Candles for his Majesty's Fort *George*, in the City of *New-York*, from and to the time aforesaid, after the rate of four hundred Pounds per annum.

Resolved, That it is the opinion of this Committee, that there be allowed unto the Honourable *Daniel Horsmanden*, Esquire, as a Chief Justice of the Supreme Court of this Colony, and for going the Circuits, from the 1st day of *September*, 1774, to the 1st day of *September*, 1775, after the rate of three hundred Pounds per annum.

Resolved, That it is the opinion of this Committee, that there be allowed unto the Honourable *Robert R. Livingston*, Esquire, one of the Puisne Judges of the Supreme Court of this Colony, and for going the Circuits, from and to the time aforesaid, after the rate of two hundred Pounds per annum.

Resolved, That it is the opinion of this Committee, that there be allowed unto the Honourable *George D. Ludlow*, Esquire, one other of the Puisne Judges of the Supreme Court of this Colony, and for going the Circuits, from and

Digitized by Google

to the time aforesaid, after the rate of two hundred Pounds per annum.

Resolved, That it is the opinion of this Committee, that there be allowed unto the Honourable *Thomas Jones*, Esquire, the other Puisne Judge of the Supreme Court of this Colony, and for going the Circuits, from and to the time aforesaid, after the rate of two hundred Pounds per annum.

Resolved, That it is the opinion of this Committee, that there be allowed unto such of the Justices of the Supreme Court of this Colony, as may attend the Circuit Courts, in the Counties of *Tryon*, *Charlotte*, *Cumberland*, and *Gloucester*, or either of them, the sum of fifty Pounds to the said Justice or Justices that shall so attend; and for the attendance of such Justice or Justices on any special commission of Oyer and Terminer and General Jail Delivery, in either of the said Counties, other than such special commission which may be held when the Circuit Courts in the said Counties are held, the further sum of fifty Pounds to the said Justice or Justices so attending; and for the attendance of such Justice or Justices on such special commission, in the County of *Albany*, the sum of thirty Pounds; and for the other Counties in this Colony, not already provided for, the sum of twenty Pounds.

Resolved, That it is the opinion of this Committee, that there be allowed unto the Secretary of this Colony, for the time being, for engrossing and enrolling the Acts of the General Assembly, from and to the time aforesaid, after the rate of forty Pounds per annum.

Resolved, That it is the opinion of this Committee, that there be allowed unto the Clerk of the Council, for the time being, for his services in that station, from and to the time aforesaid, the sum of thirty Pounds.

Resolved, That it is the opinion of this Committee, that there be allowed unto the Doorkeeper of the Council, for the time being, for his services in that station, from and to the time aforesaid, the sum of thirty Pounds.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Hugh Gaine*, for services performed by him as Publick Printer of this Colony, as per account, the sum of *****.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Thomas Moore* and *John Griffiths*, as Gaugers of Liquor subject to a duty within this Colony, or to the Gaugers thereof, for the time being, from and to the time aforesaid, after the rate of thirty Pounds per annum to each of them.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Thomas Hill*, *Jacob Roome*, and *Henry Law*, Land and Tide Waiters, or to the Land and Tide Waiters for the time being, for their services in that station, from and to the time aforesaid, after the rate of fifty Pounds per annum to each of them, for such time as they shall have respectively served.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Abraham Lott*, Esquire, Treasurer of this Colony, or to the Treasurer for the time being, for his services in that station, from and to the time aforesaid, after the rate of two hundred Pounds per annum.

Resolved, That it is the opinion of this Committee, that there be allowed unto the said Treasurer, or to the Treasurer for the time being, for the extraordinary services which he is now obliged to perform beyond the usual duty of his office, after the rate of the further sum of one hundred Pounds.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Edmund Burke*, Esquire, Agent of this Colony in *Great Britain*, as a reward for his care, trouble, and diligence, in attending upon his Majesty and his Ministers of State, in that station, from and to the time aforesaid, after the rate of five hundred Pounds per annum, which said sum, or so much thereof as shall be really and truly due, shall be paid unto the said *Edmund Burke*, or to his executors, administrators, or assigns, by an order of the General Assembly of this Colony, signed by their Speaker, for the time being, and not otherwise; and also, the further sum of one hundred and forty Pounds for the contingent charges of the said Agent.

Resolved, That it is the opinion of this Committee, that there be allowed unto *John Taber Kemp*, Esquire, for extraordinary services performed by him as Attorney General of this Colony, from and to the time aforesaid, after the rate of one hundred and fifty Pounds per annum.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Richard Morris*, Esquire, for his services in going the Circuits, and attending thereon, for the trial of criminals, from the 19th day of *March*, 1774, to the first day of *September*, 1775, after the rate of one hundred and fifty Pounds per annum.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Edmund Seaman*, Esquire, Clerk to the General Assembly, for his services in that station, from the first day of *September*, 1774, to the first day of *September*, 1775, twenty Shillings per diem, payable upon a certificate from the General Assembly, signed by the Speaker, for the number of days he has or may serve the General Assembly.

Resolved, That it is the opinion of this Committee, that there be allowed unto the said *Edmund Seaman*, for sundry disbursements by him made, for the use of the General Assembly, the sum of *****.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Gerard Bancker*, as Assistant Clerk to the General Assembly, for his services in that station, from and to the time aforesaid, twenty Shillings per diem, payable upon a certificate from the General Assembly, signed by the Speaker, for the number of days he has or may serve the General Assembly.

Resolved, That it is the opinion of this Committee, that there be allowed unto the Widow of *Alexander Lamb*, deceased, late Doorkeeper of the General Assembly, for his services in that station, from the beginning of the present sessions of the General Assembly, until his decease, six Shillings per diem, payable upon a certificate from the General Assembly, signed by the Speaker, for the number of days he has served the General Assembly.

Resolved, That it is the opinion of this Committee, that there be allowed unto the Widow of the said *Alexander Lamb*, for Fire-wood, and sundry necessaries, provided by the said *Alexander Lamb*, for the use of his Majesty's Council and the General Assembly, the sum of sixty-five Pounds.

Resolved, That it is the opinion of this Committee, that there be allowed unto *John Johnson*, the present Doorkeeper of the General Assembly, for his services in that station, from the 9th day of *March*, 1775, until the 1st day of *September* following, eight Shillings per diem, payable upon a certificate from the General Assembly, signed by the Speaker, for the number of days he has served or may serve the General Assembly.

Resolved, That it is the opinion of this Committee, that there be allowed unto *William Scott*, Sergeant-at-Arms, for his services in that station, from the first day of *September*, 1774, to the first day of *September*, 1775, eight Shillings per diem, payable upon a certificate from the General Assembly, signed by the Speaker, for the number of days he has or may serve the General Assembly.

Resolved, That it is the opinion of this Committee, that there be allowed unto *John Martin*, as Gunner and Keeper of the Colony Stores, from and to the time aforesaid, after the rate of twenty Pounds per annum.

Resolved, That it is the opinion of this Committee, that there be allowed for such contingent and extraordinary expenses that may happen on emergencies, for the services of this Colony, from and to the time aforesaid, the sum of one hundred Pounds.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Joshua Root* and *Abijah Rood*, of the County of *Albany*, the sum of ninety Pounds, for their expenses and loss of time in the service of this Government, as set forth in his Honour's Message to this House, on the 27th ultimo.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Robert Yates*, Esquire, in full of his account of expenses and services in assisting as a Surveyor to the late Commissioners appointed for settling the boundary line between this Colony and the Province of the *Massachusetts Bay*, the sum of thirty-six Pounds, sixteen Shillings, and eleven Pence.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Samuel Holland*, Esquire, for his services on the part of this Colony, in conjunction with

Digitized by Google

Mr. *Rittenhouse*, on the part of *Pennsylvania*, in fixing the beginning of the forty-third degree of latitude, upon the River *Delaware*, as per account, the sum of two hundred and two Pounds, thirteen Shillings, and six Pence.

Resolved, That it is the opinion of this Committee, that the foregoing several allowances be made payable out of the moneys arisen, or which may arise by virtue of the following Acts, viz: the Act entitled "An Act further to continue an Act entitled 'An Act for granting to his Majesty "the several Duties and Impositions on Goods, Wares, "and Merchandise imported into this Colony, therein mentioned;'" the Act entitled "An Act to continue an Act "entitled 'An Act to regulate the sale of Goods at public Vendue, Auction, or Outcry, within this Colony;'" and the Act entitled "An Act to revive an Act entitled "'An Act to restrain Hawkers and Pedlars within this "Colony, from selling without license, with an addition "thereto.'"

Mr. *Kissam* then also reported, that he was directed by the Committee to move for leave to sit again; which Report he read in his place, and afterwards delivered it, with the said Resolutions, in at the table, where the same were again read, and agreed to by the House.

Ordered, That a Bill be brought in, pursuant to the said Resolutions, and that Mr. *Kissam* and Mr. *Walton* prepare and bring in the same.

Resolved, That his Honour's Speech, and the several matters referred to the Committee thereupon, be taken into further consideration to-morrow.

—

Die Jovis, 10 ho., A. M., the 16th March, 1775.

Mr. *Wilkins*, from the Committee appointed to prepare the draught of a Petition to the King, laid before the House a draught accordingly.

Mr. *Brush*, from the Committee appointed to prepare a draught of a Memorial to the Lords; and

Mr. *De Lancey*, from the Committee appointed to prepare the draught of a Representation and Remonstrance to the Commons of *Great Britain*, laid before the House the said draughts accordingly; and the said three draughts being severally read,

Ordered, That the said three draughts be referred to the consideration of a Committee of the Whole House.

Resolved, That his Honour's Speech, and the several matters referred to the Committee thereupon, be taken into further consideration on *Tuesday* next.

—

Die Martis, 10 ho., A. M., the 21st March, 1775.

Resolved, That his Honour's Speech, and the several matters referred to the Committee thereupon, be taken into further consideration to-morrow.

—

Die Mercurij, 4 ho., P. M., the 22d March, 1775.

The Order of the Day being read, the House resolved itself into a Committee of the Whole House upon his Honour's Speech, Messages, &c. After some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Kissam* reported that he was directed by the Committee to make the following Report to the House, to wit:

That after reading his Honour's Message of the 7th ultimo, wherein he recommends to the House to take into consideration the opening an easy communication by Great Roads to *Albany*, from the Northeastern part of this Colony, the Committee were of opinion that the consideration of the said Message be potponed till the next session.

That he then read his Honour's Message of the 9th ultimo, wherein he recommends to the House to make provision for an annual salary to the Honourable *James Jauncey*, Junior, Esquire, Master of the Rolls.

On the question, Whether provision be made, pursuant to the said motion? debates arose, the Committee divided, and it passed in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Colonel Wells,	Mr. Van Kleeck,	Mr. Boerum,
Mr. Clinton,	Colonel Schuyler,	Mr. Thomas,
Mr. Brush,	Mr. Gale,	Mr. De Witt,
Mr. Walton,	Mr. Ten Eyck,	Mr. Coe,
Colonel Philips,	Colonel Seaman,	Mr. Van Cortlandt,
Mr. Speaker,	Mr. De Lancey,	Colonel Woodhull,
Mr. Rapalje,	Mr. Billopp.	Captain Seaman.
Mr. Wilkins,		

That it was then proposed the sum of two hundred and fifty Pounds, per annum, be allowed to the said Master of the Rolls; on which debates arose, the Committee divided, and it passed in the affirmative, in manner following, viz:

For the Affirmative.	*For the Negative.*
Mr. Speaker,	Mr. De Witt,
Mr. Walton,	Mr. Clinton,
Mr. De Lancey,	Colonel Schuyler,
Mr. Van Kleeck,	Mr. Coe,
Colonel Wells,	Colonel Seaman,
Mr. Brush,	Mr. Billopp,
Mr. Ten Eyck,	Captain Seaman,
Mr. Wilkins,	Colonel Woodhull,
Colonel Philips,	Mr. Van Cortlandt,
Mr. Gale,	Mr. Thomas.
Mr. Jauncey.	

Resolved therefore, That it is the opinion of this Committee, that there be allowed unto the Honourable *James Jauncey*, Junior, Esquire, Master of the Rolls of this Colony, for his services in that station from the 24th day of *March*, 1774, to the 1st day of *September*, 1775, after the rate of two hundred and fifty Pounds per annum; and that a Committee be appointed to draw up an humble Address to his Honour the Lieutenant-Governour, requesting that the commission for that important office may be granted during good behaviour.

Resolved, That it is the opinion of this Committee, that there be allowed unto his Excellency Governour *Tryon*, or his order, for the moneys advanced by him for repairs in Fort *George*, and on the Battery, as per account, the sum of sixty-four Pounds, sixteen Shillings, and four Pence.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Theophilus Hardenbrook*, for sundry repairs on the Battery, and the Garden at Fort *George*, as per account, the sum of nine Pounds, eleven Shillings, and one Penny.

Resolved, That it is the opinion of this Committee, that there be allowed unto *Gerard Bancker*, a sum not exceeding forty Pounds, to be laid out by him in repairing the Secretary's office of this Colony.

Which Report he read in his place, and afterwards delivered it, with the foregoing Resolutions, in at the table, where the same were again read, and agreed to by the House.

Ordered, That Mr. *Clinton* and Mr. *Brush* be a Committee to prepare and bring in the draught of an humble Address to be presented to his Honour the Lieutenant-Governour, agreeable to the first Resolution.

—

Die Jovis, 10 ho., A. M., the 23d March, 1775.

A Message from his Honour the Lieutenant-Governour, by Mr. *Bayard*, Deputy Secretary, which being read, is in the words following, viz:

GENTLEMEN: You will see, with just indignation, from the Papers I have ordered to be laid before you, the dangerous state of anarchy and confusion which has lately arisen in *Cumberland* County, as well as the little respect which has been paid to the provisions of the Legislature, at their last sessions, for suppressing the disorders which have for some time greatly disturbed the Northeastern Districts of the County of *Albany*, and part of the County of *Charlotte*.

You are called upon, gentlemen, by every motive of duty, prudence, policy, and humanity, to assist me in applying the remedy proper for a case so dangerous and alarming.

The negligence of Government will ever produce a contempt of authority, and by fostering a spirit of disobedience, compel, in the sequel, to greater severity. It will therefore be found to be not only true benevolence, but also real frugality, to resist those enormities at their commencement; and I am persuaded, from your known regard to the dignity of Government, and your humanity to the distressed, that you will readily strengthen the hands of civil authority, and enable me to extend the succour and support which are necessary for the relief and protection of his Majesty's suffering and obedient subjects, the vindication of the honour, and the promotion of the peace and felicity of the Colony.

CADWALLADER COLDEN.

New-York, March 23, 1775.

Ordered, That the said Message, and the Papers attending the same, be referred to the consideration of a Committee of the Whole House.

Digitized by Google

Die Veneris, 10 ho., A. M., the 24th March, 1775.

The House resolved itself into a Committee of the Whole House, upon the draught of a Petition to the King. After some time spent therein, Mr. Speaker resumed the Chair, and Colonel *Seaman* reported that he was directed by the Committee to make the following Report to the House, to wit:

That after reading the said Draught through in the Committee, and upon reading it again, paragraph by paragraph, when he came to the fifth paragraph, a motion was made by Colonel *Schuyler*, in the words following, viz:

Mr. Chairman: I move that the following words be struck out of the fifth paragraph, beginning after the word "her," to wit: "We acknowledge there are appearances "which may be construed to our disadvantage, and that "several of the measures pursued by the Colonies, are by "no means justifiable; yet, while we disapprove and con-"demn them, we entreat you, as the indulgent father of your "people, to view them in the most favourable light, and to "consider them as the honest, though disorderly struggles "of liberty, not the licentious efforts of independence;" and that the following words be substituted, to wit: "And "as we have too much reason to suspect that pains have "been taken to induce your Majesty to think us impatient "of constitutional Government, we entreat you, royal sir, "to believe that our commotions are honest struggles for "maintaining our constitutional liberties, and not dictated "by a desire of independence. Could your princely vir-"tues, as easily as your powers, have been delegated to "your servants, we had not at this time been reduced to "the disagreeable necessity of disturbing your repose, on "an occasion which we sincerely lament."

Upon which debates arose, and the question having been put thereon, it passed in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Brush,	Mr. Jauncey,	Mr. De Witt,
Mr. Billopp,	Mr. De Lancey,	Colonel Schuyler,
Colonel Wells,	Mr. Rapalje,	Mr. Clinton,
Mr. Nicoll,	Mr. Ten Eyck,	Mr. Boerum,
Mr. Kissam,	Mr. Speaker,	Captain Seaman,
Mr. Gale,	Mr. Wilkins,	Colonel Woodhull,
Mr. Coe,	Colonel Philips.	Mr. Thomas,
Mr. Van Kleeck,		Mr. Van Cortlandt.

That on reading the sixth paragraph, a second motion was made by Colonel *Schuyler*, in the words following, viz:

Mr. Chairman: I move that the following words be struck out of the sixth paragraph, to wit: "Your Majesty's *Ame-"rican* subjects have hitherto been in a state of infancy, "and till lately have submitted implicitly, and without re-"pining, to the authority of the parent state; they have "now reached the period of maturity, and think themselves "entitled to their birth-right—an equal participation of "freedom with their fellow-subjects in *Britain;*" and the words following be substituted, to wit: "Although your "Majesty's *American* subjects have, in some instances, "submitted to the power exercised by the parent state, "they nevertheless conceive themselves entitled to an equal "participation of freedom with their fellow-subjects in *Bri-"tain.*"

On which debates arose, and the question having been put thereon, it was carried in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Brush,	Mr. Rapalje,	Mr. De Witt,
Mr. Billopp,	Mr. Ten Eyck,	Colonel Schuyler,
Colonel Wells,	Mr. Speaker,	Mr. Coe,
Mr. Nicoll,	Mr. Wilkins,	Mr. Clinton,
Mr. Kissam,	Colonel Philips.	Mr. Boerum,
Mr. Gale,		Captain Seaman,
Mr. Van Kleeck,		Colonel Woodhull,
Mr. Jauncey,		Mr. Thomas,
Mr. De Lancey,		Mr. Van Cortlandt.

That a third motion was then made by Colonel *Schuyler*, on reading the said sixth paragraph, in the words following, viz:

Mr. Chairman: I move that the following words be struck out of the sixth paragraph, after the word "Parliament," to wit: "On the contrary, we cheerfully acknowledge our "subordination to it as the grand Legislature of the Em-"pire; we wish only to enjoy the rights of *Englishmen*, "and to have that share of liberty, and those privileges "secured to us which we are entitled to, upon the princi-"ciples of our free and happy Constitution. Permit us, "therefore," and the following words substituted, to wit: "Conscious of the incompetency of the Colony Legisla-"tures to regulate the trade of the Empire, we cheerfully "acknowledge such a power in that august body, as is "founded in expediency, and confined to the regulation of "our external commerce, with a view to the general weal "of all your Majesty's subjects, and in such a manner as "will leave to us, unimpaired, those rights which we hold "by the immutable laws of nature and the principles of the "*English* Constitution; but the exercise of powers in-"compatible with those rights, not justified by expediency, "and destructive of *English* liberty, induces us"

And debates arose on the said motion, and the question having been put thereon, it was carried in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Brush,	Mr. Jauncey,	Mr. De Witt,
Mr. Billopp,	Mr. De Lancey,	Colonel Schuyler,
Colonel Wells,	Mr. Rapalje,	Mr. Clinton,
Mr. Nicoll,	Mr. Ten Eyck,	Mr. Boerum,
Mr. Kissam,	Mr. Speaker,	Captain Seaman,
Mr. Gale,	Mr. Wilkins,	Colonel Woodhull,
Mr. Coe,	Colonel Philips.	Mr. Thomas,
Mr. Van Kleeck,		Mr. Van Cortlandt.

That on reading the seventh paragraph, a motion was made by Colonel *Woodhull*, in the words following, viz:

Mr. Chairman: I move that the following words be struck out of the seventh paragraph, after the word "Representative," to wit: "This right we do not at present enjoy, inas-"much as the *British* Parliament, in which we have no "representation, have claimed and exercised a right of "making laws binding upon us in all cases whatsoever;" and the following words substituted, to wit: "This invalu-"able right the *British* Parliament, in which we neither "are nor can be represented, have declared an intention to "infringe, by asserting an authority to bind us by their Acts "in all cases whatsoever."

Upon which debates arose, and the question having been put thereon, it was carried in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Nicoll,	Mr. Jauncey,	Colonel Schuyler,
Mr. Kissam,	Mr. Speaker,	Mr. Clinton,
Colonel Philips,	Mr. De Lancey,	Mr. Van Cortlandt,
Mr. Ten Eyck,	Mr. Van Kleeck,	Mr. Boerum,
Mr. Coe,	Mr. Rapalje,	Colonel Woodhull,
Mr. Wilkins,	Mr. Brush.	Captain Seaman,
Mr. Walton,		Mr. Thomas,
Mr. Billopp,		Mr. De Witt,
Colonel Wells,		Mr. Gale.

That on reading the thirteenth paragraph, a motion was made by Colonel *Schuyler*, in the words following, viz:

Mr. Chairman: I move that the following words be inserted in the said thirteenth paragraph, between the word "thereof" and the word "and," to wit: "An abridgment "of your Majesty's prerogative, in the preservation of which "we are deeply interested, and a violation of our legisla-"tive rights." On the question, it passed in the affirmative.

That on reading the fourteenth paragraph, a motion was made by Mr. *De Witt*, in the words following, viz:

Mr. Chairman: I move that the following words be struck out of the fourteenth paragraph, to wit: "The Act "for the regulation of the Government of *Quebec*, we must "beg leave to mention also to your Majesty, as the exten-"sion of that Province, and the indulgence granted by it to "Roman Catholicks, have given great uneasiness to the "minds of many of your Majesty's *American* subjects;" and the following words substituted, to wit: "We beg leave "to hold up to your Majesty, as a most alarming grievance, "the change wrought by your Parliament in the Govern-"ment of *Quebec*; a change by which your Majesty's "Royal Proclamation, conferring the privileges of *English-"men* on the inhabitants of that conquered country, is abro-"gated; the rights of your Majesty's natural born subjects, "who have settled there in confidence thereof, wholly de-"feated; its future population by emigrants who know the "value of *British* liberty, most effectually discouraged; "Popery highly encouraged, if not established; and a form "of Government unknown in the *British* Constitution, "erected in that very extensive Dominion, to the great grief "and danger of your Majesty's ancient, loyal, free, and "Protestant Colonies on this Continent." On the ques-

Digitized by Google

tion, debates arose, the Committee divided, and it passed in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Walton,	Colonel Wells,	Colonel Schuyler,
Mr. Nicoll,	Mr. Jauncey,	Mr. Clinton,
Mr. Kissam,	Mr. Speaker,	Mr. Van Cortlandt,
Colonel Philips,	Mr. De Lancey,	Colonel Woodhull,
Mr. Ten Eyck,	Mr. Van Kleeck,	Captain Seaman,
Mr. Gale,	Mr. Rapalje,	Mr. Thomas,
Mr. Wilkins,	Mr. Brush.	Mr. De Witt,
Mr. Billopp,		Mr. Coe.

That on reading the fifteenth paragraph, Mr. *Clinton* moved that the same be struck out, which is in these words, viz: "The late Acts for shutting up the Port of *Boston*, "and altering the Charter of the *Massachusetts Bay*, we pre-"sume not to mention to your Majesty, without first assur-"ing you, that we, in many instances, disapprove of the "conduct of that Province, and beseeching your gracious "interposition in their favour; we cannot, however, help "observing, that those Acts seem to establish a dangerous "precedent, by inflicting punishment without the formality "of a trial;" and the following words substituted, to wit: "Although, royal sir, it would be improper here to enter "into a justification of the merits of the measures which "occasioned the late act for shutting up the Port of *Bos-"ton*, abridging the Charter rights of the *Massachusetts "Bay*, and for the impartial administration of justice in "that Province; your Majesty will, however, graciously "be pleased to permit us to observe, that the ill-policied "scheme of Colony Administration pursued by your Majes-"ty's Ministers since the close of the last war, has been "productive of great warmth in every part of your Em-"pire; nor can we avoid declaring, that we view those "Acts with that jealousy which is the necessary result of a "just sense of the blessings of freedom, and abhor the "principles they contain, as establishing precedents subver-"sive of the rights, privileges, and property, and danger-"ous to the lives of your Majesty's *American* subjects."

Upon which debates arose, and the question having been put thereon, it was carried in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Walton,	Mr. Jauncey,	Colonel Schuyler,
Mr. Nicoll,	Mr. Speaker,	Mr. Clinton,
Mr. Kissam,	Mr. De Lancey,	Mr. Van Cortlandt,
Colonel Philips,	Mr. Van Kleeck,	Colonel Woodhull,
Mr. Ten Eyck,	Mr. Rapalje,	Captain Seaman,
Mr. Wilkins,	Mr. Brush,	Mr. Thomas,
Mr. Billopp,	Mr. Gale.	Mr. De Witt,
Colonel Wells,		Mr. Coe.

That Colonel *Philips* then moved to have the words "seem to" struck out of the said fifteenth paragraph, which passed in the affirmative.

That on reading the sixteenth paragraph, a motion was made by Mr. *Clinton*, in the words following, viz:

Mr. Chairman: I move that the said sixteenth paragraph be struck out, which is in these words, to wit: "We "cannot quit the subject of our grievances, without humbly "representing to your Majesty, that we are apprehensive "many inconveniences may arise from the Judges of the "Supreme Court in this Colony holding their commissions "during pleasure; we therefore entreat your Majesty to "grant them their commissions upon the tenure that the "Judges of your Majesty's Courts in *England* hold theirs, "during good behaviour; and we assure your Majesty, that "if you shall be pleased to grant us this indulgence, you "will find the Representatives of this Colony ready and "willing to annex such adequate and permanent salaries to "those offices, as shall render them as independent of the "people, as your Majesty may be pleased to make them "of the Crown;" and the following words substituted, to wit: "With the highest satisfaction, most gracious Sove-"reign, we reflect on your royal declaration from the "throne, at your happy accession, that it was essential to "the impartial administration of justice, and one of the "best securities to the rights and liberties of your subjects, "that your Judges should hold their commissions during "good behaviour; permit us then to pray, that you will be "graciously pleased to remove the distinction between your "subjects in *England* and those in *America*, by commis-"sioning your Judges here to hold their offices on the same "tenure; in which case we beg leave to assure your Ma-"jesty, that we stand ready to give them such adequate "and permanent salaries as will render them independent "of the people." On the question, the Commitee agreed to the same, *nemine contradicente*.

That after he had read the seventeenth paragraph, Mr. *Clinton* moved that the following words be struck out from the beginning of the said seventeenth paragraph, to wit: "We have now, most gracious Sovereign, stated our griev-"ances to your Majesty; we have done it, we trust, with "all the respect due to the best of Kings, and with that "decent freedom becoming the Representatives of a [faith-"ful, ancient, and loyal Colony;]

[Here four pages of the original are missing. They contained the remainder of the Proceedings on the Petition to the King, and the Proceedings on the Memorial to the House of Lords, as far as the twenty-first paragraph.]

"part of his Majesty's Dominions; but that it is essential "to freedom, and the undoubted rights of our constituents, "that no Taxes be imposed on them but with their consent, "given personally or by their lawful Representatives;" and the following substituted, to wit: "And while we es-"teem it our duty thus fully to lay them before your Lord-"ships, we beg leave to assure you, that we shall never re-"pine at the exercise of Parliamentary authority to regulate "trade for the general weal of the Empire, when it is solely "employed in the enacting Duties on imports from foreign "countries, that may interfere with the products or manu-"factures of any part of the *British* Empire, provided that "in the mode, every idea of taxation for the purpose of "raising a Revenue in *America*, be excluded." Upon which, debates arose, and the question having been put thereon, it was carried in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Walton,	Mr. Rapalje,	Colonel Schuyler,
Mr. Kissam,	Mr. Van Kleeck,	Mr. Clinton,
Colonel Philips,	Mr. Jauncey,	Colonel Woodhull,
Mr. Ten Eyck,	Mr. Brush,	Captain Seaman,
Mr. Billopp,	Mr. Gale,	Mr. Van Cortlandt,
Mr. Nicoll,	Mr. Coe,	Mr. Thomas,
Mr. Wilkins,	Colonel Wells,	Mr. De Witt,
Mr. De Lancey,	Mr. Speaker.	Mr. Boerum.

That after going through the same, paragraph by paragraph, and having made several amendments thereto, he asked the Committee whether they agreed to the same, and would direct him to report them to the House? Upon which debates arose, the Committee divided, and it passed in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Mr. Walton,	Mr. De Lancey,	Colonel Schuyler,
Mr. Rapalje,	Mr. Van Kleeck,	Mr. Clinton,
Mr. Kissam,	Mr. Jauncey,	Colonel Woodhull,
Colonel Philips,	Mr. Brush,	Captain Seaman,
Mr. Ten Eyck,	Mr. Coe,	Mr. Van Cortlandt,
Mr. Billopp,	Mr. Gale,	Mr. Thomas,
Mr. Wilkins,	Colonel Wells,	Mr. De Witt,
Mr. Nicoll,	Mr. Speaker.	Mr. Boerum.

Which Report he read in his place, and afterwards delivered it, with the said draught and amendments, in at the table, where the same were again read; and on the question, Whether the House agree to the same, and would order the said draught and amendments to be engrossed? It passed in the affirmative.

Ordered, That the said draught and amendments be engrossed.

The House then resolved itself into a Committee of the Whole House, upon the draught of a Representation and Remonstrance to the Commons of *Great Britain*. After some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Kissam* reported, that he was directed by the Committee to make the following Report to the House, to wit:

That after reading the said draught through in the Committee, and upon reading it again, paragraph by paragraph, when he came to the fourth paragraph,

A motion was made by Mr. *Clinton*, in the words following, viz:

Mr. Chairman: I move that the word "internal," between the words "from" and "Taxation," in the fourth paragraph, be struck out; as also the following words, at the end of the said fourth paragraph, to wit: "Especially "for the support of Government, and the other usual and "ordinary service of the Colonies." On which debates arose, and the question having been put thereon, it was carried in the negative, in manner following, viz:

Digitized by Google

For the Negative.		*For the Affirmative.*
Mr. Walton,	Mr. Rapalje,	Colonel Schuyler,
Mr. Kissam,	Mr. Van Kleeck,	Mr. Clinton,
Colonel Philips,	Mr. Jauncey,	Colonel Woodhull,
Mr. Ten Eyck,	Mr. Brush,	Captain Seaman,
Mr. Billopp,	Mr. Coe,	Mr. Van Cortlandt,
Mr. Nicoll,	Mr. Gale,	Mr. Thomas,
Mr. Wilkins,	Colonel Wells,	Mr. De Witt,
Mr. De Lancey,	Mr. Speaker.	Mr. Boerum.

That on reading the eighth paragraph, Mr. *Clinton* moved that the word "their," between the words "branches" and "authority," be struck out; and the words "in exercising an" be substituted; and between the words "Dominions" and "has," the following words be inserted, to wit: "which authority, when founded in expediency, "and calculated for the general weal of the whole Empire."

On which, debates arose, and the question having been put thereon, it passed in the negative in the same manner as the preceding question.

That on reading the eleventh paragraph, Mr. *Clinton* moved that the words "the Roman Catholick religion," between the words "which" and "has," be struck out, and the following substituted, to wit: "A sanguinary religion, "equally repugnant to the genuine simplicity of christian-"ity, and the maxims of sound philosophy." On which debates arose, and the question having been put thereon, it was carried in the negative, in the same manner as the two last questions, excepting that Captain *Seaman* was for the negative.

That on reading the 12th paragraph, Mr. *Clinton* moved that the following words be struck out of the latter end thereof, to wit: "At the same time we also must express "our disapprobation of the violent measures that have been "pursued in some of the Colonies, which can only tend to "increase our misfortunes, and to prevent our obtaining re-"dress." On the question, debates arose, the Committee divided, and it passed in the negative, in the same manner as the two preceding questions before the last.

That after going through the same, paragraph by paragraph, and having made several amendments thereto, on the question whether they agree to the same, and would direct him to report them to the House? It passed in the affirmative.

Which Report he read in his place, and afterwards delivered it, with the said draught and amendments, in at the table, where the same were again read. On the question, whether the House agree to the same, and would order the said draught and amendments to be engrossed? It pas-in the affirmative.

Ordered, That the said draught and amendments be engrossed.

And then the House adjourned till ten o'clock to-morrow morning.

—

Die Sabbati, 10 ho., A. M., the 25th March, 1775.

The engrossed Petition to the King's most excellent Majesty, was read: On the question, whether the House agree to the same? It passed in the affirmative.

Ordered, That Mr. Speaker sign the said Petition in behalf of this House.

TO THE KING'S MOST EXCELLENT MAJESTY.

The humble Petition of the General Assembly of the Colony of NEW-YORK.

Most Gracious Sovereign:

1. We, your Majesty's most dutiful and loyal subjects, the General Assembly of the Colony of *New-York*, beg leave most humbly to approach your Majesty.

2. Inviolably attached to your royal person and Government, to which we are bound by the strongest ties of duty and affection, and in the fullest assurance that your paternal care is extended over ALL YOUR PEOPLE, as well the inhabitants of the New World as those who flourish and are happy under your more immediate influence in the Old, we are emboldened to throw ourselves at your Majesty's feet, humble Petitioners in behalf of the loyal Colony we represent.

3. Vouchsafe, then, most gracious Sovereign, to attend to the prayer of your faithful subjects, and while we are pleading our own cause, and the cause of liberty and humanity, deign to consider us as advocates for our sister Colonies also.

4. The present unhappy and unnatural disputes between the parent state and your Majesty's *American* Dominions, give us the deepest and most unfeigned concern. We lament it as one of the greatest misfortunes, that the happy and peaceful harmony which has hitherto subsisted between us should now by any means be interrupted; and 'tis the earnest and first wish of our hearts that it may be speedily restored, and placed upon so permanent a basis, as that neither time or accidents may be ever able to disturb it.

5. We acknowledge, with the warmest gratitude, the favour and protection of our mother country, which, flowing from policy, dictated by wisdom and humanity, hath enabled us to become so important a part of the *British* Empire; and we beseech your Majesty to believe us, when we assure you that we still retain the duty and affection of children; that we love and reverence our venerable parent; and that no calamity would be so truly afflicting to us as a separation from her. We acknowledge there are appearances which may be construed to our disadvantage, and that several of the measures pursued by the Colonies are by no means justifiable; yet, while we disapprove and condemn them, we entreat you, as the indulgent father of your people, to view them in the most favourable light, and to consider them as the honest, though disorderly struggles of liberty, not the licentious efforts of independence.

6. Your Majesty's *American* subjects have hitherto been in a state of infancy, and till lately have submitted implicitly, and without repining, to the authority of the parent state. They have now reached the period of maturity, and think themselves entitled to their birth-right, an equal participation of freedom with their fellow-subjects in *Britain*. It is with this view we now address your Majesty: we mean not to become independent of the *British* Parliament; on the contrary, we cheerfully acknowledge our subordination to it as the Grand Legislature of the Empire; we wish only to enjoy the rights of *Englishmen*, and to have that share of liberty, and those privileges secured to us, which we are entitled to upon the principles of our *free and happy Constitution*. Permit us, therefore, most gracious Sovereign, to lay our grievances before you, which we now do with the greatest humility, and in the fullest assurance that your royal justice and clemency will be exerted in our behalf.

7. Your Majesty's subjects in this Colony think it essential to freedom, and the undoubted right of *Englishmen*, that no Taxes should be imposed on them without *their consent* given personally, or by their Representatives. This right we do not at present enjoy, inasmuch as the *British* Parliament (in which we have no representation) have claimed and exercised a right of making laws, binding upon us in all cases whatsoever. This claim, and this exercise of unlimited power by the Parliament, we esteem a grievance of the most dangerous nature, and directly tending to the subversion of our constitutional liberties. We are willing, to the utmost of our abilities, to contribute our proportion for the support of Government; but we would do it in a constitutional manner, by the interposition of the COLONY LEGISLATURE.

8. We likewise beg leave to declare to your Majesty, that we consider the Acts of Parliament, raising a Revenue in *America*, but more especially those to provide for the support of Civil Government, and the administration of justice in the Colonies, and extending the Courts of Admiralty beyond their ancient limits, giving them a concurrent jurisdiction, in causes heretofore cognizable only in the Courts of Common Law, and by that means depriving the *American* subjects of a trial by Jury, as grievous and destructive of our rights and privileges.

9. That the Act of Parliament authorizing the apprehension of persons resident in the Colonies, on suspicion of certain offences, and sending them out of the same to be tried, is dangerous to the lives and liberties of your Majesty's *American* subjects, as it deprives them of a trial by a JURY OF THE VICINAGE, which, in all cases, is the grand security and birth-right of *Englishmen*.

10. That we humbly conceive the Act requiring the Legislature of this Colony to provide for the services therein mentioned, and the other for suspending the Legislative power thereof, till such requisition should be com-

Digitized by Google

plied with, were unconstitutional, and tended to destroy that confidence which we had always reposed in the mother country.

11. That the imposition of Duties upon articles of Commerce, imported from *Great Britain*, is oppressive and impolitick, as it gives the greatest encouragement to illicit trade, and operates as a prohibition on our commerce with the mother country, which, for the mutual advantage of both, we conceive, ought to be free and unrestrained.

12. That the Act passed in the fourteenth year of your Majesty's reign, imposing Duties upon certain articles imported into the Province of *Quebec*, (the limits whereof by an Act of the same year are so extended, as to comprehend all the *Indian* country from *Hudson's* Bay to the mouth of the *Ohio* River,) and restricting the importation of those dutied articles to the Port of *St. John*, on the River *Sorel*, is injurious to this Colony, as it almost entirely destroys our important *Indian* trade; that Port being so very remote from this and the other Colonies, that the conveyance of Goods thither for the prosecution of the traffick, must unavoidably be attended with so enormous an expense, as well nigh amounts to a total prohibition; the unmerited discrimination made by the first above-mentioned Act in favour of the Sugar Colonies, by subjecting the Continental Colonies to a larger Duty on particular articles, is so detrimental to the interest of *this* Colony, that we cannot avoid complaining of it to your Majesty as a grievance.

13. We likewise think the Act prohibiting the Legislature of this Colony from passing any law for the emission of *Paper Currency*, to be a legal tender therein, is disadvantageous to the growth and commerce thereof; an abridgment of your Majesty's prerogative, (in the preservation of which we are deeply interested,) and a violation of our legislative rights; and may hereafter disable your Majesty's subjects, upon proper requisition, and upon certain emergencies, from granting such aids as may be necessary for the general safety of the Empire.

14. The Act for the regulation of the Government of *Quebec*, we must beg leave to mention also to your Majesty, as the extension of that Province, and the indulgence granted to it by Roman Catholicks, have given great uneasiness to the minds of many of your Majesty's *American* subjects.

15. The late Acts for shutting up the Port of *Boston*, and altering the Charter of the *Massachusetts Bay*, we presume not to mention to your Majesty, without first assuring you that we, in many instances, disapprove of the conduct of that Province, and beseeching your gracious interposition in their favour. We cannot, however, help observing, that those Acts establish a dangerous precedent, by inflicting punishment without the formality of a trial.

16. With the highest satisfaction, most gracious Sovereign, we reflect on your royal declaration from the throne at your happy accession, that it was essential to the impartial administration of justice, and one of the best securities to the rights and liberties of your subjects, that your Judges should hold their commissions during good behaviour; permit us then to pray, that you will be graciously pleased to remove the distinction between your subjects in *England* and those in *America*, by commissioning your Judges here to hold their offices on the same tenure: in which case, we beg leave to assure your Majesty that we stand ready to give such adequate and permanent salaries as will render them *independent of the people*.

17. We have now, most gracious Sovereign, stated our grievances to your Majesty; we have done it, we trust, with all the respect due to the best of Kings, and with that decent freedom becoming the Representatives of a faithful, ancient, and loyal Colony; and we have not the least doubt but that, by your merciful mediation and interposition, we shall obtain the desired redress, and have such a system of government confirmed to us by your Majesty, and your two Houses of Parliament, as will sufficiently *ascertain* and *limit* the authority claimed by the *British* Legislature over this Colony, and secure to us those just and invaluable RIGHTS AND PRIVILEGES which all your Majesty's subjects are entitled to. This, most gracious Sovereign, is the sum of our wishes, and the end of our desires; and we beg leave to assure your Majesty, that we are convinced this will be the only effectual method of quieting the minds of your Majesty's faithful *American* subjects, and of restoring that harmony and cordial union between the mother country and us, which is so essential to the welfare and prosperity of both. We beseech your Majesty to believe, that our earnest prayer to Heaven is that your Majesty may continue long the happy and beloved Monarch of a brave, a free, a virtuous, and united people, and that your children after you may continue to fill the *British* Throne to the latest generations.

By order of the General Assembly,

JOHN CRUGER, *Speaker*.

Assembly Chamber, City of New-York, the 25th day of March, 1775.

The engrossed Memorial to the Lords Spiritual and Temporal, in Parliament assembled, was read. On the question, whether the House agree to the same? It passed in the affirmative.

Ordered, That Mr. Speaker sign the said Memorial in behalf of this House.

To the Right Honourable the Lords Spiritual and Temporal of GREAT BRITAIN, *in Parliament assembled.*

The Memorial of his Majesty's faithful subjects the Representatives of the Colony of NEW-YORK, *in General Assembly convened.*

May it please your Lordships:

1. We, his Majesty's most dutiful and loyal subjects, the Representatives of the Colony of *New-York*, in General Assembly convened, are conscious when we address your Lordships, that we are applying to a body who have ever been distinguished for the firmest attachment to the principles of liberty, and that happiest result of them, the *British* Constitution.

2. We acknowledge ourselves and the people we represent, strictly bound by the ties of faith and allegiance to our most gracious Sovereign; that we justly owe the same faith and allegiance as are due to him from his subjects in *Great Britain*; that we regard him with the utmost veneration, and that we shall ever be ready to contribute to his service, and to support the dignity of his Crown and Government.

3. We esteem ourselves happy in our connection with the PARENT STATE, whose true interests are inseparably united with our own; and we are fully sensible that none but the enemies of both countries could ever wish to disjoin them.

4. Impressed with these sentiments, we consider ourselves as parts of one great Empire, in which it is necessary there should be some supreme regulating power. But though we acknowledge the existence of such power, yet we conceive it by no means comprehends a right of binding us in all cases whatsoever; because a power of so unbounded an extent, would totally deprive us of security, and reduce us to a state of the most abject servitude.

5. The Colonies, as your Lordships know, were not in contemplation when the forms of the *British* Constitution were established; it followed, therefore, from its principles, when colonization took place, that the Colonists carried with them all the rights they were entitled to in the country from which they emigrated; but as from their local circumstances they were precluded from sharing in the representation in that Legislature in which they *had been* represented, they of right claimed and enjoyed a Legislature of their own, always acknowledging the King, or his representative, as one branch thereof. This right they have pointedly, repeatedly, and zealously asserted, as what only could afford them that security which their fellow-subjects in *Great Britain* enjoy, under a Constitution at once the envy and admiration of surrounding Nations; because no money can be raised upon the subject in *Great Britain*, nor any law made that is binding on him, without the concurrence of those who have been elected by the PEOPLE to represent them.

6. For what happiness can the Colonists expect, if their lives and properties are at the absolute disposal of others, and that power which when restrained within its just bounds, would dispense light and heat to the whole Empire, may be employed like a devouring flame, to consume and destroy them.

7. Your Lordships will excuse, nay, we doubt not, will commend us for speaking at this important juncture, with the freedom becoming the Representatives of a free peo-

Digitized by Google

ple, when addressing ourselves to this most illustrious body.

8. We therefore beg leave, on this occasion, to declare, that we conceive the people of the Colonies entitled to EQUAL RIGHTS and PRIVILEGES with their fellow-subjects in *Great Britain*.

9. That upon these principles, it is a grievance of a most alarming nature, that the Parliament of *Great Britain* should claim a right to enact laws binding the Colonies in all cases whatsoever.

10. Incompatible as this claim is with the very idea of freedom, your Lordships cannot wonder that the Colonies should express an invincible repugnance to it. Absolute and uncontrollable power in any man or body of men, necessarily implies absolute slavery in those who are subject to it, even should such a power not be carried into execution; yet, let it be remembered, that the liberties of an *Englishman* are his *rights*, and that freedom consists not in a mere *exemption* from oppression, but in a *right* to such exemption, founded on law and principles of the Constitution.

11. But your Lordships cannot be ignorant that this claim has been exercised in such a manner as to give the Colonists the utmost uneasiness, and the most unexceptionable grounds of complaint.

12. Duties, for the express purpose of raising a Revenue in *America*, have been imposed upon several articles imported directly from *Great Britain*, or the *British* Colonies, and on foreign Wines, an article which does not in the least interfere with the products of *Great Britain*, or any of its Colonies.

13. The jurisdiction of the *Admiralty Courts* has been extended beyond its ancient limits; the Judges of those Courts invested with new and unconstitutional powers; the subjects of *America*, in many cases, divested of that invaluable privilege, a TRIAL BY JURY, and a discrimination highly injurious, held up between us and our fellow-subjects in *Great Britain*.

14. Acts have been passed for the purpose of suspending the Legislature of this Colony from the exercise of its constitutional powers, till it should comply with requisitions which it had before judged improper; and laying an unreasonable restraint upon us, with respect to the emission of a *Paper Currency* to be a legal tender within the Colony.

15. Officers employed in the administration of justice, have been rendered independent of the people, with respect both to their salaries and the tenure of their commissions, whereby they are freed from those checks to which, as servants of the publick, they ought to be subject, although the Representatives of the people have ever been ready, and now declare their willingness to make suitable provision for their support.

16. New and unconstitutional Acts have been passed, and constructions made of an old one, by which the *American* subject is directed to be tried for offences, either real or supposed, not in the place where the fact was committed, where his witnesses reside and their characters are known, but in a strange country, where his witnesses may not attend, and where their credibility cannot be ascertained.

17. We are extremely unhappy that occasion has been given us to add to the catalogue of our grievances, the laws enacted in the last session of the late Parliament, for shutting up the Port of *Boston;* for altering the Government of the *Massachusetts Bay*, and for the impartial administration of justice in certain cases in that Province.

18. Although it is not our intention to enter into a justification of the measures which occasioned those Acts, or to intimate an approbation of the mode pursued for redressing the grievances of which they have been productive, yet we cannot help viewing them as forming precedents of so dangerous a nature, as must render the privileges, the property, and even the lives of all his Majesty's *American* subjects precarious and insecure.

19. By other Acts of the same session, the bounds of the Province of *Quebec* are considerably extended; the Roman Catholick religion may be construed to be established throughout that Province; and such regulations are enacted respecting its trade, as not only hold up a discrimination between the Continental and other Colonies, injurious to the former; but in the establishment of the Port of Entry, cannot fail totally to deprive this Colony of an extensive and important commerce, which it formerly carried on with the native *Indian* inhabitants of that vast tract of country, now included within the bounds of that Government.

20. These are the principal grievances under which our constituents at present labour; but though we conceive it our duty thus fully to lay them before your Lordships, we beg leave to assure you that we shall always cheerfully submit to the CONSTITUTIONAL exercise of the supreme regulating power lodged in the KING, Lords, and Commons of *Great Britain*, and to all Acts calculated for the general weal of the Empire, and the due regulation of the Trade and Commerce thereof.

21. We conceive this power includes a right to lay Duties upon all articles imported directly into the Colonies from any foreign country or plantation, which may interfere with products or manufactures of *Great Britain*, or any other part of his Majesty's Dominions; but that it is essential to freedom, and the undoubted rights of our constituents, that NO TAXES be imposed on them, but with their consent given personally, or by their lawful Representatives.

22. Whilst, therefore, we entertain such dispositions of obedience to the lawful powers of Government, of allegiance to our most gracious Sovereign, and attachment to the parent country, we humbly hope that your Lordships will aid and concur in redressing our grievances, removing all causes of dissension with *Great Britain*, and establishing our RIGHTS AND PRIVILEGES UPON A SOLID AND LASTING FOUNDATION. And your Memorialists shall ever pray.

By order of the General Assembly,

JOHN CRUGER, *Speaker*.

Assembly Chamber, City of New-York, March 25, 1775.

And then the House adjourned till four o'clock this afternoon.

Four ho., P. M.

The engrossed Representation and Remonstrance to the Commons of *Great Britain*, in Parliament assembled, was read. On the question, whether the House agree to the same? It passed in the affirmative.

Ordered, That the Speaker sign the said Representation and Memorial in behalf of this House.

To the Honourable the Knights, Citizens, and Burgesses, of GREAT BRITAIN, *in Parliament assembled.*

The Representation and Remonstrance of the General Assembly of the Colony of NEW-YORK.

1. Impressed with the warmest sentiments of loyalty and affection to our most gracious Sovereign, and zealously attached to his person, family, and Government, we his Majesty's faithful subjects, the Representatives of his ancient and loyal Colony of *New-York*, behold with the deepest concern the unhappy disputes subsisting between the mother country and her Colonies. Convinced that the grandeur and strength of the *British* Empire, the protection and opulence of his Majesty's *American* Dominions, and the happiness and welfare of both depend essentially on a restoration of harmony and affection between them, we feel the most ardent desire to promote a cordial reconciliation with the parent state, which can be rendered permanent and solid only by ascertaining the line of Parliamentary authority and *American* freedom, on just, equitable, and constitutional grounds. To effect these salutary purposes, and to represent the grievances under which we labour, by the innovations which have been made in the constitutional mode of Colonial Government, since the close of the late war, we shall proceed with that firmness which becomes the descendants of *Englishmen*, and a people accustomed to the blessings of liberty, and at the same time with the deference and respect which is due to this august Assembly, to shew.

2. That from the year 1683, till the above mentioned period, this Colony has enjoyed a Legislature consisting of three distinct branches—a Governour, Council, and General Assembly, under which political frame the Representatives of the people have uniformly exercised the right of granting aids to the Crown, and providing for the support of their own Civil Government, and the administration of justice in the Colony.

Digitized by Google

3. It is therefore with inexpressible grief, that we have of late years seen measures adopted by the *British* Parliament subversive of that Constitution under which the good people of this Colony have always enjoyed the same rights and privileges so highly and deservedly prized by their fellow-subjects in *Great Britain;* a Constitution in its infancy, modelled after that of the parent state; in its growth more nearly assimilated to it, and tacitly implied, and undeniably recognised in the requisitions made by the Crown, with the consent and approbation of Parliament.

4. An exemption from Internal Taxation, and the exclusive right of providing for the support of our own Civil Government, and the administration of justice in this Colony, we esteem our undoubted and unalienable rights as *Englishmen.* But while we claim these essential rights, it is with equal pleasure and truth we can declare, that we ever have been, and ever will be, ready to bear our full proportion of aids to the Crown for the publick service, and to make provision for these necessary purposes, in as ample and adequate a manner as the circumstances of the Colony will admit. Actuated by these sentiments, while we address ourselves to a *British* House of Commons, which has ever been so sensible of the rights of the people, and so tenacious of preserving them from violation, can it be a matter of surprise, that we should feel the most distressing apprehensions from the Act of the *British* Parliament, declaring their right *to bind the Colonies in all cases whatever*, a principle which has been actually exercised by the Statutes made for the sole and express purpose of raising a Revenue in *America*, especially for the support of Government, and the other useful and ordinary services of the Colonies.

5. The trial by a Jury of the vicinage, in causes civil and criminal, arising within the Colony, we consider as essential to the security of our lives and liberties, and one of the main pillars of the Constitution; and therefore view with horrour the construction of the Statute of the thirty-fifth of *Henry* the Eighth, as held up by the joint Address of both Houses of Parliament, in 1769, advising his Majesty to send for persons guilty of Treasons and misprisons of Treason, in the Colony of *Massachusetts Bay*, in order to be tried in *England;* and we are equally alarmed at the late Acts empowering his Majesty to send persons guilty of offences in one Colony, to be tried in another, or within the Realm of *England.*

6. When we consider that the cognizance of causes arising on the land, has, by the wisdom of the *English* Constitution, been appropriated to the Courts of Common Law, and the jurisdiction of the Admiralty confined to causes purely marine, we regard the great alterations that have been made in that wholesome system of laws, by extending the powers of the Courts of Admiralty; authorizing the Judges' certificates to indemnify the prosecutor from damages he might otherwise be liable to; giving them a concurrent jurisdiction with the Courts of Common Law, and by that means depriving the *American* subject of his trial by a JURY, as destructive to freedom, and injurious to our property.

7. We must also complain of the Act of the seventh of *George* the Third, chapter the fifty-ninth, requiring the Legislature of this Colony to make provision for the expense of supplying the Troops quartered amongst us with the necessaries prescribed by that law, and holding up by another Act of suspension of our Legislative powers, till we should have complied, as it would have included all the effects of a Tax, and implies a distrust of our readiness to contribute to the publick service.

8. Nor in claiming these essential RIGHTS, do we entertain the most distant desire of independence on the parent Kingdom. We acknowledge the Parliament of *Great Britain* necessarily entitled to a supreme direction and government over the whole Empire, for a wise, powerful, and lasting preservation of the great bond of union and safety among all the branches; their authority to regulate the trade of the Colonies, so as to make it subservient to the interest of the mother country, and to prevent its being injurious to the other parts of his Majesty's Dominions, has ever been fully recognised; but an exemption from Duties on all articles of Commerce which we import from *Great Britain, Ireland*, and the *British* Plantations, or on commodities which do not interfere with their products or manufactures, we can justly claim; and always expect that our Commerce will be charged with no other than a necessary regard to the trade and interest of *Great Britain* and her Colonies evidently demands. At the same time, we humbly conceive that the money arising from all DUTIES RAISED IN THIS COLONY, should be paid into the *Colony Treasury*, to be drawn by requisitions of the Crown to the General Assembly, for the security and defence of the whole Empire.

9. We cannot avoid mentioning among our grievances the Act for prohibiting the Legislature of this Colony from passing any law for the emission of a Paper Currency to be a legal tender in the Colony; our Commerce affords so small a return of specie, that, without a paper currency, supported on the credit of the Colony, our trade, and the change of property, must necessarily decrease. Without the expedient, we never should have been able to comply with the requisitions of the Crown during the last war, or to grant ready aids on any sudden emergencies. The credit of our Bills has ever been secured from depreciation by the short periods limited for their duration, and sinking them by taxes raised on the people; and the want of this power may, in future, prevent his Majesty's faithful subjects here from testifying their loyalty and affection to our gracious Sovereign, and from granting such aids as may be necessary for the general weal and safety of the *British* Empire; nor can we avoid remonstrating against this Act as an abridgment of the Royal prerogative, and a violation of our Legislative rights.

10. We must also complain of the Act of the last session of Parliament imposing Duties on certain articles imported into the Province of *Quebec*, and restricting the importation of them to the Ports of *Quebec* and *St. John's* on the river *Sorel*, by which the commerce formerly carried on by this Colony with the *Indians*, is in a great measure diverted into another channel, as by the extension of the bounds of that Province from *Hudson's* Bay to the *Ohio*, by a Statute of the same session, a great extent of country is cut off from this Colony, in which hitherto the most lucrative branches of the *Indian* trade were pursued; and by directing the Duties on the articles necessary for that commerce to be paid only at the above Ports, which are so very remote from this and other Colonies, that the importation of them by those places will be attended with such a heavy expense as to amount to a total prohibition. These Acts, in our opinion, bear with peculiar hardship on the people of *this* Colony, when we reflect on the vast sums of money which have been expended by our Legislature in conciliating the friendship of the Savages, and the essential services which were derived to the *British* arms during the last war, from our alliance with, and influence over them, founded on a free and unrestrained commerce. We are at a loss to account why articles imported from the Continental Colonies, and imported into the Province of *Quebec*, should be loaded with heavier Duties than those brought from the *West India* Islands, by which, while we are deprived of a most lucrative branch of commerce, we behold a discrimination made between us and the Sugar Colonies to our prejudice, equally injurious and unmerited.

11. Nor can we forbear mentioning the jealousies which have been excited in the Colonies by the extension of the limits of the Province of *Quebec*, in which the Roman Catholick religion has received such ample supports.

12. Interested, as we must consider ourselves, in whatever may affect our sister Colonies, we cannot help feeling for the distresses of our brethren in the *Massachusetts Bay*, from the operation of the several Acts of Parliament passed relative to that Province, and of earnestly remonstrating in their behalf; at the same time we also must express our disapprobation of the violent measures that have been pursued in some of the Colonies, which can only tend to increase our misfortunes, and to prevent our obtaining redress.

13. We claim but a restoration of those rights which we enjoyed by general consent before the close of the late war: we desire no more than a continuation of that ancient Government to which we are entitled by the principles of the *British* Constitution, and by which alone can be secured to us the *rights* of ENGLISHMEN. Attached by every tie of interest and regard to the *British* Nation, and accustomed to behold, with reverence and respect, its ex-

Digitized by Google

cellent form of Government, we harbour not an idea of diminishing the power and grandeur of the mother country, or lessening the lustre and dignity of Parliament; our object is the happiness which we are convinced can only arise from the UNION OF BOTH COUNTRIES. To render this union permanent and solid, we esteem it the undoubted right of the Colonies to participate of that Constitution, whose direct end and aim is the liberty of the subject; fully trusting that this Honourable House will listen with attention to our complaints, and redress our grievances by adopting such measures as shall be found most conducive to the general welfare of the whole Empire, and most likely to RESTORE UNION AND HARMONY AMONG ALL THE DIFFERENT BRANCHES.

By order of the General Assembly,

JOHN CRUGER, *Speaker.*

Assembly Chamber, New-York, March, 25, 1775.

Ordered, That the said Petition to the King's most excellent Majesty; the said Memorial to the Lords Spiritual and Temporal; and the said Representation and Remonstrance to the Commons of *Great Britain*, in Parliament assembled, be transmitted by the Speaker, with all convenient speed, to *Edmund Burke*, Esquire, Agent of this Colony at the Court of *Great Britain;* and that a Letter be prepared, to be approved of by this House, to the said Agent, with directions that he present the same in behalf of this Colony, as they are respectively directed, as soon after the receipt thereof as possible.

Ordered, That Mr. Speaker transmit, at the same time, to the Agent, the state of the Grievances of this Colony, and the Resolutions of this House thereupon.

—

Die Martis, 10 ho., A. M., the 28th March, 1775.

A Message from his Honour the Lieutenant-Governour, by Mr. *Bayard*, Deputy Secretary; and the same being read, is in the words following, viz:

GENTLEMEN: By desire of Governour *Tryon*, I last Spring sent by Mr. *Collins*, the Deputy Surveyor-General of the Province of *Quebec*, a copy of the Resolve of your House, that you would make provision for paying fifty Pounds sterling for completing the line between this Province and the Province of *Quebec*. Mr. *Collins*, by his letter of the 24th of *November* last, informed me that he had completed the work; that the distance being greater than was expected, had occasioned a greater expense than was foreseen; and that, of consequence, he was liable to be a considerable loser by the service which he had undertaken for the Government, unless some further allowance was made for his disbursements. With his letter of the 28th of *February*, Mr. *Collins* has sent me an account of his disbursements, and has drawn upon me for the fifty Pounds sterling, which cannot be paid until an Act is passed for the purpose. I send to you the letters and account, that you may make the necessary provision.

CADWALLADER COLDEN.

New-York, 28th March, 1775.

Ordered, That the said Message, and Papers therein mentioned, be referred to the consideration of the Committee to whom is committed the Bill entitled "An Act "for the payment of the Salaries of the several Officers of "this Colony, and other purposes therein mentioned."

—

Die Jovis, 10 ho., A. M., the 30th March, 1775.

Ordered, That Mr. Speaker issue his Order or Orders to the Treasurer of this Colony, to pay to *Edmund Burke*, Esquire, Agent of this Colony at the Court of *Great Britain*, or to his attorney, for so much money as may, from time to time, be due to him on account of his salary; and also the sum of one hundred and forty Pounds for the contingent charges of the said Agent.

The House resolved itself into a Committee of the Whole House, upon his Honour's Message, &c., of the 23d instant. After some time spent therein, Mr. Speaker resumed the Chair, and Mr. *Clinton* reported that he was directed by the Committee to make the following Report to the House, to wit:

That after reading the said Message in the Committee, and the sundry Papers that attended the same, and after some time spent in examining two witnesses on the subject-matter of the disturbances, mentioned in the said Message, to have lately happened in the County of *Cumberland*,

The following question was proposed, to wit:

Whether it appears to this Committee that there is a necessity for any provision being made to enable the inhabitants of the County of *Cumberland* to reinstate and maintain the due administration of justice in that County, and for the suppression of riots? Upon which, debates arose, the Committee divided, and it passed in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Mr. Speaker,	Mr. Gale,	Mr. Kissam,
Mr. De Lancey,	Mr. Coe,	Mr. Ten Eyck,
Mr. Jauncey,	Mr. Rapalje,	Mr. Nicoll,
Mr. Walton,	Colonel Philips,	Captain Seaman,
Colonel Wells,	Colonel Seaman,	Mr. Van Kleeck,
Mr. Brush,	Mr. Wilkins,	Mr. Van Cortlandt,
Mr. Billopp,	Mr. Thomas.	Mr. Boerum,
		Colonel Schuyler,
		Colonel Woodhull.

That a motion was then made by Mr. *Brush*, in the words following, viz:

Mr. Chairman: I move that the sum of one thousand Pounds be granted to his Majesty, to be applied to enable the inhabitants of the County of *Cumberland* to reinstate and maintain the due administration of justice in the said County, and for the suppression of riots therein. On which, debates arose, and the question having been put thereon, it was carried in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Mr. Speaker,	Mr. Gale,	Mr. Kissam,
Mr. De Lancey,	Mr. Coe,	Mr. Ten Eyck,
Mr. Jauncey,	Colonel Philips,	Mr. Nicoll,
Mr. Walton,	Colonel Seaman,	Captain Seaman,
Colonel Wells,	Mr. Wilkins,	Mr. Rapalje,
Mr. Brush,	Mr. Billopp.	Mr. Thomas,
		Mr. Van Kleeck,
		Mr. Van Cortlandt,
		Colonel Schuyler,
		Colonel Woodhull.

That the Committee had directed him to move for leave to sit again on the said Message, &c. Which Report he read in his place, and afterwards delivered it in at the table, where the same was again read; on the question, whether the House agree to the same?

Debates arose, the House divided, and it passed in the affirmative, in manner following, viz:

For the Affirmative.		*For the Negative.*
Mr. De Lancey,	Mr. Coe,	Mr. Kissam,
Mr. Jauncey,	Colonel Philips,	Mr. Ten Eyck,
Mr. Walton,	Colonel Seaman,	Captain Seaman,
Colonel Wells,	Mr. Wilkins,	Mr. Rapalje,
Mr. Brush,	Mr. Billopp.	Mr. Thomas,
Mr. Gale,		Mr. Van Kleeck,
		Mr. Van Cortlandt,
		Colonel Schuyler,
		Colonel Woodhull,
		Mr. Clinton.

Resolved therefore, That this House will make provision for granting to his Majesty the sum of one thousand Pounds, to be applied in enabling and assisting the inhabitants of the County of *Cumberland*, to reinstate and maintain the due administration of justice, and for the suppression of riots, in the said County.

Resolved, That this House will again, to-morrow, resolve itself into a Committee of the Whole House upon the said Message, &c.

—

Die Veneris, 10 ho., A. M., the 31st March, 1775.

Ordered, That Mr. Speaker write to the Speakers of the several Houses of Assembly on this Continent, as soon after the rise of this House as conveniently may be, and transmit to them the List of Grievances stated by this House, and the Resolutions thereof, in consequence; together with the Petition to the King's most excellent Majesty; the Memorial to the Lords Spiritual and Temporal: and the Representation and Remonstrance to the Commons of *Great Britain* in Parliament assembled, requesting them to lay the same before their respective Houses of Assembly, at their first meeting after the receipt thereof.

The Order of the Day being read, the House resolved itself into a Committee of the Whole House upon his Honour's Message, &c., of the 23d instant. After some time spent therein, Mr. Speaker resumed the Chair, and

Digitized by Google

Mr. *Clinton* reported, that he was directed by the Committee to make the following Report to the House, to wit:

That when they came to that part of the said Message, wherein is mentioned the disorders that have for some time greatly disturbed the Northeastern Districts of the County of *Albany*, and part of the County of *Charlotte*; and after some time spent in examining witnesses, touching the same, the following question was proposed, to wit:

"Whether it appears to this Committee that there is a "necessity for any provision being made, to enable the in-"habitants of the Counties of *Albany* and *Charlotte* to sup-"press riots in certain parts of the said Counties?" Upon which debates arose, the Committee divided, and it passed in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Speaker,	Mr. Boerum,	Mr. Billopp,
Mr. Jauncey,	Mr. Thomas,	Mr. De Lancey,
Colonel Schuyler,	Colonel Seaman,	Mr. Gale,
Mr. Ten Eyck,	Colonel Woodhull,	Colonel Philips,
Mr. Nicoll,	Mr. Van Cortlandt,	Mr. Rapalje,
Captain Seaman,	Mr. Kissam.	Mr. Walton,
		Mr. Wilkins,
		Colonel Wells,
		Mr. Brush.

That a motion was then made by Colonel *Schuyler*, in the words following, viz:

Mr. Chairman: I move that it be resolved, as the opinion of this Committee, that it appears necessary that proper persons be appointed to inquire into, and state the cause of the disorders prevailing in the Northeastern parts of the County of *Albany*, and in part of the County of *Charlotte*, and to report the same at the next sessions. Upon which debates arose, and the question having been put thereon, it was carried in the negative, in manner following, viz:

For the Negative.		*For the Affirmative.*
Mr. Speaker,	Mr. De Lancey,	Mr. Kissam,
Mr. Jauncey,	Colonel Seaman,	Mr. Boerum,
Mr. Brush,	Mr. Gale,	Colonel Schuyler,
Colonel Wells,	Mr. Nicoll,	Captain Seaman,
Colonel Philips,	Mr. Billopp,	Mr. Thomas,
Mr. Rapalje,	Mr. Wilkins.	Mr. Ten Eyck,
Mr. Walton,		Mr. Van Cortlandt,
		Colonel Woodhull.

A motion was then made by Mr. Speaker, in the following words, viz:

Mr. Chairman: I move that an additional reward of fifty Pounds each, be voted, for apprehending in any Jail in this Colony, the following persons, being rioters, named in the Act of the last sessions, entitled "An Act for pre-"venting Tumultuous and Riotous Assemblies in the places "therein mentioned, and for the more speedy and effectual "punishing the Rioters," to wit: *Ethan Allen, Seth Warner, Robert Cochran*, and *Peleg Sunderland*. And that a reward of fifty Pounds be voted for apprehending and securing as aforesaid, *James Meed, Gideon Warner*, and *Jesse Sawyer*, or either of them, so that they can be brought to justice, for assisting the four first mentioned persons in committing sundry violent outrages on the person of one of his Majesty's Justices of the Peace for the County of *Charlotte*.

On the question, it passed in the affirmative.

Which Report he read in his place, and afterwards delivered it in at the table, where the same was again read, and agreed to by the House; and, thereupon, it was

Resolved, That this House will make provision to pay the aforesaid rewards, for apprehending either of the said persons, so that they can be brought to justice.

Die Sabbati, 10 ho., A. M., the 1st April, 1775.

A motion was made by Mr. *Boerum*, in the words following, viz:

Mr. Speaker: I move that the sum of one thousand Pounds, voted by this House to his Majesty, to be applied in enabling and assisting the inhabitants of the County of *Cumberland*, to reinstate and maintain the due administration of justice, and for the suppression of riots in the said County, be repaid into the Treasury of this Colony, by an equal sum to be raised of and from the freeholders and inhabitants of the said County, by a tax for that purpose.

Upon which, Mr. *De Lancey* moved that the previous question be first put, whether the question upon Mr. *Boerum's* motion be now put? And the said previous question being accordingly put, it was carried in the negative, (that is, that the question upon Mr. *Boerum's* motion be not now put,) in manner following, viz:

For the Negative.	*For the Affirmative.*
Mr. Brush,	Mr. Kissam,
Mr. De Lancey,	Captain Seaman,
Mr. Gale,	Mr. Thomas,
Colonel Wells,	Mr. Rapalje,
Mr. Walton,	Mr. Boerum,
Mr. Billopp,	Colonel Seaman,
Mr. Jauncey,	Mr. Ten Eyck,
Mr. Wilkins,	Mr. Nicoll,
Colonel Philips,	Mr. Van Cortlandt.

The House being equally divided, Mr. Speaker declared himself for the negative, and so it passed accordingly.

Ordered, That a Standing Committee of Correspondence and Inquiry be appointed, to consist of the following persons, to wit: *John Cruger*, Esquire, Speaker, *James De Lancey, James Jauncey, Jacob Walton, Benjamin Seaman, Isaac Wilkins, Frederick Philips, Daniel Kissam, Zebulon Seaman, John Rapalje, Simon Boerum, Samuel Gale*, and *George Clinton*, Esquires, or any seven of them, whose business it shall be to obtain the most early and authentick intelligence of all such Acts and Resolutions of the *British* Parliament, or Proceedings of Administration, as do or may relate to or affect the liberties and privileges of his Majesty's subjects in the *British* Colonies in *America*; and to keep up and maintain a correspondence and communication with our sister Colonies, respecting these important considerations; and the result of their proceedings to lay before the House.

Die Lunæ, 10 ho., A. M., the 3d April, 1775.

Ordered, That the Treasurer of this Colony pay, on warrant or warrants, to be issued by his Honour the Lieutenant-Governour, or Commander-in-Chief, by and with the advice and consent of his Majesty's Council of this Colony, the sum of one thousand Pounds, voted by this House the 30th ultimo, to enable and assist the inhabitants of the County of *Cumberland*, to reinstate and maintain the due administration of justice, and for the suppression of riots in said County.

His Honour, the Lieutenant-Governour, having required the attendance of the House in the Council Chamber, Mr. Speaker left the chair, and with the House attended accordingly; when, after the Lieutenant-Governour had given his assent to thirty-two Acts, his Honour was pleased to recommend to him to return to the Assembly Chamber, and adjourn the House till *Wednesday*, the 3d day of *May* next.

And being returned, Mr. Speaker resumed the chair, and adjourned the House till *Wednesday*, the 3d day of *May* next.

MASSACHUSETTS PROVINCIAL CONGRESS.

Record of the Proceedings of a Provincial Congress of Deputies of the several Towns and Districts in the Province of MASSACHUSETTS BAY, *in* NEW ENGLAND, *convened at* CAMBRIDGE, *on* WEDNESDAY, *the first day of February, A. D.* 1775, *with a List of the persons chosen to represent them in the same.*

FOR THE COUNTY OF SUFFOLK.

BOSTON.—Honourable *Thomas Cushing*, Esq., Honourable *John Hancock*, Esquire, Mr. *Samuel Adams*, Doctor *Joseph Warren*, Doctor *Benjamin Church*, Mr. *Oliver Wendall*, Mr. *John Pitts*.

ROXBURY.—Colonel *William Heath*, Captain *Aaron Davis*.

DORCHESTER.—Captain *Eben Withington*.

MILTON.—Captain *David Rawson*.

BRAINTREE.—Colonel *Joseph Palmer*.

WEYMOUTH.—Mr. *Nathaniel Bailey*.

HINGHAM.—*Benjamin Lincoln*, Esquire.

COHASSET.—(None.)

DEDHAM.—Honourable *Samuel Dexter*, Esquire, Mr. *Abner Ellis*.

MEDFIELD.—Mr. *Moses Bullen*.

WRENTHAM.—Mr. *Jabez Fisher*.

BROOKLINE.—Captain *Benjamin White*.

Digitized by Google

NEEDHAM.—Captain *Eleazer Kingsbury.*
STOUGHTON.—Mr. *Thomas Crane.*
STONINGHAM.—Mr. *Job Swift.*
MEDWAY.—Captain *Jonathan Adams.*
BELLINGHAM.—(None.)
HULL.—(None.)
WALPOLE.—Mr. *Enoch Ellis.*
CHELSEA.—Mr. *Samuel Watts.*

COUNTY OF ESSEX.

SALEM.—Mr. *John Pickering*, Mr. *Richard Manning.*
DANVERS.—Doctor *Samuel Holten.*
IPSWICH.—Colonel *Michael Farley.*
NEWBURYPORT.—Capt. *Jonathan Greenleaf*, Mr. *Stephen Cross, Tristram Dalton*, Esquire.
NEWBURY.—*Joseph Gerrish*, Esquire.
MARBLEHEAD.—*Jeremiah Lee*, Esquire, Colonel *Azor Orne*, Mr. *Elbridge Gerry.*
LYNN.—Colonel *John Mansfield.*
ANDOVER.—Mr. *Samuel Osgood*, Junior.
BEVERLY.—Captain *Josiah Batcheldor.*
ROWLEY.—Mr. *Nathaniel Mighil.*
SALISBURY.—Mr. *Samuel Smith.*
GLOUCESTER.—Captain *Peter Coffin*, Mr. *Samuel Whittemore.*
TOPSFIELD.—Captain *Samuel Smith.*
BOXFORD.—Major *Asa Perley.*
AMESBURY.—*Isaac Merrill*, Esquire.
BRADFORD.—Colonel *Daniel Thurston.*
HAVERHILL.—*Nathaniel Peasley Sargent*, Esquire, Mr. *Jonathan Webster*, Junior.
WENHAM.—Mr. *Benjamin Fairfield.*
MIDDLETON.—Captain *Archelus Fuller.*
MANCHESTER.—(None.)
METHUEN.—Mr. *John Bodwell.*

COUNTY OF MIDDLESEX.

CAMBRIDGE.—Colonel *Thomas Gardner*, Mr. *Abraham Watson*, Junior.
CHARLESTOWN.—Mr. *Nathaniel Gorham*, Mr. *Richard Devens, David Cheever*, Esquire.
WATERTOWN.—Captain *Jonathan Brown.*
WOBURN.—Mr. *Samuel Wyman.*
CONCORD.—Colonel *James Barret.*
NEWTON.—*Abraham Fuller*, Esquire, Mr. *Edward Durant.*
READING.—Mr. *John Temple.*
MARLBOROUGH.—Mr. *Peter Bent.*
BILLERICA.—*William Stickney*, Esquire.
FRAMINGHAM.—Captain *Josiah Stone.*
CHELMSFORD.—Mr. *Simeon Spaulding.*
SHERBURN.—Mr. *Benjamin Fasset*, Mr. *Richard Sanger.*
SUDBURY.—Mr. *Thomas Plympton.*
MALDEN.—Captain *Ebenezer Harnden*, Captain *John Dexter.*
WESTON.—Colonel *Braddyl Smith.*
MEDFORD.—Mr. *Benjamin Hall*, Mr. *Stephen Hall*, 3d.
LITTLETON.—Mr. *Abel Jewett.*
HOPKINTON.—(None.)
WESTFORD.—Captain *Joseph Reed.*
WALTHAM.—*Jonas Dix*, Esquire.
STOW.—*Henry Gardner*, Esquire.
GROTON.—Colonel *James Prescott.*
SHIRLEY.—Captain *Francis Harris.*
PEPPERELL.—Captain *Edmund Bancroft.*
TOWNSHEND.—Mr. *Israel Hobart.*
ASHBY.—(None.)
STONEHAM.—Captain *Samuel Sprague.*
WILMINGTON.—Mr. *Timothy Walker.*
NATICK.—(None.)
DRACUT.—Mr. *Peter Coburn.*
BEDFORD.—*John Reed*, Esquire.
HOLLISTON.—Colonel *Abner Perry.*
TEWKSBURY.—Mr. *Jonathan Brown.*
DUNSTABLE.—*John Tyng*, Esq., *James Tyng*, Esq.
ACTON.—Mr. *Josiah Hayward.*
LINCOLN.—Major *Eleazer Brooks.*
LEXINGTON.—Mr. *Jonas Stone.*

COUNTY OF HAMPSHIRE.

SPRINGFIELD.—Mr. *William Pyncheon*, Junior.
WILBRAHAM.—Major *John Bliss.*
WEST SPRINGFIELD.—Mr. *Jonathan White*, Doctor *Chauncy Brewer.*
NORTHAMPTON.—Honourable *Joseph Hawley*, Esquire, Colonel *Seth Pomeroy.*
SOUTHAMPTON.—Major *Elias Lyman.*
HADLEY.—(None.)
SOUTH HADLEY.—Mr. *Noah Goodman.*
AMHERST.—Mr. *Nathaniel Dickerson*, Junior.
WILLIAMSBURGH.—Mr. *Russell Kellogg.*
GRANBY.—(None.)
HATFIELD.—Mr. *John Dickerson*, Mr. *Perez Graves.*
WESTFIELD.—Colonel *John Mosely*, Colonel *Elisha Parks.*
DEERFIELD.—(None.)
GREENFIELD.—Mr. *Samuel Hinsdale.*
SHELBURN.—(None.)
CONWAY.—(None.)
SUNDERLAND.—(None.)
MONTAGUE.—(None.)
NORTHFIELD.—Mr. *Ebenezer Jones.*
BRIMFIELD.—(None.)
MONSON.—(None.)
PELHAM.—(None.)
GREENWICH.—(None.)
BLANFORD.—(None.)
PALMER.—(None.)
GREENVILLE.—(None.)
NEW SALEM.—Mr. *William Page*, Junior.
BELCHERTOWN.—Colonel *Samuel Howe.*
COLRAIN.—Mr. *Thomas Bell.*
WARE.—(None.)
WARWICK.—Captain *Samuel Williams.*
BARNARDSTOWN.—(None.)
MURRAYSFIELD.—Captain *Malchom Henry.*
CHARLEMONT.—Mr. *Samuel Taylor.*
SHUTESBURY.—(None.)
CHESTERFIELD.—Mr. *Benjamin Mills*, Mr. *Ezra May.*
ASHFIELD.—(None.)
WORTHINGTON.—(None.)
LUDLOW.—Captain *Joseph Miller.*

COUNTY OF PLYMOUTH.

PLYMOUTH.—Honourable *James Warren*, Esquire, Mr. *Isaac Lothrop.*
SCITUATE.—*Nathan Cushing*, Esquire, Mr. *Barnabas Little.*
DUXBURY.—Mr. *George Partridge.*
MARSHFIELD.—(None.)
BRIDGEWATER.—Col. *Edward Mitchell*, Major *Richard Perkins.*
MIDDLEBOROUGH.—Mr. *Joshua White.*
ROCHESTER.—(None.)
PLYMPTON.—(None.)
PEMBROKE.—Major *Jeremiah Hall.*
KINGSTON.—*John Thomas*, Esquire.
HANOVER.—Colonel *Joseph Cushing.*
ABINGTON.—Captain *Woodbridge Brown.*
HALIFAX.—Mr. *Ebenezer Thompson.*

COUNTY OF BARNSTABLE.

BARNSTABLE.—*Daniel Davis*, Esquire.
SANDWICH.—(None.)
YARMOUTH.—Captain *Elijah Bassett.*
EASTHAM.—Mr. *Naaman Holbrook.*
WELFLEET.—(None.)
HARWICH.—Mr. *Benjamin Freeman.*
FALMOUTH.—(None.)
CHATHAM.—(None.)
TRURO.—Mr. *Benjamin Atkins.*
PROVINCETOWN.—(None.)

COUNTY OF BRISTOL.

TAUNTON.—*Robert Treat Paine*, Esquire.
REHOBOTH.—Major *Timothy Walker*, Captain *Thomas Carpenter.*
SWANSEY.—*Jerathmel Bowers*, Esquire.
DIGHTON.—*Elnathan Walker*, Esquire, Doctor *William Baylies.*
DARTMOUTH.—*Benjamin Aiken*, Esquire.
NORTON *and* MANSFIELD.—Captain *William Holmes.*
ATTLEBOROUGH.—Colonel *John Daggett.*

Digitized by Google

FREETOWN.—Mr. *Thomas Durfee.*
RAYNHAM.—Mr. *Benjamin King.*
EASTON.—Captain *Eliphalet Leonard.*
BERKLEY.—(None.)

COUNTY OF YORK.

YORK.—Captain *Daniel Bragdon.*
KITTERY.—*Edward Cutts*, Esquire, *Charles Chauncey*, Esquire.
WELLS.—Mr. *Ebenezer Sayer.*
BERWICK.—Mr. *Ichabod Goodwin*, Junior.
ARUNDEL.—Mr. *John Hovey.*
BIDDEFORD.—*James Sullivan*, Esquire.
PEPERELBOROUGH.—(None.)

COUNTY OF DUKES.

EDGARTON.—(None.)
CHILMARK.—(None.)
TISBURY.—(None.)

COUNTY OF NANTUCKET.

SHERBURN.—(None.)

COUNTY OF WORCESTER.

WORCESTER.—Captain *Timothy Bigelow.*
LANCASTER.—Colonel *Asa Whitcomb*, Doctor *William Dunsmore.*
MENDON.—Doctor *William Jennison*, Mr. *Edward Rawson.*
WOODSTOCK.—(None.)
BROOKFIELD.—*Jedediah Foster*, Esquire.
OXFORD.—Colonel *Ebenezer Learned.*
CHARLTON.—Captain *Jonathan Tucker.*
SUTTON.—Captain *Henry King*, Mr. *Amos Singletary.*
LEICESTER *and* SPENCER.—Colonel *Joseph Henshaw.*
PAXTON.—(None.)
RUTLAND.—Mr. *Jonas Howe.*
HUTCHINSON.—Mr. *John Mason.*
OAKHAM.—Captain *Isaac Stone.*
HUBBARDSTON.—Captain *John Clark.*
NEW BRAINTREE.—Captain *James Wood.*
SOUTHBOROUGH.—Captain *Josiah Fay.*
WESTBOROUGH.—Captain *Stephen Maynard*, Doctor *James Hawse.*
NORTHBOROUGH.—Mr. *Levi Bridgham.*
SHREWSBURY.—Honourable *Artemas Ward.*
LUNENBURGH.—Doctor *John Taylor.*
FITCHBURGH.—Captain *David Goodridge.*
UXBRIDGE.—Mr. *Benjamin Green.*
HARVARD.—Mr. *Oliver Whitney.*
DUDLEY.—(None.)
BOLTON.—Captain *Samuel Baker.*
UPTON.—Mr. *Abiel Sadler.*
STURBRIDGE.—Captain *Timothy Parker.*
LEOMINSTER.—Mr. *Israel Nichols.*
HARDWICK.—Colonel *Paul Mandel.*
HOLDEN.—Mr. *John Child.*
DOUGLASS.—Mr. *Samuel Jennison.*
GRAFTON.—Mr. *John Shearman.*
PETERSHAM.—Colonel *Jonathan Grout.*
ROYALSTON.—Mr. *Nahum Green.*
WESTMINSTER.—Mr. *Nathan Wood.*
ATHOL.—Mr. *William Bigelow.*
TEMPLETON.—Mr. *Jonathan Baldwin.*
PRINCETON.—Mr. *Moses Gill.*
ASHBURNHAM *and* WINCHENDON.—(None.)
WESTERN.—*Simeon Dwight*, Esquire.

COUNTY OF CUMBERLAND.

FALMOUTH *and* CAPE ELIZABETH.—Mr. *Samuel Freeman.*
NORTH YARMOUTH.—(None.)
SCARBOROUGH.—Mr. *Samuel March.*
BRUNSWICK *and* HARPSWELL.—Col. *Samuel Thompson.*
GORHAM.—Captain *Bryant Morton.*
WINDHAM.—(None.)
PERSONTOWN.—(None.)

COUNTY OF LINCOLN.

POWNALBOROUGH.—(None.)
GEORGETOWN.—Captain *Samuel M'Cobb.*
NEWCASTLE.—(None.)
TOPSHAM.—Mr. *John Merrill.*
BOWDOINHAM.—Captain *Samuel Harnden.*
WOOLWICH.—(None.)
GARDNERSTON.—Mr. *Joseph North.*
VASSALBOROUGH.—Mr. *Remington Hobby.*
HALLOWELL.—(None.)
WINSLOW.—(None.)
WINTHROP.—Mr. *Ichabod Howe.*

COUNTY OF BERKSHIRE.

SHEFFIELD *and* GREAT BARRINGTON.—Colonel *John Fellows.*
EGREMONT *and* ALFORD.—Doctor *William Whiting.*
STOCKBRIDGE.—Mr. *Samuel Brown.*
NEW MARLBOROUGH.—Doctor *Ephraim Guiteau.*
RICHMOND.—Captain *Elijah Brown.*
LENOX.—*John Patterson*, Esquire.
PITTSFIELD *and* PARTRIDGEFIELD.—*John Brown*, Esq.
TYRINGHAM.—(None.)
LANESBOROUGH.—(None.)
SANDISFIELD.—Mr. *David Deming.*
WILLIAMSTOWN.—Mr. *Samuel Kellogg.*
BECKET.—(None.)
GAGEBOROUGH.—Captain *William Clark.*

Moved, That a President be appointed.

Ordered, That Doctor *Holten*, Mr. *Cushing*, and Doctor *Baylies*, be a Committee to count and sort the votes for a President.

The Congress then proceeded to bring in their votes for a President, and the Committee having counted the same, reported that the Honourable *John Hancock*, Esquire, was unanimously chosen.

Benjamin Lincoln, Esquire, was appointed Secretary.

Ordered, That the Honourable *John Hancock*, Esquire, Major *Hawley*, Honourable Mr. *Cushing*, Mr. *Adams*, Colonel *Warren*, Mr. *Paine*, Doctor *Holten*, Col. *Heath*, Colonel *Gerrish*, Mr. *Cushing*, of *Scituate*, Honourable Colonel *Ward*, and Colonel *Gardner*, be a Committee to take into consideration the state and circumstances of the Province.

Adjourned till ten o'clock to-morrow morning.

—

Thursday, February 2, 1775.

Ordered, That Colonel *Lee*, Colonel *Orne*, Colonel *Palmer*, Mr. *Gerry*, Colonel *Foster*, and Colonel *Bowers*, be joined to the Committee on the State of the Province.

Ordered, That Colohel *Gardner*, Colonel *Palmer*, and Mr. *Watson*, be a Committee to wait on the Reverend Doctor *Appleton*, and desire his attendance on this Congress, and officiate as Chaplain during the session thereof.

The Committee appointed to wait on the Reverend Doctor *Appleton*, and desire that he would officiate as Chaplain to this Congress, reported, that they had attended that service, and that the Doctor would officiate as Chaplain, agreeably to the desire of this Congress.

Ordered, That Mr. *Aiken*, Colonel *Gerrish*, Major *Fuller*, and Doctor *Holten*, be Monitors to this Congress.

Ordered, That in returning the Congress, the Monitors observe the following divisions, viz: That the pews on the right of the desk be one division; on the left another; the men's body seats and the pews adjoining the third; the women's body seats and the pews adjoining the other.

Adjourned to three o'clock in the afternoon.

Congress met, and adjourned till to-morrow morning, at ten o'clock.

—

Friday, February 3, 1775. A. M.

Ordered, That Mr. *Pickering*, Captain *Greenleaf*, and Mr. *Lothrop*, be a Committee to inspect the Journals of the last Congress, and abstract therefrom what relates to the publick Taxes and the Militia, and cause the same to be printed in a pamphlet, and a copy thereof to be sent to each Town and District in the Province.

A Resolve from the Committee of Correspondence for the Town of *Boston*, and other Committees from a large number of Towns in the vicinity thereof, setting forth that several inhabitants of the Town of *Boston*, and several other Towns in this Province, are constantly employed in divers kinds of work for the Army now in *Boston*, and in supplying them with Lumber, &c., and every other article of field equipage, to qualify them to take the field in the

Digitized by Google

Spring, &c., read and *Ordered*, that Colonel *Prescott*, Captain *Carpenter*, Colonel *Cushing*, Mr. *Fisher*, Mr. *Partridge*, Colonel *Thomas*, and Doctor *Taylor*, be a Committee to take the said Resolutions into consideration, and report thereon.

Adjourned to ten o'clock to-morrow morning.

—

Saturday, February 4, 1775, A. M.

Resolved, That all the Debates and Resolutions of this Congress, be kept an entire secret, unless special leave be first obtained for disclosing the same.

Resolved, That the vote of yesterday relative to publishing in a pamphlet some of the doings of the late Provincial Congress, be reconsidered, so far as it relates to publishing the Resolve respecting the Militia.

Ordered, That Mr. *Sullivan*, Mr. *Partridge*, *Daniel Davis*, Esquire, and Mr. *Sayer*, be added to the Committee appointed to publish in a pamphlet some of the doings of the late Congress.

And that the same Committee prepare an Address to the inhabitants of this Province, recommending to them immediately to pay all their Province Tax to *Henry Gardner*, Esquire, and to carry the Resolves of the late Congress relative to the Militia into execution.

Upon a motion,

Ordered, That the Secretary be directed to write to Colonel *Roberson*, desiring him to deliver the four brass Field-Pieces, and the two brass Mortars, now in his hands, the property of the Province, to the order of the Committee of Safety.

The Committee appointed to take the vote of the Committee of Correspondence of the Town of *Boston*, and others in the vicinity, into consideration, reported. The consideration of the Report referred till to-morrow morning, at ten o'clock.

Adjourned till *Monday* morning, at ten o'clock.

—

Monday, February 6, 1775, A. M.

The Order of the Day moved for.

The Report of the Committee on the vote of the Committee of Correspondence of the Town of *Boston*, &c., read. After some debate thereon,

Ordered, That it be recommitted for amendment.

Resolved, That the Honourable *John Hancock*, and *Thomas Cushing*, Esquire, Mr. *Samuel Adams*, *John Adams*, and *Robert Treat Paine*, Esquires, appointed by the late Provincial Congress to represent this Colony, on the 10th day of *May* next, or sooner, if necessary, at the *American* Congress, to be held at *Philadelphia*, be, and they are hereby authorized and empowered, with the Delegates from the other *American* Colonies, to adjourn from time to time, and place to place, as they shall judge necessary; and to continue in being as Delegates for this Colony, until the 31st day of *December* next ensuing, and no longer.

A Petition of *Abijah Brown*, and others, setting forth the irregularity of the choice of *Jonas Dix*, Esquire, to represent the Town of *Waltham* in this Congress, with a counter Petition, signed by *Leonard Williams*, and others, were read, whereupon, it was

Resolved, That the averments in *Brown's* Petition mentioned, if true, are not sufficient to disqualify *Jonas Dix*, Esquire, Member from *Waltham*, from having a seat in this Congress.

A Petition of *John Sawyer*, and others, of *Rowley*, in the County of *Essex*, setting forth that they have raised a Troop of Horse; praying the aid of this Congress, that they may be established, &c.; read, and committed to Mr. *Sullivan*, Colonel *Grout*, and Major *Fuller*, to consider of and report thereon.

Afternoon.

Resolved, That the Secretary have power to adjourn this Congress in the absence of the President.

Adjourned to ten o'clock to-morrow morning.

—

Tuesday, February 7, 1775, A. M.

The Committee on the vote of the Committee of Correspondence of the Town of *Boston*, and others, having amended their Report, again reported, and was considered and accepted, and is as followeth:

Whereas, it appears to this Congress, that certain persons are employed in divers kinds of works for the Army now stationed in *Boston*, for the purpose of carrying into execution the late Acts of Parliament, and in supplying them with Iron for Wagons, Canvass, Tent Poles, and other articles of field equipage, whereby said Army may be enabled to take the field, and distress the inhabitants of this country:

Therefore, *Resolved*, As the opinion of this Congress, and is accordingly strongly recommended to the inhabitants of the several Towns and Districts of this Province, that should any person or persons presume to supply the Troops now stationed at *Boston*, or elsewhere in said Province, with Timber, Boards, Spars, Pickets, Tent Poles, Canvass, Bricks, Iron, Wagons, Carts, Carriages, Intrenching Tools, or any materials for making any of the Carriages, or implements aforesaid, with Horses or Oxen for draught, or any other materials whatever, which may enable them to annoy, or in any manner distress said inhabitants, he or they shall be held in the highest detestation, and deemed inveterate enemies to *America*, and ought to be prevented and opposed by all reasonable means whatever.

And whereas, it appears to this Congress, that large quantities of Straw will be wanted by the inhabitants of this Province, in case we should be driven to the hard necessity of taking up arms in our own defence:

Therefore, *Resolved*, That no person or persons ought to sell or dispose of any Straw, which he or they may have on hand, except to the inhabitants of this Province for their own private use, or the use of said Province.

And it is strongly recommended by this Congress, to the Committees of Correspondence and Inspection in the several Towns and Districts in this Province, to see that the above Resolves be strictly and faithfully adhered to, till otherwise ordered by this or some other Provincial Congress or House of Representatives.

Ordered, That the above Resolves be published in all the Newspapers in this Province, and that it be attested by the Secretary.

Ordered, That Mr. *Fisher*, Doctor *Church*, Mr. *Bailey*, Doctor *Warren*, and Colonel *Thomas*, be a Committee to take into consideration the account of the late Delegates from this Province, who attended the Continental Congress, and report what they be allowed for their expenses, and for their time, while absent on the business of the Province; and also devise some method how the money shall be procured to discharge the same; and also, how the money shall be procured to enable our present Delegates appointed to attend the *American* Congress, to refund their expenses.

The Committee appointed to draft an Address to the inhabitants of this Province, accompanying the Resolve which is ordered to be published relative to the Province Taxes being paid to *Henry Gardner*, Esquire, reported a draft, which was read, and considered in paragraphs.

Ordered, To be recommitted for amendments, and that Doctor *Church* and Doctor *Warren* be added to the Committee.

Adjourned to three o'clock, P. M.

Afternoon.

In consideration of the coldness of the season, and that the Congress sit in a house without fire,

Resolved, That all those Members who incline thereto, may sit with their Hats on while in Congress.

The Committee on the State of the Province, reported, in addition to the Report of the late Provincial Congress, relative to the power of the Committee of Safety, and General Officers. After some debate thereon, it was referred for further consideration till to-morrow morning, ten o'clock.

Resolved, That at ten o'clock to-morrow morning, the Congress will come to the choice of some person to serve on the Committee of Safety, instead of *Norton Quincy*, Esquire, who declined accepting that trust.

Adjourned till to-morrow morning, nine o'clock.

—

Wednesday, February 8, 1775, A. M.

The Committee appointed to prepare an Address to the inhabitants of this Province, having amended, again reported the same. After consideration thereon, it was ordered to be recommitted for further amendments.

Digitized by Google

Upon a motion made by Mr. *Hall*, that he might be excused from serving any longer on the Committee of Supplies, in consideration of his ill state of health, the question was put, whether he be excused for the reason mentioned, and passed in the affirmative.

Resolved, That at three o'clock this afternoon, the Congress will come to the choice of some person to serve on the Committee of Supplies, instead of Mr. *Hall*, excused.

The Order of the Day was moved for; accordingly the Congress resumed the consideration of the Report of the Committee relative to the power of the Committee of Safety, and the powers of the General Officers. After some debate thereon, it was referred for further consideration until the afternoon.

Afternoon.

The Congress resumed the consideration of the same Report; which was recommitted for amendments proposed.

Ordered, That as Doctor *Warren* and Doctor *Church* are absent, Colonel *Dwight* and Colonel *Coffin* be added to the Committee on the Account of the late Delegates from this Province to the Continental Congress.

The Committee appointed to report an Address to the inhabitants of this Province, having amended their draught, reported; which was again ordered to be recommitted for amendments.

A Petition of *Boice* and *Clark*, praying that this Congress would take some step for the encouragement of collecting Linen Rags in their respective Towns; read, and

Ordered, That Mr. *Gorham*, Mr. *Bigelow*, and Mr. *Freeman*, be a Committee to bring in a Resolve recommending the saving of Linen Rags, according to the prayer of the Petition.

Resolved, That the Congress will now proceed to the choice of some one to serve on the Committee of Safety, in the place of *Norton Quincy*, Esquire, who declined serving thereon.

Ordered, That Mr. *Pitts*, Major *Fuller*, and Doctor *Holten*, be a Committee to count and sort the votes for a person to serve on the Committee of Safety, in the stead of *Norton Quincy*, Esquire, who declined serving thereon.

The Congress then proceeded to bring in their votes for a person to serve on the Committee of Safety. The Committee having sorted and counted the same, reported that Mr. *Jabez Fisher* was chosen.

Resolved, That to-morrow morning, at ten o'clock, the Congress will come to the choice of some person to serve on the Committee of Supplies, instead of Mr. *Hall*, who hath been excused.

Adjourned till to-morrow morning, nine o'clock.

—

Thursday, February 9, 1775, A. M.

The Report of the Committee relative to the power of the Committee of Safety, and the powers of the General Officers, being amended, was accepted, and is as followeth, viz:

Resolved, That the Honourable *John Hancock*, Esquire, Doctor *Joseph Warren*, Doctor *Benjamin Church*, Junior, Mr. *Richard Devens*, Captain *Benjamin White*, Colonel *Joseph Palmer*, Mr. *Abraham Watson*, Colonel *Azor Orne*, Mr. *John Pigeon*, Colonel *William Heath*, and Mr. *Jabez Fisher*, be, and hereby are, appointed a Committee of Safety, to continue until the further order of this, or some other Congress, or House of Representatives of this Province, whose business and duty it shall be, most carefully and diligently to inspect and observe all and every such person or persons, as shall at any time attempt to carry into execution, by force, an Act of the *British* Parliament, entitled "An Act for the better regulating the "Government of the Province of the *Massachusetts Bay*, "in *New England*," or who shall attempt to carry into execution, by force, another Act of the *British* Parliament, entitled "An Act for the Impartial Administration of Jus-"tice in the cases of persons questioned for any act done "by them in the execution of the Law, or for the suppres-"sion of Riots and Tumults in the Province of the *Massa-"chusetts Bay*;" which said Committee, or any five of them, (provided always, that not more than one of the said five shall be an inhabitant of the Town of *Boston*,) shall have power, and they are hereby empowered and directed, when they shall judge that such attempt or attempts are made to alarm, muster, and cause to be assembled, with the utmost expedition, and completely armed, accoutred, and supplied with provisions sufficient for their support in the march to the place of rendezvous, such and so many of the Militia of this Province, as they shall judge necessary for the end and purpose of opposing such attempt or attempts, and at such place or places as they shall judge proper, and them to discharge, as the safety of the Province shall permit. And this Congress do most earnestly recommend to all the Officers and Soldiers of the Militia in this Province, who shall from time to time, during the commission of the said Committee, receive any call or order from the said Committee, to pay the strictest obedience thereto, as they shall regard the liberties and lives of themselves and the people of this Province, any order or orders of any former Congress varying therefrom notwithstanding.

Resolved, That the Honourable *Jedediah Preble*, Esquire, Honourable *Artemas Ward*, Esquire, Colonel *Seth Pomeroy*, Colonel *John Thomas*, and Colonel *William Heath*, be, and they hereby are appointed General Officers, whose business and duty it shall be, with such and so many of the Militia of this Province as shall be assembled by order of the Committee of Safety, effectually to oppose and resist such attempt or attempts as shall be made for carrying into execution, by force, an Act of the *British* Parliament, entitled "An Act for the better regulating the "Government of the Province of the *Massachusetts Bay*, "in *New England*;" or who shall attempt the carrying into execution, by force, another Act of the *British* Parliament, entitled "An Act for the more Impartial Adminis-"tration of Justice in the cases of persons questioned for any "act done by them in the execution of the Law, or for the "suppression of Riots and Tumults in the Province of the "*Massachusetts Bay*," so long as the said Militia shall be retained by the Committee of Safety, and no longer; and the said General Officers shall, while in the said service, command, lead, and conduct in such opposition, in the order in which they are above named, any order or orders of any former Congress, varying therefrom notwithstanding.

The Order of the Day was moved for.

Upon a motion, *Ordered*, That a Committee be appointed to count and sort the votes for the choice of a person to serve on the Committee of Supplies in the place of Mr. *Hall*, who hath been excused. Accordingly, Mr. *Sayer*, Mr. *Lothrop*, and Captain *Greenleaf*, were appointed.

The Congress then proceeded to bring in their votes for a person to serve on the Committee of Supplies; after counting and sorting the same, the Committee reported that Mr. *Manning* was chosen.

Upon a motion made by Mr. *Manning*, the question was put, whether he be excused from serving on the Committee of Supplies, and passed in the affirmative.

The Congress then proceeded to bring in their votes for a person to serve in his place; and after counting and sorting the same, the Committee reported that Mr. *Elbridge Gerry* was chosen.

Ordered, That during the debates of the Congress, the Members thereof be seated in their proper places.

A number of Letters said to be from gentlemen in *England*, were read. Upon a motion, *Ordered*, That they be committed to the Committee on the State of the Province, to take them into consideration, and report.

The Committee appointed to prepare an Address to the inhabitants of this Province, having amended their Report, the same was read, considered and accepted, and ordered to be attested, and added to the pamphlet directed to be printed by this Congress, and is as followeth, viz:

To the Inhabitants of the Massachusetts Bay.

Friends and Fellow-Sufferers: When a People entitled to that freedom which your ancestors have nobly preserved, as the richest inheritance of their children, are invaded by the hand of oppression, and trampled on by the merciless feet of tyranny, resistance is so far from being criminal, that it becomes the Christian and social duty of each individual. While you see the lives of your fellow-men, in other Nations, sported with and destroyed, and their Estates confiscated by their Prince, only to gratify the caprice, ambition, or avarice of a Tyrant, you ought to entertain and cultivate in your minds the highest grati-

Digitized by Google

tude to the Supreme Being for his having placed you under such a form of Government, as when duly administered, gives the meanest peasant the same security in his life and property as his Sovereign has in his crown.

The Constitution of Government secures to each one, subject thereto, such an entire property in his inheritance, and the fruit of his industry, that they cannot be taken from him without his personal or representative consent; and as the evidence of entire property arises from the uncontrollable power of disposing, when your estates shall be brought into such a situation, or under such a form of Government, as that they can be disposed of or granted by persons who are by no means accountable to you therefor, you cease to have any thing more than a licensed and precarious property in them.

Notwithstanding these principles have been warmly contended for, and nobly defended at the expense of much blood and treasure, by your *British* ancestors, who have ever been seriously alarmed at the least infringement on this branch of their happy privileges, the House of Commons there, over whom you have not the least control, and in whose election you have no voice, have claimed and exercised the power of granting you money without your consent; and what renders the same more aggravated is, that the money extorted from you is applied to the vile purpose of maintaining a set of men who, through depravity of mind, and cruelty of disposition, have been and still are endeavouring to enforce certain Acts of Parliament, made with express purpose to take from you your Charter rights, and reduce you to a state of misery, equal to that ever attendant on those whose Prince has the sole disposal of their lives and properties. Fleets, Troops, and every implement of war, are sent into the Province with apparent design to wrest from you that freedom which it is your duty, even at the risk of your lives, to hand inviolate to posterity.

These strides of tyranny have fixed the united attention of all *America*; and being greatly and justly alarmed, the wisdom of the whole Continent has been collected in that Congress, whose salutary Resolutions have pointed you to effectual means of redress, and the execution of the plan projected by that honourable assembly has been warmly recommended to you by your former Provincial Congress.

The transactions of your former Congress, with regard to placing the Militia on such a footing as may serve to defend you from each act of hostility that may be offered, have been carefully transmitted to you, and we rejoice to hear that you have cheerfully paid the strictest attention to them, and ardently wish that the same martial spirit which so remarkably prevails among you, may be encouraged and increased.

Though we deprecate a rupture with the mother state, yet we must still urge you to every preparation for your necessary defence; for, unless you exhibit to your enemies such a firmness as shall convince them that you are worthy of that freedom your ancestors fled here to enjoy, you have nothing to expect but the vilest and most abject slavery.

The foregoing sheets contain the Resolutions of your former Congress, respecting the improvement of your publick moneys at this critical juncture of your publick affairs. Such is the alarming state of the Province, that the necessity of punctually complying with these Resolves can by no means need any further argument to stimulate thereto, than what naturally arises from facts under your constant observation; but as necessary preparations for your defence require immediate supplies of money, duty and faithfulness to you compel us to take leave to hint, that should you be so unhappy as to be driven to unsheath the sword in defence of your lives and properties, the having proper magazines duly prepared, may give that success which cannot be expected without them.

Subjects generally pay obedience to the Laws of the land, to avoid the penalty that accrues on breach of them, and on the same principles we are assured, that as you hitherto have, you will continue still strictly to adhere to the Resolutions of your several Congresses; for we can conceive of no greater punishment for the breach of human laws than the misery that must inevitably follow your disregarding the plans that have, by your authority, with that of the whole Continent, been projected.

You conduct hitherto, under the severest trials, has been worthy of you as men and Christians; and, notwithstanding the pains that have been taken by your enemies to inculcate the doctrines of non-resistance and passive obedience, and by every art to delude and terrify you, the whole Continent of *America* has this day cause to rejoice in your firmness. We trust you will still continue steadfast; and having regard to the dignity of your characters as freemen, and those generous sentiments resulting from your natural and political connections, you will never submit your necks to the galling yoke of despotism prepared for you; but with a proper sense of your dependence on *God*, nobly defend those rights which Heaven gave, and no man ought to take from us.

An Address from the Committee of Correspondence of the Town of *Scituate*, and others, showing that a number of his Majesty's Troops are now stationed in the Town of *Marshfield*, &c., being read,

Ordered, That Doctor *Warren*, Doctor *Taylor*, Colonel *Henshaw*, Mr. *Watson*, and Mr. *Gill*, be a Committee to take the same into consideration, and the Papers accompanying it, and report.

Ordered, That Mr. *Sullivan*, Mr. *Pickering*, and Captain *Greenleaf*, be a Committee to bring in a Resolve empowering the Committee of Safety to take into their hands the Warlike Stores, the property of the Province.

Ordered, That Colonel *Thomas*, Colonel *Heath*, Honourable Colonel *Ward*, Colonel *Pomeroy*, and Colonel *Gardner*, be a Committee to bring in a Resolve, directing how the Ordnance in the Province shall be used.

Afternoon.

The Committee on the Petition of *John Sawyer*, and others, reported, by way of Resolve; which Report was ordered to lie on the table.

Ordered, That the several Members who were appointed to make return of the Officers and number of the Militia and Minute-men, in the several Counties, be directed to comply with the said order as soon as possible.

Upon a motion, *Ordered*, That Colonel *Patterson*, Mr. *Brown*, of *Pittsfield*, and Major *Bliss*, be a Committee to report a Resolve for the publication of the Names of those who have been appointed Counsellors by Mandamus, and have refused to resign their appointments.

The Committee on the Accounts of the Delegates from this Province to the Continental Congress, reported, which was accepted; and thereupon,

Ordered, That Mr. *Sullivan*, Mr. *Devens*, and Mr. *Gorham*, be a Committee to report a Resolve agreeable to the same.

The Committee on the Petition of *Boice* and *Clark*, reported by way of Resolve; which was read and accepted, and is as followeth, viz:

Whereas, the encouragement of Manufactories of this Country will, at all times, (and more especially at this,) be attended with the most beneficial effects; and Messrs. *Boice* and *Clark* having represented to this Congress that they have, at a very considerable expense, erected Works at *Milton*, in this Province, for the making of Paper, and have not heretofore been able to obtain a sufficiency of Rags to answer their purpose; and in order to procure a larger quantity of that article, have raised the price thereof: Therefore,

Resolved, That it be recommended, and is by this Congress accordingly recommended, to every family in this Province, to preserve all their Linen and Cotton Rags, in order that a Manufactory so useful and advantageous to this Country, may be suitably encouraged; and it is also recommended to our several Towns, to take such further measures for the encouragement of the manufacture aforesaid, as they shall think proper.

Adjourned till to-morrow morning, nine o'clock.

Friday, February 10, 1775, A. M.

Ordered, That Mr. *Devens*, Mr. *Watson*, Colonel *Gardner*, Colonel *Howe*, and Captain *Batcheldor*, be a Committee to observe the motion of the Troops said to be on their road to this Town.

An application from *Thomas Legate*, Esquire, was read.

Digitized by Google

Ordered, That it be committed.

Accordingly ordered that Mr. *Pickering*, Colonel *Cushing*, and Colonel *Farley*, be a Committee to take the same into consideration.

Ordered, That Colonel *Palmer*, Colonel *Cushing*, and Mr. *Cushing*, of *Scituate*, be a Committee to set in the recess of this Congress, to prepare all such Rules and Regulations for the Officers and Men of the Constitutional Army, which may be raised in this Province, as shall be necessary for the good order thereof.

The Committee appointed by the late Provincial Congress to estimate the loss and damage which hath accrued to the Province by the operation of the *Boston* Port Bill, and the Act for altering the Civil Government of this Province, reported; the Report ordered to be filed.

The Committee appointed to bring in a Resolve relative to the payment of the late Delegates to the Continental Congress, reported; the Report was accepted, and is as followeth, viz:

Whereas, the accounts of expenses incurred by the Honourable *Thomas Cushing*, Mr. *Samuel Adams*, *John Adams*, and *Robert Treat Paine*, Esquires, in the execution of the trust reposed in them as Representatives of this Province, at the Grand Continental Congress held at *Philadelphia*, in the months of *September* and *October* last, has been exhibited to and approved of by this Congress, and there appears to be due to the said Delegates the sum of nine Pounds, seventeen Shillings, and ten Pence, lawful money, in order to discharge their said expenses; and this Congress have voted that the sum of fifty-six Pounds be paid to each of the aforesaid Delegates, in order to compensate them for their time spent in said service: Therefore,

Resolved, That *Henry Gardner*, Esquire, Receiver General of this Province, be directed, and he is hereby accordingly directed to pay to the Honourable *Thomas Cushing*, Esquire, the above sum of nine Pounds, seventeen Shillings, and ten Pence, for expenses, and the sum of fifty-six Pounds for his time spent in the service aforesaid; and to Mr. *Samuel Adams*, *John Adams*, and *Robert Treat Paine*, Esquires, each the sum of fifty-six Pounds, as a recompense for their time spent in said service.

The same Committee reported the following Resolve, which was accepted, viz:

Whereas the Honourable *John Hancock*, Honourable *Thomas Cushing*, Mr. *Samuel Adams*, *John Adams*, and *Robert Treat Paine*, Esquires, were, by a former Provincial Congress, chosen and appointed a Committee of Delegates to meet the Delegates from the other *American* Colonies, at *Philadelphia*, on the 10th day of *May* next, or sooner, if necessary. And whereas it is ordered by this Congress that the sum of one hundred Pounds be allowed and paid each of them to enable them to perform said journey:

Therefore, *Resolved*, That *Henry Gardner*, Esquire, Receiver General of this Province be, and hereby is ordered and directed to pay unto *Robert Treat Paine*, Esquire, the sum of forty-six Pounds, lawful money, in consideration of the same sum being by him accidentally lost out of his pocket while on his journey to *Philadelphia*, in the service of this Government.

Afternoon.

Ordered, That Mr. *Sullivan*, Colonel *Patterson*, and Colonel *Thomas*, be a Committee to revise the commission of the Committee of Safety, and the commission of the Committee of Supplies, and point out what amendments, if any, are necessary.

Upon a motion made, the question was put whether the vote relative to committing the Petition of *Thomas Legate*, Esquire, be reconsidered, and the Petitioner have leave to withdraw his Petition, and passed in the affirmative.

Ordered, That the Secretary be directed to publish the names of the Mandamus Counsellors (in all the Newspapers in this Province) now in *Boston*, agreeably to the order of the late Provincial Congress.

The Committee appointed to take into consideration how the Ordnance should be disposed of, are directed to make report to the Committee of Safety.

A Petition from the Delegates of the several Towns and Districts in the Counties of *Hampshire* and *Berkshire*, was read, and is as followeth, viz:

To the Honourable House of Delegates for the Province of the Massachusetts Bay, *in* New England, *in Provincial Congress assembled, at* Cambridge, *in the County of* Middlesex, *on* Wednesday, *the* 1st *day of* February, 1775:

The subscribers, Delegates from the several Towns and Districts in the Counties of *Hampshire* and *Berkshire*, in the Province aforesaid, in behalf of their constituents, the inhabitants of the said Counties, most humbly shew: That the inhabitants of the said two Counties are very generally determined strictly to keep, perform, and abide by the Association and recommendations of the late Honourable Continental Congress; and also, to the uttermost of their power, to conform and execute the recommendations and directions of the late Congress of this Province, more especially such of them as refer to the payments to *Henry Gardner*, Esquire, of the publick moneys heretofore granted by the General Court, yet outstanding, and for the organizing and equipping, accoutring, and disciplining the Militia in general, and the Minute-men in particular, and also respecting the procuring full supplies of the Town stocks of Ammunition, according to law; but, upon a careful view and examination of the Arms of the inhabitants of the said Counties, already had by the Military Officers lately chosen there by the people, it appears that, although able-bodied, effective, and well-disposed men generally equip, and furnished with good fire-arm, have already freely offered themselves to fill up and complete their full proportion of Minute-men, as recommended by the Provincial Congress, in the County of *Berkshire*, and in the greatest part of the Towns in *Hampshire*, and all the other Towns in said County of *Hampshire* are proceeding to fill them up. Nevertheless, there are not to be found in the said County good effective fire-arms, fully sufficient to equip all the men there able to bear arms, and to act in defence of their country; and as the enemies of these Colonies frequently throw out that Administration have conceived a bloody plan of mustering great numbers of *French Canadians*, and remote tribes of Savages, and to bring them against this Province, in order to effect their system of despotism and tyranny over the inhabitants of these Colonies; and as the inhabitants of the said Counties apprehend it highly probable that the first attacks that will be made on the people of this Province by the said *Canadians* and *Indians*, if any such should happen, will fall upon them:

The inhabitants of *Berkshire* and *Hampshire* are therefore humbly of the opinion, that it is absolutely necessary that every man in both the said Counties, able to bear arms, should be furnished with a good effective fire-lock; and, as there are several such men in both the said Counties utterly unable to furnish themselves with such arms, and as many such able-bodied men there are settled upon lands which are not incorporated into Towns or Districts; and therefore such arms cannot be procured for them, in such manner as prescribed for the procuring of arms for the poor inhabitants which belong to any Town or District, by the Laws of this Province, your Petitioners, therefore, humbly supplicate that this Congress would take some order which shall be effectual, for the procuring such a number of fire-arms, at the expense of the Province, and bestow them upon such poor inhabitants, that there may not be so much as one able-bodied man in either of the said two Counties who shall not be equipped with a good effective fire-arm. All which is most humbly submitted, and your Petitioners, as they ought, shall every pray.

Signed by Seth Pomeroy, *and nineteen others.*

Ordered, That the same be committed to the Committee on the State of the Province, and that the Committee make the Petition publick if they think proper.

Adjourned till to-morrow morning, nine o'clock.

Saturday, February 11, 1775, A. M.

The Committee appointed to revise the commission of the Committee of Safety and the Committee of Supplies, &c., reported by way of Resolve, which was considered and accepted, and is as followeth, viz:

Whereas several Resolves have been passed by this and the former Provincial Congress, authorizing and directing

Digitized by Google

the Committee of Safety, in case of necessity in the defence of the Province, to call together, arm, accoutre, and equip the inhabitants thereof. And whereas by Resolves of the same Congress, a Committee of Supplies is appointed to provide Ordnance, Stores, Provisions, and Arms, and to place them where the said Committee of Safety shall order; but there is no provision made by whom, to whom, or in what manner and quantities the Supplies provided by said Committee shall be delivered.

It is *Resolved*, That said Committee of Safety, or the major part of them, shall be, and hereby are empowered to appoint one of their number a Commissary, whose business it shall be to deliver all such Stores, Ordnance, Arms, and Provisions, as shall be by the Committee of Supplies provided, as the said Committee of Safety shall order and direct, until the Constitutional Army shall take the field; when and during all the time said Army shall be in the field, until they are discharged by the Committee of Safety, the Commissary appointed by the Committee of Safety shall deliver the said Warlike Stores to the order of the Commanding Officers of said Army.

The Committee appointed to bring in a Resolve relative to the disposal of some Bayonets, &c., reported the following Resolve, which was accepted:

Whereas there are a number of Bayonets and other implements of war purchased at the expense of the Province that are not now in the hands of the Committee of Safety, as they ought to be:

It is therefore *Resolved*, As the opinion of this Congress, that the Committee of Safety ought to possess themselves of all the said Bayonets and implements of war as soon as they conveniently can, and that they ought to dispose of the same for the use of the Province to such persons, and on such conditions, as they shall think proper.

The Committee on the State of the Province reported a Resolve, recommending that a day of Fasting and Prayer be kept throughout the Province; which was considered, and ordered to lie on the table.

Ordered, That Mr. *Sullivan*, Mr. *Stickney*, and Colonel *Cushing*, be a Committee to bring in a Resolve empowering the Committee of Safety to direct the Committee of Supplies to make such further provision for the defence of the Province as may be necessary.

Resolved, That all the Members of the Congress be enjoined to attend, and that none depart without special leave be first obtained.

Ordered, That Colonel *Tyng*, Mr. *Adams*, Doctor *Warren*, Major *Hawley*, Colonel *Ward*, Honourable Mr. *Hancock*, and Mr. *Paine*, be a Committee to report a Resolve purporting the determination of this people coolly and resolutely to support their rights and privileges at all hazards.

The Committee appointed to take into consideration the Address from the Committee of Correspondence for the Town of *Scituate*, and others, reported; the Report was read, and ordered to be recommitted for amendments.

Adjourned till *Monday* next, at ten o'clock, A. M.

—

Monday, February 13, 1775, A. M.

The Committee on the State of the Province reported the form of a Receipt, two of the same tenor and date to be signed by the Receiver General, one of which to be lodged with the Town or District Treasurer, and the other to be kept by the Constable or other Officer, who shall pay the money to him.

Ordered, That the Report be recommitted for amendments.

Adjourned till three o'clock in the afternoon.

Afternoon.

Ordered, That Mr. *Sullivan*, Colonel *Patterson*, Mr. *Fisher*, Mr. *Hobby*, and Mr. *Freeman*, be a Committee to bring in a Resolve for inquiring into the state of the Militia; their numbers and equipments; and recommending to the Selectmen of the several Towns and Districts in this Province to make return of their Town and District Stock of Ammunition and Warlike Stores to this Congress.

Ordered, That Mr. *Stephen Hall*, Doctor *Warren*, and Mr. *Brown*, of *Abington*, be a Committee to take into consideration and report what is necessary for this Congress to do for the encouragement of making Saltpetre.

Ordered, That Colonel *Patterson* bring in a Resolve appointing an Agent for and in behalf of this Province, to repair to the Province of *Quebec*, and there establish a correspondence to collect and transmit to us the best and earliest intelligence that can be obtained of the sentiments and determination of the inhabitants of that Province with regard to the late Acts of Parliament, or any other important matters that do, or may affect the Colonies in their present dispute with *Great Britain*.

Adjourned to ten o'clock to-morrow morning.

—

Tuesday, February 14, 1775, A. M.

The Committee appointed to bring in a Resolve relative to an inquiry into the state of the Militia, Town Stocks, &c., reported; the Report was recommitted for amendments.

Afternoon.

The Committee appointed to bring in a Resolve relative to inquiring into the state of the Militia, &c., having amended their Report, again reported, which was read and accepted, and ordered that it be printed, and a copy thereof attested by the President, sent to each Town and District in this Province, and is as followeth, viz:

Whereas, it appears necessary for the defence of the lives, liberties, and properties of the inhabitants of this Province, that this Congress, on the first day of their next session, should be made fully acquainted with the number and military equipments of the Militia and Minute-men in this Province, as also the Town stock of Ammunition in each Town and District;

It is therefore *Resolved*, That it be and hereby is recommended to the Commanding Officers of each Regiment of Minute-men that now is or shall be formed in this Province, that they review the several Companies in their respective Regiments, or cause them to be reviewed, and take an exact state of their numbers and equipments; and where there is any Company that is not incorporated into a Regiment, the Commanding Officer thereof shall review the several Companies, or cause them to be reviewed, and take a like state of their number and equipments.

And it is also recommended to the Colonels or Commanding Officers of each Regiment of Militia in this Province, that they review the several Companies in their respective Regiments, or cause them to be reviewed, and take a state of their numbers and accoutrements; which said state of the Minute-men and Militia, shall be by said Officers returned in writing to this Congress, on the first day of their next session after the adjournment.

And it is further *Resolved*, That it be recommended to the Selectmen of each Town and District in this Province, that on the same day they make return in writing of the state of the Town and District stock of Ammunition and Warlike Stores to this Congress.

Mr. *Patterson* reported a Resolve relative to appointing an Agent for and in behalf of this Province, to repair to the Province of *Quebec*, &c., which was recommitted, and he, with Mr. *Bigelow* and Colonel *Henshaw*, are directed to bring in a Resolve directing and empowering the Committee of Correspondence for the Town of *Boston*, to establish an intimate correspondence with the inhabitants of the Province of *Quebec*, &c.

Adjourned to ten o'clock to-morrow morning.

—

Wednesday, February 15, 1775.

Resolved, That at three o'clock this afternoon, the Congress will come to the choice of a General Officer, in addition to those already appointed.

The Committee appointed to bring in a Resolve empowering the Committee of Safety to give orders to the Committee of Supplies to make such further provision for the defence of the Government, as they shall think necessary, reported.

Ordered, That the consideration of this Report be referred to the next session of this Congress.

The Committee appointed to bring in a Resolve empowering the Committee of Correspondence of the Town of *Boston* to correspond with *Quebec*, &c., for and in behalf of this Province, reported. The Report was read and accepted, and is as followeth, viz:

Whereas, it appears the manifest design of Administra-

Digitized by Google

tion to engage and secure the *Canadians* and remote tribes of *Indians*, for the purpose of harassing and destroying these Colonies, and reducing them to a state of absolute slavery. And whereas, the safety and security of said Colonies depend in a great measure, (under *God*) on their firmness, unanimity, and friendship:

Therefore, *Resolved*, That the Committee of Correspondence for the Town of *Boston*, be and they are hereby directed and empowered, in such way and manner as they shall think proper, to open and establish an intimate correspondence and connection with the inhabitants of the Province of *Quebec*, and that they endeavour to put the same immediately into execution.

The Committee appointed to take into consideration what is necessary for this Congress to do for the encouragement of making Saltpetre, reported. The Report was read and accepted, (excepting that part thereof which relates to Essay-masters, which part was referred for further consideration to the next meeting of the Congress,) and is as followeth, viz:

Resolved, That this Congress do now appoint a Committee to draw up directions in an easy and formidable style, for the manufacturing of Saltpetre, and that the same be printed and sent to every Town and District in the Province, at the publick expense.

2d. That for the encouragement of such as are disposed to set up the manufacture of Saltpetre, this Congress do engage to purchase the whole quantity that shall be manufactured in this Province within twelve months from this date, at the rate of fourteen Pounds per hundred.

3d. That a proper Essay-master be appointed in every County, to receive and pay for the Saltpetre which shall be brought to him with a satisfactory certificate that the same was actually manufactured in this Province.

The Committee on the State of the Province, reported again the form of a Receipt, two of the same tenor and date to be signed by the Receiver General, one of which is to be lodged with the Town or District Treasurer, or Clerk, who shall send their money, and the other to be kept by the Constable, Collector, or other Officer who shall pay the same to him; which was read and accepted, and is as followeth:

Resolved, That it is proper and expedient, that *Henry Gardner*, Esq., Receiver General of this Province, should, for the greater security of the Province, give two several Receipts for all such sums of money as he shall for the future receive for the use of the Province; and for the greater satisfaction of all such persons as shall make payments to the said Receiver General, it is hereby recommended to the said *Henry*, or his successor in office, that he make both such Receipts, as near as possible, to the form following, to wit:

"* * * * * * * * * * 177 .

" Received of A. B. the sum of * * * * * * * * * * * *
" being (part) (or the whole) of the Province Tax set on
" the Town of C * * * * * by the General Court, in the
" year 17 * * , for which sum I have given the said A. B.
" another Receipt of the same tenor and date with this."

One of which Receipts the person paying the said money is requested to lodge with the Treasurer or Clerk of the Town and District on whose account the money shall be paid, or such other person as the inhabitants of such Town or District shall appoint.

Ordered, That Mr. *Adams*, Major *Hawley*, Mr. *Gerry*, Honourable Mr. *Cushing*, Mr. *Paine*, Colonel *Palmer*, and Mr. *Freeman*, be a Committee to bring in a Resolve holding up to the people of this Province the imminent danger they are in from the present disposition of the *British* Ministry and Parliament, and that there is reason to fear that they will attempt our sudden destruction, and the importance it is to the inhabitants of this Colony to prepare themselves for the last event.

The Committee on the State of the Province, reported a Resolve relative to Pedlars, &c., which was read, considered, and accepted, and ordered to be published in all the Newspapers, and is as followeth, viz:

Whereas, the practice of Pedlars and Petty Chapmen, in going from Town to Town selling *East India* Goods and Teas, and various sorts of *European* Manufactures, in direct opposition to the good and wholesome laws of this Province, whereby they are liable to the forfeiture of all their Goods, besides being subject to the penalty of twenty Pounds, does manifestly tend to interrupt and defeat the measures necessary to recover and secure the rights and liberties of the inhabitants of these Colonies. And whereas, the law relating to Pedlars and Petty Chapmen, cannot at present be effectually carried into execution, it is therefore hereby earnestly recommended to Committees of Inspection of the several Towns and Districts in this Province, that they be very vigilant and industrious to discover and find out when any Pedlars and Petty Chapmen shall come into their respective Towns and Districts; and that the said Committees, whenever they shall find out that any Pedlar or Petty Chapmen shall be in the Town or District for which such Committee is appointed, that such Committee, without fail, make a thorough and careful search and examination of the Packs, Baggage, and all the Goods, Wares, and Merchandises of such Pedlars and Petty Chapmen; and in case such Committee shall find any *India* Teas or *European* Manufactures in the possession of such Pedlars or Petty Chapmen, it is further recommended to such Committee to prevent, by all reasonable means, such Pedlars and Petty Chapmen from vending any such Teas and Manufactures; and it is hereby recommended to the inhabitants of this Province not to trade with such Pedlars and Petty Chapmen for any article whatever.

Ordered, That Major *Fuller*, Mr. *Brown*, and Mr. *Bigelow*, be a Committee to direct and forward the Pamphlets printed by order of Congress, to the several Towns and Districts in the Province.

The Order of the Day was moved for.

Ordered, That Mr. *Gill*, Mr. *Pitts*, and Colonel *Mansfield*, be a Committee to sort and count the votes for a General Officer, in addition to those already appointed.

The Congress then proceeded to bring in their votes for a General Officer. The Committee having counted and sorted the same, reported that the Honourable *John Whitcomb*, Esquire, was chosen.

Ordered, That the Members from the Town of *Boston* be desired to wait on the Honourable *John Whitcomb*, Esq., with a copy of the Resolve electing him a General Officer, and request his answer whether he will accept that trust, as soon as may be.

Ordered, That the Report of the Committee appointed to bring in a Resolve holding up to the people the imminent danger they were in, &c., be now read; which was done accordingly, and accepted, and ordered to be printed in all the Newspapers, and is as followeth, viz:

Whereas, it appears to this Congress, from the present disposition of the *British* Ministry and Parliament, that there is real cause to fear that the most reasonable and just applications of this Continent to *Great Britain*, for "Peace, Liberty, and Safety," will not meet with a favourable reception; but, on the contrary, from the large reinforcements of Troops expected in this Colony; the tenor of intelligence from *Great Britain*, and general appearances, we have reason to apprehend that the sudden destruction of this Colony in particular is intended, merely for refusing, with the other *American* Colonies, tamely to submit to the most ignominious slavery;

Therefore, *Resolved*, That the great law of self-preservation calls upon the inhabitants of this Colony immediately to prepare against every attempt that may be made to attack them by *surprise*; and it is, upon serious deliberation, most earnestly recommended to the Militia in general, as well as the detached part of it in Minute-men, that they spare neither time, pains, nor expense, at so critical a juncture, in perfecting themselves forthwith in military discipline, and that skilful instructers be provided for those Companies which may not already be provided therewith.* And it is recommended to the Towns and Districts in this Colony, that they encourage such persons as are skilled in the manufacturing of Fire-Arms and Bayonets, diligently to apply themselves thereto, for supplying such of the inhabitants as may still be deficient.

* *London, April*, 1775.—It is probably with a view to this Resolution, that a Ship is said to have lately sailed from *Stettin*, with eight *German* Officers on board. This Ship was freighted by an *American* Agent, and was laden with small Fire-Arms, Gunpowder, Ball, and accoutrements, together with thirty Field Pieces, of a light construction, all contracted for at *Berlin*, and there is no doubt of their being designed for the *American* Colonies; but how they are to be landed is not so easily to guess.—*Gent. Mag.*

Digitized by Google

And for the encouragement of *American* Manufactures of Fire-Arms and Bayonets, it is further *Resolved*, That this Congress will give the preference to, and purchase from them, so many effective Arms and Bayonets as can be delivered in a reasonable time, upon notice given to this Congress at its next session.

The Committee appointed to take into consideration the Address from the Committee of Correspondence of the Town of *Scituate*, and other Towns in that vicinity, reported. Their Report was read and accepted, and ordered that it be published in the Newspapers, and is as followeth, viz:

Voted, That the Congress do highly approve of the vigilance and activity of the Selectmen and the Committees of Correspondence of the several Towns of *Plymouth*, *Kingston*, *Duxbury*, *Pembroke*, *Hanover*, and *Scituate*, in detecting the falsehoods and malicious artifices of certain persons belonging to *Marshfield* and *Scituate*, not respectable either in their numbers or their characters, who are, with great reason, supposed to have been the persons who prevailed upon General *Gage* to take the imprudent step of sending a number of the King's Troops into *Marshfield*, under the pretence of protecting them, whereby great and just offence has been given to the good people of this Province, as very fatal consequences must have arisen therefrom, if the same malevolent spirit which seems to have influenced them, had actuated the inhabitants of the neighbouring Towns; or if the same indiscretion which betrayed the General into the unwarrantable measure of sending the Troops, had led this people to destroy them.

Voted, That the Congress do earnestly recommend it to the Selectmen and Committees of Correspondence in the several Towns of *Plymouth*, *Kingston*, *Duxbury*, *Pembroke*, *Hanover*, and *Scituate*, steadily to persevere in the same line of conduct which has in this instance so justly entitled them to the esteem of their fellow-countrymen, and to keep a watchful eye upon the behaviour of those who are aiming at the destruction of our liberties.

Ordered, That Mr. *Adams*, Mr. *Gerry*, Honourable Mr. *Cushing*, Mr. *Paine*, Honourable Colonel *Ward*, Colonel *Prescott*, and Major *Holten*, be a Committee to wait on the Honourable Colonel *Williams* and ——— *Walter*, and inform them that the Congress have had a notice of their be ng in Town as a Committee from *Connecticut*, in order to have a conference with us; and that we are ready to confer with them by a Committee, at such time and place as shall be most agreeable to them.

Ordered, That no Member of this Congress depart therefrom, until the conference with the Committee from *Connecticut* be over.

The Committee appointed to wait upon the gentlemen from *Connecticut*, reported that they had attended that service, and delivered the message with which they were charged, and that the gentlemen propose this evening to meet the Committee from this Congress, at such place as you shall appoint.

Ordered, That the Committee on the State of the Province be the Committee from this Congress to meet the gentlemen from *Connecticut* this evening, at Captain *Stedman's*, for the proposed conference.

Adjourned until to-morrow morning, nine o'clock.

—

Thursday, February 16, 1775, A. M.

Adjourned to twelve o'clock at noon.

Met agreeable to adjournment.

Ordered, That Mr. *Pickering*, Doctor *Warren*, and Mr. *Lothrop*, be a Committee to bring in a Resolve purporting the business and duty of a Committee to be appointed to correspond with the House of Assembly of *Connecticut*, and if necessary, with the other neighbouring Colonies.

Resolved, That at three o'clock this afternoon the Congress will come to the choice, by ballot, of a Committee to correspond with the neighbouring Governments.

Afternoon.

Ordered, That Mr. *Pitts*, Mr. *Gill*, and Mr. *Fuller*, be a Committee to count and sort the votes for the Committee to correspond with the neighbouring Governments.

Ordered, That Major *Hawley*, Mr. *Brown*, and Colonel *Patterson*, be a Committee to bring in a Resolve relative to the adjournment, and empowering the Members of *Charlestown*, and others, to call the Congress together at an earlier day than that to which it may be adjourned.

Ordered, That Colonel *Gardner*, Major *Holten*, and Captain *Batcheldor*, be a Committee to wait on the Rev. Doctor *Appleton*, and return him the thanks of this Congress for his services as their Chaplain during this session.

The Congress then proceeded to bring in their votes for a Committee to correspond with the neighbouring Governments. After sorting and counting the same, the Committee reported that the Honourable *John Hancock*, Esquire, Honourable *Thomas Cushing*, Esquire, *Samuel Adams*, Doctor *Joseph Warren*, Mr. *Elbridge Gerry*, and Colonel *William Heath*, were elected.

Upon a motion, the question was put, whether the vote in the morning relative to the choice of a Committee to correspond with the neighbouring Governments, by ballot, be so far reconsidered, as that the three persons now to be appointed thereon, be chosen by a hand vote, and that Mr. *Richard Devens*, Colonel *Joseph Palmer*, and Mr. *Moses Gill*, be of the Committee, and passed in the affirmative.

Resolved, That *Henry Gardner*, Esquire, Receiver General, be and hereby is directed to pay into the hands of the Committee of Correspondence of the Town of *Boston*, the sum of twenty Pounds, lawful money, to enable the said Committee to correspond with the inhabitants of *Canada*, they to be accountable for said sum to this or some other Congress.

The Committee appointed to bring in a Resolve setting forth the business and duty of the Committee appointed to correspond with the neighbouring Governments, reported. Read and accepted, and is as followeth, viz:

Resolved, That the Honourable *John Hancock*, Esquire, Honourable Mr. *Cushing*, Mr. *Adams*, Mr. *Gerry*, Doctor *Warren*, Colonel *Heath*, Mr. *Devens*, Colonel *Palmer*, and Mr. *Gill*, or the majority of them, be and are hereby appointed to act as a Committee of Correspondence with the other Colonies on this Continent, during the recess of this Congress, and they are hereby empowered and directed to consult with and make proposals to such Committees as now are or shall hereafter be appointed as Committees of Correspondence in the several *American* Colonies, and to make report of their doings to this Congress, at their next session.

While the iron hand of power is stretched out against these *American* Colonies, and the abetters of tyranny and oppression are practising every art to sow the seeds of jealousy and discord among the several parts of this country, it is incumbent on us to take every step in our power to counteract them in their wicked designs; and as we are convinced that the union now established throughout the several Colonies, can never be maintained without frequent communication of sentiments between them; nor can any plan formed for their common benefit be carried into execution, without a previous knowledge of the general disposition of the Colonies.

The Report of the Committee recommending a day of Fasting and Prayer to be kept throughout this Province, which was ordered to lie on the table, was now taken up, considered, and accepted, and is as followeth, viz:

Whereas, it has pleased Almighty *God*, the just and good Governour of the world, to permit so great a calamity to befall us as the present controversy between *Great Britain* and these Colonies, and which threaten us with the evils of war.

And whereas, it has been the annual and laudable custom of this Colony, at the opening of Spring, to observe a day of Fasting and Prayer, to humble themselves before *God* for their sins, and to implore his forgiveness and blessing.

It is therefore *Resolved*, as the sense of this Congress, that it is highly and peculiarly proper, and a duty incumbent upon this people, more especially at a time of such general distress, that a day of Fasting and Prayer should be observed and kept throughout this Colony, not only on account of the present calamities, but also in conformity to the laudable custom of our ancestors; and it is accordingly recommended to the several religious assemblies in the same, that *Thursday*, the sixteenth day of *March* next, be observed as a day of Fasting and Prayer, to humble ourselves before *God*, on account of our sins; to implore his

Digitized by Google

forgiveness; to beg his blessing upon the labours of the Field, upon our Merchandise, Fishery, and Manufactures, and upon the various means used to recover and preserve our just rights and liberties; and also, that his blessing may rest upon all the *British* Empire, upon *George* the Third, our rightful King, and upon all the royal family, that they may all be great and lasting blessings to the world; to implore the outpourings of his spirit, to enable us to bear and suffer whatever his holy and righteous Providence may see fit to lay upon us; and also humbly to supplicate his direction and assistance, to discover and reform whatever is amiss, that so he may be pleased to remove these heavy afflictions—those tokens of his displeasure, and may cause harmony and union to be restored between *Great Britain* and these Colonies, and that we may again rejoice in the free and undisturbed exercise of all those rights and privileges, for the enjoyment of which our pious and virtuous ancestors braved every danger, and transmitted the fair possession down to their children, to be by them handed down entire to the latest posterity.

Ordered, That Mr. *Devens*, Mr. *Gorham*, and Mr. *Watson*, be a Committee to direct the Resolve recommending a day of Fasting and Prayer, and send them to the several religious assemblies in this Province.

Upon a motion made, the question was put, whether the injunction of secrecy now on the Members of this Congress, be taken off, and that they disclose such parts of their doings as shall appear to them to have a tendency to promote the publick interest; and passed in the affirmative.

Ordered, That Colonel *Gardner*, Mr. *Watson*, and Mr. *Osgood*, be a Committee to return the thanks of this body to the Proprietors of the Meeting House in *Cambridge*, for their favours in indulging the Congress with the use thereof during their session.

Ordered, That *Henry Gardner*, Esq., Receiver General of this Province, be and he is hereby directed to pay unto Mr. *William Darling*, the sum of two Pounds, sixteen Shillings, lawful money, in full for his services as Doorkeeper.

The Committee appointed to bring in a Resolve relative to the adjournment of this Congress, and empowering the Members from *Charlestown*, and others, to call the Congress together sooner than the day to which it may be adjourned, reported. The Report was read and accepted, and is as followeth, viz:

Resolved, That this Congress be adjourned from this day to the twenty-second day of *March* next, at nine o'clock in the forenoon, to meet at *Concord*, in the County of *Middlesex*. And considering the great uncertainty of the present times, and that important unforeseen events may take place, from whence it may be absolutely necessary that this Congress should meet sooner than the day abovesaid, notwithstanding the adjournment aforesaid, it is further

Resolved, That the Members of this Congress for the Towns of *Charlestown*, *Cambridge*, *Brookline*, *Roxbury*, and *Dorchester*, or the majority of them, be and they are hereby authorized, in case they shall judge it necessary, to give notice to the several Members of this Congress, in such way as they shall think proper, to meet at *Concord* aforesaid, at any certain day other than the abovesaid twenty-second day of *March* next, which shall be by them appointed. And it is further recommended to the Members of this Congress, that they conform themselves to said notice.

The President then declared the Congress adjourned accordingly.

Wednesday, March 22, 1775, A. M.

Congress met conformable to adjournment.

Ordered, That Colonel *Barret*, Honourable Mr. *Dexter*, and Mr. *Stickney*, be a Committee to wait on the Reverend Mr. *Emerson*, and desire his attendance on the Congress, and open the same with Prayer at three o'clock this afternoon, to which time this Congress stands adjourned.

Afternoon.

Ordered, That Colonel *Barret*, Honourable Mr. *Dexter*, and Mr. *Stickney*, be a Committee to wait again on the Reverend Mr. *Emerson*, and desire him, if his circumstances will admit of it, to attend daily on the Congress and officiate as their Chaplain.

Ordered, That all the Debates and Resolutions of this Congress be kept an entire secret, until the farther order thereof.

Ordered, That Colonel *Danielson*, Colonel *Henshaw*, Major *Fuller*, Colonel *Prescott*, and Colonel *Farley*, be a Committee to receive the Return of the several Officers of Militia, of their numbers and equipments; and the Return from the several Towns of their Town stock of Ammunition.

Ordered, That Mr. *Lothrop* and the Honourable Colonel *Dexter*, be added to the Committee on the State of the Province.

Adjourned until to-morrow morning, nine o'clock.

Thursday, March 23, 1775, A. M.

The Committee appointed to wait on the Reverend Mr. *Emerson*, and desire that he would officiate as Chaplain to this Congress, during their present session, in the Town of *Concord*, reported that they had attended that service and delivered the message, and that Mr. *Emerson* would officiate accordingly.

Ordered, That Mr. *Gerry*, Mr. *Paine*, and Mr. *Adams*, be a Committee to bring in a Resolve expressing the sense of this Congress, that for this people to relax in their preparations to defend themselves, &c., would be attended with the most dangerous consequences.

Ordered, That information be given by the Members to the Committee on the State of the Province, of the number of Field-Pieces; whether the property of the Province, Towns, or private persons, which have fallen within their knowledge; and also, what number of men in the Province acquainted with the business of making Fire-Arms.

Adjourned to three o'clock this afternoon.

Afternoon.

Adjourned until to-morning, ten o'clock.

Friday, March 24, 1775, A. M.

Adjourned to three o'clock this afternoon.

Afternoon.

The Committee appointed to bring in a Resolve expressing the danger there would be in relaxing from the present preparations for Defence, &c., reported. The Report was accepted, and ordered that it be attested, and published in all the *Boston* Newspapers, and is as followeth, viz:

In Provincial Congress, Concord, March 25, 1775.

Whereas, it is indispensably necessary for the safety of a free people, and the preservation of their liberties, that they, at all times, keep themselves in a state of actual defence, against every invasion or depredation; and this Colony being still threatened by a powerful Army posted in its capital, with a professed design of executing certain Acts of the *British* Parliament, calculated to destroy our invaluable rights and liberties, and the Government of this Colony, as by Charter and Law established therein:

Therefore, *Resolved*, That the measures that have heretofore been recommended by this and the former Provincial Congress, for the purpose of putting this Colony into a complete state of defence, be still more vigorously pursued by the several Towns, as well as individual inhabitants; and that any relaxation would be attended with the utmost danger to the liberties of this Colony, and of all *America*; especially as by the latest advices from *Great Britain* we have undoubted reasons for jealousy, that our implacable enemies are unremitting in their endeavours, by fraud and artifice, as well as by open force, to subjugate this people, which is an additional motive to the inhabitants of this Colony to persevere in the line of conduct recommended by the Congress, and be ready to oppose with firmness and resolution, at the utmost hazard, every attempt for that purpose.

Adjourned to ten o'clock to-morrow morning.

Saturday, March 25, 1775, A. M.

Ordered, That when this Congress shall adjourn, that it be adjourned to *Monday* next, at three o'clock in the afternoon.

Digitized by Google

Ordered, That the Members be enjoined punctually to attend at the adjournment.

—

Monday, March 27, 1775, P. M.

The Committee appointed to propose a state of the Imports, Exports, &c., reported.

Ordered, That the further consideration thereof be referred to *Wednesday* next, at three o'clock in the afternoon.

The Committee appointed to prepare some Rules, &c., for a Constitutional Army, reported. The Report read.

Ordered, That the farther consideration of the Report be postponed until to-morrow, four o'clock, P. M., and that the Committee make such additions thereto as they shall think necessary.

Adjourned to ten o'clock to-morrow morning.

—

Tuesday, March 28, 1775, A. M.

The several Committees enjoined to sit.

Adjourned to three o'clock this afternoon.

Afternoon.

According to the Order of the Day, the Congress went into the consideration of the Report of the Committee appointed to prepare Rules and Regulations for a Constitutional Army, &c., which was recommitted for amendments.

Adjourned to nine o'clock to-morrow morning.

—

Wednesday, March 29, 1775, A. M.

Revised the consideration of the Report of the Committee relative to Rules, &c.; considered the same by paragraphs, and passed the same in part.

Adjourned to three o'clock this afternoon.

Afternoon.

The Report of the Committee relative to Rules and Regulations, passed in whole, but ordered to be recommitted for additions.

Ordered, That Captain *Osgood*, Colonel *Thompson*, and Captain *Greenleaf*, be a Committee to bring in a Resolve introductory to the publishing the names of the Mandamus Counsellors.

Ordered, That the vote of *Thursday*, relative to information being given to the Committee on the State of the Province, be so far reconsidered as that the information be given to the Committee appointed to receive the Return from the Colonels.

Adjourned to ten o'clock to-morrow morning.

—

Thursday, March 30, 1775, A. M.

The Doorkeeper directed to call in the Members; they enjoined to attend.

The Committee on the State of the Province reported a Resolve relative to what movement of the Troops should make it fit to call the Militia together to act on the defensive. Report read and considered in paragraphs, and passed unanimously in the affirmative.

Upon a motion made and seconded,

Resolved, That immediately when notice shall be given for the assembling the Forces of this Colony, that the Members of this Congress repair without delay to the place to which they shall be adjourned.

Adjourned to three o'clock this afternoon.

Afternoon.

The Committee appointed yesterday to draw an Introduction to publishing the names of the Mandamus Counsellors, reported. Recommitted to the Committee directed to bring in a report by way of order, &c.

The Committee appointed to receive the Exports and Imports, &c., in the Colony, reported. Referred to *Wednesday* next, at three o'clock.

Several Committees enjoined to sit and perfect their Reports without delay, in order, if possible, that the Congress may rise to-morrow.

Adjourned to nine o'clock to-morrow morning.

—

Friday, March 31, 1775, A. M.

The Committee appointed to bring in a Resolve as introductory to publishing the names of the Mandamus Counsellors, reported. Being amended, was read and accepted, and is as follows:

In Provincial Congress, Concord, March 31, 1775.

Resolved, That the names of the following persons be published in all the *Boston* Newspapers, who have been appointed Counsellors by his Majesty's Mandamus; and having accepted and acted under said commission, have proved themselves implacable enemies to the liberties of their country, by refusing to publish a renunciation of their commissions, agreeably to a Resolve of a former Provincial Congress; that the Secretary be directed to transmit authenticated copies of this Resolve, with the names annexed, to all the Printers in *Boston*, and that they be desired to insert the same in their Papers, that every Town may be possessed of a copy of their names, which are to be entered upon the Town and District Records, that they may be sent down to posterity, (if possible) with the infamy they deserve, viz:

Thomas Flucker, Foster Hutchinson, Harrison Gray, William Browne, James Bouteneau, Joshua Loring, William Pepperell, John Erving, Jun., *Peter Oliver, Richard Lechmere, Josiah Edson, Nathl. Ray Thomas, Timothy Ruggles, John Murray, and Daniel Leonard*, Esquires.

The Committee appointed to receive the Returns from the several Colonies, &c., reported. The Report was recommitted to be completed.

A Memorial from the Selectmen of the Town of *Billerica*, was read, and committed to Mr. *Marcy*, Captain *Batcheldor*, Captain *Osgood*, Captain *Manning*, and Mr. *Freeman*.

Ordered, That the Receiver General be directed to lay a state of the Treasury before this Congress.

The Members enjoined to attend until the further order of this Congress.

Adjourned to three o'clock this afternoon.

Afternoon.

The Committee on the State of the Province reported a Resolve relative to the payment of the Publick Moneys immediately to Mr. *Gardner*. Read and accepted, and

Ordered, That it be printed in Handbills, and a copy thereof sent to each Town, directed to the Committee of Correspondence, if any, if not, to the Selectmen, to be laid before the several Towns.

In Provincial Congress, Concord, March 31, 1775.

Whereas, this Congress is informed that many Collectors and Constables, having in their hands considerable sums of publick money of this Colony, have hitherto neglected to pay the same to *Henry Gardner*, Esquire, of *Stow*; and the Congress earnestly attentive to the ease of the inhabitants of the Colony, are desirous of completing the preparations so essentially necessary to the publick safety, without calling on them for other moneys than such as are now due to the Colony; it is therefore

Resolved, that the Constables and Collectors aforesaid ought by no means to be longer indulged in their unreasonable neglect of complying with the most important plans of this Colony; and it is hereby strongly recommended to the several Towns and Districts of the same, that they oblige said Constables and Collectors forthwith to pay the balances aforesaid due from them respectively, to the Receiver General; and it is also most earnestly recommended to the Towns and Districts having any publick moneys belonging to the Colony yet uncollected, that they do not fail to hire and pay the same to the said *Henry Gardner*, Esquire, without delay; and that they vigorously exert themselves to suppress every opposition to measures recommended by the Continental and Provincial Congresses, as they regard the freedom and happiness of themselves and future generations.

Ordered, That Mr. *Gorham*, Mr. *Devens*, and Mr. *Watson*, be a Committee to forward the Handbills to the several Towns, &c.

Resolved, That each Member be desired to urge the Town of which he is a Representative, if they have not paid their money to *Henry Gardner*, that they would immediately pay it, and if it cannot be soon collected, that they be desired to borrow it; and if there is any Town which does not incline to pay their publick moneys to Mr. *Gardner*, they are desired to give their reasons for such refusal to this Congress, at the next session thereof.

Adjourned to nine o'clock to-morrow morning.

Digitized by Google

Saturday, April 1, 1775, A. M.

The Committee appointed to report Rules, &c., for the Provincial Army, having made the additions directed, the same were read, and put in whole, and passed; it was then ordered to be recommitted for the bringing in a form of Oaths, and a Resolve relative to witnesses.

The Committee on the State of the Province reported a Resolve relative to furnishing the *Indians* with Blankets, who have enlisted as Minute-men, &c., and an Address to them; it passed, and is as follows:

In Provincial Congress, Concord, April 1, 1775.

Whereas, a number of *Indians*, natives of the Town of *Stockbridge*, have enlisted as Minute-men,

Resolved, That for their encouragement, the following Address to said *Indians* be presented to them by Colonel *John Patterson*, and Captain *William Goodridge*; and that *Henry Gardner*, Esquire, the Receiver General, be, and hereby is, directed to pay the sum of twenty-three Pounds, lawful money, into the hands of Colonel *John Patterson* and Captain *William Goodridge*, to be employed in purchasing a number of Blankets, and some Ribbons, which they are to present to the *Indians* enlisted as aforesaid, viz: one Blanket, and one yard of Ribbon, to each person that is or may be enlisted; and in case the whole of the money should not be employed in the purchase aforesaid, they are to be accountable for the residue.

To Johoiakin Mothksin, *and the rest of our Brethren, the* Indians, *natives of* Stockbridge.

Good Brothers: It affords us great pleasure and satisfaction, to hear by Colonel *Patterson* and Captain *Goodridge*, that our Brothers, the natives of *Stockbridge*, are ready and willing to take up the Hatchet in the cause of liberty and their country. We find you have not been inattentive to the unhappy controversy we are engaged in with our mother country, by reason of sundry Acts the *British* Parliament have passed, by which our rights and privileges have been invaded, and our property taken from us without our consent. We have frequently petitioned the King for redress of our grievances, and the restoration of our rights; but instead of granting us relief, the King's Ministers have sent a large Fleet, and posted a great Army in the Town of *Boston*, who are daily abusing and insulting the inhabitants, in order to enforce obedience to these Acts. The whole Continent, from *Nova Scotia* to *Georgia*, by their Delegates, have lately presented a Petition to the King, praying for relief, to which we hope we shall receive a gracious answer. We wish the fire of friendship may be again kindled between both countries; but in case our Petition should not be attended to, and the Ministry should determine to deprive us of our rights and property by a Military force, we hold ourselves obliged to defend them at the point of the sword. This is a common cause; a cause you are equally engaged in with ourselves; we are all brothers; and if the Parliament of *Great Britain* takes from us our property and our lands, without our consent, they will do the same by you; your property, your lands will be insecure; in short, we shall not any of us have any thing we can call our own. Your engaging in this cause, discovers not only your attachment to your liberties, but furnishes us with an evidence of your gratitude to this Province for their past favours. They have frequently, at your request, made laws and regulations for your protection and defence against the ravages and hands of deceitful and designing men. They have constantly and cheerfully afforded you aid and assistance, because you have given them abundant proof of your fidelity. We have directed Colonel *Patterson* and Captain *Goodridge*, to present each of you that have enlisted in the service, with a Blanket and a Ribbon, as a testimony of our affection, and shall depend upon your firm and steady attachment to the cause you have engaged in.

Ordered, That Mr. *Adams*, Mr. *Cushing*, and Mr. *Patterson*, be a Committee to draught a Letter to the Reverend Mr. *Kirkland*, and an Address to the Chief of the *Mohawk Indian* Tribes.

Moved, That the Congress now go into consideration of what ought to be the conduct of the several Towns in case General *Gage* should send out his Precepts for convening a new Assembly on the last *Wednesday* in *May* next; and what ought to be their conduct in case he should not send out his Writs.

Resolved, That it is the opinion of this Congress, that in case Writs, in the form the law directs, should be issued, they ought to be obeyed.

Resolved, That in case Writs should not be issued forth, that a Congress be called on the last *Wednesday* in *May* next, and in case General *Gage* should not issue Precepts for calling an Assembly as the law directs, the Members of the Towns of *Charlestown*, *Cambridge*, *Brookline*, *Roxbury*, and *Dorchester*, be desired to publish this Resolve, and appoint a place where they shall assemble.

Ordered, That Colonel *Warren*, Mr. *Adams*, and Mr. *Gill*, be a Committee to reduce the several Resolutions of this day, relative to calling a new Congress, to form, and bring in a Resolution accordingly.

The Committee reported; which was read, accepted, and is as follows, viz:

In Provincial Congress, April 1, 1775.

Resolved, That in case Writs are not issued according to law, for calling a General Assembly on the last *Wednesday* of *May* next, it be recommended to the several Towns and Districts in this Colony, to choose Delegates for a Provincial Congress, to meet on the said last *Wednesday* of *May* next, at such place as the present Members of the Towns of *Charlestown*, *Cambridge*, *Brookline*, *Roxbury*, and *Dorchester*, shall appoint, who are desired to cause this Resolution to be published in the several Newspapers, as soon as it can be ascertained that Writs are not issued for calling an Assembly.

An application from the Committee of Correspondence of the Town of *Boston*, and others, was read.

Ordered, That the consideration be referred to three o'clock this afternoon.

Afternoon.

The Congress proceeded to consider the application from the Committee of Correspondence of *Boston*, &c., agreeably to the order of the forenoon.

Ordered, That it be committed to Colonel *Danielson*, Mr. *Gerry*, Colonel *Foster*, Major *Fuller*, of *Middleton*, and Colonel *Warren*, to consider of, and report thereon.

The Members are enjoined to attend on the adjournment of this Congress, which will be at nine o'clock, A. M., on *Monday* next.

—

Monday, April 3, 1775, A. M.

Resolved, That the Committee on the State of the Province be desired to collect all the late intelligence from *Great Britain*, relative to their sending a reinforcement to General *Gage*, and on other matters which relate to this and the other Colonies, and report to the Congress what is best to be done.

Ordered, That Doctor *Church*, Colonel *Pomeroy*, and Doctor *Warren*, be a Committee to bring in a Resolve, to be inserted in the *Salem* Papers, requiring the attendance of all the absent Members, and a recommendation to the several Towns and Districts, who have not yet sent Members to the Provincial Congress, that they elect them, and direct their immediate attendance.

Ordered, That Major *Bliss*, Mr. *Freeman*, and Captain *Osgood*, be a Committee to bring in a Resolve, to be forwarded by an express, to call in the absent Members from the Counties of *Hampshire*, *Berkshire*, *Worcester*, and *Bristol*.

Adjourned to three o'clock this afternoon.

Afternoon.

The Committee appointed to bring in a Resolve, requiring the attendance of absent Members, reported; which was read, and accepted, and is as follows:

Whereas, several Members of this Congress are now absent by leave of this Congress, and as the important intelligence received by the last vessels from *Great Britain*, renders it necessary that every Member attend his duty,

Resolved, That the absent Members be directed forthwith to attend in this place, that so the wisdom of the Province may be collected.

Ordered, That the Committee on the Memorial of the Town of *Billerica*, be joined to the Committee appointed to take into consideration the Memorial from the Town of *Boston*, and others.

Digitized by Google

Ordered, That the Committee be enjoined to sit immediately.

Ordered, That Colonel *Foster* be excused from serving on the last mentioned Committee; and that Colonel *Cushing* be added to them.

Adjourned until to-morrow morning, nine o'clock.

—

Tuesday, April 4, 1775, A. M.

Upon a motion made that Captain *Goodridge* have liberty to augment his Company to one hundred men, and that they be considered as Rangers,

Thereupon, *Ordered*, That Captain *Goodridge* apply to Colonel *Patterson* on this affair, who will have an opportunity to consult the Field Officers of those Regiments of the Militia from which said Company is to be enlisted, and that this matter be settled as they shall think best.

The Committee appointed to prepare an Address to the *Mohawks*, and a Letter to the Reverend Mr. *Kirkland*, reported. Read, and

Ordered, That the Address be recommitted for amendments.

Adjourned to three o'clock this afternoon.

Afternoon.

A Letter to the Reverend Mr. *Kirkland*, and an Address to the *Mohawks*, amended, reported, and passed; and is as follows:

Concord, April 4, 1775.

Reverend Sir: The Provincial Congress have thought it necessary to address the Sachem of the *Mohawk* Tribe, with the rest of the five Nations, upon the subject of the controversy between *Great Britain* and the *American* Colonies. We were induced to take this measure, as we have been informed that those who were inimical to us in *Canada*, have been tampering with those Nations, and endeavouring to attach them to the interest of those who are attempting to deprive us of our inestimable rights and privileges, and to subjugate the Colonies to arbitrary power. From a confidence in your attachment to the cause of liberty and your country, we now transmit to you the enclosed Address, and desire you would deliver it to the Sachem of the *Mohawk* Tribe, to be communicated to the rest of the five Nations, and that you would use your influence with them to join with us in the defence of our rights. But if you cannot prevail with them to take an active part in this glorious cause, that you would at least engage them to stand neutre, and not by any means to aid and assist our enemies. And as we are at a loss for the name of the Sachem of the *Mohawk* Tribe, we have left it to you to direct the Address to him in such way as you may think proper.

Brothers: We, the Delegates of the inhabitants of the Province of the *Massachusetts Bay*, being for you and ourselves come together, to consider what may be best to get ourselves rid of those hardships which we feel and fear, have thought it our duty to tell you, our good Brothers, what our Fathers in *Great Britain* have done, and threaten to do with us.

Brothers: You have heard how our fathers were obliged by the cruelty of their brethren, to leave their country; how they crossed the Great Lake and came here; how they purchased their land with their own money, and how, since that time, they, and we, their sons and grandsons, have built our houses, and cut down the trees, and cleared and improved the land, at their and our own expense; how we have fought for them, and conquered *Canada*, and a great many other places, which they have had, and have not paid us for; after all which, and many other troubles, we thought we had reason to hope, that they would be kind to us, and allow us to enjoy ourselves, and sit in our own houses and eat our own victuals in peace and quiet, but alas! our brothers, we are greatly distressed, and we will tell you our grief, for you as well as we are in great danger.

Brothers: Our Fathers in *Great Britain* tell us our Lands, and Houses, and Cattle, and Money, are not our own; that we ourselves are not our own men, but their servants; they have endeavoured to take away our Money without our leave, and have sent their great Vessels and a great many Warriours for that purpose.

Brothers: We used to send our Vessels on the Great Lake, whereby we were able to get Clothes, and what we needed for ourselves and you; but such has lately been their conduct, that we cannot; they have told us we shall have no more Guns, no Powder to use and kill our Wolves and other game, nor to send to you, for you to kill your victuals with, and to get Skins to trade with us to buy you Blankets, and what you want. How can you live without Powder and Guns? But we hope to supply you soon with both, of our own making.

Brothers: They have made a law to establish the religion of the Pope in *Canada*, which lies so near you. We much fear some of your children may be induced, instead of worshipping the only true *God*, to pay his due to images made with their own hands.

Brothers: These, and many other hardships we are threatened with, which, no doubt, in the end, will equally affect you; for the same reason they would take our Lands, they will take away yours. All we want is, that we and you may enjoy that liberty and security which we have a right to enjoy, and that we may not lose that good Land which enables us to feed our wives and children. We think it our duty to inform you of our danger, and desire you to give notice to all your kindred; and as we fear they will attempt to cut our throats, and if you should allow them to do that, there will nobody remain to keep them from you, we therefore earnestly desire you to whet your Hatchet, and be prepared with us to defend our liberties and lives.

Brothers: We humbly beseech that *God* who lives above, and does what is right here below, to enlighten your minds, to see that you ought to prevent our Fathers from bringing those miseries upon us, and to his good providence we commend you.

The Committee appointed to draught Rules for the Army, &c., again reported. Recommitted to bring in the form of two Oaths.

Adjourned till ten o'clock to-morrow morning.

—

Wednesday, April 5, 1775, A. M.

The Committee appointed to prepare Rules and Regulations for the *Massachusetts* Army, having brought in the form of two Oaths as directed, the Report in whole, read and passed, and is as followeth:

Whereas, the lust of power, which of old oppressed, persecuted, and exiled our pious and virtuous ancestors from their fair possessions in *Britain*, now pursues with ten fold severity, us, their guiltless children, who are unjustly and wickedly charged with licentiousness, sedition, treason, and rebellion; and being deeply impressed with a sense of the almost incredible fatigues and hardships our venerable progenitors encountered, who fled from oppression, for the sake of civil and religious liberty, for themselves and their offspring, and began a settlement here, on bare creation, at their own expense, and having seriously considered the duty we owe to *God*, to the memory of such invincible worthies, to the King, to *Great Britain*, our country, ourselves, and posterity, do think it our indispensable duty, by all lawful ways and means in our power, to recover, maintain, defend, and preserve, the free exercise of all those civil and religious rights and liberties, for which many of our forefathers fought, bled, and died, and to hand them down entire for the free enjoyment of the latest posterity. And whereas, the keeping a Standing Army in any of these Colonies in times of peace, without the consent of the Legislature of that Colony in which such Army is kept, is against law. And whereas, such an Army, with a large Naval force, is now placed in the Town and Harbour of *Boston*, for the purpose of subjecting us to the power of the *British* Parliament. And whereas, we are frequently told by the tools of the Administration, dupes to Ministerial usurpation, that *Great Britain* will not in any degree relax in her measures, until we acknowledge her "right of making laws binding upon us in all cases whatever," and that if we persist in our denial of her claim, the dispute must be decided by Arms, in which it is said by our enemies, "we shall have no chance; being undisciplined, cowards, "disobedient, impatient of command, and possessed of that "spirit of revelling which admits of no order, subordination, "rule, or government."

And whereas, the Ministerial Army and Fleet now at

Digitized by Google

Boston; the large reinforcement of Troops expected; the late Circular Letter to the Governours upon the Continent; the general tenour of intelligence from *Great Britain*, and the hostile preparations making here; as also from the threats and repeated insults of our enemies in the Capital Town, we have reason to apprehend that the sudden destruction of this Province is in contemplation if not determined upon.

And, whereas, the great law of self-preservation, may suddenly require our raising and keeping an Army of observation and defence, in order to prevent or repel any further attempt to force the late cruel and oppressive Acts of the *British* Parliament, which are evidently designed to subject us and the whole Continent to the most ignominious slavery. And whereas, in case of raising and keeping such an Army, it will be necessary that the Officers and Soldiers in the same be fully acquainted with their duty, and that the Articles, Rules, and Regulations thereof, be made as plain as possible; and having great confidence in the honour and publick virtue of the inhabitants of this Colony, that they will readily obey the Officers chosen by themselves, and will cheerfully do their duty when known, without any such severe Articles and Rules, (except in capital cases,) and cruel punishments as are usually practised in Standing Armies, and will submit to all such Rules and Regulations as are founded in reason, honour, and virtue. It is, therefore,

Resolved, That the following Articles, Rules, and Regulations for the Army, that may be raised for the defence and security of our lives, liberties, and estates, be, and are hereby earnestly recommended to be strictly adhered to, by all Officers, Soldiers, and others concerned, as they regard their own honour and the publick good.

Article 1st. All Officers and Soldiers not having just impediment, shall diligently frequent Divine Service and Sermon in the places appointed for the assembling of the Regiment, Troop, or Company, to which they belong; and such as wilfully absent themselves, or being present, behave indecently or irreverently, shall, if Commissioned Officers, be brought before a Regimental Court Martial, there to be publickly and severely reprimanded by the President; if Non-Commissioned Officers or Soldiers, every person so offending, shall, for his first offence, forfeit one Shilling, to be deducted out of his wages; for the second offence, he shall not only forfeit one Shilling, but be confined twenty-four hours; and for every like offence, shall suffer and pay in like manner; which money so forfeited shall be applied to the use of the sick Soldiers of the Troop or Company to which the offender belongs.

Article 2d. Whatsoever Non-Commissioned Officer or Soldier shall use any unlawful oath or execration, shall incur the penalties expressed in the preceding Article; and if a Commissioned Officer be thus guilty of profane cursing and swearing, he shall forfeit and pay for each and every such offence, four Shillings, lawful money.

Article 3d. Any Officer or Soldier, who shall begin, excite, or cause any mutiny or sedition, or join in such mutiny, in the Regiment, Troop, or Company, to which he belongs, or in any other Regiment, Troop, or Company of the *Massachusetts* Forces, either by Land or Sea, or in any Party, Post, Detachment, or Guard, on any pretence whatever, shall suffer such punishment, as by a General Court Martial shall be ordered.

Article 4th. Any Officer or Soldier who shall behave himself with contempt or disrespect towards the General or Generals, or Commanders-in-Chief of the *Massachusetts* Forces, or shall speak words tending to his or their hurt or dishonour, shall be punished according to the nature of his offence, by the judgment of a General Court Martial.

Article 5th. Any Officer, Non-Commissioned Officer, or Soldier, who, being present at any mutiny or sedition, does not use his utmost endeavours to suppress the same, or coming to the knowledge of any mutiny, does not without delay, give information thereof to his Commanding Officer, shall be punished by order of a General Court Martial according to the nature of his offence.

Article 6th. Any Officer or Soldier who shall strike his Superiour Officer, or draw, or offer to draw, or shall lift up any weapon, or offer any violence against him, being in the execution of his office, on any pretence whatever, or shall disobey any lawful commands of his Superiour Officer, shall suffer such punishment as shall be, according to the nature of his offence, ordered by the sentence of a General Court Martial.

Article 7th. Any Non-Commissioned Officer or Soldier, who shall desert, or without leave from his Commanding Officer, absent himself from the Troop or Company to which he belongs, or from any detachment of the same, shall, upon being convicted thereof, be punished according to the nature of his offence, at the direction of a General Court Martial.

Article 8th. Whatever Officer or Soldier shall be convicted of having advised or persuaded any other Officer or Soldier to desert, shall suffer such punishment as shall be ordered by a sentence of a General Court Martial.

Article 9th. All Officers of what condition soever, shall have power to part and quell all quarrels, frays, and disorders, though the persons concerned should belong to another Regiment, Troop, or Company, and order Officers to be arrested, or Non-Commissioned Officers, or Soldiers, to be confined and imprisoned till their proper Superiour Officer shall be made acquainted therewith; and whoever shall refuse to obey such Officer, (though of an inferiour rank,) or shall draw his sword upon him, shall be punished at the discretion of a General Court Martial.

Article 10th. No Officer or Soldier shall use any reproachful or provoking speeches, or gestures, nor shall presume to send a challenge to any person to fight a duel, nor shall second, promote, or carry any challenge; and whoever shall knowingly and willingly suffer any person whatsoever to go forth to fight a duel, or shall second any such conduct, shall be deemed as a principal; and whatsoever Officer or Soldier shall upbraid another for refusing a challenge, shall be considered as a challenger; and all such offenders in any of these or the like cases, shall be punished at the discretion of a General Court Martial.

Article 11th. Every Officer commanding in quarters, or on a march, shall keep good order, and to the utmost of his power, redress all such abuses or disorders which may be committed to any Officer or Soldier under his command; if upon any complaint made to him, of Officers or Soldiers breaking, or otherwise ill treating any person, or committing any kind of riots to the disquieting of the inhabitants of this Continent, he, the said Commander, who shall refuse or omit to see justice done to the offender or offenders, and reparation made to the party or parties injured, as soon as the offender's wages shall enable him, or them, shall, upon due proof thereof, be punished, as ordered by a General Court Martial, in such manner, as if he himself had committed the crimes or disorders complained of.

Article 12th. If any Officer should think himself to be wronged by his Colonel, or the Commanding Officer of the Regiment, and shall, upon due application made to him, be refused to be redressed, he may complain to the General, or Commander-in-Chief of the *Massachusetts* Forces, in order to obtain justice, who is hereby required to examine into the complaint, and see that justice be done.

Article 13th. If any inferiour Officer or Soldier shall think himself wronged by his Captain, or other Officer commanding the Troop or Company to which he belongs, he is to complain thereof to the Commanding Officer of the Regiment, who is hereby required to summon a Regimental Court Martial for the doing justice to the complaint, from which Regimental Court Martial, either party may, if he thinks himself still aggrieved, appeal to a General Court Martial; but if upon a second hearing, the appeal shall appear to be vexatious and groundless, the person so appealing, shall be punished at the discretion of a General Court Martial.

Article 14th. Whatsoever Non-Commissioned Officer or Soldier shall be convicted at a Regimental Court Martial of having sold, or designedly, or through neglect, wasted the Ammunition, Arms, or Provisions, or other Military Stores, delivered out to him to be employed in the service of this Colony, shall, if an Officer, be reduced to a Private Soldier; and if a Private Soldier, shall suffer such punishment as shall be ordered by a Regimental Court Martial.

Article 15th. All Non-Commissioned Officers or Soldiers, who shall be found one mile from the camp, without leave in writing from their Commanding Officer, shall suffer such punishment as shall be inflicted on him or them, by the sentence of a Regimental Court Martial.

Digitized by Google

Article 16th. No Officer or Soldier shall be out of his quarters, or camp, without leave from the Commanding Officers of his Regiment, upon penalty of being punished according to the nature of his offence, by order of a Regimental Court Martial.

Article 17th. Every Non-Commissioned Officer and Soldier shall retire to his quarters or tent at the beating the retreat; in default of which, he shall be punished according to the nature of his offence, by order of the Commanding Officer.

Article 18th. No Officer, Non-Commissioned Officer, or Soldier, shall fail of repairing at the time fixed, to the place of parade, of exercise, or other rendezvous, appointed by the Commanding Officer, if not prevented by sickness, or some other evident necessity, or shall go from the said place of rendezvous, or from his guard, without leave from his Commanding Officer, before he shall be regularly dismissed, or relieved, on penalty of being punished according to the nature of his offence, by the sentence of a Regimental Court Martial.

Article 19th. Whatsoever Commissioned Officer shall be found drunk upon his guard, party, or other duty under Arms, shall be cashiered for it; any Non-Commissioned Officer or Soldier so offending, shall suffer such punishment as shall be ordered by the sentence of a Regimental Court Martial.

Article 20th. Whatever Centinel shall be found sleeping upon his post, or shall leave it before he shall be regularly relieved, shall suffer such punishment as shall be ordered by the sentence of a General Court Martial.

Article 21st. Any person belonging to the *Massachusetts* Army, who, by discharging of Fire-Arms, beating of Drums, or by any other means whatever, shall occasion false alarms in camp or in quarters, shall suffer such punishment as shall be ordered by the sentence of a General Court Martial.

Article 22d. Any Officer or Soldier who shall, without urgent necessity, or without leave of his Superiour Officer, quit his platoon or division, shall be punished according to the nature of his offence, by the sentence of a Regimental Court Martial.

Article 23d. No Officer or Soldier shall do violence, or suffer any insult or abuse to any person who shall bring Provisions or other necessaries to the camp or quarters of the *Massachusetts* Army; any Officer of Soldier so offending, shall, upon complaint being made to the Commanding Officer, suffer such punishment as shall be ordered by a Regimental Court Martial.

Article 24th. Whatever Officer or Soldier shall shamefully abandon any post committed to his charge, or shall speak words inducing others to do the like in time of an engagement, shall suffer death immediately.

Article 25th. Any person belonging to the *Massachusetts* Army, who shall make known the watchword to any person who is not entitled to receive it, according to the rules and discipline of war, or shall presume to give a parole or watchword different from what he received, shall suffer death, or such other punishment as shall be ordered by a General Court Martial.

Article 26th. Whosoever, belonging to the *Massachusetts* Army, shall relieve the enemy with Money, Victuals, or Ammunition, or shall knowingly harbour and protect an enemy, shall suffer such punishment as by a General Court Martial shall be ordered.

Article 27th. Whosoever, belonging to the *Massachusetts* Army, shall be convicted of holding correspondence with, or giving intelligence to the enemy, either directly or indirectly, shall suffer such punishment as by a General Court Martial shall be ordered.

Article 28th. All Publick Stores taken in an enemy's camp, whether of Artillery, Ammunition, Clothing, or Provisions, shall be secured for the use of the *Massachusetts* Colony.

Article 29th. If any Officer or Soldier shall leave his post or colours in time of an engagement, to go in search of plunder, he shall, upon being convicted thereof before a General Court Martial, suffer such punishment as by said Court Martial shall be ordered.

Article 30th. If any Commander of any Post, Intrenchment, or Fortess, shall be *compelled* by the Officers or Soldiers, under his command, to give it up to the enemy or to abandon it, the Commissioned Officers or Soldiers who shall be convicted of having so offended shall suffer death, or such other punishment as may be inflicted on them by the sentence of a General Court Martial.

Article 31st. All sellers and retailers to a camp, and all persons whatsoever serving with the *Massachusetts* Army in the field, though not entitled Soldiers, are to be subject to the Articles, Rules, and Regulations of the *Massachusetts* Army.

Article 32d. No General Court Martial shall consist of a less number than thirteen, none of which shall be under the degree of a Field Officer; and the President of each and every Court Martial, whether General or Regimental, shall have power to administer an oath to every witness, in order to the trial of offenders; and the Members of all Courts Martial shall be duly sworn by the President, and the next in rank on the Court Martial shall administer the oath to the President.

Article 33d. The Members both of General and Regimental Courts Martial shall, when belonging to different Corps, take the same rank which they hold in the Army; but when Courts Martial shall be composed of Officers of one Corps, they shall take rank according to their commissions, by which they are mustered in the said Corps.

Article 34th. All the Members of a Court Martial are to behave with calmness, decency, and impartiality, and in the giving of their votes, are to begin with the youngest or lowest in commission.

Article 35th. No Field Officers shall be tried by any person under the degree of a Captain; nor shall any proceeding or trial be carried on excepting between the hours of eight in the morning and three in the afternoon, except in cases which require an immediate example.

Article 36th. The Commissioned Officers of every Regiment may, by the appointment of their Colonel or Commanding Officer, hold Regimental Courts Martial for the inquiring into such disputes or criminal matters as may come before them, and for the inflicting corporeal punishments for small offences, and shall give judgment by the majority of voices; but no sentence shall be executed until the Commanding Officer, (not being a Member of the Court Martial) shall have confirmed the same.

Article 37th. No Regimental Court Martial shall consist of less than five Officers, excepting in case when that number cannot be conveniently assembled, when three may be sufficient, who are likewise to determine upon the sentence by the majority of voices, which sentence is to be confirmed by the Commanding Officer, not being a member of the Court Martial.

Article 38th. Any Officer commanding in Forts, Castles, or Barracks, or elsewhere, where the Corps under his command consists of detachments from different Regiments, or of independent Companies, may assemble Courts Martial for the trial of offenders in the same manner as if they were Regimental, whose sentence is not to be executed till it shall be confirmed by the said Commanding Officer.

Article 39th. No person whatsoever shall use menacing words, signs, or gestures, in the presence of a Court Martial then sitting, or shall cause any disorder or riot, so as to disturb their proceedings, on penalty of being punished at the discretion of said Court Martial.

Article 40th. To the end that offenders may be brought to justice, whenever any Officer or Soldier shall commit a crime deserving punishment, he shall, by his Commanding Officer, if an Officer, be put in arrest; if a Non-Commissioned Officer or Soldier, be imprisoned till he shall be either tried by a Court Martial, or shall be lawfully discharged by proper authority.

Article 41st. No Officer or Soldier who shall be put in arrest or imprisonment, shall continue in his confinement more than eight days, or till such time as a Court Martial can be conveniently assembled.

Article 42d. No Officer commanding a Guard or a Provost Martial, shall refuse to receive or keep any prisoner committed to his charge by any Officer belonging to the *Massachusetts* Forces; which Officer shall, at the same time, deliver an account in writing, signed by himself, of the crimes with which the said prisoner is charged.

Article 43d. No Officer commanding a Guard or Provost Martial shall presume to release any prisoner committed to his charge, without proper authority for so doing;

Digitized by Google

nor shall he suffer any prisoner to escape on the penalty of being punished for it by the sentence of a General Court Martial.

Article 44th. Every Officer, or Provost Martial, to whose charge prisoners shall be committed, is hereby required, within twenty-four hours of such confinement, or as soon as he shall be released from his guard, to give in writing to the Colonel of the Regiment, to whom the prisoner belongs, (when the prisoner is confined upon the guard belonging to the said Regiment, and that his offence only relates to the neglect of duty in his own Corps,) or to the Commander-in-Chief, their names, their crimes, and the names of the Officers who committed them, on the penalty of his being punished for his disobedience or neglect, at the discretion of a General Court Martial.

Article 45th. And if any Officer under arrest shall leave his confinement before he is set at liberty by the Officer who confined him, or by a superiour power, he shall be cashiered for it.

Article 46th. Whatsoever Commissioned Officer shall be convicted before a General Court Martial of behaving in a scandalous, infamous manner, such as is unbecoming an Officer and a Gentleman, shall be discharged from the service.

Article 47th. All Officers, Conductors, Gunners, Matrosses, Drivers, or any other person whatever, receiving pay or hire in the service of the *Massachusetts* Artillery, shall be governed by the aforesaid Rules and Articles, and shall be subject to be tried by Courts Martial in like manner with the Officers and Soldiers of the *Massachusetts* Troops.

Article 48th. For differences arising amongst themselves, or in matters relating solely to their own Corps, the Courts Martial may be composed of their own Officers; but where a number sufficient cannot be assembled, or in matters wherein other Corps are interested, the Officers of Artillery shall sit in Courts Martial with the Officers of the other Corps.

Article 49th. All crimes not capital, and all disorders and neglects which Officers and Soldiers may be guilty of, to the prejudice of good order and military discipline, though not mentioned in the Articles of War, are to be taken cognizance of by a General or Regimental Court Martial, according to the nature and degree of the offence, and be punished at their discretion.

Article 50th. No Court Martial shall order any offenders to be whipped, or receive more than thirty-nine stripes for any one offence.

Article 51st. The Field Officers of each and every Regiment are to appoint some suitable person belonging to such Regiment to receive all such fines as may arise within the same, for any breach of any of the foregoing Articles, and shall direct the same to be carefully and properly applied to the relief of such sick, wounded, or necessitous Soldiers as belong to such Regiment; and such person shall account with such Officer for all fines received and the application thereof.

Article 52d. All Members sitting in Courts Martial shall be sworn by the President of said Courts, which President shall himself be sworn by the Officer in said Court next in rank; the oaths to be administered previous to their proceeding to the trial of any offender, in form following, viz:

You, A. B., swear that you will well and truly try, and impartially determine the cause of the prisoner now to be tried, according to the Rules for regulating the *Massachusetts* Army, so help you *God*.

Article 53d. All persons called to give evidence in any case before a Court Martial, who shall refuse to give evidence, shall be punished for such refusal, at the discretion of such Court Martial.

The Oath to be admistered in the form following, viz:

You swear that the evidence you shall give in the case in hearing, shall be the truth, the whole truth, and nothing but the truth, so help you *God*.

Resolved, That the inhabitants of the Town of *Northfield* be desired, in consideration of the bodily indisposition of their Member, Mr. *Ebenezer Jones*, which prevents his attendance, to add one other Member to him in order that their Town may be represented in Congress, who are very desirous that the wisdom of the Province may be collected at this critical juncture of our publick affairs.

The Committee appointed to take into consideration the application of the Committee from *Boston*, and others, reported that the Papers lie on the table for further consideration at some future day.

Adjourned to three o'clock in the afternoon.

Afternoon.

Ordered, That the Committee on the State of the Province be directed to sit.

Congress adjourned until to-morrow morning, ten o'clock.

—

Thursday, April 6, 1775, A. M.

An application from the Committees of Inspection of *Taunton*, and all the other Towns in the County of *Bristol*, setting forth that General *Gage* had applied to five Justices in said County to provide Quarters for two hundred of his Majesty's Troops, which may be sent to the Town of *Freetown:*

Thereupon, *Ordered*, That Mr. *Murray*, Doctor *Gunn*, Colonel *Pomeroy*, Colonel *Cushing*, Mr. *Freeman*, Captain *Holmes*, and Mr. *Watson*, be a Committee to take the said application into consideration, and report thereon.

Adjourned until twelve o'clock, at noon.

Met and adjourned to four o'clock, P. M.

Afternoon.

The Committee appointed to take into consideration the application of all the Towns in the County of *Bristol*, reported; amended, and passed unanimously, and is as followeth, viz:

Gentlemen: Your very interesting letter of the 4th instant, directed to the President, has been early laid before us; heartily affected with the matters it contains, this Congress resolved on the immediate consideration of it. The part acted by Colonel *Gilbert*, respecting the common cause of *America*, since the commencement of its publick troubles, is sufficiently consonant to the tenour of his ordinary conduct so far as it has been the object of publick observation, and leaves no *American* room to hesitate in pronouncing him an inveterate enemy to his country, to reason, justice, and the common rights of mankind; and therefore whoever has *knowingly* espoused his cause, or takes up Arms for its support does, in common with himself, deserve to be instantly cut off from the benefit of commerce with, or countenance of, any friend of virtue, *America*, or the human race.

This Congress cannot but rejoice in the satisfactory evidence they have of the patriotism and publick spirit of the County of *Bristol*, and the vigilance of its inhabitants, over the manœuvres of the incendiaries among them; we are much pleased with their joint readiness, for their most vigorous exertions in this country's cause, and earnestly hope that their preparations will be pursued with unabated zeal, as the known resolutions of our publick enemies have at last necessitated the contemplations of a plan of general defence, in support of which the spirit and prowess of the County of *Bristol* may very soon be called up to the view of mankind.

We earnestly recommend to you, gentlemen, as guardians of the publick interest, to exert yourselves, that the Militia, and especially the Minute-men of your County, be found in the best posture of defence, whenever any exigence may require their aid. But the plans laid for the general good oblige us to request that whatever patience and forbearance it may require for the present, you would act on the defensive only until the further direction of this Congress.

And, therefore, though we could wish that a particular account of the conduct of Colonel *Gilbert* and his adherents, as well as of the King's Troops, whilst stationed among you, might be taken on sufficient evidence, in *perpetuam rei memoriam*, yet we could not advise to any measures, either with respect to said *Gilbert* and his banditti, or the King's Troops, that our enemies might plausibly interpret as a commencement of hostilities.

This Congress, however, are clearly of opinion, that whatever Justice of the Peace, or other person, in the County of *Bristol*, shall be active in providing Quarters or other

Digitized by Google

supplies for the said Troops, or any others sent in like manner, will be considered by all *America* as aiding and assisting in the execution of the oppressive acts of the *British* Parliament, against which, as fundamentally destructive of the most invaluable rights and privileges of the Colonies, *America* has unitedly remonstrated.

In Provincial Congress, Concord, April 6, 1775.

Resolved, That the foregoing be signed by the President, in behalf of this Congress, and sent to the Committee of Inspection of the County of *Bristol*.

Ordered, That the application from the Selectmen of *Billerica*, and the application from the Committee of Correspondence of the Town of *Boston*, and others, be again committed to the Committee who had them under consideration, and reported that they lie on the table.

The Committee ordered to sit immediately.

Adjourned to ten o'clock to-morrow morning.

—

Friday, April 7, 1775, A. M.

Ordered, That Doctor *Warren* and Doctor *Church* be added to the Committee on the State of the Province.

Mr. *Crane* laid on the table a number of Letters which were sent to him from *Stoughton*, and said to be from Colonel *Gilbert*, and others.

Ordered, That Colonel *Thomas*, Mr. *Devens*, Mr. *Crane*, Mr. *Gardner*, and Doctor *Perkins*, be a Committee to take them into consideration and report; they reported as expedient that they be read.

Ordered, That the Committee on the State of the Province be directed to wait on the Honourable Governour *Hopkins* and the Honourable Governour *Sessions*, and congratulate them on their arrival to this Town, and hold a correspondence with them on the present state of our publick affairs.

The Committee appointed to consider on the application from *Billerica*, &c., reported; the Report amended, accepted, and is as follows, viz:

In Provincial Congress, April 7, 1775.

Resolved, That the following Letter be signed by the President, and directed to the Selectmen of *Billerica*:

GENTLEMEN: This Congress, deeply sensible of the high-handed insult offered to the Town of *Billerica*, the Colony of the *Massachusetts Bay*, and this Continent in general, in the vile and ignoble assault on the person of *Thomas Ditson*, by a party of the King's Troops, under General *Gage's* command, do highly approve of the manly and resolute conduct of the Town of *Billerica*, by their manifesting a due resentment to the General, and demanding a constitutional satisfaction.

Notwithstanding you have not received that satisfaction from the General which you had a just right to expect, yet this Congress humbly hope, under Providence, that the time is fast approaching, when this Colony and Continent will have justice done them, in a way consistent with the dignity of freemen, on such wicked destroyers of the natural and constitutional rights of *Americans*.

Gentlemen, we are confident that the Town of *Billerica* will still continue in the candid pursuit of peace and good order, which manifestly appears in their late conduct.

Ordered, That the Letters which have been received, or laid on the table by Mr. *Crane*, be sent to the Committee on the State of the Province.

Adjourned to three o'clock this afternoon.

Afternoon.

The Committee appointed to take into consideration the application from the Committee of Correspondence of *Boston*, and others, reported; the Report read, and accepted, and is as followeth, viz:

GENTLEMEN: Your Petition and Memorial of the 31st *March* we have received, since which, intelligence of the most extraordinary nature from *Great Britain* has come to hand.

We are, gentlemen, much pleased with the spirit and sentiment of your Memorial; but as the greatest and most important matters now demand our immediate attention, and the consideration of them will take up the most important matters in your Petition, we therefore most earnestly recommend to you, gentlemen, as guardians of the publick interest, to exert yourselves, that the Militia and Minute-men of your Counties be found in the best posture of defence, whenever any exigence may require their aid; but as the plans laying for the general good oblige us to request that, whatever patience and forbearance it may require, you would act only on the defensive, until the further order of this Congress; and, therefore, though we could wish a particular account of the Ministers' Troops, while stationed among you, might be taken on sufficient evidence, yet we could not advise to any measure respecting them that our enemies might plausibly interpret as a commencement of hostilities; but, on the contrary, let your characteristick be, as it always has been, conservators of peace and good order, and the just rights of mankind.

We most earnestly wish that the blessing of Heaven may accompany your laudable endeavours to preserve the publick weal of this Province. We remain, &c.

In Provincial Congress, April 7, 1775.

Resolved, That the foregoing Letter be signed by the President, in behalf of this Congress, and sent to the Committee of Correspondence of the Towns of *Boston*, *Milton*, *Roxbury*, *Dorchester*, *Cambridge*, *Newton*, *Watertown*, *Lynn*, *Malden*, *Woburn*, *Charlestown*, and *Marlborough*, directed to *William Cooper*, Clerk of said Committees of Correspondence.

Ordered, That Captain *Osgood*, Major *Fuller*, of *Middleton*, and Mr. *Webster*, be added to the Committee appointed to disperse the Handbills, &c.

Adjourned until to-morrow morning, nine o'clock.

—

Saturday, April 8, 1775, A. M.

The Doorkeeper directed to call in the Members, and to call none out till the further order of this Congress.

The Committee on the State of the Province reported a Resolve relative to raising and establishing an Army, and that Committees be appointed forthwith to repair to *Connecticut*, *Rhode-Island*, and *New-Hampshire*, to inform them of our resolution, and desire their co-operation, &c.

Resolved, That the Report be considered in paragraphs.

Ordered, That the Members be enjoined to attend.

Adjourned to three o'clock, P. M.

Afternoon.

The Congress resumed the consideration of the Report made in the forenoon, which passed. Present, 103 Members; in favour, 96—and is as follows:

In Provincial Congress, Concord, April 8, 1775.

Resolved, That the present dangerous and alarming situation of our publick affairs, renders it necessary for this Colony to make preparations for their security and defence by raising and establishing an Army, and that Delegates be appointed forthwith to repair to *Connecticut*, to *Rhode-Island*, and *New-Hampshire*, informing them that we are contemplating upon, and are determined to take effectual measures for that purpose, and for the more effectual security of the *New England* Colonies and the Continent, to request them to co-operate with us, by furnishing their respective quotas for general defence.

Resolved, That there be sent two Delegates to each *New England* Colony with the above Resolve.

Resolved, That the Congress choose, in the first place, Delegates to repair to *Connecticut*. Accordingly, chose Colonel *Foster* and Mr. *Bliss*.

Resolved, That they choose in the second place, Delegates to repair to *Rhode-Island*. Accordingly chose Colonel *Timothy Walker* and Doctor *Perkins*.

Resolved, That in the third place, the Congress choose Delegates to repair to *New-Hampshire*. Accordingly chose Mr. *Freeman* and Captain *Osgood*.

Ordered, That Mr. *Gerry*, Mr. *Adams*, and Captain *Osgood*, draught a Letter to each of the Colonies, viz: *Connecticut*, *Rhode-Island*, and *New-Hampshire*.

Resolved, That the Committee on the State of the Province take into consideration what number of men, in their opinion, will be necessary to be raised by the four *New England* Governments, for their general defence, and report.

Adjourned to *Monday* next, nine o'clock, A. M.

Digitized by Google

Monday, April 10, 1775, A. M.

The Committee appointed to draught a Letter to the Colonies of *Connecticut*, *Rhode-Island*, and *New-Hampshire*, reported; the Report read, and accepted, and is as follows:

In Provincial Congress, Concord, April 10, 1775.

SIR, (OR GENTLEMEN:) In consideration of the measures that have been taken by the *British* Administration to subjugate the *North American* Colonies; the rapidity with which their plans have been hitherto executed; the late very alarming intelligence from *Great Britain*; the false and inflammatory accounts that have been laid before our Sovereign and his Parliament, to induce them to consider this Colony as in a state of rebellion, and our sister Colonies as countenancing us therein, and the violent measures that are ordered in consequence thereof, together with the daily and hourly preparations that are making by the Troops, under the command of General *Gage*, in *Boston*, this Congress have come to a full conclusion that very little, if any expectation of the redress of our common and intolerable grievances is to be had from the humble and dutiful Petition and other wise measures of the late Honourable Continental Congress, and therefore have come into certain Resolutions, to be communicated to you by Delegates appointed for that purpose, in which they are earnestly desirous of the concurrence of your Colony.

Wishing that the *American* Colonies may, at this important crisis, be under the direction of Heaven, I am, in the name and by order of the Congress.

Ordered, That the foregoing be signed by the President, in the name and behalf of this Congress.

Ordered, That the Committee on the State of the Province take into consideration and report what number of men, in their opinion, will be necessary for the Army prepared to be raised.

Resolved, That there be three added to the Delegates appointed to repair to the neighbouring Governments, and that this Congress choose them at three o'clock this afternoon, by ballot.

Adjourned to three o'clock this afternoon.

Afternoon.

The Order of the Day moved for.

Ordered, That Major *Fuller*, Captain *Greenleaf*, and Mr. *Ellis*, be a Committee to count and sort the votes for the gentlemen to be added to the Delegates appointed to repair to *Connecticut*, *Rhode-Island*, and *New-Hampshire*; and that they bring in the votes for a gentleman to repair to *Connecticut*.

Having sorted the votes, reported that the Honourable *Timothy Danielson*, Esquire, was chosen.

Ordered, That votes be brought in for a gentleman to be added to the Delegates appointed to repair to *Rhode-Island*.

After counting and sorting the votes, reported that the Honourable *James Warren*, Esquire, was chosen.

Ordered, That votes be brought in for a gentleman to be added to the Delegates appointed to repair to *New-Hampshire*.

After counting and sorting the votes, reported that Mr. *Elbridge Gerry* was chosen.

Ordered, That the Committee on the State of the Province be directed to draught such Instructions as they shall think necessary to be given to the Delegates appointed to repair to the neighbouring Governments, and report.

The Committee on the State of the Province reported a Resolve relative to exercising the Minute-men in Battalion, and that they be paid out of the Publick Treasury, &c.

Ordered, That the consideration of this Report be deferred until to-morrow morning, ten o'clock.

Adjourned to nine o'clock to-morrow morning.

—

Tuesday, April 11, 1775, A. M.

The Committee on the State of the Province reported Instructions to the Delegates appointed to repair to *Connecticut*, &c.; read, and accepted, and

Ordered, That it be signed by the President, and is as follows:

In Provincial Congress, Concord, April 11, 1775.

GENTLEMEN: The thorough knowledge you have of our publick affairs, and the distressed circumstances of this devoted Province, makes it unnecessary to be particular in any instructions with regard to the important trust committed to your care.

We would, notwithstanding, in general, give you some hints which may serve to cement and continue that union which has so happily taken place in this Continent. In order to effect these desirable ends, that as soon as may be, you repair to *Connecticut*, and endeavour to obtain such an early conference with the Governour and Company of that Colony, as the pressing exigencies of our affairs may demand; and as an immediate exertion of our united efforts to recover and maintain those invaluable blessings of liberty which are in part wrested from us by the hands of arbitrary power, and of which we have no other prospect of a restoration under *God*, but by the firm and unshaken resolutions and conduct of *America*; and that as Ministerial vengeance appears to be levelled at the Northeast Colonies in particular, it is of the utmost importance that immediate measures (such as is consonant with the union of all the Colonies) be pursued for their mutual defence; and that you would endeavour to obtain an explicit and full answer, so that we may unitedly exert our strength in the common cause for the salvation of our country; and to this end we would recommend your continuance there until this important purpose may be effected, which we presume will be as soon as circumstances will admit. You will, however, govern yourselves with respect to time and conferences, as to you in your wisdom shall seem meet; and may *God* bless your endeavours for the common good.

Ordered, That the Letter to *New-Hampshire* be directed to the Honourable *John Wentworth*, Esquire.

A Letter from Mr. *Barber* read;

Thereupon, *Ordered*, That it be committed to Doctor *Holten*, Mr. *Sargeant*, and Colonel *Pomeroy*, to consider thereof, and report.

The Committee thereon reported, verbally, that Colonel *Thompson* be desired immediately to repair to *Brunswick*, *Casco Bay*, *Woolwich*, *Georgetown*, and other places, and take the most effectual measures to acquaint the people that one Mr. *Perry* is in the eastern part of the country, endeavouring to supply our enemies with Masts, Spars, and Timber, and to make use of all proper and effectual measures to prevent their aiding him in procuring said articles.

Moved, That the propriety of this Congress advising the inhabitants of the Town of *Boston* to be moved from thence, be now taken into consideration.

After a long debate thereon,

Resolved, That a Committee be appointed to take into consideration the particular state of the Town of *Boston*, and report.

Accordingly Mr. *Sargeant*, Mr. *Murray*, Colonel *Henshaw*, Captain *Stone*, Mr. *Cross*, Major *Fuller*, of *Middleton*, Doctor *Taylor*, and Colonel *Prescott*, were chosen.

Ordered, That Mr. *Murray* be joined to the Committee on the State of the Province.

Adjourned to ten o'clock to-morrow morning.

—

Wednesday, April 12, 1775, A. M.

The Committee on the State of the Province reported a Resolve relative to appointing County Committees to receive returns from the Committees of Correspondence of the state of their Towns, &c.; read, and accepted, and is as follows:

In Provincial Congress, Concord, April 12, 1775.

Whereas, the preservation of our country from slavery depends, under *God*, on an effectual execution of the Continental and Provincial measures for that purpose:

Resolved, That there be now appointed for each County in this Colony a Committee, consisting of five persons, any three of whom to be a quorum, whose business it shall be to receive from the Committees of Correspondence in their respective Towns, a state of the conduct of the Towns and Districts with respect to their having executed the Continental and Provincial plans, as aforesaid; and it shall be the duty of said Committees to meet on the first *Wednesday's* of *May*, *July*, *September*, *November*, *January*, and *March*, and prepare a report of the same, to be laid before the Congress at its then next session, that any

Digitized by Google

neglect of such Towns and Districts in executing such plans, may be speedily and effectually remedied.

Also, *Resolved*, That it be, and it hereby is strongly recommended to the Committees of Correspondence in the several Towns and Districts in this Colony, some time before the first *Wednesday* in *May*, *July*, *September*, *November*, *January*, and *March*, aforesaid, to render to any one of the Members of their County aforesaid, a true state of the conduct of their respective Towns and Districts, with respect to their having used each plan, recommended by the Continental and Provincial Congresses, and use their utmost diligence for this important purpose.

And whereas some Towns and Districts in this Colony may be destitute of so excellent an institution as Committees of Correspondence,

Resolved, That it be, and hereby is, strongly recommended to such Towns and Districts forthwith to choose Committees of Correspondence, and to afford them assistance at all times in effectually suppressing the efforts of the enemies of *America* whenever they shall make them.

It is further *Resolved*, That the County Committees are hereby required to render their Account quarterly to this Congress, that they may receive an order therefor on the Publick Treasury of the Colony.

Resolved, That at three o'clock, this afternoon, the Congress will come to the choice of the County Committees.

Resolved, That the Members from each County be together, and agree on the gentlemen to constitute their County Committee.

The Congress renewed their consideration of the Report of the Committee on the State of the Province, relative to exercising the Minute-men in Battalions, and paying them for the time they spend in that service.

After a long debate, the question was put, whether the Report be accepted, and passed in the negative.

Adjourned to three o'clock this afternoon.

Afternoon.

The Order of the Day moved for.

The County of *Suffolk* having nominated, the Congress chose Mr. *John Pitts*, Mr. *Nathaniel Baylies*, Colonel *Aaron Davis*, Mr. *Moses Bullen*, and Mr. *Abner Ellis*.

Essex.—*Joseph Gerrish*, Esquire, Colonel *Michael Farley*, Major *Samuel Holten*, Captain *Samuel Osgood*, and Captain *Josiah Batcheldor*.

Middlesex.—*James Prescott*, Esquire, Major *Eleazer Brooks*, Mr. *Richard Devens*, Colonel *Simeon Spalding*, and Captain *Jonathan Brown*.

Worcester.—Colonel *Jedediah Foster*, Captain *Timothy Bigelow*, Mr. *Edward Rawson*, Captain *Samuel Brooks*, and Colonel *Jonathan Grout*.

Bristol.—Doctor *David Cobb*, *Benjamin Atkin*, Esquire, Doctor *William Baylies*, Captain *William Holmes*, and Captain *Thomas Carpenter*.

Barnstable,—*Daniel Davis*, Esquire, Captain *Stephen Nye*, Mr. *Moses Swift*, Mr. *Benjamin Freeman*, and Mr. *Naaman Holbrook*.

Berkshire.—Mr. *Samuel Brown*, *Mark Hopkins*, Esquire, Captain *Charles Goodrich*, Major *Jonathan Smith*, and Captain *Caleb Hide*.

Plymouth.—Honourable *James Warren*, Esquire, Col. *Edward Mitchell*, Captain *Joshua White*, Doctor *Jeremiah Hall*, and Mr. *Ebenezer White*.

Lincoln.—*James Howard*, Esquire, Mr. *Timothy Langdon*, Mr. *Dumer Sewal*, Mr. —— *Cobb*, and Mr. *Joseph Waldo*.

Nantucket.—*Josiah Coffin*, Esquire, *Grafton Gardner*, Esquire, Mr. *Josiah Barker*, *Timothy Folger*, Esquire, and Mr. *Stephen Hussey*.

Dukes County.—*Joseph Mayhew*, Esquire, *John Summer*, Esquire, Colonel *Beriah Norton*, *Shubael Cottle*, Esquire, and Mr. *Rainsford Smith*.

Cumberland.—*Solomon Lombard*, Esquire, Mr. *Samuel Freeman*, Mr. *John Lewis*, Colonel *Samuel Thompson*, and Mr. *Timothy McDaniel*.

York.—*Charles Chauncey*, Esquire, Captain *Daniel Bragdon*, Mr. *Ebenezer Sawyer*, *James Sullivan*, Esquire, and Major *Ichabod Goodwin*.

Hampshire.—Major *Hawley*, Colonel *Timothy Danielson*, Mr. *Noah Goodwin*, Colonel *Elisha Porter*, and Colonel *John Mosely*.

Resolved, That the Resolve recommending the aforesaid Committees, be printed in Handbills, and sent to all the Towns and Districts.

Ordered, That Mr. *Devens*, Captain *Rawson*, and Colonel *Davis*, be a Committee to distribute the Handbills.

Ordered, That the Committee be enjoined to sit and complete the business.

An application from the Plantation of *New-Providence*, read, committed to Colonel *Dwight*, Captain *Goodridge*, Colonel *Pomeroy*, Colonel *Patterson*, and Mr. *Crane*.

Adjourned to nine o'clock to-morrow morning.

—

Thursday, April 13, 1775, A. M.

Ordered, That the last Resolve in the Report, which was last night ordered to be published, be not printed.

The Committee on the State of the Province reported a Resolve, engaging six Companies of the Train, and keeping them constantly in exercise, and their paying them, &c.; read, considered, and accepted, and is as follows:

In Provincial Congress, Concord, April 13, 1775.

Resolved, That the Committee of Safety be directed to engage a suitable number of persons and form six Companies of Train for the Artillery, already provided by this Colony, to immediately enter on discipline, and constantly be in readiness to enter the service of the Colony when an Army shall be raised; and that the Committee be, and they are hereby empowered to draw on the Publick Treasury for paying said Companies a suitable consideration for their services.

The Committee appointed to take into consideration the propriety of removing the inhabitants from the Town of *Boston*, reported. The consideration thereof deferred until three o'clock this afternoon.

Afternoon.

The Congress resumed the consideration of the Report deferred; after a long debate thereon,

Ordered, That it be recommitted.

Adjourned to nine o'clock to-morrow morning.

—

Friday, April 14, 1775, A. M.

The Committee appointed to take into consideration the Petition from the Plantation called *New-Providence*, reported; the Report was read, and accepted, and is as follows, viz:

In Provincial Congress, Concord, April 14, 1775.

Resolved, That Major *Joseph Bennett* be advised to pay *Henry Gardner*, Esquire, the full sum assessed on the Plantation of *New-Providence*, for the year 1774, taking a proper and suitable receipt of said *Henry Gardner*, for the Collector appointed by the Town of *Lainsborough*, to collect said sum, and that said Collector be advised to discharge the several persons' proportion of said Tax in said Plantation, and collect the same.

Per order of Committee,

Simeon Dwight, *Chairman*.

The Committee appointed to take into consideration the removal of the inhabitants of the Town of *Boston*, reported; which Report was accepted, and is as follows, viz:

In Provincial Congress, Concord, April 14, 1775.

Whereas, the late accounts of the hostile intentions of the *British* Parliament towards this Colony, have so greatly agitated the minds and raised the fears of many good people in the Town of *Boston*, as to induce many of those who are able to remove with their effects into the country, which, in the opinion of this Congress, is a prudent step; and as there is no prospect of the repeal of the cruel Port Bill, whereby many poor industrious persons, if continued in that place, must be still great sufferers, notwithstanding the generous donations; and as the season of the year is now approaching in which they may be, in some measure, serviceable to themselves and families in such parts of the country as can find them employment in their several occupations,

It is therefore recommended to the Committee of Donations that they aff rd to such poor persons, who are anxious to remove themselves and families into the country, such assistance as may enable them to do it.

Digitized by Google

Voted, That the Members of the Town of *Boston* be desired to communicate this recommendation with the schedule to the Committee of Donations.

The Committee on the State of the Province reported a Resolve relative to appointing a Committee to apply to a suitable number of persons to be in readiness to enter the service of this Colony as Officers, when an Army shall be raised.

Ordered, That the consideration thereof be referred to three o'clock, P. M.

Ordered, That at four o'clock, P. M., the Congress will come to the choice, by ballot, of a person to serve on the Committee of Safety, instead of Doctor *Fisher*, who was excused.

Adjourned to three o'clock, P. M.

Afternoon.

The Congress resumed the consideration of the Report referred, agreeably to the Order of the Day. After some debate thereon, it passed, and is as follows, viz:

In Provincial Congress, Concord, April 14, 1775.

Resolved, That a Committee be now appointed to apply to a suitable number of persons, to be in readiness to enter the service of this Colony to act as Field Officers. Such Field Officers, in conjunction with the Committee, to apply to proper persons as Captains, and they to determine on such Subaltern Officers as may be necessary for each Regiment, when an Army shall be raised; the Committee and Officer, *coteris paribus*, to give the preference to persons who have been chosen Officers in the Regiments of Minute-men.

Ordered, That the Committee of Safety be the Committee to apply to a suitable number of persons to act as Officers, as recommended in the foregoing Resolve.

Ordered, That the Congress now proceed to the choice of a gentleman to serve on the Committee of Safety, in the place of Mr. *Fisher*.

Ordered, That Mr. *Cushing*, Colonel *Palmer*, and Mr. *Bigelow*, be a Committee to count and sort the votes.—Reported that Colonel *Thomas Gardner* was chosen.

Ordered, That the Reverend Mr. *Murray*, Mr. *Mayhew*, and Colonel *Pomeroy*, be a Committee to bring in a Resolve, recommending a day of Fasting and Prayer.

Ordered, That the Committee on the State of the Province, take the late Newspapers from *England* into consideration, and report what there is relating to this Province.

Adjourned to ten o'clock to-morrow morning.

—

Saturday, April 15, 1775, A. M.

The Committee appointed to bring in a Resolve recommending a day of Fasting and Prayer, reported; amended, and accepted, and is as follows, viz:

Whereas, it hath pleased the Righteous Sovereign of the Universe, in just indignation against the sins of a people long blessed with inestimable privileges, civil and religious, to suffer the plots of wicked men on both sides of the *Atlantic*, who for many years have incessantly laboured to sap the foundation of our publick liberties, so far to succeed, that we see the *New England* Colonies reduced to the ungrateful alternative of a tame submission to a state of absolute vassalage to the will of a despotick Minister, or of preparing themselves speedily to defend, at the hazard of their lives, the unalienable rights of themselves and posterity, against the avowed hostilities of their parent state, who openly threaten to wrest them from their hands by fire and sword.

In circumstances dark as these, it becomes us as men and Christians, to reflect, that whilst every prudent measure should be taken to ward off the impending judgment, or prepare to act a proper part under them when they come; at the same time, all confidence must be withheld from the means we use, and repose only on that *God* who rules in the Armies of Heaven, and without whose blessing the best human councils are but foolishness, and all created power vanity.

It is the happiness of this Church, that when the power of Earth and Hell combine against it, and those who should be nursing Fathers become its persecutors, then the Throne of Grace is of the easiest access, and its appeal thither is graciously invited by that Father of Mercies who has assured it, that "when his children ask bread, he will not give them a stone." Therefore, in compliance with the laudable practice of the people of *God*, in all ages, with humble regard to the steps of Divine Providence toward this oppressed, threatened, and endangered people, and especially in obedience to the command of Heaven, that binds us to call on Him in the day of trouble:

Resolved, That it be, and hereby is recommended to the good people of this Colony of all denominations, that *Thursday*, the eleventh day of *May* next, be set apart as a day of Publick Humiliation, Fasting and Prayer; that a total abstinence from servile labour and recreation be observed, and all their Religious Assemblies solemnly convened, to humble themselves before *God*, under the heavy judgments felt and feared; to confess the sins that have deserved; to implore the forgiveness of all our transgressions; a spirit of repentance and reformation; and a blessing on the Husbandry, Manufactures, and other lawful employments of this people; and especially, that the union of the *American* Colonies in defence of their rights, (for which, hitherto, we desire to thank Almighty *God*,) may be preserved and confirmed; that the Provincial, and especially that the Continental Congresses, may be directed to such measures as *God* will countenance; that the people of *Great Britain* and their Rulers may have their eyes open, to discern the things that shall make for the peace of the Nation and all its connections; and that *America* may soon behold a gracious interposition of Heaven, for the redress of her many grievances, the restoration of all her invaded liberties, and their security to the latest generations.

Ordered, That the foregoing be copied, authenticated, and sent to all the Religious Assemblies in this Colony.

Ordered, That Mr. *Devens*, Mr. *Cheever*, and Mr. *Stephen Hall*, be a Committee to get the Resolves printed and dispersed.

Adjourned to three o'clock in the afternoon.

Afternoon.

In Provincial Congress, Concord, 15th April, 1775.

Resolved, That *Henry Gardner*, Esquire, Receiver General of the Province of the *Massachusetts Bay*, be, and hereby is directed to pay to Messrs. *Edes* and *Gill*, Printers, the sum of thirty-six Pounds, six Shillings, and nine Pence, lawful money, for printing for said Province to the 27th of *March* last.

In Provincial Congress, Concord, 15th April, 1775.

Resolved, That *Henry Gardner*, Esquire, Receiver General of the Province of the *Massachusetts Bay*, be, and hereby is directed to pay to *Richard Devens*, the sum of eleven Pounds, nineteen Shillings, and six Pence, Half-Penny, for sundry accounts by him paid and discharged, for services done for the said Province.

In Provincial Congress, Concord, 15th April, 1775.

Resolved, That *Henry Gardner*, Esquire, Receiver General of the Province of the *Massachusetts Bay*, be, and hereby is directed to pay unto *Jeremiah Hunt*, the sum of four Pounds, four Shillings, for his attendance as Doorkeeper, and for Paper and Quills by him furnished, for the use of the Congress.

Ordered, That *Henry Gardner*, Esquire, Colonel *Barret*, and Colonel *Henshaw*, be a Committee to wait on the Reverend Mr. *Emerson*, and return him the thanks of this Congress for his faithful attendance on, and especially for officiating as their Chaplain during this session.

Ordered, That the same Committee be directed to wait on the Committee of the Proprietors of this House, and return the thanks of this Congress for the use thereof.

Ordered, That on the return of the Members to their respective Towns, they use their interest with the inhabitants thereof, that they immediately pay their publick moneys to *Henry Gardner*, Esquire, Receiver General of this Colony.

Ordered, That the Members use their interest to promote the Military discipline.

Resolve for adjournment passed, and is as follows:

Resolved, That this Congress be adjourned from this day, to *Wednesday*, the 10th day of *May* next, at ten o'clock in the forenoon, to meet at *Concord*, in the County of *Middlesex*. And considering the great uncertainty of the present times, and that important unforeseen events may

Digitized by Google

take place, from whence it may be absolutely necessary that this Congress should meet sooner than the day above mentioned, notwithstanding the adjournment aforesaid:

It is further *Resolved*, That the Members of this Congress for the Towns of *Charlestown*, *Cambridge*, *Brookline*, *Roxbury*, and *Dorchester*, or a majority of them, be, and they are hereby authorized, in case they should judge it necessary, to give notice to the several Members of this Congress, in such way as they shall think proper, to meet at *Concord* aforesaid, at any earlier day than the abovesaid 10th day of *May*, which shall be by them appointed; and it is further recommended to the Members of this Congress, that they conform themselves to such notice.

Ordered, That the thanks of this Congress be presented to the Honourable *John Hancock*, Esquire, for his constant attendance and faithful discharge of the duty of President, during the several sessions hereof.

The business being finished, the President declared the Congress adjourned until *Wednesday*, the 10th day of *May* next; conformably to the preceding Resolve.

MASSACHUSETTS COMMITTEE OF SAFETY.

At a Meeting of the Committee of Safety, at the house of Captain *Stedman*, in *Cambridge*, *Wednesday*, *November* 2d, 1774, Present:

Honourable *John Hancock*, Esquire, Chairman, Colonel *Orne*, Mr. *Watson*, Colonel *Palmer*, Mr. *Devens*, Captain *Heath*, Doctor *Warren*, Doctor *Church*, Captain *White*, and *John Pigeon*.

Voted, That *John Pigeon* be Clerk of this Committee.

Voted, That it be recommended to the Committee of Supplies, to procure as soon as may be, three hundred and fifty-five barrels Pork, seven hundred barrels Flour, fifty tierces Rice, three hundred bushels Peas; and that there be deposited of them in *Worcester*, two hundred barrels of Pork, four hundred barrels Flour, one hundred and fifty bushels Peas; and at *Concord*, one hundred and fifty-five barrels Pork, three hundred barrels Flour, fifty tierces Rice, and one hundred and fifty bushels of Peas.

Adjourned to meet next *Tuesday*, ten o'clock, at Captain *Stedman's*.

—

At a Meeting of the Committees of Safety and Supplies, at the house of Captain *Stedman*, *Tuesday*, the 8th of *November*, 1774, Present:

COMMITTEE OF SAFETY.—Dr. *Warren*, Dr. *Church*, Captain *White*, Captain *Heath*, Mr. *Devens*, Col. *Palmer*, Mr. *Watson*, and *John Pigeon*.

COMMITTEE OF SUPPLIES.—Col. *Lee*, Deacon *Cheever*, Mr. *Gill*, Mr. *Hall*, and Colonel *Lincoln*.

Voted unanimously by the Committee of Safety, that the Committee of Supplies be advised to procure all the Arms and Ammunition they can in the neighbouring Provinces on the Continent; and that it is recommended that the Committee of Supplies do, and may with safety, engage the pay for the same on the arrival here of said Arms and Ammunition.

Voted, That the Committees adjourn to Mr. *Whittemore's*, in *Charlestown*, to meet next *Tuesday*, at ten o'clock.

—

At a Meeting of the Committees of Safety and Supplies, at Mr. *Whittemore's*, of *Charlestown*, on *Tuesday*, 15th of *November*, 1774, Present:

COMMITTEE OF SAFETY.—Doctor *Warren*, Dr. *Church*, Colonel *Palmer*, Mr. *Devens*, Mr. *Watson*, Colonel *Orne*, Mr. *White*, and *John Pigeon*.

COMMITTEE OF SUPPLIES.—Colonel *Lee*, Colonel *Lincoln*, Deacon *Cheever*, and Mr. *Gill*.

Voted unanimously, That Mr. *Gill* be directed to apply to Mr. *William Powell*, to get seven large pieces of Cannon, on the best terms he can; and that said *Gill* and Mr. *Benjamin Hall*, be directed to get them out of *Boston*, to some place in the country, in such manner as they may think most prudent.

—

At a Meeting of the Committees of Safety and Supplies, at the house of Mr. *Whittemore*, of *Charlestown*, on *Tuesday*, 20th of *December*, 1774, Present:

COMMITTEE OF SAFETY.—*John Hancock*, Esquire, Col. *Orne*, Colonel *Heath*, Captain *White*, Doctor *Church*, Doctor *Warren*, Mr. *Watson*, Colonel *Palmer*, and *John Pigeon*.

COMMITTEE OF SUPPLIES.—Col. *Lee*, Deacon *Cheever*, Mr. *Gill*, and Mr. *Hall*.

Voted, That the Committee of Supplies endeavour to procure the following articles, viz: two hundred Spades, one hundred and fifty Pick-Axes, two hundred Bill-Hooks, one hundred and fifty Iron Shovels, one thousand Six-Quart Iron Pots, one thousand Wooden Mess Bowls, one Tenant Saw, Sieves, Cartridge Paper, Tin Cases, Tubes, Drills, Hand-Mallets, Drawing Knives, Gunner's Quadrants and Fuses; as much as they think necessary of each of those articles to which the quantity is not annexed.

Voted unanimously, That Doctor *Warren*, Dr. *Church*, and the Honourable *John Hancock*, Esquire, be a Committee to inspect the Commissary's Store in *Boston*, and report what Surgeons' Stores, and Stores of other kind are there.

Voted unanimously, That the Honourable *John Hancock*, Esquire, Doctor *Warren*, and Mr. *Gill*, be a Committee to write a Letter to *Henry Gardner*, Esq., directing him to draught a Letter to the Collectors and Constables, requesting them to make immediate payments of the Taxes for 1773, and 1774, and all other Province money in their hands.

Voted, That the Committees adjourn to meet next *Wednesday*, at eleven o'clock, at Mr. *Whittemore's*, in *Charlestown*.

—

At a Meeting of the Committees of Safety and Supplies, at the house of Mr. *Whittemore's*, of *Charlestown*, on *Thursday*, the 5th of *January*, 1775, Present:

COMMITTEE OF SAFETY.—*John Hancock*, Esquire, Dr. *Warren*, Mr. *Watson*, Colonel *Heath*, and *John Pigeon*.

COMMITTEE OF SUPPLIES.—Colonel *Lee*, Mr. *Gill*, Deacon *Cheever*, Mr. *Hall*, and Colonel *Lincoln*.

Voted, That the last vote at the Meeting on the 20th ultimo, wherein a Committee was appointed to write a Letter to *Henry Gardner*, Esquire, directing him to write to the Collectors and Constables, requesting immediate payment of the Taxes for 1773, and 1774, and all other Province Debts, be reconsidered; which was done, and voted, that it subside, and that said *Gardner* receive the Taxes, &c., when brought to him.

Voted, That Doctor *Warren* be desired to wait on Col. *Robinson*, to desire him to deliver to any person Deacon *Cheever* shall send, two brass Cannon, and two seven-inch Mortars and Beds; and that Mr. *William Daws* be desired to deliver to said *Cheever*, one pair brass Cannon, and that the said *Cheever* procure Carriages for said Cannon, or any other Cannon that require them; that the Battering Cannon Carriages be carried to the Cannon at *Waltham*, and that the Cannon and Carriages remain there till further orders.

Voted, That the Committees adjourn, and meet at this place on the last *Wednesday* in this month, at eleven o'clock; but if stormy, the next fair day.

—

At a Meeting of the Committees of Safety and Supplies, at the house of Mr. *Whittemore*, of *Charlestown*, on *Wednesday*, the 25th of *January*, 1775, Present:

COMMITTEE OF SAFETY.—Doctor *Warren*, Mr. *Watson*, Colonel *Palmer*, Mr. *Devens*, Captain *White*, Colonel *Orne*, and *John Pigeon*.

COMMITTEE OF SUPPLIES.—Mr. *Gill*, Deacon *Cheever*, Mr. *Hall*, and Colonel *Lincoln*.

Voted, That all the Cannon, Mortars, Cannon Balls, and Shells, be deposited in the Towns of *Worcester* and *Concord*, in the same proportion as the Provisions are to be deposited.

Digitized by Google

Voted unanimously, That two ten-inch Mortars be provided, and also, that two Howitzers be provided, together with a suitable quantity of Shells, by the Committee of Supplies.

Voted unanimously, That the Committee of Supplies endeavour to procure the following articles, viz: two hundred Axes, handled and ground complete, fifty Wheel-Barrows.

Voted unanimously, That Deacon *Cheever* settles the Account with Mrs. *Whittemore*, for charges of entertainment at her house, pay the same, and exhibit his Account to the next Congress.

Voted, That the two Committees adjourn, and meet next *Friday* week, at one o'clock, at Captain *Stedman's*, of *Cambridge*, and dine together; and that Mr. *Watson* bespeak a Dinner and Room.

—

At a Meeting of the Committee of Safety, and Committee of Supplies, at the house of Captain *Ebenezer Stedman*, on *Friday*, the 3d of *February*, 1775, Present:

Committee of Safety.—The Honourable *John Hancock*, Esq., Mr. *Watson*, Col. *Palmer*, Col. *White*, Col. *Orne*, Colonel *Heath*, and Mr. *Devens*.

Committee of Supplies.—Colonel *Lee*, Colonel *Lincoln*, Deacon *Cheever*, Mr. *Gill*, and Mr. *Hall*.

Voted unanimously, That the Six-Pounders that were formerly voted to be procured, be passed by.

Voted unanimously, That the two pieces of brass Cannon in the care of Captain *Robinson*, and the two pieces of the same that were taken out of *Boston*, be included in the sixteen that were voted.

Voted unanimously, That the Chairman of Supplies be directed to report to the Congress their transactions since their appointment; and that this report be made to-morrow forenoon. Richard Devens, *P. T. Clerk*.

—

At a Meeting of the Committee of Safety, and the Committee of Supplies, at Captain *Stedman's*, at *Cambridge*, on *Monday*, *February* 13th, 1775, Present:

Committee of Safety.—The Honourable *John Hancock*, Esq., Mr. *Palmer*, Deacon *Fisher*, Captain *White*, Mr. *Watson*, Colonel *Heath*, and Mr. *Devens*.

Committee of Supplies.—Colonel *Lincoln*, Mr. *Gill*, and *Elbridge Gerry*.

Voted, That the Committee of Supplies be desired to purchase all the Powder they can, upon the best terms they can.

Voted, That Captain *White* and Colonel *Lincoln* be a Committee to wait on Colonel *Robinson*, and receive from him the four brass Field-Pieces, and two brass Mortars, now in his hands, the property of the Province, and as soon as may be, remove them to the Town of *Concord*; and they are to inform him, that the Committee agree, in case of a rupture with the Troops, that the said Field-Pieces shall be for the use of the Artillery Companies in *Boston* and *Dorchester*; and if matters are settled without, said Field-Pieces are to be returned to said *Robinson*.

Richard Devens, *P. T. Clerk*.

—

At a Meeting of the Committee of Safety, and the Committee of Supplies, at the house of Capt. *Nathan Adams*, in *Charlestown*, *Tuesday*, *February* 21st, 1775, Present:

Committee of Safety.—The Honourable *John Hancock*, Esq., Dr. *Joseph Warren*, Dr. *Church*, Mr. *Watson*, Colonel *Heath*, Mr. *Devens*, and Colonel *Orne*.

Committee of Supplies.—Mr. *Gill*, Mr. *Cheever*, Mr. *Gerry*, and Colonel *Lincoln*.

Voted unanimously, by both Committees, That the Committee of Supplies do procure ten tons of Brimstone, provided it can be had on this condition: that the Committee of Supplies engage to pay therefor, when the present owners shall have opportunity to sell the same, or that it shall be returned in six months if not used; and if used, it shall then be paid for.

Voted unanimously, by the Committee of Safety, That the Committee of Supplies purchase all kinds of Warlike Stores, sufficient for an Army of fifteen thousand men to take the field.

Voted unanimously, That the Powder that is now at *Concord* be removed to *Leicester*.

Voted unanimously, That the Committee of Supplies get fifteen thousand Canteens.

Voted, That Doctor *Warren* and Doctor *Church* be appointed a Committee to bring in an Inventory of what is necessary in the way of their profession, for the above Army to take the field.

Voted, That these Committees adjourn till to-morrow morning, nine o'clock, in this place.

—

At a Meeting of the Committee of Safety, and the Committee of Supplies, *Wednesday* morning, *February* 22d, 1775, Present:

Committee of Safety.—Honourable *John Hancock*, Esquire, Colonel *Orne*, Colonel *Heath*, Captain *White*, Mr. *Watson*, Mr. *Devens*, Mr. *Pigeon*, Doctor *Warren*, and Doctor Church.

Committee of Supplies.—Col. *Lincoln*, Mr. *Cheever*, Mr. *Gerry*, and Mr. *Gill*.

Voted, That the Committee of Supplies procure one hundred Bell Tents for Arms.

Voted, That the Committee of Supplies procure one thousand Field Tents, complete for the Soldiers.

Voted, That the Committee of Supplies procure ten tons of Lead Balls, in addition to what was formerly voted.

Voted, That said Committee employ a number of men to make Cartridges for fifteen thousand men, for thirty rounds.

Voted, That said Committee purchase three hundred bushels of Beans or Peas more than formerly ordered; also, that they purchase twenty hogsheads Molasses; also, four hundred and fifty quintals of Salt Fish; also, two Carpenter's Chests of Tools, complete.

Voted, That Mr. *John Pigeon* be the Commissary of Stores.

Voted, That Mr. *Abraham Watson*, on the arrival of more Troops, take possession of the Province Arms now at the College, and send them to *Worcester*.

Voted, That the Province Arms now at *Boston* and *Roxbury*, be removed by *Moses Gill*, Esq., to *Worcester*.

Voted unanimously, by both Committees, That on certain intelligence, or such as appears to the Committee to be such, of the arrival of the Reinforcements coming to General *Gage*, that then the Committee appointed to assemble the Congress, be desired to despatch Couriers to assemble the Congress immediately.

Voted, That the Committees adjourn to this place, to meet to-morrow morning, at forty-five minutes after seven o'clock; and that when the Committees meet to transact business, after the arrival of the Reinforcements to General *Gage*, it be at Captain *Stedman's*, at *Cambridge*.

—

At a Meeting of the Committee of Safety, and the Committee of Supplies, *February* 23d, 1775, Present:

Committee of Safety.—Honourable *John Hancock*, Esquire, Colonel *Orne*, Captain *White*, Doctor *Church*, Mr. *Devens*, Mr. *Watson*, Dr. *Warren*, and Mr. *Pigeon*.

Committee of Supplies.—Colonel *Lincoln*, Mr. *Gerry*, Mr. *Cheever*, and Mr. *Gill*.

Voted, That Doctor *Church*, Mr. *Gerry*, and *John Pigeon*, be a Committee to draught a Letter to the Commanding Officer of the Militia, and the Commanding Officer of the Minute-men, through the Province, to assemble one fourth part of the Militia through the Province on receipt of this Letter.

Voted, That one hundred of each of the Letters be printed, and two hundred of the Resolves of Congress relating to the Committee of Safety's assembling the Militia.

Voted, That *Moses Gill*, Esquire, and Doctor *Church*, be a Committee to draught a Letter to each Member of the Congress, to require their attendance directly on receipt of said Letters.

Voted, by the two Committees, That the following Colonels, have each two Field-Pieces put into their hands, by the Committee of Supplies, viz:

Colonel *Gardner*, of *Cambridge*, Colonel *Warren*, of *Plymouth*, Colonel *Ward*, of *Shrewsbury*, Colonel *Robin-*

Digitized by Google

son, of *Dorchester*, Colonel *Mitchell*, of *Bridgewater*, Colonel *Heath*, of *Roxbury*, Colonel *Foster*, of *Brookfield*, and two for the use of the Artillery Company of *Boston*, late commanded by Major *Paddock*.

Voted, That Mr. *Gerry* and Doctor *Church* be a Committee to draught a Letter to the above Colonels, relative to the above Cannon.

Voted, That the Committee of Supplies purchase twenty hogsheads of Rum, and send them to *Concord*.

Voted, That Doctor *Warren* be desired to apply to the Company formerly under the command of Major *Paddock*, and know how many of them may be depended on, (Officers and Men,) to form an Artillery Company, when the Constitutional Army of this Province shall take the field, and that report be made without loss of time.

Voted, That Mr. *Cheever*, and Mr. *Devens*, procure Couriers to carry Letters to the several Colonels who are appointed to have the care of the sixteen Field-Pieces, and get an answer and bring to the Committee of Supplies.

Voted, That Colonels *Gardner* and *Heath* be desired to procure (by borrowing) Field-Pieces, to learn their Companies the exercise of them.

—

At a Meeting of the Committee of Safety, and the Committee of Supplies, *February* 24th, 1775, Present:

COMMITTEE OF SAFETY.—Honourable *John Hancock*, Esquire, Colonel *Orne*, Mr. *Devens*, Captain *White*, *John Pigeon*, Doctor *Warren*, and Colonel *Heath*.

COMMITTEE OF SUPPLIES.—Colonel *Lincoln*, *David Cheever*, Esquire, Mr. *Gerry*, and Mr. *Gill*.

Voted, That what Artillery Companies are formed in the Regiments, shall consist of thirty-two Privates.

Voted, That the Committee of Supplies procure the following articles, and send the same to *Concord*, viz: one thousand pounds of Candles, one hundred hogsheads of Salt, a suitable supply of Wooden Spoons, twenty casks of Raisins, twenty bushels of Oat Meal, one thousand five hundred yards of *Russia* Linen.

Two barrels of *Lisbon* Oil, six casks of *Malaga* Wine, nine casks of *Lisbon* Wine; these to be lodged at *Stow*, and all the other articles at *Concord*.

Voted, That Doctor *Warren*, Doctor *Church*, Mr. *Gerry*, Mr. *Cheever*, Colonel *Orne*, and Mr. *Devens*, make inquiry where fifteen Doctors' Chests can be got, and on what terms, and report at the next meeting.

Voted unanimously, That the Clerk of the Committee of Safety, in behalf of said Committee, sign the Letters to Colonel *Warren*, Colonel *Ward*, Colonel *Mitchell*, and Colonel *Foster*, relating to two pieces of Cannon to be put under the care of those gentlemen.

Voted unanimously, That Mr. *John Goddard*, of *Brookline*, be Wagon Master for the Army, and that Captain *White* inform him of his choice by the Province.

Voted, That Mr. *Pigeon*, Captain *White*, and Mr. *Watson*, be a Committee to consider how many Couriers shall be chosen to go to the several Colonels through the Province, for returns of Militia-men, and the Minute-men, and to report what road each Courier shall go.

Voted, That eight Field-Pieces, with the Shot and Cartridges, two brass Mortars, with their Bombs, be deposited at *Leicester*, with Colonel *Henshaw*.

Voted, That these Committees adjourn to *Tuesday*, the 7th of *March*, at the house of Captain *Stedman*, of *Cambridge*, at ten o'clock.

—

At a Meeting of the Committee of Safety, and the Committee of Supplies, at the house of Captain *Stedman*, of *Cambridge*, on *Tuesday*, the 7th of *March*, 1775, Present:

COMMITTEE OF SAFETY.—Honourable *John Hancock*, Esquire, Doctor *Church*, Doctor *Warren*, Mr. *Watson*, Mr. *Palmer*, Captain *White*, Mr. *Devens*, Colonel *Heath*, Mr. *Pigeon*, Mr. *Adams*, and Honourable *Thomas Cushing*, Esquire.

COMMITTEE OF SUPPLIES.—Colonel *Lee*, Mr. *Gill*, Deacon *Cheever*, and Colonel *Lincoln*.

Voted, That the Committee of Supplies be directed to make a draught on *Henry Gardner*, Esquire, the Receiver General, in favour of Doctor *Joseph Warren*, and Doctor *Benjamin Church*, for five hundred Pounds, lawful money, to enable them to purchase such articles for the Provincial Chests of Medicines, as cannot be got on credit, to be deducted from the Provincial Tax, payable by the Town of *Boston*.

Voted, That what the seven hundred barrels of Flour, formerly voted, falls short of two hundred weight each, be made up the quantity of one thousand four hundred weight of Flour.

Voted, That the Committees adjourn to meet at Capt. *Stedman's*, at *Cambridge*, at nine o'clock on *Tuesday* next.

—

At a Meeting of the Committees of Safety and Supplies, at the house of Captain *Stedman*, *Tuesday*, 14th *March*, 1775, Present:

COMMITTEE OF SAFETY.—Honourable *John Hancock*, Esquire, Colonel *Heath*, Captain *White*, Colonel *Palmer*, Mr. *Devens*, Colonel *Orne*, Mr. *Watson*, and Mr. *Pigeon*.

COMMITTEE OF SUPPLIES.—Deacon *Cheever*, Mr. *Gerry*, and Mr. *Gill*.

Also present, the Honourable *Thomas Cushing*, Esq., and Mr. *Samuel Adams*.

Voted, That Watches be kept constantly at places where the Provincial Magazines are kept, and that the Clerk write on the subject to Colonel *Barret*, of *Concord*, *Henry Gardner*, Esquire, of *Stow*, and Captain *Timothy Bigelow*, of *Worcester*, on the subject, leaving it to them how many the Watches shall consist of.

Voted, That Members from this Committee belonging to the Towns of *Charlestown*, *Cambridge*, and *Roxbury*, be desired, at the Province expense, to procure at least two men for a Watch every night, to be placed in each of those Towns; and that said Members be in readiness to send Couriers forward to the Towns where the Magazines are placed, when sallies are made from the Army by night.

Voted, That the Committees adjourn to *Concord*, to the 22d of this month.

—

At a Meeting of the Committees of Safety and Supplies, at the house of Mr. *Taylor*, at *Concord*, the 23d *March*, 1775, Present:

COMMITTEE OF SAFETY.—Honourable *John Hancock*, Esquire, Colonel *Orne*, Colonel *Heath*, Captain *White*, Colonel *Palmer*, Mr. *Watson*, Mr. *Devens*, and Mr. *Pigeon*.

COMMITTEE OF SUPPLIES.—Deacon *Cheever*, Colonel *Lincoln*, Colonel *Lee*, Mr. *Gerry*, and Mr. *Gill*.

Voted, That a ton of Musket Bullets, now arrived at *Concord*, be there lodged with Colonel *Barret*.

—

At a Meeting of the Committee of Safety, at *Concord*, *April* 1st, 1775,

Voted, That the Stores at *Concord* and elsewhere shall not be removed, without written orders from the Committee of Safety.

CONSIDERATIONS ON THE MEASURES CARRYING ON WITH RESPECT TO THE BRITISH COLONIES IN NORTH AMERICA.*

No one knows how far every person in *Britain* may be interested in the event of the measures now carrying on with respect to our Colonies in *North America*. This seems to entitle any man, on account of his own stake therein, to speak his sentiments on the subject. The concern of the community gives to them likewise for the better security, a claim that every opinion may be offered for

* The author of this Pamphlet, who, it is said is the eldest brother of the celebrated Mrs. *Montague*, is a very able and spirited advocate for the Colonies; discussing with great strength of argument the claim of Taxation, and the danger of enforcing it, even though the contest should be in our favour. We will not injure it by an abridgment, but heartily recommend the dispassionate consideration of the whole to all our Statesmen and Senators, to all who have it in their power by lenient measures to avert the evils which Mr. *Robinson*, without the spirit of prophecy, prognosticates. At all events, his name, and that of Bishop *Shepley*, will ever be held in honour in *America*, and we shall not wonder if their busts are placed by the side of the statues of Lords *Chatham* and *Camden*.—*Gent. Mag.*

Digitized by Google

consideration. These things result from the nature of a free society, and particularly from the Constitution of *Great Britain*, where the people choose one part of the Legislature, and where every man is supposed to have ultimately a share in the government of his country.

One point in dispute between us and the *Americans* is, the right of taxing them here at home. This may be said to concern the power of our Parliament; but so does every general proposition of right and wrong. When any thing is affirmed to be unjust, does not it include and is not it almost synonymous to the saying, that a law made to enforce it would be so too, and beyond the proper power of a Legislature? Vengeance and punishment do, in the course of things, assuredly pursue States and Nations for their oppression and injustice; against the commission of which it is beyond question the right of every member of the community to warn the rest.

I say it with submission, but the power of the Parliament is the right of the publick. The particular Members of that most respectable body are, in the statutes enacted by them, no more personally interested than the rest of their countrymen. These pass through their hands, but being so passed, they are themselves bound to obey them in common with others. They are, indeed, our trustees and guardians in that high office, but they will on that account be the more inclined, that every step taken or to be taken by them should be fully and carefully examined, like all other honest men earnest for the interest of those whose concerns are committed to their care.

A consideration of the measures now proposed may likewise possibly lead towards some nice and delicate conjunctures or circumstances, whether of the present time or of that to come. But it need not be said that the writer only finds the one and guesses at the other; they depend on an author much higher than Princes or their Ministers, but who is pleased to suffer the actions of these to have most essential effects in the producing them. What can then be a more fit means to induce a due reflection on our proceedings, and to insure from them a desirable success, than to lay before the publick or the Governours of it some possible consequences of their conduct?

We have not far to seek for the cause of the present situation of things between the mother country and our Colonies of *North America;* of the opposition and disturbances on the one hand, and of the violent laws, motions, and preparations on the other. These all undoubtedly proceed from our having taxed those Colonies without their consent. A perfect affection and union obtained between us until this was done; that attempt immediately stirred up animosity and opposition. However, these subsided, and peace and satisfaction were again restored on our staying our hands. We are now once more come back to the charge, and the spirit of discord seems likewise returned seven time stronger than it was before. Other broils and contests may, and many no doubt will arise from this cause, should it proceed; but this is the origin, the spring, and the source.

The right itself of this measure is in question, as well as the expediency of it; I will therefore presume to say something to that proposition. The inhabitants of our Colonies in *North America* are supposed to consist of about two millions of persons. They occupy and possess a very extensive territory, much larger than *Great Britain;* they are not themselves the original people of the country, but they now stand in their place; they have, in general, been born and bred there, however they receive likewise yearly from other places many who mix themselves with them; they have divided themselves into several different Governments; they have, according to certain rules or laws, agreed upon among them, allotted every man his own; they have felled the forests; they have cleared and tilled the land—they have planted it—they have sown it—they have stocked it with cattle; they have built themselves houses; they have entered into exchange and commerce; they have spared and saved for a future day or for their families; they have by many and various means acquired many and various sorts of property; they are by nature entitled to welfare and happiness, and to seek and pursue those blessings by all the methods not attended with fraud or violence towards others, which they shall believe the most probable to procure or ensure them; they have, for that end, a right to freedom in their Governments, and to security in their persons and properties. None are warranted to deprive or dispossess them of these things. Should, on the contrary, one man or a body of men, advance any claim which tended to enslave all the persons, or to unsettle all the property of this great community, to divest them of every thing which they possess, and to leave them nothing which they could call their own, of all that they have thus inherited, earned, or acquired; the very enormity, the evil and unnatural consequences of such a proposition would, of themselves, sufficiently shew its absurdity, weakness, and unreasonableness.

These are all either primary, essential inherent rights of human nature, or such as do with respect to persons in the situation before described, necessarily flow and follow from them. Those were conferred upon them by the great Author of their being, when he was pleased to endow them with the faculties of men; with the perception of good and evil; with the means of self-preservation and self-defence; with the organs of reason and of speech, and with a capacity to associate themselves for their mutual protection and support. They are common to all mankind; they subsist at all times, in all regions, and all climates: in *Turkey*, in *Spain*, in *France*, in Old *England* and in New, in *Europe*, and in *America;* whenever and wherever a number of men are found to be the objects of them. I don't mean that they are in all these places always, or at this time, possessed and enjoyed as they ought to be; but they are to answer for that who do so commonly employ to the enslaving and oppressing of mankind, the powers which these entrust only for their protection and defence. However, this is only abuse, violence, and injustice; the right nevertheless subsists and remains.

It is not on this subject necessary to enter into any minute detail of reasoning, or long and learned discourse on the law of nature. These principles are with us common and publick; they are founded on the good, the welfare, and the happiness of mankind. They were the principles of our ancestors, of our grandfathers, and of our fathers. They may not, perhaps, be at present in their full vigour, however, I trust, that they are not yet so worn out or lost from among us, but that they still remain the principles of the Nation. They are, to describe them by a word well known in our language, the principles of Whigs; whereby I don't, however, mean of certain modern Whigs, who seem more fond of the word than of any thing belonging to the character; who have, perhaps, at one time or other of their lives, counteracted all the measures and contradicted all the principles that ever did honour to the name—but I mean of Whigs before the Revolution and at the time of it; I mean the principles which such men as Mr. *Locke*, Lord *Molesworth*, and Mr. *Trenchard*, maintained with their pens; Mr. *Hampden* and Lord *John Russell* with their blood, and Mr. *Algernon Sydney* with both; names which must surely, by all *Englishmen*, be ever revered, as those of some of the first among men. But let me add, that they are not only the principles of speculative students in their closets, or of great but unfortunate men whom their zeal and virtue have lead to martyrdom for the liberties of their country and the welfare of mankind; but that they are likewise the real principles of our present actual Government, the principles of the Revolution, and those on which are established the throne of the King, and the settlement of the illustrious family now reigning over us.

On the same principles rest both in general many rights of the *Americans*, and in particular the right now before us. These are hereby involved and interwoven with our highest and most sacred concerns. We cannot lift up our hands to take them away without forfeiting our national character; without renouncing the tenets and maxim whereon we have, on our most important and critical occasions ever acted as a People; without declaring that we claim a right to resist and oppose all those who oppress us ourselves, and at the same time to trample upon and tyrannize over all others, where we hope that we have the power to do it with impunity.

But it may be said that these are, indeed, in themselves, very true and commendable opinions; but that they are here introduced on subjects not worthy of them, a duty of a few Shillings upon some sorts of Paper or Parchment, and of a few Pence upon a pound of Tea. Let us, there-

Digitized by Google

fore, more particularly consider the nature of the claim and pretension in question. Suppose, then, one person to have in his pocket an hundred Pounds, but another to have the right to take it from him and to put it into his own pocket, or to do with it what he pleases, to whom does that money belong? This needs no answer. Suppose the sum to be a thousand or ten thousand Pounds? That makes no difference. Suppose one person to have a right to demand of another not only one certain sum or what he has about him, but as much as he pleases and as often? This goes to the all of that other. But suppose not one single person only to be subject to such demands from one other, but a number of men, a Colony, or any other community to be so subject to the demands of some other society. What then? Why, then, that will go in like manner to their all. This seems to be so evident, that whoever shall multiply words on the subject, will hardly do it for the sake of being convinced.

But is this case that of the *Americans*; for if it is said that the money raised on them is to be employed for their own benefit, in their civil service or military defence? let me ask then, Who are in their case to determine, whether any money is at all wanted for such purposes, they who pay it, or they who take it? They who take it. Who are to determine the quantity wanted? They who take it. Who are to determine how often it is wanted? They who take it. Who are to determine whether it is really laid out in the purposes pretended? They who take it. Suppose the *Americans* should be of opinion, or declare that the money so raised is used not for their advantage, but the contrary, Is that a bar to the raising? No. Suppose them to complain that the money pretended to be laid out in their Civil service is given to corrupt their Governours or Judges, Is that a bar to the raising? No. Suppose them to signify that the money alleged to be used in their Military defence is employed in paying Troops to enslave them, and which they had rather be without, Is that a bar to the raising? No. Wherein, then, does this differ from will and pleasure in the most absolute sense?

This claim affects, therefore, most clearly, the all of the *Americans*. Two millions of people, subject to twelve different Governments or more, and inhabiting, possessing, and being masters of a country exceedingly larger than that of those who make the claim, or in whose name it is made, have, on this ground, no property at all, nothing which they can truly call their own, nothing but what may at any time be demanded of them, but what they may be deprived of without and against their will and consent. It cannot, therefore, surely be made a question, whether or no this is a matter of such a magnitude as to deserve the most serious discussion? But it might here be, without further words, left to the immediate determination of every man, whether it is on the one hand a reasonable ground whereon to put into confusion all the parts of the *British* Empire, to throw the mother country and her *North American* Colonies into the most deadly feuds, and perhaps a direct war with one another; or whether it is not, on the other hand, a proposition inconsistent with the essential laws of nature, subversive of the first and inherent rights of humanity, contrary to the principles whereon our forefathers defended, and under the sanction of which they have, through many civil wars, and with the deposition, banishment, and change of many Princes, delivered down to us the rights and properties which *Englishmen* now enjoy.

But it is in this dispute very often represented, that a total and absolute dependence on the *British* Parliament, without any exception whatsoever, either with regard to Taxes or any other, is liberty itself; it is *British* liberty, which is the best of liberty. I answer, who says otherwise in the case of us, who choose that Parliament; but that in some other cases this position may perhaps be more liable to question. Our *North American* Colonies are, as to their internal constitution, a very free people—as free as the *Venetians*, the *Dutch*, or the *Swiss*, or perhaps more so than any of them. This proceeds from their Assemblies being not only the nominal but the real Representatives of those whom they govern. These are elected fairly, fully, and often. In these Assemblies their liberty consists, and it is certainly true and genuine. But change the scene a little; let any one Colony be taxed and governed not by their own but by the Assembly of another, what is then become of this their genuine liberty? It is lost and gone with their own Assembly. Let all the Colonies be so subjected to the Assembly of some one among them. That won't mend the matter. Let us take a larger scale. Suppose this power over them to be lodged in the Parliament of *Ireland*. We are never the nearer. Let us come toward home. Were the Kingdom of *Ireland* under the taxation and direction of the *British* Parliament, would they then think themselves to be very free? For an answer to this question, inquire of one of that country. Place, then, the *Irish* under one of the Assemblies before mentioned; they would be yet further from home, and it might not be better with them. Let us take our own turn. Suppose *Great Britain*, on the like conditions, under the Parliament of *Ireland*. God forbid. I think that I have but one more point, before that I am at an end of my combination. Place over our heads, with all these powers in their full force, the Assembly of *Massachusetts Bay*, what then? I fancy that we should soon change a certain language, and sing another song, than what we do at present. Let me then most seriously question any man, from whose breast all candour and justice are not totally banished, where is as to liberty or property the difference between any of the cases now supposed and that original one which has given occasion to them? I speak this no otherwise than with the utmost reverence and respect towards our own Legislature; but are we to conceive, or would it be a compliment to them, or does any one mean to say that they are not men, or that they are to be excepted and exempted from the reasons and the rules which obtain and take place in the case of all the rest of mankind?

One of the long robe may, perhaps, demand the exact time when these rights begin, in rising and growing states, to take place, and how many years, months, and days a Colony must be first settled. I may venture to promise to resolve such an one, when he shall tell me in how many years, months, and days an oaken plant grows to be an oaken tree, or a boy becomes a man; which seem to be two much easier questions. The boundaries are seldom nicely distinguishable, where nature proceeds with an even and constant hand. But it is not difficult to answer that the event has already taken place, when near two millions of people are in full and peaceable possession of such a country as is occupied by our *North American* Colonies.

It may likewise be asked, whether these laws are applicable to all cases of private property between man and man. But the full resolution of this question might demand a *Spanish* casuist, or a book as big as a volume of our Statutes at large. Any man may for me amuse himself with trying the titles of Nations to the territories and possessions which they fill, enjoy, and inhabit, as he would do those between man and man about a house and garden; and should the process in the first case last as long in proportion as one does in the latter before some Courts of Justice in *Europe*, the defendants need not perhaps desire a longer or surer possession.

But may not these principles go far, if carried to the extent? That is, indeed, a very serious question, and perhaps well worthy of consideration. Our Colonies are content that we should, at our pleasure, regulate their trade, provided that what we do is *bona-fide*, really, truly, and sincerely for that purpose, and that only; but they deny that we shall tax them. They assent and agree to the first, but they absolutely refuse the last. These two different points do likewise not stand on the same foundation; they have to the one submitted ever since their origin; it has been corroborated by their perpetual and constant consent and acquiescence; the other is a novelty, against which they have, from its first attempt, most strongly protested and acted. Why cannot we, therefore, content us with the line drawn by themselves, and with the present establishment, from which we receive such prodigious benefit and advantage, now arising and yearly increasing? But may not they in time extend their objections to this also? The course of things, and the flux of years, will certainly produce very many things more extraordinary than that. All the whole of our Colonies must, do doubt, one day, without force or violence, fall off from the parent state, like ripe fruit in the maturity of time. The earth itself, having had a beginning, cannot but decay likewise,

Digitized by Google

pass away, and have an end. But why should we be over-curious about objects perhaps very far remote, and disturb ourselves about a futurity which does not affect us, and the distance of which we don't know nor can divine. Why should we shake the fruit unripe from the tree, because it will of course drop off when it shall in due season have become fit and ripe for that purpose? Every time has its own circumstances, according to which the events of it must be provided for when they happen. That cannot now be done. New and unreasonable demands, injustice, oppression, violence on our parts, will forward and hasten these events even before their time. Let us withhold our hands from these things. We have never yet, on this subject, had reason to boast ourselves of such expedients; nor, let me add, ever to repent us of the contrary conduct. There are, no doubt, in all Governments, many most important points unsettled and undetermined; such in particular as relate to the limits between the power of the Sovereign and the obedience of the Subject. This must always be the case between Kings and their People, principal States and their dependencies, mother countries and their Colonies. It is very much the part of every prudent Ruler, whether the first Minister of a Prince or any other, to avoid with the utmost care and solicitude all measures which may possibly bring any such critical circumstances into publick debate and dispute. It is always a bad sign when such contests arise; they cannot do so without the disorder of the whole, but they are to the Sovereign, in particular ever dangerous, and often fatal. They may, perhaps, be compared to Gunpowder, than whose grain nothing is more harmless while it is at rest, but let it by the application of fire be put into action, and it will make the wildest ravages all around or overthrow the strongest bulwarks and fortifications. To how many of these questions did our *Charles* the First give in his time rise or occasion, and how dearly did he abide it! How many points of this sort are undetermined between *Great Britain* and *Ireland*, which are now to our mutual comfort entirely dormant, but which started and pursued with obstinacy and eagerness, might make one or both of the Islands to run with blood. They need, perhaps, be no further looked for than certain doctrines formerly advanced by Mr. *Molyneux* on the one hand, and the Law of *Poinings* on the other. But it has pleased Providence to shelter us hitherto from this mischief. Many months are not perhaps passed, since we did not want an opportunity to have engaged in one such. The alterations of a late Bill from that country were only accidental. However, does any one doubt, whether some forward man might not have been found who would have furnished reasons better or worse to maintain the claim of making them, if such an one had been sought for. But how much more prudent was our conduct on the occasion? If peace and harmony are then so beneficial and desirable between *Great Britain* and *Ireland*, and the measures producing or insuring them good, upright, and wise, why do these things alter their nature when they are applied to *America*? The present accursed question between us and our Colonies, how long was it unknown or unthought of? Who heard of it, from the first rise of those settlements until a very few years ago, that a fatal attempt forced it into notice and importance? But it is now already setting at work fleets and armies; it threatens the confusion and perhaps the destruction of both countries, and but too probably of one of them, although *God* only knows whether the calamity will fall on that of the two, which many men may now imagine and believe to be the most in danger. This point is not alone; there are other questions of the same sort, concerning which no man now disturbs himself, but which stirred and started by new demands, or any other means, might in like manner, band against one another, *Great Britain* and its Colonies. Princes and States never do better than when their claims are not fathomed, nor, if I may use the expression, the bottom of them over-curiously sounded and examined. The terms of Municipal Laws usually favour the Sovereign; they are often framed or drawn by his creatures and dependants. The law of nature is more commonly in support of the people and the publick; it is the production of Him who sees with an equal eye Prince and Subject, high and low, *European* and *American*. *God* forbid that two such parts of the *British* Empire as the mother country and her Colonies should, in our times, divide and contend against one another on the sanction of these two different Laws, which ought, in every state, to be constantly blended and united, and which can never, without the utter disorder and confusion thereof, be made to strike and to clash against each other. Whenever that shall happen, let us be assured that we are turning towards our ruin and destruction those very means which ought most to serve us for our peace, safety, and protection.

I have hitherto, on the law of nature and the common rights of humanity, considered the claim of the *Americans* not to be taxed by us here in *England*. It rests firmly on that foundation; but I don't mean to say that it rests on that only. Could this be removed, there would yet remain another on which it would nevertheless stand sure and unshaken: I mean that of the Special Constitution of *Great Britain*, which does herein most justly and wisely coincide with the general constitution of humanity, and require that the property of no man living under its protection should, without his consent, by himself or representative, be taken from him, or, according to the language of the times, that representation should go along with taxation.

But this argument has particularly been in the hands of the first men of our times; they have set it in its full light, and their authority has recommended it to the attention of their country. It is well known, and well understood, and I am persuaded that it is unanswerable; but I bear more respect both to those persons and to the publick, than to go over it again so much to its disadvantage. I will therefore beg leave only to assume this reason, and to join it to my former; when the right of the *Americans* will stand on this double foundation of the general law of nature, and of the particular Constitution of *Great Britain*.

However, it has been said that the *Americans* are in our Parliament virtually represented. How that should be, when they are not really so, I shall leave to be explained by those who advance it. But *God* forbid that the condition of *British* subjects should ever be such, as for a whole people of them to be in danger of being stripped of all their properties only by the logick of such an unmeaning word or distinction as that is.

But what are then the precise bounds and limits of real representation? I will excuse myself from entering into that question. But will an *American* scruple to say, that if in any future time things should here at home be from their present state so far changed, and the Constitution of *Great Britain* so lost, that a great majority of its Representatives shall be named only by a handful of needy men; that they shall most evidently and most notoriously be both chosen by a corrupt and undue influence, and be afterwards guided and governed by the same, will he not say that it may, at that distant day, better become such a mock Representative to prove their right of taxing *Britain*, than to pretend to tax *America*? I will withal add, as an *Englishman*, that arguments tending to demonstrate that the House of Commons does not, in its present state, represent us inhabiting here, must be most strange ones to produce for the proving, that it does represent our Colonies lying beyond the *Atlantic* Ocean; that such points seem much more proper to raise scruples among ourselves at home, than to satisfy and appease those of people abroad.—(See *Tucker's Four Tracts*, page 103.) I could, on this subject, speak more plainly and explicitly, if I would, but I avoid it.

So much for consent and representation. But there is another ground whereon the *Americans* likewise rely, which is that of their own Provincial Charters. I shall leave the particulars of this subject to themselves, who are best acquainted with them. However, I will in general say, that these Charters are no doubt in aid and assistance of the two sanctions before mentioned, very properly brought for the shortening and silencing of disputes and debates, by the producing the special authority of Government. But they must be interpreted by those before mentioned, and consistently with them. They cannot be construed so as to overturn the others. It would be the most downright absurdity, and the most direct contradiction in itself, to talk of a Grant or Patent or Charter of Rights given to any one to take away all the rights he had in the world, to confer on him the privilege of having nothing of

Digitized by Google

his own now, nor of being able to acquire any such thing in time to come, neither he, himself, or his posterity after him. Every thing of this kind must be understood so as to coincide with the original inherent rights of any single person or community, whether as men or as *Britons*.

Charters would, without doubt, be for some purposes very effectual, if every thing would take place as it is written on a paper or parchment. Suppose a parcel of miserable people, starved out of their native country, or persecuted and prosecuted there, because they don't believe just what some other men do or pretend to do; that they cannot leave their homes without the consent of their persecutors; that they must take with them a piece of parchment; did their tyrants write thereon, that their descendants shall go upon all-fours, shall be born with hoofs instead of hands, and with instinct instead of reason, and the faculty of speech, and that these things would so happen? This might, to be sure, give very notable powers over them. They might then be yoked as horned cattle, saddled and bridled as horses, or fleeced and sheared as sheep. The difference in the species would naturally and necessarily effect this; but nothing of it all will come to pass. This future offspring will, notwithstanding, be born with the nature, the qualities, and the talents, and consequently with the claims, the rights, and the privileges of men. However, suppose these strange terms to be on account of the aburdity of them dropped, but that there are instead really entered on the parchment, or charter, such an arbitrary superiority, such despotick and uncontrollable powers and prerogatives over these poor people and their posterity, as are only fitting, suitable, and analogous to the former circumstances: Will this, in right or in reason, be a whit more valid than the other? or where is the sense or justice in demanding such enormous consequences, when we are forbidden the unnatural premises, from which alone they can follow? Suppose that it was on a paper or parchment written in fair characters, that the horses and other cattle of the *New-Forest*, in *Hampshire*, should have to them and their heirs forever, the said *Forest*, and it might be added to hold in free soccage of the Manor of *East Greenwich*? Suppose that dents were made in the paper or parchment, and a stamp put upon it, and that it was signed, sealed, and delivered as an act and deed, what would be the effect? It will be answered that it would be a thing to laugh at; for how should brute beasts take property, who have neither understanding or capacity, or any means for that purpose; that it would be contrary to nature for them so to do. But let me demand in my turn, where is the difference as to the effect, whether it is written that beasts shall become men, or that men shall become beasts; that a herd of beasts shall be able to take and hold property, or that a community of men shall not? The one is just as contrary to nature as the other. It might, indeed, be a happy day for despotism could such things be done; but they are beyond its strength. The great Author of the World has, for the transcendent purposes of his unfathomable wisdom, placed in the hearts of men pride, ambition, avarice, and self-interest; but he has, at the same time, been pleased, with his most benevolent hand, and by the laws of nature and the course of things, to appoint bounds to the power of these passions, which they can no more surpass than the sea can exceed its shores.

So much for Charters in general. However I will likewise say something concerning one particular Charter before I leave the subject. When the havock happened among Charters in *England*, a short time before the Revolution, and which contributed not a little to produce that event, *America* was not spared. About the year sixteen hundred and eighty-four, a *quo warranto* was on that head issued against *Massachusetts Bay*; some of the Colonies did, on the like occasion, give way, and throw themselves on the pleasure of the King. *Massachusetts Bay* refused to do this; they were *ex-parte*, and for non-appearance condemned, and their Charter shared the same fate as that of the City of *London* and so many others. Four years afterwards the Revolution happened. As soon as ever the news of it arrived at *Boston*, the Colony declared in favour of it. They took possession of King *James's* Governour, and of the rest of his creatures, and sent them all home to *England*. But then it will, perhaps, be said, they recovered in return their Charter. Is there almost faith in man to believe otherwise? The other Colonies fared well enough, who did not withstand the will of the King, and whose Charters had not been vacated in a Court of Justice. They put them again in execution themselves, and no words were made. Our own Charters here at home were likewise returned. But the Colony of *Massachusetts Bay* did not find the same good fortune. They went on that account first into the Convention Parliament, where however, they could not get through. It is well known that our Parliaments are not usually dissolved or prorogued while any business is depending, which there is an inclination to pass. They had then nothing left but to beg and pray of the King's Ministers. But is it credible, that they could not procure the restoration of their Charter of these Revolution-Ministers, of these makers and unmakers of Kings, who had so lately been on the same bottom with them, and in whose cause the Colony had so readily declared itself, but who had now obtained their own ends? Tired out, therefore, with delays, and not being sure of the worst that might happen, they were, in the end, obliged to accept of a new Charter, mutilated and castrated of many of the most important and essential privileges of the old. I shall take notice of no other particulars, than that before they chose annually their own Governour, Deputy-Governour, and Secretary. These were from this time to be appointed during pleasure by the King. Of what extreme consequence the change in the nomination of these their three Chief Officers has proved to them, no man at all acquainted with the name of *Massachusetts Bay* can be so ignorant of their history as not to be informed and sensible. Hence their differences with their own Governours there, and with our Ministers at home; hence the present Military Governour, and the Armies and Fleets now gone or going against them; hence the strange provision said to be in agitation, that their blood may not be liable to be answered for there. They would otherwise, in all appearance, be at this moment in the same situation on these subjects as their neighbours of *Connecticut* and *Rhode-Island*, with whose Charters their own agreed, until they lost it by their resistance and opposition to the will of the two last *Stuarts*, when the others saved theirs by giving way. I shall leave my readers to judge, whether it was the good or the evil contained in this poor piece of parchment, which thus united against it *Stuart* Kings and Revolution-Ministers. But this Charter must certainly have been granted under an unfortunate planet, if what some people say be true; that it is now again under displeasure at home, and on the brink of being once more reversed and altered. But that event has not on the writing of this happened. I am therefore perfectly persuaded, that should any thing upon that subject take place it will, on the contrary, be the restoration of those its former privileges and powers, which was so unreasonably and so unjustly refused at the Revolution. But let any one consider this history of a Charter, and then reflect whether mankind have not reason to bless themselves that they have some rights of a higher nature than Charters, superiour to them, and independent of them.

But are we not the parent country? That is a very respectable word, but so likewise is the relation of it mutual. It has always hitherto had its full weight with our Colonies of *North America*, and will probably continue so to have, if we can content ourselves with any tolerably reasonable sense and use of it. But was every master and mistress of a family resident there the immediate son and daughter of a father and mother living now at this time in *England*, yet they being gone from us, and having established themselves, and got families of their own, and having acquired a large territory, we could by no means, even as true and real parents, make out any claim having such consequences as that which we advance. However, the fact is very different; they left us in former times a part of the publick as well as others; they are since become hardly our cousin's cousins, and no man knows how far we might mount toward *Adam* or *Noah*, to settle the real relation between us. But was their history told as it deserves: How they have made these their great establishments at their own charge, and with almost no expense of ours: How we have ever had the total command of the produce of that immense country, so as to regulate the commerce and exportation of it merely according to our own advantage and

Digitized by Google

convenience; that this is grown to be an object of perhaps no less than four millions sterling a year, all turned towards our profit. Could the extreme benefit be all set forth, which we have by this means received from the first foundation of these Colonies to this time, and the cheerfulness, fidelity, and loyalty wherewith they have submitted to this, the sincere and warm friendship and affection which they have ever born us while we kept ourselves within these bounds; the assistance which we have received from them in war, as well as the profits in peace: could all these circumstances be, with very many others, favourable to them, told and represented together, and in their full light, the story itself would bid fair to make these harsh and unmerited Acts of Parliament drop out of our hands, if we held them at the time. But, however these points may be forgotten or overlooked by us, they are not so by the *Americans* themselves; they are sensible and mindful of them, from whom they have proceeded, whatever we may be, who have received them. Our neglect and indifference on the subject have, with them, the effect of poison upon our weapons. They make every wound given by us to rankle and to fester. Every stroke carries with it, on that account, a tenfold sharpness and acrimony. However at least don't let us extend a figurative and metaphorical saying to the divesting of all their properties, near upon two millions of people, and make it at the same time a warrant for ourselves to hold towards them an unjust, rapacious, and unnatural conduct, directly contrary to that of real parents towards their children, and totally inconsistent with the expression whereon we would ground our pretensions.

But how do these projectors and promoters of taxes and taxing hold concerning *Ireland*? Do they reckon that to be likewise within the jurisdiction of their ways and means, and in the same predicament with *America*? Adventurers went formerly from hence, others succeeded, more followed, until they were masters of the Island. It might be added, that this was done with a much greater expense of the blood and treasure of this country than our settlements in *America* ever cost us. The Representative body of *Ireland* is called a Parliament, that of *America* an Assembly; the term of Kingdom obtains in one country, and that of Colony in the other. Is there any charm in the sound of these words which makes a difference, or would the author of the Stamp Act have gone thither also, had the people of *America* shewn a facility to his first attempts with them, and if the Parliament of *Ireland* had ever made difficulties to his future demands there? Does any one imagine that learned or other arguments would have been wanting to maintain the rectitude of the one measure any more than of the other?

But is there any medium? Must not we either rigorously enforce obedience from our Colonies, or at once generously declare them free and independent of all allegiance to the Crown of *Great Britain*? To which I answer, if there is a medium between *Great Britain* and *Ireland*, why may there not be also between *Great Britain* and *North America*? The claims of the Colonies are not higher than those of *Ireland*. Certain rules of mutual respect preserved between us and that neighbouring part of the King's Dominions, keep us on the best and happiest terms together, terms of perpetual and almost unspeakable profit and advantage to *England*. Does this overturn the Constitution of *Great Britain*, or weaken the dependency on its Crown, as some language has been? Why should not then forbearance, moderation, and regard towards that, a little more distant portion of our country, produce in the one case effects consonant and answerable to what the like causes do in the other? It is most evident, and may in general be depended on, that no evil consequences can happen from any condition or situation between *Great Britain* and her Colonies, which does actually and advantageously obtain between *Great Britain* and *Ireland*. How was it there twenty years ago, before the first or the last of these taxes were either of them thought of? All was then peace, calm, and content. The repealing the first of them, the Stamp Act, did that do any mischief? Not unless the reconciling, uniting, and connecting again together all the part of our Government be such. There was hardly anywhere to be found a man, but who was pleased and happy in the measure, except a Minister or two at home, who lost their power and their places on the occasion, and except a few sycophants abroad, who hoped to recommend themselves by traducing and disturbing those to whom they owed assistance and protection, and who desired to fish in troubles which they themselves contributed greatly to create. What evil star reigns then at this period, that these blessings cannot now take place as they formerly did?

I have on this subject no mind to play with the name of *Ireland*. I presume to introduce on the scene, and to couple, as it were, with *America*, that country only, in order to expose the more plainly by the instance of the one some notions advanced concerning the other, and at the same time, to the utmost of my small power, to recommend, inculcate, and enforce that cautious, considerate, brotherly, and affectionate conduct towards both, which I am sure that they each of them most exceedingly well deserve, whether of the Government or of the people of *England*.

It is sometimes made a claim on the *Americans*, that we incurred on their account a great expense in the late war. On whose account have we not since the Revolution incurred a great expense? Our whole history from that time to this is little else but a scene of prodigality in the service of different people or Princes, no way to our own advantage, and for which no man can give any good reason. However I answer on this occasion with the fact. We did not engage in the late war at the request of the *Americans*, nor upon any desire or inclination of theirs. The language at the time was on the contrary; that the less concerned the inhabitants of our Colonies appeared to be about the encroachments of the *French*, the more reason we had to be jealous on the subject. I believe that I may, in support of what I am saying, venture to appeal to those who are the best acquainted with that period. Had it been otherwise we should no doubt have heard enough of it. Substantial reasons might be given that the *Americans* judged better in the case than we. There may be ground for us to condemn ourselves for not having consulted them more on the subject than we did, before that we were so hasty to take up the hatchet. However there is not the least pretence for charging to their account the consequences of a war which we undertook without any instance and application from them, and entirely of our own motion.

But the honour of Government is concerned. That is certainly an unaccountable reasoning, though not perhaps very uncommon; that if Government, or, in plain *English*, the Minister and those about him, do a thing which had better been undone, they are therefore to proceed in the same road and do many more such, until at length the case may perhaps be beyond redress. Surely the more discredit is incurred, the deeper that people are plunged into mischief. The welfare and happiness of five or six millions of mankind, or more, is a prodigious object. Whoever puts himself at the helm of our State undertakes in a manner for that. We are all mortal and fallible. One in such a situation had need to march with the utmost caution, circumspection, and foresight; should he make an unlucky step, it is his highest duty to endeavour instantly to retreat and to retrieve it. In the present case a gulf is before us which will not admit of many steps forwards, but that the Government and the publick will both go headlong.

But their outrages about the Tea. I presume these to be an object of discourse as well as any other subject; how can they otherwise be discussed and considered? However I shall, without declaring any opinion of my own, take them up only in the light as they may appear to an *American*. He will certainly say that these receive their complexion from the claim of the Colonies not to be taxed by us, and accordingly as that shall be grounded or not. If that is not well founded, that then their whole opposition is unlawful, whether force and violence, or only concert and combination. That the former may indeed be productive of more mischief than the latter, but that they are, on such a supposition, both of them entirely unwarrantable. I would willingly, in this case, write freely, but without offence; he would therefore certainly add, that should the *Americans*, on the other hand, have a real right not to be so taxed, they are undoubtedly entitled likewise to the necessary means of using and enjoying that right. That this

Digitized by Google

is a rule of the law of nature, as well as of the law of the land, or rather that the latter has only borrowed it from the former. I speak with submission; but he would without doubt proceed that the means used on this occasion were absolutely those necessary ones and no other; that an object was artfully or judiciously chosen for this tax, which is so constant a part of diet or luxury, that it was totally impossible to prevent the tax from taking place without hindering the commodity itself from being introduced; that therefore the *Americans* must absolutely do that or lose their right; that the endeavouring so to do only by a general concert and agreement would have been no better than building a City out of the sands of the sea; that thereupon the Town of *Boston* did, at a sort of publick meeting, use every instance and application possible both with the Captains of the Tea Ships and with the Governour that the Tea might be returned, untouched and damaged as it came; that this would have secured their right, and they desired no more; that this was absolutely refused; that there was thereupon no expedient left for the preserving their right but destroying the Tea; that this was, without any express authority of the Town, done by private people, but in all appearance with the general inclination and with the least mischief and damage possible; that there was some Tea spilt, but no blood; that this refers the whole to the first and original question of the right; that the *Americans* make thereon the same claim as the people of *Scotland* would have in an essential circumstance of the union, or those of *Ireland*, should the line observed between them and *Great Britain* be passed in any point which would affect their whole interest and welfare as a Nation; that a right in any case whatsoever and an absolute duty of passive obedience and non-resistance in the same are inconsistent terms, a direct contradiction, and totally unintelligible; that in the other Colonies the Governours and Captains consented to the sending back the Tea, or to the shutting it up in such a manner as never to be sold or dispersed; that these did not therefore, in their cases, make immediate force necessary, but that their act was in effect the same, and stands on the same ground. That there is nothing malignant in the whole matter, nothing but a determined desire to support this their great and necessary right. This is no doubt the *American* idea, as appears by many proofs and papers from that side of the water. I shall myself presume to speak no opinion in the case, much less will I again call on the manes of our ancestors in support of this pretension. But should it be observed that it ends in a question which concerns the bounds and the limits of Government; I cannot, on the occasion, but repeat and enforce by this example the remark before made, of how dangerous and deadly a nature the disputes and contests are, which lead thither.

So much for the rectitude of taxing the *Americans*. But I may be told that I have not yet touched the true point; that I have been doing little more than a man who rides post out of his road. That Statesmen and Politicians do indeed sometimes talk of the right and wrong, of the justice and injustice of measures; but that this is all only ostensible reasoning, while there may at the bottom be nothing which they really care less about. That the great do everywhere bear hard on the little, the strong on the weak; that the hawk hunts the partridge, the lion the wolf, and the wolf the lamb; that powerful Princes and States oppress the helpless, and the high and the rich those beneath them; that this is the chapter of the law of Nature and Nations, which we intend to consult and to follow; that we want money at home; that our debts are very heavy, and our resources but too nearly at an end; that we have yet Fleets and Armies, and are determined to bend to our will our Colonies of *America*, and to make them subservient to our wants and occasions; that this is at the bottom, and that all my casuistry may in the mean time serve the purposes of Grocers and Pastry-Cooks; that when people write about matters of state, they ought to do it like men. It is very well; I join issue hereon; only don't let us go too fast; one thing at a time.

I answer that you cannot force them, nor is there any appearance that you can. The number of free people in those Colonies is reckoned at towards two millions. The common calculation is of one fencible or fighting man in five persons; and this is supposed to be rather under than over the truth. This will give us at least between three and four hundred thousand fighting men on the number before mentioned. Mr. *Rome* goes so far as to tell us in some Letters, &c., lately published in opposition to the Colonies, "that there is hardly any thing more common, "than to hear them boast of particular Colonies, that can "raise, on a short notice, a hundred thousand fighting men." The country is itself, in some respects, a very strong one; more so than any in *Europe*, or the better cultivated parts of the world. It is not on the side of the Sea guarded with Forts and Castles built by men; but it is within secured and protected by the natural fortifications of immense Forests and of large Rivers. What expectation or probability then can there be of sending from hence, Armies capable to conquer and subdue so great a force of men, defending and defended by such a Continent.

But can they arm so many? In any country very greatly taxed, and much more so than its inhabitants would willingly bear with, it is impossible, consistently with such a state of things, to arm the whole body of the people. These might be apt to count noses, and to consider who were the stronger, they themselves, or the Tax-gatherers and the Red-coats, or White-coats, or Black-coats, or any other who support them. The difficulty would be yet greater, were there any further dissatisfaction. But these are all Democratical Governments, where the power is in the hands of the people, and where there is not the least difficulty or jealousy about putting Arms into the hands of every man in the country.

But are they united among themselves? In the cause of not being taxed by us, it is well understood how much they are so. All accounts and reports from thence of all men, and of all parties, run in that style, and concur in that circumstance. It was so experienced to a very great degree, concerning the Stamps, and has now been found the same on the occasion of the Tea. Their conduct has in the case, been everywhere alike and correspondent. The Tea is either returned, without being landed, or received, without being suffered to be sold, at *New-York*, at *Pennsylvania*, at *Carolina*, at all the places to which it was sent. We reckon entirely without our host, if we don't expect to have to do with a union of that Continent, or depend on any measures insufficient to master and overpower the whole.

But let me ask, how can we expect otherwise? They are not unacquainted with the history of the mother country; they know the weight of the taxing hand here; they have heard of our debt of one hundred and forty millions of Pounds sterling incurred, since the Revolution, besides other hundreds of millions spent currently within the same period. The time to come is to be judged of by the time past. Will our brethren of *America* expect, that this hand should be lighter on them at a distance, or that our breasts will feel more for them than for ourselves? Let an *Englishman* make the case his own, and question himself, what he should think, were he of that country, and his whole fortune and concerns there. Would not he believe his all to be at stake upon the cast? Does any one in *America*, or in *England*, imagine, that all these disputes and feuds are, at the bottom, only about a Duty of three Pence upon a pound of Tea? How can, then, any candid man, doubt whether there will be a general union and concurrence on the subject, or wonder if there is so?

They are said to have already Committees of Correspondence, and no doubt necessity will teach them other means of moving and acting together. Every thing is there by choice and election; they will probably have at their head, as capable, and as wise men, as are to be found among them. The power and influence of Governours, and other Civil Officers appointed from hence, must, on an open rupture, have an end. Our authority would perhaps then extend little further than where it was enforced by our own Troops. We shall bid fair to begin with the loss of the whole Continent.

But what are an untrained and undisciplined multitude? Could not an experienced Officer, with a few Regular Regiments, do what he would in *America*? I answer, that a different story may be told. In the war before last, our measures directed at home, were everywhere unsuccessful. The Plains of *Flanders* were fattened with some of the best blood of *Britain* and of *Ireland*. Our Govern-

Digitized by Google

ment was shaken almost to the foundation, by a rebellion contemptible in its beginning. Were we more fortunate in our attempts by sea, whether, first, in that against *Pondicherry*, or afterwards, in that against *Port l'Orient*? But the people of *New England* maintained at that time, the honour of our arms. It is well known, that they carried on with their own Councils, and with their own Soldiery, and under the command of one of their own Planters, against *Cape Breton* and *Louisbourg*, an expedition, the event of which need not now be told. We did not begin in a much better manner the last war. I am unwilling to call to mind our first campaigns in *Germany*, our situation and Treaty of *Closter-Seven*, the fate of *Minorca*, or the histories of *Braddock* and *Abercrombie*. But who were at that time the first to stem the tide of our ill-fortune? Was it not an *American* Militia, who, commanded by Sir *William Johnson*, a gentleman at that time of the country, met, fought, and beat the *French* and *Indians*, under Monsieur *Dieskau*, and made prisoner their commander? But what wonders were afterwards done by our people, properly conducted and directed? It is very true, and I am sure that I have no inclination to depreciate them. But neither did those of *America* want their share therein. However, the courage of our countrymen was never yet questioned; but may they always unite and employ it against our common enemies, and never be encamped or embattled against one another, either in *America*, or anywhere else. But should, through the extreme rashness and weakness of our Councils, such a very great misfortune fall out, is it to be doubted whether the *Americans* will be wanting to themselves, or whether they will not endeavour to stand in their own defence, against those, who have sometimes in the same country, come by the worst, with inferiour enemies, but over whom they have themselves alone, and without assistance, often triumphed?

But we are masters at Sea, and wherever our Ships can come. We may do whatever a Fleet can. Very true; but it cannot sail all over *North America*. It is said, that Marshal *Saxe* had, before the declaration of the last war but one, and at the time of our Army being in *Germany*, conceived a design to have landed on our Coast with ten thousand men, and to have tried the fortune of a brisk march to *London*. He did not find this so easy to execute as he thought for. He was most happily disappointed. But there was an object. No one can tell the consequence, had he succeeded. The present is a very different matter. No immediate impression upon the Town of *Boston*, nor possession taken of it by means of a Fleet, nor the same circumstance with regard to any other Towns of *America*, liable thereto by their situation, will carry the command of that whole Continent, or force it to submit to measures so universally against their bent and inclination.

It may however be said, that this is not the plan. The Charter of the Town of *Boston* is to be changed, and their Trade suspended, and other measures of the very strongest sort, are to be enforced against them. The moving mountain is, according to the imagination of Doctor *Swift*, to hang over them, and the sun not to shine, or the rain or the dew to fall on them, until they are brought to submission, and made to the rest of *America*, an example of the danger of refractoriness and disobedience to the mother country; all which we think may, and will, with time, be compassed and accomplished.

This is indeed, as to the question of force, the true point of the matter, I mean, which will at last, and at the end of a long trial, get the better; but I add, that this will probably not be *Great Britain*. Here I must again crave leave to write with freedom. If it is the first wisdom of a private man to know himself, so must it likewise be that of a state to consider in all its measures its own condition and situation. The searching into our circumstances neither makes or mars them. But what must be our case, should we have any wound or mischief, and that it might not be probed or examined? We must ever suppose our adversaries to be informed, and not by shutting our own eyes, pretend to blind other people. I shall, therefore, without scruple, inquire into the state of the publick, as far as it concerns my subject.

The condition of the great staple manufactures of our country is well known. Those of the Linen and the Silk are in the greatest distress, and the Woollen and the Linen are now publickly banded and contending against one another. One part of our people is starving at home, on the alms of their Parishes, and another running abroad to this very country that we are contending with. The produce of *North America* used to be sent yearly to *Britain*, is reckoned at about four millions sterling; the Manufactures of *Britain*, and other commodities returned from hence, at nearly the same sum; the debts due from people in *America* to the *British* Merchants here, at about six millions, or a year and a half of that commerce. I say, the time past must be our guide with respect to that to come. Supposing, therefore, the *Americans* to act in this case, as they did in that of the Stamp Act; we shall then have yearly, until the final settlement of this affair, Manufactures to the value of four millions sterling, left and heaped on the hands of our Merchants and Master Manufacturers, or we shall have workmen and poor people put out of employ and turned adrift in that proportion. There will likewise be withdrawn from our home consumption, and out of our general trade and traffick, *North American* commodities to the same value, and debts will, to the immense sum above mentioned, be withheld from private people here. This was the train of things begun before, and we must look for the like again. What effects these things will produce, considering the present state of our Trade, Manufactures, and Manufacturers, the condition of our poor at home, and the numbers of our people running abroad, it don't want many words to explain and set forth. They were before very severely felt for the time that they lasted, and it is apprehended, that the present situation of the publick is yet more liable to the impression. These are some of the difficulties and distresses, which we are, for the sake of a trial of skill with our Colonies, going to bring on ourselves, and which must be perpetually magnifying and increasing, as long as the unnatural contest shall continue.

To these a former Administration gave way; but it is to be supposed, that the present has, by returning to the shock, resolved to be more callous on the occasion, and to leave the *Americans*, the Merchants, and the Manufacturers, to settle among themselves their matters as they may. Our people will indeed be less clamorous about the ears of their betters, if they shall all run and emigrate out of the Kingdom. But there is a circumstance not yet mentioned, which will bid fair to go further, and which may but too probably involve in one common confusion the Nation, the Government, and the Administration itself; I mean the danger of a disorder or failure of the Publick Revenue; the difficulty or impossibility to pay the interest of the Debt, the Navy, the Army, the Civil List, and our other expenses, if the present contention shall proceed and continue.

I desire in explanation of this, to consider our present income, our out-goings, and our resources. I will not enter into any detail thereon; the particulars in gross will be sufficient for the purpose before us. I will, however, in order to be the better understood, premise something about the Revenue in general. It may be divided into two parts, the one, of Taxes laid in perpetuity, the other, of such as are granted by the year and for the year. The first part consists of all our taxes in general whatsoever, except the Land Tax, and the annual Malt Tax; the latter consists of these two only. Perpetual Taxes are now, in the language of *Europe*, often expressed by the name of Funds, as affording a fixed and settled foundation for any special use, and particularly for that of borrowing money. It was to answer the interest of our debts, that our own Funds were established, and they are now pledged for that purpose. These of ours have been chiefly thrown into three great common ones, called the General, the Aggregate, and the South Sea Funds. These are sometimes, with all other funds or perpetual taxes whatsoever, destined and settled for the discharge of the interest of our debt, comprehended and united together in discourse, and called the Sinking Fund; although there is in reality no one particular fund of that name, any more than there is such a piece of money as a Pound sterling, or a *French* Livre. The civil list is placed on the same funds as the interest of the publick debt. What remains annually of the whole collection of those funds, after the satisfying these two encumbrances, is what is meant by the surplus of the Sinking Fund. I have thought proper to preface these few

Digitized by Google

things, that my own language may at least be understood, in what little I shall say on the subject.

The interest of our debt amounts to near upon five millions a year; all annuities for lives or years, every thing redeemable or irredeemable included. The civil list is eight hundred thousand Pounds a year. The surplus of the Sinking Fund is changing and uncertain, that being composed of very many variable parts. It is impossible to fix it; but I will, at an average, for the sake of round numbers, suppose it to be two millions and more, about as much more as will answer to what the interest of the debt may want of five millions. We shall then have about seven millions and three-quarters for the produce of our perpetual taxes and funds. Our annual taxes remain then only to be considered, which are easily reckoned; the Land Tax granted for a million and a half, at three Shillings in the Pound, as it now is; the Malt Tax always granted at three-quarters of a million. These sums put together, give us about ten millions of Pounds sterling, being our present annual national income, and likewise our present annual national expense, including what may at times be paid towards the discharge of the publick debt, and besides the collection, which is not to my present purpose. Should any one be of opinion, that the surplus of the Sinking Fund is either overcharged or undercharged, he has my consent to make such addition to it, or subtraction from it, as he shall please. Neither the one or the other will affect the argument which I am upon. Our receipts and disbursements will in either case go hand in hand. I shall therefore, without any more nice disquisition, take these at the medium of about ten millions sterling each.

So much for our income and our expenses. Let us next consider our resources; I mean what resources we may be supposed to have in our power, without creating any new debt. The first to occur will be the surplus of the Sinking Fund. We apply of course to this on almost all occasions. We are by law obliged to discharge regularly the interest of our debt; but whatever prudence and a proper care of ourselves, and of those after us, may confessedly require, we are commonly understood to be, by no contract or engagement, bound to do more, or to pay off any part of the principal of it. This surplus we will therefore suppose to be one resource; but it is such no otherwise or further than it can be spared from our current expenses, towards which it is commonly in whole or in part taken. We can for our present purpose, reckon only on so much of it, as might otherwise be employed towards lessening the capital of our debt. We have now had between eleven and twelve years of peace, in which time, I reckon that we have discharged about eight millions of that capital. This will, therefore, supposing no part of it to be balanced by any debt or arrears incurred and unprovided for, give us, by the year, about seven hundred thousand Pounds. This is what we may look to for one of our resources. But we have likewise another, which is the Land Tax. That is now at three Shillings in the Pound, but it is sometimes at four. We may therefore count, in case of exigency, on one Shilling more; that is on half a million. These two sums amount together, to about one million two hundred thousand Pounds. These are our resources, and without borrowing, these are all.

Let us next turn in our thoughts, whether these twelve hundred thousand Pounds a year, being somewhat more than a ninth part of our present income, are likely to be sufficient for this *American* occasion. Fleets and Armies, Ships-of-War and Regiments, are the means and the instruments of executing the measures in question. A million goes but a very little way with us in such articles. This business must in it include a supposition, that all our Colonies, all our ancient Colonies on that Continent, may in the progress of it, be combined and united in one common association, interest and defence. There can be no reasonable hopes of success; nothing but mortification and disappointment directly in view, by proceeding on any plan which does not comprehend the probability of that circumstance. What a field is then here opened. Are our twelve hundred thousand Pounds to furnish us there likewise? However, these things concern only our expenses. Let us consider the other side of our situation; how much our income is at the same time likely to be lessened. Four millions sterling yearly of the produce of *America;* as many of the merchandise of *Great Britain;* more of debts here at home, withheld and kept back from our Duties, our Customs, and our Excise. What an operation on the Revenue! Is our million two hundred thousand Pounds to supply all this besides? How is it possible either on the one hand, that a person with these circumstances before his eyes, should set on foot the present measures against our Colonies, or on the other, that any one having capacity and understanding to be at the head of the Government and Administration of a great Kingdom, should oversee and overlook them? This seems to be like not discerning the Sun at noon day, or the Moon and the Stars by night.

There is from the general condition of our country, and perhaps from the publick accounts themselves, but too much reason to apprehend, that the National Revenue is at this time, without these additional causes sinking and decreasing. This could not but add greatly to our difficulties in the situation before described. But a particular investigation of this might lead into too long a labyrinth. I shall therefore not take it into the present account; but most assuredly, any one at the head of our affairs, ought not to forget it in his, if it is true.

But it may be said, that we will, in the supposed exigency, borrow, as our predecessors have done before us. I answer, that this may very probably be then out of our power. I will not go upon a general discussion, whether we should enter into another war with the same credit we have hitherto had; although this may in itself be a subject of the utmost importance, and whereon we have but too much reason to reflect. But the consideration properly before us is, what would be the state of our credit under a revolt and separation of our settlements in *America*, that great and essential source of our riches and Revenue? Loans and money advanced to us have as yet been reckoned equally secure; there has been no doubt made of the regular payment of the interest, nor in consequence of a publick market for the principal, whether we should ourselves happen to be more or less successful on any occasion, wherein we were at the time concerned, and for which they were borrowed. They were as safe under the defeats and disappointments of the war before, as upon the victories and conquests of the last. However, things could not in this case but be much changed. The security of millions lent must depend upon the future chance and fortune of war. It might be made a doubt, what fruits would, for some years to come, be received from Provinces mangled and mutilated in a severe contest decided to their disadvantage, should these at last return to us again; but no one could overlook what must be the case, if the event should terminate against us, and end, after an expense of much treasure and blood in so fatal and inestimable a loss on our side, as that of these Colonies would be. However, no man knows whether this dispute might run into a very long trial. There are ways of anticipating some parts of the Publick Revenue, and likewise of running behindhand some of the publick services. Things may perhaps be for a short space carried on in that manner, without much notice. But should we once come publickly and professedly to borrowing, and to funding in what some may affect to call a Yankee war, it will be well if the whole fabrick of our credit does not at that moment shake and tremble to its very foundation. A general breach and defection of these Colonies, would withal cut the sinews of our power. We could not, most probably, in such a situation, long continue to provide and pay the interest of our most enormous debt already incurred and subsisting. It need not be repeated, that it is the assistance received from their commerce and produce, which enables us now to do it. Deprived of that, it will be but to little purpose for us to be inventing new funds at home. We have enough of them already. More would only run foul of one another. We may, then, without the operations of a war in *America*, without the sending or supplying Fleets or Armies at a distance, without creating new Debts, new Funds, and new Taxes, have at our own homes, from our actual situation, business enough on our hands to engage and employ us. We need not, perhaps, be at this time nice in comparing and measuring our force with that of the *Americans;* the evil of such a day will be but too sufficient to decide the contest.

But it may be asked, what will then be the consequence, should we from these causes become unable to pay the

Digitized by Google

interest of our present debt. I will be bold to say, that there is no man living, wise enough to answer that question in its extent. Experience teaches men; but there is no preceding history or tradition of any State or Nation whatsoever, which can throw sufficient light on that proposition. There never was before in the world, such a debt contracted or subsisting, as the *British*. Letters and books are older than money; I mean than gold and silver commonly current, and having their weight known by a stamp. But there is no occasion to ransack ancient times on this subject. The discovery of *Mexico* and *Peru*, and the possession of them by the *Spaniards*, is the era from whence we are to date the beginning of the present plenty in *Europe* of these two precious metals, which command often individuals, and sometimes Commonwealths and Kingdoms. The art of funding was formerly very confined. It is a succession of *English* Administrations which has carried it to an extent never before known among men. It is a new experiment in a state. There is no example of it in the annals of mankind. We are at a loss where to look for the consequences of such an unprecedented and unheard of deficiency or bankruptcy, as this would prove. However, we cannot but have before our eyes, disorder, anarchy, and confusion; the moneyed interest of the Nation banded against the landed, and the landed against the moneyed; rich moneyed men brought to beggary, and the land drained of the utmost farthing which can be forced from it; every one catching, rending, and providing for the present moment; our manufactures and commerce at a stand; the middling people emigrating out of our country, and the poor in famine or in sedition; foreigners pressing for their demands, and the *Dutch* particularly, in rage, and almost in madness, for their countless millions trusted and hazarded in our country; perhaps at the same time, our Navy unmanned, and our Army in mutiny for want of pay. Who can withal tell the end: for the debt, the burthen, and the demand, will ever remain. There was a time, when the *Romans* had formerly withdrawn themselves from this Island, that the possessions became here, through the weakness and helplessness of those remaining, the prize and the prey of all plunderers, pirates, robbers, and conquerors, who came and seized upon them, until that these people themselves, the *Danes*, the *Saxons*, and the *Normans*, replenished and strengthened again the country. Whether the like scenes will on the same spot be once more acted, or what issue awaits us, he only knows in whose hands these events are. But we must necessarily expect that the distant or detached parts of our Empire will fall from us; the stronger and the larger will probably provide for and govern themselves, the weaker and the lesser sink away, or seek another master. I don't at all mean that they have any inclination so to do, where we give no cause or provocation; but the reins of Government will in such a conjuncture, of course, and of themselves, drop out of our hands. No man can tell, whether *Great Britain* itself might at that time continue in one, or whether it may again be split and divided into two. There have not been wanting endeavours towards that end. I don't now pretend to decide at whose door this principally lies. It is not perhaps one man, or one party only, that is in fault. There have been on one hand, most unjust and cruel persecutions, and a series of the greatest injuries and provocations. High and strong resentments of these are no otherwise than natural and warrantable, nor do I in general mean to arraign those conceived or expressed on this occasion. But the person wronged, must surely, in his cooler and calmer moments, be himself sensible, that they have in one respect been carried to an unreasonable extent. Reflections have been made and continued, where they are totally ungrounded and unmerited. They have hitherto been borne with a national good sense, that brings more honour to the parties, than all the ribaldry in the world can ever do them discredit. But who knows how their effects may be felt in such a time, as is before described? What a situation! *Britain*, or *England*, left alone with a debt of a hundred and forty millions sterling on its head! How can any one have before his eyes such an event, and yet run on the road which leads directly towards it?

But all is not yet said which this subject demands. I have hitherto only considered us and our Colonies as engaged between ourselves; not a word has been said of any foreign state meddling in the matter. That is yet behind. We must look upon our Colonies in the light of the Provinces of *Holland*, when they contended with *Spain*. The wish, the hand of every man will be against us. I will not enter into a general discourse of politicks, how far it may be for the common good of mankind to split great states into small ones; to divide them into a size fit to profit and benefit others, but not to overbear or distress them. Let us consider the subject by examples familiar to us. *Mexico* and *Peru* are more distant from *Great Britain*, than our Colonies of *North America* from *Spain* or *France*; but were those in a state of defection and separation from the *Spaniards*, I wonder whether we should find a way to approach them, or to avail ourselves in any manner of that circumstance. *France* was pretty well plumed in the last war; but nevertheless, were the reviving or beginning settlements of *Pondicherry*, of *Mauritius*, and *Madagascar*, disjoined from it, or its own Continent broken once more into several different parts and separate Governments, would our endeavours contribute to unite them? Should *Batavia*, the Spice Islands, and the Cape of *Good Hope*, revolt from the United Provinces, would not *Englishmen* try to profit by the conjuncture? I will not touch on the *Brazils*; that may be a tender point. But would none of all mankind, neither *French*, or *Spaniards*, or *Dutch*, or *Portuguese*, or *Danes*, or *Swedes*, to say nothing of the *Russians*, or of the new maritime state of *Prussia*; would none of them all give, directly or indirectly, aid, assistance, encouragement, countenance, or protection, to our Colonies? Would they not trade or traffick with them; would they supply them with nothing wherewith to defend themselves, or to offend us? Is it very practicable to watch and guard such immense Coasts, or do we at home, with all the Navy of *England* in our Ports, find this so easy, with respect to those only of the two *English* Counties of *Kent* and *Sussex*? Did neither *England* or *France* support formerly the seven United Provinces in their breach with *Spain*? Have the *French* at this time afforded no essential assistance to the *Turks*, nor another Nation to the *Russians*, while each continues at peace with the enemies of their respective friends? Are the independence of the *British* Colonies in *North America*, and their disjunction from *Great Britain*, no object to other Nations; are not they in particular as much so to *France*, as this *Turkish* and *Russian* squabble? Was formerly that Nation ever wanting to *Scotland*, or insensible of its interest in assisting that division? I don't at all mean hereby to signify any attempts or endeavours of other Governments to take possession of these Colonies, or any inability in them to defend themselves from that circumstance; but I mean the general desire and inclination, which there would assuredly be in all *Europe*, to see them disjoined from our Nation, and to become absolute, distinct, unconnected, independent States and Governments, in larger or in smaller portions, and more or less like the present States of *Holland*, as it should happen. Were there in sight such a condition with respect to *Mexico* and *Peru*, or the *Dutch* settlements in the *East Indies*, would not the *English*, without insisting on becoming masters themselves thereof, be most abundantly contented with their general advantage arising from the commerce and traffick with them, and from the other circumstances of their independency? It cannot be doubted, but that there will be found a conduct and actions consequent and correspondent to such universal and almost unanimous views and wishes of mankind.

This is all said on a supposition of peace. But what if one or more of the greatest powers in *Europe*, should, in a most critical and difficult moment, declare war against us? Have *France* and *Spain* forgot the loss of *Canada* and *Georgia*, and the many defeats and disgraces received in the last contest with us? Have they, for their honour or interest, no desire of revenge, nor that those Provinces should again return to their own Crowns? On whom does it depend whether it shall, in the case supposed, be peace or war? Is this to be determined at *London*, or at *Madrid* and *Versailles*? Is it in the power and in the breasts of ourselves, or of those who are most our rivals, and whose enmity may be said to be hardly yet cooled? Are four years past since we had two alarms? Is one year gone since we had one? Should there now be happily at the head of one or other Government a personage inclined to peace; yet,

Digitized by Google

how uncertain are the days of every mortal, and how are Princes, Ministers, or States, tempted into action by circumstances, opportunities, and advantages? Let us well weigh what it is for a private man, but much more for a great Nation, to part with the means of their prosperity out of their own hands, and to place it in the power and determination of those of whom they have, on account of a long and ancient rivalship, and the continuation of many bloody wars, the utmost reason to be suspicious and jealous.

We cannot too much consider or reflect upon what happened between *Spain* and the *Dutch* Provinces, at their breach and separation. The *Spanish* Government consisted, at that time, of *Spain*, of *Portugal*, of *Mexico*, and *Peru*, and other Provinces of *America*, of the *Spanish* and *Portuguese*, being all the *European* settlements at that time in the *East Indies*, and of *Flanders*, making seventeen Provinces, whereof those now united and then revolted, were only seven. How unequal a match! But yet the battle was not to the strong. The story and event of their war are well known. I am not about to repeat them. How little did, in the beginning, the *Spaniards* or *Portuguese*, or even the *Dutch* themselves, dream that the latter would, before long, strip and divest the former of the chief of these their settlements in the *East Indies*, and make them their own. They were, nevertheless, different Nations, spoke different languages, had different customs, and religions inconsistent together, and were themselves, before the end, extremely odious to one another. The *Dutch* obtained nothing except by force, victory, and conquest. But surely we are well aware how different things may, in these respects, be between us and the *Americans*, and how much to the advantage of the latter. We are one Nation, with the same language, the same manners, and the same religion. Their seamen, their soldiers, their people, are ours, and ours theirs. How easy will be the transition or the change of dependence, protection, or Government, between one and the other? Our people do already and at this moment seek with them shelter and refuge from their domestick poverty and misery. Should ever these our Provinces, in the events of chance and time, come to look us in the face with any near equality, or be much assisted by any other Nation, would it then be a very strange thing if they should cause a general revolt of all or of almost all the seamen of the *British* Empire? These might not look upon themselves as engaging or acting against their country, but as choosing between two parts of it. They will at their pleasure distribute the titles of unreasonable and unjust, of injured and oppressed. The best terms and the best treatment will not fail to carry the greater numbers. There is, perhaps, on the one side, towards this brave and deserving body of men, a most cruel, unjust, and impolitick practice, which has long cried for vengeance, and which cannot fail to be one day heard, and at that moment, perhaps, as likely as at any other. It is in every one's discourse, that something of the same kind may happen with respect to our common soldiery. I will not, therefore, dwell on that point. But what part might our Islands in the *West Indies* take at such a conjuncture? To whom are they the nearest, or on whom do they most depend for their provisions, lumber, and other necessary circumstances of their trade? Would there be in the *East Indies* the same necessity of conquest as the *Dutch* found? Might more equal conditions, or independence itself, be no temptation to one or the other, or might it in that day be thought a great sin to change the words Old *England* for New? There is one point so important, so critical, that I hardly know either how to mention or how to be silent in it. Suppose that *Ireland* itself, I mean the Protestant, opulent, and ruling part of *Ireland*, should grow jealous—should begin to make comparisons between the state, situation, and relation of the *Americans* towards us and their own—but I will pass by this subject. However, I know so well the openness and frankness of that Nation, as to be fully assured that there are at least none of that country who advise or urge at this time the present proceedings with any distant or double view to forward and hasten the independence of *Ireland*, and that not at its own, but at the cost and hazard of *America*. The human heart can hardly be conceived to conceal such mysteries. But were it otherwise, our Administration would no doubt be sensible of it, and instead of being duped or imposed upon thereby, be only the more circumspect on the occasion, and the more upon their guard.

Unhappy are the people which pursue those steps that their friends most fear, and their enemies most wish. Were the Cabinets of *Versailles* and *Madrid*, or any other the most jealous of the power and prosperity of *Great Britain*, united in council, and that they had it in their option to drive and push us, for their own advantage, upon some ruinous and destructive measure, what would they choose before this very one which we are now of ourselves so fatally and so madly running upon?

It is a common proverb in politicks, that any state may, at its own pleasure, commence war, but that they must afterwards ask their enemies when it shall be ended. Let us stay our hand and reflect once more while we may, and before that the die is cast not to be recalled. No man knows otherwise, whether the next time that we and the *Americans* shall treat upon terms, it may be on the ground of Acts of Parliament and Acts of Assembly, or upon that of a treaty of peace.

It is sometimes said that Providence blinds the understanding of those whom it destines to destruction. When things are ripe for that end, men often provoke and hasten their own fate. But *God* forbid that any one being at the helm of this state should ever not fully and repeatedly consider, or that he should from any unhappy impulse scruple or hesitate to stay and to stop such measures as may, in their consequences, make his master to sit uneasy on his throne, nor suffer himself to lay down his head upon his pillow, without bearing on it the curses of his country, but which may throw all the parts of the *British* Empire into such disorder and confusion, that neither he nor any man shall be able to guide or hold the reins of its Government.

I cannot guess into whose hands these sheets may fall, or how they may be received. It is not a Prince alone who may in these abject times be surrounded with flattery; a Minister may not want his share of it. It is withal but a poor satisfaction for a private person to wish, in the waste and havock of his country, that it may be remembered; that there was not wanting one who laid freely and plainly before the publick and those governing it, the risk and the likelihood of these fatal events and circumstances. But it is to be hoped that better and more substantial effects and consequences will follow, should the things here advanced be, on consideration, found no other than truth and reason. May not otherwise these advices and admonitions rise up one day in witness against those who shall now despise them? It is at the same time the furthest from my meaning, that futurity can be foreseen, or that it is permitted to look into the book of the time to come. There is nothing certain in human affairs; but in incidents of this prodigious importance; in the fate of States and of Kingdoms; in dangers of this transcendant magnitude, probability takes the place of certainty, and every prudent ruler ought to shun and avoid the one with almost as much caution as he would the other; nor can I finish this subject, without once more repeating, that our present debts puts us into a situation in which no Nation ever was before.

I know that some people affect to magnify the debts of *France*, but they are hardly worth speaking of in comparison of ours. I don't believe that they exceeded, at the utmost, fifteen millions sterling, when the Regent Duke of *Orleans* took the method of the *Mississippi* to cancel and annihilate them. The wants of *Louis* the Fourteenth had been great, but his credit was as small. What can the present King have contracted since, to be compared to the debt of *Great Britain*? Where is the credit? Does any one believe the *Dutch* concerns of that kind to be equal in *France* to what they are in *England*, or has *France* itself supplied the rest? However, I will only observe more that the *French* debt consists, in great measure, of arrears of pensions, places, posts, and other grants which the same hand withholds as conferred; but that our debt was all received in millions sterling.

As to what has been said, that great men moving in a publick sphere are above the rules of right and wrong, he must be unworthy to hold the helm of any Government, who is so ignorant of the facts and incidents before his time, or so blind to those about him, as not to observe and perceive that good and virtuous actions, I mean such as are

Digitized by Google

really so, without the false colours of flattery and obsequiousness, produce in general and national matters their proper and correspondent effects. We have not indeed before our eyes, in that case, the formalities of a trial and a sentence, the Judge in his robes, or the apparatus of an execution; but due consequences do, from the original and universal law given to the world, follow a good or evil conduct in publick concerns, with much more certainty, justice, and impartiality, than they do by the means of municipal laws in private. But I desire to explain, that it is not the piety of a bigot on his knees, or the prayers even of a devout Prince, which will stay or turn the course and order of the world. Had that been the case, our *Henry* the Sixth would not have fallen in a prison by the hand of an assassin; nor *Charles* the First have suffered on a scaffold by the axe of the executioner; nor *James* the Second have led the latter part of his life in banishment. These were all both uncommonly devout and unfortunate Princes. I don't at present enter into the consideration of what reward personal piety will meet with in another place; but it is the publick good—a love and regard for that, and attention to it—a constant resolution never to take directly or indirectly, by the means either of force or of corruption, the property of the subject at will and at pleasure, but to employ only for the welfare and happiness of the people, the powers and the prerogatives entrusted by them for that purpose, which are the true trial and touchstone of the conduct of Princes and Ministers as such. These naturally produce affection, loyalty, fidelity, attachment, and support. But should any man or number of men be regardless of the good or condition of others, trample on their rights, lay unjust hands on their properties, treat them rather like the beasts of the fields than as their fellows and equals, should they support themselves herein with the sword and a superiority of power, the great Author of mankind and of their welfare and happiness, has so linked and chained together causes and effects, that these things will certainly turn to the detriment and disadvantage of them and theirs who do them; sometimes by a silent and hardly observable course of things, and sometimes with long delay and at a great distance, but sometimes likewise at the moment and upon the occasion, with direct and immediate resistance and a common confusion, wherein the authors of the mischief are themselves involved, and wherein they often fall a prey and a sacrifice. The ways of Providence and the course of futurity are unsearchable; but were any man to presume to divine, how justice and injustice, and the general morality of the universe may possibly in the present case operate, it would perhaps be, that right will strongly unite, cement, and combine, by a mutual association and assistance, those acting under its banners, while wrong will, on the contrary, confound and weaken with disunion, dissension, and disturbances among themselves, that people by whom it shall unhappily have been adopted. These are on each side the natural, and, as it were, the necessary consequences of their own choice. But there appear at the same time, some untoward and threatening signs, that the hand of Heaven will, on the occasion, be heavy and severe, when wo to the party which shall abide it.

If any thing can, in this case, enhance the importance of the great stake, which we are about to venture, it must be a comparison of the very little profit that we are going to contend for. The *Americans* are willing and consenting to give us all they have, provided that we will accept it with our right hand; but we are obstinate to risk every thing, both of theirs and of our own, rather than not to take it with our left. Our whole object is on this occasion no more than the difference between those two propositions. Our *Americans* have now no gold or silver; it comes all to the mother country; it would equally do so did they receive as much again; they keep none for their own currency; they use themselves paper for that, and send us all the other. One would be amazed to think what men or Administrations can desire. Cannot we be contented with all, and do we insist on having more than all?

But it will be said we want to tax them. I ask why? It must be answered, because we are bent upon getting their money. I repeat again, we have it already. But says a ways-and-means man, we must have it in the shape of Taxes; no other will serve our purpose. I reply once more, that we have it really in that shape; for cannot we and don't we tax it when it comes hither, and is not that the same thing? Are there not Taxes enough to take it as soon as it gets to *Britain*, or why don't you ask for more if there are not? Who say you nay here? I will be bold to say that there is at this time raised on *Great Britain* nothing less than ten millions sterling a year, besides the collection; that is the least; it may with the latter be fairly taken at eleven. Our specie has never been used to be reckoned at above twenty millions. It is said that about three millions and a quarter of guineas have, at the time of the writing this, been on occasion of the light gold, brought into the Bank. Let our currency be calculated on that ground, and we shall, according to any just reasoning thereon, appear to raise within the year, by Taxes, including the collection, a sum at least equal to half of the whole specie and current coin of the Kingdom; a prodigious proportion, and perhaps incredible, were we not to examine into particulars.

Should it be said that a circulating guinea cannot but pay twenty different taxes in a year, some might possibly be at first sight surprised at it. But how far short will that, on a more minute examination, be found of the truth? Let us consider only the course of a shilling for a very short time. A chairman pays out of it for his pot of porter. How many taxes does that include; the new and old taxes on beer and malt, and the tax on hops? They are more than I have time to reckon. His wife sends next morning to the shop for her tea and sugar. How many more are there? I will leave them to be counted by those better acquainted with the book of rates than I am. But here are a considerable number gone through out of one single shilling, by the time that a porter has got his beer over night, and his wife her breakfast the next morning. There remains, then, a third part of the money to run the gauntlet again in the service of the man at dinner-time; However, they do not perhaps amount quite to twenty; but so is likewise the time a good deal short of a year, and the money much less than a guinea. But this is not taking the matter in the strongest light. There is a chain and union of taxes, which operate insensibly and almost beyond imagination. Go into a shoemaker's shop; buy a pair of shoes there. How many taxes does any one in effect pay then? The journeyman shoemaker must put into his day's labour, and consequently there must be laid upon the shoes made by him all the taxes which he and his family pay in the mean time for his salt, for his soap, for his coals, for his candles, for the linen, and for the very shoes worn by him, his wife, and his children, and for very many other things. These are all just so much money out of his pocket, and he must be repaid them by his daily labour, which is his only means; he cannot otherwise live; there would be no shoes, and men must go without them. But it is not the immediate taxes of the shoemaker only which go upon his manufacture, but those likewise of his tradesmen. The price of his clothes is enhanced by the taxes which the tailor and the weaver paid while they were making and weaving them; however, not by theirs only, but by those likewise of the persons working for them in their turn, and so on. These must all be put on the shoes; insomuch, that the whole fully pursued and observed, makes a series and combination fit to put *Newton* or *Demoivre* at a stand. A poor guinea or shilling cannot, in *England*, put its head, if I may so express myself, out of any man's pocket, but that an army of these catchpoles are ready to seize upon it wherever it stirs. The matter being then viewed in these lights, it seems no longer strange if we raise a revenue equal to the half of our currency, or more. Increase that currency, and you increase in all appearance your revenue nearly in that proportion. This is a prodigious operation, and surely sufficient to satisfy any Administration whatsoever. Let us therefore content ourselves with getting hither the *American* money. That is our business. We know what to do with it here. This is the very land of taxes. It is now coming as fast as it can. Don't let us move Heaven and Earth only to disturb it in its passage. Let us have the least patience and fall to work upon it at home. We are certain that it will be here and that it will then be taxed, and as it were, taxed upon taxed. The rest is, with all submission to my superiours, no better at the bottom than a childish fancy and impa-

Digitized by Google

tience, and owing only to the want of a full reflection and consideration on the subject.

I have yet something to add on this head; which is, that were the *Irish* and the *Americans* both of them unanimously to cry out to us to spare their lives and to take all they have; to beg of us to send them such another army of Tax-gatherers as our own, and with them a copy of our code of Revenue Laws, I will be bold to say, that it would nevertheless be in us the worst policy in the world, and totally contrary to our own interest to take them at their words, and to do in the least degree any such thing. We see the *Thames* flowing constantly into the Ocean, and yet always full. It need not be said that the rain and the dew are the causes of this, which first fall and fertilize the Earth, and then replenish that noble River. Were those two stopped or dried up, it would not be long before we should pass over dry-shod at *London* Bridge; were they so only in part, the stream would then likewise lower in proportion.

What our whole debt to foreigners amounts to, no one may probably know with exactness; but the more it has been inquired into, the higher it has always appeared. However, the interest of it is a current which runs perpetually into the Continent. We do not, indeed, see it with our eyes, as we do the *Thames;* otherwise, we love money so much better than we do water, that we might perhaps be less indifferent about it than we are. It passes imperceptibly, but nevertheless surely and without ceasing. What are then the causes which supply it? I answer, those two great sources, of *Ireland* and *America*. These first water and fructify with their most benignant current the whole Island of *Great Britain*, and then finish their course in the discharge of our debt abroad. Their way is no more visible than that of the interest itself of our debt, but it is alike certain and constant. Stop or dry up these, and you will as surely stop or dry up the funds of our debts, as withholding the rain or the dew of Heaven would lessen and lower the stream of the River *Thames*. Taxes will do this; they are the bane of Commerce and of Agriculture; they affect the Merchant, the Manufacturer, the Planter, the Farmer, and the Labourer. Our *America* is not of an age to support their operation. The things from above keep their course in spite of man, for his benefit and advantage. It is *God's* very great mercy that the dew and the rain do not depend on Administrations; they would otherwise have undoubtedly been taxed and dried long ago. But it is not so with what is of our own fabrick or production. We have a great power over riches and treasure. Governments can effectually cut off the wells and the springs of these. We have only to look abroad in the world to be abundantly convinced of that truth. The example of *Great Britain* will not prove the contrary. It was when and while we were not taxed as we now are, that we prospered, grew great and rich. Those times gave us strength to bear for a while the burthen since imposed upon us. It is from the Revolution that our prodigious taxes have begun; they were laid by degrees, and so must their effects be perceived. They don't operate like a storm or a whirlwind. Let us give them a fair and full trial before we declare that we are not undone by them. It will then be time enough to make ourselves a model for others. I ask, whether it is not our own actual difficulties brought on by these very taxes, which do now at this instant urge us upon our Colonies, and which are the cause of all the present contest and disorder. It is one of the first principles in Commerce not to burthen the means and materials of Manufactures. It would be nipping the fruit in the bud. The same reasoning holds here. Let us keep our hands from these two great causes and sources of our treasure and wealth; they have hitherto wonderfully supplied and supported us; they may continue so to do, if we will suffer them.

But it may be said that we have at home great and profitable Manufactures, and our Woollen one in particular, whereby we stand less in need of distant assistance. That is very true; but so is it likewise, that we have on the Continent very many expenses and demands for money, besides the interest of our debt. We shall be very fortunate if we can, with the means of all our richest resources, make at the year's end an even account.

But it may be asked, what are we then to do. We are pressed with our domestick burthens and encumbrances. These put us first on the measure of Stamps in *America*, wherein we did not succeed. These induced us afterwards to make demands on the *India* Company, wherein we had rather better fortune. It is these which have again brought us back to our attack on *America*. How are we either to stand under them, or to march forward? Is it safe to rest as we are? What course are we to take if it is not? This is perhaps as serious a proposition as one *Englishman* can put to another. No man laments more than the writer of these sheets, that nearly twelve years of peace are now elapsed, without any thing being done, or establishment made, which may enable us to maintain another war, or perhaps even in peace, support long the present very heavy pressure under which we labour. We have in that time paid off eight millions. We borrowed, during the late war, twelve millions in a year; so that our discharge is in between eleven and twelve years of peace, equal to a debt of eight months of a war. We shall, at that rate, in about seventeen years of the first, if it should continue so long, free ourselves from the encumbrance of one year of the latter. Whereas, should the whole time be taken from the Revolution to the present, we have had as much of the one as of the other, except the difference of about ten years in the whole. Should, therefore, any one at the helm of Government, plume himself on this, what would he do but testify how very far short his own views and conceptions are of the real necessities and exigencies of the state? We are in the mean time daily liable to be again engaged in war. We have now had an uncommon interval of rest from it. It was but a very few years ago, that we were on the brink of a rupture with *Spain*, which would undoubtedly have been attended by one with *France*. How can any Minister sleep in peace who has on his hands the care of a Kingdom and the welfare of many millions of people, while publick affairs are in a condition so very unprepared for an event which may at any moment happen, and which may, in our present situation, bring with it consequences of an importance hardly to be conceived? Surely they think on these things, whose duty most demands it of them. It is impossible that such concerns of ours can be left only to chance and hazard; or, as it were, to the fortuitous concourse of atoms. One would think there could hardly be a man in *Britain*, Minister, or any other, not perpetually employed at the plough, but who must daily revolve in his mind the present circumstances of his country, our burthens, our debts, and our expenses, and at the same time cast in his own breast, what must be the best means of our supporting ourselves under them, whether in war or in peace. There is an issue which some men have in view, and which I will not express; we may, however, be assured, that they do but very superficially consider the matter, who imagine that this will, in our case, take place without the utter ruin and confusion of every thing. All is, notwithstanding, as yet tranquillity and sunshine with us. We possess a great and fine country; we have most noble and beneficial Dependencies; we have a Fleet; we have an Army; we have several hundred thousands, and perhaps near a million of Men capable of bearing arms in their own defence; we have a Revenue with a surplus above the interest of our debts and expenses. Surely there is yet an opportunity to find some plan; to settle some establishment, whereon things may rest safely and securely, and the publick and all reasonable persons be satisfied that they do so. There is, however, no time to be lost. It may be too late to prepare, as it were, in the day of battle, and at the moment when our difficulties press strongly upon us. But this is of itself a very wide field, and one of the greatest of considerations, nor is it my immediate subject. But the measures now carrying on will not effect it or any thing towards it. No surrounding dangers or difficulties are a good reason for running down a precipice; our fate can but lead us thither at last. However, no other end can happen to us from the way which we are now in, if we persevere and proceed in it.

This seems to be a sufficient answer to the point before us. However, I will not totally turn my back on this question, without frankly and freely proposing, what I trust will at least be more for our purpose, than that which we are now pursuing; what may be carried into execution, which the other cannot; what would increase our Revenue, which the other will not. I mean to do almost directly the con-

Digitized by Google

trary of what we are about; that is, to give a greater liberty and latitude of trade both to *Ireland* and to *America*, including our *West India* Islands. That is my proposition. We are the seat and centre of Government; this is our strength; this is our advantage; this is what we are to preserve. While we retain this, all the money, riches, and treasure, of the more distant and dependent parts of our Empire cannot fail to flow in upon us. We have nothing to do with little jealousies about this trade or that manufacture; it is the proper business of the rich to spend their money, and of the poor to earn it; the state may well, without meddling in it, leave them to settle the means of that matter with one another. The end of all trades, and of all manufactures, must rest with us, while we continue the seat of Dominion. It is the necessary consequence of giving the tone and the law. Ambition, pleasure, fashion, business, curiosity, education, trade, and commerce, posts and places, possessed abroad by *Englishmen*, and numberless other causes, will contribute to and effect it. The Island of *Jamaica*, and our other Islands in the *West Indies*, what money, and commodities equivalent to money, have they not sent to *England*, could the whole be added together? *Jamaica* in particular, draws by its situation, Gold and Silver from the *Spanish* Main, that great modern *Ophir*, much more abundant in those metals than ever was the ancient. It is here almost impossible not to observe, that the same Statesmen forbid and stopped also this commerce, who contrived and passed the Stamp Act. I will not dwell on this circumstance. However, it is very remarkable; I shall therefore proceed to take notice, that had these Islands and Islanders acquired ten times as much as they did, it would undoubtedly have run the same road as the rest. The climate would have driven the possessors from thence, while the seat of Empire would have invited them hither. Do not we see the very Proprietaries of our Northern Colonies living in *England* as private gentlemen; and have not we sometimes known them voting in minorities of our Lower House of Legislature, while they might have been almost as Princes and Kings in their own Governments? Were it in the next month to rain over the different parts of *Ireland* a million of money, how long does any one imagine it would be, before at least nine hundred thousand Pounds of it would find its way into *England*? Have we lately wanted very sufficient proofs, that there remains no abundance of cash in that Kingdom? I will not repeat what has been said of *North America*; but they have, by their Paper Money, invented the very contrivance of the world for sending to us every ounce of their Gold and Silver, did we but know when to be content. Look at the City of *London*; they neither plant, nor do they sow, nor do they reap; yet *Solomon*, or his *Jerusalem*, were not in all their glory, rich and great like that capital of our Dominions. But by what means does this happen? The money of our whole Empire is remitted thither, as the blood runs to the heart. Our great body politick is preserved and nourished by the dispersion and circulation of it again from thence. This is the constant and never-failing course of things. But the case is much more strong, if we take *Great Britain* itself, whereof *London* is only a part. That would retain a considerable share of what it receives, did not the interest of our debt carry it out as fast as it comes in. This is the issue and the drain, which prevents us from perceiving ourselves more enriched and replenished from the vast quantity of treasure perpetually arriving to us from many parts. This may be the reason why we are less sensible, less attentive, and perhaps sometimes less grateful on the occasion. But that is all our own fault, our own doing. We have none to thank for it but ourselves. We ought not on that account to esteem these supplies the less; for had we not them, it would be much worse with us. Nothing could follow but our last decease and dissolution as a state. These must and will take place, whenever the others shall stop. However, these things don't require much reasoning. We have the world before us for an example. Such are everywhere the effects between the centre and other parts of a Government, although perhaps in no case more so than in that of *Great Britain*, on account of certain circumstances and causes attending that Empire, which are particularly suited to produce them. This is our point, if we are but sensible of our true interest; let us but preserve this our great and sacred prerogative, and the other benefits and advantages will of course follow; the rest of these things will perform themselves, even while we are asleep.

I shall use no words to prove that this arrangement will bring a greater influx of treasure to those to whose liberty of trade it shall extend. The person the most prejudiced, or the most short-sighted in the case, will not dispute that with me. I will venture to presume on that point. This will therefore attach to us our Dependencies, at the same time that it enriches us ourselves. It will strengthen and fasten the bond and union between us. It will confirm our superiority, while it increases the fruits of it. It will bring us more spoils and profits than conquest, although it will operate by love and affection. It will require neither Fleets or Armies to enforce it; we need fear no revolts, no defections or confederacies on the account of it. How happy would it be, if all the circumstances of the other plan would in the same manner answer, and play into the hands of each other. When will men be contented to do to others no more mischief than what will turn to their own benefit? States and Ministers will have advanced no mean way in policy, as well as in morality, when they shall once have learned to confine all their evil towards others within that circle. It is the very perverseness of folly, to suppose that men can serve themselves only by oppressing others. But here, on the contrary, the hand of nature itself works with us. Freedom of trade is our foundation; no wonder then that so many blessings coincide together. There is open before us a rich and wide field; we have only to enter and to reap the harvest, which is ripe and plentiful. This proposal rests therefore on three points, to wit: that it will bring a greater influx of treasure into our outward Dominions; that this must enrich the centre of Empire; which cannot therefore likewise but increase its Revenue. These are short propositions, and no way perplexed. Let them be well examined. All falls to the ground which has been said on the subject, if any one of them be false or mistaken; but should they, on the contrary, be all of them most evident, most certain and indisputable, let any man, and the greatest in trust, the most consider, how he can answer to *Ireland*, to the Colonies, to his country at home, to his King himself, in the concern of his Revenue and his Exchequer, the refusing his attention and assistance to a measure so very practicable, and at the same time so universally beneficial and salutary.

This is the more, and much more necessary, on account of the present condition of *Ireland*. The late inquiry concerning their Linen Manufacture, the publick history of their emigrations, and the state of their credit at the beginning of their present session of Parliament, have made that sufficiently known. I shall not pretend to describe it. *England* has, perhaps, from that Island, reaped more real benefit, than *Spain* ever did from *Mexico* or *Peru*. *Spain* gains indeed from those possessions, great riches of Silver and Gold; but she has dearly purchased them, at the price of her inhabitants and people at home. Whereas, *Ireland* affords us in many ways a very advantageous assistance and support of men, while we receive from her at the same time, a constant, most rich influx and supply of money. We now so depend on these things, and can so ill do without them, and are by these means so united with our sister Island, that should she on any account unhappily sink, she cannot but like a mill-stone fastened about our necks, carry us down along with her. Should her condition grow worse, who knows but it may turn to rage and despair, and either have an effect on her Legislature, or that the majority thereof may be hardly able to manage and govern their own state. I am unwilling to point out such possibilities; but it will not be long health and wealth in *England*, should any irretrievable mischief happen in *Ireland*. A moderate remedy might however now be timely, for what may in futurity be beyond redress. A greater liberty and latitude of trade is the proper assistance in the case. It is what *Ireland* itself wishes and desires. It will at the same time be of more benefit to us than to them. *France* is beating us out of the trades of *Turkey*, of *Spain*, and even of *Portugal*. Let loose the *Irish*, and they will do as much for them, and likewise for some others. It is *Great Britain* which withholds the hand of *Ireland*, and not the nature of things that confines it. Let us but consent, and they will soon stretch out their right hand into many a

Digitized by Google

market in the world, where it now never appears; and having done so, they will immediately deliver to us with their left, the money gained there, as surely as that we are born *Englishmen*. I don't point out particulars; lights will not be wanting in that respect, whenever there shall be an inclination to demand them. I don't, moreover, mean to signify that any opening of the commerce of *Ireland* and *America*, recommended within the compass of these sheets, will of itself be adequate to all the demands of our present situation. That will, in all appearance, require a new and universal arrangement of our Taxes and Commerce, wherein *Great Britain* herself must bear a most material part. No man can say, that all the money in *Europe* is equal to our National Debt, nor can therefore any provision be sufficient, but what may produce effects answerable to such a very great necessity. Some plan seems to be demanded, which may bring into *Great Britain* a good part of all the Gold and Silver now current in the world. Nothing less will perhaps do our business. The practicability of this cannot but appear a doubtful problem. Were all States whatsoever formed on a constitution the most advantageous for commerce, whereof each is capable, it is evident that they would then share among them those two precious metals in so near a proportion, that no one could therein have over the rest any very great superiority. But this is exceedingly wide of the case. No one state is so constituted; but on the contrary, almost all Governments whatever are framed, and act on principles directly opposite thereto. This gives a very great opportunity for an extreme difference and disproportion in that respect. It is perhaps on the availing ourselves thereof, that depends the future welfare of our country, and the safety, the stability, and the very subsistence of our state. The *Dutch* are a small people, or at least have but a very confined territory, and that defended with difficulty from the Sea. They have nevertheless done a great deal in the way which we are speaking of. They are certainly therein at the head of all mankind. However, it is evident, and might easily be pointed out, that they are yet far short of perfection. There is good room for others to go beyond, and especially for a state which has such advantages as *Great Britain*. However, what degree of advantage the nature of things will admit of on this head, or how to attain thereto, are not questions of this present instant. I have said thus much, led to it by my subject, together with the interest of the publick therein, and the necessity which I am persuaded that my country is at this time under, of finding and carrying into execution some such great, general, and salutary measure. Happy will be the hand that shall in the first place, prevent the ruin whereon we are now running. We must begin there. That is the object directly before us. Let us next enlarge the trade of *Ireland* and *America*. This will do a great deal. It may likewise lead us towards a more universal plan, with which it cannot at the same time but coincide. It will withal be well, that this double benefit of these two parts of our country went hand in hand together. The present state of *Ireland* makes it absolutely and immediately necessary for the one, and the interest of *Great Britain* requires it for both.

I don't enter into particulars concerning the stopping up the Port of *Boston*, or the new laws given to *Massachusetts Bay*. However, I must observe, that the alteration of their Charter, and of their Civil Government, is not temporary, like the other provisions, but perpetual. The breaking of Charters is making the worst war upon mankind. It involves the innocent, and those yet unborn. Every thing depends with men on their constitution of Government. Such a measure is therefore wantonly laying waste the Territories of the Earth, and I speak it with reverence; but it is even forbidding Providence itself to make mankind happy thereon, unless he shall, for the undoing the works of unreasonable and ill-judging men, perform immediate miracles, and suspend or counteract his own laws of nature, which is surely not to be supposed or expected. As for those who refuse or impede law and justice for blood, let them be well aware that they don't thereby bring it on their own heads, or warrant private men to be themselves their own avengers. However, the whole will no doubt be received in *America* as a declaration of war, and depend upon the same issue. It must be by force and conquest, if they submit. It is probably not a month, or a year, that will finally determine this affair. The flame may break out immediately, or the fire may smother until some fatal opportunity of our being engaged in a foreign war, or some other such occasion. The authors of these measures no doubt expect that the removal of the Custom House, and the suspension of the trade of *Boston*, will bring these people on their knees, and force them to submit to the rest of our measures. It is evident that this is their idea. They might have been well informed and instructed, and ought to have been so, before they proceeded so far. They may nevertheless find themselves much mistaken in the event, however forward they are to hazard on their opinion the welfare and prosperity of their country. It seems that some men cannot, even at the distance of *America*, bear a Constitution in any degree democratical. But they ought to know the history of the world better, than to be ignorant of the strength and the force of such a form of Government, and how strenuously and almost wonderfully people living under one, have sometimes exerted themselves in defence of their rights and liberties, and how fatally it has ended with many a man, and many a state, who have entered into quarrels, wars, and contests with them.

Some say, that all the contradiction and opposition of *America* originates from home, and that it is only the faction of *England* which catches there. Nothing perhaps testifies a greater ignorance of the true state of that country, than such a notion. What is all the spirit of patriotism or of liberty now left in *England*, more than the last snuff of an expiring lamp? It is not longer than four and thirty years ago, that it was otherwise with us. But who can say, whether the same flame, the same sacred flame, may not at this time burn brightly and strongly in *America*, which once showed forth such wonders in *Greece* and in *Rome*, and from whose ashes it still enlightens a great part of mankind—I mean all who are not sunk in ignorance or barbarity? They have certainly there excellent and free forms of Government, and which partake perhaps in some degree, of the principles whereon were framed the ancient ones of those eminent Cities. They are themselves, as yet, a new and uncorrupted people. They carried with them formerly, the spirit of liberty from *England*, at the time that it was in its greatest purity and perfection there, nor has it since degenerated by the climate. Whoever shall judge of their temper by ours at home, and proceed accordingly, will perhaps in the end be scorched by that flame, which he may find to burn too powerfully for him, and of the nature and of the proper means for extinguishing of which, he was totally ignorant.

I have now considered the rectitude, the practicability, and the profit to be expected from our present measures, and have gone so far as to offer another measure instead. I hope that I have proved my propositions to a great degree of clearness and certainty. I don't know what to do more on this subject, unless I should propose something which might convince and satisfy, without the trouble of reason and argument. This seems difficult. However, I will not despair. My cause is a good and a strong one; that will help me; and I beg to be permitted to try my hand in the case. I will recommend, and so far as becomes me, desire and request, that every one, when he considers of this subject, and especially before he uses any hard words, or passes any harsh laws, will place himself in *America*; will imagine himself born, bred, resident, and having all his concerns and fortune there.—I don't mean in the light of a Governour, or of one who seeks to recommend and to advance himself here at the expense of his countrymen in that part of the world, but as one who has no other views or interest, except in the common good of his Colony or Continent. Let then any such man candidly and fairly ask himself, in his own breast, what he should in that situation, think of being taxed at *Westminster*, and let no one on this occasion throw a stone, whose heart does not plainly and roundly answer him with its assent. I may make too free with Ministers of State; but I would particularly press this on those, whose desires, passions, and inclinations, are followed by effects, and who hold perhaps at this moment in their hands the fate of *Great Britain*, and of *North America*. This, I say, is an argument without a syllogism; but which, if properly brought home, and enforced by every man upon himself, may perhaps pene-

Digitized by Google

trate, move, and soften, more than all the reasoning and earnestness which I have hitherto used.

I would willingly try this experiment of transposition upon a late transaction, wherein some people's opinions seem to be affected by locality. Certain letters (see Letters of Governour *Hutchinson*, &c.,) have been published of an *American* Governour and Lieutenant-Governour, and a third person, together with remarks, and the speech of a learned and ingenious gentleman. These are offered as an appeal to the publick against the Colony of *Massachusetts Bay*. They cannot, therefore, but be themselves likewise the objects of a publick consideration. I have, by the touchstone of locality, a mind to examine and question some of this learned gentleman's reasoning. It is now but between eighty and ninety years since we of this country banished our King. On what ground did we do it? It will be answered, that we did not like his actions; for that they tended to deprive us of our best rights and properties. That we did it as *Englishmen*, on the Constitution of *England*. Who was the common judge between us and him? There was no such common judge. We judged for ourselves. He was our King, our Magistrate, our Trustee. When we found him to fail in the essential points of these offices, we took another. This was our right, as *Englishmen;* but we set aside one of his daughters from her turn in the succession, and appointed instead, a person who had no title by birth. The King's horse threw him, and the Lady succeeded. But that was chance. It might in a course of nature, very well have happened, that she had never been Queen. What had she done? She had taken a remarkable part in the Revolution, and was totally unexceptionable. But there were in one scale the welfare and happiness of many millions of people, and in the other the advancement of only one Lady, although a deserving one. There was therefore no equality; the latter could not but kick the beam. I answer, that I subscribe to all this with my hand and my heart. But it is only one side of the medal. Let us turn the reverse. An *American* Governour is not so big as a King; he don't wear a Crown, nor bear a Sceptre, nor sit on a Throne, nor is worshipped on the knee, nor has a Navy, nor an Army, nor makes Bishops, nor Judges, nor is his Civil List perhaps above a thousand Pounds a year. He seems to be much more responsible, and more removable, than a King. Suppose then, that one of our Colonies should take the strongest exceptions to their Governour, and desire to change him; would they in that case be permitted to judge for themselves? No. Why not? Because they are *Americans*. Who are to judge for them? We. Why so? Because we are *Englishmen*. But would their application be to us a sufficient cause for a removal? Perhaps not; but on the contrary, a reason to continue him at present, and to promote and advance him afterwards. That has been the case before, and may probably be so again. But why is the measure which we mete to them, so different from that which we measure to ourselves? That has been already answered. Because we are *Englishmen*, and they are *Americans*. This must be owned to be perfectly just and satisfactory, and the *Americans* are the most unreasonable men in the world, if they don't see it exactly in the same light.

But suppose that the representative body of the Province should make the complaint? The answer would then be, that there was no accuser, or if any one chose to speak *Latin*, no delator. Suppose that they complain of falsehood and treachery towards the Province? That would be no charge, no *crimen*. Suppose that they gave in evidence the party's own letters? That would complete the thing; for there would then be no evidence, no *testis*. *Nil horum*. But will this hold water? Admirably, with respect to *America*, and in *Latin*.

It is strongly disputed, whether these *American* letters are of a publick or a private nature. This may not in itself be a very important point. However, let us endeavour to settle it, since it lies in our way. Whatever concerns and affects the interests, the welfare and happiness of a whole people is, and must be, of a publick nature, whether papers, letters, or any other thing whatsoever. Good and evil are not matters of law or of logick. They are the most, if not the only essential circumstances of the world. They are what every thing else refers to. They stamp an eternal mark and difference on all things, which even imagination cannot cancel or erase. The enjoyment of the one, and the avoiding of the other, is the very end of our being, and likewise of all the beings which do, or which even can be supposed to exist, and which have a sense and perception of them. Whatever therefore relates to the general good and evil of a people, is of a publick nature. It is that circumstance which makes it so. The terms are as good as synonymous. Whatever concerns, on the contrary, only this or that individual, is of a private nature; it is confined to his or their happiness or welfare, to his or their good and evil. There is again the true and unerring criterion. These things seem clear to the greatest degree of intuitive certainty. It is strange to be forced to reason about them. However, we are told otherwise. If some compliments happen in a letter to be made to an old lady, it changes the essence of every thing; she contracts and confines the whole matter, and all becomes of a private nature; although the chief subject of that very letter should be to advise and point out the means of altering the Charter, and of new-modelling the Constitution of a Colony, and that there should be recommended therein the finding some way, according to its own language, "to take off the original incendiaries," lest they should "continue to instil their poison into the minds of the people;" but the mention of the old lady makes it all private. (See Mr. *Wedderburn's* Speech, page 94, and Letter of Mr. *A. Oliver*, *February* 13, 1769.) But suppose that these letters were really meant and intended to produce publick effects; what will that do? Nothing at all. If the person had not at that moment a place, to whom they were written, it signifies nothing; although he might have had a post before, and might look for one again, and although he might have communicated these letters to others for the very purpose of affecting the publick. All this will be of no importance, if the person did not happen to have a place at the time. Would not one be tempted to think, that as some endeavour to leave no property in *America*, others have a mind to banish all human reason out of *American* affairs?

But let us take this matter in another light: Suppose a Prince to have been the subject of these letters instead of a People, and his conduct and character to have therein been so freely treated and censured instead of theirs, and the divesting him of his power and dignity so plainly mentioned and recommended, instead of the depriving them of their rights and privileges, and the *taking him off* proposed instead of the *taking off* some of them, what would have been the consequence? High Treason. But might not these have been private letters of friendship, and the receiver have secreted and concealed them? There is no such thing as private letters in the case. No civilities sent to the fairest lady in the land can make them so. The person receiving must, at his own peril, carry them to a Secretary of State, or to a Justice of the Peace, or to some other Magistrate; we don't otherwise want a word for him, which is misprision of treason. But who would take notice of such a thing? Let Mr. *Attorney* or Mr. *Solicitor* answer that. But on what ground is all this? Because the Prince is supposed to be the publick person, and to represent the whole people, and that what relates to him may affect them. But there are bad Princes; and writing against them is sometimes writing in support and in the interests of the publick and of the people; no such plea or proposition is ever suffered; it would, on the contrary, be an additional crime even to make or to offer it. But does any one by representing a body, acquire more prerogatives than belong to that body itself; or are the publick more affected through a third person than immediately in themselves? Yes, just so. Say a word against a Prince, and beware of informations, indictments, fines, prisons, scaffolds, and gibbets. These are the strongest arguments in the world, and I never knew any man to get the better in disputing with them. But abuse a people from morning till night, and every one knows that the rule and the law is, let them mend their manners, if it is true; let them despise it, and leave it to fall on the author if it is false; I am at the feet of *Gamaliel*, and desire only to learn. I shall not contradict the doctrine concerning a Prince, and I subscribe heartily to that about a People. Should these Commonwealths of *America* ever become as strong and

Digitized by Google

independent as they are now weak and dependent, and should they in their greatness and glory remember a word of the humblest and the meanest, but not of the least sincere or the least disinterested of their friends and advocates, it will be never to employ force and power against reason and argument; to leave those instruments to Cabinets, and to such as may want them, but to believe Truth to be ever the real interest of the people and the publick, and that no other incense or sacrifice should ever be offered at the altars of that Goddess, but the pure oblation of a freedom of thinking, speaking, and writing. But here it cannot well fail to be observed, that should these people, whose distresses are now pleaded, ever come to be masters both of themselves and of others, and to be glutted with power and riches, that they will certainly run the race of the rest of mankind, and learn in their turn tyranny and injustice, as their betters and their predecessors have done before them, I answer, no man perhaps believes this more than myself; however, that is not now the case. They are at present the injured and the oppressed party, and have, as such, a claim to the wishes or to the assistance of every generous and unprejudiced person. But whenever the other supposition shall obtain, it is to be hoped that neither may there, in that day, be wanting some honest man among them who will endeavour to make them blush at such a conduct, if he shall not be able to dissuade and divert them from it. However, I would willingly in my turn now ask, whether this last observation is also local and confined to *America*, or whether it extends itself likewise to the meridian of *Great Britain*?

It is not reason and argument, it is this locality, which operates on the present occasion. It is this only that makes many men easy and indifferent in the case about right and wrong, justice and injustice. Were my countrymen now in *England* dipped once in the River *Delaware*, I dare say that it would make an almost miraculous change in their opinions. If some, who might be named, were transposed into Assemblymen, they would perhaps be as ready to repeal certain late laws as ever they were to pass them. However I will not go back again to topicks which seem sufficient to awaken the most lethargick *Englishman* out of his soundest sleep, but I desire to put a case relating to this locality itself, and its power and effects, when it is to be hoped that we shall not find in the mirror any similitude or representation of ourselves.

At the beginning of the last century, there lived a gentleman of the name of *Fawkes*. He hired a house and some cellars and other apartments in *Westminster*. We will suppose that he had a lease of them. A lease is for the time as good as a purchase. It might not indeed be stamped; but stamps were not then in fashion, it was good without. He bought some Gunpowder; it is to be believed that he paid honestly for it. He could perhaps have produced for it a receipt; he placed it in the cellars or other apartment hired by him. He had, indeed, a mind to amuse himself with blowing up the Legislature of *England*, no doubt with the good intention of introducing a better. However, he and his trains were discovered, and the Nation not relishing his projects, he met with another reward than he desired. But suppose that he and *Garnet*, and the rest of their associates, instead of falling into the hands of an *English* Jury, had been tried at *Rome* before the Consistory Court, or any other Court there, they would no doubt have found an advocate; that is no other than the duty of the profession. I won't take upon me to say whether he would, in this case, have flourished about private property, trespass, or forcible entry; but whatever turn the *Italian* Counsel had thought proper to give the cause of his clients, has any one seriously the least doubt but that they would have been cleared and acquitted, and probably by the Court of *Rome* itself in good time, preferred and promoted. So much can a difference of climate do. But *Fawkes* and *Garnet* and their friends were fools, Jesuits as some of them were. They did not understand their trade. They might have been told better ways of blowing up Legislatures than with Gunpowder; that don't make a quarter of the crack and combustion, but which are ten times more effectual.

But our Colonies might be well enough, were it not for Doctor *Franklin*, who has, with a brand lighted from the clouds, set fire to all *America*. No Governments care ever to acknowledge the people to be fairly against them: for whatever may be the case with the opinions of the multitude in abstruse and refined matters, which but little concern them, nor do they much trouble themselves about; yet the end, and therefore the touchstone and trial of all Government being their welfare and happiness, there is not common modesty in affecting to despise and refuse their sense concerning their own good and evil, their own feelings, benefits, or sufferings. It is in these things that the voice of the people is said to approach that of their Maker. The sycophants of Ministers endeavour, therefore, to throw on the artifice and influence of individuals all discontent or dissatisfaction of the publick. Mr. *Wilkes* moves *England*, and Doctor *Franklin America*; as if we had here no feeling but through the first, and they had there neither eyes or ears, but by the latter. It were happy for mankind, if Administrations procured their own votes and majorities with as much fairness as the voice of the people is commonly obtained. I wonder whether we should then have ever heard of any Government in *Europe* indebted in the sum of a hundred and forty millions sterling, or be at this moment under the alarm of a parent state attacking its own Colonies, or of a great Empire setting at work its Fleets and Armies only to throw the parts of itself into mischief and confusion. It is idle and childish to be crying out against this or that private person. The truth is, that whenever Governments heap up combustibles, there will always be found a hand to put the match to them, or these would heat and take fire of themselves if there were not.

But it seems that Doctor *Franklin* recommended to his constituents for the rule of their conduct, to refrain from all force and violence, but to preserve and keep alive in the mean time their claims by votes and resolves.—(*Wedderburn's* Speech, page 110 and 111.) I have nothing to do with the defence of any individual. However, what more prudent or honest advice could, on the occasion, have been conceived or offered? Is the hour very far off when every man in *Britain*, and among the rest the Minister himself, and perhaps even his royal and illustrious Master, may most earnestly wish, that the same spirit of peace had inspired, the same caution and consideration guided the publick councils here at home on the subject, as appear to have dictated this advice attributed to Doctor *Franklin*, for the direction of our countrymen beyond the *Atlantic*. This may, I say, indeed happen soon, but with this most wide and infinite difference, that the time may then be too late; that the circumstances of things can no more be recalled, but that the lot of our good or our evil, of our peace or our confusion, and possibly even of our existence or our dissolution, as a state, shall before have fatally and irrecoverably been cast.

However, is not Mr. *W's* philipick against the Doctor a capital performance? I am sure that I have not the least inclination to depreciate the ingenuity of that learned gentleman, whose argument I have been making so free with. But the being charmed with spruce expressions or a smartness of invective, where the subject makes against the privileges or the liberties of a people, what is it better than if a parcel of prisoners or of galley-slaves were so abject as to take a pleasure in the noise and the rattling, or as it were, in the musick of their own chains?

I am drawing towards an end of my career. However, I will first say something to the *Americans* themselves. I observe them to charge sometimes on the *British* subjects in general, the measures with which they are aggrieved. Herein they do us wrong. I may venture to affirm, that there would not be hurt the hair of the head of an *American*, were it to be voted by all our country. Every one must remember the universal satisfaction produced by the repeal of the Stamp Act, and it would no doubt be the same again were the present measures discharged and remitted. But it often happens, that Representatives and their constituents are, in the most essential and the most important points, directly and diametrically opposite to one another. I don't pretend to account for this. It is a fatality, or perhaps it is a new kind of representation. But the *Americans* should consider, that two different parts of a country may be oppressed by one and the same

Digitized by Google

hand. Administrations have been squandering and running us in debt at home, until our whole substance is wasted and consumed. It may now be coming to their turn; but *procul a Jove, procul a fulmine. Great Britain* is first brought to its extremity. Let any of our Dependencies compare their burthens with ours, and then complain of the Nation if they shall find that ours are the lighter. I don't mean to make a merit of this; but let them suppose the same strong hand to be upon us both, when they shall have been convinced how little we are in this respect to be envied.

I am unwilling to take my leave, without saying likewise one word to my conntrymen of *England*. It is not only riches and power, men and money, which the centre of Government receives from the detached parts of its Dominions, but likwise credit and honour in the world. The *Scotch* and the *Irish* are as good men as any in *Europe*. This is well known wherever they seek service and establishments, and the which they are left to do in more parts than is for the benefit of *Great Britain*. Our countrymen of *America* have not yet so figured in our quarter of the globe; but it is hardly a compliment to place them clearly at the head of their own, the offspring of all other people there included. If there are any spoiled children of our national family, it must be the *English* themselves, unless that riches and luxury mend the manners of men. But, nevertheless, being so the seat of Empire, and all commands issuing from our capital, and our name being forward, the actions, the merits, the figure, the reputation, and the glory of all our countrymen, whatsoever and wheresoever, do exceedingly redound to us and to the honour of *England* and of *Englishmen*. There is another circumstance which none of us can observe but with pleasure: I mean that we seem to be as individuals, on as fair terms with the other parts of our Nation as they with one another; that the name of *Englishman* is as acceptable, and will go with them as far as that of any other of the appellations into which we are separated. Whether this is our desert, or a consequence of the same cause, I won't say; however it is what cannot but afford us satisfaction. In return for these things, they desire no more than a just sense and acknowledgment of them. Whether we do make this return; whether these circumstances have always the weight with us which they merit, *Englishmen* will best determine, by examining into their own breasts. But this we may be assured of, that the good will, affection, and attachment of our countrymen, spread throughout our common Empire, will be our firmest strength and security, if it shall be our lot to continue in our present splendour and prosperity; as likewise that the same cannot but be our best support and assistance, wherewith to weather the storms of fate and fortune, if Heaven shall, on the contrary, have any reverse or times of difficulty and distress in store for us.

I have now finished, unless it may be a few words with respect to the Author himself. He hopes, that should in the warmth of writing, any inadvertencies or inaccuracies have escaped him, that they will be readily overlooked; he is persuaded that there are none such as affect his argument. He has wrote with freedom, but he trusts without offence. He has no personal views whatsoever in anything that he has advanced or offered; he has no interest in any distant part of the *British* Dominions, neither in *Scotland*, *Ireland*, or *America*; he has neither trade or traffick with them, nor a foot of land in any of them. His concerns, his property, his family, his friendships, his affections, every thing most dear to him, centre in *South-Britain*. He has no intercourse or connection with any man that either is, or that ever was, or who, to the best of his knowledge, desires to be a Minister. He is totally indifferent who shall be at the head of our affairs, any otherwise than as the publick may be concerned in it. He would not, perhaps, in his humble situation, accept of any place or post, high or low, which the King has to confer, great and powerful as he is. He wishes only that these sheets may be read, as they are written, with the purest and the most disinterested intentions for the good, the greatness, and the stability of the whole *British* Empire; for the union, harmony, and preservation of all its parts, and for the particular interest, safety, peace, prosperity, and happiness of *England*.

April, 1774.

Appendix.*

The foregoing sheets were first published in *April*, and we are now in the next *November*. Time and events have, in the short intervening space of seven months, but too plainly and too strongly confirmed the opinions respecting our *American* measures and their consequences, which were then presumed by the Author to be laid before the publick; it is in the preceding pages explained; that the plan proposed and confided in by the Administration on that occasion appeared to be, that the removal of the Custom House, and the suspension of the commerce of *Boston*, would soon bring on their knees, and subject to our commands, the inhabitants of that Town and of its Colony; who were by that means to become, besides their own obedience, an example likewise, and a terrour to the rest of their brethren on that Continent; but the policy and the probability of this fine spun scheme are there doubted of, questioned, and discussed. It is represented that the harsh and violent measures then carrying on would, in *America*, be received no otherwise than as a declaration of war, and depend upon the same issue; that it could only be by force and by conquest if they were submitted to; that we must expect to have to do with an union of that Continent; that it would among them be made a common cause not to be taxed by us, and that they would certainly join, combine, and associate together for their general and mutual assistance and defence. Is there any occasion to say whether or no these things have proved true?

We were at the same time warned, that if it was intended to use force and violence, the decision might not be so very soon or so very sure; that these being a truly free people, and their Governments democratical, they would be able to arm every man in their country; that necessity would, besides their Committees of Correspondence then subsisting, teach them other means of moving and of acting together; that they would probably have at their head some of the wisest and of the ablest men of their country; that the influence of our Governours and of our other Civil Officers would shrink to nothing, nor our own authority probably extend further than where it was enforced by our own Troops; that our very Soldiery would desire and endeavour to leave us and to go over to the *Americans*. Has one word of all this fallen to the ground, or is there almost a single sentence of it which is not now become a matter of fact?

It was further set forth, that no immediate impression upon the Town of *Boston*, or possession taken of it by a Fleet or an Army, would carry the command of all that Continent, or force them to submit to measures so universally against their bent and inclinations; but that, on the contrary, the most strenuous and most vigorous exertions were from that whole people to be expected in support of their common liberties and properties. May I call on our Ministers, and demand whether they are not themselves sensible by this time of all these things?

I will pass by other particulars of the same sort, that I may not tire my reader with the repetition of them; however, I hope that the presumption will be pardoned, should it be asked, Whether there is any one event as yet come on in the order of time, and the course of things, which has contradicted or happened otherwise than what was before pointed out? This gives a great prejudice and suspicion with respect to the further train remaining yet to follow. However, there is behind and among the things in suspense one particular circumstance, of such a magnitude, that all these other incidents are in comparison of it but as the dust upon the balance. I mean, that should by these measures either the publick expenses increase, or income decrease, or both together, so that the National Revenue shall fail, and we be rendered unable to proceed in paying the whole interest of our debt, then will in all appearance

* The addition of an Appendix of forty-five pages, calls upon us again to mention, with a just eulogium, this spirited and seasonable publication. The first edition was printed in *April*, this in *November*, 1774, in which short interval (as is now shown) the Author's opinions have been confirmed by events. The inhabitants of *New England* have not been brought on their knees by the removal of the Custom House and supension of the commerce of *Boston*; these harsh and violent measures have been received in *America* as a declaration of war; we have now to do with an union of that Continent; and, in short, not one event has happened otherwise than was foreseen and predicted.—*Gent. Mag.*

Digitized by Google

be no longer delayed the day and the hour of our destruction; but that conjuncture prove the latest and the uttermost term of our peace, our prosperity, and our stability as a State and a Nation. This point is much pressed in the former sheets; however Heaven avert that fate should, in the due order of things, and at some perhaps not very distant moment of time, demonstrate it to be as well grounded as have already been found so many other cautions and warnings before given! But if we sow the seeds it may be depended on that the fruits will follow: causes and effects keep their course like day and night: events appear to be preparing and bringing on that period: men and things, counsels and actions, signs and appearances, seem to tend to that catastrophe. However, the writer presumes to offer once more to the publick the mite of his sentiments upon the state of our affairs in *America*, as it stands now altered since the date of the preceding pages, while we have yet allotted a time to do it; while there is room for reflection, and that any thing remains more for *Britons* than only to relate the story of their ruin.

This attack upon that Continent appeared to many people most unreasonable, and most unpromising from the very beginning; futurity has nevertheless before it a constant cloud and obscurity, which no human eye can perfectly penetrate: rashness and inconsiderateness do sometimes make this more of a pretence than the case will well warrant; but, however doubtful the matter might then be or not, time has now opened events, and fact and certainty have in many respects taken place on the subject. It is clear and sure, that the proposed plan and project have failed and miscarried. We sent out at first forces fit for our intended design. The common language used in commendation of the measure was, that a few Regiments and a few small Ships-of-War would do the business. But we are now calling and gathering together an Army from all quarters—from *England*, from *Ireland*, from several different parts of *America*, and even our newly conquered Province of *Quebec* is to be unguarded and unfurnished, that we may be enabled to carry on a war against our ancient Colonies and our own countrymen. We have, instead of commanding and of bringing to taxation and to subjection all *America*, by the means of the Town of *Boston*, lost the rest of that Continent and not gained the Town. We have with our own hands and by our own counsels, got things into such a state that our Colonies obey their Governours no further than they please, and that they are unanimously and publickly preparing to oppose measure to measure, or force to force, as they shall upon the event judge most necessary, while that bicoque of *New England* looks us in the face upon an equality, and holds up its head as highly as we do ourselves. Matters are ten times more embroiled than they were; wear ten times a worse and a more threatening aspect than they did seven months ago, and before that we entered on these measures; every step taken forwards in our present tract, seems only to lead us into further mischief and difficulties. Our Administration is in the mean time become the wonder and the contempt of all *Europe*. When we find, therefore, that we are going on in a road directly wrong, why don't we take a contrary course? This appears to be a most obvious step; there is no uncommon reach of reason or extraordinary depth of human wisdom demanded to make that conclusion. It is an old proverb, that wise men do often but fools never change their opinion. No one, little or great, need scruple to alter for the better his actions or his measures; it is surely his first praise and first prudence so to do; but what must be thought of those, whom facts and events themselves will not convince, or who, being convinced, are nevertheless determined to strive and to contend against the irresistible force of them? Our political pilots have a fair and a direct wind for the port to which the Commonwealth is bound? but they are obstinately bent to run counter to it; to buffet storms and tempests, to risk rocks and quicksands, and to endanger in the greatest degree the common adventure and fortunes of us all. We read a fabulous story of an ancient *Roman*, said to have leaped into a gulf to save *Rome*; but what will posterity believe, when they shall be told of the men of these times, who run headlong down a precipice for no apparent end but to carry along with them their country into the same ruin?

The original design and expectation were at least sufficiently plain and intelligible; but the Administration having been deceived in them, there is now no longer left the least appearance of prudence or of policy in our proceedings. It is become difficult to comprehend what the authors or the friends of these measures pursue even in their own breasts. Let any one within the bounds of probability or almost of possibility, fancy in his mind events at pleasure, and let him reflect by what steps, what means, what chain of incidents and accidents, what train within the wit of man to trace, it can be expected that we shall, in this violent and military method of going on, come to a good and advantageous conclusion, and I believe that he will evidently find himself at a default on the subject. I am persuaded that our Rulers would themselves be put to it to lay down fairly and clearly their own plan, nor is any such commonly known and understood; the facts are publick; the other would no doubt not be difficult to find, if reason, appearances, and probability suggested or admitted of any such. The Chaplains of our Regiments are not to chop logick with the *Americans*, and to reason them into the being taxed at *Westminster*; that is not the intention, nor will hard words bring this about from whencesoever trumpeted. No, we will force them to it; be it so. Let us, without considering the chance of war or resistance, suppose *Boston* in ashes, no one stone of it standing on another, the inhabitants, men, women, and children, buried under its ruins, and all this havock and destruction the effect of our cannon, bombs, and mortars? This would no doubt be a noble event: *Europe* would stare, and it would exceedingly redound to the honour and the glory of the Government that should achieve it. However, let us come to the consequences; the mischief and the evil are easily found; rage and despair reigning every where; all our *Colonies* crying out for vengeance; *America* in arms, and in open and avowed revolt again *Great Britain*. These things need not to be pointed out. But how are butchery and massacre to conduct us to peace, to a settlement, to a restoration of union and of harmony, or to any desirable end whatsoever? All regard for the *Americans* being banished out of the question, either as brethren or as men, it can nevertheless not be pretended, that we ought likewise to lose sight of the true interest and the benefit of our more immediate country of *Great Britain*; nor are we surely to seek for any other views or motives of our publick councils on the occasion than those. *God* forbid that there should, instead, prevail passion, resentment, an impatience of opposition and of disappointment, a thirst for revenge and for the blood of the people of *Boston* and of *New England*. Heaven avert that there should directly or indirectly more nearly or more remotely be at this moment preparing or meditating any desperate stroke which may disjoin *America* and *Great Britain*, in a manner to be never united more! I will not deny but that the question respecting the plan of our conduct may with less difficulty be explained, if some such unfit principles and considerations are to be taken into the account.

But some one may say, What a strange tragedy and image have here been introduced? Who thinks of any such thing? We would not for the world be the aggressors; but if the people of *Boston* or of *New England* shall begin first, and shall attack or unlawfully resist us, you know that the wrong will then be with them, and that all which we shall do will be nothing but self-defence and the execution of the law, nor do we wage war but with men. I answer, that this is too high, too home, and too serious a subject, on which for any one to refuse himself, or to be readily refused by others' freedom of speech. I presume that it is within the lawful liberty of an *Englishman* to demand in return, to what end are then intended a Military Governour, a Fleet, an Army, Artillery, Warlike Provision, and Ammunition and Supplies, and reinforcements of these things, together with Acts of Parliament, which it was known would not be obeyed? Are all these Red-Coats and Regiments mustered there only to assist the people of *America* in the clearing of their plantations, the reaping of their harvests, or the watching of their flocks and their herds? Should any one start at the idea of *Boston* being overthrown, what would he say were he in plain *English* told, that there is no appearance or

Digitized by Google

probability of carrying into execution some certain measures, without cutting the throats of almost all our *America*, without dying its Forests, its Swamps, and its Savannahs, with the blood of those whose ancestors fled from their country, and went thither in hopes of finding refuge from the tyranny and the oppression of the governours of *Great Britain*? What does it matter who dies a victim the first or the last, and whether by the sword, the musket, and the bayonet, or by famine, distress, and misery, when a whole region shall be laid waste and depopulated? Is it difficult to pick a quarrel on any subject, or to drive a people into despair, and then to destroy them for being desperate, or are there wanting writers or speakers to defend any action or any measure? But will the glossing, the quibbling, the flattery of pensioners or of sycophants, heal the wounds, calm the minds, appease the passions, reconcile the affections, or blind and confound the understandings of an injured and exasperated Continent, consisting of many numerous and flourishing Provinces, and inhabited by a people possessed and inspired with a love of liberty, almost lost to the shame of the human species out of *Europe*, but most powerful and irresistible wherever it prevails, and is united with the means of defence? I don't mean to talk to Ministers and to Statesmen about right and wrong, humanity, compassion, and the cardinal virtues; but I repeat that there is, in these measures, full as little of the policy of *Machiavel* as of the morality of *Grotius*, or the religion of the Whole Duty of Man; not a whit more of the wisdom of the serpent, than of the innocence of the dove.

The sense of the Nation is in the meantime most strong against these transactions. People were not at the beginning so much moved; they appear not to have believed that any men at the head of a state would really be so wild and so headlong as to bring about in effect what now stares them most strongly and most fully in the face. It is well understood, that the all of the publick and of every private person is upon a desperate cast at stake against nothing; men raise their eyes and their hands with horrour when they speak on the occasion; they sympathize in common with the *Americans*, and express plainly and roundly their own sentiments on their account. Such are, on the contrary, silent and reserved on the subject, who are used to direct their discourse by mean motives; the change or discharge of these measures would be a most sincere and universal satisfaction. Shall, then, a great Nation, with its eyes open and sensible of its situation and its danger, be drawn or driven upon its ruin by a few men among them, and those perhaps intrusted for its safety and its protection? Where is, in that case, the Constitution, or what is our pretended and our boasted representation? Is there nothing, nothing even to the utmost extremity of our destruction, but what corruption can compass and prostitution will perform? These proceedings are of that dangerous and destructive tendency, that whoever promotes or unites in them does, as a private man, light a brand to fire his own house, and to lay waste his own estate; but as one of the publick, he concurs with his own hand to thrust a dagger into the heart of his already wounded, helpless, and almost expiring country. It may be wondered how any such person can hold up his hands towards Heaven to pray for prosperity on him or his, which he does himself so directly counteract. Can, then, any Nation, famous for its freedom, want in such an extremity some proper remedy and resource against the rage, the madness, or the incapacity of an Administration?

I answer, that our ancestors were far from being so careless of those to come after them, as to have left us in concerns depending on our own domestick government, without means very sufficient for our safety and our welfare. The people of *Great Britain* have a lawful, constitutional, acknowledged, undisputed, undoubted power of application and petition. This is an inherent right of every County, every City, every Borough, every body of men in it, and which any one may be confident that no King, no Minister, and, let me add, no Parliament will resist or withstand, if the exertion of it shall be general, universal, and unanimous, such as shall evidently speak with the full and the clear voice of the whole Nation; it may, in such a case, be depended upon for sufficient and effectual. Never did perhaps any period of our history more require such an exertion than the present moment. I will not repeat what has been said with respect to the stake, either of the publick or of private persons; but even the Minister must, in all appearance, be in his own breast pleased with it. It might afford him a fair opportunity, or almost force him to withdraw his foot out of difficulties, in which he cannot but by this time be sensible how rashly and inconsiderately he has involved both himself and his country. What unaccountable fatality is it which can prevent any one at the helm of a Nation from taking of his own accord so prudent and so salutary a step. But this matter mounts higher. The King is blessed with a fair and a large family, from whom even a private parent might promise himself the greatest comfort and felicity; but much more may his Majesty if they near him shall, by their fatal and unfortunate counsels, mingle no bitter in his cup. However, let all loyal subjects well reflect, and especially they first in favour, whether these measures are not of such a magnitude and a malignity, that they may either immediately or in their consequences throw the whole state into the last confusion—endanger our becoming a prey to foreign Powers—shake the throne itself, and disturb one day the peace and the happiness of our gracious Prince, even within his own palace and in the midst of his numerous royal progeny. To whomsoever we may therefore presume on this subject to offer up our humble petitions, we shall beseech those respectable persons to bless and to secure equally both the publick and themselves.

It seems the more necessary to use this last safe resource of the Constitution, as it is difficult to find any other help, that is left for us under Heaven. Our political parties and their leaders bear a suspicion of covering and concealing under pretences of the general good, designs of personal ambition and advancement. The people of *England* have had but too much experience in that respect. What division, what connection, what denomination of men among us have not in their turn spoiled and plundered this poor country? Our liberties and our properties were, before the Revolution, attacked under the pretence of prerogative, by a set of men who bore the name and who invented or advanced the doctrines of Tories; but the virtue of our ancestors saved us then. Through how long a series of successive Administrations has since that time this Nation been sold, bartered, and betrayed by a race of false, pretended, unworthy, and venal Whigs; whose endeavours towards our destruction have unfortunately been more successful than those of their predecessors? *God* forbid that we should now be ready to receive our fatal and our final stroke from the joint force of both these causes—from the accursed practice of corruption, united with the senseless principles of a boundless obedience of the people, and of an extravagant power of the Crown! These evils do not, perhaps, least prevail in the very places which ought most to be a sanctuary and a security against them. What is become of the ancient publick spirit of *England*, when the first in rank and in fortune were ever the foremost to protect the rights of the whole? It is for the honour of our name and our Nation to be hoped that this noble passion of the human breast is retired, and is setting up its standard among our countrymen on the Continent, if it has totally fled from this once free and fortunate Island. It must grieve any one to ask, Whether there are none, even in the respected band of our professed Patriots, who had it once in their power to have utterly extinguished, but who left unhappily and purposely to lurk and to smother in their proceedings, and in their own Acts of Parliament, this very pretension, and, as it were, the same fire, which has since broken out so fiercely, and which threatens now to consume in one common flame both *Britain* and *America*? However, it is to be hoped that these persons will, from such violent and such evident mischiefs, be at length convinced, nor continue backward to concur and to contribute towards some sufficient measures for the lasting peace and relief of our country and our Colonies. But we are now upon the brink of the precipice; our situation admits no longer of our being led blindfold; it is too late for us to trust either to thorough-paced Ministers or to half-paced Patriots; the time requires this Nation to declare its own genuine sense, perhaps its last sense of its condition and its

Digitized by Google

circumstances. How can we otherwise expect, in this case, the assistance of Providence itself, than in employing the powers which his goodness has, by the means of the Constitution and the provision of our ancestors, been pleased to lodge with us for that apparent purpose?

But it may be said, have not we a legal representative, and is not that sufficient? I shall leave the matter of fact to answer with respect to the sufficiency; but I desire to say something in explanation of the point itself. I hope to be perfectly understood, that I don't at all mean to deny our having such a legal representative; but it is surely just and becoming for us to discourse on subjects of this consequence with one another like men. I presume that it is permitted for any one to ask, whether there is not some distinction between a legal representative and a real one? All bodies of men speak and act by their majority. It is a handful of people in comparison of the whole Nation, which choose the major part of our House of Commons. I may, in saying this, express myself freely, but I offend no worthy or honest man: no such will ever take offence at a notorious truth, and none can well be more so than the fact which is now mentioned. How can, then, in the common use and sense of the *English* language, any body of men really represent any others than those by whom the greater part of them are named and appointed for that purpose? This may not interfere with a legal representation, nor do I declare myself any opinion about a real one. I am on the subject ready to receive with respect the dictates of my betters. It may perhaps be a mystery in politicks, or something not at this moment comprehended by the writer. However, this legal, this real representative, or in what manner soever that honourable body is to be described, they do ever suffer their fellow-subjects to apply to them by petition through the hands of any one of their own Members. This circumstance is there necessary, but it seems to make no effectual difference. The right or practice itself has never been denied or disputed, nor therefore has it stood in need of the sanction of an Act of Parliament. The road is yet more direct to the Throne; the subject presents of himself, and without intervention, his petition there. This right was at the Revolution confirmed in as fit terms as the truest friend of the freedom of his country could have found. There are therefore required no strings or belts to clear either of these ways; they remain ever plain and open, and lead immediately to those who can afford us effectual redress and assistance. Thus stands then this point: our Throne is hereditary—our Peerage is hereditary; the major part of our House of Commons is appointed by an inconsiderable proportion of the Nation. Can then many words be wanted to recommend or to enforce the practice of petition by the people and the publick, or is the community to have no share in its own Constitution, in its Legislature, its Government, and the determination of its most important and most essential concerns?

However, as we have in our hands proper, prudent, and peaceable means of stopping or of diverting these measures, so let us on the other side consider whether we shall not, by a neglect of them, become partakers in the guilt of the wrongs done to the *Americans*, and of the ruin brought on ourselves and our posterity. All people are responsible for the publick conduct of those whom they appoint or consent to be over them; this is the law of men and of Nations, but it is likewise that of a higher power—it is the law of nature. I observe, with reverence, that Providence seems to unite together the interests and concerns, the fate and fortunes of each State and of each Kingdom, and to demand at their hands an account of the actions of their respective Rulers, whether Princes, Ministers, or any other; their prosperity and their adversity appear to be in a great degree dealt out to them according to that circumstance. It is strange on what ground some people found their presumption; for the publick does not only appoint government in its first orginal, but it is most evident that it does afterwards continue, at all times, to answer for the conduct and the measures of its Governours, both to *God* and to man. But with respect to our own case in the present instance, can there be in the affairs of humanity a fairer or a more equitable condition, than for people to have in their own power the means of removing their danger and of securing their stability? However, it behoves us to remember on what terms we enjoy it. The *Americans* may one day require at our hands and retaliate upon us their own sufferings; and most certainly will do so, if we shall not exert to effect these means inherent in us, but that the things and the events already begun and in motion shall come to extremity. The story of the war carried on by the *Dutch* in support of their liberty against the *Portugese* and the *Spaniards* will sufficiently teach us this, if we need to go beyond our own reason for such a piece of instruction. We have in ourselves, and placed in our hands the power on this occasion of insuring our own safety, and of restoring to our Colonies and our countrymen of *America* their rights, their peace, their properties, and their liberties—a most noble and inestimable privilege, but in all appearance not entrusted to us without account.

It may, however, be asked, What way is then to be taken—what clue can be found that may lead us out of our present perplexity and difficulties? I answer, that it is much more easy to embroil a state, which is in peace and in tranquillity, than it is to reduce it again to the same desirable situation, when it shall once be so embroiled. However I will, in so important a matter, venture to hazard an opinion, although with some uncertainty of the future fact whereon it is grounded. There is said to be sitting at *Philadelphia*, a Congress of some of the most respectable persons of that Continent. It appears probable, that there may from them come in some shape or another propositions to the publick or to the Government. Should that be so, let not these be, out of an ill-judged pride or idea of superiority, despised and refused; but, on the contrary, adopted and made the ground and the foundation of a future settlement and establishment between us and *America*—I won't prevaricate or deny that I mean in some measure a new one; for of returning again exactly and precisely to the former and ancient one, there is not the least appearance of probability, although there shall in the way be nothing more than what is known to have already happened. They have once trusted to our experience and our prudence; however they have found these but a weak and a slender security. They will undoubtedly expect some stronger and better barrier—some line to be drawn, or some landmark to be fixed in futurity between us. I speak it with the utmost sincerity, that I verily believe them to understand the joint interests of *Great Britain* and of *America* better than we do, and that they will in the first instance propose nothing unfit or unbecoming with respect to this country; but should we neglect or reject proper terms when they are offered, we may perhaps afterwards not come readily to the same again. Our *Charles* the First granted ten times more at last than would have contented and have satisfied at first; but he ever suffered himself to be forced—that was his evil policy and evil fortune. None thanked him for what he did; he lost at length all, his head not excepted. Do not let our state or our Government imitate in their conduct that unfortunate Prince. There may directly be for a Kingdom no block or scaffold, but there are just and equal laws, and a severe and irresistible fatality attending upon the transgression of them. What is in the general course of an infinite universe perpetually proceeding in obedience to those laws the existence, the rise or the fall of a state, any more upon the comparison than that of a single person? These are not light and trifling matters which are now in operation—a midsummer night's dream, or the story of a day, with which we may divert ourselves at our will. It may be depended upon that it is forever, if these Provinces shall once be severed from us. The command and the government of great countries are not to be taken up again at pleasure, when they shall have fallen from the hand that holds them, like the playthings of children.

But it may be observed to have been thrown out that *France* and *Spain* would interfere; whereas nothing of that kind has happened, nor are we disturbed by either of them. I answer that their Ministers of State must otherwise have been much as thoughtless and as inconsiderate as our own. It is fit that the fish should fasten on the hook, or be entangled in the net, beyond the power of getting free, before the hand appears which is to strike or to make a prey of it. He is surely but a poor politician who can be laid

Digitized by Google

asleep by those two Cabinets, being more cunning than to stay, or to turn us in the beginning of a career, which must be so much to their satisfaction and their inclination. It is an old proverb, that any one should make a bridge of gold for his enemy, when he is flying from him. Is it to be doubted, but that these powers would willingly pave almost with any materials, and at any expense, a way for us by which to march and to attack our own Provinces—those Provinces which have so long been the support of ourselves and the envy of other Nations. It has been said that they have before now found the means of paving the way to their own peace with us; but Heaven forbid that they should ever find that of putting us at daggers-draw among ourselves—of engaging in a war with one another the mother country and our Colonies of *North America*. Whenever that ill-star'd hour shall arrive, and by whose folly or artifice soever brought about, the arms of our rivals will hardly be wanted to lay the glory and the greatness of *Britain* in the dust. *France* and *Spain* laugh and sing in the mean time to see what we are doing, and it may be depended upon that they know better than to meddle at this moment in our broils.

There is another point to which I would speak a word before I have done. Some sycophants and makers of mischief on the other side of the *Atlantic* seem to have had no small part in causing the present disturbances. Why should otherwise all these have rather arisen in *Massachusetts Bay* than in *Connecticut* or in *Rhode-Island*, except that we appoint the Governours in the former, and that the people themselves do so in the latter? The counsels of these men must, upon experience, have been found wrong and mistaken. They magnified the mighty power of Parliaments, and appear to have flattered some people here, as if their finger was irresistible. Had they pointed out events as they have really happened, it is impossible that we should have conducted ourselves as we have actually done. All this may clearly be accounted for, if we suppose one principle, which is, that they meant to advance themselves in *Great Britain*, however their endeavours might turn out either for us or for *America*. It would be a most strange thing should these same persons be still consulted, countenanced, and encouraged. We ought to be sensible how dearly we have already paid on that article. The writer does not know the face of one of them; I speak singly for the sake of the publick; but there can, in all appearance, no common good come to the two countries of *Great Britain* and *North America*, until that these fatal authors of our mutual evils shall be banished from all councils and confidence.

So much for my present object. I have on this occasion not entered into the difficulty, or rather the apparent impossibility of subduing, with a few thousands of Soldiers from *England*, a very great Continent, most strong in itself, and defended by some hundreds of thousands of its inhabitants naturally placed over the different parts, and commanding all the produce and the advantages of the country, and who are armed, trained, and ready to take the field in defence of what they believe to be their all; men of tried bravery, and that have, upon experience, performed many actions of remark; I have not insisted on the absolute certainty of their finding, in case of a direct rupture and revolt from *Great Britain*, foreign assistance; I have not mentioned our Ministers having wantonly, and, in all appearance, out of personal ambition, taken upon themselves the affairs of our *East India* Company, and having by that means subjected, on any contention with the native powers of those regions, the Nation to the danger of being one day found between the two fires of the *West Indies* and of the *East*, and perhaps, at the same time, a fire in *Europe* hotter than either of the others; I have not examined the burthen of our National Debt pressing, in the midst of these circumstances, most heavily upon us; I have not touched on very many other topicks respecting our present ill-judged and ill-omened attempt; these were of a preceding subject. This matter has now been only taken up on the ground where it was left upon a former argument, and upon our measures and the change and the state of affairs in *America* since that time; here will I likewise leave it once more.

It is not owing to a want of information, to a want of understanding, to a want of a sense and a knowledge of the importance or the imprudence of our *American* measures, if some people of property, of capacity, of independence seem to sleep supinely while a rock is ready to fall and to crush their country. There is in publick concerns an abjectness which obtains and daily increases among us, and that in a rank of men where it ought least to prevail, and to whom others are entitled to look up in a time of danger or of difficulty. The rise and the beginning of this might readily be pointed out; it was not first of this reign; but these men may truly be told that there is no support for themselves but in the stability of all; that their private fortunes and possessions will, in the common destruction, most inevitably go to wreck and to ruin with the rest; the cloud from the *Atlantic* threatens them as well as the Merchant and the Manufacturer, the Farmer and the Labourer. But we seem not to remember that we are born *Britons*; that Governments are instituted for the good of the governed, and for that only; that we have, in our immediate, personal, and collective capacity, an inherent right to signify our sentiments of the national measures to those who contrive, govern, and direct them; that the concern therein of many is, upon the comparison, much as considerable one for one as their own, but that of all united and taken together almost as the ocean to a drop of water; that we are men, and not a flock of sheep forced to follow our fellow, because he happens to bear a bell about his neck. The writer has thrown out these things from a sincere and earnest desire of the general safety and welfare; he heartily hopes that the seed is sown in good ground, and that it will bear fruit for the benefit of the whole; but if, after all, the hand of fate is upon this Nation; if the period approaches in which we are doomed to perish; if there is at once an incurable madness in our councils, and a boundless obsequiousness in our proper guardians and protectors; if the Constitution is forgotten, and men of weight and of respect abandon their country, I must say that His will be done who governs both individuals and communities. I trust, nevertheless, that these words will not be so lost but that they shall at least preserve one private person from the charge and the consciousness of having scrupled to speak plainly his opinion and his expectation of the dangers and the evils impending over the publick.

November, 1774.

P. S. During the printing of these sheets authentick accounts are come of Resolutions respecting a suspension of commerce between *America* and *Great Britain*, being entered into and recommended by the Congress held at *Philadelphia*. This is another material circumstance and consideration pointed out and pressed in the foregoing book. I mean now to make no reflections on the subject; time will tell, whether the consequences shall also be such, as are there supposed or conceived. There is another vote of the same meeting, which is both so very plain, and so very important, that I cannot omit to repeat it in its own words, which are, "That the Congress approve of the opposition by the inhabitants of the *Massachusetts Bay* to the execution of the late Acts of Parliament, and if the same should be attempted to be carried into execution by force, all *America* ought, in such a case, to support them in their opposition." This neither needs nor admits of any comment; but how amply does it fulfil what we were on that head forewarned. However let us at least not neglect the caution which it contains for the time to come. It is likewise almost impossible for an *Englishman* not to observe with the most sincere regret that the first proceedings of a new and an essential assembly among ourselves have been such as must by all men in our *America* be understood to approve and to maintain in the highest and the harshest of language the measures carrying on against them. It becomes the writer to receive with respect these Resolves of our Legislature; however, I shall, in regard thereto, desire once more every person, having for his country any concern, most seriously to consider whether humble, constitutional, general, and universal petitions are not our last and our only remaining, although, at the same time, our sure and our certain resource, if they shall duly and properly be employed and applied.

Digitized by Google

THE ADDRESS OF THE PEOPLE OF GREAT BRITAIN TO THE INHABITANTS OF AMERICA.*

FRIENDS AND COUNTRYMEN: We have seen the three Addresses of your Congress, the first of which is directed to us, the next to you, and the last to his Majesty; and we wish we could add that we had not seen their Address to the *French* Inhabitants of *Quebec;* because it flatters them, provided they adopt the projects of the Congress, with the protection of a religion which the Congress, in their Address to us, say is fraught with "Impiety, Bigotry, Persecution, Murder, and Rebellion," and therefore complain of Parliament for protecting; and because it proposes a social compact with a people whose genius and Government, the Congress, in their Addresses to you and us, represent as incompatible with freedom. But the views intended to be compassed by the last of these Papers, we impute to those who framed it, and not to you. For to men generous and open as you are, the integrity of whose intentions we believe corresponds to our own, we will not permit ourselves to impute insidious views or insidious arts. We give you a generous credit, because we expect it from you.

In our turn we address you, not as foes; not as communities which would league yourselves with *Frenchmen* against us; not as individuals who would conceal the hatred which you have, or stab under pretence of the love which you have not; but as our friends and our countrymen. *God* forbid these endearing appellations should ever be exchanged for those of Enemy and Traitor; for the flame of liberty which burns in our breasts, we revere in yours. Your services in the late wars, with the oblivion of which you reproach us, we remember well. Your industry, your virtue, and your piety, we honour; because we believe that those who stand in awe of the estimation of their own minds, and fear their *God*, will seldom go far in a wrong path.

We wish we could forget, as easily as we forgive, the two modes by which your Congress proposes to disappoint the wishes of *Britain* for the good of *America;* the one threatens War; the other a Suspension of Trade. We mean not to insult you; we wish not to offend you; we know threats would be thrown out in vain to you; they exasperate instead of intimidating the free. But we owe to you, to ourselves, to our holy religion, and to that system of glory and liberty involved in the united power of the *British* Empire, and to be dissolved alone by the dissolution of its parts, and which we wish to last till time shall be no more, to give you our thoughts upon those two modes of opposition, with freedom and with truth. So may Heaven deal kindly with us and our posterity in the hour of need, as we mean kindness and not unkindness to you and your posterity, in what we are now to say to you on these heads.

We speak first of the first of them, to wit: the project of a warlike opposition on your part against us; because we will not conceal from you it is the most alarming to us, because it ought to be so to you, and yet is not. No people situated as you are, can hope for success in war, unless they are possessed of four things before they engage in it: fortified Towns to secure the persons of their people, and intercept the incursions and advance of their enemies; a disciplined Army to defend their lands; a Navy to protect their Seas and Rivers; and not only a great annual Revenue, but the capacity of funding it, so as by borrowing present capitals on the credit of future interests, to throw the abilities of several years into one. And this last article is, perhaps, in modern times, of more importance than all the others put together; because, in modern times, the success of war depends more on the longest purse than on the longest sword. Now, you have not a single walled Town, nor a single disciplined Regiment, nor a single Ship-of-War, nor a single Fund on which moneyed men would lend you a month's expense of an armament; and your annual Revenue is so small as hardly to deserve the name of one. You are *Englishmen*. We appeal to that good sense which distinguishes *Englishmen*. Lay causes and effects, circumstances and their consequences together. Can you hope for success in such a war?

Success do we say! Your destruction is inevitable. No country and people were ever so peculiarly ill-situated and circumstanced for a war with us, as you are at this instant. You are to encounter, after the very career of victory, that dreadful period which, inflaming military men with the remembrance of late glories, and confidence of future success, raises the victors above themselves; a veteran Army lately come from carrying conquest wherever it carried colours, and a veteran Navy lately come from sweeping the Seas of all enemies in all quarters of the globe; and to measure your trifling revenue, not more than seventy-five thousand Pounds a year, against that of a Nation which has a sinking fund of between two and three millions a year, and which, in the last war, was able to expend seventeen millions in one year. Your Towns are built all to the edge of deep water, so as to be within reach not only of cannon-shot, but even of pistol-shot. Your country-houses and estates lie generally on the banks of deep Rivers. The most valuable part of your fortunes in the Southern Provinces, is composed of slaves, ready to rebel against their masters, or run away from them on the appearance of an enemy. Your Coasts, by the large inlets of Bays and Rivers, are easily commanded.

To give only one example. Two twenty-gun Ships stationed at the Capes of *Virginia*, where the Sea is not more than two or three leagues over, and another in *Albemarle* Sound, with two or three armed Sloops to attend them, could lock up altogether the very best part of *North Carolina*, and the whole of two of your noblest Provinces, *Virginia* and *Maryland*, that is, a Coast of six hundred miles in extent. A war with *Britain* must expose you to calamities from which even demons would turn their eyes. The most singular spectacle to be found in all the records of history, might, in the space of one little summer, or half a summer, be exhibited in *America*. For in that short space of time, in a country above two thousand miles in extent, enriched with the beauties of art and of nature, and inhabited by a virtuous, polished, and free people, every Town, without the exception of one, might be reduced to ashes by our Ships-of-War; all your country-houses and estates ravaged, not by the slow advances of Armies, but by the rapid courses of the barges of those Ships; or those Towns and estates, if not destroyed, laid at least under the most grievous contributions. Your slaves lost, or become your masters; yourselves fled for protection from them to the woods, or to hide you from your own shame; your trade annihilated; and your vessels and seamen captive in the Ports of that enemy whose rage you had provoked; your demagogues, now so bold when there is no danger, would then be the first to fly from its approach; for the valiant are modest, but the restless and noisy are always timid; your spirit alone would be left to you; that spirit which, judging of you by ourselves, we know we cannot conquer but by friendship.

Do you trust to foreign aids in such a conflict? We doubt not you would get them. Your and our felicity is the envy of all Nations. Slaves always hate the free. Many Nations will rejoice to disturb that felicity. Sad aids! where every victory of your allies would remind you over whom it was gained, and remove still further and further from your eyes, that sweet equality, that high station of *English* liberty which you and we alone, of all human kind, once possessed. Will these auxiliaries conquer for you and not for themselves? Will the inquisition of *Spain* make a Protestant cause independent? Will the despotism of *France* establish a new Empire of liberty, after having been stopped in her career to universal monarchy by an old one? Your posterity will bless the memory of those ancestors who fled from native tyrants, but curse the memory of those who subjected them to foreign ones.

In the prospect of such a struggle, do you feel nothing for our distress? in being obliged to punish those whom we pity, to crush that spirit, in which, amidst all its errours, we recognise our own, and to counteract the ways of Prov-

* A Pamphlet having lately made its appearance in this country, entitled "*The Address of the People of Great Britain to the Inhabitants of America*," it may not be amiss to inform the Publick that this Pamphlet was wrote by Sir *John Dalrymple*, at the express request of Lord *North;* by the same Sir *John Dalrymple*, who, at the request of the best of Princes, some time ago wrote and published his *Memoirs of Great Britain and Ireland*, calculated almost solely to extirpate the very idea of patriotism, by endeavouring to condemn to infamy the memory of the two most celebrated patriots mentioned in *British* history, the illustrious and celebrated RUSSELL and SIDNEY.

Several letters now in this Colony, some from Sir *John* himself, prove and acknowledge him the author of the Pamphlet.—*Va. Gazette.*

Digitized by Google

idence, in rearing future Empires of freemen in future ages, pleasing to itself. Unhappy we! Ungenerous you! You abuse that tenderness which you know we cannot throw off for you. We dwell on the repetition of the sentiment, that we feel for you as nurseries of freemen, in which *God* and Nature are interested, and for which to *God* and Nature we are responsible. We will not attempt to harden ourselves against a remorse, which we know would follow our successes against you. You need not, till a cruel extremity comes upon us, fear the sword of your parent country uplifted against you. Perhaps, even then, it would drop from our hands bedewed with our tears, not with your blood. The mean amongst you know this our weakness, and insult it; but from the generous we will expect a more generous return.

With respect to the commercial project of opposition, which consists in the resolution not to Export or Import, proposed by your Congress, and perhaps, though not yet spoke out by the Members of it, in resolutions not to pay the millions due by *America* to the *British* Merchants, which would be the consequence of the other, if the other could take effect; you may think that by these means you may force the Mercantile interest to desert the cause of their country; strip us of our Trade and Manufactures; reduce our *West India* Islands to misery, from the want of provisions, and of a market for the produce of their estates; and, by the stoppage of the usual publick taxes, to pay the interest of the publick debts, bring a publick bankruptcy upon *Britain*.

Be not deceived in the first of these prospects. Amidst the disgrace of civil dissension, preserve still national honour, otherwise vengeance, private as well as publick, will overtake you. The Merchant whom you defraud of one part of his fortune, will not complain of being obliged to lay out another part to recover it; and too surely in the end you will repay his losses with usury. Instead of making him desert the cause of his country, the violation of faith will only attach him the more firmly to it. Rest not your opinions on the frivolousness of publick petitions or addresses, presented by bodies of Merchants. *Richard Cromwell* was pressed in sixteen hundred addresses, to take that Government upon him, which a few months afterwards his addressers took from him. Innumerable addresses were presented to *James* the Second, in favour of that dispensing power, which the men who presented them soon after converted into a reason for dethroning him. If you wish to know the sentiments of one of those Mercantile Petitioners, go to his counting-house or dining table; he will tell you he signed a Petition for you, because his neighbour did it, or to hurt a Minister, or to appear of importance in his business, or to keep rioters in *America* from plundering his effects, or to prevent other people from becoming more popular in business there than himself. But ask him if he is sincere, he will laugh at your credulity, and he will have reason; for do you think he is to prefer you to himself, or bear favour to those who would turn the streams of trade from his door, and disperse them among all neighbouring Nations?

But your deception will be still more fatal in the second of the prospects, which the Resolutions proposed by your Congress may open to you, namely, the downfall of the Trade and Manufactures of *England*. There are two essential differences between your situation and ours in the quarrel of children, which your Congress would draw both of us into. The first essential difference is, that you have no market, or hardly any market, for your commodities, except *Britain* or her Dominions; but the world is our market. Whilst our Merchants have large stocks and larger credit, our people much industry and more ingenuity, and while mankind have wants, natural or artificial, to be supplied, our Merchants will not want commissions, our Ships cargoes, or our Manufacturers employment. The channels of trade will be changed, but they will not be dried up. The other essential difference is, that every stoppage of your trade will be a loss to you; but in many articles, and these the most material, the loss will fall not upon us but upon others. For example, if you salt not your usual quantity of fish and other provisions, because you will not send them to our *West Indies*, or to *England*, you will not, indeed, have occasion for the quantity of Salt which has been usually imported into *America;* but the loss will fall on other countries; for we send you no Salt. If your Southern Provinces will not take Osnaburghs from *Britain*, for the clothing of their slaves, nine-tenths of the loss will fall not on us, but on *Germany;* for we are accustomed to send you only a trifling quantity of our own making. We repeat it again, we wish not to offend, we mean not to threaten; but since we have mentioned these two articles, we must let you know, that an Act of Parliament, which should prohibit the importation of them, and of one other article, to wit, Molasses, into *America*, would desolate your Provinces without the aid of Armies or Navies. If you receive no Osnaburghs, the most valuable part of the stock on your estates in the Southern Provinces, your slaves, must waste away by diseases. If you receive no Salt, the most valuable part of your wealth in the Northern and even in some of your Southern Provinces, your herds and fish, will be of little more use than to cover your dunghills. Your poor would suffer from the want of salt provisions, on which they chiefly live; and we doubt, accustomed to the use of Salt as *Europeans* are, whether either rich or poor could live without Salt, more than without Water. If you receive not Molasses, the circulation of the greatest branch of your internal commerce and manufactures must stop, from the North to the South, and from the South to the North; and yet, the loss of the Molasses trade to you, would be no loss to our *West India* Islands, because it is well known to yourselves, that nine-tenths of the Molasses which you consume, are *French* and not *English*.

When the effects of the powers which we have to become your executioners, would be so fatal unto you, do you imagine that we can believe that you will execute yourselves? Communities, as well as individuals, have, indeed, sometimes their periods of frenzy. During such periods you may, by the stoppage of trade, do much mischief to us, and we to you. But the mischief which you can do to us is finite, that which we can do to you is infinite.

The third consequence of the Resolutions proposed by your Congress, namely, the miseries to be inflicted by means of them upon our *West India* Islands, would recoil with double force upon yourselves. Your Congress have got you enemies enough; do not strive to multiply them. You depend more on those Islands than they do upon you. Without them you would be without even a market for the most lucrative part of the produce of your estates, your provisions and lumber. Men do not break glass windows with guineas. The vast balance on your trade to those Islands, shows what you would suffer in the loss of it.

If you hope, upon the breach of trade with us and our Dominions, to get Salt, Osnaburghs, and Molasses, from other countries, or their Plantations, your hopes will be in vain. Do you think that our Planters or we would sit quietly down and see the system of the Navigation laws violated, to injure them and defraud us? We have hitherto connived at the pilfering smuggling of thieves, but we should then chastise the smuggling of robbers like the other actions of robbers. We have had indulgencies for you in the hours of friendship; do you think we should continue them in those of defiance?

If the last and greatest of all the four calamities which your Congress foresees in imagination, namely, a national bankruptcy, should fall upon us, where would be your gain? Have you or your relations no fortunes in our funds to suffer by their ruin. If our revenues and credit should fall to the ground, who would defend you, as we did in the former wars against *France* and *Spain*? Who defend you against the deluges, perhaps, of more Northern Nations, who might pour upon the distant Provinces of *England*, when she was unable to defend them, as their ancestors did upon those of Imperial *Rome*? The languishing Provinces of *Rome* looked up in vain for help to a languishing head; that head could give them none; for, weakened by the disobedience and disaffection of the Provinces, she stood in need of protection for herself.

Instead then of listening to projects of war, or of suspension of commerce, assert your own reason in your own cause, and trust it not to the passions of others. We do not wonder, that with the vast *Atlantic* Ocean between you and us, to prevent a mutual communication of sentiments, mutual misapprehensions of the sentiments of each other

Digitized by Google

should have arisen. When great interests are at stake, and those who are engaged in them are free, and therefore high-minded, jealousies, points of pride, misunderstandings, are inevitable for a time. But when each party is in the right in some things, and neither in the wrong in all, these, and the effects of them, last only for a time; the cloud passes away, and the sun shines forth again.

Let us examine the subjects of difference between us.

You complain of us, because, in a declaratory Statute, Parliament asserted a right to bind you by its regulations in all cases whatever; and we complain of you, because you assert that Parliament has no right to bind you in any case whatever. But it was you who first set up the last of these pretensions, and you forced Parliament, in order to provide against encroachments, until limits were constitutionally settled, to meet it with the first. But claims so widely worded, are words, and no more. In the votes of your Assemblies, and the declaratory words of our Statute, they stand only as records that there have been unhappy differences between *England* and her Colonies: for surely you mean not by your assertion to preclude Parliament from the power of disabling you to ruin *England*, nor we in ours to give it a power of ruining *America*. There was a time when our ancestors seemed to differ as much about the terms resistance and non-resistance, relatively to the rights of the subject, as their posterity do now upon the terms supremacy and independence, relatively to the rights of *Great Britain* and *America*. Yet they in reality could only differ about the degree of provocation which justified resistance, and we in reality can only differ about the extent to which the exercise of the claims of the two countries may be carried. The Revolution, with the explanations it led to, discovered to them that they agreed upon the degree of the one; and the present emergency, with the explanations to which it should lead, may perhaps discover to us that we agree upon the other.

If, indeed, under the objection to the supremacy of *Britain*, you mean to deny to the executive part of our Constitution to the King, the power of appointing those Officers of Revenue, Law, and Government, whom he has been accustomed to appoint, of putting a negative upon the Bills of your Assemblies, of sending forces for the protection of his subjects and Dominions, with the other usual powers of the Crown; if you mean to deny to the judicial part of our Constitution, the right of a Supreme Court of Judicature in *England*, to receive appeals from your Courts of Justice; if you mean to deny to the legislative part of our Constitution, to the Parliament, the power to regulate your commerce for the mutual benefit of both countries, we shall indeed stake the fate of the *British* Empire on the contest; not for our own interests alone, but for yours, and those of human kind; for if you are permitted to throw off these badges of supremacy, as madmen may call them, you are that instant independent States; you will form yourselves into independent Principalities, Republicks, and we fear Anarchies. A new political system will arise, not in *Europe* alone, but in the world. Foreign Nations will intrigue in your Assemblies; you will engage in wars with them, with us, and with your sister Provinces. This is not all. In Governments formed suddenly, and which, therefore, must be imperfect, you will fall into dissensions among yourselves, so that all the miseries of foreign, of civil, and of domestick war, will be accumulated on your heads. We wish that your Congress, which is so learned in the principles of the great *Montesquieu*, were equally learned in the condition of the *Greek* States, during the *Peloponnesian* war, a condition exactly similar to what yours would be, as described by the great *Thucydides*. The individuals of it would there learn, that those demagogues, who, from restlessness of temper, or ambition of making themselves conspicuous above others, plunged their countries into disorders and calamities, were often the first to fall by the hands of their countrymen.

But if you mean, under the objection to the supremacy of *Great Britain*, to deny her the exercise of the power of imposing taxes upon you, without the consent of your Assemblies, the exemption you contend for deserves a very different attention. If you claim it as a matter of right, derived from authority, we must refuse you; because no Charter, except one of one Province, gives it to you, and long practice and many Statutes have taken it from you; and because the position, that there can be no taxation where there is no representation, is a jingle of words, in which, in point of reasoning, the conclusion does not follow from the premises, and which is disproved in point of fact, by many instances of men who have been taxed, though not represented in this Kingdom. If you assert it under the claim of equitable consideration, we must also refuse you; because you are bound to support that state which protects you; because other Nations extend their Revenues as they extend their Dominions; because the taxes imposed upon you were to have been applied within your own Provinces, and for your own safeties, and not for ours; and because your abilities even to share our burthens are unquestionable, seeing that when eight millions of us pay ten millions of taxes, which amounts to twenty-five Shillings on each person, three millions of you pay only seventy-five thousand Pounds, or six Pence on each person; and this in a country where a labouring man gets three times the wages that he does in *England*, and yet may live on half the expense. When you tell us you are unable to pay taxes, pardon us for once in this address, if we tell you that we do not believe you. But if you appeal to the rights of human nature, and the great interests of society, we bow to those your sacred protectors. We can find no line between the use and abuse of taxing you without the consent of your own Assemblies. We revere the Prince on the Throne, and know our liberties to be safe in his hands; but we cannot be certain of a succession of royal virtue in all ages to come; and we can anticipate occasions when a Prince may, even by means of Parliament, venture to do things which he would not have ventured upon by himself; as *Tiberius* by his Senates did what *Nero* dared not to do by his Guards. In such a case, though Charters, practice, Statutes, and even equitable consideration, warrant us to retain the exercise of the power of taxation over you, we desire to throw it from us, as unworthy of you to be subject to, and of us to possess. We will not degrade you, because in your exaltation our own is involved; we desire only to be secured that you will yourselves make provision for your own safety and defence. If this has not been done sooner, the fault was your own. You connected your claim of not being taxed with so many other claims, that it became impossible for us to make the concession which we wished, from the danger of its being made a precedent for extorting other concessions, to which we could not yield without doing a mischief even to those who claimed them.

It has been the fortune, perhaps the peculiar one of *Britain*, that from apparent mischiefs, real good has arisen; and convulsions, terrifying at first, have only paved the way for preventing their return. From the late differences, it is the fault of us both if we do not derive future agreement. That agreement is best to be insured by some great act of state, which, on the principles of mutual dependence, shall form a system of common interest and happiness, and remove, as far as human wisdom can look forward, the probability of future differences. Whether your Assemblies shall, in a constitutional way, make the first advance to Parliament to effectuate that measure, or Parliament shall make the first advance to you, by sending a Parliamentary Commission to *America*, is immaterial; the first honour will belong to the party which shall first scorn punctilio in so noble a cause.

When the other subjects of dispute, unconnected with that of taxation, come to be canvassed by those who shall be authorized to give and receive suggestions for removing them, they will find, perhaps with surprise, of how little consequence the disputed points are, and how easy to be adjusted. Of these there seem to be chiefly three. The first of them arises from the restraints laid by the regulations of Parliament upon your trade and manufacture for the advantage of ours. But are we not laid under similar restraints in these respects, for the advantage of yours? For you we submit to monopolies; for you lay restraints on our trade; for you we are taxed; and for you impose similar hardships upon other parts of our Dominions. We shall only select a few instances out of many. The landed man is prohibited from raising Tobacco at home, and the Merchant disabled to import it with advantage from abroad, in order to give a monopoly of the commodity to you, and at their expense; for the one could raise, and the other import Tobacco, at a much cheaper price than they get it from

Digitized by Google

you. We give vast bounties on the importation of your Flax, Hemp, Timber, and Naval Stores, to the detriment of those who raise them at home, to whom we give none. Our Merchants are restrained by prohibitions, or duties equivalent to prohibitions, from importing Rice, Indigo, and many other articles of the produce of your estates, in order to give you a monopoly of those articles, although they could bring them much cheaper from other Nations.

We give a bounty upon the importation of Indigo, and continue it upon exportation, by which accumulated favour, we first give you a premium to import, and then enable you, by the advantage of a double market, to raise the price upon us afterwards. Our *West India* Islands were restrained from taking Provisions or Timber from other countries, in order to secure a monopoly of those articles to you, at their expense, who complained not of restraints which they shared with their mother country for your good. Our own Merchants are subject to duties on the importation of foreign commodities; but it is you who draw them back; so that they pay a tax, and you receive a premium in this exchange of commodities. If we lately imposed a trifling tax upon you, to be spent among yourselves, we have taxed ourselves to an hundred times the value of it, to pay bounties to you. These bounties hurt our Revenue not only in the loss of the money paid out, but by stopping the importation from other Nations of the articles on which they are granted, and consequently, the taxes which would have been paid on those articles. In some instances, we hurt both our Revenue and our Trade to serve you. Thus, in the present reign, the duties were taken off *American* Whale-Fins, by which those duties were lost to Government, and the interest of the *British* Whale Fishing sacrificed to that of *America*. Nay, it is notorious, that Mr. *Grenville* intended to have taken the bounties off the *British* Whale Fishing altogether, in order to secure the superiority of the Whale Fishing to you, although the *British* Whale Fishery produces three hundred thousand Pounds a year, and maintains three thousand Seamen, and a great number of Shipwrights and other artificers. The only thing that stopped the project, was the disorders which arose in *America*; for these led men naturally to reflect how imprudent it would be, to confer favours which were repaid with ingratitude, or perhaps looked upon as indignities. But we yield to those monopolies, restraints, taxes, and preferences, because we know they are necessary to fasten the vast chain of commerce which is thrown across the *Atlantic* between *America* and *England*. Those restraints are not peculiar to you in dealing with us, nor to us in dealing with you. We impose them on ourselves in dealing with ourselves: for example, the whole landed interest, and that of every inhabitant who wears a suit of clothes, is sacrificed to the mercantile and manufacturing interests, in the regulations of Parliament concerning Wool; for the landlord cannot export the Wool of his Sheep, nor the inhabitant import the Woollen Cloths of other countries, though the one could sell his Wool to foreigners much dearer than to those who have thus got a monopoly of it, and the other buy Cloth much cheaper from them than from his countrymen. In some of those regulations which affect ourselves only, Parliament sometimes commits mistakes; but they are remedied as soon as felt and pointed out. Perhaps in some of those regulations which affect you relatively to us, or us relatively to you, mistakes in commercial principles have also been committed; in some instances, you are perhaps restrained too much, and in others too little; but in the great act of state which we allude to, these mistakes can by commercial principles be corrected. For it is your and our solid security, that your Assemblies and our Parliaments cannot injure those whom they represent, without hurting themselves; nor injure you without hurting us; nor us without hurting you. It will not be difficult for Merchants on both sides to suggest favours which we ought not to refuse to you, and limitations which you ought not to refuse to us. And we pray for some great and liberal commercial arrangement, which may remain a monument to future ages, that though there was once, there was but once, the appearance of a quarrel between *Great Britain* and her Colonies.

The next ground of your complaints, in point of consequence, is that the King and Parliament interfere in other objects of your internal legislation, new-model your Assemblies, and alter your Charters.

Here, again, it will be your own fault if, in adjusting the terms of the act of state, we have mentioned order shall not arise out of disorder, and a great judicial and legislative arrangement accompany a commercial one. In *Virginia* the Justices of the Peace and your Governour and Council are your only Judges. The former sit only once a month; from them there lies an appeal to the Governour and Council, formed into a Court of Judicature, which sits only in *April* and *October*, and only twenty days at each time, and which it is not unknown to us, is at this day in arrears above six years in its law business. It is no affront to either of these bodies of men to say that, however upright or able they may be, they can know little of law. In the infant state of your society this administration of justice was, perhaps, the best; but it is not applicable to a state of society in which the modifications of the actions of mankind, and consequently of rights and delinquencies founded on these, are infinite in extent. This impotant state of law has given room not only to the present disorder in *Virginia*, but for their appearing greater than they are; for the Justices dare not officiate at all, even although they were willing; and the mob are turned the governours instead of the governed. It has been so in every country since this world began, in which dignity, independence, power, and even splendour has not been thrown around the seats of justice, to strike with awe the imaginations of the meanest, and with the necessity of obedience even the highest. A similar imperfection in the state of law and police pervades, we are afraid, many of your other Provinces. In few of them are your Judges for life, or supported by appointments which can give even rank to their officers; the inevitable consequence of which cannot fail to be that they must be the slaves either of those who appoint them, or of the mob, instead of the masters of both. These are the very rocks on which the *Grecian* Republicks were shipwrecked; for the spirits of freemen are high, and therefore mutinous, and are to be kept from disorder only by the laws. But where the administration of these is weak, there is no security for the property, person, or honour of any one. In lamenting this defect in the condition of your society, we plead the cause of human nature, not our own. You of inferiour orders need the protection of independent and powerful Courts of Justice, to defend you against the high, and you of superiour stations need it to defend you against the low. Both of you best know how far it is safe and honourable to depend upon jurisconsults of the tar and feather order. You have tried the experiment and smarted by it. You will be told we mean to enslave you by law. We scorn to answer the insinuation. It is our pride as *Britons* to be slaves to the law, but free in every thing else. If you suspect us, appoint your own Judges, pay them your own salaries, or share the appointment and payment with the Crown. To us these points are immaterial, but let your Judges be for life, with incomes suited to their stations; and in their independence your own will be secured.

On this head it is your interest more than ours to correct all errours in the constitutions of your General Assemblies and of your Charters. Most of your Constitutions were formed by accident, not by fore-thought; some of your Charters hardly deserve the name. If we are in the wrong in thinking so, let them stand as they are; but if we are in the right, correct them like men. Common sense will show you, without our doing it, that they should be modelled by the rules of common sense. The best of Princes will contribute his part, and Parliament theirs, to comply with your desires for every alteration which can lead to justice, order, and your own interest; and we, the people of *England*, will applaud them when they do.

When you shall thus have obtained a regular administration of Law, Police, and Government amongst you, we shall not be afraid of your holding your estates and trade, and we the debts due to us out of both, by the uncertain tenure of chance, or of democratical anarchy, which is worse than chance; and we shall have little occasion to interfere in your Internal, Judicial, or Legislative arrangements. The great rule, which you do not dispute, that your laws are not to be incompatible with the law of *England*, and that the Crown has, or ought to have, a negative

Digitized by Google

upon the Bills of your Assemblies, in the same way that it has upon the Bills of our Lords and Commons, will secure us sufficiently against innovations.

The only remaining general subject of contest, so far as we can see, is the power of the Crown to send Troops amongst you without consent of your Assemblies. Perhaps even this delicate point might be adjusted: for you have as much an interest to be defended, as we have to defend you. On your part it might be yielded, that a certain number of *British* Forces should be supported in *America* without consent of the Assemblies; and on ours, that no more should be sent except in times of war or actual rebellion.

If these great Commercial, Judicial, Legislative, and Military arrangements were agreed upon, we might leave the provision for them to yourselves; or at least be contented with a standing Revenue, to be now ascertained between your Assemblies and Parliament. For though we give up the disgraceful and odious privilege of taxing you, you cannot be ignorant that you must establish Revenues, as all other countries do to support your establishments.

The deluded amongst you think that we assume airs of superiority over you, even where they are needless. Far from it: every honour of this country is open to you. We should even be happy to see you ask the establishment of a nobility, and of ranks among yourselves, that your spirits might not only be inflamed by the love of liberty, but exalted by the love of family. The whole history of mankind presents not a state of society, notwithstanding all the imperfections it is charged with, so fraught with liberty, safety, wealth, and honour, as that of *England* is. Approach to it—fly not from it. All human kind envy it. Reject not you what others pray for from Heaven.

With such sentiments of kindness in our breasts towards you, and we hope in yours towards us, we cannot, in the reign of the most virtuous of Princes hear, without the deepest concern, a charge made in the Addresses of your Congress, that a system has been formed and pursued in the reign of that Prince, to enslave you by means of Parliament; and we wish it had not been added, as a previous step to enslave us.

To vindicate the proceedings of Parliament where they ought not to be blamed, and to point out where perhaps they may without difficulty be amended, is the best way to expose the fallacy of that charge, and at the same time to show you how easy it is to remove such remaining subjects of difference between us, as have not yet been taken notice of in this Address.

It is a cruel mistake for you, ninety-nine of an hundred of whom must be unacquainted with the history of laws, to be made believe that there were no Statutes before the reign of his present Majesty, which imposed taxes on any part of the *American* Dominions. Those who tell you there were none, know full well there were many. Your ancestors complained of some of them, as all men do of all taxes, but they never disputed the power of Parliament to impose them.*

The last war was begun for the sake of *English America*. It was terminated by a security gained for it at the peace, which imagination itself could not have hoped for. *England* was loaded with an immense publick debt, contracted in this great *American* cause. By the peace a new system was created in *America*, and an Empire set in motion, which it was obvious could not be supported without a regular Revenue. At this period, Mr. *Grenville* became the Minister of *England*, not so much perhaps from the choice of Government, as from the force of opposition, which obliged another Minister to give way to him. Mr. *Grenville's* life of labour had been spent in attention to the finances of the *British* Empire; those finances which, next to the enjoyment of liberty, do above all other things give the superiority to *Britain* above all other Nations. At such a period, had such a Minister proposed to make *America* liable for that part of the publick debt of *England* which had been contracted in defending her, it would be ungenerous to his memory, to impute his doing so to a design of enslaving *America*, in order to enslave his own country;—that country, the care of whose rights employed even his latest hours. But he carried not his views so far as to subject *America* to a share of the burden even of that debt, and much less of the other debts of *England*. He only prevailed upon Parliament, in the fourth year of the King, to impose taxes upon sundry foreign commodities imported into *America*, the produce of which taxes was to be spent in the Colonies, and confined to the service of the Colonies; and these taxes were external ones, that is to say, Port Duties, which every one might avoid by not importing the Goods on which they were laid, or not buying them when imported. No *American* complained of this at the time as an imposition of slavery. You paid the taxes as your ancestors had done other necessary ones. If, in imposing these taxes, he erred in opinion concerning a matter of right, you erred against it too; for you call it not in question. If errour was venial in you, why was it criminal in him? It is hard that you should now convert into a scheme to enslave you, what you then deemed consistent with your freedom.

In the succeeding year the same Minister, on the same principles of giving security to a new and growing Empire, the machine of which could not even stand, and much less move without Revenues to support it, prevailed upon Parliament to pass the Stamp Act. The produce of the Duties was by the Act to be spent in the Colonies, and applied solely to their service.

America clamoured against this last Act. These clamours originated among the Lawyers there, whom the tax chiefly affected, and they were taken up in *England* by the opposers of the Minister;—two classes of men, the first of whom, by their profession, have always the abilities, and the other in the pursuit of their ambition, the interest to disseminate clamour. But in these clamours, extensive as they afterwards became, though flowing from nature, and kept up by art, no *American* made an objection to the right of *England* to impose external Duties upon *America*. You called for the repeal of the Stamp Act, which imposed internal Duties; but you did not ask the repeal of the Port Duties which had the year before been laid upon you.

Lord *Rockingham's* Administration, which rose on the ruin of Mr. *Grenville's*, repealed the Stamp Act, but did not repeal the Act which had imposed the Port Duties. We do not pry with a jaundiced eye into the motives of that Administration for the first of those measures; we impute them to the best motives, because we believe that there are in a party, of which his Lordship is the leader, men of *Spanish* honour and *Roman* virtue; although we must tell you, that you deceive yourselves grossly when you look up to persons as the only asserters of *American* liberty who took off only one of what you call your chains, but left the other fast on your necks. But if you incline to pay compliments to an Administration which we do not complain of, it is rather unfair in you to refuse them to that Prince by whose nod alone they were permitted to do any thing. If there has been a system in the present reign to enslave you, the repeal even of one of those two Statutes affords an instance that it was not very systematically pursued.

Soon after this repeal Lord *Rockingham's* Administration got an Act of Parliament passed, which declared the supremacy of Parliament over *America*, in all cases whatsoever. You cannot convert this Statute into a link of the chain which you think is intended to enthral you, when you reflect that it was forged by those whom your Congress and yourselves look upon as the great asserters of your liberty.

As you had not hitherto claimed a right of exemption from the power of Parliament to impose external taxes upon you, Ministers could not think of rights which yourselves had never dreamed of. In the Ministry which succeeded to that of Lord *Rockingham*, an Act of Parliament was passed, in the seventh year of the King, which laid Port Duties in *America* upon some other objects of commerce than those which were contained in Mr. *Grenville's* first Act of the fourth of the King. This Act was so little a link in the chain of system against you, that all those who were then the King's Ministers have since denied in full Parliament all concern in the fabrick of it; and they are entitled to credit, because they are now engaged in different parties, and each would lay the blame on his neighbour if he could with any truth. It was at the time notorious to all, that the project of the Act was

* 25 *Cha.* II. cap. 7. 7 & 8 *W.* & *M.* cap. 22. 9 *Ann*, cap. 10. 1 *Geo.* I. cap. 12. 6 *Geo.* II. cap. 13, and others.

Digitized by Google

the work of a single person, Mr. *Townshend*, then Chancellor of the Exchequer, who, in matters of trade and finance, is well known to have consulted more with Merchants and Financiers than with Ministers, because he thought every man knew his own business best; and in whose great talents Parliament put too implicit a confidence in passing the Act.

America again clamoured, and then for the first time objected to the power of external taxation in Parliament. But she went further, and started many new pretensions which we wish not to repeat, and among others the extravagant doctrines that she was not bound by the Navigation Laws, and that she was even independent of Parliament altogether. These clamours were well founded in part; for all the taxes in the Statute, except that upon Tea, had been laid upon *British* manufactures, which consequently had already paid many taxes in *Britain*, so that the Statute loaded you both with your tax and ours. Administration and Parliament, therefore, listened with sense and justice to your complaints, and redressed them by repealing those parts of the Act which had imposed that double tax. But it was improper, in point of common prudence, to repeal that part of it which imposed a trifling tax upon Tea; because, by asking that repeal, at the very time when you were not asking the repeal of the many Port Duties imposed by Mr. *Grenville's* first Act of the fourth of the King, you shewed that you insisted on this trifle as a matter of mere pride, as a mark of your exaltation and of our humiliation, which it was impossible for *England* to submit to, while the great questions of independence and supremacy were yet unadjusted, however compatible they might seem, when with temper and reason they should come to be discussed. If Mr. *Townshend's* Act was a link in the system of this reign to enslave you, the repeal of it affords another instance that it was not very systematically pursued.

Your Congress complains of a Statute, which, during the Duke of *Grafton's* Administration, suspended the Assembly of *New-York*, as a continuation of the system of tyranny. We will appeal to your candour against their want of it. Parliament had passed a Statute which made necessary regulations for the Quarters and Provisions of the King's Soldiers in *America;* regulations to which we, who are as fond of liberty as you are, pay obedience in *Britain*, because we think that men who submit to lose part of their own freedom for a time, in order to insure it to their countrymen forever, are entitled to all the sensibility which we can show to them; but these regulations were entirely infringed by an Act of the Assembly of *New-York*. If that Assembly took upon itself to repeal one Act of Parliament, they might have repealed many others; and the subject who obeyed the Legislature of the one country, must have been a Rebel in the eyes of the other. These consequences led directly, unavoidably, and rapidly to a civil war between the inhabitants of *New-York* and the people of *England*. There was no way to stop the course of such an Assembly, but to suspend its movements altogether, until it should agree to remedy the mischiefs it had done. The effect answered the design. The Assembly recovered the good humour of *Englishmen* to *Englishmen*, and the people their Assembly. Can a law which conferred the common rights of humanity upon the companions of your hazards and glories, who conquered with you and for you, be called a violation of the rights of human nature against you? Can another, which prevented a civil war, be reproached with want of mercy?

When men's minds are irritated, every thing is the source of discontent. Many of the traders in *America* had long complained of the distance of the *London* Custom House, which, upon disputes with Revenue Officers, made applications for redress expensive and tedious. Smuggling had gone beyond all bounds in *America*, from the want of a Board of Customs to keep a strict eye over the conduct of their Officers. A Board of Customs was, upon these accounts, by Act of Parliament, settled at *Boston*, in the seventh year of the King. But that establishment, which the fair trader had long desired, and the smuggler alone had reason to dread, has been converted, in the representations of your Congress, into a badge of your slavery. As long as we did not establish a Board of Customs in *America*, we were blamed for neglecting you. When we send it, we are charged with insulting you. If Boards of Revenue be badges of slavery, no Nation that has wealth is free. Should we recall the present Board of Customs, your posterity might tell our posterity that a Board of Customs over the trade of *America*, at three thousand miles distance from her, was one of the most ignominious badges of her slavery. It is certainly for the interest of the supremacy of *England* to place the residence of all the controlling powers in *England*, in order to keep her Colonies, even by the forms of office, in remembrance of their dependence; and it is not difficult in the Royal Governments, to lodge in the Governour of every Province, with a few of his Council, all the powers of a Board of Customs over the frauds of trade, and all its terrours over the frauds of Officers. And therefore pardon us if we suspect, should any great commercial arrangement ever be the subject of amicable discussion between you and us, that the inspection of the trade of *America* committed to a Custom House residing in *England*, is one of the last favours which the fair trader in *America* would apply for.

But in describing the powers of this Board of Customs, your Congress ought not to have said in their Addresses to their Sovereign, and you, that "the Commissioners of it "are empowered to break open and enter houses without "the authority of any Civil Magistrate, founded on legal "information." We are certain that the Board of Customs in *America* has no such power by law. We cannot think that their superiours here would direct them to assume it against law. We do not believe they exercise it; but if we are mistaken, point out the offenders. The vengeance of an injured publick will overtake them. But, till you point out these, lay not the offence obliquely upon others who you know must be guiltless.

Your Congress complains of the Statutes passed during former Administrations of the present reign, to regulate the Admiralty and Vice-Admiralty Courts of *America*, which, they say, extend the jurisdiction of those Courts beyond their ancient limits; deprive you of a Trial by Jury; authorize the Judge's certificate to indemnify the prosecutor in revenue questions from damages; require oppressive security from the claimant of a seizure before he shall be allowed to defend his property, and provide salaries and fees for the Judges from the effects to be condemned by themselves.

This bundle is large, and must be separated. If these be intolerable hardships, your ancestors shared in some, and we share in more of them, without complaining.

Before the date of those Statutes, each, or almost each Province had its own Admiralty Court; but these had so little dignity, and from their local connections were so much liable to be swayed either by the officer or the smuggler, that they were the continual subject of complaint to both. The *Americans* complained, too, of the circumstance that the salaries of the Judges of those Courts arose from the fines and forfeitures imposed by themselves. Lastly, they complained that a Court of Appeal in *England* was too distant from *America*. To relieve their complaints, four great Vice-Admiralty Courts were, in consequence of the Statutes in question, erected in different stations in *America;* Judges were appointed to them of known abilities and character. Large salaries were settled upon the Judges, to make them independent. These salaries were paid not from the fines and forfeitures, but in the common way; and to save the trouble and expense of appealing to *England*, a power of receiving appeals was lodged in these Courts. Those are the offences which, in the institution of the new Courts, have been committed. Your Congress complains, then, of the favours granted to the entreaties of their own countrymen. If you think that these Courts are too distant from each other, they can, by the erection of more, be caused to approach. The impropriety in the original Provincial Admiralty Courts, of the Judges receiving their salaries from the fines, can be removed.

With regard again to the mode of Trial without a Jury in those Courts, in Revenue questions, it has subsisted in *America* since the Statute in the twenty-second and twenty-third of *Charles* the Second, which established it. Your ancestors submitted to it, because they favoured the fair trader, and did not desire to see an opening given for the trial of a smuggling cargo, by a Jury of smugglers. With

Digitized by Google

all the strength of this mode of trial, Government has found it weak to support the fair trader by the punishment of the illicit one; and we cannot consent to have it abolished, till we see another equally efficient substituted in its room. Permit us to remind you, that the far greatest part of Revenue questions in this country, that is, most of the Excise ones, are not tried by Jury at all. Permit us also to remind you, that in *Ireland*, offences against the Revenue of Customs, are tried by the summary Excise laws, and not by Jury; and so sensible are the *Irish* of the necessity of doing so, that Parliamentary oppositions, violent as they are in that country, never complain of it. They know and acknowledge, that as long as Custom House causes were tried by Juries, the illicit trader was continually acquitted, to the ruin of the fair one. When you wish for impartial justice, we wish for no more; and, therefore, if you desire the trial by Jury in Revenue questions, you must take along with it a Court of Exchequer, in which that Jury is to act, and by which to be controlled, as we do in *England*.

When you complain of the latitude given in the Admiralty Courts, to try in one place a seizure made in another, you complain of the laws of *England*, *Scotland*, and *Ireland*, in all of which, a seizure made in one country can be tried in another, and brought from the extremity of the Kingdom, to be tried in the capital. When the Judge in *America* gives a certificate of the probable cause of seizure, to protect the prosecutor from damages, he does no more than the Judge in *England* is, by many Acts of Parliament, entitled to do. When the claimant of a seizure is obliged, in *America*, to find security before he prosecutes his claim, he does no more than the claimant in *England*, by Act of Parliament, is obliged to do. It is unfair to impute the last of these regulations to the present reign; for it took place by Act of Parliament in a former reign, to wit: in that of King *George* the First. When your Congress attempts to inflame you by the enumeration of such particulars, they ought to have told you that the freest people upon earth submit to them, because they find them all too little to encourage those who trade fairly, at the expense of those who do not.

Perhaps, with a greater semblance of justice, but not with the solidity of it, your Congress complains of the Resolutions of the two Houses of Parliament, which, about six years ago, gave force to the old laws of *Henry* the Eighth, by declaring that Treasons and misprisions of Treason, committed in *America*, might be tried in *England*. In these Resolutions there was surely no novelty or stretch in law to reach you. The *Scotch* rebels were tried for their Treasons, not in the Kingdom in which their crime was committed; the *Sussex* smugglers were tried for their treasons, not in the county in which their crime was committed; the murderers of Mr. *Park*, Governour of the Leeward Islands, in the beginning of this century, were tried for their treason, not in the quarter of the globe in which the crime was committed, for he was murdered in the *West Indies*, and they were tried in *London*, and tried too under the authority of that very Act of *Henry* the Eighth, which your Congress would make you believe had now, for the first time, been revived to oppress you. A similar rule of law is universal among all modern Nations which have Colonies, and was so among all ancient ones. It is founded on the great interests of society, which make it necessary, that in crimes which affect the existence of the state, the arm of the state should be felt to the very extremity of her Dominions. It is founded even upon a tenderness to the criminal and to Juries; for death inflicted by his friends is the more painful to him; and the necessity upon friends to inflict it, if they break not their oath, is the more humiliating to them. Had the Duke of *Monmouth's* adherents been brought to their trials in *London*, even before *Jeffery's*, the effects of them would neither have been so unpopular nor so bloody, as when they were permitted to rage in Counties obnoxious, subdued, and where every Juryman thought he threw guilt off himself, by laying it on his neighbour. The rule of law declared by the Houses, is universal through every other part of the *British* Dominions in *Europe*, *Asia*, and *Africa*. Where is the Statute, the Charter, the Act of Assembly, or the practice, which exempted *America* from it? If none such is to be found, why is *England* accused of making a stretch when she made none? She declared the validity of her old laws; it would be well for her sons that modern whimsies were not listened to in their place.

A Court of Commission and Inquiry, in *Rhode-Island*, was the consequence of those Resolutions. This Court wanted not objects. There are among you who know that you escaped its justice by its mercy, while you complain of its violence. Government often throws a veil over secrets which the indiscretion of individuals would uncover. It holds proofs in its hands, but publishes them not. King *William* was surrounded all his life-time, in *Holland* and in *England*, with treasons which he knew of. He contented himself with disappointing them, but scarcely ever shed blood. We ask you two questions: Have no violences against Government been seen in *America* since the institution of that Commission? Has any man been imprisoned, fined, or executed, in consequence of a Commission, which, in the hands of some of your former Princes, would have caused all *America* to tremble? That Court was the creature of policy and mercy; it was sent to deter men from the commission of crimes, by the fear of punishment, but not to punish. It was only a Court of Inquiry, not of Trial, and the violences which were its objects, because imputable to passion and mistakes in opinion, have since been forgiven.

Yet, even these Resolutions of the Houses of Parliament, on the most important of all subjects, however supported by the authority of other Nations, and apparently necessary in our own, may be also the subject of fortunate regulation between us. If you will bring with you the same willingness to punish rebellion justly, which we shall bring with us not to punish the mere picture of it unjustly, we cannot well differ. Afraid of treason laws as we are, in a Nation which admits, in some extreme cases, of the lawfulness of resistance, you know us little, if you think that we will forge chains for you, which may be transferred from you to ourselves.

There remains yet one other Statute of former Administrations, to be mentioned. Several of your Assemblies had passed Acts and Votes making the paper currency of the Province a legal tender in payment of debt, although that currency was, in many places, not one-fifth in value of the money which the creditor had advanced; and these Votes and Acts were procured by the influence of those who had an interest to gain by a fraud which equally cheated the *American* inhabitants and the *British* Merchant. Parliament, with *English* honesty and *English* honour, passed an Act, which, by declaring such tenders of payment to be void in law, removed disgrace from the transactions of your private business. Was this an infringement of *American* Liberty? It has been called so. Let *God* and your own consciences determine between us if it was.

While your minds were not yet recovered from the false alarms which had been spread on account of those Statutes and Resolutions, the bankruptcy of the *East India* Company happened, an event which gave room for the Minister who succeeded to those we have mentioned, in the mutual connection of interests, on which the prosperity of the *British* Empire hangs, to relieve the distresses of that Company, and at the same time to make compensation to you for all the wrongs you imagined you had suffered; and this by an act of indulgence to both. He embraced the occasion, and succeeded in persuading Parliament to give a drawback of the greatest part of the *British* Duties upon Teas which should be imported into *America*. The *East Indies* and *America*, (as a Member of the House of Commons, who is no enemy to *America*, once eloquently expressed himself,) are the two wings on which the Eagle of *British* Commerce soars to the skies. By this indulgence a great market was opened for the Company's Teas, with which the Company was at that time overstocked; a power was given to the fair trader of *America*, to beat the *French*, *Dutch*, and *Danish* smuggler out of the field; and the inhabitant of *America* was furnished with Teas from *England*, at a cheaper rate than they were furnished to ourselves, because we paid a tax, but he drew it back. We believe there were few persons in *England* who did not believe at the time that the expedient was a wise, and would be a fortunate one.

How that favour has been received; what passed when these Teas were imported to *Boston*, we wish we could

Digitized by Google

not remember. *Holland* and *Switzerland*, as well as *France* and *Spain*, would have called it rebellion; but we only called it tumult and insurrection. But to prevent these from swelling into rebellion, provisionary laws were required; and these your Congress has converted likewise into imaginary links of an imaginary chain to enslave you. Let us see with what justice.

We begin with the Regulations which affected the Town of *Boston*.

One sure mark of Tyranny is to drive the subjects to despair, that, under the pretence of punishing the effects of that despair, she may get the power of stripping them forever of the power of resistance. Did Parliament act in this manner to the people of *Boston*? What were the great punishments inflicted, by the atrocity of which the people of that Town were to be driven to draw down greater upon themselves? Two. The Custom House was removed. The trade of the Town was suspended. Was a Custom House in safety in a place where the Commissioners had been obliged to take refuge in the King's Ships? Was the trade of *England* safe in a place where the property of one of her greatest companies was destroyed in the face of day? Tyranny is also to be known by the duration of the marks of her violence. For how many ages was the punishment inflicted on *Boston* to last? Until those who had committed the outrage should have the honour and honesty to repair it; that is to say, not for an hour, if the people of *Boston* had reflected that true pride consists in making reparation for injuries, not in committing and persisting in them. That is surely an easy punishment from which the criminal may escape by only doing his duty. Parliament left an open door for reconciliation. If the people of *Boston* would not enter, who has been in the fault?

The next provisionary Statute complained of, is that which enabled those who should be engaged in the suppression of tumults in *Massachusetts Bay*, to claim a trial in *England*, if they were questioned for having done their duty. Those who kill in *England* after the Mob Act is read, are entitled to an acquittal. But all that the Statute in question did, was to entitle those who were equally entitled to protection, to a trial in their own country. This was a law not of policy, but necessity; for was it proper that those who asserted the authority of the laws in *America*, should be tried by the very persons who denied the validity of those laws, and the authority of the Magistrates who supported them? Was it just to expose the lives and honours of men to the mercy of Juries who declared that they looked upon them as enemies? The law which knocks at every man's breast, without his going to a law-book to look for it, cries aloud: "Let not the accused party suffer by him who has an interest or a passion to condemn him." This law is called, in inflammatory language, an amnesty for the murderers of *America*. Yet, it reached only a limited district, in which there were insurrections, and was to last only for a necessary and limited time. Was the *American* prosecutor afraid that the offender might escape, from the want of evidence against him, at three thousand miles distance? The Statute relieved him of his fears; for it provided that the witnesses whom he called should attend to prove his charge. Did the witness complain of the hardship of his attendance, even in aid of the most sublime of human virtues—justice? The Statute provided that his charges should be borne at the publick expense. In every provision of the Act, the timorous hand of freedom is to be seen, which trembles even in saving a community, lest it should injure an individual.

But our Ministers know that true wisdom lies not in obstinacy; they pretend not to infallibility; if they do, they will be no favourites of ours; and it is in your own power to prevent their asking from Parliament the continuance of a Statute which was so necessary, but with all so unpopular. By a great judicial and legislative arrangement, let a regular administration of Law, Police, and Government, be established among you, worthy of yourselves, and this subject of contest will die of itself; for we shall expect the same justice in your Courts, which you well know you are sure of in ours. We told you we would give you a generous credit, because we expected to receive it from you in return; as a proof of our doing so, we are conscious of no fears that you would abuse our confidence, although in cases of tumults, we should, instead of bringing the prisoners to *England*, leave the trial to Committees of your own Assemblies, in which we believe, and believe firmly, that sentiments of honour would prevail over those of party in ingenuous minds. If it did not, we should not complain of acquittals, even though founded in prejudice, and the power of the Crown to pardon, would save those whom the injustice of party had condemned.

The next of the late Statutes complained of, is that which altered the Charter of *Massachusetts Bay*, so far as to give the nomination of the Council to the King, instead of leaving it with the House of Representatives. The great asserter of our liberties, King *William*, even without Act of Parliament, or legal process, resumed the Governments of *Pennsylvania* and *Maryland* into his own hands, because those who possessed them had broke the conditions on which they were granted, by violating the laws, though not in so great a degree as the people of *Massachusetts Bay* have done. *George* the First, in the same situation, did the same thing with regard to the Government of *South Carolina*.* Queen *Anne*, without Act of Parliament or legal process, took the command of the *Connecticut* and *Rhode-Island* Militias from the Governours of those Provinces, in whom their Charters had placed it, and gave the command of the one to the Governour of *New-York*, and of the other to the Governour of *Massachusetts Bay*; because it was deemed dangerous and impolitick to commit the power of the sword to the same hand which held that of Government in a Province. The Statute you complain of did not revoke the Charter of *Massachusetts Bay*; it only brought its Constitution to resemble that of *England* more nearly than it did. The most perfect idea of Government that ever was framed, is that of a King, a House of Lords, or Great Council, which owes its honours to the King, and a House of Representatives, who owe their honours to the people. But in the Constitution of *Massachusetts Bay*, there were only two orders, to wit: that of Governour, and of the House of Representatives; seeing the intermediate order, to wit, the Council, was chosen by the House of Representatives, and was therefore no more than one of its Committees: with this advantage on the part of the House of Representatives against the Executive power, that that Committee had all the weight and powers which should have appertained to the intermediate order. The disordered state of the Province called aloud for a Constitution, which in this country is the great security of order. But this approach to the perfection of liberty, your Congress calls slavery. The alteration was indeed not temporary, but perpetual; because it was obvious, that without some such alteration, a perpetuity of tranquillity could not be insured. If you think that the office of Counsellor should be for life, instead of depending upon the pleasure of the Crown, perhaps we agree with you; had you hereditary ranks, we could not differ at all. Instead of pulling down, raise up. Suggest what you want, to make your various Constitutions perfect. Your wishes will not be refused you, if they are what they should be. The dispute about the alteration of the Constitution of one Colony, would be buried in oblivion, if at your own desire, and with your own consent, all bad things were taken from all of them, and all good things put into them.

The last provisionary law of the same Minister, which you complain of, is that which provides for the quartering of the Troops. This law, not of policy, but necessity, and without which, the Troops would be no better in times of disorder and danger than statues, was to last only a few months, that is, while disorder and danger called for it. The *Romans*, who of all Nations watched the most to preserve the liberties of the low, and the dignities of the great, gave up often, by choosing a Dictator in times of danger, all the honours of both for a while, that they might enjoy them forever. Their Senates, which were rather Assemblies of Gods than of men, went further: for in times of civil commotion, they gave powers even to their Consuls, *ne quid detrimenti respublica capiat*. Mark these great strokes of great policy, and then ask your own minds, whether a permission to *English* Troops, acting in the cause of their country, to sleep under cover, instead of the open air, be a violation of *American* Liberty?

* The evidence of these resumptions is soon to be published.

Digitized by Google

We wish we had no occasion to mention your complaints of the Statute which adjusted the limits and the Government of the Province of *Quebec*. It affected not your boundaries; for it contains a clause that it shall not affect the boundary of any other Colony. It gave the enjoyment of *French* laws to *Frenchmen*, who declared that they could not live without them. It gave toleration, that fairest flower of cultivated humanity, (as a Member of the House of Commons well expressed it,) to *English* subjects. It injured nobody. And we hope it pleased our *God*, though it pleased not your Congress. We marvel much, how that Congress has omitted to send one address to the inhabitants of *Bengal*, to rise in rebellion against us, because we have not conferred upon them all the honours of *English* liberty, which they are not asking; and another to their fellow-subjects in *England*, to reproach them for permitting the *Gentoo* religion to exist in that part of their Dominions.

We wish also, for the sake of private honour, which your Congress ought not to have lost sight of, even in the cause of the publick, that they had not deceived you, by converting a Statute passed in the time of the present Administration, for the security of your and our bulwarks, his Majesty's Ships and Dock-Yards, into a battery erected and levelled against *American* liberties. A short time before this Statute was passed, a great national calamity by a fire, which was suspected to be wilful, at *Portsmouth*, called for a new law, with new penalties, to prevent such disasters for the future. Capital punishment was inflicted by the Statute in question, upon those who should wilfully set on fire the King's Ships or Dock-Yards. Nobody was thinking of *America* at the time. *England*, or rather *Portsmouth*, and the other Naval Arsenals, engaged alone the attention of the publick. But the Statute in common form and common policy, was made to extend over all the Dominions of *Britain;* and the crime, like all other great crimes, was made punishable in *Britain*, although not committed within it. We ask you, if you can in your consciences believe, that this Statute was a contrivance framed on purpose to oppress you? And if you cannot, we ask you, what you must think of those men who would make you believe that it was?

From this review of the proceedings of Parliament relative to *America*, since the fourth of the King down to this day, we submit to the candour of *American* breasts, whether your Congress were in the right, in common charity, to convey an idea from the Gulf of *St. Lawrence* to the mouth of the *Mississippi*, that there had been a system formed and pursued in the present reign, to rob all *America* of all her liberties. Our own defence from so foul an aspersion, we have not mingled in reviewing these proceedings, with the interests of this or that party, of this or that Minister; interests, with all the little politicks and little posts depending on them, which we hold mighty cheap in comparison of our own great interests in the question that subsists between you and us, and not as they fancy, triflers as they are, between them and each other. We wish your Congress had observed the same conduct, and not disgraced, with the stale party strokes of this country, the great interests of their own. They would not in that case, have paid compliments to a Minister, who once said in full Parliament, that he would not permit even the hobnail of a horse's shoe to be made in *America*, at the expense of another Minister, who never had it in his power to do you either good or evil, except by a peace, which might have raised *America* to the skies, had not too many of her own sons pulled her down again.

Perhaps your Congress may think it wise to mingle the interests of *America* with those of party in this country, from a notion that you will be made sharers in the rewards of party victories, to which you contributed. But they are mistaken. Those who raise the whirlwind may not direct the storm. There are only three ways in this country by which any party can obtain that power at which every party aims; the favour of the Crown, the favour of Parliament, or the favour of the People. Do you think those men have a claim to the favour of the Crown, who, in the disputes between you and us, have endeavoured to pay compliments to the King's personal power at the expense of his authority, and to mark his reign with the loss of Dominions, which with so much glory he extended? Can they expect the esteem and confidence of Parliament, who have called in question its rights, denied its powers over its own Provinces, and who assert that a House of Representatives in *America*, in concurrence with the King, can do what the Houses of Lords and Commons, in concurrence with him, cannot do? Can they hope to please the People of *England*, who are pursuing measures which may lead to a civil war between *England* and her Colonies?

But even in their victory, where would be your gain? Whoever trusts to the gratitude of party, trusts to a support which, like a reed, has failed under all who ever rested upon it. Many of those who now make use of you as a weapon of party, to force themselves into power, would, as soon as they were in it, let you fall to the ground. We have a right to warn you of these things, because we have seen oppositions in this reign animate one part of the United Kingdoms against another; the people of *England*, the ancient supporters of Parliament, against Parliament; and the City of *London*, the ancient supporters of the House of Commons, against the House of Commons. It is your own fault, if, with such examples before your eyes, you permit *America* to be tilted against *England*, to gratify the ambition, or even the virtue, of any set of men upon earth. In the successes which you wish for, others will gain; but it is you who will be the losers: for the whole history of *English* party shows, that the men who trampled most on the Crown in the service of the people, trampled most on the people when in the service of the Crown; it being natural for them, in present obsequiousness, to hope for the oblivion of past provocations, and to go further than their neighbours in one way, because they had gone too far in the other. We need not call the example of Lord *Strafford* to your remembrance. There are men now living, who raised themselves to power by inveighing against Continental connections, and then half ruined their country to support them. Trust not then to the slender and broken reed of party; trust to your country; that country which has too often been deceived, but never deceives. Instead of being the tools of particular members of party, show them that they have been no more than your tools. Take the good which they have helped to procure for you, but avoid the mischiefs into which they would bring you.

While this Address was printing, an event has happened which may convince you who are your real friends or foes in this country. A fortnight ago, the Houses of Lords and Commons, in Addresses to the Throne, expressed their sentiments of the rebellious state of too many of your Provinces, but with all their wishes, to receive advances on your part to pacification, whenever they should be made in a constitutional manner. Those who call themselves your friends in Parliament, opposed even the last part of the Address, because they said it was deluding you with the idea of an accommodation which was not intended to be granted. But in order to carry that part of the Address into execution, and to convert the words of it into the measures which had been the objects of those words, a Resolution was within these few days proposed in the House of Commons, and adopted, which should express the intention of the House to levy no past, and impose no future Duties, as long as you should yourselves contribute to the expense to be incurred for your own publick service. By this Resolution, the danger so long dreaded by you, that Taxes in *America* would be converted into a Revenue for *Britain*, is removed. The Resolution, indeed, reserves a power in Parliament of imposing duties for the regulation of trade; a power which is absolutely necessary to be exerted for the interests of trade itself; but then, to prevent the abuse of this power, the produce of these duties is to go, not to the account of *Great Britain*, but to the exoneration of the provision made by the Colony for its own service. It is in your own power to make the security of *America* complete in all its parts; for if you desire that the quota to be furnished by you, for your service, shall not be arbitrary, but rise and fall with the *quantum* of the Land Tax, or of some of the great known taxes of *England* taken in *cumulo;* we do not think that your desire in that respect would be refused; and then it would be impossible for us to tax you without taxing ourselves at the same time, and in the same proportion. We will give praise where praise is due. The Minister who proposed this Resolution, could not fail to see two dangers to himself

Digitized by Google

in the measure. The first was, to differ from such friends as might think that higher measures ought to be pursued; and the next was, to be exposed to the charge of having varied his measures; a charge to which every man who accommodates his conduct to circumstances, instead of pretending to infallibility, must be exposed to, yet still an humiliating one, even to the best man, adopting even the best measure. But in the cause of his country, he regarded nothing but his country. Some part of the line of accommodation proposed in the Resolution, was first traced by yourselves, and often repeated. It had been adopted, and often pressed for by those who call themselves your friends in Parliament. The Minister who moved for it had, therefore, reason to hope that when he met them on their own ground, and granted their own desires, they would, in your and their country's cause, have forgot their animosity to him, and all those little objects of party, the pursuit of which is falsely called ambition. Did they, upon this occasion, meet that Minister half way in the generous struggle who should do you most good, or avert from you most evil? No! They threw behind them all your interests. They attended to those of their own party alone, which they think are more concerned in defeating a Minister than saving a Nation. They refused for you that favour which yourselves had solicited, opposed that measure which themselves had adopted, and did what they could to perpetuate dissensions in which themselves might be gainers. They were so blinded by the habit of opposition, and the triumph of spying even imaginary inconsistency in the Minister whom they opposed, that they did not perceive how miserably they must sink in your esteem for sacrificing your advantages to their own weaknesses. Are these your friends? Were those your enemies? If the contrast between the conduct of the one and of the other does not open your eyes, you must be blind as moles, or with your own wills shut them against the sun.

But there are men among yourselves against whom you ought to be equally on your guard. It is hard that the charge of our intending to enslave you, should come oftenest from the mouths of those lawyers who in your Southern Provinces at least, have long made you slaves to themselves. There is scarce one of us acquainted with an *American*, who has not been told by him, that there is no region on earth, in which the people are so much oppressed by the extortions of Lawyers, as in many parts of *America*; a circumstance as unfortunate for us as for you, in the present disputes, because we are to expect, that men who gain by uncertainty and disorder, will forever oppose every attempt to a regular administration of Law, Police, and Government, which must diminish their own importance; and it is not to be hoped that they should spare either the mother country or her Colonies as communities, who never shewed mercy to the individuals of either.

Having shown you in this Address, that the projects of your Congress for war, or suspension of trade, would recoil on yourselves; that all the subjects of difference between you and us are easily reconcileable; that his Majesty's reign has been falsely accused of a system to enslave you; and that many of your pretended friends may prove your worst enemies; we pray that you may trust to your own reason on the topics of this Address; and if you do, we shall hope, before a very few months run round, to hear that peace is restored to your minds, and order to your Provinces.

TAXATION NO TYRANNY.

An Answer to the Resolutions and Address of the AMERICAN *Congress.**

In all the parts of human knowledge, whether terminating in science merely speculative, or operating upon life, private or civil, are admitted some fundamental principles, or common axioms, which being generally received, are little doubted, and being little doubted, have been rarely proved.

Of these gratuitous and acknowledged truths, it is often the fate to become less evident by endeavours to explain them, however necessary such endeavours may be made by the misapprehensions of absurdity, or the sophistries of interest. It is difficult to prove the principles of science, because notions cannot always be found more intelligible than those which are questioned. It is difficult to prove the principles of practice, because they have, for the most part, not been discovered by investigation, but obtruded by experience; and the demonstrator will find, after an operose deduction, that he has been trying to make that seen which can be only felt.

Of this kind is the position, that *the supreme power of every community has the right of requiring from all its subjects, such contributions as are necessary to the publick safety or publick prosperity*, which was considered by all mankind as comprising the primary and essential condition of all political society, till it became disputed by those zealots of anarchy, who have denied to the Parliament of *Britain* the right of taxing the *American* Colonies.

In favour of this exemption of the *Americans* from the authority of their lawful Sovereign, and the dominion of their mother country, very loud clamours have been raised, and many wild assertions advanced, which, by such as borrow their opinions from the reigning fashion, have been admitted as arguments; and what is strange, though their tendency is to lessen *English* honour and *English* power, have been heard by *Englishmen* with a wish to find them true. Passion has, in its first violence, controlled interest, as the eddy for a while runs against the stream.

To be prejudiced, is always to be weak; yet, there are prejudices so near to laudable, that they have been often praised, and are always pardoned. To love their country, has been considered as virtue in men, whose love could not be otherwise than blind, because their preference was made without a comparison; but it has never been my fortune to find, either in ancient or modern writers, any honourable mention of those who have, with equal blindness, hated their country.

These anti-patriotick prejudices are the abortions of folly, impregnated by faction, which, being produced against the standing order of nature, have not strength sufficient for long life. They are born only to scream and perish, and leave those to contempt or detestation whose kindness was employed to nurse them into mischief.

To perplex the opinion of the publick, many artifices have been used, which, as usually happens when falsehood is to be maintained by fraud, lose their force by counteracting one another.

The Nation is sometimes to be mollified by a tender tale of men who fled from tyranny to rocks and deserts, and is persuaded to lose all claims of justice, and all sense of dignity, in compassion for a harmless people, who, having worked hard for bread in a wild country, and obtained, by the slow progression of manual industry, the accommodations of life, are now invaded by unprecedented oppression, and plundered of their properties by the harpies of taxation.

We are told how their industry is obstructed by unnatural restraints, and their trade confined by rigorous prohibitions; how they are forbidden to enjoy the products of their own soil, to manufacture the materials which nature spreads before them, or to carry their own goods to the nearest market; and surely the generosity of *English* virtue will never heap new weight upon those that are already overladen; will never delight in that dominion which cannot be exercised but by cruelty and outrage.

But while we are melting in silent sorrow, and in the transports of delicious pity, dropping both the sword and balance from our hands, another friend of the *Americans* thinks it better to awaken another passion, and tries to alarm our interest, or excite our veneration, by accounts of their greatness and their opulence, of the fertility of their land, and the splendour of their Towns. We then begin to consider the question with more evenness of mind, are ready to conclude that those restrictions are not very oppressive which have been found consistent with this speedy growth of prosperity, and begin to think it reasonable, that they who thus flourish under the protection of our Government, should contribute something towards its expense.

But we are then told that the *Americans*, however wealthy, cannot be taxed; that they are the descendants of men who left all for liberty, and that they have con-

* Common fame attributes the merit of this performance to the celebrated Doctor *Johnson*, and every page of it confirms the truth of the report. That gentleman has been charged in his former political productions, with writing by compulsion; in this it is plain he has written from the heart.—*Gent. Mag.*

Digitized by Google

stantly preserved the principles and stubbornness of their progenitors; that they are too obstinate for persuasion, and too powerful for constraint; that they will laugh at argument, and defeat violence; that the Continent of *North America* contains three millions, not of men merely, but of Whigs; of Whigs fierce for liberty, and disdainful of dominion; that they multiply with the fecundity of their own rattle-snakes, so that every quarter of a century doubles their numbers.

Men accustomed to think themselves masters, do not love to be threatened. This talk is, I hope, commonly thrown away, or raises passions different from those which it intended to excite. Instead of terrifying the *English* hearer to tame acquiescence, it disposes him to hasten the experiment of bending obstinacy before it is become yet more obdurate, and convinces him that it is necessary to attack a Nation thus prolifick, while we may yet hope to prevail. When he is told through what extent of territory we must travel to subdue them, he recollects how far, a few years ago, we travelled in their defence. When it is urged that they will shoot up like the hydra, he naturally considers how the hydra was destroyed.

Nothing dejects a trader like the interruption of his profits. A commercial people, however magnanimous, shrinks at the thought of declining traffick and an unfavourable balance. The effect of this terrour has been tried. We have been stunned with the importance of our *American* Commerce, and heard of Merchants with ware-houses that are never to be emptied, and of Manufacturers starving for want of work.

That our Commerce with *America* is profitable, however less than ostentatious or deceitful estimates have made it, and that it is our interest to preserve it, has never been denied; but surely it will most effectually be preserved, by being kept always in our own power. Concessions may promote it for a moment, but superiority only can ensure its continuance. There will always be a part, and always a very large part, of every community that have no care but for themselves, and whose care for themselves reaches little farther than impatience of immediate pain, and eagerness for the nearest good. The blind are said to feel with peculiar nicety. They who look but little into futurity, have, perhaps, the quickest sensation of the present. A Merchant's desire is not of glory, but of gain; not of publick wealth, but of private emolument; he is, therefore, rarely to be consulted about war and peace, or any designs of wide extent and distant consequence.

Yet this, like other general characters, will sometimes fail. The traders of *Birmingham* have rescued themselves from all imputation of narrow selfishness, by a manly recommendation to Parliament, of the rights and dignity of their native country.

To these men I do not intend to ascribe an absurd and enthusiastick contempt of interest, but to give them the rational and just praise of distinguishing real from seeming good; of being able to see through the cloud of interposing difficulties, to the lasting and solid happiness of victory and settlement.

Lest all these topicks of persuasion should fail, the great actor of patriotism has tried another, in which terrour and pity are happily combined, not without a proper superaddition of that admiration which later ages have brought into the drama. The heroes of *Boston*, he tells us, if the Stamp Act had not been repealed, would have left their Town, their Port, and their Trade; have resigned the splendour of opulence, and quitted the delights of neighbourhood, to disperse themselves over the country, where they would till the ground, and fish in the rivers, and range the mountains, and be free.

These surely are brave words. If the mere sound of freedom can operate thus powerfully, let no man hereafter doubt the story of the *Pied* Piper. *The removal of the people of* Boston *into the country*, seems even to the Congress not only *difficult in its execution*, but *important in its consequences*. The difficulty of execution is best known to the *Bostonians* themselves; the consequence, alas! will only be, that they will leave good houses to wiser men.

Yet, before they quit the comforts of a warm home, for the sounding something which they think better, he cannot be thought their enemy who advises them to consider well whether they shall find it. By turning fishermen or hunters, woodmen or shepherds, they may become wild; but it is not so easy to conceive them free; for who can be more a slave than he that is driven by force from the comforts of life; is compelled to leave his house to a casual comer, and whatever he does, or wherever he wanders, finds every moment some new testimony of his own subjection? If the choice of evil is freedom, the felon in the gallies has his option of labour or of stripes. The *Bostonian* may quit his house to starve in the fields; his dog may refuse to set, and smart under the lash, and they may then congratulate each other upon the smiles of liberty, "profuse with bliss, and pregnant with delight."

To treat such designs as serious, would be to think too contemptuously of *Bostonian* understandings. The artifice, indeed, is not new; the blusterer who threatened in vain to destroy his opponent, has sometimes obtained his end, by making it believed that he would hang himself.

But terrours and pity are not the only means by which the taxation of the *Americans* is opposed. There are those who profess to use them only as auxiliaries to reason and justice, who tell us that to tax the Colonies is usurpation and oppression, an invasion of natural and legal rights, and a violation of those principles which support the Constitution of *English* Government.

This question is of great importance. That the *Americans* are able to bear taxation, is indubitable; that their refusal may be overruled, is highly probable; but power is no sufficient evidence of truth. Let us examine our own claim, and the objections of the recusants, with caution proportioned to the event of the decision, which must convict one part of robbery, or the other of rebellion.

A tax is a payment exacted by authority from part of the community for the benefit of the whole. From whom, and in what proportion, such payment shall be required, and to what uses it shall be applied, those only are to judge to whom Government is intrusted. In the *British* Dominion taxes are apportioned, levied, and appropriated by the states assembled in Parliament.

Of every Empire, all the subordinate communities are liable to taxation, because they all share the benefits of Government, and therefore ought all to furnish their proportion of the expense.

This the *Americans* have never openly denied. That it is their duty to pay the cost of their own safety, they seem to admit; nor do they refuse their contribution to the exigencies, whatever they may be, of the *British* Empire; but they make this participation of the publick burden a duty of very uncertain extent and imperfect obligation—a duty, temporary, occasional, and elective, of which they reserve to themselves the right of settling the degree, the time, and the duration of judging when it may be required and when it has been performed.

They allow to the supreme power nothing more than the liberty of notifying to them its demands or its necessities. Of this notification, they profess to think for themselves, how far it shall influence their counsels, and of the necessities alleged, how far they shall endeavour to relieve them. They assume the exclusive power of settling not only the mode but the quantity of this payment. They are ready to co-operate with all the other Dominions of the King; but they will co-operate by no means which they do not like, and at no greater charge than they are willing to bear.

This claim, wild as it may seem—this claim, which supposes dominion without authority, and subjects without subordination, has found among the libertines of policy many clamorous and hardy vindicators. The laws of nature, the rights of humanity, the faith of Charters, the danger of liberty, the encroachments of usurpation, have been thundered in our ears, sometimes by interested faction, and sometimes by honest stupidity.

It is said by *Fontenelle*, that if twenty philosophers shall resolutely deny that the presence of the sun makes the day, he will not despair but whole Nations may adopt the opinion. So many political dogmatists have denied to the mother country the power of taxing the Colonies, and have enforced their denial with so much violence of outcry, that their sect is already very numerous, and the publick voice suspends its decision.

In moral and political questions, the contest between in-

Digitized by Google

terest and justice has been often tedious and often fierce, but perhaps it never happened before, that justice found much opposition with interest on her side.

For the satisfaction of this inquiry, it is necessary to consider how a Colony is constituted; what are the terms of migration as dictated by nature or settled by compact; and what social or political rights the man loses or acquires that leaves his country to establish himself in a distant Plantation.

Of two modes of migration the history of mankind informs us, and so far as I can yet discover, of two only:

In countries where life was yet unadjusted, and policy unformed, it sometimes happened that by the dissensions of heads of families; by the ambition of daring adventurers; by some accidental pressure of distress; or by the mere discontent of idleness, one part of the community broke off from the rest, and numbers, greater or smaller, forsook their habitations; put themselves under the command of some favourite of fortune, and with or without the consent of their countrymen or governours, went out to see what better regions they could occupy, and in what place, by conquest or by treaty, they could gain a habitation.

Sons of enterprise like these, who committed to their own swords their hopes and their lives, when they left their country, became another Nation, with designs, and prospects, and interests of their own. They looked back no more to their former home; they expected no help from those whom they had left behind; if they conquered, they conquered for themselves; if they were destroyed, they were not by any other power either lamented or revenged.

Of this kind seem to have been all the migrations of the Old World, whether historical or fabulous, and of this kind were the eruptions of those Nations which, from the North, invaded the *Roman* Empire, and filled *Europe* with new Sovereignties.

But when, by the gradual admission of wiser laws and gentler manners, society became more compacted and better regulated, it was found that the power of every people consisted in union, produced by one common interest, and operating in joint efforts and consistent councils.

From this time independence perceptibly wasted away. No part of the Nation was permitted to act for itself. All now had the same enemies and the same friends; the Government protected individuals, and individuals were required to refer their designs to the prosperity of the Government.

By this principle it is that states are formed and consolidated. Every man is taught to consider his own happiness as combined with the publick prosperity, and to think himself great and powerful in proportion to the greatness and power of his Governours.

Had the Western Continent been discovered between the fourth and tenth century, when all the Northern World was in motion, and had navigation been at that time sufficiently advanced to make so long a passage easily practicable, there is little reason for doubting but the intumescence of Nations would have found its vent, like all other expansive violence, where there was least resistance; and that *Huns* and *Vandals*, instead of fighting their way to the South of *Europe*, would have gone by thousands and by myriads under their several chiefs, to take possession of regions smiling with pleasure and waving with fertility, from which the naked inhabitants were unable to repel them.

Every expedition would, in those days of laxity, have produced a distinct and independent state. The *Scandinavian* heroes might have divided the country among them, and have spread the feudal subdivision of regality from *Hudson's* Bay to the *Pacific* Ocean.

But *Columbus* came five or six hundred years too late for the candidates of sovereignty. When he formed his project of discovery, the fluctuations of Military turbulence had subsided, and *Europe* began to regain a settled form, by established Government and regular subordination. No man could any longer erect himself into a chieftain, and lead out his fellow-subjects by his own authority to plunder or to war. He that committed any act of hostility by Land or Sea, without the commission of some acknowledged Sovereign, was considered by all mankind as a robber or a pirate, names which were now of little credit, and of which therefore no man was ambitious.

Columbus, in a remoter time, would have found his way to some discontented Lord, or some younger brother of a petty Sovereign, who would have taken fire at his proposal, and have quickly kindled with equal heat a troop of followers; they would have built Ships or have seized them, and have wandered with him at all adventures as far as they could keep hope in their company. But the age being now past of vagrant excursion and fortuitous hostility, he was under the necessity of travelling from Court to Court, scorned and repulsed as a wild projector, an idle promiser of Kingdoms in the clouds: nor has any part of the world yet had reason to rejoice that he had found at last reception and employment.

In the same year, in a year hitherto disastrous to mankind, by the *Portuguese* was discovered the passage of the *Indies*; and by the *Spaniards* the coast of *America*. The Nations of *Europe* were fired with boundless expectation, and the discoverers, pursuing their enterprise, made conquests in both hemispheres of wide extent. But the adventurers were contented with plunder; though they took Gold and Silver to themselves, they seized Islands and Kingdoms in the name of their Sovereigns. When a new region was gained, a Governour was appointed by that Power which had given the commission to the conqueror; nor have I met with any *European* but *Stukeley*, of *London*, that formed a design of exalting himself in the newly found countries to independent dominion.

To secure a conquest, it was always necessary to plant a Colony; and Territories thus occupied and settled, were rightly considered as mere extensions or processes of Empire; as ramifications through which the circulation of one publick interest communicated with the original source of dominion, and which were kept flourishing and spreading by the radical vigour of the mother country.

The Colonies of *England* differ no otherwise from those of other Nations than as the *English* Constitution differs from theirs. All Government is ultimately and essentially absolute, but subordinate societies may have more immunities, or individuals greater liberty, as the operations of Government are differently conducted. An *Englishman*, in the common course of life and action, feels no restraint. An *English* Colony has very liberal powers of regulating its own manners and adjusting its own affairs; but an *English* individual may, by the supreme authority, be deprived of liberty, and a Colony divested of its powers, for reasons of which that authority is the only judge.

In sovereignty there are no gradations. There may be limited Royalty; there may be limited Consulship; but there can be no limited Government. There must, in every society, be some power or other from which there is no appeal; which admits no restrictions; which pervades the whole mass of the community; regulates and adjusts all subordination; enacts laws or repeals them; erects or annuls judicatures; extends or contracts privileges; exempt itself from question or control; and bounded only by physical necessity.

By this power, wherever it subsists, all legislation and jurisdiction is animated and maintained. From this all legal rights are emanations; which, whether equitably or not, may be legally recalled. It is not infallible, for it may do wrong; but it is irresistible, for it can be resisted only by rebellion—by an act which makes it questionable what shall be thenceforward the supreme power.

An *English* Colony is a number of persons to whom the King grants a Charter, permitting them to settle in some distant country, and enabling them to constitute a Corporation, enjoying such powers as the Charter grants, to be administered in such forms as the Charter prescribes. As a Corporation, they make laws for themselves; but as a Corporation subsisting by a grant from higher authority, to the control of that authority they continue subject.

As men are placed at a greater distance from the Supreme Council of the Kingdom, they must be intrusted with ampler liberty of regulating their conduct by their own wisdom. As they are more secluded from easy recourse to national judicature, they must be more extensively commissioned to pass judgment on each other.

For this reason, our more important and opulent Colonies see the appearance and feel the effect of a regular Legislature, which, in some places, has acted so long with unquestioned authority, that it has been forgotten whence that authority was originally derived.

Digitized by Google

To their Charters the Colonies owe, like other Corporations, their political existence. The solemnities of legislation, the administration of justice, the security of property, are all bestowed upon them by the Royal Grant. Without their Charter, there would be no power among them by which any law could be made or duties enjoined; any debt recovered, or criminal punished.

A Charter is a grant of certain powers or privileges given to a part of the community for the advantage of the whole, and is therefore liable by its nature to change or to revocation. Every act of Government aims at publick good. A Charter, which experience has shown to be detrimental to the Nation, is to be repealed, because general prosperity must always be preferred to particular interest. If a Charter be used to evil purposes it is forfeited, as the weapon is taken away which is injuriously employed.

The Charter, therefore, by which Provincial Governments are constituted, may be always legally, and where it is either inconvenient in its nature, or misapplied in its use, may be equitably repealed, and by such repeal the whole fabrick of subordination is immediately destroyed; the Constitution sunk at once into a chaos; the society is dissolved into a tumult of individuals, without authority to command, or obligation to obey; without any punishment of wrongs, but by personal resentment; or any protection of right, but by the hand of the possessor.

A Colony is to the mother country as a member to the body, deriving its action and its strength from the general principle of vitality, receiving from the body and communicating to it all the benefits and evils of health and disease, liable in dangerous maladies to sharp applications, of which the body, however, must partake the pain, and exposed, if incurably tainted, to amputation, by which the body likewise will be mutilated.

The mother country always considers the Colonies thus connected, as parts of itself; the prosperity or unhappiness of either, is the prosperity or unhappiness of both, not, perhaps, of both in the same degree, for the body may subsist, though less commodiously, without a limb, but the limb must perish, if it be parted from the body.

Our Colonies, therefore, however distant, have been hitherto treated as constituent parts of the *British* Empire. The inhabitants incorporated by *English* Charters, are entitled to all the rights of *Englishmen*. They are governed by *English* laws, entitled to *English* dignities, regulated by *English* counsels, and protected by *English* arms; and it seems to follow by consequence not easily avoided, that they are subject to *English* Government, and chargeable by *English* taxation.

To him that considers the nature, the original, the progress, and the Constitution of the Colonies, who remembers that the first discoverers had commissions from the Crown; that the first settlers owe to a Charter their civil forms and regular magistracy, and that all personal immunities and personal securities, by which the condition of the subject has been from time to time improved, have been extended to the Colonists, it will not be doubted but the Parliament of *England* has a right to bind them by Statutes, and *to bind them in all cases whatsoever*, and has therefore a legal and constitutional power of laying upon them any tax or impost, whether external or internal, upon the product of land, or the manufactures of industry, in the exigencies of war, or in the time of profound peace, for the defence of *America, for the purpose of raising a Revenue*, or for any other end beneficial to the Empire.

There are some, and those not inconsiderable for number, nor contemptible for knowledge, who except the power of taxation from the general dominion of Parliament, and hold that whatever degrees of obedience may be exacted, or whatever authority may be exercised in other acts of Government, there is still reverence to be paid to money, and that legislation passes its limits when it violates the purse.

Of this exception, which by a head not fully impregnated with politicks, is not easily comprehended, it is alleged as an unanswerable reason, that the Colonies send no Representatives to the House of Commons.

It is, say the *American* advocates, the natural distinction of a freeman, and the legal privilege of an *Englishman*, that he is able to call his possessions his own; that he can sit secure in the enjoyment of inheritance or acquisition; that his house is fortified by the law, and that nothing can be taken from him but by his own consent. This consent is given for every man by his Representative in Parliament. The *Americans*, unrepresented, cannot consent to *English* taxations as a Corporation, and they will not consent as individuals.

Of this argument, it has been observed by more than one, that its force extends equally to all other laws; that a freeman is not to be exposed to punishment, or be called to any onerous service, but by his own consent. The Congress has extracted a position from the fanciful *Montesquieu*, that *in a free state every man being a free agent, ought to be concerned in his own government*. Whatever is true of taxation, is true of every other law, that he who is bound by it without his consent, is not free, for he is not concerned in his own government.

He that denies the *English* Parliament the right of taxation, denies it likewise the right of making any other laws, civil or criminal, yet this power over the Colonies was never yet disputed by themselves. They have always admitted Statutes for the punishment of offences, and for the redress or prevention of inconveniences; and the reception of any law draws after it by a chain which cannot be broken, the unwelcome necessity of submitting to taxation.

That a free man is governed by himself, or by laws to which he has consented, is a position of mighty sound; but every man that utters it, with whatever confidence, and every man that hears it, with whatever acquiescence, if consent be supposed to imply the power of refusal, feels it to be false. We virtually and implicitly allow the institutions of any Government of which we enjoy the benefit and solicit the protection. In wide extended Dominions, though power has been diffused with the most even hand, yet a very small part of the people are either primarily or secondarily consulted in legislation. The business of the publick must be done by delegation. The choice of Delegates is made by a select number; and those who are not electors stand idle and helpless spectators of the commonweal, *wholly unconcerned with the government of themselves*.

Of electors the hap is but little better. They are often far from unanimity in their choice, and where the numbers approach to equality, almost half must be governed not only without, but against their choice.

How any man can have consented to institutions established in distant ages, it will be difficult to explain. In the most favourite residence of liberty, the consent of individuals is merely passive, a tacit admission in every community of the terms which that community grants and requires. As all are born the subjects of some state or other, we may be said to have been all born consenting to some system of Government. Other consent than this, the condition of civil life does not allow. It is the unmeaning clamour of the pedants of policy—the delirious dream of Republican fanaticism.

But hear, ye sons and daughters of Liberty, the sounds which the winds are wafting from the Western Continent. The *Americans* are telling one another what, if we may judge from their noisy triumph, they have but lately discovered, and what yet is a very important truth: *that they are entitled to Life, Liberty, and Property, and that they have never ceded to any sovereign power whatever a right to dispose of either without their consent.*

While this Resolution stands alone, the *Americans* are free from singularity of opinion; their wit has not yet betrayed them to heresy. While they speak as the naked sons of nature, they claim but what is claimed by other men, and have withheld nothing but what all withhold. They are here upon firm ground, behind intrenchments which never can be forced.

Humanity is very uniform. The *Americans* have this resemblance to *Europeans*, that they do not always know when they are well. They soon quit the fortress that could neither have been mined by sophistry, nor battered by declamation. Their next Resolution declares that *their ancestors who first settled the Colonies, were, at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities of free and natural born subjects within the Realm of* ENGLAND.

This likewise is true; but when this is granted, their boast of original rights is at an end; they are no longer in

Digitized by Google

a state of nature. These Lords of themselves; these Kings of *Me;* these Demigods of Independence sink down to Colonists, governed by a Charter. If their ancestors were subjects, they acknowledged a Sovereign; if they had a right to *English* privileges, they were accountable to *English* laws, and what must grieve the lover of liberty to discover, had ceded to the King and Parliament, whether the right or not, at least the power of disposing, *without their consent, of their Lives, Liberties, and Properties.* It therefore is required of them to prove that the Parliament ever ceded to them a dispensation from that obedience which they owe as natural born subjects, or any degree of independence or immunity not enjoyed by other *Englishmen.*

They say that by such emigration, they by no means forfeited, surrendered, or lost any of those rights, but that *they were, and their descendants now are, entitled to the exercise and enjoyment of all such of them as their local and other circumstances enable them to exercise and enjoy.*

That they who form a settlement by a lawful Charter, having committed no crime, forfeit no privileges, will be readily confessed; but what they do not forfeit by any judicial sentence, they may lose by natural effects. As man can be but in one place at once, he cannot have the advantages of multiplied residence. He that will enjoy the brightness of sunshine, must quit the coolness of the shade. He who goes voluntarily to *America,* cannot complain of losing what he leaves in *Europe.* He, perhaps, had a right to vote for a Knight or Burgess; by crossing the *Atlantic* he has not nullified his right; for he has made its exertion no longer possible. By his own choice he has left a country where he had a vote and little property, for another where he has great property but no vote. But as this preference was deliberate and unconstrained, he is still concerned in the government of himself; he has reduced himself from a voter to one of the innumerable multitude that have no vote. He has *truly ceded his right,* but he is still governed by his own consent; because he has consented to throw his atom of interest into the general mass of the community. Of the consequences of his own act, he has no cause to complain; he has chosen, or intended to choose, the greater good; he is represented as himself desired, in the general representation.

But the privileges of an *American* scorn the limits of place; they are part of himself, and cannot be lost by departure from his country; they float in the air, or glide under the Ocean;

Doris amara suam non intermisceat undam.

A Planter, wherever he settles, is not only a freeman, but a Legislator, *ubi imperator, ibi Roma. As the* English *Colonists are not represented in the* British *Parliament, they are entitled to a free and exclusive power of legislation in their several Legislatures, in all cases of taxation and internal polity, subject only to the negative of the Sovereign, in such manner as has been heretofore used and accustomed. We cheerfully consent to the operation of such Acts of the* British *Parliament as are bona fide restrained to the regulation of our external commerce, excluding every idea of taxation, internal or external, for raising a Revenue on the subjects of* America *without their consent.*

Their reason for this claim is, *that the foundation of* English *liberty, and of all Governments, is a right in the people to participate in their Legislative Council.*

They inherit, they say, *from thier ancestors, the right which their ancestors possessed, of enjoying all the privileges of* Englishmen. That they inherit the right of their ancestors, is allowed; but they can inherit no more. Their ancestors left a country where the Representatives of the people were elected by men particularly qualified, and where those who wanted qualifications, or who did not use them, were bound by the decisions of men whom they had not deputed.

The Colonists are the descendants of men who either had no votes in elections, or who voluntarily resigned them for something, in their opinion, of more estimation; they have, therefore, exactly what their ancestors left them, not a vote in making laws, or in constituting Legislatures, but the happiness of being protected by law, and the duty of obeying it.

What their ancestors did not carry with them, neither they nor their descendants have since acquired. They have not, by abandoning their part in one Legislature, obtained the power of constituting another, exclusive and independent, any more than the multitudes who are now debarred from voting, have a right to erect a separate Parliament for themselves.

Men are wrong for want of sense, but they are wrong by halves for want of spirit. Since the *Americans* have discovered that they can make a Parliament, whence comes it that they do not think themselves equally empowered to make a King? If they are subjects whose Government is constituted by a Charter, they can form no body of independent Legislature. If their rights are inherent and underived, they may, by their own suffrages, encircle with a diadem the brows of Mr. *Cushing.*

It is farther declared by the Congress of *Philadelphia, that his Majesty's Colonies are entitled to all the privileges and immunities granted and confirmed to them by Royal Charters, or secured to them by their several codes of Provincial laws.*

The first clause of this Resolution is easily understood, and will be readily admitted. To all the privileges which a Charter can convey, they are by a Royal Charter evidently entitled. The second clause is of greater difficulty; for how can a Provincial law secure privileges or immunities to a Province? Provincial laws may grant to certain individuals of the Province the enjoyment of gainful, or an immunity from onerous offices; they may operate upon the people to whom they relate; but no Province can confer Provincial privileges on itself. They may have a right to all which the King has given them; but it is a conceit of the other hemisphere, that men have a right to all which they have given to themselves.

A Corporation is considered in law as an individual, and can no more extend its own immunities, than a man can, by his own choice, assume dignities or titles.

The Legislature of a Colony, let not the comparison be too much disdained, is only the vestry of a larger Parish, which may lay a cess on the inhabitants, and enforce the payment; but can extend no influence beyond its own District, must modify its particular regulations by the general law, and whatever may be its internal expenses, is still liable to taxes laid by superiour authority.

The Charters given to different Provinces are different, and no general right can be extracted from them. The Charter of *Pennsylvania,* where this Congress of anarchy has been impudently held, contains a clause admitting, in express terms, taxation by the Parliament. If, in the other Charters, no such reserve is made, it must have been omitted as not necessary, because it is implied in the nature of subordinate Government. They who are subject to laws, are liable to taxes. If any such immunity had been granted, it is still revocable by the Legislature, and ought to be revoked, as contrary to the publick good, which is in every Charter ultimately intended.

Suppose it true that any such exemption is contained in the Charter of *Maryland,* it can be pleaded only by the *Marylanders.* It is of no use for any other Province, and with regard even to them, must have been considered as one of the grants in which the King has been deceived, and annulled as mischievous to the publick, by sacrificing to one little settlement the general interest of the Empire, as infringing the system of dominion, and violating the compact of Government. But Doctor *Tucker* has shown that even this Charter promises no exemption from Parliamentary taxes.

In the controversy agitated about the beginning of this century, whether the *English* laws could bind *Ireland, Davenant,* who defended against *Molyneux* the claims of *England,* considered it as necessary to prove nothing more than that the present *Irish* might be deemed a Colony.

The necessary connection of Representatives with taxes, seems to have sunk deep into many of those minds that admit sounds without their meaning.

Our Nation is represented in Parliament by an assembly as numerous as can well consist with order and despatch, chosen by persons so differently qualified in different places, that the mode of choice seems to be, for the most part, formed by chance, and settled by custom. Of individuals, far the greater part have no vote, and of the voters, few

Digitized by Google

have any personal knowledge of him to whom they entrust their liberty and fortune.

Yet, this representation has the whole effect expected or desired; that of spreading so wide the care of general interest, and the participation of publick counsels, that the interest or corruption of particular men can seldom operate with much injury to the publick.

For this reason, many populous and opulent Towns, neither enjoy nor desire particular Representatives; they are included in the general scheme of publick administration, and cannot suffer but with the rest of the Empire.

It is urged that the *Americans* have not the same security, and that a *British* legislator may wanton with their property; yet, if it be true, that their wealth is our wealth, and that their ruin will be our ruin, the Parliament has the same interest in attending to them, as to any other part of the Nation. The reason why we place any confidence in our Representatives is, that they must share in the good or evil which their counsels shall produce. Their share is indeed commonly consequential and remote; but it is not often possible that any immediate advantage can be extended to such numbers as may prevail against it. We are therefore as secure against intentional deprivations of Government as human wisdom can make us, and upon this security the *Americans* may venture to repose.

It is said by the *Old Member* who has written an appeal against the tax, that *the produce of* American *labour is spent in* British *manufactures, the balance of trade is greatly against them; whatever you take directly in taxes, is in effect taken from your own commerce. If the Minister seizes the money with which the* American *should pay his debts and come to market, the Merchant cannot expect him as a customer, nor can the debts already contracted be paid. Suppose we obtain from* America *a million, instead of one hundred thousand Pounds; it would be supplying one personal exigence by the future ruin of our commerce.*

All this is true; but the *Old Member* seems not to perceive, that if his brethren of the Legislature know this as well as himself, the *Americans* are in no danger of oppression, since by men commonly provident, they must be so taxed, as that we may not lose one way what we gain another.

The same *Old Member* has discovered, that the Judges formerly thought it illegal to tax *Ireland*, and declares that no cases can be more alike than those of *Ireland* and *America;* yet the Judges whom he quotes have mentioned a difference. *Ireland*, they say, hath a Parliament of its own. When any Colony has an independent Parliament, acknowledged by the Parliament of *Britain*, the cases will differ less. Yet by the sixth *George* the First, chapter fifth, the Acts of the *British* Parliament bind *Ireland*.

It is urged that when *Wales*, *Durham*, and *Chester*, were divested of their particular privileges or ancient Government, and reduced to the state of *English* Counties, they had Representatives assigned them.

To those from whom something had been taken, something in return might properly be given. To the *Americans*, their Charters are left as they were, except that of which their sedition has deprived them. If they were to be represented in Parliament, something would be granted, though nothing is withdrawn.

The inhabitants of *Chester*, *Durham*, and *Wales*, were invited to exchange their peculiar institutions for the power of voting, which they wanted before. The *Americans* have voluntarily resigned the power of voting to live in distant and separate Governments, and what they have voluntarily quitted they have no right to claim.

It must always be remembered that they are represented by the same virtual representation as the greater part of *Englishmen*, and that if, by change of place, they have less share in the Legislature than is proportioned to their opulence, they, by their removal, gained that opulence, and had originally, and have now their choice of a vote at home, or riches at a distance.

We are told, what appears to the *Old Member* and to others a position that must drive us into inextricable absurdity, that we have either no right, or the sole right of taxing the Colonies. The meaning is, that if we can tax them they cannot tax themselves; and that if they can tax themselves, we cannot tax them. We answer with very little hesitation, that for the general use of the Empire, we have the sole right of taxing them. If they have contributed anything in their own Assemblies, what they contributed was not paid, but given; it was not a tax or tribute, but a present; yet they have the natural and legal power of levying money on themselves for Provincial purposes; of providing for their own expense, at their own discretion. Let not this be thought new or strange; it is the state of every Parish in the Kingdom.

The friends of the *Americans* are of different opinions. Some think that being unrepresented they ought to tax themselves, and others, that they ought to have Representatives in the *British* Parliament.

If they are to tax themselves what power is to remain in the Supreme Legislature? That they must settle their own mode of levying their money, is supposed. May the *British* Parliament tell them how much they shall contribute? If the sum may be prescribed, they will return few thanks for the power of raising it; if they are at liberty to grant or to deny, they are no longer subjects.

If they are to be represented, what number of these Western orators are to be admitted? This, I suppose, the Parliament must settle; yet, if men have a natural and unalienable right to be represented, who shall determine the number of their Delegates? Let us, however, suppose them to send twenty-three, half as many as the Kingdom of *Scotland*, what will this representation avail them? To pay taxes will be still a grievance. The love of money will not be lessened, nor the power of getting it increased.

Whither will this necessity of representation drive us? Is every petty settlement to be out of the reach of Government, till it has sent a Senator to Parliament; or may two or a greater number be forced to unite in a single deputation? What at last is the difference between him that is taxed by compulsion without representation, and him that is represented by compulsion in order to be taxed?

For many reigns the House of Commons was in a state of fluctuation; new Burgesses were added from time to time, without any reason now to be discovered; but the number has been fixed for more than a century and a half, and the King's power of increasing it has been questioned. It will hardly be thought fit to new-model the Constitution in favour of the Planters, who, as they grow rich, may buy estates in *England*, and without any innovation effectually represent their native Colonies.

The friends of the *Americans*, indeed, ask for them what they do not ask for themselves. This inestimable right of representation, they have never solicited. They mean not to exchange solid money for such airy honour. They say, and say willingly, that they cannot conveniently be represented, because their inference is, that they cannot be taxed. They are too remote to share the general government, and therefore claim the privilege of governing themselves.

Of the principles contained in the Resolutions of the Congress, however wild, indefinite, and obscure, such has been the influence upon *American* understanding, that from *New England* to *South Carolina* there is formed a general combination of all the Provinces against their mother country. The madness of independence has spread from Colony to Colony, till order is lost and Government despised, and all is filled with misrule, uproar, violence, and confusion. To be quiet is disaffection; to be loyal is treason.

The Congress of *Philadelphia*, an assembly convened by its own authority, has promulgated a Declaration, in compliance with which the communication between *Britain* and the greatest part of *North America* is now suspended. They ceased to admit the importation of *English* Goods, in *December*, 1774, and determined to permit the exportation of their own no longer than to *November*, 1775.

This might seem enough; but they have done more. They have declared that they shall treat all as enemies who do not concur with them in disaffection and perverseness, and that they will trade with none that shall trade with *Britain*.

They threaten to stigmatize in their *Gazette* those who shall consume the products or merchandise of their mother country, and are now searching suspected houses for prohibited goods.

These hostile declarations they profess themselves ready to maintain by force. They have armed the Militia of

Digitized by Google

their Provinces, and seized the publick stores of Ammunition. They are therefore no longer subject, since they refuse the laws of their Sovereign, and in defence of that refusal, are making open preparations for war.

Being now, in their own opinion, free States, they are not only raising Armies, but forming alliances, not only hastening to rebel themselves, but seducing their neighbours to rebellion. They have published an Address to the inhabitants of *Quebec*, in which discontent and resistance are openly incited; and with very respectful mention of the sagacity of *Frenchmen*, invite them to send Deputies to the Congress of *Philadelphia*,—to that seat of virtue and veracity, whence the people of *England* are told, that to establish Popery, *a religion fraught with sanguinary and impious tenets*, even in *Quebec*, a country of which the inhabitants are Papists, is so contrary to the Constitution, that it cannot be lawfully done by the Legislature itself, where it is made one of the articles of their Association to deprive the conquered *French* of their religious establishment; and whence the *French* of *Quebec* are, at the same time, flattered into sedition, by professions of expecting from the liberality of sentiment distinguishing their Nation, that difference of religion will not prejudice them against a hearty amity, because the transcendant nature of freedom elevates all who unite in the cause above such low-minded infirmities.

Quebec, however, is at a great distance. They have aimed a stroke from which they may hope for greater and more speedy mischief. They have tried to infect the people of *England* with the contagion of disloyalty. Their credit is happily not such as gives them influence proportionate to their malice. When they talk of their pretended immunities, guarantied by the plighted faith of Government, and the most solemn compacts with *English* Sovereigns, we think ourselves at liberty to inquire when the faith was plighted and the compact made; and when we can only find that King *James* and King *Charles* the First promised the settlers in *Massachusetts Bay*, now famous by the appellation of *Bostonians*, exemption from taxes for seven years, we infer with Mr. *Mauduit*, that by this solemn compact, they were, after the expiration of the stipulated term, liable to taxation.

When they apply to our compassion, by telling us that they are to be carried from their own country to be tried for certain offences, we are not so ready to pity them, as to advise them not to offend. While they are innocent they are safe.

When they tell of laws made expressly for their punishment, we answer, that tumults and sedition were always punishable, and that the new law prescribes only the mode of execution.

When it is said that the whole Town of *Boston* is distressed for a misdemeanor of a few, we wonder at their shamelessness; for we know that the Town of *Boston*, and all the associated Provinces, are now in rebellion to defend or justify the criminals.

If frauds in the imposts of *Boston* are tried by commission, without a Jury, they are tried here in the same mode; and why should the *Bostonians* expect from us more tenderness for them than for ourselves?

If they are condemned unheard, it is because there is no need of a trial. The crime is manifest and notorious. All trial is the investigation of something doubtful. An *Italian* philosopher observes, that no man desires to hear what he has already seen.

If their Assemblies have been suddenly dissolved, what was the reason? Their deliberations were indecent, and their intentions seditious. The power of dissolution is granted and reserved for such times of turbulence. Their best friends have been lately soliciting the King to dissolve his Parliament, to do what they so loudly complain of suffering.

That the same vengeance involves the innocent and guilty, is an evil to be lamented, but human caution cannot prevent it, nor human power always redress it. To bring misery on those who have not deserved it, is part of the aggregated guilt of rebellion.

That Governours have been sometimes given them only that a great man might get ease from importunity, and that they have had Judges not always of the deepest learning or the purest integrity, we have no great reason to doubt, because such misfortunes happen to ourselves. Whoever is governed, will sometimes be governed ill, even when he is most concerned in his own government.

That improper Officers or Magistrates are sent, is the crime or folly of those that sent them. When incapacity is discovered, it ought to be removed; if corruption is detected, it ought to be punished. No Government could subsist for a day if single errours could justify defection.

One of their complaints is not such as can claim much commisseration from the softest bosom. They tell us that we have changed our conduct, and that a tax is now laid by Parliament on those which were never taxed by Parliament before. To this we think it may be easily answered, that the longer they have been spared the better they can pay.

It is certainly not much their interest to represent innovation as criminal or invidious; for they have introduced into the history of mankind a new mode of disaffection, and have given, I believe, the first example of a proscription published by a Colony against the mother country.

To what is urged of new powers granted to the Courts of Admiralty, or the extension of authority conferred on the Judges, it may be answered in a few words, that they have themselves made such regulations necessary; that they are established for the prevention of greater evils. At the same time, it must be observed, that these powers have not been extended since the rebellion in *America*.

One mode of persuasion their ingenuity has suggested, which it may perhaps be less easy to resist. That we may not look with indifference on the *American* contest, or imagine that the struggle is for a claim, which, however decided, is of small importance and remote consequence, the *Philadelphian* Congress has taken care to inform us, that they are resisting the demands of Parliament, as well for our sakes as their own.

Their keenness of perspicacity has enabled them to pursue consequences to a great distance; to see through clouds impervious to the dimness of *European* sight, and to find, I know not how, that when they are taxed, we shall be enslaved.

That slavery is a miserable state, we have been often told, and doubtless many a *Briton* will tremble to find it so near as in *America;* but how it will be brought hither, the Congress must inform us. The question might distress a common understanding; but the Statesmen of the other hemisphere can easily resolve it. Our Ministers, they say, are our enemies; and *if they should carry the point of taxation, may with the same Army enslave us. It may be said we will not pay them; but remember*, say the Western sages, *the taxes from* America, *and we may add the men, and particularly the Roman Catholicks of this vast Continent, will then be in the power of your enemies. Nor have you any reason to expect, that after making slaves of us, many of us will refuse to assist in reducing you to the same abject state.*

These are dreadful menaces; but suspecting that they have not much the sound of probability, the Congress proceeds: "Do not treat this as chimerical. Know that in "less than half a century the quit-rent reserved to the "Crown from the numberless grants of this vast Continent, "will pour large streams of wealth into the royal coffers. "If to this be added the power of taxing *America* at "pleasure, the Crown will possess more treasure than may "be necessary to purchase the *remains* of liberty in your "Island."

All this is very dreadful; but amidst the terrour that shakes my frame I cannot forbear to wish that some sluice were opened for these streams of treasure. I should gladly see *America* return half of what *England* has expended in her defence; and of the stream that will flow so largely in less than half a century, I hope a small rill, at least, may be found to quench the thirst of the present generation, which seems to think itself in more danger of wanting money than of losing liberty.

It is difficult to judge with what intention such airy bursts of malevolence are vented: if such writers hope to deceive, let us rather repel them with scorn, than refute them by disputation.

In this last terrifick paragraph are two positions that, if our fears do not overpower our reflection, may enable us to support life a little longer. We are told by these

Digitized by Google

croakers of calamity, not only that our present Ministers design to enslave us, but that the same malignity of purpose is to descend through all their successors, and that the wealth to be poured into *England* by the pactolus of *America* will, whenever it comes, be employed to purchase the remains of liberty.

Of those who now conduct the national affairs, we may, without much arrogance, presume to know more than themselves, and of those who shall succeed them, whether Minister or King, not to know less.

The other position is that the Crown, if this laudable opposition should not be successful, will have the power of taxing *America* at pleasure. Surely they think rather too meanly of our apprehensions, when they suppose us not to know what they well know themselves, that they are taxed, like all other *British* subjects, by Parliament, and that the Crown has not, by the new imposts, whether right or wrong, obtained any additional power over their possessions.

It were a curious, but an idle speculation to inquire what effect these dictators of sedition expect from the dispersion of their letter among us. If they believe their own complaints of hardship, and really dread the danger which they describe, they will naturally hope to communicate their own perceptions to their fellow-subjects. But probably in *America*, as in other places, the chiefs are incendiaries that hope to rob in the tumults of a conflagration, and toss brands among the rabble, passively combustible. Those who wrote the Address, though they have shown no great extent or profundity of mind, are yet probably wiser than to believe it; but they have been taught by some master of mischief how to put in motion the engine of political electricity; to attract by the sounds of Liberty and Property, to repel by those of Popery and Slavery; and to give the great stroke by the name of *Boston*.

When subordinate communities oppose the decrees of the General Legislature with defiance thus audacious, and malignity thus accrimonious, nothing remains but to conquer or to yield; to allow their claim of independence, or to reduce them, by force, to submission and allegiance.

It might be hoped that no *Englishman* could be found whom the menaces of our own Colonists, just rescued from the *French*, would not move to indignation like that of the *Scythians*, who, returning from war, found themselves excluded from their own houses by their slaves.

That corporations constituted by favour, and existing by sufferance, should dare to prohibit commerce with their native country, and threaten individuals by infamy, and societies with at least suspension of amity, for daring to be more obedient to Government than themselves, is a degree of insolence which not only deserves to be punished, but of which the punishment is loudly demanded by the order of life, and the peace of Nations.

Yet there have risen up, in the face of the publick, men who, by whatever corruptions or whatever infatuation, have undertaken to defend the *Americans*, endeavour to shelter them from resentment, and propose reconciliation without submission.

As political diseases are naturally contagious, let it be supposed for a moment that *Cornwall*, seized with the *Philadelphian* phrenzy, may resolve to separate itself from the general system of the *English* Constitution, and judge of its own rights in its own Parliament. A Congress might then meet at *Truro*, and address the other Counties in a style not unlike the language of the *American* patriots.

"Friends and Fellow-Subjects: We, the Delegates of the several Towns and Parishes of *Cornwall*, assembled to deliberate on our own state and that of our constituents, having, after serious debate and calm consideration, settled the scheme of our future conduct, hold it necessary to declare, in this publick manner, the Resolutions which we think ourselves entitled to form by the immutable laws of nature, and the unalienable rights of reasonable beings, and into which we have been at last compelled by grievances and oppressions, long endured by us in patient silence, not because we did not feel, or could not remove them, but because we were unwilling to give disturbance to a settled Government, and hoped that others would in time find, like ourselves, their true interest and their original powers, and all co-operate to universal happiness.

"But, since having long indulged the pleasing expectation, we find general discontent, not likely to increase, or not likely to end in general defection, we resolve to erect alone the standard of Liberty.

"*Know then*, that you are no longer to consider *Cornwall* as an *English* County, visited by *English* Judges, receiving law from an *English* Parliament, or included in any general taxation of the Kingdom; but as a state distinct and independent, governed by its own institutions, administered by its own Magistrates, and exempt from any tax or tribute but such as we shall impose upon ourselves.

"We are the acknowledged descendants of the earliest inhabitants of *Britain*—of men who, before the time of history, took possession of the Island, desolate and waste, and therefore open to the first occupants. Of this descent, our language is a sufficient proof, which, not quite a century ago, was different from yours.

"Such are the *Cornishmen*, but who are you? Who but the unauthorized and lawless children of intruders, invaders, and oppressors? Who but the transmitters of wrong, the inheritors of robbery? In claiming independence we claim but little. We might require you to depart from a land which you possess by usurpation, and to restore all that you have taken from us.

"Independence is the gift of nature, bestowed impartially on all her sons. No man is born the master of another. Every *Cornishman* is a freeman, for we have never resigned the rights of humanity; and he only can be thought free who is not governed but by his own consent.

"You may urge that the present system of Government has descended through many ages, and that we have a larger part in the representation of the Kingdom than any other County.

"All this is true, but it is neither cogent nor persuasive. We look to the original of things. Our union with the *English* Counties was either compelled by force, or settled by compact.

"That which was made by violence, may by violence be broken. If we were treated as a conquered people our rights might be obscured, but could never be extinguished. The sword can give nothing but power, which a sharper sword can take away.

"If our union was by compact, whom could the compact bind but those that concurred in the stipulations? We gave our ancestors no commission to settle the terms of future existence. They might be cowards that were frighted, or blockheads that were cheated; but whatever they were they could contract only for themselves. What they could establish, we can annul.

"Against our present form of Government, it shall stand in the place of all argument, that we do not like it. While we are governed as we do not like, where is our liberty? We do not like taxes, we will therefore not be taxed; we do not like your laws, and will not obey them.

"The taxes laid by our Representatives are laid, you tell us, by our own consent; but we will no longer consent to be represented. Our number of Legislators was originally a burden imposed upon us by *English* tyranny, and ought then to have been refused; if it be now considered as a disproportionate advantage, there can be no reason for complaining that we resign it.

"We shall therefore form a Senate of our own, under a President whom the King shall nominate, but whose authority we will limit, by adjusting his salary to his merit. We will not withhold a proper share of contribution to the necessary expense of lawful Government, but we will decide for ourselves what share is proper, what expense is necessary, and what Government is lawful.

"Till the authority of our counsel is acknowledged, and we are proclaimed independent and unaccountable, we we will, after the tenth day of *September*, keep our tin in our own hands. You can be supplied from no other place, and must therefore comply at last, or be poisoned with the copper of your own kitchens.

"If any *Cornishman* shall refuse his name to this just and laudable Association, he shall be tumbled from *St. Michael's* Mount, or buried alive in a Tin Mine; and if any emissary shall be found seducing *Cornishmen* to their former state, he shall be smeared with Tar and rolled in Feathers, and chased with dogs out of our Dominions."

["*From the* Cornish *Congress at* Truro."]

Digitized by Google

Of this Memorial, what could be said but that it was written in jest, or written by a madman? Yet I know not whether the warmest admirers of *Pennsylvanian* eloquence can find any argument in the Addresses of the Congress, that is not with greater strength urged by the *Cornishman*.

The argument of the irregular troops of controversy, stripped of its colours, and turned out naked to the view, is no more than this: Liberty is the birthright of man, and where obedience is compelled, there is no liberty. The answer is equally simple: Government is necessary to man; and where obedience is not compelled, there is no Government.

If the subject refuses to obey, it is the duty of authority to use compulsion. Society cannot subsist but by some power; first of making laws, and then of enforcing them.

To one of the threats hissed out by the Congress, I have put nothing similar into the *Cornish* Proclamation; because it is too foolish for buffoonery, and too wild for madness. If we do not withhold our King and his Parliament from taxing them, they will cross the *Atlantic* and enslave us!

How they will come they have not told us; perhaps they will take wing and light upon our coasts. When the cranes thus begin to flutter, it is time for pygmies to keep their eyes about them. The great Orator observes, that they will be very fit, after they have been taxed, to impose chains upon us. If they are so fit as their friend describes them, and so willing as they describe themselves, let us increase our Army and double our Militia.

It has been of late a very general practice to talk of slavery among those who are setting at defiance every power that keeps the world in order. If the learned author of the "*Reflections on Learning*" has rightly observed, that no man ever could give law to language, it will be vain to prohibit the use of the word *slavery*; but I could wish it more discreetly uttered. It is driven at one time too hard into our ears by the loud hurricane of *Pennsylvanian* eloquence, and at another glides too cold into our hearts by the soft conveyance of a female patriot bewailing the miseries of her *friends and fellow-citizens*.

Such has been the progress of sedition, that those who a few years ago disputed only our right of laying taxes, now question the validity of every act of legislation. They consider themselves as emancipated from obedience, and as being no longer the subjects of the *British* Crown. They leave us no choice but of yielding or conquering, of resigning our Dominion, or maintaining it by force.

From force, many endeavours have been used, either to disuade or to deter us. Sometimes the merit of the *Americans* is exalted, and sometimes their sufferings are aggravated. We are told of their contributions to the last war—a war incited by their outcries, and continued for their protection—a war by which none but themselves were gainers. All that they can boast is, that they did something for themselves, and did not wholly stand inactive while the sons of *Britain* were fighting in their cause.

If we cannot admire, we are called to pity them; to pity those that show no regard to their mother country; have obeyed no laws which they could violate; have imparted no good which they could withhold; have entered into associations of fraud to rob their creditors, and into combinations to distress all who depended on their commerce. We are reproached with the cruelty of shutting one Port, where every Port is shut against us. We are censured as tyrannical for hindering those from fishing who have condemned our Merchants to bankruptcy, and our Manufacturers to hunger.

Others persuade us to give them more liberty; to take off restraints, and relax authority; and tell us what happy consequences will arise from forbearance; how their affections will be conciliated, and into what diffusions of beneficence their gratitude will luxuriate. They will love their friends, they will reverence their protectors; they will throw themselves into our arms, and lay their property at our feet; they will buy from no other what we can sell them; they will sell to no other what we wish to buy.

That any obligations should overpower their attention to profit, we have known them long enough not to expect. It is not to be expected from a more liberal people. With what kindness they repay benefits they are now showing us, who, as soon as we have delivered them from *France*, are defying and proscribing us.

But if we will permit them to tax themselves, they will give us more than we require. If we proclaim them independent, they will, during pleasure, pay us a subsidy. The contest is not now for money, but for power. The question is not how much we shall collect, but by what authority the collection shall be made.

Those who find that the *Americans* cannot be shown in any form that may raise love or pity, dress them in habiliments of terrour, and try to make us think them formidable. The *Bostonians* can call into the field ninety thousand men. While we conquer all before us, new enemies will rise up behind, and our work will be always to begin. If we take possession of the Towns, the Colonists will retire into the inland regions, and the gain of victory will be only empty houses and a wide extent of waste and desolation. If we subdue them for the present, they will universally revolt in the next war, and resign us without pity to subjection and destruction.

To all this it may be answered, that between losing *America* and resigning it, there is no great difference; that it is not very reasonable to jump into the sea because the ship is leaky. All those evils may befall us, but we need not hasten them.

The Dean of *Gloucester* has proposed, and seems to propose it seriously, that we should at once release our claims, declare them masters of themselves, and whistle them down the wind. His opinion is, that our gain from them will be the same, and our expense less. What they can have most cheaply from *Britain* they will still buy; what they can sell to us at the highest price they will still sell.

It is, however, a little hard, that having so lately fought and conquered for their safety, we should govern them no longer. By letting them loose before the war how many millions might have been saved. One ridiculous proposal is best answered by another: Let us restore to the *French* what we have taken from them. We shall see our Colonists at our feet when they have an enemy so near them. Let us give the *Indians* Arms, and teach them discipline, and encourage them now and then to plunder a plantation. Security and leisure are the parents of sedition.

While these different opinions are agitated, it seems to be determined by the Legislature that force shall be tried. Men of the pen have seldom any great skill in conquering Kingdoms, but they have strong inclination to give advice. I cannot forbear to wish that this commotion may end without bloodshed, and that the rebels may be subdued by terrour rather than by violence; and therefore recommend such a force as may take away not only the power, but the hope of resistance, and by conquering without a battle, save many from the sword.

If their obstinacy continues without actual hostilities, it may perhaps be mollified by turning out the Soldiers to free-quarters, forbidding any personal cruelty or hurt. It has been proposed that the Slaves should be set free, an act which surely the lovers of liberty cannot but commend. If they are furnished with fire-arms for defence, and utensils for husbandry, and settled in some simple form of Government within the country they may be more grateful and honest than their masters.

Far be it from any *Englishman* to thirst for the blood of his fellow-subjects. Those who most deserve our resentment are unhappily at less distance. The *Americans*, when the Stamp Act was first proposed, undoubtedly disliked it, as every Nation dislikes an impost; but they had no thought of resisting it till they were encouraged and incited by *European* intelligence—from men whom they thought their friends, but who were friends only to themselves.

On the original contrivers of mischief let an insulted Nation pour out its vengeance. With whatever design they have inflamed this pernicious contest, they are themselves equally detestable. If they wish success to the Colonies, the are traitors to this country; if they wish their defeat, they are traitors at once to *America* and *England*. To them and them only must be imputed the interruption of commerce and the miseries of war; the sorrow of those that shall be ruined, and the blood of those that shall fall.

Since the *Americans* have made it necessary to subdue them, may they be subdued with the least injury possible to their persons and their possessions. When they are re-

Digitized by Google

duced to obedience, may that obedience be secured by stricter laws and stronger obligations.

Nothing can be more noxious to society than that erroneous clemency which, when a rebellion is suppressed, exacts no forfeiture and establishes no securities, but leaves the rebels in their former state. Who would not try the experiment which promises advantage without expense? If rebels once obtain a victory, their wishes are accomplished; if they are defeated, they suffer little, perhaps less than their conquerors; however often they play the game, the chance is always in their favour. In the meantime they are growing rich by victualing the Troops that we have sent against them, and perhaps gain more by the residence of the Army than they lose by the obstruction of their Port.

Their Charters being now, I suppose, legally forfeited, may be modelled as shall appear most commodious to the mother country. Thus, the privileges which are found by experience liable to misuse, will be taken away, and those who now bellow as Patriots, bluster as Soldiers, and domineer as Legislators, will sink into sober Merchants, and silent Planters, peaceably diligent, and securely rich.

But there is one writer, and perhaps many who do not write, to whom the contraction of these pernicious privileges appears very dangerous, and who startle at the thoughts of *England* free and *America* in chains. Children fly from their own shadow, and rhetoricians are frighted by their own voices. Chains is undoubtedly a dreadful word; but perhaps the masters of civil wisdom may discover some gradations between chains and anarchy. Chains need not be put upon those who will be restrained without them. This contest may end in the softer phrase of *English* superiority and *American* obedience.

We are told that the subjection of *Americans* may tend to the diminution of our own liberties; an event which none but very perspicacious politicians are able to foresee. If slavery be thus fatally contagious how is it that we hear the loudest yelps for liberty among the drivers of negroes?

But let us interrupt awhile this dream of conquest, settlement, and supremacy. Let us remember that being to contend, according to one Orator, with three millions of Whigs, and according to another, with ninety thousand Patriots of *Massachusetts Bay*, we may possibly be checked in our career of reduction. We may be reduced to peace upon equal terms, or driven from the Western Continent, and forbidden to violate a second time the happy borders of the land of liberty. The time is now perhaps at hand which Sir *Thomas Brown* predicted between jest and earnest,

> When *America* shall no more send out her treasure,
> But spend it at home in *American* pleasure.

If we are allowed, upon our defeat, to stipulate conditions, I hope the treaty of *Boston* will permit us to import into the confederated Cantons such products as they do not raise, and such manufactures as they do not make and cannot buy cheaper from other Nations, paying like others the appointed customs; that if any *English* Ship salutes a Fort with four guns, it shall be answered at least with two; and that if an *Englishman* be inclined to hold a Plantation he shall only take an oath of allegiance to the reigning powers, and be suffered, while he lives inoffensively, to retain his own opinion of *English* rights, unmolested in his conscience by an oath of abjuration.

AN ANSWER TO A PAMPHLET, ENTITLED "TAXATION NO TYRANNY;" ADDRESSED TO THE AUTHOR AND TO PERSONS IN POWER.*

The importance of the subject, the crisis of time in which I write, and the notoriety of your style and character, make it unnecessary for me to use a preface.

The very title of your Pamphlet is delusion. No man has ever said that Taxation is, in itself, tyranny; nor will you say that it may not become so by abuse, or by want of authority in the imposers of it. Had your title said, "that the *British* Parliament is the proper and constitutional body for taxing the Colonies," you would not have misstated the question. But that would not have tended to ensnare an inattentive reader by a disingenuous and a false implication.

You set out with this position: "That the supreme "power of every community has the right of requiring from "all its subjects such contributions as are necessary to the "publick safety or publick prosperity."

You pretend that this position is as old as Government, but it is evidently of modern structure. This appears from the word requiring. Your maxim is, not that the supreme power has the right of taxing, but of requiring contributions from all its subjects, and is evidently framed for the present dispute, and for the identical idea of requisition from the Colonies. Now this, whether right or wrong, is certainly not an old, nor even now an established idea on either side of the *Atlantic*.

Further, if by the supreme power having a right to require contributions, you mean that it has a right to tax, you express yourself inaccurately; and if, from that position, you conclude that the *British* Parliament has a right to tax *America*, you but just assume what you ought to prove. For the very point in debate is, whether the *British* Parliament, though it be the supreme power of the whole Empire as to many points, is so as to all, and particularly as to taxation. Now this being a question relating to the *British* Government, it is evident that it is not to be determined by a general maxim of Government in abstract. It must be decided by the fundamental principles of the *British* Constitution; by the established practice of it, and by the dictates of sound sense, of natural justice, and of publick convenience, applied to the ground of that Constitution.

By your general terms, the reader naturally supposes it only to be asserted that the Legislature of every community has the power you speak of. Now this, in abstract, sounds well. When we speak of the Legislature of a community, we suppose only one Legislature; and where there is but one, it must of necessity have the right you speak of; otherwise, no taxes at all could be raised in that community. But then the proof arises from this necessity, which makes it absurd that it should be otherwise. Where, therefore, there is not the same necessity, the same absurdity will not arise, nor the same proof, by consequence, follow. Now the present dispute is not with respect to this Island alone, which certainly has but one Legislature, but with respect to the *British* Empire at large, in which there are many Legislatures; or many Assemblies claiming to be so. Here is the fallacy of your position. From the state of the *British* Empire, composed of extensive and dispersed Dominions, and from the nature of its Government, a multiplicity of Legislatures, or of Assemblies claiming to be so, have arisen in one Empire. It is in some degree a new case in legislation, and must be governed therefore more by its own circumstances, and by the genius of our peculiar Constitution, than by abstract notions of Government at large. Every Colony, in fact, has two Legislatures, one interiour and Provincial, viz: the Colony Assembly; the other exteriour and imperial, viz: the *British* Parliament. It would have been utterly absurd, that a Provincial Legislature should ever have subsisted, if it were not practically or constitutionally necessary for certain matters. It would be equally absurd if the imperial Legislature were to interpose in such matters; for if it should, one of two things must follow; either that the imperial Legislature must, in such matters, yield to the Provincial wherever they differed; or that it must prevail over it in points, from its own practical or constitutional unfitness for which, the Provincial Legislature was formed; either of which would be perfectly absurd. Neither will the unity of the Empire be in danger from the Provincial Legislature being thus exclusive as to points. It is perfectly sufficient, if the *British* Legislature be supreme as to all those things which are essential to *Great Britain's* being substantially the head of the Empire; a line not very difficult to be drawn, if it were the present subject. Neither is there any absurdity in there being two Assemblies, each of them sufficient, or, if you will, supreme, as to objects perfectly distinct; for this plain reason, that the objects being perfectly distinct, they cannot clash. The Colonist, therefore, allowing that the supreme power or

* This Pamphlet is one of those masterly productions of the Press which seldom appear but on great occasions. It is wished that it may be universally read before the measures of Government are carried to the extreme.—*Gent. Mag.*

Digitized by Google

Legislature, where there is but one, must have the right you speak of, will say that with respect to him, there are two, and that the Provincial Legislature is the supreme power as to taxation for his Colony. And so the controversy, notwithstanding your position, will remain just where it began.

But not to have done with your maxim. It says that the supreme power has a right to require such contributions as are necessary to the publick safety and publick prosperity. If these words have any meaning but to deceive, they must mean that this right of the supreme power has limits, viz: that it is only a right to impose or require such contributions as are necessary to the safety and prosperity of the publick. Suppose the supreme power to exceed those limits. It then exceeds its right; it acts without authority, and in all just reasoning becomes as impotent as an unauthorized individual. As such it may be resisted, and as such resistance to it cannot be rebellion. In your fundamental position, therefore, you establish a limit to the supreme power, and by consequence a justification for resistance, if that limit is transgressed. And yet, in every other place you assert that Government is the sole judge; that if the people can withhold obedience in any case, they are no longer subjects; that they are rebels; that they must be compelled; that Government is necessary to man, and that where obedience is not compelled, Government is at an end. You say, in a word, that the supreme power has limits, and that it has not limits; that Government has a duty which it may transgress with impunity, and that the people have rights which they cannot maintain without the guilt of rebellion. And all these contradictions you build upon the sorry and verbal sophism that the Legislature of every country is the supreme power, and being supreme, cannot be controlled. But the truth is, that it is no more than the chief power in ordinary course, but with an eventual control. For in extreme cases there is a control in the hands of the whole people, with whom alone the supreme power unlimited of any community can reside, and with whom it always does reside, though in common course they delegate a portion of authority sufficient for legislation to others, but so as that they are not to subvert the Constitution under which they act, nor to convert Government to the misery and ruin of the people, for whose happiness and prosperity it was formed. This final right of the people is felt and exercised in the most arbitrary Governments, though it is not only not professed in those countries, but the doctrine of passive obedience maintained and perhaps generally believed. So strong is nature, and so weak is sophistry in extreme cases, however, that more *Turkish* Emperors have been slain by their subjects, than Kings in all the free Monarchies that have ever existed. But resistance in our Constitution is not a tacit reserve; it is an express doctrine of our Government in its best times. It is then absurd to say that the governing powers are unlimited here, for a right of resistance implies a limit. If there could be no transgression, there could be no right to resist, and a power that has no limits cannot transgress.

Having thus done nothing, you proceed to a premature triumph over the arguments and principles of your adversaries, through forty pages, when you come to this proposition, "that the Legislature of a Colony is only the vestry of a larger Parish." This you assert, but you do not condescend to prove or to apply it. Let us try for a moment whether there is the smallest analogy. The Legislatures of the Colonies, for so you call them, have Parish vestries under them in *America*, similar to ours, which bear the same relation to the Provincial Legislatures, which *British* vestries bear to the *British* Parliament. Now I do not find that our vestries have other vestries subordinate to them in like manner. Neither do I suppose that the Provincial Legislatures would have had such had they been considered as similar to *British* vestries. The Provincial Legislatures are convened and dissolved by the immediate act of the Crown, in the same manner as our Parliament. Are the meetings of vestries so summoned or so discharged? Writs issue in *America* from the Crown to the Sheriffs of the several Counties, to have a new Representative elected for every General Assembly in each Province. Is this a ceremony belonging to vestries? Their session opens and closes like ours with a speech from the Throne upon the publick business, and there is the same intercourse between them and the Executive, as between the King and the *British* Parliament. Can this be said of vestries? They make laws of all kinds, civil and criminal, which Jurors, Sheriffs, the King's Judges, all Officers of Judicature, and the whole Province, are obliged to acknowledge as publick law; and these laws require and receive the royal assent in like manner with *British* Acts of Parliament? Does this belong to vestry regulations? They vote men and money for publick service and for military expeditions—witness the late war. Can this be alleged of vestries? Or would Mr. *Grenville* formerly, or the *British* Parliament at this day, think of sending to any *British* vestry, or tell them that if they would tax themselves for the publick service, Parliament would not tax them? I should be ashamed to dwell longer on such a dream.

Your next proposition is, that the *Americans* have no reason to complain, for that they are represented in the *British* Parliament. And how do you prove this? In fact, though not in words, the proof you offer is this; that there are many in *Great Britain* who, not being electors, are not represented; that none of the *Americans* are electors, and that notwithstanding they are represented. To soften this absurdity you borrow an idea which this controversy has created. It is, that there are two kinds of Representatives, one actual and the other virtual; that those who have votes are actually represented; and that those who have not votes are virtually represented; and therefore, as it must be made out that the *Americans* are represented in some manner or other, and as it is absurd to say that they are actually represented, it is thus deduced that they are represented virtually, and that they are very unreasonable if they are not perfectly content. But I desire that the law-book may be produced in which a virtual Representative is once mentioned as a character known to our law or Constitution. There is no such notice, I am bold to affirm, from the first Year Book down to the Commentary of *Blackstone*. If, therefore, this idea is allowed at all, it must be allowed, not as a maxim of *British* law, but of general reason. As such it will apply equally to all Governments as well as to that of *Britain*. Now if it be true that every man is virtually represented in the Legislature of his country, though he has no share in choosing it, then it is true that the *Americans* may be virtually represented in the *British* Parliament. But it is equally true that the same may be said of every Nation under the sun, with respect to its Legislature. The Grand Signior, for instance, has the Legislature of the *Turkish* Empire in his own person; he is the virtual Representative of his people therefore, and his subjects consequently have the blessing of representation equally with the *Americans*; and thus all the Governments of the world are happily brought to a level.

To comfort the *Americans* it is your constant practice to tell them that though they must have less freedom and constitutional privilege than their brethren at home, yet that the people of *Great Britain* have little of either. Thus you exaggerate the number of non-electors in *Britain*, and seem to impeach the Constitution, as having been negligent of the people. In this whole business I think you mistake the drift of the Constitution, as I shall endeavour to shew. But first to touch it upon your own ground. Women and minors are a great majority of every people; yet in no Constitution have they ever been electors. So far the *British* Constitution has nothing particular to account for; and, as for the rest, let history answer. In our feudal origin the property of the state that fell to commoners was, for the most part, pretty equally divided into Military freeholds, to which every privilege was at that time annexed, and particularly that of constituting County Members. Moneyed property was little known or attended to at first. As it grew, however, Members for Cities, Towns, and Boroughs, were, from time to time *added*, that personal property might be represented in some measure, though not so accurately as freehold. The elective principle, therefore, was general and perfect as property originally stood. If the course of time has altered this state, so as that the constitutional principle has become narrow in its operation, what follows? That some change should be made, in order that the constitutional principle should be restored to its full operation: that is, that the Constitution should be revived at home, not destroyed on the other

Digitized by Google

side of the *Atlantic;* whereas, your argument is, that because it is bad here, it should be rendered worse there; and because its image is somewhat impaired in *Great Britain*, that there should not be a shadow of it left in *America*.

Again: You tell the *Americans* that they are no great losers by not having a vote for their *British* Representatives; for that those who have votes seldom know or have seen the person whom they choose. This is the fault of the individuals, however, and the faults of *British* individuals are scarcely to be punished in the persons of *Americans* by a deprivation of their privileges. Neither does this happen, except where the Constitution has deviated from its original, and when therefore it ought rather to be restored to its purity than its errour propagated; I mean in the declining or decayed Boroughs. But if it is an absurd state of things that the Representative should not be known by his constituents, is it not absurd that *America* should be represented in *Great Britain?*

The principle of the Constitution in this point was so strong, that by the Common Law no man could be either an Elector or a Representative for any place, without *residing* on the spot; and upon the soundest reason, men, at that unrefined period, *resided* on their *property*. There was therefore not only more personal knowledge and intercourse, but a greater community of the most solid interests, and of property, above all, between men residing in the same County or Town, than between persons (though of the same Kingdom) who resided at a considerable distance from each other. Both representatives and electors were, like jurors, from the *vicinage*. This was the great and sound principle of our forefathers. They knew that Government was an art, practical, not theoretick. It was not an abstract subtlety that contented them, but a solid and binding principle of social connection. What that was precisely with respect to what is commonly called representation, may deserve perhaps to be a little explained.

Words that are long in common use acquire so many senses that they lose exactness. This, perhaps, is the case of the word representation. A Representative, however, we understand to be a Delegate; a person not self-authorized, but constituted by something else. I will call him Member, as less equivocal. Now what is it which constitutes the Member? I say the property of the County or Borough, not the persons; hence many persons in a County or Borough have not votes; which ought not to be, if the persons in the County or Borough were to constitute the Member. But it is the property of the County or Borough that is to do so; and, therefore, property, *legally notified*, never fails to have a vote—that is, to make an elector; for electors are the medium through which property is to operate. This will be still more illustrated hereafter. Freehold property constitutes County Representatives. Personal property constitutes all others. To explain this: personal property was considered by the old law as *fugitive* and *unreal*, compared with freehold property; and the quantum of it possessed by any man is difficult to ascertain. Hence the law has not fixed the quantum, nor does it require the same precise proof of its existence as it does in freehold, but has contented itself with selecting certain marks, and which are such presumptions of personal property to a degree in the possessor, that the law allows them for a proof of it. Thus, for instance, burgage tenure, birth, service, residence, paying certain rates, boiling a pot, &c.; all these prove or presume some degree of personal property, and of connection with the soil where they are found, and are admitted as proofs of it. This species of property, thus notified, constitutes Members for Boroughs, Towns, and Cities. Thus property is the universal constituent of the House of Commons. Honourary freemen, &c., I have not mentioned, being a modern device, unconnected with the Constitution.

To pursue this idea. In ancient time the Commons had not very large properties; the large properties were in the Barons, that is, in truth, the large properties made them Barons. A man became a Baron the moment he obtained a Barony. Barons were not created by the Crown at that time. It was an operation of property merely, not an act of the Executive. Thus property constituted the Baronage, and every man knows that the Baronage is only another name for the Peerage of *England*. A man who had a certain proportion of poperty of his own, was of course a Peer. A number of small properties, belonging to other men, combined and centred in one man, by virtue of election, made him a Commoner. One sat in right of his own property—the other sat in right of the property of others; but both sat equally by property. This accounts for some things that seem at first view irregular. For instance, the Barons, in old time, sitting by their property, taxed themselves; that is, taxed their own property. But now, sitting by the act of the Crown merely, without reference to property, the Commons, who continue to sit by property, have claimed the whole of taxation, and the Lords have ceded it to them. This shows to demonstration, that the body which is constituted by the property of any country, is the only body constitutionally qualified to tax that country; and, consequently, that the Provincial Legislatures are the only Assemblies constitutionally qualified to tax the Provinces, and not the *British* House of Commons, which *American* property has no share in constituting. This shews, that by the fundamentals of the *British* Government, property was the vital principle. It was that which constituted *both Houses* of Parliament, and for wise reasons: that the interest of the Members might as much as possible coincide with their duty; that the former might act as a centinel upon the latter, and that the very thing which gave men a vote in the Legislature, should superintend and sway the exercise of that vote. And surely, in so ordaining, they shewed a more intimate knowledge of human nature, and more salutary views, than those men who now argue that Members will do their duty as well who have no such motives of interest to prompt them to it, whatever they may have to the contrary; and that that assembly is, in all points, even to taxation itself, the fittest Legislature for *America*, which has not an inch of *American* property in the whole structure and formation of it.

Having thus cleared to demonstration, I think, the fundamental principle of our Government as to this subject, let me advert a little to the practice of the Constitution, as it would have been on your principle, and as it actually has been.

Had the *Norman* conqueror returned to *Normandy*, and make that the seat of empire, the *Norman* states would have been the imperial Legislature. Would he have been entitled, I ask, to tax his *English* subjects in his states of *Normandy?* You will not affirm it. Yet might he not say, "My *Norman* states made laws for all my subjects, when I had no subjects beyond *Normandy;* and why may they not continue to do so still, though my condition is altered in that respect? My *Norman* law has made no distinction concerning my subjects beyond Sea, (for the Prince might forget that till he had subjects beyond Sea, no mention of them could be expected.) I am too moderate to make these subjects beyond sea dependent on myself; they shall be dependent on my *Norman* states; and there will be this comfort in it besides, that I can do what I please with my *Norman* states, whereas the popular assemblies beyond Sea might be less manageable." This speech, no doubt, would be highly relished; the *Norman* states would be flattered; a great majority would vote for the doctrine; the minority would be called an *English* faction and decried; and all would be harmony and satisfaction, in *Normandy*. But how would it have gone in *England?* I will answer this question for you: He must have conquered it again, and again, and again. If he were once worsted, he would have been undone, and every pause of bloodshed would have been a renewal of war.

England, however, as I hope it always will, continued to be the seat of empire to him and to his descendants. Did any of them attempt to tax their Dominions beyond Sea in the Legislature of *England?* Never. The *Scotch* have asserted that they conquered *England;* the *English* have asserted that they conquered *Scotland*. Did either Nation, though *contiguous*, ever think of taxing the other in its domestick Legislature? No such thing was ever thought of. *Henry* the Fifth conquered *France*. Did he or his son ever attempt to tax *France* in the *English* Parliament? Or, if they had resided in *France*, would the states of *France* have been the constitutional Legislature for taxing the *English* subject? You will not say it. Was *Wales*, though conquered and contiguous, ever taxed by the *English* Parliament till it sent Representatives thither?

Digitized by Google

Never. When the Crowns of *England* and *Scotland* were united in the person of *James* the First, who made *England* the seat of empire, did the Parliament of *England* ever think of taxing *Scotland*? Or, in Queen *Anne's* reign, when the *Scotch* were averse to a union, were they ever told that the *English* Parliament could do the business if they were refractory; for that *Scotland* was represented in the Parliament of *England*, though all the property on the other side of the *Tweed* did not constitute one vote towards constituting one member of that assembly? No man ever dreamed of such a thing. Did *Henry* the Second, or any of his successors, ever attempt to tax *Ireland* in the *English* Parliament, though conquered, and not very distant? No, you confess. But the Judges, you say, have mentioned a distinction to account for this exemption, viz: that *Ireland* had a Parliament of her own. But why was a Parliament given to her? Because no man thought at that time that the *English* Parliament was a constitutional or adequate Legislature in ordinary, for Dominions beyond Sea. Nor can I believe that the Judges grounded their decision merely on the trisyllable "Parliament;" or that they had any other idea than that *Ireland*, having a Legislature, by whatever name, competent to taxation, it was not fitting that she should be taxed by the *English* Parliament, in the constituting of which the property of *Ireland* had no share. Now this holds equally as to the Provincial Assemblies, and to the Legislatures or states of every Kingdom or Province which I have before mentioned; and therefore it is clear that this universal practice was founded on a universal principle, that the Parliament of *England* ought not to tax any part of the Dominion, the property of which had not its due share in constituting that assembly. But there is an instance more precisely in point, and that is, the practice of Parliament with respect to these very Colonies. From their origin till the commencement of this dispute, the Parliament of *England* never attempted to tax them. It is confessed to have been a new idea, and as such principally, it has been gloried in by Mr. *Grenville* and his friends. Will nothing convince men? I know, however, there are persons who will be ready to contradict this, and to mention that the Post Office is a tax. To this I answer, first, that it does not bear the letter and form peculiar to a Tax Law; and was not intended on the one side, nor received on the other as such, and therefore can be no precedent; at least, if it were intended so by you, the intention was masked. There was concealment in the transaction enough to destroy it in a court of equity; and if you set the example of ligitiousness, and of little over-reachings to your Dependencies, you will make them afraid of you in every part of your dealing, which will increase your difficulties without end, and will begin with universal contention, as it will terminate in universal chicane. Next, I answer, that the Post Office was an undertaking first carried on by individuals at their private hazard; since adopted by the state, which stands in the place only of those individuals as to the Dependencies; and that it is now as an establishment maintained at the sole expense of *Great Britain*. She therefore has a right to say to any man, that if he makes use of that convenience he shall pay for it. It is a matter of compact, not of legislation, either in letter or in spirit. The *Americans* can send their letters by other conveyances. They have done so; and if they generally do otherwise, it is because they prefer the publick vehicle to any other, not because they are confined to it; that is, they pay postage for the carriage of their letters as they would pay a stage-coach for the carriage of their persons. I deny, therefore, that there is a single instance in which the *British* Parliament has taxed the Colonies; and you cannot deny that the *British* Parliament has acknowledged that the Provincial Assemblies can tax the Provinces, and that, in fact, they have exercised that right in a manner the most meritorious towards this country. You cannot, therefore, contest their power of granting money, nor their inclination to grant reasonably; but you fear that they will not grant unreasonably. You want, therefore, to deprive them of a negative, and to extort what you please by threatening that you will tax them here, if they do not implicitly tax themselves in *America*. Not content with a reasonable resource in an application to their choice, you want to establish a boundless resource in their fears. Like our arbitrary Princes, you are straining the prerogative of this country, that under the terrour of it, you may obtain what you do not choose from an unconstitutional pride, or what, from its unreasonableness, you are afraid to ask. Your apprehensions that the Colonies might, by Provincial grants, render the Crown independent, unless Parliament had a right to interpose, is only a pretence? Why have you ever let them make grants then? And is not your complaint that they have granted too little, not too much? But if that be your real fear, you can remedy it without a civil war. Pass an Act of Parliament declaring that it shall not be lawful for the Crown to give the royal assent to any Provincial grant without the approbation of Parliament. *America* will not refuse you a negative on her grants, but she will not relinquish a negative on your demands. I repeat, that the *English* Parliament has never taxed the Colonies; and if I could not, I should say, what all the world must acknowledge, that neither they, nor any body of people on earth, could defend their freedom for half a century, if a desultory and a questionable instance could overthrow it. It is not one problematical precedent that can be of any weight against a people. It must be by the general current of rational, unequivocal, and unoccasional practice that the Constitution of any country is to be tried.

And may not the Colonists well say that it would be wonderful indeed if our Parliament had been designed to be an universal Legislature to the ends of the earth, and as to all points? That our forefathers must have been not only wise men, which they were, but prophets, which they were not, if they could have foreseen our *American* acquisitions? And that no conclusion can be more certain than that our Parliament, in fact, was not originally intended to tax them, because when it was formed there was no such thing in being. May they not say that the only equity advanced in favour of the *British* claim, is, that the *Americans* are exactly in the same case with the non-electors of *Britain*? And may they not maintain that nothing can be more dissimilar? For that, first, the *British* non-elector has a strong influence upon the elector by habits of personal intercourse and connection; but that the *American* has none. Next, that the *British* non-elector may at any time acquire a vote by money or industry, but that the *American* never can. And lastly, that the *British* Representative cannot tax the non-elector of *Britain* without taxing his constituents equally and himself; whereas, every tax that he lays on *America* is, in the first instance, a gain and exoneration to his constituents and himself, in the same manner exactly in which it is a burden to *America*. May they not say, that men may be much more safely trusted in imposing taxes which they are to pay, than in imposing taxes which they are to receive? That the former is fairly a legislative act of taxation; but that the latter is an arbitrary imposition of tribute? May they not ask whether the people of *Great Britain* would think themselves as safe in being taxed by virtual Representatives in *America*, as in being taxed by their actual Representatives in *Great Britain*? And whether they would not esteem such levies to be a fine, rather than a tax; and an enaction, rather than an impost? May they not say, with some reason, that they wish you would know your own minds, and what would content you, and that you would decide for once, whether the possession of the Colonies, upon the old terms, would be an advantage to you, or not? For that if it would not, you are doubtless at liberty to relinquish it; and that if it would, you have no right to be paid for it. Have they not some reason to say that you are paid for it already, according to your original requisition? That the profits of their commerce, not taxes, were your object in colonizing; and that, possessing that, you have no right to a further payment by way of taxation? And that if they shall be able, and shall consent to contribute taxes also, that you should receive them rather as an overpayment, and as so much clear gain, than as a strict debt, or as a grounded demand? May they not say that it is rather hard that you should charge them with being a burden and a grievance to you if they choose your protection; and accuse them of being rebels if they are content to be without it? May they not observe, perhaps, that you call your connection with them by different names, according to the ends which you have to carry? That if you want taxes from them, you call it protection; and that if

Digitized by Google

they want rights and immunities from you, that you call it mastery and dominion? So that they may be beggared by taxes in return for being protected; and executed as rebels if they prefer independence? May they not say, when you complain of your taxes, that you could not pay those taxes if it were not for your commerce; and that a great and beneficial part of your commerce is your monopoly of *American* traffick? If therefore your monopoly of *American* traffick supplies a good part of those taxes, is it just to say that *America* does not contribute; or that she is not entitled to protection from any part of them? May she not also assert, that she is not the authoress of that debt with which you charge her? That the wars of King *William* and Queen *Anne* began it; that venal and unmanly counsels continued it; and that in the last war it was the *Germanick* and not the *American* Continent, from which it received its final accumulation. That all these measures were the product of *English* counsels, which were approved by the *British* Parliament, but over which the Colonies had no influence? That if the last war began about *American* boundaries, it was only because *America* is a *British* territory, and that it would equally have begun in whatever part of the Dominion the encroachment had been made? And if you will have *America* to be particularly concerned in the commencement of that war, may she not be bold to say that it was the conquests in *America* which your Colonists helped to make, and the cessions in *America* which they did not help to make, that accomplished the peace? Has she not reason to bid you look forward, and to tell you that, bending under that national debt, the Continent of *Europe* is not a scene on which you can act; and that it is by the *American* Continent only that the balance of *Europe* can be any longer in your hands? That by your great superiority of numbers there, you command both the *Americas*, command *Spain* and *Portugal*, influence *France* and other Powers of *Europe*, and that therefore instead of checking their increase by a jealous and hostile policy, you ought to encourage it by every just and generous institution: that instead of exasperating them by system, you should bind them to you by every demonstration of liberal attachment; and that you should leave them to conduct themselves to prosperity, without the alarming interposition of imperial authority, except where it is bona fide essential to preserve *Great Britain* at the head of an united Empire? And as taxing the Colonies in the *British* Parliament or making them tax themselves by compulsory requisition from hence, is inconsistent with all the rights of *British* property; and as it is evident, from your own past experience, that such a power is not necessary to the union of your Empire, but probably inconsistent with it; have they not reason to hope that you will renounce the idea with a manly decision, and not hold over their heads, *in terrorem*, a claim which even arbitrary countries do not exercise over their Colonies, the establishments of which are maintained at the expense of the parent state, without raising in them any conception that their Colonies are therefore useless, or that their Empire is in danger of being dissolved?

Surely no man can doubt but that system of Colony Government is best by which you will derive the greatest benefit from your Colonies, with the least disquietude and discomfort to them and to yourselves. You will not let them go at large into Manufactures or Commerce. What follows? That they never can be opulent states, and not being so, that they never can be productive of any considerable Revenue. Do not endeavour to unite incompatibilities. You have made your choice, and you have made a wise one. You have chosen the greater object in preference to the less. You have chosen copious returns of trade, rather than scanty resources of tribute. It would be absurd now to shake and to reverse your system, for the purpose of going back to what you were right in originally relinquishing; and right too not only because it is in itself of more value, but because you can get much in this way without disgusting your Colonists, whereas you could get but little in the other with their total alienation; and that for this plain reason, that men can better bear to be deprived of many means of acquisition, than to lose all security in what they already possess. For men can be happy without wealth, but they cannot be happy with nothing. It was right also, because if your title to taxation was ever so clear, it is equally clear that you ought not to use it—witness the Stamp Act; a law particularly calculated to execute itself, digested by an acknowledged financier, and prepared for by him as a great experiment, with much circumspection, and through a long period of time; and yet, take the whole system, and you find a thousand errours in it, and inaptitudes to the place for which it was designed. What, then, would it be reasonable to expect from such a power in the hands of ordinary financiers, and in the common course of business, in which expedition and round numbers, as it were, are preferred to accuracy or justice? What but eternal blunders, eternal miscarriages, and eternal feuds? What would be the consequence? You would hazard all your *American* Commerce, and all your *American* Empire, for the shadow of Revenue. Without a large Army you could levy nothing. With a large Army the expense would overbalance the receipts. If that Army did not reside, all would be confusion the moment it departed; if it did reside, how could its ranks be kept full? Or how could it be prevented from becoming *American*? And if all these difficulties were removed, how could such a system be reconciled to the principle of your Empire, which is free and commercial, and which cannot be either of these without being both? *Rome*, however, it may be said, governed her Provinces by Armies. Be it so. But her Empire was military, not commercial. War was to her, in some measure, what peace is to us. It fanned the principle of her Government. Armies too were to *Rome* what Navies are to *Great Britain*. Yet what was the consequence of this measure there? All manner of injustice and rapine spread through the Provinces, under the sanction of the *Roman* banner. Some of the Dependencies were ruined more quietly; others revolted. Larger Armies were called for. The ruin of some Provinces, and the mighty Armies sustained in others, exhausted the Empire. The distant Legions became tumultuary. One Province was employed against its neighbour. As one Army was quieted, another mutinied. The Empire was tossed from hand to hand, and the *Roman* Government, once so famous, became a theatre of military ravage, full of contending Emperours and conflicting Legions. The same tumults would close the scene with us, and the Empire would be dismembered by the very arms that were intended to unite it; for nothing that is unnatural can last. There would be this difference, however, that this measure might have seemed at first to be congenial, and even auxiliary to the principle of the *Roman* state; but in our Government it would be madness from the beginning. What follows? That if for ten thousand reasons you cannot govern by the sword, you have but one thing left, and that is, to govern by justice; and if this proposition revolts you, it is clear that you are not in a temper to govern.

That this system will dismember the Empire, is one of those solemn absurdities which some men affect to believe, for the purpose of imposing upon others. Has your hitherto leaving them to tax, and in general to regulate themselves, overturned your Empire? No; it has made it. Has *Ireland*, having had a Parliament for every purpose of legislation for six hundred years, made her independent or undutiful? You acknowledge the contrary. Indeed, how is it possible any thing of this sort should happen? The *British* Parliament declares who shall be King for the whole Empire; and without the assent of that King, no law can pass in any of the Dependencies. Will that King dare to give, or will his Ministers dare advise him to give the royal assent to any law that will dismember the Empire? Is it credible to suppose that he would forfeit the crown of the whole Empire, to gratify or to conspire with a part of it, which he must lose, together with that crown? It is nonsense to suppose it. No law, therefore, can pass in any Dependency, over which you have not a negative in effect, though not in form. Is this nothing? The power of peace and war, and the sword of the Empire, resides with *Great Britain*. Your friends and enemies are of course the friends and enemies of the whole Dominion. Is this nothing? You raise men for your Fleets and Armies throughout the whole. Is this nothing? The worst that can happen is that you may sometimes fail in getting money from them also. This too you will get in a reasonable degree, and with reasonable attention to them. Neither is all that they can ever con-

Digitized by Google

tribute, over and above the maintenance of their local establishments, worth a civil war. For as to any significant remittances of Revenue from *America* to *Great Britain*, it is too absurd to talk about. Add to all I have said above, what is indeed Revenue, and infinitely more than Revenue: that *Britain*, as the head of a Naval and Commercial Empire, must be supreme in trade and commerce, naval and maritime regulation. Is this nothing? Or rather is it not every thing? Will you get nothing from your Colonies by such a system? I will be bold to say that you will get more than any Nation under the sun ever obtained from Colonies before. What follows from all this? That you are going at this very moment, at the expense of every species of injustice and cruelty, to contend with your countrymen for nothing, at the hazard of every thing. If this is common sense, go on with it.

You say it is strange that in this dispute *Englishmen* have become opponents to *English* honour and interest; that perhaps it never happened before that Justice found much opposition with interest on her side; and that the principles of the Congress, however wild, have united all the Provinces against the mother country, from *New England* to *South Carolina*. Are not these circumstances, I ask, much stronger presumptions against you, than in your behalf? For is it possible to conceive that a cause, in which no religious enthusiasm enters, which has nothing to appeal to but reason and justice, and against which the semblance of a national interest and honour is leagued, is it to be conceived that such a cause, if founded in fraud or falsehood, could have stood ten years agitation without detection? Or that if it were not built on the most solid truth, and upon the most commanding justice, that so many Provinces, with so many principles of discord to keep them asunder, would have united against a parent country so powerful, and to which the moment before they were so cordially united? And that such a combination in *America* should not produce union in *Great Britain*, even if before there had been nothing but enmity, instead of leaving this matter as it has done, to be the leading and almost the only subject of controversy amongst us? And what can be more honourable to the character of this great and just Nation, than that no sophism of perverted talents like yours; no pretexts even of national interest or honour; nor all these, aided by the voice of Parliament itself, could warp the integrity of the publick mind, or blind it to those rights in their countrymen, which the people of this Kingdom, by such an unshaken adherence to them, have shewn they will not suffer to be torn from themselves.

You say that the Colonies of *Britain* differ from those of other Nations no otherwise than as the *English* Constitution differs from theirs. The *American* agrees with you, and says that is in freedom. But that not a modern device dressed up in deceitful words, but the solid freedom of the *British* Constitution, which cannot exist without a resident Legislature for domestick regulation in general, and for taxation particularly furnished with Members constituted by the property of that country which they are to tax. He who goes voluntarily to *America*, you say, cannot complain of losing what he leaves in *Europe*; for that as a man can be but in one place at once, he cannot have the advantage of multiplied residence. But first, our Colonists were not mere voluntary emigrants. They went by the invitation of the state. A futile claim to an uncultivated territory was all you had. That you would have lost if you had not sent them to keep possession of it.—They went, therefore, in the service of their country, and a hard service too. A barren or over-wooded soil was what you gave them. You owe your title to that soil, at this moment, to their occupancy; they owe the fruits of it to their labour, and they pay the monopoly of its trade to your superiour and parental relation. Men who stand in this situation are not lightly to be construed out of their privileges. They allow, by this change of place, that they lose their vote for a Representative in *Britain*, and they claim in lieu of it, though by no means an equivalent, a vote for a Representative in *America*. They say it is an inseparable quality of property by the *British* Government, to constitute the Members of the Legislature that are to tax that property; that as their property lies in *America*, it must constitute the Members that are to tax *America*; but that it has no share in constituting the *British* House of Commons, and that therefore they are not to be taxed by that assembly.

You say that the *Americans* do not wish to send Representatives to the *British* Parliament, and I believe it. They see the difficulty, or rather impossibility of executing such an idea, and how unfairly, if it were possible, it is likely to be executed. They conclude, therefore, that they must be represented and taxed in *America*. But you conclude the reverse, that they ought to be taxed in *England*, and say that there is little difference, if any, between a man's being taxed by compulsion without representation, and being represented by compulsion in order to be taxed. This seems, how consistently I know not, to state this as the alternative to which the *American* is reduced; and the *American* confesses that your doctrine at the best, does not mend that condition. For he says that if you force him to receive, at the point of the sword, a fiction of his being virtually represented here, that he will then be exactly in the state you describe, viz: that of being represented by compulsion, in order to be taxed. And he admits that violence in the first instance, by taking his money by force without any law, would be less an insult to his understanding, and perhaps a less dangerous, because a more alarming violation of his property.

And though every part of your publication breathes nothing but the spirit of tyranny, yet there is one passage so audacious that it deserves to be distinguished. In your 24th page you have these words: "An *English* individual "may, by the supreme authority, be deprived of liberty, "and a Colony divested of its powers, for reasons of which "that authority is the sole judge." If one individual or one Colony can be thus deprived, so may all the Colonies together—so may every man in the community; for I defy any man to shew where any limitation exists, if any such power be admitted. By this doctrine, the Parliament, for reasons of which it is the sole judge, that, is, without assigning any reason at all, may make every man in the *British* Empire a slave in one day: that is to say, a body of men, taken from amongst ourselves, in number not above a thousand, collected in one spot of the Empire, under the most sacred trust for the service of the whole, are entitled to do that which no power on earth has a right to do, viz: to make slaves at one blow, and without saying wherefore, of fourteen millions of fellow-subjects, and of their posterity, to latest time, and throughout every quarter of the world. Is such language to be endured? Or can he be a friend to human nature who uses it?

With equal humanity, in your 60th page, you say, "If "the *Bostonians* are condemned unheard, it is because "there is no need of a trial. All trial is the investigation "of something doubtful." Your ideas of legislation we had before, and your judicial ideas are as intolerable. To say that a crime's being notorious, or asserted to be notorious, will justify condemnation unheard, is too insolent an imposition. Where is the *Caligula* who would not say that the guilt of the man, or of the Province that he wanted to destroy, was notorious. If the assertion of the tyrant will convert cruelty into justice, no tyrant will ever be cruel. But the law of *England* is so different from your sentiment, that it presumes every man to be innocent till his guilt is tried and established; that is, instead of condemning unheard, so long as any man is unheard, it acquits him.

Neither do you stop at barren tenets of tyranny, but endeavour to propagate them into act, and to stamp their image upon the measures of Government. You call aloud to the Crown to new-model; that is, to innovate Charters. Yet what is your doctrine with respect to Charters? It is that, if these emigrants had gone without ceremony to seek their fortunes in any district which was unoccupied, or which by arms, address, or labour, they had acquired, they would have been independent states. But that, by accepting these Charters, the Colonists put themselves under the protection of the state, and by necessary implication under its jurisdiction and authority. Thus you confess that if it were not for these Charters, they might have been independent; and yet, in other places, you say that it is to these Charters they owe that they are freemen. At one time you state these Charters as an invaluable favour conferred upon them, and at another, as an inextricable chain by which they are bound. You state it as a compact, and

Digitized by Google

justly with respect to the emigrants; for they gave up every thing here for what they obtained in *America*. What follows? That you cannot take that away from them without restoring, at least, what they gave up for it. Now what is that? All that they and their descendants might have acquired by remaining in *Great Britain* ever since, all which they have lost, and which is probably much more than they have gained. Now this I believe you would find it hard to calculate, and as hard perhaps to pay. To return. Who were the parties to this compact? the Colonists and the Crown, not the Parliament. Now, if in such a transaction the Parliament is not included, it is final against the Parliament. If, on the other hand, it is included, and that the Crown is to be considered as acting for the Parliament, I say that its act must be binding on both sides, or on neither; that is to say, that Parliament must be bound on one side, or the Colonist is not bound on the other; and this with good reason: first, because it is the nature of compact to be mutual or null; and next, because if the terms were disagreeable to Parliament, Parliament had an opportunity of immediately undeceiving the Colonists, and declaring their dissent, which, if they did not, they are bound. Now did they make any such declaration? Nothing like it. I say then that the faith of Legislature is as much pledged by this subsequent and implied assent as by an antecedent participation.

I have proved that taxation by an assembly, not constituted by the property which it taxes, is an idea repugnant to our Constitution. Such a power, therefore, to exist at all, must be reserved in the most express terms. Now it is confessed that taxation is reserved only in one Charter, that of *Pennsylvania*. By every other, therefore, it is excluded, I say, and that not only by constitutional inference, but by the co-operation of Parliament itself, in the assent which it has given to these Charters, as above explained. And to this natural construction of the Charters as they stand expressed, I add the contemporary and continual construction which they have received from the conduct of Parliament, which best knew its own intentions, and which did not tax them; insomuch that the non-user may be better argued to be a tacit renunciation of taxation as to *Pennsylvania*, where the power was reserved, than as leaving a doubt but that there is no such right where it was not reserved. And shall any man say that such rights, purchased originally by what was relinquished here—purchased since by labour and service in *America*, and ratified by time, the arbiter of Governments—shall any man say that such rights are to be blown away by the breath of the first idle disputant? Or that they are alterable or revocable every hour of the day, with this absurdity added to injustice, that they are alterable and revocable only on one side; that is to the injury of the Colonist for ever, and at no period of time to his benefit? And this without considering that by your own doctrine these Charters, instead of being annulled as the ground of their independence, ought to be held sacred and immutable as the source of your authority?

But not content with innovating Charters, you advise that the *Americans* universally should be subjugated by stricter laws and stronger obligations. You exhort that national vengeance may be poured on the contrivers of mischief, and that no mistakes of clemency should prevent abundant forfeitures. Lest this should not be sufficiently harsh and humiliating, you suggest that their slaves may be taken from them, though by your laws their property, and settled, with arms for their defence, in some simple, that is, arbitrary form of Government. Thus you would establish a *Saturnalia* of cruelty, and expose these devoted men to the brutality of their own slaves, inflamed and irritated to retaliate tradionary wrongs, and to wreak a barbarous vengeance on their degraded masters. Lest even the common Soldier should have too much tenderness for them, you are careful to represent them under every odious and disparaging image. You say that we ought to resent our situation as the *Scythians* did of old when they found themselves excluded by their own slaves. You slander the very bounties of nature in them; and, as far as you can, degrade them below the rank of humanity.

Is this the language of a sober inquirer? As a philosopher, as a moralist, as a man, you ought to have cried out to the contending Nations, "Infatuated as you are, whither "do you rush? Though you may have some cause for "difference with each other, you have much more still for "concord." But you have scattered firebrands between them. You have endeavoured to ripen tumult to anarchy, and dissatisfaction to rebellion, and to transform punishment into waste and extirpation.

The tumour of your style, the insolence of your manners, your rawness in the great principles of the subject which you treat, and your universal inaccuracy or unfairness in arguing, are inferiour considerations and faults that may be forgiven. But let it be remembered, at all events, that with respect to this point, you confess that if the *Americans* are right, it is robbery in us, not rebellion in them. Now I ask any man, whether on this state it is so clear that *America* is wrong, and that it is not robbery in us, as that we should lightly run the risk of becoming murderers also, and murderers of our fellow-subjects into the bargain? Every lover of truth and liberty, every honest and conscientious man will feel this question. The Soldier will feel it; the Sailor will feel it; the free Subject will feel it; the King and his Ministers will feel it.

PROCEEDINGS, PAPERS, AND DEBATES OF THE HOUSE OF LORDS AND HOUSE OF COMMONS, ON MEASURES RELATING TO THE AMERICAN COLONIES, DURING THE FIRST SESSION OF THE FOURTEENTH PARLIAMENT OF GREAT BRITAIN.

HOUSE OF LORDS.

TUESDAY, *November*, 29, 1774.

This day the Parliament met at *Westminster*.*

His Majesty being seated on the Throne, adorned with his crown and regal ornaments, and attended by his Officers of State, (the Lords being in their robes,) commanded the Gentleman Usher of the Black Rod to let the Commons know, "It is his Majesty's pleasure that they attend him immediately in this House:"

Who being come, the Lord Chancellor said:

"*My Lords and Gentlemen:*

"His Majesty has been pleased to command me to ac-"quaint you that he will defer declaring the causes of call-"ing this Parliament till there shall be a Speaker of the "House of Commons; and therefore it is Majesty's plea-"sure that you, gentlemen of the House of Commons, do "immediately repair to the place where the Commons "usually sit, and there choose a fit person to be your

* Whilst matters of this great magnitude were transacting in *America*, an unexampled supineness with regard to publick affairs, prevailed among the great body of the people at home. The *English* Nation, which used to feel so tremblingly alive upon every contest that arose between the remotest Powers in *Europe*, and to interest itself so much in the issue as scarcely to be withheld from becoming a party wherever justice or friendship pointed out the way, by a strange reverse of temper, seemed, at this time, much more indifferent to matters in which were involved its own immediate and dearest interests. Even the great commercial and manufacturing bodies, who must be the first to feel, and the last to lament any sinister events in the Colonies, and who are generally remarkable for a quick foresight and provident sagacity in whatever regards their interest, seemed now to be sunk in the same carelessness and inattention with the rest of the people.

Several causes concurred to produce this apparent indifference. The Colony contests were no longer new. From the year 1765 they had, with but few, and those short intermissions, engaged the attention of Parliament. Most of the topicks on the subject were exhausted, and the vehement passions which accompanied them had subsided. The Non-Importation Agreement (by divisions within the Colonies, which, if not caused, were much forwarded by the concessions with regard to several of the taxes laid in 1767) had broken up before it had produced any serious consequences. Most people, therefore, flattered themselves that as things had appeared so very frequently at the verge of a rupture, without actually arriving at it, that now, as formerly, some means would be found for accommodating this dispute. At worst, it was conceived that the *Americans* would themselves grow tired. And as an opinion was circulated, with some industry and success, that a coun-

Digitized by Google

"Speaker; and that you present such person who shall be "so chosen, to his Majesty here for his royal approbation "to-morrow at two of the clock.

Then his Majesty was pleased to retire, and the Commons withdrew.

WEDNESDAY, *November* 30, 1774.

His Majesty being seated on the Throne, adorned with his crown and regal ornaments, and attended by his high Officers of State, (the Lords being in their robes,) commanded the Gentleman Usher of the Black Rod to let the Commons know, "It is his Majesty's pleasure that they attend him immediately in this House."

Who being come,

Sir *Fletcher Norton* said,

Most Gracious Sovereign:

Your Majesty's dutiful subjects, the Commons of this your Realm, in Parliament assembled, have, in pursuance of your Majesty's direction, and of their ancient right, elected one of their Members to be their Speaker for this Parliament; and their choice, sir, having once more fallen upon me for this high and important trust, they now present me to your Majesty for your judgment upon their election. Needless will it be in me, sir, to mention on this occasion, with regard to myself, what I fear cannot but be too well known to your Majesty; it therefore best becomes me, with silence and submission, to resign myself to your royal determination.

Then the *Lord Chancellor*, receiving directions from his Majesty, said:

Sir *Fletcher Norton*,

You have appealed to the King's own experience and knowledge for the decision of the weighty affair now under his consideration, and it is from thence his Majesty has formed his judgment.

After having had such clear demonstration of your abilities, zeal, and application, in the service of himself and of your country, in the last Parliament, his Majesty commands me to let you know that he entirely approves the choice which his faithful Commons have made, and allows and confirms you to be their Speaker. After which,

Mr. *Speaker* said:

Since your Majesty has been pleased to confirm the choice your Commons have made of me to be their Speaker, it is my duty, sir, with all humility, to conform myself to their appointment and your royal approbation of it; begging your Majesty's favourable acceptance of my humblest acknowledgments for this fresh instance of your Majesty's grace towards myself, and that your Majesty would vouchsafe to pardon my failings and infirmities, at least not to impute them in any wise to your faithful Commons. And that your Commons in Parliament may be the better enabled to discharge their duty to your Majesty and their country, I do in their name, and on their behalf, by humble petition to your Majesty, lay claim to all their ancient rights and privileges; particularly that they, their servants and

tenance of resolution, if persevered in for some time, would certainly put an end to the contest, which (it was said) had been nourished wholly by former concessions, people were in general inclined to leave the trial of the effects of perseverance and resolution, to a Ministry who valued themselves on those qualities. The Court had also with great tenaciousness adhered to this system for some years. It frequently got the better, not only of the regular opposition, but of parties in the Ministry itself, who were from time to time inclined to relax either from fear, weariness, or change of opinion. All these things had hitherto indisposed the body of the Nation from taking part in the sanguine manner they had hitherto done on other subjects, and formerly on this.

From these causes, Administration being totally disengaged at home, was at full leisure to prosecute the measures which it had designed against *America*, or to adopt such new ones as the opposition there rendered necessary towards carrying the new laws into execution. The times, indeed, were highly favourable to any purpose, which only required the concurrence of that Parliament, and the acquiescence of the people.

Notwithstanding these favourable circumstances on the one side, and that general indifference which prevailed on the other, it was not totally forgotten by either, that the time for a general election was approaching, and that the Parliament had but one session more to complete its allotted term. In some few places, where the popular spirit ran high, tests were already proposed to be signed by their future candidates, previous to their receiving any assurance or promise of support from the electors. At a meeting of the freeholders of the County of *Middlesex*, a test was proposed to Mr. *Wilkes* and Serjeant *Glynn*, and by them signed, in which they engaged their utmost endeavours to promote Bills for shortening the duration of Parliaments; for the exclusion of Placemen and Pensioners from the House of Commons; for a more fair and equal representation of the people; for vindicating the injured rights of the freeholders of that County, and, through them, of all the electors in the Kingdom; for procuring a repeal of the four late *American* Acts, viz: that for the Province of *Quebec*, and the three which affected the Town of *Boston*, and the Province of *Massachusetts Bay;* besides binding themselves, so far as in them lay, to restore and defend that excellent form of government which had been modelled and established at the Revolution.

Tests, upon much the same principles, were proposed in *London* and some other places; and it is still the opinion of some of those who were sanguine in that mode of proceeding, that the apprehension of its becoming general, influenced the subsequent conduct of Administration to the dissolution of Parliament. This opinion, however, seems ill-founded. There was no reason then to expect, nor is there now to imagine, that the mode of subscribing to tests would have become general, or even extensive. The influence of Administration, in a great number of the Boroughs, and in many of the Counties, is at all times too well known to be called in question, and the principal and most celebrated leaders in Opposition, totally disclaimed all tests whatever, as unworthy of themselves, derogatory of their character as Senators, and restrictive of their rights as men.

Other more probable causes must be sought for the measure of dissolving the Parliament. The civil list was again become deeply in debt, and the distresses of the lower part of the household, from the withholding of their wages, were become so notorious, and so much spoken of, that it seemed disgraceful to the Nation, as well as grievous to the Sovereign. It was therefore thought, and probably rightly, that it was intended, in the ensuing session, not only to demand a large sum of money for the discharge of the standing debt, but also that a requisition would be made for such a considerable and certain yearly addition to the civil list revenues as would prevent all such mortifying applications for the future.

Though no doubt could be entertained of the good will and compliance of the then Parliament, it was, perhaps, not thought prudent to load them with so disagreeable a task at the eve of a general election. Recent experience had shewn that this was a subject which would excite much general discussion; and that however a majority might, for their zeal to the ease of their Sovereign, overlook all the difficulties that could be raised within doors, such a settlement, attended with the payment of a great present balance, and loaded with an entailed irredeemable future encumbrance, would not at all be satisfactory without. People are apt to be out of humour at the parting with their money, and an application for future trust and favour, in such a temper, would seem at least ill-timed. On the other hand, such a measure would be nothing in the hands of a new Parliament, and would be worn out of memory, or become only an historical reference, at the time of their natural demise. The sinister events which have since taken place have, however, hitherto prevented the making of any requisition of this nature.

Another motive may, perhaps, be supposed for the measure of dissolution. That Parliament had already passed the most hostile laws against *America;* and as they could not with so good a grace rescind their own acts, the Minister was, in some degree, tied down to a perseverence in the support of those measures on which they were founded; whereas, in a new House of Commons, he would be somewhat at large in choosing or altering his line of conduct, as circumstances varied, and they, if necessary, might throw all the odium of those laws upon their predecessors.

It may also be supposed that as the issue of the *American* measures became every day more precarious, it was thought a right measure to have the elections over before any unfortunate event could change the temper or irritate the minds of the people. If this should coincide with the time of a general election, there was no doubt but the opposition must carry every thing before it. This, in all likelihood, was the strongest and most prevalent motive to this resolution, though the others might have had their share. And it may be safely concluded that a saving to the friends of Government, by curtailing the time for contest and expense, particularly in the Counties, was not at all overlooked upon this occasion. Indeed, the Opposition complained that they did not receive fair play; that some places were lost by surprise; and, they said, that those in the secret had infinite advantages by setting out betimes for the scene of action, and taking the necessary measures to strengthen their interest, before even a suspicion of the design was formed on the other side.

However it was very unexpectedly, and much to the surprise of the Nation, in general, (as it had not been a measure much practised of late years, no similar instance having occurred since the year 1746, and even that being an unique in the long reign of *George* the Second;) a Proclamation was issued on the 30th of *September*, for the dissolution of the Parliament, and the calling of a new one, the writs for which were made returnable on the 29th day of the following *November*. Notwithstanding the surprise and shortness of the time, some of the elections were contested with extraordinary perseverance and ardour.

In *London*, the popular party carried every thing before them, and returned all the Members. Mr. *Wilkes* was again elected to represent the County of *Middlesex*, without a shadow of opposition from the Court and Lord Mayor of that City, for the ensuing year; and there was no doubt that the Court party, grown somewhat wiser by long and bitter experience, would no longer controvert his seat. The dispute, concerning that single seat had produced to them more troubles, vexation, and disgraces than the contest with the twelve united Colonies of *America*. It would have been an imprudence of the grossest kind to mix these disputes in the present crisis; and thus, after near fourteen years struggle, it was thought the best way to leave him master of the field.

It was said, by some of those who are curious in attending to such observations, that notwithstanding the surprise and the shortness of the time, a greater number of the old Members were thrown out than was common at general elections. However the fact might be, those who were the best acquainted with men and things, did not augur any change of system from this circumstance. The Court, notwithstanding all the ill success of all the measures from which the best success was so confidently expected, seemed firmly resolved to persevere in the same course. It is said that private advices from *America* encouraged them to set a light value on the publick appearances.—*Ann. Regis.*

Digitized by Google

estates, may be free from arrests and all other molestation. That they may enjoy freedom of speech in their debates, and have liberty of access to your royal person on all occasions; and that all their proceedings may receive from your Majesty the most favourable interpretation.

Which done,

The *Lord Chancellor*, by his Majesty's further command, said,

Mr. *Speaker:*

The King has the greatest confidence in the duty and affection of this House of Commons to his person and Government, and an high opinion of that wisdom, temper, and prudence, which they will use in all their proceedings; and his Majesty does most readily grant and allow to them all their privileges, in as full and ample a manner as they have at any time been granted or allowed by his Majesty, or any of his royal predecessors.

There is one suit, sir, which you have made on your own behalf. His Majesty has received the surest pledge that no person in your station ever stood less in need of it than yourself; but that you may want no support in sustaining the burden of that important trust which is reposed in you, his Majesty has directed me to assure you, that he will put the most favourable construction both on your words and actions.

Then his Majesty was pleased to speak as follows:

My Lords and Gentlemen:

It gives me much concern that I am obliged, at the opening of this Parliament, to inform you that a most daring spirit of resistance and disobedience to the law still unhappily prevails in the Province of the *Massachusetts Bay*, and has in divers parts of it broke forth in fresh violences of a very criminal nature. These proceedings have been countenanced and encouraged in other of my Colonies, and unwarrantable attempts have been made to obstruct the Commerce of this Kingdom, by unlawful combinations. I have taken such measures, and given such orders as I judged most proper and effectual for carrying into execution the laws which were passed in the last session of the late Parliament, for the protection and security of the Commerce of my subjects, and for the restoring and preserving peace, order, and good Government in the Province of the *Massachusetts Bay*. And you may depend on my firm and steadfast resolution to withstand every attempt to weaken or impair the supreme authority of this Legislature over all the Dominions of my crown, the maintenance of which I consider as essential to the dignity, the safety, and the welfare of the *British* Empire, assuring myself that, while I act upon these principles, I shall never fail to receive your assistance and support.

I have the greatest satisfaction in being able to inform you that a treaty of peace is concluded between *Russia* and the *Porte*. By this happy event the troubles which have so long prevailed in one part of *Europe*, are composed, and the general tranquillity rendered complete. It shall be my constant aim and endeavour to prevent the breaking out of fresh disturbances, and I cannot but flatter myself I shall succeed, as I continue to receive the strongest assurances from other Powers of their being equally disposed to preserve the peace.

Gentlemen of the House of Commons:

I have ordered the proper Estimates for the service of the ensuing year to be laid before you; and I doubt not but that, in this House of Commons, I shall meet with the same affectionate confidence, and the same proofs of zeal and attachment to my person and Government, which I have always, during the course of my reign, received from my faithful Commons.

My Lords and Gentlemen:

Let me particularly recommend to you, at this time, to proceed with temper in your deliberations, and with unanimity in your resolutions. Let my people, in every part of my Dominions, be taught by your example to have a due reverence for the laws, and a just sense of the blessings of our excellent Constitution. They may be assured that, on my part, I have nothing so much at heart as the real prosperity and lasting happiness of all my subjects.

Then his Majesty was pleased to retire, and the Commons withdrew.

The Lord Chancellor reported his Majesty's Speech,

And the same being read by the Clerk,

The Earl of *Hillsborough* rose, and in a long and able speech, set forth the situation of the Colonies with the mother country, highly disapproving of the refractory spirit of the *Americans*, and hoping that, with temper and unanimity, such measures might be adopted as to bring about a reconciliation. His Lordship then moved, "That "an humble Address be presented to his Majesty, to re- "turn his Majesty the thanks of this House for his most "gracious Speech from the throne.

"To declare our abhorrence and detestation of the "daring spirit of resistance and disobedience to the laws, "which so strongly prevails in the Province of the *Massa-* "*chusetts Bay*, and of the unwarrantable attempts in that "and other Provinces of *America* to obstruct, by unlawful "combinations, the trade of this Kingdom.

"To return his Majesty our humble thanks for having "been pleased to communicate to us, that he has taken "such measures and given such orders as his Majesty hath "judged most proper and effectual for the protection and "security of the Commerce of his Majesty's subjects, and "for carrying into execution the laws which were passed "in the last session of the late Parliament, relative to the "Province of the *Massachusetts Bay*. To express our "entire satisfaction in his Majesty's firm and steadfast reso- "lution to continue to support the supreme authority of "the Legislature over all the Dominions of his crown, and "to give his Majesty the strongest assurances that we will "cheerfully co-operate in all such measures as shall be "necessary to maintain the dignity, safety, and welfare of "the *British* Empire.

"That as this Nation cannot be unconcerned in the "common interest of *Europe*, we have the greatest satis- "faction in being acquainted with the conclusion of the "peace between *Russia* and the *Porte;* that we confide "in his Majesty's endeavours to prevent, as far as possible, "the breaking out of fresh disturbances; and from the as- "surances given to his Majesty by other Powers, we have "the pleasing expectation that nothing is likely to inter- "vene that may interrupt the present happy tranquillity in "*Europe*.

"That it is no less our duty than our inclination to pro- "ceed with temper and unanimity in our deliberations and "resolutions, and to inculcate, by our example, a due rev- "erence for the laws, and a just sense of the excellency "of our Constitution; and, impressed with the deepest "gratitude for the many blessings we have enjoyed during "the course of his Majesty's reign, to testify with unaffected "zeal at this conjuncture our inviolable fidelity to his Ma- "jesty, and our serious attention to the publick welfare."

The Earl of *Buckinghamshire* seconded the motion.

The Duke of *Richmond* spoke strongly against the measures, which he imagined were intended to be taken, and moved that an amendment be made to the said motion, by inserting, after the word "throne," at the end of the first praragraph, these words:

"And to desire his Majesty would be graciously pleased "to give direction for an early communication of the ac- "counts which have been received concerning the state of "the Colonies, that we may not proceed to the considera- "tion of this most critical and important matter, but upon "the fullest information; and when we are thus informed "we shall, without delay, apply ourselves with the most "earnest and serious zeal, to such measures as shall tend "to secure the honour of his Majesty's Crown, the true "dignity of the mother country, and the harmony and "happiness of all his Majesty's Dominions."

Lord *Lyttelton* replied to him, and, amongst other things, urged the necessity of asserting the sovereign right of *Great Britain* over the Colonies by the most speedy and resolute measures. His Lordship declared that it was no longer a question whether we should relinquish the right of taxation, but whether that commerce, which had carried us triumphantly through the last war, should be subject to the wise and necessary regulations prescribed by the Act of Navigation, and confirmed by many subsequent Acts of Parliament, or at once laid open at the will of the factious

Digitized by Google

Americans, who were now struggling for a free and unlimited trade, independent of their mother country, and for powers inconsistent with, and derogatory to the honour and dignity of the Imperial Crown of *England;* that if Government should now, in the least degree, recede, all would be over, and *America*, instead of being subject to *Great Britain*, would soon give laws to it.

Lord *Shelburne* spoke next, then Lord *Talbot;* after him,

Lord *Camden* expatiated largely on the inexpediency of coercive measures at this time. He said such measures might be very properly exercised in the infancy of Colonies, but that when they had acquired power by commerce, and strength by the increase of numbers, it was wholly impolitick, if not dangerous, to compel them to submit to laws which tended to lay the least burthen or restraint on that trade by which alone they existed.

Lord *Dartmouth* replied to Lord *Camden*, and his speech closed the debate; when the question was put,

"Whether these words shall be inserted in the said motion?"

It was resolved in the Negative. Contents, 13; Non-Contents, 63.*

Upon which, the following Protest was entered:

Dissentient,

Because we cannot agree to commit ourselves with the careless facility of a common address of compliment, in expressions which may lead to measures in the event fatal to the lives, properties, and liberties of a very great part of our fellow-subjects. We conceive that an Address upon such objects as are before us, and at such a time as this, must necessarily have a considerable influence upon our future proceedings, and must impress the publick with an idea of the general spirit of the measures which we mean to support. Whatever methods we shall think it advisable to pursue, either in support of the mere authority of Parliament, which seems to be the sole consideration with some, or for reconciling that authority with the peace and satisfaction of the whole Empire, which has ever been our constant and invariable object, it will certainly add to the weight and efficacy of our proceedings, if they appear the result of full information, mature deliberation, and temperate inquiry. No materials for such an inquiry have been laid before us; nor have any such been so much as promised in the Speech from the Throne, or even in any verbal assurance from Ministers. In this situation we are called upon to make an Address, arbitrarily imposing qualities and descriptions upon acts done in the Colonies, of the true nature and just extent of which we are as yet in a great measure unapprized; a procedure which appears to us by no means consonant to that purity which we ought ever to preserve in our judicial, and to that caution which ought to guide us in our deliberate capacity.

2. Because this Address does, in effect, imply an approbation of the system adopted with regard to the Colonies in the last Parliament. This unfortunate system, conceived with so little prudence, and pursued with so little temper, consitency, or foresight, we were in hopes would be at length abandoned, from an experience of the mischiefs which it has produced, in proportion to the time in which it was continued, and the diligence with which it has been pursued; a system which has created the utmost confusion in the Colonies, without any rational hope of advantage to the Revenue, and with certain detriment to the Commerce of the mother country. And it affords us a melancholy prospect of the disposition of Lords in the present Parliament, when we see the House, under the pressure of so severe and uniform an experience, again ready, without any inquiry, to countenance, if not to adopt, the spirit of the former fatal proceedings.

But whatever may be the mischievous designs, or the inconsiderate temerity, which leads others to this desperate course, we wish to be known as persons who have ever disapproved of measures so pernicious in their past effects, and their future tendency, and who are not in haste, without inquiry or information, to commit ourselves in declarations which may precipitate our country into all the calamities of a civil war.

Richmond,	Ponsonby,
Wycombe,	Portland,
Rockingham,	Torrington,
Stamford,	Stanhope.
Camden,	

Then it was moved "To agree to the said motion for an Address as at first proposed;"

Which being objected to,

The question was put thereupon,

It was resolved in the Affirmative: Contents, 46; Non-Contents, 9.

Then the Lords following were appointed a Committee to prepare an Address, pursuant to the said motion, (videlicet:)

The Lord President; (Earl *Gower.*)

Lord of the Privy Seal; (Duke of *Grafton.*)

Dukes of *Marlborough, Ancaster, Chandos,* and *Bridgewater;*

The Lord Steward; (Earl *Talbot.*)

The Lord Chamberlain; (Earl of *Hertford.*)

Earls *Suffolk, Denbigh, Peterborough, Winchilsea, Sandwich, Carlisle, Rochford, Jersey, Dartmouth, Abercorn, Marchmont, Bristol, Waldegrave, Bucks, Hardwicke, Northington,* and *Hillsborough;*

Viscounts *Say* and *Sele, Townshend, Weymouth, Bolingbroke, Falmouth, Wentworth,* and *Dudley* and *Ward;*

Lord Archbishop of *Canterbury;*

Lord Bishops of *London, Durham, Norwich, Landaff, Peterborough, Chester, St. David's,* and *Rochester;* and

Lords *Le Despencer, Cathcart, Trevor, Edgecombe, Bruce, Hyde, Mansfield, Lyttelton,* and *Sundridge.*

Their Lordships, or any five of them, to meet immediately in the Prince's Lodgings, near the House of Peers, and to adjourn as they please.

The House was adjourned during pleasure, and the Committee withdrew to prepare the Address.

After some time the House was resumed; and the Earl of *Hillsborough* reported from the Committee an Address drawn up by them as follows, (videlicet:)

Most Gracious Sovereign:

We, your Majesty's most dutiful and loyal subjects, the Lords spiritual and temporal, in Parliament assembled, beg leave to return your Majesty our humble thanks for your most gracious Speech from the throne.

We think it our indispensable duty to declare, on this occasion, our abhorrence and detestation of the daring spirit of resistance, and disobedience to the laws, which so strongly prevails in the Province of the *Massachusetts Bay*, and of the unwarrantable attempts in that and other of your Majesty's Provinces in *America*, to obstruct by unlawful combinations the trade of this Kingdom.

We thankfully acknowledge, at the same time, the communication it has pleased your Majesty to make to us of your having taken such measures and given such orders as your Majesty judged the most proper and effectual for the protection and security of the commerce of your Majesty's subjects, and for the carrying into execution the laws which were passed in the last session of the late Parliament relative to the Province of the *Massachusetts Bay;* and in the utmost reliance on your Majesty's firm and steadfast resolution to continue to support the supreme authority of the Legislature over all the Dominions of your crown, your Majesty may be assured that we will cheerfully co-operate in all such measures as shall be necessary to maintain the dignity, the safety, and the welfare of the *British* Empire.

As this Nation cannot be unconcerned in the common interests of *Europe*, it is with the greatest satisfaction we are acquainted with the conclusion of the peace between *Russia* and the *Porte*. We have the fullest confidence in your Majesty's endeavours to prevent, as far as possible, the breaking out of fresh disturbances; and, from the assurances given to your Majesty by other Powers, we have the pleasing expectation that nothing is likely to happen that may interrupt the present happy tranquillity in *Europe*.

We beg leave humbly to assure your Majesty that it will be no less our duty than our inclination to proceed with temper and unanimity in our deliberations and resolutions,

* The Address from the Lords was not less warmly debated than that from the House of Commons. The debate was long and vehement, though the minority was but *thirteen* to *sixty-three* on the division. It was rendered more memorable by the circumstance of having produced a Protest, the first we remember to have heard of upon an Address, and that too very strong and pointed.—*Ann. Regis.*

Digitized by Google

and to inculcate, by our example, a due reverence for the laws, and a just sense of the excellency of our Constitution. Impressed with these sentiments, and with the deepest gratitude for the many blessings we have enjoyed during the course of your Majesty's reign, it will be our principal care to testify, with unaffected zeal at this conjuncture, our inviolable fidelity to your Majesty, and our serious attention to the publick welfare.

Which Address being read by the Clerk,

It was moved "To agree with the Committee in the said Address;"

Which being objected to,

The question was put thereupon;

It was resolved in the Affirmative.

Ordered, That the said Address be presented to his Majesty by the whole House.

Ordered, That the Lords with the White Staves do wait on his Majesty, humbly to know what time his Majesty will please appoint to be attended therewith.

THURSDAY, *December* 1, 1774.

The Lord Chamberlain reported, that the Lords with White Staves had (according to order) waited on his Majesty humbly to know what time his Majesty would please to appoint to be attended with their Lordships' Address; and that his Majesty had appointed this day at three o'clock, at his Palace at *St. James's*.

TUESDAY, *December* 6, 1774.

The Lord Chancellor reported, that the House did, on *Thursday* last, present their Address to his Majesty, to which his Majesty was pleased to return the following most gracious Answer:

My Lords:

I thank you for your affectionate assurances of duty and loyalty.

The zeal you express for the support of the supreme authority of the Legislature, which I shall constantly maintain, is very agreeable to me; and your resolution to proceed with temper and unanimity in your deliberations, gives me greater satisfaction, as it corresponds with the hearty concern I shall ever have for the true interests of all my people.

Ordered, That the said Address, together with his Majesty's most gracious Answer thereto, be forthwith printed and published.

HOUSE OF COMMONS.

TUESDAY, *November* 29, 1774.

The King's most excellent Majesty having, by his Royal Proclamation, dated the thirtieth day of *September* last, dissolved the last Parliament, and by his Writ of Summons, issued under the great seal of *Great Britain*, bearing teste at *Westminster*, on *Saturday*, the first day of *October*, called a new Parliament, and appointed the same to meet and sit this day; the Right Honourable *William* Earl *Talbot*, Lord Steward of his Majesty's Household, came about ten of the clock into one of the rooms belonging to the Clerk of the House, where the oaths appointed to be taken by the Members returned to serve in Parliament are usually administered; and *John Hatsell*, Esquire, Clerk of the House of Commons, and Mr. *Ley*, Clerk Assistant, and the other Clerks, attending according to their duty; and the Honourable *John Yorke*, Clerk of the Crown in Chancery, having delivered to the said Mr. *Hatsell* a book containing a List of the names of such Members as had been returned to serve in this Parliament, the Lord Steward did himself, in person, administer the oaths appointed to several of the Members who appeared; and afterwards made a Commission or Deputation, under his hand and seal, empowering several of the Members who had before been sworn, to administer the said oaths to the rest of the Members returned, some of which Commissioners administered the same accordingly to such other Members as appeared; which being done, the Members repaired to their seats in the House of Commons.

After which, a Message was delivered by Sir *Francis Molyneux*, Gentleman Usher of the Black Rod:

Gentlemen:

The King commands this Honourable House to attend his Majesty immediately in the House of Peers.

Accordingly the House went up to attend his Majesty in the House of Peers, where the Lord High Chancellor of *Great Britain*, by his Majesty's direction, said,

My Lords and Gentlemen:

His Majesty has been pleased to command me to acquaint you that he will defer declaring the cause of calling this Parliament, till there shall be a Speaker of the House of Commons; and therefore it is his Majesty's pleasure, that you, gentlemen of the House of Commons, do immediately repair to the place where the Commons usually sit, and there choose a fit person to be your Speaker; and that you present such person who shall be so chosen, to his Majesty here, for his royal approbation, to-morrow, at two of the clock.

And the House being returned, the Right Honourable Lord *Guernsey*, son and heir apparent of the Right Honourable the Earl of *Anglesford*, and one of the Burgesses for the Borough of *Maidstone*, in the County of *Kent*, addressing himself to the Clerk, (who, standing up, pointed to him, and then sat down.)

Lord *Guernsey*, then, in the usual form, after asserting the rights and privileges of the Commons of *Great Britain*, proceeded to expatiate largely on the tried integrity, abilities, and well known experience of Sir *Fletcher Norton*, their late Speaker, and concluded with moving, that he should once more be called to the Chair. His Lordship was seconded by Lord *Robert Spencer*, brother to the most noble *George* Duke of *Marlborough*, and one of the citizens for the City of *Oxford*, who was no less warm in his commendations; and the question being put, it was unanimously agreed to.

The House then calling Sir *Fletcher Norton* to the Chair, he stood up in his place, and delivered himself substantially, as follows:

The two noble Lords have been extremely partial to what they are pleased to term my talents and experience; though conscious of my inability to discharge so important and honourable a trust, upon any pretension but that of a strict obedience to the orders of this House; that, as the only merit I have hitherto had the least claim to, will, I trust, enable me to discharge myself to your satisfaction in future. I well know the extreme difficulty, and even impossibility, of filling the Chair, without such a disposition; and if that be sufficient, I hope to be honoured with a continuance of the same kind opinion and indulgence which I have before experienced.

The Speaker having finished, and the House then again unanimously calling Sir *Fletcher Norton* to the Chair, he was taken out of his place by the said Lord *Guernsey* and Lord *Robert Spencer*, and conducted to the Chair, where, before he sat down, he spoke to the following effect:

I cannot pretend to say whether the House may think as I do on the present occasion. I nevertheless look upon it as a part of my duty to acquaint them with my sentiments. If his Majesty should think proper to approve of me when I am presented, it will be a matter of course to pray for a confirmation of the ancient privileges of the Commons of *Great Britain*. Two of these privileges, it is well known, respecting the property and the servants of the Members of this House, having been taken away by a late Act of Parliament, to ask for them as usual, would be at least nugatory; to say they were given up, would, in my opinion, be equally improper. I would therefore, with the consent of the House, put the prayer in this general manner—such privileges, immunities, &c., as were taken away or abridged by Act of Parliament.

In this the House acquiesced. The Clerk of the House then took the Mace, (which before lay under the table,) and laid it upon the table; and the Speaker took his seat.

Then the Right Honourable Sir *John Shelley*, Treasurer of his Majesty's Household, and one of the Burgesses for the Borough of *New-Shoreham*, in the County of *Sussex*, having congratulated Mr. Speaker elect, moved to adjourn till to-morrow, twelve of the clock.

And the House accordingly adjourned till to-morrow, twelve of the clock.

Digitized by Google

WEDNESDAY, *November* 30, 1774.

The House being met, and Mr. Speaker elect having taken the Chair;

A Message was brought from his Majesty, by Sir *Francis Molyneux*, Gentleman Usher of the Black Rod:

Mr. *Speaker:*

The King commands this Honourable House to attend his Majesty immediately in the House of Peers.

Accordingly, Mr. Speaker elect, with the House, went up to attend his Majesty in the House of Peers, where Mr. Speaker elect was presented to his Majesty for his royal approbation; and

Then the Lord High Chancellor of *Great Britain*, after receiving directions from his Majesty, signified his Majesty's approbation of Mr. Speaker elect.

The House being returned;

Mr. Speaker reported, that the House had been in the House of Peers, where his Majesty had been pleased to approve of the choice the House had made of him to be their Speaker; and that he had, in their name, and on their behalf, by humble petition to his Majesty, laid claim to all their ancient rights and privileges, particularly that their persons, their estates, and servants, might be free from arrests and all molestations; that they may enjoy liberty of speech in all their debates, may have access to his Majesty's royal person, whenever occasion shall require, and that all their proceedings may receive from his Majesty the most favourable construction; which, he said, his Majesty had confirmed to them in as full and ample manner as they have been heretofore granted or allowed by his Majesty, or any of his royal predecessors.

And then Mr. Speaker repeated his most respectful acknowledgments to the House for the honour they had done him.

Mr. Speaker then put the House in mind, that the first thing to be done was to take the oaths, and make and subscribe the Declaration, and to take and subscribe the oaths of Abjuration and Qualification, by law required.

And thereupon, Mr. Speaker first alone, standing upon the upper step of the chair, took the said first mentioned oaths, and made and subscribed the said oath of Abjuration; and also delivered in to the Clerk of the House an account of his qualification, and took and subscribed the oath of Qualification.

And after him, several other Members took the said first mentioned oaths, and made and subscribed the said Declaration, and took and subscribed the oath of Abjuration; and such of the said Members as are by law required to deliver in to the Clerk of this House an account of their qualification, and to take and subscribe the oath of Qualification, delivered in such account, and took and subscribed the said oath accordingly.

And then the House adjourned till to-morrow morning, ten of the clock.

MONDAY, *December* 5, 1774.

The Speaker reported to the House, that when the House did attend his Majesty, upon *Wednesday* last, in the House of Peers, his Majesty was pleased to make a most gracious Speech from the throne to both Houses of Parliament; of which Mr. Speaker said he had, to prevent mistakes, obtained a copy; which he read to the House.—[*See folio* 1465.]

Lord *Beauchamp*, after animadverting on the spirit of the Colonies, their Resolves, their Meetings, and in particular their intended Non-Importation Agreement, moved,

"That an humble Address be presented to his Majesty, "to return his Majesty the thanks of this House for his "most gracious Speech from the throne."

"To assure his Majesty, that we receive with the high- "est sense of his Majesty's goodness, the early information "which he has been pleased to give us of the state of the "Province of the *Massachusetts Bay*.

"That we feel the most sincere concern, that a spirit of "disobedience and resistance to the law should still unhap- "pily prevail in that Province, and that it has broke forth "in fresh violences, of a most criminal nature; and that "we cannot but lament that such proceedings should have "been countenanced and encouraged in any other of his "Majesty's Colonies, and that any of his subjects should "have been so far deluded and misled as to make rash and "unwarrantable attempts to obstruct the commerce of his "Majesty's Kingdoms, by unlawful combinations.

"To present our most dutiful thanks to his Majesty for "having taken such measures as he judged most proper "and effectual for carrying into execution the laws which "were passed in the last session of the late Parliament for "the protection and security of the commerce of his Ma- "jesty's subjects; and for restoring and preserving peace, "order, and good government in the Province of the *Mas- "sachusetts Bay*.

"That, animated by his Majesty's gracious assurances, "his faithful Commons will use every means in their power "to assist his Majesty in maintaining, entire and inviolate, "the supreme authority of this Legislature over all the do- "minions of his crown; being truly sensible that we should "betray the trust reposed in us, and be wanting in every "duty which we owe to his Majesty and to our fellow-sub- "jects, if we fail to give our most zealous support to those "great constitutional principles which govern his Majesty's "conduct in this important business, and which are so es- "sential to the dignity, safety, and welfare of the *British* "Empire.

"That we learn, with great satisfaction, that a treaty "of peace is concluded between *Russia* and the *Porte*, "and that by this happy event the general tranquillity is "rendered complete; and that we entertain a well-ground- "ed hope that his Majesty's constant endeavours to prevent "the breaking out of fresh disturbances will be attended "with success, as his Majesty continues to receive the "strongest assurances from other Powers of their being "equally disposed to preserve the peace.

"To assure his Majesty that his faithful Commons will, "with the utmost cheerfulness, grant to his Majesty every "necessary supply; and that they consider themselves "bound by gratitude, as well as duty, to give every proof "of their most affectionate attachment to a Prince who, "during the whole course of his reign, has made the hap- "piness of his people the object of all his views, and the "rule of all his actions."

Mr. *Thomas De Gray*, Junior, seconded the motion.

Lord *John Cavendish*, after condemning the conduct of Administration respecting the Colonists, moved the following amendment to the question, by inserting after the word "throne," at the end of the first paragraph, these words: "And to assure his Majesty that, animated with the warm- "est zeal for his service, and for the glory and prosperity "of his reign, we shall enter into the consideration of the "present situation of his Colonies in *America* with that "care and attention which the delicacy and importance of "the object require.

"And humbly to represent that our inviolable duty and "respect to his Majesty, as well as our situation in an im- "mediate delegated trust from his people, will not permit "us to form any opinion upon a matter which may not "only sensibly and deeply affect the landed and commer- "cial interests of our constituents, but lead to consequences "of a still more alarming nature, without the fullest and "most satisfactory information; and to that end, most "humbly to request that his Majesty would be graciously "pleased to give orders that all the accounts received "from *America* may be laid before this House with all "convenient despatch.

"And that when, by such information, we shall be en- "abled to form a proper judgment, we will humbly offer "our advice on this delicate situation of affairs, and endea- "vour to find the means effectually to support the honour "of his Majesty's crown, and the true dignity of Parlia- "ment, which shall be best adapted to connect both with "the permanent peace, concord, and prosperity of all his "Majesty's Dominions."

The friends of the Address, as moved by Lord *Beauchamp*, argued that an Address was no more than a general compliment—a measure of course at the beginning of every session; that particular measures were not now the objects of consideration; and that the judgment of the House upon the affairs of *America* would be taken on a future day.

The friends of the Administration argued that though no particular measures were at this instant under consideration, yet, the Address being drawn up in such very general terms, it implied, and even contained a general approba-

Digitized by Google

tion of all the late measures taken with *America*; that this general judgment could not, nor ought not to be given without the fullest information; and that a delay in forming such judgment, while the most important concerns of *England* and *America* were dependent upon it, might be fatal.

Some gentlemen, who declared themselves not attached to either side, said they would vote for the Address as moved by Lord *Beauchamp;* not because they would be thought to approve of the late measures against *America*, on the contrary, they did not consider this vote as making any engagement to approve of any measures; for they should consider themselves, notwithstanding this vote, entirely at liberty upon all future questions; but they would vote for the Address, because an Address was become a business of course.

Lord *North* said this was not a proper time to enter upon any discussion of the affairs of *America;* that however necessary and agreeable a reconciliation with *America* might be, yet, as no terms had been offered by *America*, *England* would not submit first; and as matters, therefore, were in a state of suspense, he hoped the noble Lord would withdraw his motion. He made some apologies for the late Parliament, which passed the Acts against *America*, and called it a good Parliament.

Mr. *F. Montagu*, in general, disapproved of the Address, and seconded the motion for the amendment very strenuously.

Governour *Johnstone* thought *America* not tenable upon the terms and principles laid down in the proposed Address. He was very glad to hear some apology made for the late Parliament; for, in his opinion, no Parliament ever stood in greater need of an apology.

Mr. *Charles Fox* was very pointed in his observations on the manner the gallery was cleared. He said it was a mere Ministerial trick to stifle inquiry and shorten debate; for if the gallery had been open, Administration must have been obliged to break that silence and unconcern they now affected to hold. It was extremely unfair, he said, that persons should be shut out from being present at the discussion of a question, in the event of which they were so highly interested; and concluded by a succession of very pointed and severe animadversions.

Mr. *Hartley* (a new Member) entered fully into the contents of the Speech and Address, and urged strongly the necessity of the proposed amendment.

Colonel *Barré* was very able on the same side. He said that *America* had offered terms. He read a passage in Mr. *Dickinson's* Pamphlet, entitled "A New Essay, &c.," which, in his opinion, contained a very sufficient ground to accept and to negotiate upon. He said the scheme of reducing the Colonies by force was wild, incoherent, and impracticable; and even though it were not, that a Dominion supported by force would answer no end whatever. He said a report prevailed that General *Gage* was shortly to be recalled, but that would signify nothing; for send whom he might, send a second, recall him, and send a third, it would all be to no effectual or substantial purpose.

Sir *George Macartney* answered the Colonel, and spoke with facility and precision. He was against the amendment, and in general for spirited measures.

Lord *Carmarthen* entered fully into the contents of the proposed amendment, and dwelt much on the spirit of sedition, turbulence, and rebellion, which had manifested itself from one end to the other of the *American* Continent.

Sir *William Mayne* declared himself unconnected with either side of the House. He said his mind was unbiased, and his conduct should be unfettered; that on the present occasion he was against the amendment, but reserved his opinion till the question, and the information necessary to discuss and determine on it, came properly before the House. He was heard with great attention and general approbation.

General *Smith* was of the same opinion, observing that the present was no proper time to take so great and important a question into consideration; and that his being now against the amendment would not hereafter preclude him from giving his thoughts freely when the matter came before the House in another form.

Mr. *T. Townshend* was for the amendment, and was very severe on the general conduct of Administration.

Mr. *Edmund Burke* compared the language now artfully held to the new Members, of the Address being only a compliment, to the insinuations of a designing lover, who, under the pretence of honourable addresses, first squeezes the hand of his mistress, then asks her to take a turn in the park, next into the country, and so on, step by step, till at length he dishonours her. In the last Parliament, he said, it was the Minister's language, that the late Acts would humble *America;* that by punishing *Boston*, all *America* would be struck with a panick: *Boston* would be abandoned; all would be afraid to give any relief to *Boston*, lest they should share the same fate. The very contrary is the case. The cause of *Boston* is become the cause of all *America*. Every part of *America* is united in support of *Boston*. By these acts of oppression, said he, you have made *Boston* the Lord Mayor of *America*. The present situation of *America* he compared to a funeral; trade and commerce were pall-bearers, the merchants and traders chief mourners, the *West Indian* and *African* merchants closed the procession, and the Army and Navy, at a distance, looked on in gloomy silence at so melancholy a spectacle.

Mr. *Van* spoke strongly for the most firm and decisive measures.

Mr. Solicitor General *Wedderburn* spoke fully and ably, and endeavoured to answer every thing offered against the Address.

Then the question being put, that the words be inserted;

The House divided, Yeas, 73. Noes, 264*.

So it passed in the Negative.

Then the main question being put:

Resolved, That an humble Address be presented to his Majesty, to return his Majesty the thanks of this House for his most gracious Speech from the throne.

Ordered, That a Committee be appointed to draw up an Address to be presented to his Majesty, upon the said Resolution.

And a Committee was appointed of Lord *Beauchamp*, Lord *North*, Mr. *De Gray*, Mr. Solicitor General, Mr. *Wombwell*, Sir *George Macartney*, Marquis of *Carmarthen*, Sir *Gilbert Elliot*, Mr. *Stanley*, Sir *William Mayne*, Mr. *Jenkinson*, Sir *Charles Whitworth*, Mr. *Ellis*, Mr. *Cooper*, Colonel *Murray*, Mr. *Smith*, Mr. *Rice*, Mr. *Drake*, Junior, Mr. Attorney General, Mr. *Charles Townshend*, Sir *Philip Jennings Clarke*, Mr. *Rigby*, Lord *Stanley*, or any five of them; and they are to withdraw immediately into the Speaker's Chamber.

Ordered, That his Majesty's most gracious Speech to both Houses of Parliament be referred to the said Committee.

TUESDAY, *December* 6, 1774.

The Lord *Beauchamp* reported, from the Committee appointed yesterday to draw up an Address to be presented to his Majesty, that the Committee had drawn up an Address accordingly, which they had directed him to report to the House; and he read the same in his place, and afterwards delivered it at the Clerk's table, where the same was read, and is as followeth, viz:

Most Gracious Sovereign:

We, your Majesty's most dutiful and loyal subjects, the Commons of *Great Britain*, in Parliament assembled, return your Majesty our humble thanks for your most gracious Speech from the throne.

Permit us to assure your Majesty that we receive with the highest sense of your Majesty's goodness, the early information which you have been pleased to give us of the state of the Province of the *Massachusetts Bay*.

We feel the most sincere concern that a spirit of disobedience and resistance to the law should still unhappily prevail in that Province, and that it has broke forth in fresh violences of a most criminal nature; and we cannot

* The great speakers in Opposition never distinguished themselves in a more striking manner than in this day's debate. The division showed that opposition had not gained any great accession of strength by the general election, and also that the temper of the House at present, with respect to *America*, was not essentially different from that of the late Parliament. The numbers in support of the Address, as it originally stood, were *two hundred and sixty-four*, and those who voted for the amendment amounted to *seventy-three* only.—*Ann. Regis.*

Digitized by Google

but lament that such proceedings should have been countenanced and encouraged in any other of your Majesty's Colonies; and that any of your subjects should have been so far deluded and misled as to make rash and unwarrantable attempts to obstruct the commerce of your Majesty's Kingdoms by unlawful combinations.

We beg leave to present our most dutiful thanks to your Majesty for having taken such measures as your Majesty judged most proper and effectual for carrying into execution the laws which were passed in the last session of the late Paliament, for the protection and security of the commerce of your Majesty's subjects, and for restoring and preserving peace, order, and good government in the Province of the *Massachusetts Bay*.

Your faithful Commons, animated by your Majesty's gracious assurances, will use every means in their power to assist your Majesty in maintaining, entire and inviolate, the supreme authority of this Legislature over all the Dominions of your Crown; being truly sensible that we should betray the trust reposed in us, and be wanting in every duty which we owe to your Majesty, and to our fellow-subjects, if we failed to give our most zealous support to those great constitutional principles which govern your Majesty's conduct in this important business, and which are so essential to the dignity, safety, and welfare of the *British* Empire.

We learn, with great satisfaction, that a treaty of peace is concluded between *Russia* and the *Porte*; and that by this happy event the general tranquillity is rendered complete; and we entertain a well-grounded hope that your Majesty's constant endeavours to prevent the breaking out of fresh disturbances will be attended with success; as your Majesty continues to receive the strongest assurances from other Powers of their being equally disposed to preserve the peace.

We assure your Majesty that we will, with the utmost cheerfulness, grant to your Majesty every necessary supply; and that we consider ourselves bound by gratitude, as well as duty, to give every proof of our most affectionate attachment to a Prince who, during the whole course of his reign, has made the happiness of his people the object of all his views, and the rule of all his actions.

The said Address being read a second time,

Resolved, That this House doth agree with the Committee in the said Address to be presented to his Majesty.

Resolved, That the said Address be presented to his Majesty by the whole House.

Ordered, That such Members of this House as are of his Majesty's most honourable Privy Council, do humbly know his Majesty's pleasure, when he will be attended by this House.

WEDNESDAY, *December* 7, 1774.

Mr. Treasurer of the Household reported to the House, that his Majesty having been waited upon, pursuant to the order of yesterday, humbly to know his Majesty's pleasure, when he would be pleased to be attended by this House, had been pleased to appoint to be attended this day, at half an hour after two of the clock, at his Palace of *St. James*.

THURSDAY, *December* 8, 1774.

Mr. Speaker reported to the House, that the House attended his Majesty yesterday, with their Address, to which his Majesty was pleased to give this most gracious answer:

GENTLEMEN: I return you my particular thanks for this very loyal and dutiful Address. I receive with the highest satisfaction and approbation, your assurances of assistance and support, in maintaining the supreme authority of the Legislature over all the Dominions of my Crown. It shall be my care to justify, by my conduct, the confidence you so affectionately express, and to show that I have no interests separate from my people.

HOUSE OF COMMONS.

TUESDAY, *December* 6, 1774.

Ordered, That his Majesty's most gracious Speech to both Houses of Parliament, be taken into consideration to-morrow morning.

WEDNESDAY, *December* 7, 1774.

The Order of the Day being read;

The House proceeded to take into consideration his Majesty's most gracious Speech to both Houses of Parliament.

And the same being again read by Mr. Speaker,

And a motion being made that a Supply be granted to his Majesty,

Resolved, That this House will, to-morrow morning, resolve itself into a Committee of the Whole House, to consider of that motion.

WEDNESDAY, *December* 8, 1774.

The Order of the Day being read, for the House to resolve itself into a Committee of the Whole House, to consider of the motion made yesterday, that a Supply be granted to his Majesty;

Ordered, That his Majesty's most gracious Speech to both Houses of Parliament be referred to the said Committee.

Then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had come to a Resolution, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received to-morrow morning.

FRIDAY, *December* 9, 1774.

Sir *Charles Whitworth*, according to order, reported from the Committee of the Whole House, to whom it was referred to consider of the motion made upon *Wednesday* last, that a Supply be granted to his Majesty; the Resolution which the Committee had directed him to report to the House, which he read in his place, and afterwards delivered in at the Clerk's table, where the same was read, and is as followeth, viz:

Resolved, That it is the opinion of this Committee, that a Supply be granted to his Majesty.

The said Resolution being read a second time;

Resolved, nemine contradicente, That this House doth agree with the Committee in the said Resolution, that a Supply be granted to his Majesty.

Resolved, That this House will, upon *Monday* morning next, resolve itself into a Committee of the Whole House, to consider of the Supply granted to his Majesty.

MONDAY, *December* 12, 1774.

The Order of the Day being read,

The House resolved itself into a Committee of the Whole House, to consider of the Supply granted to his Majesty.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. *Buller* moved that sixteen thousand men be employed for the Sea Service, for the year 1775, including four thousand two hundred and eighty-four Marines. He prefaced his motion with setting forth, that Admiral *Harland* was daily expected from the *East Indies* with three Sail of the Line, and by that means sixteen thousand would be sufficient, which was four thousand less than last year.

Mr. *T. Townshend* desired to know why twenty thousand were necessary last year, and sixteen thousand would do this; and what quantity were necessary to be sent to *America*, and what proportion left to guard us at home.

Mr. *Buller* attempted to solve these questions, but could not; he therefore read an extract of a letter from Admiral *Amherst*, Commander at *Plymouth*, informing, that they had several supernumerary Seamen, and that their guardships were full; that the number of Ships in *America* were

Digitized by Google

three third-rates, one fourth-rate, six sixth-rates, seven Schooners, and two armed Vessels; the number of Seamen two thousand eight hundred and thirty-five.

Mr. *Luttrell* said he was much surprised to hear the honourable gentleman mention the state of our Seamen in such a manner; that, had he been apprized of the business coming on that day, he would have prepared himself to have answered him more fully; yet he was so much a judge of maritime affairs, as to know it was impossible that the Ships or Seamen the honourable gentleman had mentioned to be in *America*, could be there for some months; for Ships that went out at this season, were prevented by winds and weather, so that they were obliged to go to the *West Indies*, or put back, and could not arrive in *America* till the Spring; that he should be glad to be informed whether or not the Seamen sent in the Fleet to *America* were taken out of the guard-ships here, which consequently weakened our strength at home, and left us almost defenceless; and whether the Admiral's account of the full complement of men did not include those draughted off to other Ships, and sent to *America*, which might be set down as lent, but were absolutely lost, as a defence to this country, until they returned.

Colonel *Barré* said he had been informed, that unless Admiral *Harland* arrived in ten days, it would be impossible for him to arrive in less than four months, therefore, the number of Seamen expected from his coming home was very precarious, and not to be depended on.

Mr. *Hartley* desired to know the number of Ships that were on the *American* station before the present disturbance.

Mr. *Buller* answered, one fourth-rate, six sixth-rates, seven Schooners, two armed Vessels, and about one thousand nine hundred men.

Colonel *Barré* desired to know what force we had at home to defend us against any attack of an enemy.

Mr. *Buller* replied, five thousand nine hundred men in the guard-ships, and one thousand one hundred and sixty-eight men in the other Ships on the *British* and *Irish* coasts.

Mr. *Luttrell* said he was much afraid, as we would not take the *Spaniards'* words, that they would not take ours, but take advantage of our weakness, and repay themselves for the piracies we committed prior to the last war.

The Resolution was then agreed to.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had come to several Resolutions, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received to-morrow morning.

Sir *Charles Whitworth* also acquainted the House that he was directed by the Committee to move, that they may have leave to sit again.

Resolved, That this House will, upon *Wednesday* morning next, resolve itself into a Committee of the Whole House, to consider further of the Supply granted to his Majesty.

TUESDAY, *December* 13, 1774.

Sir *Charles Whitworth*, according to order, reported from the Committee of the Whole House, to whom it was referred to consider of the Supply granted to his Majesty, the Resolutions which the Committee had directed him to report to the House, which he read in his place; and afterwards delivered in at the Clerk's table, where the same were read, and are as followeth, viz:

Resolved, That it is the opinion of this Committee, that sixteen thousand men be employed for the Sea service, for the year 1775, including four thousand two hundred and eighty-four Marines.

Resolved, That it is the opinion of this Committee, that a sum not exceeding four Pounds per man per month be allowed for maintaining the said sixteen thousand men for thirteen months, including Ordnance for Sea service.

The said Resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

Resolved, That this House will, to-morrow morning, resolve itself into a Committee of the Whole House, to consider of Ways and Means for raising the Supply granted to his Majesty.

Lord *John Cavendish* begged leave to state to the House the conduct of Administration in one or two points, particularly respecting the Naval Establishment for the ensuing year. He observed that there was four thousand Seamen voted for the present year less than the preceding one, notwithstanding the Speech from the Throne announced the very critical and alarming situation of affairs in *America*. This was a conduct he could by no means reconcile; for taking the Speech to have been framed upon right information, as calling for measures of a spirited and decisive nature, what sort of correspondence there was between the contents of the Speech and the Naval Establishment, was more than he could possibly discover. But were he to declare his sentiments, he feared it would be found to be a mere Ministerial trick; a forming of estimates in the first instance, that were never intended to be adhered to, or rather designed as mere waste paper, and afterwards surprise and drive the House into grants of a very improper and burdensome nature. Such being his suspicions, he could not face his constituents without previously knowing what he must tell them, both in relation to further burdens, and what was involved in such an inquiry, if compulsive measures were really intended to be pursued towards the *Americans*; for to talk of enforcing the Acts upon a reduced establishment, either Naval or Military, was a sort of language fit to be held only to children.

Lord *Beauchamp* said, that the noble Lord had communicated to him that morning, his intentions of moving something on the subject-matter of the present conversation; that he had accordingly apprized the noble Lord who presided at the Treasury therewith; and that his Lordship had authorized him to acquaint the House, that he had no information whatever to lay before it; nor measures to propose respecting *America*. He was therefore of opinion, that as the noble Lord was indisposed and absent, it would be better, particularly as there was a very thin House, to suspend all further solicitude, till his Lordship should have an opportunity of fully explaining the motives of his conduct in person.

Mr. *Cornwall* endeavoured to apologise for the Minister's conduct. He insisted that the present was not a proper time to enter into any discussion relative to *American* affairs; that the Naval reduction, he presumed, was founded on good and substantial reasons, however the motives which gave birth to them might vary with the circumstances; and that, when the question concerning *Great Britain* and the Colonies came in a Parliamentary way before the House, every Member would then be fully at liberty to deliver his sentiments and maintain his opinions.

Mr. *Burke* answered, and was extremely severe on the conduct of Administration. Among a variety of other things, he compared the House of Commons to a dead senseless mass, which had neither sense, soul, or activity, but as it derived them from the Minister. If his Lordship chooses to tell them one day that *America* is in a state little short of actual rebellion, it is all very well; if in a few days after, he acquaints them, at second hand, that he had no information whatever to authorize such an assertion, who can doubt his candour and his veracity? Both assertions still remain uncontradicted, and all must be silence. A few days since it was indecent to call for papers, because they could be had; to look for them now would be improper, because they cannot be had. That however absurd it might seem, such a conduct was nevertheless founded on system; for if matters turned out well, the merit would be imputed to the Minister; whereas, if they should be attended with miscarriage or misfortune, it is no more than applying to Parliament, and every thing will be set to rights; that is, "we despise the Parliament, who are our "only proper and constitutional counsellors; but when we "have blundered and ruined our affairs, perhaps beyond a "possibility of redress, then we will come to Parliament"—to do what? To remedy what is incurable, and to recover what can never be regained! It is an old device, though methinks not a very wise one, to trust to the chapter of accidents. The book in which it is contained, has the beginning and the end torn out. This valuable chapter counsels you to trust to accidents, because accidents are sometimes productive of good fortune. He concluded his ob-

Digitized by Google

servations, with remarking that ignorance and folly are nearly allied; that to effect the latter we must be held in ignorance, and that by both, we would be the fitter to receive vigilance, activity, information, and knowledge, whenever the Minister thought proper to communicate one or inspire the other.

Sir *William Mayne* condemned the very extraordinary conduct of those in power, in withholding from the House the necessary information, or at least the best they had; and, laying his hand on his breast, solemnly protested he would never have voted for the Address without the proposed amendment, had he imagined they meant to refuse the necessary explanations on which the Speech was supposed to be founded.

Mr. *Hartley* rising to speak was interrupted, and informed from the Chair, that as there was no question before the House to debate on, gentlemen could not be permitted to proceed in such a disorderly manner. However, being desired to proceed, he quoted several instances since the year 1765, both by petition and otherwise, wherein the *Americans* offered to contribute towards the publick support, by way of requisition. He therefore submitted it to the consideration of the House, whether it would not be proper to suspend the operation of the late Acts relative to *Boston, pro tempore,* in order to see if the Colonists still continued to be of the same way of thinking; and if they did, then to have requisitory letters under the great seal issued, and directed to the several Provinces, requiring them to contribute in certain proportions towards the publick expense.

Lord *Beauchamp* observed, that the present was no more than a desultory conversation; that he perceived the honourable gentleman mistook entirely the design of the late Acts, for they were not directed to the question of taxation, but were meant to apply as a particular punishment for certain outrages and acts of disobedience committed by the inhabitants of *Boston* alone.

Lord *John Cavendish* replied, that the present conversation, as originating with him, was not immediately connected with the propriety of the conduct of *Great Britain* or *America,* but was simply intended to prevent a deceit being put or practised on the House, by framing ideal estimates, which were afterwards, at a very improper season, perhaps, meant to be increased.

Lord *Beauchamp* reminded the House how very irregular it was to continue to debate in this manner; and said, that as the Army estimates were to be taken into consideration on the 16th, when probably the House would be full, and the noble Lord who could give satisfaction in this business, would be present, begged that any further consideration of it might be deferred till that day.

Captain *Luttrell* replied, that this was a very uncommon way of satisfying the House; for, by this mode of reasoning, if the noble Lord should not or could not attend, they must submit, and go to the country without any information whatever.

Mr. *Rose Fuller* said, a motion ought to be made before the holidays, for a committee on the present state of *America.*

FRIDAY, *December* 16, 1774.

The Order of the Day being read, for the House to resolve itself into a Committee of the Whole House, to consider further of the Supply granted to his Majesty,

The House resolved itself into the said Committee.

Lord *Barrington* moved, that a number of Land forces, including one thousand five hundred and twenty-two invalids, amounting to seventeen thousand five hundred and forty-seven effective men, commission and non-commission Officers included, be employed for the year 1775.

Mr. *Rose Fuller* desired to know in what manner the Troops serving in *America* were stationed; and what number were now on service at *Boston,* or were intended for it?

Lord *Barrington* answered, that the force now on duty there, consisted of seven battalions and five companies of Artillery; and he knew officially, there were three battalions more ordered to join those at *Boston.*

Mr. *Fuller* said, that he had no motion to make, but should be glad to know from the noble Lord at the head of the Treasury, if he had any information to lay before the House, or any measures to propose respecting *America;* because, if he had not, he thought it the duty of Parliament to interpose and call for papers, and proceed on such information, however defective, as well as they could. He added, that he looked upon the measures adopted by the last Parliament, impolitick and impracticable; and that they could never be prudently or effectually put in execution.

Lord *North* confessed the very great importance of the subject now mentioned. He said it would require the utmost diligence and attention, as a matter of the greatest magnitude ever debated within those walls. He could not, he said, entirely acquiesce in the condemnation of measures hastily, which had been taken up and adopted upon such weighty motives; that at the time, it was impossible to foretel precisely how they might answer; but the shortness of the time, and other circumstances considered, they ought to have a fair trial before they were reprobated; and that the wisdom and policy of them could be only finally known in the event. He concluded by assuring the House, that he had information to lay before it, shortly after the holidays; and that he would so far adopt his honourable friend's ideas behind him, (Mr. *Fuller,*) as to propose to appoint a Committee for taking the affairs of *America* into consideration.

Mr. *T. Townshend* declined entering into any consideration of the present state of *America*; but desired to know from the noble Lord, whether the present estimates were meant to be real ones, or whether intended to be held out to the House and the publick, as very moderate; while they were to be led, unawares, into a heavy expense, under the heads of an increased Navy debt, services incurred, and not provided for, and perhaps a vote of credit?

Lord *North* replied, the forces now demanded were sufficient, unless from the conduct of the other Colonies it should be judged necessary to extend the line with respect to them.

Governour *Johnstone* said, I think a true determination upon this question can only be made after knowing the plan which the gentlemen in Administration are resolved to pursue, with respect to *American* affairs. It is now clear, that the people of *America,* actuated with the same firm and resolute spirit, and tinctured with the same enthusiasm which enabled our ancestors to withstand the unjust claims of the Crown, in the days of *Charles* the First, are determined to resist the high doctrines of Parliamentary supremacy, held forth by this country, which must, in its consequences, reduce their liberties to a level with the Colonies of *France* and *Spain.* If we are resolved to adhere to those incomprehensible tenets, echoed with so much applause in the last Parliament, and on the first day of the present sessions, nothing but the sword can now decide the contest. In that event, it is in vain to suppose that the peace establishment of the Army now proposed will be sufficient; for every wise man must foresee, that our rivals in *Europe* cannot be idle spectators in such a scene. Supposing then, a sufficient force is employed to subdue the *Americans,* this country must be left destitute of the necessary defence. No man is less desirous of augmenting a military establishment than myself. I foresee that the liberties of this country must, in the end, fall a sacrifice to that power which has annihilated the rights of mankind in other states. Between the danger from abroad, and the danger from those who are to defend us, according to the present establishments of *Europe,* the situation is very nice. For my own part, however wisely the military system is interwoven into our Constitution in time of peace, citizen and soldier happily intermixing with each other in equal privileges, yet upon an invasion, or a civil war, when men of high minds come to assemble in military camps, with the weapons in their hands, the contagion of power will soon spread; nevertheless, we must maintain (though with a watchful eye) a necessary force for defence, in case of invasion. I speak as a seaman, confident, that whenever *France* shall find an enterprising officer, capable of conducting such an attempt with skill and resolution, that the landing of an Army in this country is not to be prevented by all the Ships we can arm, while the elements continue so various, and the distance so short. There are several methods to accomplish this, which I shall not repeat here, from prudential motives; but I am so convinced of the truth of my assertion, that I consider it as the duty of every man in this country to be ready to dispute the fate of this

Digitized by Google

Kingdom on a battle; and if we are left without a necessary strength to support wavering minds in such a conjuncture, while we are thinking of depriving our fellow-citizens of their just and legal rights in *America*, we may, as a proper punishment, lose our own. It is true, that, by the present vote, we do not preclude ourselves from an augmentation in the course of the session, in case the exigencies of the state shall require it, and so far I am willing to assent to the present motion; but, I beg gentlemen in Administration will, in the mean time, draw no merit from proposing so low an establishment, unless they intend to alter their measures, since it is undoubtedly inadequate to our situation; and I would likewise caution the landed interest, not to plume themselves on the escape they have made, since it is equally evident, a further taxation, if not included in the general vote of this year, must be demanded by extraordinaries, or a vote of credit, to meet them next session, under the multiplied expenses of that mode of raising money.

With regard to the Navy, I confess it to be extremely hard, that the noble Lord should be attacked in the last session of Parliament for too great profusion, and blamed in this for the reduction that was then deemed necessary; but I am not one of those who are captivated with a simple proposition upon paper, when all the avenues of extravagance are kept open; while the situation of our affairs from the worst judged policy, necessarily leads us to open these sluices of expense. It is therefore in vain to hold out economical resolutions in our votes, when our conduct must produce a contrary effect. I hope, however, that the sentiments of gentlemen on the subject of *American* affairs begin to alter. I hope they will now see what men, uncorrupted by the luxurious vices of a great capital, are capable of suffering, in support of essential privileges; and that the flattering expectations of seeing *America* at our feet, are now vanished.

To those who conceive that men are to yield their rights from oppression and distress, I would recall to their memory the sufferings of the late Parliament of *Paris*. The haughty mind of a debauched Minister, and an imperious Chancellor, had induced the late King of *France* to violate all the ancient and established privileges of that august body, the only remaining check against the despotism of the Monarch; even men of wit and genius were found base enough to vilify the claims of the Parliament; for I am sorry to observe, that fortitude of mind does not always accompany excellent talents; and that many men possessing those rare gifts are too often induced to lend their ingenuity to the hand that pays them, in support of the doctrines of the day. Is it possible for any of the people of *America* to undergo greater distress than those worthy patriots in *France* have suffered? Deprived of their office and subsistence, banished from their friends, vilified by the Court, no prospect of a change; yet supported by principle and a good conscience, they have now seen their day of triumph, and felt the reward of virtue; securing to their country, by their perseverance, more essential rights than have been obtained by three civil wars. After such concessions from the King of *France*, shall the King of *Great Britain* be ashamed to yield to the just cries of two millions of his subjects?

I know all the arguments which are used to entangle weak men in support of the present arbitrary tenets. The subject, indeed, is complicated; and men are confounded more than convinced. It is said that legislation existing in the Parliament of *Great Britain*, taxation, which is a part of legislation, must necessarily be included. The various privileges which subsist in every free state, are hardly to be determined by any reasoning *à priori*. Such dilemmas occur on every subject. Can any position appear more ridiculous to those who maintain the doctrines of virtual representation, than, that a Borough should send two Members to Parliament, without house or inhabitant? And yet there are many who hear me, strenuous advocates against *American* Charters, that hold their seats in this House under such a curious representation. At the same time, I confess the basis of the Constitution depends on preserving their privileges entire, since no man can say how far the reform would reach; and the whole art of Government consists in preserving to every one his established rights. The most certain science we know, is mathematics; yet, if I was to say to many men, that two lines might approach nearer and nearer to all eternity, and never could meet, they would think the assertion ridiculous and absurd. Nevertheless, there is nothing so certain as the truth of that theory. It is equally true, that legislation may exist without the power of taxation. The Kingdom of *Ireland*, within our own Dominions, is a proof of what these learned gentlemen assert to be so impossible. A worthy Member in my eye, (Mr. *Rigby*,) being pressed with this argument in the last session of Parliament, from the fairness of his mind, he avowed, as his opinion, "that we could tax *Ireland*." I remember there were some gentlemen in the gallery when this declaration was made, whom I immediately perceived, by the contortions in their countenance, to be *Irish* Members. Next day the worthy Member chose to make some apology to his friends. He said, no parallel could be drawn between *Ireland* and the Colonies; for *Ireland* had a paraphernalia; and this satisfied both the *English* and *Irish* Members. For my part, I do not see what difficulty can occur, in leaving the different Colonies on the same footing of raising money by requisition, as from the people of *Ireland*. If it is thought this manner of raising supplies might throw too much power into the hands of the Crown, that power might be limited, so as not to be exerted, except upon the address of both Houses of Parliament, such as has been lately adopted respecting the prerogative in regulating the coin. I am still hopeful, that the tense chord, on which our *American* creed has been said and sung, will be relaxed. I think I perceive the tone of the noble Lord is not so loud, or so lofty, as on some former debates on this subject. I hope it does not proceed from want of health, in which case, no man could feel more sorrow for his Lordship than myself; but, I hope it arises from a more serious and deep reflection on the subject, where his own good sense has had room to operate, free from those violent associates, who seem to have precipitated his Lordship into such harsh and cruel measures, contrary to his own natural good temper. Here then I shall conclude as I set out, hoping that generous, just, pacifick measures, will be adopted; but still insisting, that no man can determine properly on the number of forces to be employed, until we know the measures that are to be pursued respecting *America*.

Mr. *Fox* said, it was proper to include *Ireland* in all debates upon *American* taxation, in order to ascertain the Parliamentary right of taxation over every part of the *British* Dominions.

Lord *Clare* jocularly complimented Mr. *Rigby* highly on the exceeding popularity, reverence, and esteem, that gentleman was held in by the whole *Irish* Nation; that there was no man in *England* or *Ireland* more loved or revered.

Mr. *Rigby* said, he acted in that country as Secretary to the Lord Lieutenant, which, on many accounts, was rather an invidious and critical station; that the sentiments now alluded to, he maintained upon general principles; that his opinion was not singular, for he was supported in it by a Statute passed in the reign of *George* the First; that he begged to be understood, according to the obvious construction of that Statute; and that, according to that sense of it, he still continued to be of opinion, that the Legislature of *Great Britain* had a right to make laws to bind *Ireland*, and all the other members and dependencies of the *British* Empire.

Mr. *Cruger*, the new Member for *Bristol*, an *American* by birth, spoke next. I rise, sir, to say a few words on this important subject, with all the diffidence and awe which must strike the mind, on a first attempt to speak before so august an assembly. Had I remained silent on this occasion, I must have condemned myself for seeming to desert a cause which I think it my duty to espouse. I cannot but be heard with candour by *Englishmen*, when what I offer is dictated by a love to my country.

I am far from approving all the proceedings in *America*. Many of their measures have been a dishonour to their cause. Their rights might have been asserted without violence, and their claims stated with temper as well as firmness. But permit me to say, sir, that if they have erred, it may be considered as a failing of human nature. A people animated with a love of liberty, and alarmed with apprehensions of its being in danger, will unavoidably run

Digitized by Google

into excesses; the history of mankind declares it in every page; and *Britons* ought to view, with an eye of tenderness, acts of imprudence, to which their fellow-subjects in *America* may have been hurried; not as has been unkindly said, by a rebellious spirit, but by that generous spirit of freedom, which has often led their own ancestors into indiscretions.

Acts of severity are far from having a tendency to eradicate jealousies: on the contrary, they must produce new fears, and endanger that attachment and obedience which kindness and gentleness might have insured.

No country has been more happy in its Colonies than *Great Britain*. Connected by mutual interests (till the era of the fatal Stamp Act) they flourished in an intercourse of amity, protection, and obedience, supporting and supported by each other. Before that hated period, we meet with no instances of disobedience to your laws, no denial of the jurisdiction of Parliament, no marks of jealousy and discontent. They ever loved liberty; their zeal for it is coeval with their first emigration to *America*. They were persecuted for it in this country; they sought a sanctuary in the unexplored regions of that. They cleared their inhospitable wilds, cultivated their lands, and poured the wealth which they derived from agriculture and commerce into the bosom of the mother country.

You protected them in their infant state, and they returned it, by confining to you the benefits of their trade. You regulated their commerce for the advantage of this country, and they never discovered an opposition, either to the authority or the exercise of it. Are these evidences of a spirit of disaffection to *Great Britain*, or ingratitude for its protection? Are they not rather proofs, that if the same line of mild and lenient government had been pursued, the same cordiality and submission would have been continued.

Every *American*, who loves his country, must wish the prosperity of *Great Britain*, and that their union may ever subsist uninterrupted. If the parental trunk is injured, the branches must suffer with it. A subordination on the part of the Colonies is essential to this union. I acknowledge, sir, that there must exist a power somewhere to superintend and regulate the movements of the whole, for the attainment and preservation of our common happiness: this supreme power can be justly and adequately exercised only by the Legislature of *Great Britain*. In this doctrine the Colonies tacitly acquiesced, and were happy. *England* enjoyed by it all the advantages of an exclusive trade. Why, then, strain this authority so much, as to render a submission to it impossible, without a surrender of those liberties which are most valuable in civil society, and were ever acknowledged the birthright of *Englishmen*? When *Great Britain* derives from her Colonies the most ample supplies of wealth by her commerce, is it not absurd to close up those channels, for the sake of a claim of imposing taxes, which (though a young Member) I will dare to say, never have, and probably never will, defray the expense of collecting them?

The expediency of coercive measures is much insisted on by some, who, I am sorry to say, seem to consider more the distress into which they will involve the *Americans*, than the benefits they can procure from such vindictive conduct to this country. Humanity, however, will prompt the generous mind to weep over severities, though they may be even necessary; and a prudent Statesman will reflect, that the Colonies cannot suffer without injury to *Great Britain*. They are your customers; they consume your manufactures—by distressing them, if you do not drive them to foreign markets, you will most assuredly disable them from taking your commodities, and from making you returns for what they have taken.

Should coercive measures reduce them to an acknowledgment of the equity of Parliamentary taxation, what are the advantages which will result from it? Can it be thought that the *Americans* will be dragooned into a conviction of this right? Will severities increase their affection, and make them more desirous of a connection with, and dependence on *Great Britain*? Is it not, on the contrary, reasonable to conclude, that the effect will be an increase of jealousy and discontent; that they will seek all occasions of evading laws imposed on them by violence; that they will be restless under the yoke, and think themselves happy under an opportunity of flying to the protection of any other power, from the subjection of a mother, whom they consider cruel and vindictive?

I would not be understood, sir, to deny the good intentions of Administration. The abilities of the Minister, it seems, are universally acknowledged; but I must add, *humanum est errare*. Though an *American*, I applaud his jealousy for the dignity of Parliament, and think the impolicy and inexpediency of the late measures may reasonably be imputed to the difficulty of the occasion, and the unsettled and undefined nature of the dependence of the Colonies on the mother country; and *vice versa*, candour must admit the same apology for the violences and mistakes of *America*.

But since these measures have been found, by sad experience, totally inadequate; since they have widened the breach, instead of closing it; diminished the obedience of the Colonies, instead of confirming it; increased the turbulence and opposition, instead of allaying them; it may be hoped, that a different plan of conduct may be pursued, and some firm and liberal constitution adopted by the wisdom of this House, which may secure the Colonists in their liberties, while it maintains the just supremacy of Parliament.

Sir *William Mayne* drew a melancholy picture of the sufferings of the *Irish*; said that all promises had been shamefully broken with them; that pensions to the amount of ten thousand Pounds per annum, had been lately granted on that miserable, ruined, and undone country; and that the Castle was an asylum to every needy, servile, cringing apostate, that would bow the knee, and barter every thing which should be dear to him, for emolument and Court favour.

Lord *North* took notice, that an honourable gentleman (Governour *Johnstone*) had alluded to something he had said on a former occasion relative to *Great Britain* never receding or relaxing, till *America* was at her feet; his Lordship observed, that it was hardly fair to quote what a man had said seven years before, and what he had explained on the spot before he left the House; this explanation then, and now was, he said, that by being at the feet of *Great Britain*, he meant obedience to the mother country; such as, if they thought themselves aggrieved, to apply by petitions and dutiful remonstrances to the Parliament or the Throne. He said, he thought it the duty of every Member, as well in the House as out of it, to interpret what might fall in the heat of debate, or warm discussion, in the manner it was explained by the speaker; that if he had been thus candidly dealt with, the author of a late pamphlet, written in *America*, could never have asserted that he insisted that *Britain* should never recede till the laws and liberties of *America* were at her feet: for as he never meant one, so he never said the other. And he wished, that on the present occasion, he should be understood according to his present explanation, and no other.

Mr. *Hartley* was for making the *Americans* contribute to the general defence of the Empire, by way of a requisition, and read one or two passages in some *American* proceedings, to shew their willingness to comply with such a measure.

The Resolution was then agreed to.

SATURDAY, *December* 17, 1774.

Ordered, That Lord *Barrington* do make the Report from the Committee of the Whole House, to whom it was referred to consider further of the Supply granted to his Majesty.

The Lord *Barrington* accordingly reported from the said Committee the Resolutions which the Committee had directed to be reported to the House; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were read, and are as followeth, viz:

Resolved, That it is the opinion of this Committee that a number of Land forces, including one thousand five hundred and twenty-two invalids, amounting to seventeen thousand five hundred and forty-seven effective men, commissioned and non-commissioned Officers included, be employed for the year 1775.

Resolved, That it is the opinion of this Committee, that a sum not exceeding six hundred and twenty-seven thousand six hundred and eighty-nine Pounds, nineteen Shil-

Digitized by Google

lings, and four Pence, be granted to his Majesty, for defraying the charge of seventeen thousand five hundred and forty-seven effective men, for Guards, Garrisons, and other his Majesty's Land forces, in *Great Britain*, *Jersey*, and *Guernsey*, for the year 1775.

Resolved, That it is the opinion of this Committee, that a sum not exceeding three hundred and eighty-six thousand one hundred and eighty-six Pounds, and ten Pence, and one-eighth part of a Penny, be granted to his Majesty for maintaining his Majesty's Forces and Garrisons in the Plantations and *Africa*, including those in Garrison at *Minorca* and *Gibraltar*, and for Provisions for the Forces in *North America*, *Nova Scotia*, *New Foundland*, *Gibraltar*, the *Ceded Islands*, and *Africa*, for the year 1775.

The said Resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

MONDAY, *December* 19, 1774.

Sir *Charles Whitworth*, according to order, reported from the Committee of the Whole House, to whom it was referred to consider of further ways and means for raising the Supply granted to his Majesty, the Resolution which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the Clerk's table, where the same was read, and is as followeth, viz:

Resolved, That it is the opinion of this Committee, that towards raising the Supply granted to his Majesty, the sum of three Shillings in the Pound, and no more, be raised, within the space of one year, from the 25th day of *March*, 1775, upon lands, tenements, hereditaments, pensions, offices, and personal estates, in that part of *Great Britain* called *England*, *Wales*, and the Town of *Berwick* upon *Tweed*; and that a proportionate cess, according to the Ninth Article of the Treaty of Union, be laid upon that part of *Great Britain* called *Scotland*.

Lord *North* stated from a paper which he held in his hand, in detail, the amount of the grants and services. He said the former amounted hitherto but to £75,000, the duty on Malt; that the services to be incurred were Navy and Ordnance for sea service, £830,000; Guards, Garrisons, &c., £627,000; Military Establishment in *America*, *West Indies*, and *Africa*, £386,000; difference of pay between *British* and *Irish* Establishment, £2,800; Staff Officers, £11,000; *Chelsea*, £122,000; Ordnance for Land service, £228,000; services incurred and not provided for ditto, the present year, £32,000; in all amounting to, with the fractions, £2,244,000. He observed that the Land Tax continued at three Shillings, would produce £1,500,000; which, added to the Malt, would amount to no more than £2,250,000, making a surplus of £6,000. He acquainted the Committee further, that the Militia Money and the general deficiencies amounted last year to £580,000, and would for the present be at least £400,000. And that for these reasons he should move that the Land Tax for the ensuing year be three Shillings in the Pound; which was agreed to.

Mr. *Hartley* rose, and in a mild, sensible speech, enlarged upon the very extraordinary conduct of Administration concerning *American* affairs. He said the accounts from that country were truly alarming; that the Resolutions of the Continental Congress evidently proved that the people were determined not to submit to the late Acts passed in relation to *America*, nor to any other of a like complexion; that the Troops now stationed at *Boston*, and the inhabitants of that Town, had no means of procuring subsistence but by Sea, or from the country; that either method was now equally difficult, as the Harbour would be frozen up, and the land carriage, even if subsistence was to be had, rendered impracticable, as the country would be covered with snow; and that, under such circumstances, the situation of the Troops would be no less deplorable than that of the miserable inhabitants. He continued to say, that he was not well versed in sieges; but if he understood right, he took it that the Town of *Boston* was surrounded by General *Gage* with lines of circumvallation, and that such being the very critical state of things, respecting both the situation, the temper, and disposition of the military and the natives, he submitted it to the gentlemen on the other side how they could reconcile it to the duty they owed to the Nation in their publick, or to their constituents in their private capacity, to agree to a long adjournment, while things remained in so dangerous and alarming a state, without taking any one step to avert the numerous and fatal mischiefs which they portended. For his part, he affirmed solemnly, he would much rather sit on Christmas-day, and continue to do so, *de die in diem*, than go to the country in so critical a season, without at least agreeing to some measures, though they should extend no further than prevention.

Mr. *Rose Fuller* said, that we were too precipitate in our last measures, and that was the chief reason why they miscarried; that he foresaw at the time they would answer no end but to inflame, nor ever would, while they were continued to be directed to the same end; on which account he would be much better pleased that the affairs of *America*, the necessary information first had, were taken up on mature deliberation, and discussed with coolness, in order in the end to come to a wise, deliberate, and rational decision.

Mr. *T. Townshend* said, that whatever that decision might be, the conduct of Administration was, for the present, extremely reprehensible; for while we were informed from Administration that *America* was almost in a state of rebellion, the Land, the Malt, the Navy, and the Army, were voted with as much ease, and without a single syllable, as if that country was in a state of the most perfect tranquillity and obedience: for, concluded he, either the information we have had is false, which I can hardly suppose, or the estimates on the table are by no means proportioned to the objects which are recommended from the Throne: for instance, if the Army now in *America* be to be augmented, or the Ships stationed there reinforced, the three Shilling Land Tax now voted will certainly be insufficient; and the deficiencies must be made up without the knowledge of Parliament, by a vote of credit to defray expenses incurred in the support of measures with which at present it is evident we are totally unacquainted.

Mr. *Rigby* facetiously replied. Would the honourable gentleman have a War Establishment in time of peace? Would he have us embrue our hands in the blood of our countrymen on the other side of the water? I dare say no man in this House is ignorant of my sentiments, and yet I should shudder at the thought. The honourable gentleman complains that the Land, the Malt, &c., is voted without a syllable being said; pray whose fault is that? He would not have, I presume, the gentleman who presented the Navy estimates, rise and condemn them. He would not desire the noble Lord, I suppose, who laid the Army estimates before you, to tell the House that the number of Troops to be employed in *America* was insufficient, considering the state of that country; nor the noble Lord who proposed the tax of three Shillings in the Pound, to inform us in the same breath that it ought to be four. Who, then, is to blame? Those who are convinced that the estimates and grants are too low, and will not speak, or those who think them sufficient, and declare their opinions? For my part, I do not think myself capable of defending the gentleman now alluded to, nor have I, nor do I pretend to speak from any information of my own; but as the establishment is a Peace Establishment, as I always thought that the present is a very proper one, till I am informed that a War Establishment is become necessary; and as I voted for taking off the other Shilling, I shall give my vote that the Land Tax be three Shillings for the ensuing year. The other honourable gentleman says, the Port of *Boston* is frozen up at this season of the year. I have conversed with many on the subject, who have assured me of the contrary; whether it be or be not, I cannot see how our sitting here on Christmas-day, or the whole holidays, can be the means of relieving the Army or the inhabitants, or of preventing the mischiefs he seems so much to dread.

Mr. *Edmund Burke*. I should not have risen in this debate, if I had not heard the moderation of one gentleman, (Mr. *Fuller*,) and the precipitation of another, (Mr. *Hartley*,) stated as if militating against each other. Now, sir, I, who see matters in another light from the right honourable gentlemen on the floor, can easily perceive them to be exactly correspondent. The former, from his experience of what has been already done, is cautious and willing to avoid repeating our former blunders, or adopting

Digitized by Google

others of a similar nature; but is for having matters coolly considered, fully investigated, and wisely and effectually determined; the latter, aiming at the same point, considering the circumstances in the most urgent and pressing light, is more eager to arrive at the completion of his wishes, not perhaps contemplating or foreseeing the obstructions that may retard him in his progress. The right honourable gentleman's confessed ignorance of what is proper to be done, or the measures his friends mean to adopt, I am extremely ready to believe; and have no reason to doubt but their present knowledge and foresight are nearly on a par. He certainly mistakes the matter, if he supposes that we on this side of the House wish for a War Establishment in time of peace. No, sir, what we object to is, that a speech which breathed nothing but war, and accompanied with the motives of such a declaration, should, without any cause whatever assigned, at once sink into a tranquil silence—a Peace Establishment formed on the lowest scale.

I am not now contending what the establishment ought to be, but I contend that the one already voted by no means corresponds with the intimations given to this House from authority. I know that a heavy Peace Establishment is ruinous and destructive to any country where it is kept up. I remember very well, too, that I, among others on these benches, have been long dinning this doctrine in the ears of the Minister. I remember, likewise, that for so doing, we were called factious and discontented; and I am now happy in the flattering idea that, factious and discontented as we are, we happened for once to be right: for the great man who conducts the publick affairs of this country, has given ample testimony to our wisdom, by adopting what he and his friends for three successive sessions charitably imputed to ignorance or disappointed ambition. Nor am I less happy in another instance of the same kind. The noble Lord below me on the floor (Lord *Beauchamp*,) being requested to learn from the Minister if he had any information to lay before us, or measures to propose, came posting to the House with the halcyon tidings, that all was peace and tranquillity, and that he had none. Here again the same factious spirit obtruded, and broke the calm enjoyments which might be derived from such a happy state of things; for some of us, who are never to be satisfied, relapsed into our former turbulence and discontent. What was the consequence? Why, it seems turbulence and discontent once more had reason on their side, and the Minister came forward and assured us himself that he had information to lay before the House and measures to propose.

I cannot sit down, sir, without first saying a word or two on the solicitude the honourable Member on my left hand (Mr. *Hartley*) has expressed for the situation of General *Gage*, and the Troops under his command. It is, I confess, most humiliating and mortifying; and it is difficult to say, whether those who have put them into it deserve most our compassion or our ridicule. It is, indeed, an absurdity without parallel—a warlike Parliament, and a patient forbearing General. I would not be understood to reflect on the gentleman, who I understand is a very worthy, intelligent, deserving man; no, sir, it is those who have sent him on such an errand that are to blame. The order of things is reversed in this new system. The rule of Government now is to determine hastily, violently, and without consideration, and to execute indecisively, or rather not execute at all. And have not the consequences exactly corresponded with such a mode of proceeding? They have been measures not practicable in themselves in any event, nor has one step been taken to put them into execution. The account we have is, that the General is besieging and besieged; that he had cannon sent to him, but they were stolen; that he himself has made reprisals of a similar nature on the enemy; and that his straw has been burnt, and his brick and mortar destroyed. It is painful to dwell on such monstrous absurd circumstances, which can be only a subject of ridicule, if it did not lead to consequences of a very serious and alarming nature. In fine, sir, your Army is turned out to be a mere army of observation, and is of no other use but as an asylum for Magistrates of your own creating.

Sir *William Meredith* rose, and after animadverting on the last speaker's being so eager to push things to extremities, which must end in a scene of bloodshed, imputed all the present troubles to the Declaratory Act asserting the supremacy of *Great Britain*, at the time of the repeal of the Stamp Act. He contended that the General had answered every purpose for which he was sent. The Troops, he said, were for the protection of the Magistrates, the protection of the property and trade of the Merchants, and the enforcing of the Acts, all which had been fully accomplished; for the persons of the Magistrates were safe, no injury had been done to any property since their arrival, and the Port was now blocked up.

Mr. *Burke* rose, and complimented Sir *William* on his great wisdom, and the sagacity of Administration, in discoursing of which, if they had applied to him, he could have long since informed them. He once more returned to the asylum for Magistrates. He said he had often heard of such places for thieves, rogues, and female orphans; but it was the first time he ever heard of an asylum for Magistrates. As to the protection of trade, in a place where all sort of trade or commerce was prohibited, the task was a glorious but not a difficult one. And as to the blocking up an Harbour, it might be very true, but to him this mode of blockade seemed rather novel. Such an expression, it is certain, said he, might come with great propriety from me; but I must confess I never heard such a bull in my own country. At the entrance of *Dublin* Harbour there is a north and south bull, but even there or elsewhere such a bull as this I never heard.

Mr. *Cornwall* rose with some warmth. He observed, that there was no question now before the Committee respecting *America*; that it was extremely irregular, improper, and unfair, to introduce a discourse of this kind, just at the eve of an adjournment, in such a disorderly, unparliamentary manner; that he suspected it was done on purpose to embarrass Administration, by conveying to the people, through the medium of the publick papers, that Administration were silent, and would not, or were not able to answer; that such conduct might be of a very bad tendency, considering the very various and contradictory opinions entertained at almost every side of the House; that pressing for an increased establishment, though it should be necessary, if complied with at this time, would be extremely imprudent, as it would spread an alarm among the Merchants on account of their property; because, from the instant such a measure was determined on, all remittances, or perhaps commercial intercourse might possibly cease, which, if it should happen, might be productive of the most dreadful effects. He concluded by asserting, that the measures now sported with would stand the test; and that, from any thing which had hitherto happened, there was not the most distant reason for condemning them.

The Resolution then being read a second time, was, upon the question put thereupon, agreed to by the House.*

WEDNESDAY, *December* 22, 1774.

The House adjourned till *Thursday*, three weeks, the 19th day of *January* next, (1775.)

* Notwithstanding the hostile tone of the Speech, and the great majority that supported the Addresses in both Houses, there appeared the most glaring irresolution on the side of Ministry with respect to *American* affairs. It seemed as if no plan had yet been formed, nor system adopted upon that subject. The Minister appeared less than usual in the House of Commons, and studiously avoided all explanation. Many imagined that he was thwarted and overruled by what in the cant phraze is called the Interior Cabinet, and did not approve of the violent measures that were there generated. It was even at this time supposed that he was feeling his own strength, and had some thoughts of making an effort to emancipate himself from those shackles which rendered him answerable for the acts of others, who were not themselves in any degree responsible.

Other causes might, perhaps with more probability, be assigned for this irresolution. The Minister might still have his doubts with respect to the temper of the new Parliament. The landed interest, which must first contribute to the support of coercive measures, was not yet prepared to look in the face the direct avowal of a war; and an increase of the land tax, where there was no incitement of national glory, and even the question of interest sufficiently doubtful, might meet with a general and fatal opposition. The whole weight of the mercantile interest, and of the great manufacturing body of the Nation was also to be apprehended.

However it was, whether it proceeded from irresolution, a want of system, or a difference of opinion in the Cabinet, there was a strange suspension of *American* business previous to the Christmas recess, and the Minister seemed evidently to shrink from all contest upon that subject. The national estimates were entirely formed upon a peace establishment. The land tax was continued at three Shillings in the Pound; no vote of credit was required; the Army remained upon its former footing, and a reduction of four thousand seamen took place, only sixteen thousand being demanded for the ensuing year.—*Ann. Reg.*

Digitized by Google

HOUSE OF LORDS.

FRIDAY, *January* 20, 1775.

The Earl of *Dartmouth* (by his Majesty's command) laid before the House Papers relating to the Disturbances in *North America*, together with a list thereof; which was read by the Clerk as follows; (videlicet.)

No. 1. Extract of a Letter from the Earl of *Dartmouth* to the Honourable Governour *Gage*, dated *Whitehall*, 9th *April*, 1774, enclosing,

No. 2. Copy of a Minute of the Treasury Board on the 31st *March*, 1774.

No. 3. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 19th *May*, 1774, enclosing,

No. 4. Extract from the *Massachusetts Gazette* of the 19th *May*, 1774.

No. 5. Extract from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 31st *May*, 1774, enclosing,

No. 6. List of the Counsellors, and copy of the Governour's Speech to both Houses.

No. 7. Extract of a Letter from the Earl of *Dartmouth* to the Honourable Governour *Gage*, dated *Whitehall*, 3d *June*, 1774.

No. 8. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Salem*, 26th *June*, 1774, enclosing,

No. 9. Copy of the Address of the Council, and Governour *Gage's* Reasons for refusing it.

No. 10. Copy of the Resolves of the House of Representatives, before they proceeded to business at *Salem*.

No. 11. Copy of Address of the House of Representatives.

No. 12. Copy of the Resolves of the House of Representatives, 17th *June*, 1774.

No. 13. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Salem*, 5th *July*, 1774; received 2d *August*, enclosing,

No. 14. Copy of a Proclamation.

No. 15. Copy of a Circular Letter, and of a paper called "A League and Covenant."

No. 16. Copy of Proceedings at a Town Meeting at *Boston*, 27th *June*.

No. 17. Copy of the Protest of several of the Inhabitants of the Town of *Worcester* against the proceedings of the Town Meeting on the 20th *June*.

No. 18. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 20th *July*, 1774; received 7th *September*.

No. 19. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Salem*, 27th *July*, 1774; received 7th *September*, enclosing,

No. 20. Copy of a Notification for a Town Meeting.

No. 21. Copy of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Salem*, 27th *August*, 1774; received 1st *October*, enclosing,

No. 22. List of Counsellors.

No. 23. Extract of a Letter from *Hampshire* County, of 10th *August*, 1774.

No. 24. Copy of a Letter from the *Boston* Committee of Correspondence to the several Counties.

No. 25. Copy of a Paper posted up at *Salem*.

No. 26. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 2d *September*, 1774; received 1st *October*, enclosing,

No, 27. Copy of Minute of Council held at *Boston*, 31st of *August*.

No. 28. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 3d *September*, 1774; received 1st *October*, enclosing,

No. 29. Copy of a Letter from Lieutenant Governour *Oliver* to Governour *Gage*, dated 2d *September*.

No. 30. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, *September* 20, 1774; received 18th *November*, enclosing,

No. 31. Copy of a Letter from the Judges of the Inferiour Court of the County of *Hampshire*.

No. 32. Account of Proceedings against the Inferiour Court of *Springfield*, in the County of *Hampshire*.

No. 33. Copy of Mr. *Pains's* account of the proceedings at *Worcester*.

No. 34. Copy of a Letter to *Josiah Edson*, Esquire, and form of a Resignation as Counsellor therein enclosed.

No. 35. Copy of Proceedings at the meeting of the Delegates of the County of *Suffolk*.

No. 36. Copy of the Proceedings of the Committee of Correspondence in the County of *Worcester*.

No. 37. Copy of the Proceedings of the Committee of Correspondence at *Worcester*, 9th *August*.

No. 38. Reasons of the Grand and Petit Jurors for declining to serve; delivered into Court 30th *August*.

No. 39. Copy of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, *September* 25, 1774; received *November* 18, enclosing,

No. 40. Extract of a Letter from Major General *Haldimand*, dated 15th *September*.

No. 41. Copy of a Paper posted up at *New-York*.

No. 42. Copy of Messages to Governour *Gage*, and his Answer.

No. 43. Copy of two Resolutions entered into by the Congress at *Philadelphia*.

No. 44. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 3d *October*, 1774; received 18th *December*, enclosing,

No. 45. Copy of a Proclamation issued by Governour *Gage*, and Resolves of a Committee for the County of *Worcester*.

No. 46. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 17th *October*, 1774; received 23d *December*, enclosing,

No. 47. Copy of Instructions given by the Committee of the County of *Worcester* to Mr. *Timothy Bigelow*, a Member chosen to represent them in the Great and General Court of the Province of *Massachusetts Bay*.

No. 48. Copy of Instructions given by the Committee of the County of *Worcester* to Mr. *Timothy Bigelow*, a Member to represent them in the Provincial Congress at *Concord*.

No. 49. Copy of an Address of the Committee of the County of *Worcester*, to Governour *Gage*.

No. 50. Copy of a second Address of the Committee of the County of *Worcester* to Governour *Gage*.

No. 51. Copy of Governour *Gage's* Answer to the Committee of the County of *Worcester*.

No. 52. Proceedings of a Congress of Committees of the County of *Hampshire*, in the Province of *Massachusetts Bay*, and Resolves of the County of *Bristol*.

No. 53. Resolves of a Provincial Congress at *Concord*, 14th *October*, 1774.

No. 54. Copy of a Message from the Provincial Congress at *Concord* to Governour *Gage*.

No. 55. Copy of Governour *Gage's* Answer thereto.

No. 56. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 30th *October*, and 2d *November*, 1774; received 2d *January*, 1775, enclosing,

No. 57. Copy of a Letter from the Honourable *Peyton Randolph*, Esquire, President of the Continental Congress, setting at *Philadelphia*, to the Honourable Governour *Gage*.

No. 58. Copy of a Letter from the Honourable Governour *Gage* to the Hon. *Peyton Randolph*, Esq.

No. 59. Copy of a Message by a Committee from the Provincial Congress to the Hon. Governour *Gage*.

No. 60. Proceedings of a Provincial Congress, held at *Cambridge*, on the 21st and 26th of *October*, 1774.

No. 61. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, *November* 15th, 1774; received 3d *January*, 1775; enclosing,

No. 62. Copy of a Proclamation issued by Governour *Gage*.

No. 63. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 15th *December*, 1774; received 10th *January*, 1775, enclosing,

Digitized by Google

No. 64. Proceedings of a Provincial Congress at *Cambridge*.

No. 65. Copy of a Letter taken from the *Boston Gazette*.

No. 66. Votes of the Assembly of *Rhode-Island*.

No. 67. Copy of an Act passed by the Assembly of *Rhode-Island*.

No. 68. Copy of a Note from Lord Viscount *Lisburne* to the Earl of *Dartmouth*, dated 1st *October*, 1774; enclosing,

No. 69. Copy of a Letter from Vice Admiral *Graves* to Mr. *Stephens*, dated *Boston*, 3d *September*, 1774.

No. 70. Copy of a Letter from the Lords Commissioners of the Admiralty to the Earl of *Dartmouth*, dated 15th *November*, 1774, enclosing,

No 71. Extract of a Letter from Vice Admiral *Graves* to Mr. *Stephens*, dated *Boston*, 23d *September*, 1774.

No 72. Copy of a Letter from the Lords Commissioners of the Admiralty to the Earl of *Dartmouth*, dated 14th *January*, 1775, enclosing,

No. 73. Extract of a Letter from Vice Admiral *Graves* to Mr. *Stephens*, dated *Boston*, 15th *December*, 1774.

No. 74. Extract of a Letter from Captain *Wallace* to Vice Admiral *Graves*, dated *Newport*, *Rhode-Island*, 12th *December*, 1774.

No. 75. Extract of a Letter from Governour *Wentworth* to the Earl of *Dartmouth*, dated 8th *June*, 1774; received 2d *August*, enclosing,

No. 76. Copy of a Letter from Mr. *Samuel Adams*, dated *Boston*, 12th *May*, 1774.

No. 77. Copy of a Resolution and of a Vote of the House of Representatives of *New-Hampshire*, 28th *May*, 1774.

No. 78. Copy of Governour *Wentworth's* Message to the Assembly of *New-Hampshire*, 8th *June*, 1774.

No. 79. Extract of a Letter from Governour *Wentworth* to the Earl of *Dartmouth*, dated 4th *July*, 1774; received 2d *August*, enclosing,

No. 80. Copies of two Letters from Mr. *Parry* to Governour *Wentworth*, dated 29th *June*, 1774.

No. 81. Copies of two Letters from Governour *Wentworth* to Captain *Cochran*, dated 29th *June*, 1774.

No. 82. Copy of a Letter from Captain *Cochran* to Governour *Wentworth*, dated 30th *June*, 1774.

No. 83. Copies of two Letters from Mr. *Parker* to Governour *Wentworth*, dated 30th *June*, 1774.

No. 84. Copy of a Letter from Governour *Wentworth* to the Earl of *Dartmouth*, dated 6th *July*, 1774; received 2d *August*, enclosing,

No. 85. Copy of his Speech to the Committee of Correspondence.

No. 86. Extract of a Letter from Governour *Wentworth* to the Earl of *Dartmouth*, dated 13th *July*, 1774; received 7th *September*.

No. 87. Extract of a Letter from Governour *Wentworth* to the Earl of *Dartmouth*, dated 29th *August*, 1774; received 1st of *October*, enclosing,

No. 88. Copy of Instructions for Colonel *Folsom* and Major *Sullivan*, appointed Delegates for the Province of *New-Hampshire*.

No. 89. Copy of a Letter from the Committee of Correspondence in *New-Hampshire*; and form of a Non-Importation and Non-Consumption Agreement sent to the Towns in the Province.

No. 90. Copy of a Vote of a Town Meeting at *Portsmouth*.

No. 91. Extract of a Letter from Governour *Wentworth* to the Earl of *Dartmouth*, dated 13th *September*, 1774; received 14th *November*, enclosing,

No. 92. Copy of a Letter from Governour *Wentworth* to Captain *Cochran*, 18th *July*.

No. 93. Copy of a Letter from Mr. *Parry* to Governour *Wentworth*, 8th *September*.

No 94. Extracts from the Proceedings of the Council of *New-Hampshire*, on the 9th and 12th of *September*.

No. 95. Extract of a Letter from Governour *Wentworth* to the Earl of *Dartmouth*, dated *New-Hampshire*, 15th *November*, 1774; received 5th *January*, 1775; enclosing,

No. 96. Copy of Resolves of the Committee of the Towns of *Portsmouth* and *Rochester*.

No. 97. Extract of a Letter from Governour *Wentworth* to the Earl of *Dartmouth*, dated *New-Hampshire*, 2d *December*, 1774; received 12th *January*, 1775, enclosing,

No. 98. Advertisements from the Committee of the Towns of *Portsmouth* and *Durham*.

No. 99. Extract of a Letter from Lieutenant Governour *Colden* to the Earl of *Dartmouth*, dated *New-York*, 4th *May*, 1774; received 6th *June*, enclosing,

No. 100. Extract from the *New-York Gazetteer*, of the 28th *April*, 1774.

No. 101. Extract of a Letter from Major General *Haldimand* to the Earl of *Dartmouth*, dated *New-York*, 15th *May*, 1774; received 11th *June*, enclosing,

No. 102. Copy of a Paper handed about *New-York*.

No. 103. Extract of a Letter from Major General *Haldimand* to the Earl of *Dartmouth*, dated *New-York*, 1st *June*, 1774; received 4th *July*, 1774.

No. 104. Extract of a Letter from Lieutenant Governour *Colden* to the Earl of *Dartmouth*, dated *New-York*, 1st *June*, 1774; received 4th *July*, enclosing,

No. 105. Copy of a Handbill.

No. 106. Extract of a Letter from Lieutenant Governour *Colden* to the Earl of *Dartmouth*, dated *New-York*, 6th *July*, 1774; received 17th *August*.

No. 107. Extract of a Letter from Lieutenant Governour *Colden* to the Earl of *Dartmouth*, dated *New-York*, 2d *August*, 1774; received 7th *September*.

No. 108. Extract of a Letter from Lieutenant Governour *Colden* to the Earl of *Dartmouth*, dated *New-York*, 7th *September*, 1774; received 11th *October*.

No. 109. Extract of a Letter from Lieutenant Governour *Colden* to the Earl of *Dartmouth*, dated *New-York*, 5th *October*, 1774; received 10th *November*.

No. 110. Extract of a Letter from Lieutenant Governour *Colden* to the Earl of *Dartmouth*, dated *New-York*, 2d *November*, 1774; received 13th *December*.

No. 111. Extract of a Letter from Lieutenant Governour *Colden* to the Earl of *Dartmouth*, dated *New-York*, 7th *December*, 1774; received 6th *January*, 1775.

No. 112. Extract of a Letter from Governour *Franklin* to the Earl of *Dartmouth*, dated *Burlington*, 31st *May*, 1774; received 4th *July*.

No. 113. Extract of a Letter from Governour *Franklin* to the Earl of *Dartmouth*, dated *Burlington*, 28th *June*, 1774; received 12th *August*, enclosing,

No. 114. Copy of the Resolves of the Freeholders of the County of *Essex*, in *New-Jersey*, 11th *June*, 1774.

No. 115. Copy of a Letter from the Deputy Governour of *Pennsylvania* to the Earl of *Dartmouth*, dated *Philadelphia*, 31st *May*, 1774; received 4th *June*.

No. 116. Extract of a Letter from the Deputy Governour of *Pennsylvania* to the Earl of *Dartmouth*, dated *Philadelphia*, 5th *July*, 1774; received 12th *August*.

No. 117. Extract of a Letter from the Deputy Governour of *Pennsylvania* to the Earl of *Dartmouth*, dated *Philadelphia*, 30th *July*, 1774; received 7th *September*, enclosing,

No. 118. Extracts from the Proceedings of the House of Representatives of *Pennsylvania*.

No. 119. Extracts from the *Pennsylvania Gazette*, of the 27th *July*, 1774.

No. 120. Extract of a Letter from the Deputy Governour of *Pennsylvania* to the Earl of *Dartmouth*, dated *Philadelphia*, 5th *September*, 1774; received 11th *October*.

No. 121. Copy of a Letter from the Deputy Governour of *Pennsylvania* to the Earl of *Dartmouth*, dated *Philadelphia*, 3d *October*, 1774; received 10th *November*, enclosing,

No. 122. Copies of three Resolutions of the Congress at *Philadelphia*; extracted from the *Pennsylvania Gazette*.

No. 123. Copy of a Letter from the Deputy Governour of *Pennsylvania* to the Earl of *Dartmouth*, dated *Philadelphia*, 31st *October*, 1774; received 13th *December*.

Digitized by Google

No. 124. Extract of a Letter from the Deputy Governour of *Pennsylvania* to the Earl of *Dartmouth*, dated *Philadelphia*, 4th *November*, 1774; received 17th *December*.

No. 125. Copy of a Letter from the Deputy Governour of *Pennsylvania* to the Earl of *Dartmouth*, dated *Philadelphia*, 6th *December*, 1774; received 6th *January*, 1775.

No. 126. Copy of a Letter from the Earl of *Dunmore* to the Earl of *Dartmouth*, dated *Williamsburg*, 29th *May*, 1774; received 4th *July*, enclosing,

No. 127. Copy of an Order of the House of Burgesses, on 24th *May*, 1774.

No. 128. Copy of an Association signed by eighty-nine Members of the House of Burgesses.

No. 129. Copy of a Letter from the Earl of *Dunmore* to the Earl of *Dartmouth*, dated *Williamsburg*, 6th *June*, 1774; received 11th *July*, enclosing,

No. 130. Resolutions of the Inhabitants of the City of *Annapolis*, in the Province of *Maryland*, 25th *May*, 1774.

No. 131. Extract of a Letter from the Earl of *Dunmore* to the Earl of *Dartmouth*, dated *Frederick* County, in *Virginia*, 14th *August*, 1774; received 8th *October*, enclosing,

No. 132. Copy of an Association resolved upon at a meeting of Delegates from the different Counties in *Virginia*.

No. 133. Copy of Instructions for the Deputies appointed to meet in General Congress on the part of the Colony of *Virginia*.

No. 134. Extract of a Letter from Lieutenant Governour *Bull* to the Earl of *Dartmouth*, dated *Charlestown*, 31st *July*, 1774; received 16th *September*, enclosing,

No. 135. Extract of a Letter from the *South Carolina Gazette*, on 11th *July*, 1774.

No. 136. Extract of a Letter from Lieutenant Governour *Bull* to the Earl of *Dartmouth*, dated *Charlestown*, 3d *August*, 1774; received 16th *September*, enclosing,

No. 137. Copy of Proceedings in the Commons House of Assembly of *South Carolina*, on 2d of *August*.

No. 138. Extract of a Letter from Lieutenant Governour *Bull* to the Earl of *Dartmouth*, dated *Charlestown*, 23d *November*, 1774; received 16th *January*, 1775.

No. 139. Extract of a Letter from Sir *James Wright*, Baronet, to the Earl of *Dartmouth*, dated *Savannah*, 25th *July*, 1774; received 16th of *September*.

No. 140. Extract of a Letter from Sir *James Wright*, Baronet, to the Earl of *Dartmouth*, dated *Savannah*, 13th *August*, 1774; received 12th *October*.

No. 141. Extract of a Letter from Sir *James Wright*, Baronet, to the Earl of *Dartmouth*, dated *Savannah*, 24th *August*, 1774; received 26th *October*, enclosing,

No. 142. Copy of a Handbill, dated 14th of *July*, 1774.

No. 143. Copy of a Proclamation issued by Sir *James Wright*, Baronet.

No. 144. Copy of a Handbill, dated 27th of *July*, 1774.

No. 145. Copy of Resolutions entered into at *Savannah*, 10th *August*, 1774.

No. 146. Extract of a Letter from Sir *James Wright*, Baronet, to the Earl of *Dartmouth*, dated *Savannah*, 13th *October*, 1774; received 4th *January*, 1775, enclosing,

No. 147. Copies of Protests of the Inhabitants of several Districts in the Province of *Georgia*.

No. 148. Extracts from the Votes and Proceedings of the *American* Continental Congress, held at *Philadelphia*, 5th *September*, 1774.

No. 149. Petitions of sundry persons, on behalf of themselves and the inhabitants of several of his Majesty's Colonies in *America*; received 21st *December*, 1774.

Ordered, That the said Papers do lie on the table.

The Earl of *Chatham* rose. My Lords: After more than six weeks possession of the Papers now before you, on a subject so momentous, at a time when the fate of this Nation hangs on every hour, the Ministry have at length condescended to submit to the consideration of the House, intelligence from *America*, with which your Lordships and the publick have been long and fully acquainted.

The measures of last year, my Lords, which have produced the present alarming state of *America*, were founded upon misrepresentation; they were violent, precipitate, and vindictive. The Nation was told that it was only a faction in *Boston*, which opposed all lawful Government; that an unwarrantable injury had been done to private property, for which the justice of Parliament was called upon to order reparation; that the least appearance of firmness would awe the *Americans* into submission, and upon only passing the *Rubicon*, we should be *fine clade victor*.

That the people might choose their Representatives under the impression of those misrepresentations, the Parliament was precipitately dissolved. Thus the Nation was to be rendered instrumental in executing the vengeance of Administration on that injured, unhappy, traduced people.

But now, my Lords, we find that instead of suppressing the opposition of the faction at *Boston*, these measures have spread it over the whole Continent. They have united that whole people, by the most indissoluble of all bands—intollerable wrongs. The just retribution is an indiscriminate, unmerciful proscription of the innocent with the guilty, unheard and untried. The bloodless victory is an impotent General, with his dishonoured Army, trusting solely to the pick-axe and the spade for security against the just indignation of an injured and insulted people.

My Lords, I am happy that a relaxation of my infirmities permits me to seize this earliest opportunity of offering my poor advice to save this unhappy country, at this moment tottering to its ruin. But as I have not the honour of access to his Majesty, I will endeavour to transmit to him, through the constitutional channel of this House, my ideas on *American* business, to rescue him from the misadvice of his present Ministers. I congratulate your Lordships that that business is at last entered upon, by the noble Lord's (Lord *Dartmouth*) laying the Papers before you. As I suppose your Lordships are too well apprized of their contents, I hope I am not premature in submitting to you my present motion, [reads the motion.] I wish, my Lords, not to lose a day in this urgent pressing crisis. An hour now lost in allaying the ferment in *America*, may produce years of calamity; but, for my own part, I will not desert for a moment the conduct of this weighty business from the first to the last, unless nailed to my bed by the extremity of sickness; I will give it unremitting attention; I will knock at the door of this sleeping or confounded Ministry, and will rouse them to a sense of their important danger.

When I state the importance of the Colonies to this country, and the magnitude of danger hanging over this country, from the present plan of misadministration practised against them, I desire not to be understood to argue for a reciprocity of indulgence between *England* and *America*; I contend not for indulgence, but justice to *America*; and I shall ever contend that the *Americans* justly owe obedience to us, in a limited degree; they owe obedience to our Ordinances of Trade and Navigation; but let the line be skilfully drawn between the objects of those Ordinances, and their private internal property. Let the sacredness of their property remain inviolate; let it be taxable only by their own consent, given in their Provincial Assemblies, else *it will cease to be property*. As to the metaphysical refinements attempting to show that the *Americans* are equally free from obedience to commercial restraints, as from taxation for Revenue, as being unrepresented here, I pronounce them futile, frivolous, and groundless. Property is, in its nature, single as an atom. It is indivisible, can belong to one only, and cannot be touched but by his own consent. The law that attempts to alter this disposal of it annihilates it.

When I urge this measure of recalling the Troops from *Boston*, I urge it on this pressing principle—that it is necessarily preparatory to the restoration of your peace, and the establishment of your prosperity. It will then appear that you are disposed to treat amicably and equitably; and to consider, revise, and repeal, if it should be found necessary, as I affirm it will, those violent Acts and Declarations which have disseminated confusion throughout your Empire.

Resistance to your Acts was as necessary as it was just; and your vain declarations of the omnipotence of Parliament, and your imperious doctrines of the necessity of submission, will be found equally impotent to convince, or to

Digitized by Google

enslave, your fellow-subjects in *America*, who feel that tyranny, whether *ambitioned* by an individual part of the Legislature, or by the bodies* who compose it, is equally intollerable to *British* subjects.

As to the means of enforcing this thraldom, they are found to be as ridiculous and weak in practice, as they were unjust in principle. Indeed I cannot but feel, with the most anxious sensibility, for the situation of General *Gage*, and the Troops under his command, thinking him, as I do, a man of humanity and understanding, and entertaining, as I ever shall, the highest respect, the warmest love, for the *British* Troops. Their situation is truly unworthy—penned up—pining in inglorious inactivity. They are an army of impotence. You may call them an army of safety and of guard; but they are in truth an army of impotence and contempt; and to render the folly equal to the disgrace, they are an army of irritation and vexation.

But I find a report *creeping* abroad, that Ministers censure General *Gage's* inactivity. Let *them* censure him; it becomes them; it becomes their *justice* and their *honour*. I do not mean to censure his inactivity; it is a prudent and necessary inaction. But it is a miserable condition, where disgrace is prudence; and where it is necessary to be contemptible. This tameness, however disgraceful, cannot be censured; for the first drop of blood shed in a civil and unnatural war, would be *immedicabile vulnus*. It would entail hatred and contention between the two people, from generation to generation. Wo be to him who sheds the first, the unexpiable drop of blood in an impious war, with a people contending in the great cause of publick liberty. I will tell you plainly, my Lords, no son of mine, nor any one over whom I have influence, shall ever draw his sword upon his fellow-subjects.

I therefore urge and conjure your Lordships immediately to adopt this conciliating measure. I will pledge myself for its immediately producing conciliatory effects, from its being well-timed. But if you delay till your vain hope of triumphantly dictating the terms shall be accomplished, you delay forever. And even admitting that this hope, which in truth is desperate, should be accomplished, what will you gain by the imposition of your victorious amity? You will be untrusted and unthanked. Adopt then the grace, while you have the opportunity of reconcilement, or at least prepare the way; allay the ferment prevailing in *America*, by removing the obnoxious hostile cause—obnoxious and unserviceable; for their merit can be only inaction. "*Non dimicare et vincere.*" Their victory can never be by exertions. Their force would be most disproportionately exerted against a brave, generous, and united people, with arms in their hands and courage in their hearts; three millions of people, the genuine descendants of a valiant and pious ancestry, driven to those deserts by the narrow maxims of a superstitious tyranny. And is the spirit of tyrannous persecution never to be appeased? Are the brave sons of those brave forefathers to inherit their sufferings, as they have inherited their virtues? Are they to sustain the inflictions of the most oppressive and unexampled severity, beyond the accounts of history or the description of poetry? "*Rhadamanthus habet durissima regna, castigatque* AUDITQUE." So says the wisest poet, and perhaps the wisest statesman and politician. But the *Bostonians* have been condemned UNHEARD. The indiscriminating hand of vengeance has lumped together innocent and guilty; with all the formalities of hostility, has blocked up the Town, and reduced to beggary and famine thirty thousand inhabitants.

But his Majesty is advised that the union of *America* cannot last. Ministers have more eyes than I, and should have more ears; but from all the information I have been able to procure, I can pronounce it a union solid, permanent, and effectual. Ministers may satisfy themselves and delude the publick with the reports of what they call commercial bodies in *America*. They are not commercial. They are your packers and factors; they live upon nothing, for I call commission nothing; I mean the Ministerial AUTHORITY for their *American* intelligence—the runners of Government, who are paid for their intelligence. But these are not the men, nor this the influence to be considered in *America*, when we estimate the firmness of their union. Even to extend the question, and to take in the really mercantile circle, will be totally inadequate to the consideration. Trade, indeed, increases the wealth and glory of a country; but its real strength and stamina are to be looked for among the cultivators of the land. In their simplicity of life is found the simpleness of virtue—the integrity and courage of freedom. Those true genuine sons of the earth are invincible; and they surround and hem in the mercantile bodies, even if those bodies, which supposition I totally disclaim, could be supposed disaffected to the cause of liberty. Of this general spirit existing in the *American* Nation, (for so I wish to distinguish the real and genuine *Americans* from the pseudo traders I have described)—of this spirit of independence animating the Nation of *America*, I have the most authentick information. It is not new among them; it is and ever has been their established principle—their confirmed persuasion; it is their nature and their doctrine.

I remember some years ago when the repeal of the Stamp Act was in agitation, conversing in a friendly confidence with a person of undoubted respect and authenticity on this subject, and he assured me with a certainty which his judgment and opportunity gave him, that these were the prevalent and steady principles of *America:* that you might destroy their Towns, and cut them off from the superfluities, perhaps the conveniences of life, but that they were prepared to despise your power, and would not lament their loss, whilst they had—WHAT, my Lords? Their woods and their liberty. The name of my authority, if I am called upon, will authenticate the opinion irrefragably.*

If illegal violences have been, as it is said, committed in *America*, prepare the way, open a door of possibility for acknowledgment and satisfaction. But proceed not to such coercion, such proscription. Cease your indiscriminate inflictions; amerce not thirty thousand,—oppress not three millions, for the fault of forty or fifty. Such severity of injustice must forever render incurable the wounds you have already given your Colonies; you irritate them to unappeasable rancour. What though you march from Town to Town, and from Province to Province? Though you should be able to force a temporary and local submission, which I only suppose, not admit, how shall you be able to secure the obedience of the country you leave behind you in your progress? To grasp the dominion of eighteen hundred miles of Continent, populous in valour, liberty, and resistance?

This resistance to your arbitrary system of taxation might have been foreseen; it was obvious from the nature of things and of mankind; and above all, from the Whiggish spirit flourishing in that country. The spirit which now resists your taxation in *America*, is the same which formerly opposed, and with success opposed, loans, benevolences, and ship money in *England;* the same spirit which called all *England on its legs*, and, by the Bill of Rights, vindicated the *English* Constitution; the same spirit which established the great fundamental and essential maxim of your liberties, that no subject of *England* shall be taxed, *but by his own consent*.

If your Lordships will turn to the politicks of those times, you will see the attempts of the Lords to poison this inestimable benefit of the Bill, by an insidious proviso; you will see their attempts defeated, in their conference with the Commons, by the decisive arguments of the ascertainers and maintainers of our liberty; you will see the thin, inconclusive, and fallacious stuff of those enemies to freedom, contrasted with the sound and solid reasoning of Serjeant *Glanville* and the rest, those great and learned men who adorned and enlightened this country, and placed her security on the summit of justice and freedom. And whilst I am on my legs, and thus do justice to the memory of those great men, I must also justify the merit of the living, by declaring my firm and fixed opinion, that such a man exists this day, [looking towards Lord *Camden*.]

This glorious spirit of Whiggism animates three millions in *America*, who prefer poverty with liberty, to golden

* A favourite idea prevailed, and was often urged in argument by Administration, "that absolute passive obedience is due to Acts of the "Legislature, which must not, *in any case whatever*, be questioned, "much less resisted by the people." Mr. *Locke* thought otherwise. But, in truth, it is a point rather of practical policy. If, however, the *postulatum* were admitted in speculation, the inference will not reach from *Westminster* to *Boston*. It never was proved that our *Lords Spiritual* and *Temporal* had *privilege* in *America*, and that *our* Knights, Citizens, and Burgesses, were *their* Representatives.

* It was Doctor *Franklin*.

Digitized by Google

chains and sordid affluence, and who will die in defence of their rights as men—as freemen. What shall oppose this spirit, aided by the congenial flame glowing in the breast of every Whig in *England*, to the amount, I hope, of at least double the *American* numbers? *Ireland* they have to a man. In that country, joined as it is with the cause of the Colonies, and placed at their head, the distinction I contend for is and must be observed.

My Lords, this country superintends and controls their trade and navigation, but they *tax themselves*. And this distinction between external and internal control, is sacred and insurmountable; it is involved in the abstract nature of things. Property is private, individual, absolute. Trade is an extended and complicated consideration; it reaches as far as ships can sail, or winds can blow; it is a great and various machine. To regulate the numberless movements of its several parts, and combine them into effect for the good of the whole, requires the superintending wisdom and energy of the supreme power in the Empire. But this supreme power has no effect towards internal taxation; for it does not exist in that relation. There is no such thing, *no such idea in this Constitution, as a supreme power operating upon property.*

Let this distinction, then, remain forever ascertained. Taxation is theirs; commercial regulation is ours. As an *American* I would recognize to *England* her supreme right of regulating Commerce and Navigation. As an *Englishman*, by birth and principle, I recognize to the *Americans* their supreme, unalienable right in their Property; a right which they are justified in the defence of, to the last extremity. To maintain this principle is the common cause of the Whigs on the other side of the *Atlantic*, and on this. "'Tis liberty to liberty engaged," that they will defend themselves, their families, and their country. In this great cause they are immovably allied. It is the alliance of *God* and nature—immutable, eternal, fixed as the firmament of Heaven.

To such united force, what force shall be opposed? What, my Lords, a few Regiments in *America*, and seventeen or eighteen thousand men at home! The idea is too ridiculous to take up a moment of your Lordships' time; nor can such a national and principled union be resisted by the tricks of office or Ministerial manœuvres. Laying papers on your table, or counting noses on a division, will not avert or postpone the hour of danger. It must arrive, my Lords, unless these fatal Acts are done away; it must arrive in all its horrours; and then these boastful Ministers, 'spite of all their confidence and all their manœuvres, shall be forced to hide their heads.

But it is not repealing this Act of Parliament or that Act of Parliament; it is not repealing a *piece of parchment* that can restore *America* to your bosom. You must repeal her fears and her resentments, and you may then hope for her love and gratitude. But now, insulted with an armed force posted in *Boston*, irritated with an hostile array before her eyes, her concessions, if you *could* force them, would be suspicious and insecure: they will be *irato animo*; they will not be the sound, honourable pactions of freemen; they will be the dictates of fear and the extortions of force. But it is more than evident that you *cannot* force them, principled and united as they are, to your unworthy terms of submission. It is impossible. And when I hear General *Gage* censured for inactivity, I must retort with indignation on those whose intemperate measures and improvident councils have betrayed him into his present situation. His situation reminds me, my Lords, of the answer of a *French* General in the civil wars of *France*, Monsieur *Turenne*, I think. The Queen said to him, with some pevishness, I observe that you were often very near the Prince during the campaign, why did you not take him? The Mareschal replied with great coolness—J'avois grand peur, qui Monsieur le Prince ne me pris. I was very much afraid the Prince would take me.

When your Lordships look at the papers transmitted us from *America*; when you consider their decency, firmness, and wisdom, you cannot but respect their cause, and wish to make it your own—for myself I must declare and avow that, in all my reading and observation, and it has been my favourite study—I have read *Thucidydes*, and have studied and admired the master states of the world—that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under such a complication of difficult circumstances, no Nation or body of men can stand in preference to the General Congress at *Philadelphia*. I trust it is obvious to your Lordships, that all attempts to impose servitude upon such men, to establish despotism over such a mighty Continental *Nation*, must be vain, must be futile. We shall be forced ultimately to retract; let us retract whilst we can, not when we must. I say we must necessarily undo these violent and oppressive Acts; *they must be repealed*; you will repeal them; I pledge myself for it, that you will in the end repeal them; I stake my reputation on it; I will consent to be taken for an idiot if they are not finally repealed. Avoid then this humiliating, disgraceful necessity. With a dignity becoming your exalted situation, make the first advances to concord, to peace and happiness; for that is your true dignity, to act with prudence and with justice. That you should first concede, is obvious from sound and rational policy. Concession comes with better grace, and more salutary effect, from the superiour power. It reconciles superiority of power with the feelings of men, and establishes solid confidence in the foundation of affection and gratitude. So thought a wise poet, and a wise man in political sagacity, the friend of *Mæcenas*, and the eulogist of *Augustus*. To him the adopted son and successor of the first *Cæsar*, to him, the master of the world, he wisely urged this conduct of prudence and dignity; "*Tuque prior, tu parce; projice tela manu.*"

Every motive, therefore, of justice and of policy, of dignity and of prudence, urges you to allay the ferment in *America*, by a removal of your Troops from *Boston*, by a repeal of your Acts of Parliament, and by demonstration of amicable dispositions towards your Colonies. On the other hand, every danger and every hazard, impend to deter you from perseverance in your present ruinous measures. Foreign war hanging over your heads by a slight and brittle thread; *France* and *Spain* watching your conduct and waiting for the maturity of your errours; with a vigilant eye to *America* and the temper of your Colonies, more than to their own concerns, be they what they may.

To conclude, my Lords, if the Ministers thus persevere in misadvising and misleading the King, I will not say that they can alienate the affections of his subjects from his crown; but I will affirm, that they will make the crown not worth his wearing. I shall not say that the King is betrayed; but I will pronounce that the Kingdom is undone.

He then moved, "That an humble Address be presented to his Majesty, most humbly to advise and beseech his Majesty, that, in order to open the ways towards an happy settlement of the dangerous troubles in *America*, by beginning to allay ferments, and soften animosities there; and, above all, for preventing in the mean time, any sudden and fatal catastrophe at *Boston*, now suffering under the daily irritation of an Army before their eyes; posted in their Town; it may graciously please his Majesty, that immediate orders may be despatched to General *Gage*, for removing his Majesty's Forces from the Town of *Boston*, as soon as the rigour of the season, and other circumstances indispensable to the safety and accommodation of the said Troops, may render the same practicable."

The Earl of *Suffolk* condemned the conduct of the *Americans* in the most determined and unreserved terms. He complimented the noble Earl on his great abilities, but begged leave to pronounce him mistaken, in almost every position he laid down; and thought it extremely improper, considering the present alarming state of *America*, to cause divisions, and by so doing, to weaken the force of the parent state. He observed, that the noble Earl had animadverted severely on those who had, or were supposed to have advised the measure of dissolving the Parliament; and had likewise thrown out some insinuations, directed against the supposed authors of the present intentions of Administration. As to the first, he avowed himself to be one of the principal advisers, as he looked upon it, nay, foresaw from the beginning, that all the steps taken by the *Americans*, in Congress and elsewhere, would be to influence the general election by creating jealousies, fears, and prejudices, among the mercantile and trading part of the Nation; that he was happy the ideas he espoused had prevailed, by which means those sinister designs were prevented from taking effect; that he was happy to find his conjectures

Digitized by Google

right, and to perceive that those designs were defeated; and that an improper influence, originating whence it might, or in whatever manner, made very little difference. As to the point of advice, in relation to coercive measures, he very frankly declared himself to be equally strenuous: for all conciliating means having proved ineffectual, he thought it high time for the mother country to exert her authority, or forever relinquish it. If the task be difficult now, what must it be in a few years time? Parliament must be obeyed, or it must not; if it be obeyed, then who shall resist its determinations? If it be not, then we may as well at once give up every claim of authority over *America*. I should scorn (said he) to be present in this House, and sit still without freely declaring my sentiments. I should scorn to continue one of his Majesty's Ministers, and not advise coercive measures, when I was so firmly and fully convinced of their necessity; and I take a particular pride in avowing those sentiments, and mean steadily to abide by them at all events. His Lordship then proceeded to comment on the proceedings of the Congress, in relation to their disapprobation of certain Acts of Parliament, particularly the four or five last adverted to at that meeting. He defended them all and contended, that the *Boston* Port Bill, if the obstinacy of the *Bostonians* had not prevented it, would have executed itself, as a satisfaction for the *dédommagement* done to the *East India* Company, would have at once put the Port of *Boston* on its former footing, and have of course made an opening for a complete reconciliation. He insisted strongly that the mother country should never relax till *America* confessed her supremacy; and that as soon as *America* had dutifully complied, she would meet with every indulgence consistent with the real interest of both countries; but that any concession on our parts, till the right on which all our pretensions were founded, was allowed, would be to the last degree impolitick, pusillanimous, and absurd. He supposed, he said, that the noble Earl would be alone in his opinion, that this country had not the right to tax *America*. The right implied, according to him, the necessity of the exercise of it. He thought it a duty incumbent on Administration to pursue their object of subduing the refractory, rebellious *Americans;* and avowed the Ministerial resolution of enforcing obedience by arms.*

The Earl of *Shelburne* began with renouncing all personal engagements whatever; and solemnly declared, that he adopted the sentiments of the noble Earl of *Chatham*, solely on account of their wisdom, justice, and propriety. He said, the specious language of the supremacy of the *British* Legislature, the interests of *Great Britain*, of her authority over the Colonies, &c., was artfully held out to delude and deceive both Parliament and people; it was intended to operate on every degree of men; the very Cobler is, he said, swelled up with his own importance, as being a party in a contest with those on the other side, who are as artfully represented to be ready to throw off all obedience, who are described to be traitors, vagabonds, and rebels, guilty of the most flagrant baseness and ingratitude. But surely there is not a noble Lord within these walls—there is not a man without—who does not instantly perceive the notorious fallacy of such a misrepresentation. No man can be at a loss to know, that a majority of both Houses, however constituted, are the Nation; that that majority is led and directed by an Administration consisting of four or five persons; and those again, by one man. Let us, therefore, hear no more of the People, the Parliament, or *Great Britain;* but consider the issue as simply depending between the parties thus described, between Administration on one side, and all *America* on the other. He then proceeded to animadvert on the several Acts of the last session respecting *America;* and contended, without reserve, that the *Boston* Port Bill did not execute itself, nor was ever meant so to do: for supposing the *dédommagement* to be repaired, and the injury sustained by the *East India* Company compensated, what did the Act say? Why, that when his Majesty should think the *Bostonians* had returned to their obedience, and peace and good government fully established, his Majesty might open the Port on such conditions as he thought proper; and appoint such places for the landing and shipping of goods within the said Port and Harbour as he pleased. Here he highly arraigned the unconstitutional policy which dictated that part of the Act, and wantonly lodged a power in the King and Council, which Parliament, if it regarded its own honour, should have never parted with. He condemned, in general, the madness, injustice, and infatuation of coercing the *Americans* into a blind and servile submission; and repeated what had been received in the most ludicrous manner, on a former occasion, that a tipstaff would execute the Acts better than a military force consisting of one hundred thousand men.

Lord *Lyttelton* set out with complimenting the noble Earl who spoke first in the debate, on his great political wisdom, his extensive talents, and the fruits of both, the glorious successes of the late war, which must deservedly crown him with immortal laurels. He grounded his arguments chiefly on the legislative supremacy of the *British* Parliament. He ridiculed the absurd idea of an inactive right, when there was the most apparent and urgent necessity for exercising it. It would be madness in the extreme, not directly to assert, or forever relinquish it. He could not at all agree with the noble Earl in his encomiums on the Continental Congress; for so far from applauding their wisdom, &c., he contended that the whole of their deliberations and proceedings breathed the spirit of unconstitutional independency and open rebellion. His Lordship pointed to the particular language of some of their Resolu-

* Whatever difference of opinion in the Cabinet might have produced an apparent irresolution previous to the recess, it now became evident that measures were finally settled with respect to *America*. Though the Military and Naval strength was not increased, a plan of coercion seemed to be determined on. The language of the Lords in Administration was high and decisive. They condemned the conduct of the *Americans* in the strongest and most unreserved terms; and justified all the acts of Administration, and all the late Laws, without exception. They insisted that all conciliating means having proved ineffectual, it was high time for the mother country to assert her authority, or forever to relinquish it. If the task be difficult now, what must it be in a few years? Parliament must be obeyed, or it must not; if it be obeyed, who shall resist its determinations? If it be not, it is better at once to give up every claim of authority over *America*. The supremacy of the *British* Legislature cannot be disputed; and the idea of an inactive right, when there is the most urgent necessity for its exercise, is absurd and ridiculous. If we give way on the present occasion, from mistaken notions of present advantages in trade and commerce, such a concession will infallibly defeat its own object; for it is plain that the Navigation Act, and all other regulatory Acts, which form the great basis on which those advantages rest, and the true interests of both countries depend, will fall a victim to the interested and ambitious views of *America*. In a word, it was declared that the mother country should never relax till *America* confessed her supremacy; and it was avowed to be the Ministerial resolution to enforce obedience by arms.

In this debate it did not appear that the Lords in the minority were fully agreed on the propriety of recalling the Troops. Some Lords who were the most earnest for peace, did not think it at all just or wise to leave those who had risked their lives in favour of the claims of this country, however ill-founded, or improperly exercised, as unprotected victims to the rage of an armed and incensed populace; and that too, before any previous stipulations were made for their safety. They thought that if proper concessions were made, the Troops then at *Boston* were not numerous enough to raise an alarm on account of a supposed ill-faith in keeping them up, and could by no means prevent the restoration of peace. It was wrong at first to send the force; but it might be dangerous to recall it before that was accomplished. They, however, supported the motion because it looked towards that great object; and because, they said, they thought any thing better than a perseverance in hostility. In argument, it was denied that lenient means had been ineffectually tried with the Colonies; and, on the contrary, insisted that they had been continually irritated by a series of absurd, contradictory, wanton, and oppressive measures. That the proscription of *Boston*, untried and unheard, whereby thirty thousand people were consigned to famine and beggary for the alleged crimes of a few, was an injustice and cruelty scarcely to be paralleled. That, as if it had been done to inflame them to madness, and to keep hostility always in their eyes, an Army, merely of irritation, as it evidently could answer no other purpose, was sent amongst them. That, unfortunately, passion, obstinacy, and ill-will, under the direction of inability and ignorance, had been made the principles for governing a free people. That *America* only wants to have safety in property, and personal liberty; and the desire of independency was falsely charged on her. It was also insisted on that the Colonies never denied or questioned the Acts of Navigation, except when excited to it by injury.

That the specious language of the supremacy of the *British* Legislature, the interests of *Great Britain*, of her authority over the Colonies, and other phrazes equally sounding, was artfully held out to deceive and delude both Parliament and people; they were pompous words, and might swell the importance of the meanest mechanick; but they would neither prevent the miseries of a civil war, preserve our commerce, nor restore our Colonies, if once lost.

After a pretty long debate for that House, the question was rejected by a vast majority, there appearing, upon a division, no less than sixty-eight who opposed, to eighteen only, who supported, the motion. This division was rendered remarkable, by having a Prince of the blood, his Royal Highness the Duke of *Cumberland*, for the first time in the minority.

This decisive victory restored the confidence of the Minister, and perhaps encouraged him to measures in the other House, which he would not otherwise have hazarded.—*Ann. Regis.*

Digitized by Google

tions; and endeavoured to prove, that if *Great Britain* should give way on the present occasion, from mistaken motives of present advantages in trade, commerce, &c., such a concession would inevitably defeat its own object; for it was plain, that the Navigation Act, and all other regulatory Acts, which formed the great basis on which those advantages rested, and the true interests of both countries depended, would fall a victim to the interested and ambitious views of *America*. Now, therefore, was the time to assert the authority of *Great Britain*; for if we did not, he had not a single doubt but every concession on our side would produce a new demand on theirs; and in the end, bring about that state of traitorous independency, at which it was too plain they were now aiming. He lamented the disgraceful, miserable state of the Troops under General *Gage*, daily crumbling away with sickness and desertion, destitute of covering and sustenance, and, what was much worse, their spirits broken, and themselves disheartened, with the insolent taunts and repeated provocations of a rebellious surrounding rabble. He reflected severely on the conduct of those, that put him and kept him in so disgraceful a situation. He said he should be glad to know by what secret power, or over-ruling influence, the wishes of Parliament had been defeated. On the other hand, if it was from that gentleman's own suggestions he acted, he freely declared, that however prevalent it might be, from every side of the House, to bestow encomiums on him, he must continue to think his conduct extremely reprehensible, and deserving of censure. His Lordship disclaimed all personal connection with Administration.. He said he supported them, because he imagined and believed them to be right.

Lord *Camden* said he would not enter into the large field of discussion, or collateral reasoning, applicable to the abstruse and metaphysical distinctions necessary to the investigation of the omnipotence of Parliament; but this he would venture to assert, that the natural right of mankind, and the immutable laws of justice, were clearly in favour of the *Americans*. He observed that great stress had been laid on the legislative supremacy of *Great Britain;* and as far as the doctrine was directed to its proper objects, it was a just one; but it was no less true in fact, that consonant to all the reasonings of all the speculative writers on government, that no man, either agreeable to the true principles of natural or civil liberty, could be divested of any part of his property without his own consent. He pledged himself, at a proper time, to prove that the law of *England* did not give the right claimed by Parliament, to tax *America*. That no book or record expressed such right; that he could not tell where to look for it; that he consulted law and history, and his search was equally fruitless in both. In what King's reign, he asked, could it be found? Was it in the old times, before our Colonies existed; or when? He said that in the time of *Charles* the First, when that great constitutional lawyer, Mr. *Selden*, was pressed to declare on what legal grounds resistance was justifiable, he replied it was by the custom of *England*, and that was part of the law of the land—and concluded by referring to the works of Judge *Blackstone*, where avoiding to state the rule, when resistance is justifiable, he lays down the Revolution as the only precedent; but adds, though the various circumstances and incidents, which may justify resistance, cannot be exactly defined, it is plain, the people at large, who possess the original rights necessary to their own happiness and preservation, have the same right to recall it, whenever the power and authority thus delegated by them, has been abused, and manifestly employed to their own ruin and destruction.

The Earl of *Chatham*, in reply, observed that if the Noble Lord *(Lyttelton)* who suggested that the views of *America* were ultimately pointed to the defeating the Act of Navigation, and the other regulatory Acts so wisely framed and calculated for that reciprocity of interests so essentially necessary to the grandeur and prosperity of the whole Empire, was right, there was no person present, however zealous, would be readier than himself to resist and crush any attempt of that nature in the first instance; but to come at any certain knowlege of their real sentiments, it would be proper first to do them justice; to treat them like subjects, before they were condemned as aliens or traitors. He entirely acquiesced in the sentiments of his noble friend, (Lord *Camden*,) that the present was not a subject proper for nice, metaphysical discussion: that property was a simple subject, distinct and unconnected with the variously complex ideas in which other questions relative to policy were inevitably involved; that he still remained, and ever should continue of opinion, that the right which *God* and nature, and the Constitution, had given a *British* subject to his property, was invariably inalienated, without his own consent; and that no power under Heaven could touch it without that consent, either implied, or expressly and directly given. He treated the idea of taxation, being included in legislation, in the most ludicrous terms. He contended that they were two operations in our Constitution totally distinct and foreign to each other; that the latter plainly originated from the power vested in the Legislative Great Council, to control, direct, and watch over the interests of the whole society, by way of regulation and coercion, for the common benefit, while the former was inseparably connected with property, and must forever suit itself to the true nature and disposition of property in general.

Lord *Townshend* desired several Acts of his present Majesty might be read. He endeavoured to prove that some of them were nearly connected with the Act of Navigation passed in the reign of *Charles* the Second. The Resolutions of the *American* Congress condemning those Acts, shewed, he said, that the views of *America* are not confined to the redress of grievances, real or imaginary, but are immediately directed to the total overthrow of that great palladium of *British* commerce, the Act of Navigation. The question was not now barely a question of Revenue; but whether that great commercial system on which the strength and prosperity of *Great Britain*, and the mutual interests of both countries vitally depended, should be destroyed in order to gratify the foolishly ambitious temper of a turbulent, ungrateful people. He contended strongly if concessions of that nature were to be made, restrictions taken off, and trade allowed to flow, in what was called its natural channels, *Ireland*, who helped to man our Fleets and Armies; who had contributed so generously and freely to the common support; who had so cheerfully assisted in alleviating our burdens, was much better entitled to it than *America*.

The Earl of *Rochford* was for firm and decisive measures. To retreat, he insisted, was to be vanquished: and condemned those who were for conceding at this critical juncture. The unity of the *British* Empire should, in his opinion, supersede every inferior consideration, because on that its prosperity, stability, and external grandeur immediately depended. He disclaimed, in the name of the King's Ministers, all imputations and insinuations thrown out by a noble Lord. He said he believed the General was as little censurable as they were, and that it was next to impossible to decide on that gentleman's conduct at so great a distance, and without knowing the motives that lead to it.

Earl *Gower* was well informed that the language now held by the *Americans*, was the language of the rabble and a few factious leaders; that the Delegates at the Congress were far from expressing the true sense of the respectable part of their constituents; that in many places they were chosen by a kind of force, in which the people of consequence were afraid, unprotected as they were, to interpose; and where it was otherwise, they were borne down by faction in some instances, and perverted by the most false misrepresentations in others; that taking it in either light, the measures proper to be pursued by *Great Britain* were plain, and did not admit of the least controversy; for either, said his Lordship, they are disposed as I have now represented, or they are not: if they are, they deserve our utmost protection; if they are not, we should exert and strain every nerve to make them submit. I have all along been of that opinion. I now avow it; and be the event what it may, I never mean to shrink from the consequences of an advice which I am proud to own.

The Marquis of *Rockingham* observed, that as Ministry had avowed an intention of sending out more Troops to *Boston*, and as that was a measure totally repugnant to his plan of reconciliation, he was glad of an opportunity of resisting that mischievous and dangerous design of governing the Colonies by force. He said that the Troops which had so idly been sent thither, were, by their instructions,

Digitized by Google

left in so disgraceful a state that he wished them recalled with the utmost possible despatch; and consequently he must be averse to the designs Administration entertained of further exposing our Troops to shame and disgrace; and of course he joined the motion for their recall. He expressed pretty strongly his adherence to his old opinion of the propriety of the Declaratory Act, which he seemed to consider as necessary to the dominion of this country, and no way hurtful to the freedom of *America*; but he reserved himself to a more proper season for debating that principle, only insisting that the Congress had expressed no dissatisfaction with the Declaratory Act; and he thought it needless to give them more than they desired.

The Duke of *Richmond* supported Lord *Chatham's* motion with firmness, and answered his adversaries with accuracy and precision. He contrasted very happily the stubbornness of Ministry in refusing to have the least feeling for the miseries and complaints of *British* subjects, while they were all awake and full of attention to the most arrogant expectations of foreign Powers; and then mentioned the fact stated by Count *De Guines*, in his memorial, that the *English* Ministry, in the question of the *Faulkland* Islands, had agreed to disarm first.

The Earl of *Rochford* declared that, upon his honour and conscience, he believed Count *De Guines* innocent of the infamous charge laid against him; that as to disarming first the Count was mistaken; for that long before he (Lord *Rochford*) had made the proposal of disarming, he had received a letter from Lord *Harcourt* informing him that the *French* had began to disarm; that the proposal he made about disarming, was to do it reciprocally, at a given time; that the object of the armament being at an end, form was not necessary as to the period of disarming, more especially as from all his advices from the King's Ministers abroad, both the *French* and *Spaniards* had first began to disarm.

Lord *Weymouth* opposed the motion. He was for sending Troops to *America*; but held himself disengaged from co-operating with Administration till he was fully acquainted with the whole train of measures they proposed to adopt, digested into one perfect system; adding, that in his present state of mind, and want of proper knowledge, he did not know if he should even be for augmenting the present military force under General *Gage*.

The question was then put thereupon:

It was resolved in the Negative. Contents, 18; Non-Contents, 68.

The minority were, Dukes of *Cumberland*, *Richmond*, *Portland*, *Manchester*, Marquis of *Rockingham*, Earls *Thanet*, *Abingdon*, *Fitzwilliam*, *Tankerville*, *Stanhope*, *Spencer*, *Chatham*, Bishop of *Exeter*, Lords *Camden*, *Wycombe*, *Ponsonby*, *Sondes*, *Grosvenor*.

HOUSE OF LORDS.

WEDNESDAY, *February* 1, 1775.

The Earl of *Chatham* presented to the House a Bill, entituled "A Provisional Act for settling the Troubles in "*America*, and for asserting the supreme legislative autho-"rity and superintending power of *Great Britain* over "the Colonies."

The Earl of *Chatham* rose. His Lordship began with reminding the House, that the last time he had the honour of imparting his sentiments to them, he had informed them that with their indulgence he would submit certain propositions to their consideration, as a basis for averting the dangers which now threatened the *British* Empire; and that, in performance of his promise, he had sketched the outlines of a Bill, which he hoped would meet with the approbation of every side of the House. He proceeded to state the urgent necessity of such a plan, as, perhaps, a period of a few hours might forever defeat the possibility of any such conciliatory intervention. He represented *Great Britain* and *America* as drawn up in martial array, waiting for the signal to engage in a contest, in which it was little matter for whom victory declared, as ruin and destruction must be the inevitable consequence to both parties. He wished, from a principle of duty and affection, to act the part of a mediator. He said, however, that no regard for popularity, no predilection for his country—not the high esteem he entertained for *America* on one hand, nor the unalterable steady regard he entertained for the dignity of *Great Britain* on the other, should at all influence his conduct; for though he loved the *Americans* as men prizing and setting the just value on that inestimable blessing, liberty, yet, if he could once bring himself to be persuaded, that they entertained the most distant intentions of throwing off the legislative supremacy and great constitutional superintending power and control of the *British* Legislature, he should be the very person himself who would be the first and most zealous mover for securing and enforcing that power by every possible exertion this country was capable of making. He recurred to his former arguments on the great constitutional question of taxation and representation; insisted they were inseparable, and planted so deeply in the vital principles of the Constitution as never to be torn up, without destroying and pulling asunder every band of legal government and good faith which formed the cement that united its several constituent parts together. He entreated the assistance of the House to digest the crude materials which he presumed to now lay before it, and bring it and reduce it to that form which was suited to the dignity and the importance of the subject, and to the great ends to which it was ultimately directed. He called on them to exercise their candour on the present occasion, and deprecated the effects of party or prejudice, of factious spleen, or a blind predilection. He avowed himself to be actuated by no narrow principle or personal consideration whatever; for though the present Bill might be looked upon as a bill of concession, it was impossible but to confess at the same time that it was a bill of assertion.

The Earl of *Dartmouth* observed, that the Bill took in such a variety of matter it was impossible for him to pronounce any certain opinion concerning its propriety; and as the noble Earl who presented it did not seem willing to press the House to any immediate decision, but appeared rather desirous that it should be maturely and fully considered, he supposed it would be quite agreeable to him that the Bill should lie on the table till the papers referred by his Majesty were first taken into consideration; if so, he had no objection to the Bill being received on those terms.

The Bill was then read a first time, viz:

Whereas, by an Act sixth *George* Third, it is declared that Parliament has full power and authority to make laws and Statutes to bind the people of the Colonies in all cases whatsoever. And whereas reiterated complaints, and most dangerous disorders have grown, touching the right of Taxation claimed and exercised over *America*, to the disturbance of peace and good order there, and to the actual interruption of the due intercourse from *Great Britain* and *Ireland* to the Colonies, deeply affecting the Navigation, Trade, and Manufactures of this Kingdom and of *Ireland*, and announcing farther an interruption of all Exports from the said Colonies to *Great Britain*, *Ireland*, and the *British* Islands in *America*: Now, for prevention of these ruinous mischiefs, and in order to an equitable, honourable, and lasting settlement of claims not sufficiently ascertained and circumscribed, may it please your most excellent Majesty that it may be declared, and be it declared by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, that the Colonies of *America* have been, are, and of right ought to be, dependent upon the Imperial Crown of *Great Britain*, and subordinate unto the *British* Parliament; and that the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in Parliament assembled, had, hath, and of right ought to have, full power and authority to make Laws and Statutes of sufficient force and validity to bind the people of the *British* Colonies in *America*, in all matters touching the general weal of the whole Dominion of the Imperial Crown of *Great Britain*,

Digitized by Google

and beyond the competency of the local representative of a distinct Colony; and most especially an indubitable and indispensable right to make and ordain laws for regulating navigation and trade throughout the complicated system of *British* Commerce, the deep policy of such prudent acts upholding the guardian Navy of the whole *British* Empire; and that all subjects in the Colonies are bound in duty and allegiance duly to recognise and obey (and they are hereby required so to do) the supreme Legislative authority and superintending power of the Parliament of *Great Britain* as aforesaid. And whereas, in a Petition from *America* to his Majesty, it has been represented that the keeping a Standing Army within any of the Colonies, in time of peace, without consent of the respective Provincial Assembly there, is against law: Be it declared by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, that the Declaration of Right at the ever glorious Revolution, namely, "That the raising and keeping a Standing Army within "the Kingdom, in time of peace, unless it be by consent "of Parliament, is against law," having reference only to the consent of the Parliament of *Great Britain*, the legal, constitutional, and hitherto unquestioned prerogative of the crown to send any part of such Army, so lawfully kept, to any of the *British* Dominions and Possessions, whether in *America* or elsewhere, as his Majesty, in the due care of his subjects, may judge necessary for the security and protection of the same, cannot be rendered dependent upon the consent of a Provincial Assembly in the Colonies, without a most dangerous innovation and derogation from the dignity of the Imperial Crown of *Great Britain*. Nevertheless, in order to quiet and dispel groundless jealousies and fears, be it hereby declared, that no Military Force, however raised, and kept according to law, can ever be lawfully employed to violate and destroy the just rights of the people. Moreover, in order to remove forever, all causes of pernicious discords, and in due contemplation of the vast increase of possessions and population in the Colonies, and having at heart to render the condition of so great a body of industrious subjects there more and more happy, by the sacredness of property and of personal liberty, and of more extensive and lasting utility to the parent Kingdom, by indissoluble ties of mutual affection, confidence, trade, and reciprocal benefits, be it declared and enacted, by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and it is hereby declared and enacted, by the authority of the same, that no Tallage, Tax, or other charge for his Majesty's Revenue, shall be commanded or levied, from *British* freemen in *America*, without common consent, by Act of Provincial Assembly there, duly convened for that purpose. And it is hereby further declared and enacted, by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, that it shall and may be lawful for Delegates from the respective Provinces, lately assembled at *Philadelphia*, to meet in General Congress at the said *Philadelphia*, on the 9th day of *May* next ensuing, in order then and there to take into consideration the making due recognition of the supreme Legislative authority and superintending power of Parliament over the Colonies as aforesaid. And moreover, may it please your most excellent Majesty, that the said Delegates to be in Congress assembled, in manner aforesaid, may be required, and the same are hereby required, by the King's Majesty, sitting in his Parliament, to take into consideration (over and above the usual charge for support of Civil Government in the respective Colonies,) the making a free grant to the King, his heirs and successors, of a certain perpetual Revenue, subject to the disposition* of the *British* Parliament, to be by them appropriated, as they in their wisdom shall judge fit, to the alleviation of the National debt; no doubt being had but the just, free aid, will be in such honourable proportion as may seem meet and becoming from great and flourishing Colonies towards a parent country, labouring under the heaviest burthens, which, in no inconsiderable part, have been willingly taken upon ourselves and posterity, for the defence, extension, and prosperity of the Colonies. And to this great end, be it further hereby declared and enacted, that the General Congress (to meet at *Philadelphia* as aforesaid,) shall be, and is hereby authorized and empowered (the Delegates composing the same, being first sufficiently furnished with powers from their respective Provinces for this purpose,) to adjust and fix these partitions and quotas of the several charges to be borne by each Province respectively, towards the general contributory supply; and this, in such fair and equitable measure, as may best suit the abilities and due convenience of all. *Provided always*, That the powers for fixing the said quotas, hereby given to the Delegates from the old Provinces composing the Congress, shall not extend to the new Provinces of *East* and *West Florida*, *Georgia*, *Nova-Scotia*, *St. Johns*, and *Canada*; the circumstances and abilities of the said Provinces being reserved for the wisdom of Parliament in their due time. And in order to afford necessary time for mature deliberation in *America*, be it hereby declared, that the provisions for ascertaining and fixing the exercise of the right of taxation in the Colonies, as agreed and expressed by this present Act, shall not be in force, or have any operation, until the Delegates to be in Congress assembled, sufficiently authorized and empowered, by their respective Provinces, to this end, shall, as an indispensable condition, have duly recognized the supreme Legislative authority and superintending power of the Parliament of *Great Britain*, over the Colonies as aforesaid. Always understood, that the free grant of an aid, as here before required and expected from the Colonies, is not to be considered as a condition of redress, but as a just testimony of their affection. And whereas, divers Acts of Parliament have been humbly represented in a Petition to his Majesty from *America*, to have been found grievous, in whole or in part, to the subjects of the Colonies, be it hereby declared by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, that the powers of Admiralty and Vice-Admiralty Courts in *America*, shall be restrained within their ancient limits, and the Trial by Jury, in all civil cases, where the same may have been abolished, restored, and that no subject in *America* shall, in capital cases, be liable to be indicted and tried for the same, in any place out of the Province, wherein such offence shall be alleged to have been committed, nor be deprived of a trial of his peers of the vicinage: nor shall it be lawful to send persons indicted for murder in any Province of *America*, to another Colony, or to *Great Britain*, for trial. And it is hereby declared and enacted, by the authority aforesaid,

* And would not this be an *American* Land Tax, by the authority of a *British* Parliament? Would not our enemies, as well as the rest of *Europe*, ridicule us, for giving into a more pernicious scheme, than we at first opposed? Besides, what can be more insolent, unjust, and cruel, than to tax a people, who are deprived of the means and benefit which Providence intended them, equivalent with their oppressors, who are in the full enjoyment of all their natural rights as a Nation? What think ye, Gentlemen, Farmers, and Landholders, of this honourable scheme? What would the bold and noble assertors of your rights, Lord *Camden*, *Granville Sharpe*, and others say, to an acquiescence in such deep laid designs to ruin us?

The above Bill was brought into the House of Lords, the first day of *February*, and occasioned a long debate, which lasted till ten at night, when, being thought too favourable to the *Americans*, it was treated with some contempt on that account, and rejected by sixty-eight against thirty-two.

This we have reason to think a happy circumstance for *America*; for the friendly appearance, and perhaps design of great part of the Bill, would have had a powerful tendency to divide and weaken us, so that if it had passed into a law, we might have been unable to prevent its operation. And yet, I apprehend it would have proved almost as fatal in its consequences, as the Acts against which we have been so long contending.

The very title conveys a servile idea, offensive to freemen, and in itself, both unjust and impolitick, as it makes an odious distinction between them, tending to produce haughtiness and oppression on one side, servility or resentment on the other, and on both a mutual disgust, which will necessarily lessen the power, security, and happiness of each.

It is true the expression in the Declaratory Act of the Parliamentary power "to bind the Colonies in all cases whatsoever," is changed "*to all matters touching the general weal*," &c. But since the Parliament are to be the supreme judges of what matters are to come under this description, I see very little security in the distinction, especially as they claim the right of quartering Troops in the Colonies without their consent. Nor would they be secured by the saving clauses in the Bill. But this, in my future remarks upon it, I propose to show, as also, that in many other particulars, it has such an insidious appearance, that I should have thought Lord *Bute*, *Mansfield*, *North*, or *Marriot*, more likely to be the framers of the Bill, than Lord *Chatham*.—*N. Y. Jour.*

Digitized by Google

that all and every of the said Acts, or so much thereof as are represented to have been found grievous, namely, the several Acts of the 4th *George* the Third, chapter 15, and chapter 34; 5th *George* the Third, chapter 25; 6th *George* the Third, chapter 52; 7th *George* the Third, chapter 41 and chapter 46; 8th *George* the Third, chapter 22; 12th *George* the Third, chapter 24—with the three Acts for stopping the Port, and blocking up the Harbour of *Boston*, for altering the Charter and Government of *Massachusetts Bay*, and that entituled "An Act for the better Administration of Justice, &c.;" also, the Act for regulating the Government of *Quebec*; and the Act passed in the same session relating to the quarters of *Soldiers*, shall be, and are hereby suspended, and not to have effect or execution, from the date of this Act. And be it moreover hereby declared and enacted, by the authority aforesaid, that all and every the before recited Acts, or the parts thereof complained of, shall be, and are in virtue of this present Act, finally repealed and annulled, from the day that the due recognition of the supreme Legislative authority and superintending power of Parliament over the Colonies, shall have been made on the part of the said Colonies.

And for the better securing due and impartial administration of justice in the Colonies, be it declared and enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, that his Majesty's Judges in Courts of Law in the Colonies in *America*, to be appointed with salaries by the Crown, shall hold their offices and salaries as his Majesty's Judges in *England*, *quamdiu se bene gesserint*, and it is hereby further declared, by the authority aforesaid, that the Colonies in *America* are justly entitled to the privileges, franchises, and immunities granted by their several Charters or Constitutions, and that the said Charters or Constitutions ought not to be invaded or resumed unless for misuser, or some legal ground of forfeiture. So shall true reconcilement avert impending calamities, and this most solemn national accord between *Great Britain* and her Colonies, stand an everlasting monument of clemency and magnanimity in the benignant father of his people, of wisdom and moderation in this great Nation, famed for humanity as for valour, and of fidelity and grateful affection from brave and loyal Colonies to their parent Kingdom, which will ever protect and cherish them.

The Earl of *Sandwich* rose, and instantly changed this appearance of concession on the part of Administration. He insisted, that to concede was at once to give up the point; that he was well assured *America* had already formed the most traitorous and hostile intentions; that the last despatches brought over an account, that they had already attacked and taken one of the King's Forts, and had seized the King's Stores and Ammunition to employ them against him, which, if any thing could be deemed rebellion, it was plain this was. He highly condemned the mode of bringing this Bill forward, and every circumstance attending it; and observed, with no small degree of warmth, that it was no less unparliamentary than unprecedented. He said it was impossible, on so short a notice, to determine on a matter of such singular importance, so extensive in its objects, and so novel in its introduction. As to the stale pretension of preserving our commercial interests, that device could impose on none but those who were wilfully blind, and who were resolved to contradict the plainest evidence of facts, and shut their eyes against reason and common sense; for it was clear the *Americans* were not disputing about words, but realities; it was to free themselves from the restrictions laid on their commerce, that was the principal motive for their present obedience; it was not the Tea they really objected; for if they could procure it from any other place but *Britain*, they would be well pleased, of which he had the most undeniable proof in his pocket, in authentick letters, informing him, that there were Ships now lading at *Amsterdam*, *Port l'Orient*, and *Havre-de-Grace*, with various sorts of *East India* and *European* commodities, intended for certain parts of the Continent of *North America*. His Lordship therefore moved, "that the said Bill be rejected."

Lord *Lyttelton* set out with the highest encomiums on the great abilities and high political knowledge of the noble Earl who framed the Bill. He said his knowledge was as extensive as his intentions were good and great; that in the most trying situations, when the Nation was reduced nearly to desperation and despair, he stood forth alone, on the dangerous ocean of politicks, and rescued the Nation from the ruin which was suspended over its head. For these reasons, as well as the particular merit of the proposition now made, he thought both the mover and the matter deserved a more favourable reception. He said, though he could not probably agree with the noble Earl in many of his ideas, particularly relative to the repeal of the *Quebec* Bill, which was included in those mentioned in the Petition of the *American* Congress to the King, he must still continue to think it was extremely improper at once to reject and put a negative on a proposition, which carried on the face of it a plan of reconciliation; and made an opening for changing negotiation for the sword. He avowed his former sentiments respecting the supremacy of the *British* Parliament; but would gladly enjoy all the substantial fruits of that supremacy, in the way of obedience and submission, in preference to wresting them by force and violence. His Lordship then proceeded to animadvert on the conduct of Administration, and on their manifest misconduct respecting the insufficiency of the force sent to *Boston*; but was called to order by the Earl of *Sandwich*; who was also called to order by the Duke of *Richmond*. His grace insisted Lord *Lyttelton* ought not to have been interrupted. Lord *Lyttelton* concluded with a simile drawn from the *Roman* history, where a General, in the time of *Augustus*, being sent with a force against the *Germans*, not adequate to the service, the General, with all his Army, were unhappily cut off. When *Augustus* heard of it, his observation was, that such a force should have been sent as would have ensured success.

The Earl of *Shelburne* disclaimed the least knowledge of the contents of the Bill till it was read by the Clerk. He was extremely animated, and painted in the strongest colours, the probable consequences of pushing matters to extremities. A ruined Commerce, starving Manufacturers, increased Taxes, heavy Poor-Rates, Rents fallen, an exhausted Exchequer, and a diminished Revenue, were some of the first effects he predicted, that would inevitably follow from adopting the measures of Administration. His Lordship proceeded to take notice of another matter which had been hitherto overlooked, but which deserved the most serious consideration. It was well known, that the vast supplies of Bread-Corn brought into this Kingdom from *America*, would now of course be stopped; and that again would add to all our other accumulated misfortunes, riots and tumults of the most alarming and dangerous nature. People must eat, and it would be impossible to reconcile them to measures which would at once cut them off from procuring the necessaries of life, unless at a most exorbitant and advanced price, and the means of purchasing them at almost any price. He ventured to speak with the more confidence of what might be justly dreaded on this occasion, because, when only one part of the case existed, a scarcity of Grain in 1766, when he had the honour of acting as one of his Majesty's Secretaries of State, he well remembered the dreadful alarms that were spread on account of the risings and tumultuous meetings in almost every part of the Kingdom. One day an express arrived from *Norwich*, another from the inland Counties, to which Troops were sent to quell the Rioters; the next day, one from *Southampton* and the Western Counties, and a fourth from *Chester* and the North. I would have these things maturely considered and weighed, said his Lordship. All the Troops now in *Great Britain* and *Ireland*, would scarcely suffice to put the proposed measures in execution. Think, then, in time; *Ireland* naked and defenceless, *England* in an uproar from one end to the other for want of bread, and destitute of employment. Besides all this, is there then a noble Lord in Administration who will rise and tell me, that he seriously thinks, the powers of *Europe*, particularly those whose commercial interests and Naval power clash with ours, will sit totally unconcerned, and let slip so favourable an opportunity of humbling that power, and hurting those interests? I cannot believe there is. Perhaps Administration trust to the assurances of their inveterate enemies and false friends; if they do, all I will add is, that I sincerely pity them.

The Duke of *Grafton* complained severely of the very

Digitized by Google

unparliamentary manner in which the noble Earl had hurried the Bill into the House. He said, he had the honour of sitting there longer than the noble Earl, and within his recollection he could safely affirm, he never remembered another instance of the kind. For his part, he was astonished how any matter so important in its nature, so extensive in its consequences, and directed to such a variety of objects, each of them worthy of a separate consideration, could be thus brought forward together, and in such a manner. In his opinion, the matter should have been laid before the House, in separate propositions, each of which should be singly discussed, as leading to one great comprehensive system. His own opinion respecting the general question, was, he said, perhaps different from that entertained by either party. When it came before the House regularly, and in a proper mode, he should declare it freely and openly, without reserve or predilection for the sentiments of any set of men; but when he considered the manner of introducing it, and the immense mass of matter it contained, however highly he might estimate the talents of the noble framer, or great a personal regard he might entertain for him, he must be for rejecting the Bill in the first instance.

Earl *Gower* rose in a great heat, and condemned the Bill in the warmest terms. He contended, that it fell in with the ideas of *America* in almost every particular, and held out no one security, that although we should be base and dastardly enough to betray the rights of the Parliament of *Great Britain*, *America* would agree to such parts of it as the noble Lord seemed to point out as matters of submission or concession; but above all, it not only sanctified the traitorous proceeding of the Congress already held, but further legalized it, by ordaining that another shall be held on the 9th of *May* next. He then endeavoured to prove that suspending the Acts mentioned in the Bill, would be to every substantial purpose an actual repeal. He defended those Acts one after another; and insisted, that the Act of Navigation would be of no avail, would be no more than a dead letter, if the laws for establishing the Admiralty Courts were repealed; for to talk of laws for restricting and regulating their commerce without the means of enforcing and executing them, was a mere mockery of reason and common sense. He next launched into great encomiums on the *Quebec* Bill; spoke much of its lenity, moderation, justice, and policy; said it was a measure no less founded in wisdom and justice, than its apparent policy, considering the rebellious temper of the Colonies was properly directed. He repeated what he had advanced on a former occasion, that those of the best characters and greatest property throughout the Colonies, were well inclined to obedience and submission to the mother country, that all they wanted to manifest their zeal and attachment was to be protected; that were it otherwise, *Great Britain* was called upon by every tie of interest, every motive of dignity, and every principle of good government, to assert its Legislative supremacy entire and undiminished. He avowed his advising every measure hitherto taken against them; and said he did not mean to screen himself from any consequence whatever, but was prepared for the worst, and ready to face the block in such a cause. He observed that the noble Earl who framed the Bill, seemed to entertain the highest opinion of the prowess of the *Americans*, and to lament greatly the cruelty and injustice of sending a military force against them; yet he remembered the time the noble Earl entertained very different sentiments on an occasion of infinitely less provocation, when he advised their Ports to be filled with Ships-of-War, and their Towns with Soldiers; adding, that an Ensign, with a few Regiments, would reduce them to instant obedience.

Here he was interrupted by the Earl of *Chatham*, who called on him to name the time and place. Earl *Gower* was proceeding, but was again called on to specify the time and place; on which, he said, it was in a debate in the other House.

The Earl of *Chatham* condemned such a procedure in very severe terms; said it was not decent or Parliamentary to mention words spoken out of the House; or if it were, to advert to some particular expressions, which could not be understood without referring them to the other parts of the speech; and in fact, that the noble Earl was mistaken, for no such expressions had ever fallen from him, as he knew too well, by his acquaintance with the force employed during the late war in *America*, which was not less than forty thousand men, that an Ensign with a few Regiments could not reduce *British America*, when the part possessed by *France* of that Continent, which was not a third of the former, employed so great a force for full five years, under the command of one of the ablest Generals in *Europe*, Sir *Jeffery Amherst*. This altercation being finished,

Earl *Gower* declared, in the most unreserved terms, for reducing the *Americans* to submission, and gave his hearty concurrence to the Earl of *Sandwich's* amendment.

Lord *Camden* argued the matter generally, and challenged Administration to a full discussion of every separate proposition. He could answer for himself, he dared say he could answer for every noble Lord on the same side, that they never meant to consider so as to decide on the subject-matter in this stage of the business. It was not, he was certain, ever intended. I am not, said his Lordship, by any means prepared to speak fully to any one material part of it; but if, as is always usual on such occasions, they are determined to consider it and to enter into a candid examination, I here pledge myself to prove every leading proposition on which the Bill rests, particularly the main one, which in a great measure includes all the rest, the rescinding the Declaratory Law, asserting that the *British* Parliament can bind the Colonies in all cases whatsoever. On that ground I am ready to meet my antagonists; and if that argument falls, they must, it is evident, give way. I will maintain the negative on the great principles of the Law and the Constitution, and prove, that in no one stage of the Constitution, were taxation and representation ever separated; and that even in the case of the County Palatines, the very arguments deduced from the exercise of taxing them before they were represented, will incontrovertibly demonstrate, that legislation and taxation are neither co-extensive nor co-equal.

The Earl of *Chatham* replied to the several objections which fell from the Lords in Administration. He descanted with equal humour and severity upon the very extraordinary logick employed by the noble Duke, his *quondam* colleague in office, and very humble servant. The noble Duke, said his Lordship, is extremely angry with me, that I did not previously consult him on the bringing in the present Bill. I would ask the noble Duke, does he consult me, or do I desire to be previously told of any motions or measures he thinks fit to propose to this House? His Grace seems to be much offended at the manner this Bill has been hurried. I am certain he could not be serious, if he gave himself a minute to consider how the case really stands. Here we are told that *America* is in a state of actual rebellion, and we are now arrived at the first of *February*, and no one step is taken to crush this supposed rebellion; yet, such being the case, I am charged with hurrying matters; but whether my conduct may be more justly charged with hurrying this business into, or his Grace with hurrying it out of the House, I believe requires no great depth of penetration to discover. As to the other general objections, I presume it will be recollected, that the last day I submitted the proposition about withdrawing the Troops from *Boston*, I then gave notice that I would present, in a few days, a plan of general reconciliation. Eleven days have since elapsed, and nothing has been offered by the King's servants. Under such circumstances of emergency on one side, when, perhaps, a single day may determine the fate of this great Empire, and such a shameful negligence, total inattention, and want of ability on the other, what was to be done? No other alternative, in my opinion, remained, but either to abandon the interests of my country, and relinquish my duty, or to propose some plan, when Ministry, by their inaction and silence, owned themselves incapable of proposing any. But even now let them speak out and tell me that they have a plan to lay before us, and I will give them an example of candour they are by no means deserving of, by instantly withdrawing the present Bill. The indecent attempt to stifle this measure in embryo, may promise consequences the very reverse of what I am certain will be the case if the Bill is admitted. The friends of the present amendment may flatter themselves that the contents of the Bill will sink into silence and be forgotten, but I believe they will find the contrary. This Bill, though rejected here, will make its way to the publick—to the Nation—to the remotest wilds of *America*.

Digitized by Google

It will, in such a course, undergo a deal of cool observation and investigation, and whatever its merits or demerits may be, it will stand or fall by them alone; it will, I trust, remain a monument of my poor endeavours to serve my country; and, however faulty or defective, will at least manifest how zealous I have been to avert those impending storms which seem ready to burst on it, and forever overwhelm it in ruin. Yet, when I consider the whole case as it lies before me, I am not much astonished; I am not surprised, that men who hate liberty should detest those that prize it; or that those who want virtue themselves, should endeavour to persecute those who possess it. Were I disposed to pursue this theme to the extent that truth would fully bear me out in, I could demonstrate, that the whole of your political conduct has been one continued series of weakness, temerity, despotism, ignorance, futility, negligence, blundering, and the most notorious servility, incapacity, and corruption. On reconsideration, I must allow you one merit—a strict attention to your own interests; in that view you appear sound statesmen and able politicians. You well know if the present measure should prevail, that you must instantly relinquish your places. I doubt much whether you will be able to keep them on any terms; but sure I am, that such is your well known characters and abilities, any plan of reconciliation, however moderate, wise, and feasible, must fail in your hands. Such, then, being your precarious situations, who can wonder that you should put a negative on any measure which must annihilate your power, deprive you of your emoluments, and at once reduce you to that state of insignificance for which *God* and nature designed you.

Earl *Gower* answered with strong marks of resentment. He said, let the Bill make its way where it might, he was ready to abide the consequences; that he did not doubt but sufficient industry would be exerted to circulate its contents; and that however zealous some persons might be to inflame the people both here and in *America*, it should not have the least effect on his conduct. He was determined to adhere to the true interests of his country, and the dignity of Parliament; and to stand with them to the last, or perish in the ruins; nor should the terrours of the block itself oblige him to change his purpose. As to the general charges thrown out against Administration by the noble Earl, it was time enough to answer them when he pointed them in such a manner as to call for defence or explanation; that till then they were unworthy of reply, as the persons included in such a censure only shared the fate of all other Administrations he ever remembered since his first knowledge of publick business, his Lordship having uniformly condemned them, though he afterwards thought proper to act with their authors; and if the noble Earl's age did not stand in the way, he had no doubt but that, on the present occasion, his Lordship would give one more proof of his change of sentiment, by warmly espousing the very measures he now so loudly condemned.

The Earl of *Hillsborough* was severe on the noble framer of the Bill. He spoke fully on legislation, as involving in it every possible power and exercise of Civil Government. He contended that his Lordship's computation of the numbers in *America*, who were ready to dispute the supremacy of Parliament, was extremely erroneous; that if that country contained three millions of people, he would be bold to say, from his own certain knowledge of their temper and disposition, that one-third at least were willing to submit to the Parliament of *Great Britain*; that out of the remainder—the women, children, and old men, could not be deemed fit to bear arms; so that the noble Earl's facts were no less erroneous than his arguments, when he said that three millions of men, with arms in their hands, would never consent to be taxed by the Legislature of this country. He next endeavoured to correct a mistake of the same noble Earl, where he asserted that *French America* took forty thousand men to reduce it; being satisfied, he said, that at no one time were there above twelve thousand regular Troops employed on that service. He next defended the Declaratory Law, but insisted that it conferred no new right, for if it had never passed, the Legislative supremacy of Parliament would have remained the same; and concluded with holding out the favourable disposition of Administration towards the Colonies, when they manifested a suitable temper on their part, which could never be till they submitted to the great constitutional claims of the *British* Legislature.

The Duke of *Richmond* took a comprehensive view of the question. He examined the Bills mentioned in the claim of rights, one by one, and showed with great ability the foundations on which they rested. He dwelt particularly on the Acts for establishing Courts of Admiralty, and for altering the Charter of the *Massachusetts Bay*. He said the former erected a jurisdiction, the Judges of which were interested in the decision; and the latter, under the colour of constituting Juries on the plan of those in *England*, lodged the power of selecting persons fit to serve, in an officer called a Sheriff, it was true, but an officer at the same time as little known in our Constitution, as any *Turkish* or *Russian* Magistrate; an *English* Sheriff being irremovable by any power under Heaven, but for malversation in office, while a Sheriff in the Province of *Massachusetts Bay* is to be removable by his Majesty, his Governour, or Deputy Governour, by which means the Executive power has virtually the appointing of Juries, and consequently the lives, fortunes, and personal liberty of the subjects of that Province, totally at their disposal and mercy; a state of subjugation, he hoped, no *Englishman* would ever be so mean, slavish, or servile to submit to. He then insisted that the Administration had uniformly, for a number of years back, endeavoured to deceive the Colonies; that they had so repeatedly violated their most solemn promises, that all confidence was at an end; that out of numberless instances, he should only select one, which was the letter written by the very noble Earl himself, (Earl of *Hillsborough*) accompanying the Revenue Act, wherein he pledged himself, by the most solemn assurances, that they were mere matter of form, and were meant to be immediately repealed, being intended as a nominal assertion of the Declaratory Law, passed in 1766. [Here his Grace was called to order by the Earl of *Hillsborough*, who insisted that the promise contained in the letter was not broken. His Grace contended it was, and said he would appeal to the letter itself, which he desired might be read. It was not however read.] His Grace proceeded to recount the particulars relative to that transaction, how the Duties on Paper, Painters' Colours, and Glass, were repealed, in a pretended performance of that promise, while that on Tea, the cause of all the present confusions, was continued. He then turned to the avowed firmness of a noble Earl, high in office, (Earl *Gower*) who seemed so willing to court danger, to face the block, and fall with the ruins of the Constitution, or triumph in its constitutional maintenance. He comforted the noble Earl with the strongest assurances of his being in no danger; for it was easily avoided, by only at a convenient time altering his opinion; to prove which he would take the liberty of adverting to a particular fact which came within his own knowledge. And then he jocularly observed, that however small the minority might appear on the present question, he had seen as small hourly increase till it became the majority; and then told the following anecdote, which happened when Lord *Bute* was at the head of the Treasury, to prove it: "I remember, said his Grace, at that period, a "Bill was brought into this House to prevent the Members "from being screened from their debts. I heartily acceded "to this Bill upon principle, and had the honour of being "joined by the noble Lord then at the head of the Trea-"sury. On the division, the Noes as usual went below "the bar, when, missing their leader, they turned short, "and were much surprised to see him on the other side. "The late *Charles Townshend* remarked upon this circum-"stance, that he would hold two to one, in less than a year "those very Members who divided against him, would "creep under the table to join him. Had he been taken "up he would have won the wager." He next reminded the noble Earl (*Gower*) of an instance of his docility which came more directly home to him, as being personally concerned. It was in the year 1766, before Christmas, when a noble friend of his (the late Duke of *Bedford*) made a motion for taking into consideration the state of the Nation. He doubted not but the noble Earl was to the full as ready to face the block then as now, in support of what he deemed his duty; but what was the consequence? The noble Earl, the author of the present Bill, having in the interim met him at *Bath*, and having had some conversation with

Digitized by Google

him, the Parliament was adjourned to the day after the state of the Nation was to be taken into consideration; all inquiry was at an end, and the Nation left to shift for itself.

The Duke of *Manchester* lamented, in a very sensible manner, the present situation of affairs, and the dangerous consequences of a civil war, which he feared would terminate as the social war among the *Romans* did, in the inevitable destruction of the whole Empire. He was moderate, pathetick, and drew the attention of every side of the House. He did not pretend to determine on the contents of the present Bill, nor adopt it throughout; all he wished was, that one sober view should be taken of the great question, before, perhaps, we blindly rushed into a scene of confusion and civil strife, the event of which it was impossible to foresee.

Earl *Temple* said that he had never given, in publick or private, a decided opinion whether it was wise or not to pass the Stamp Act; but that he was abundantly convinced that all the evils and distractions now complained of were derived from the fatal repeal of it; that the Bills of last year were more exceptionable as to the mode than as to the matter. He said nothing with regard to the contents of the Bill which had been read, and finished with expressing his disapprobation of rejecting in so harsh and unprecedented a manner a Bill designed for the most salutary purposes, and presented to their Lordships by a hand so truly respectable as that of his noble friend and relation; this reason alone deciding upon his vote.

The question upon Lord *Sandwich's* motion was then put: Contents 61; Non-Contents 32.

It was resolved in the Affirmative.

Ordered, That the said Bill be rejected.

List of the Minority.

DUKES.—*Cumberland, Richmond, Devonshire, Portland, Manchester, Northumberland.*

MARQUISS.—*Rockingham.*

EARLS.—*Stamford, Abingdon, Scarborough, Cholmondeley, Stafford, Tankerville, Stanhope, Effingham, Fitzwilliam, Temple, Radnor, Spencer, Chatham.*

LORDS.—*Abergavenny, Ferrers, Craven, Romney, King, Fortescue, Ponsonby, Lyttelton, Wycombe* (Earl of *Shelburne*,) *Sondes, Milton, Camden.*

HOUSE OF COMMONS.

THURSDAY, *January* 19, 1775.

The Lord *North* presented to the House, by his Majesty's command, the following Papers.—[*See Folio* 1489.]

And a list of the said Papers was read.

Mr. *Burke* observed, there were no letters from *Maryland*, and desired the noble Lord would inform the House whether any had been received, or whether they were kept back for political reasons; and whether these papers contained all the intelligence the Ministers had received from *America*.

Lord *North* replied, that he had brought the papers, but had not examined them; neither did he know whether there were any letters from *Maryland*, or not; that if there were any, they should be laid before the House. As to the papers containing all the intelligence from *America*, he would not undertake to say they did, as those he had brought were extracts, containing only the facts in the original letters; that the authors' opinions were not mentioned, it having been frequently found that the private opinions of people in office being made publick, had been attended with bad consequences, therefore his Majesty's servants had determined, for the future, never to mention the private opinion of any person.

Mr. *Burke* said, that in some cases it might be proper to keep secret the private opinion of a person; yet, in so critical and alarming affair as that of *America*, the opinion of a man in power, on the spot, must be of great service; he therefore was of opinion that the whole of the information received from *America* ought to be laid before the House, and not extracts of particular letters, such as suited the Ministers' purpose.

Lord *North* moved that the said Papers be referred to the consideration of a Committee of the Whole House, on the 26th.

Ordered, That the said Papers be referred to the consideration of a Committee of the Whole House.

Resolved, That this House will, upon this day sevennight, resolve itself into a Committee of the Whole House, to consider of the said Papers.

MONDAY, *January* 23, 1775.

Mr. Alderman *Hayley* said he had a Petition from the Merchants of the City of *London* concerned in the commerce to *North America*, to that Honourable House, and desired leave to present the same; which being given, it was brought and read, viz:

To the Honourable the Commons of GREAT BRITAIN, *in Parliament assembled:*

The humble Petition of the Merchants, Traders, and others, of the City of LONDON, *concerned in the Commerce of* NORTH AMERICA, *sheweth:*

That your Petitioners are all essentially interested in the trade to *North America*, either as Exporters or Importers, or as Venders of *British* and foreign Goods for exportation to that country.

That your Petitioners have exported, or sold for exportation, to the *British* Colonies in *North America*, very large quantities of the Manufactures of *Great Britain* and *Ireland*; and in particular the staple articles of Woollen, Iron, and Linen; also those of Cotton, Silk, Leather, Pewter, Tin, Copper, and Brass, with almost every *British* Manufacture; also large quantities of foreign Linens, and other articles imported into these Kingdoms from *Flanders, Holland, Germany*, the East Countries, *Portugal, Spain* and *Italy*, which are generally received from those countries in return for *British* Manufactures.

That your Petitioners have likewise exported, or sold for exportation, great quantities of the various species of Goods imported into this Kingdom from the *East Indies*, part of which receive additional manufacture in *Great Britain*.

That your Petitioners received returns from *North America* to this Kingdom, directly, Pig and Bar Iron, Timber, Staves, Naval Stores, Tobacco, Rice, Indigo, Deer and other Skins, Beaver and Furs, Train Oil, Whalebone, Bees-wax, Pot and Pearl Ashes, Drugs and Dying Woods, with some Bullion; and also Wheat, Flour, *Indian* Corn, and salted provisions, when (on account of scarcity in *Great Britain*) those articles are permitted to be imported.

That your Petitioners receive returns circuitously from *Ireland* (for Flax-seed, &c., exported from *North America*) by Bills of Exchange on the Merchants of this City trading to *Ireland*, for the proceeds of Linens, &c., imported into these Kingdoms. From the *West Indies* (in return for Provisions, Lumber, and Cattle exported from *North America* for the use and support of the *West India* Islands) by Bills of Exchange on the *West India* Merchants for the proceeds of Sugar, Molasses, Rum, Cotton, Coffee, and other produce imported from those Islands into these Kingdoms. From *Italy, Spain, Portugal, France, Flanders, Germany, Holland*, and the East Countries, by Bills of Exchange, or Bullion, in return for Wheat, Flour, Rice, *Indian* Corn, Fish, and Lumber exported from the *British* Colonies of *North America* for the use of those countries.

That your Petitioners have great reason to believe, from the best information they can obtain, that on the balance of this *extensive commerce*, there is now due from the Colonies in *North America*, to this City only, two millions sterling, and upwards.

That by the *direct* commerce with the Colonies, and the *circuitous* trade thereon depending, some thousands of Ships and Vessels are employed, and many thousands of Seamen are bred and maintained, thereby increasing the *Naval strength and power of Great Britain*.

That in the year 1765 there was a great stagnation of the commerce between *Great Britain* and her Colonies in consequence of an Act of Parliament, entituled "An

Digitized by Google

"Act for granting and applying certain Stamp Duties, and "other Duties in the *British* Colonies and Plantations in "*America*," &c.,* by which the Merchants trading to *North America*, and the Artificers employed in the various Manufactures consumed in those countries were subjected to many hardships.

That in the following year the said Act was repealed, under an express declaration of the *Legislature*, that "*the* "*continuance of the said Act would be attended with* "*many inconveniences, and might be productive of conse-* "*quences greatly detrimental to the commercial interests* "*of these Kingdoms*;" † upon which repeal the trade to the *British* Colonies immediately resumed its former flourishing state.

That in the year 1767 an Act passed, entituled "An Act "for granting certain Duties in the *British* Colonies and "Plantations in *America*;" ‡ which imposed certain Duties to be paid in *America* on Tea, Glass, Red and White Lead, Painters' Colours, Paper, Pasteboard, Millboard, and Scaleboard; when the commerce with the Colonies were again interrupted.

That in the year 1770, such parts of the said Act as imposed Duties on Glass, Red and White Lead, Painters' Colours, Paper, Pasteboard, Millboard, and Scaleboard, were repealed, § when the trade to *America* soon revived, except in the article of Tea, on which a Duty was continued to be demanded on its importation into *America*, whereby that branch of our commerce was nearly lost.

That in the year 1773, an Act passed, entitled "An Act "to allow a drawback of Duties of Customs on the export-"ation of Tea to his Majesty's Colonies or Plantations in "*America*, and to empower the Commissioners of the "Treasury to grant Licenses to the *East India* Company "to export Tea, duty free," &c. ‖

By the operation of *these and other laws* the minds of his Majesty's subjects in the *British* Colonies have been greatly disquieted; a total stop is now put to the export trade with the greatest and most important part of *North America*; the publick revenue is threatened with a large and fatal diminution; your Petitioners with grievous distress, and thousands of industrious Artificers and Manufacturers with utter ruin. Under these alarming circumstances, your Petitioners receive no small comfort from a persuasion that the Representatives of the people, newly delegated to the most important of all trusts, will take the *whole* of these weighty matters into their most serious consideration; and your Petitioners humbly crave this Honourable House that they will enter into a full and immediate examination of *that* system of commercial policy which was formerly adopted and uniformly maintained, to the happiness and advantage of both countries, and will apply such healing remedies as can alone restore and establish the commerce between *Great Britain* and her Colonies on a *permanent* foundation.

And your Petitioners also humbly pray that they may be heard, by themselves or Agents, in support of this Petition.

Mr. Alderman *Hayley* expressed his wishes for a speedy reconciliation with *America*, and moved "That the said "Petition be referred to the consideration of the Commit-"tee of the Whole House, to whom it is referred to con-"sider of the several Papers which were presented to the "House by the Lord *North*, upon *Thursday* last, by his "Majesty's command, and that the Petitioners be admit-"ted to be heard, by themselves or Agents, before the "said Committee, upon the said Petition, if they think fit."

Sir *W. Meredith* said, that as the worthy Alderman, whose rank stands so high, and whose character is so honourably distinguished in the list of Merchants, had expressed his wishes not only for a reconciliation, but for a speedy reconciliation with *America*, he submitted to his judgment whether a speedy reconciliation was practicable or consistent with such a length of inquiry as his motion led to; that of all the evils *American* Merchants now suffer, suspense is the greatest; that he trusted the Committee already appointed would make the removal of that suspense the first object of their consideration and their care; at least, he hoped that the hands of Government might not be tied up, nor the powers of Parliament restrained from giving that speedy relief which the pressure of affairs requires; that there is still some hope left, that the flames in *America* may be quenched, if proper and effectual means are speedily applied; but the task will every hour become more and more difficult, and if protracted to the long period, which the proposed inquiry may lead to, impracticable. He should be very sorry to take upon himself the consequences of exposing the situations of private Merchants to publick view, especially at this juncture; but, if they really desired an inquiry into their affairs, he himself would give his time, his labour, and every possible assistance to it; but hoped such an inquiry might not be made use of to defeat every good intention, and clog every salutary measure that might be proposed in the present Committee; he should therefore recommend it to the House to appoint a separate Committee for the consideration of the Merchants' Petition, and for that purpose move an amendment, to leave out, between the word "of" and the word "Committee," the word "the," and insert "a" instead thereof; and to leave out the words "to whom it is "referred to consider of the several Papers which were "presented to the House by the Lord *North*, upon *Thurs-* "*day* last, by his Majesty's command."

Mr. *Burke* was glad to hear the right honourable gentleman talk of a speedy reconciliation, and therefore must conclude that the price of his bargain with the Minister when he went over to his party, was a speedy reconciliation; yet, at the same time, he was sorry to see how knavish the noble Lord had been, for instead of putting into his hand the reconciliatory measures, he had slipped into his hand a wand, which wand was now become one of the main pillars of Administration. He proceeded to shew how materially the trade and commerce with *America* ought to be considered before any decisive steps were taken, and declared himself totally ignorant that the Committee appointed for the 26th, were to take into consideration the papers only which lay on the table; he insisted that every information possible would add to the despatch, and not to the delay of a reconciliation; that as the noble Lord (*North*) had denied them the opinions of persons on the spot, the Committee could not receive more material information than from the Merchants trading thither, who were greatly interested in the welfare of the Colonies; that if there was not time sufficient to settle the *American* business, was not the noble Lord in fault in adjourning a month to eat mince-pies and drink Christmas ale, when so material a question was depending? He called the proposed Committee a Coventry Committee, in allusion to a well known practice by which a troublesome person is voted to be sent to Coventry, whereby, without turning him out of company, he is wholly excluded from all attention; he may be ridiculed and laughed at, and cannot interfere in his own defence. He also called it a Committee of Oblivion, consigning every thing the Merchants could allege to entire oblivion. He congratulated the Minister on such a friend as Sir *William*; the Merchants on such an able and powerful advocate; the Cabinet on such a Counsellor; the right honourable gentleman himself on such a patron; and the King and Parliament on the happiness of having so respectable a person in a situation to reciprocally impart the desires and wishes of either party to each other. He prophesied the most salutary effects from so happy a beginning. He compared the right honourable gentleman to *Sampson*, and the Ministers, and the friends of the Declaratory Act, and all the Revenue Acts, to the *Philistines*; and supposed himself to be involved in the ruin which must follow from pulling down the pillars which had supported the system of destructive policy and oppression, which the right honourable gentleman contended ought to have been resisted. In a word, he turned, twisted, metamorphosed, and represented every thing which the right honourable gentleman had advanced into so many ridiculous forms, that the House was kept in a continued roar of laughter.

Sir *Gilbert Elliot* replied to Mr. *Burke*, and ironically complimented him; but begged leave to differ from him as to the matter in debate. He observed, that the Committee appointed for the 26th was intended to consider of the papers, in order to come to some speedy resolution suited to the dignity of Parliament, and the present situation of affairs in *America*; that the great variety of facts, and mass of matter which would come of course under consideration in the Committee to which the Petition must be referred,

* 5 *Geo.* 3. *c.* 12. † 6 *Geo.* 3. *c.* 11. ‡ 7 *Geo.* 3. *c.* 3, *c.* 46.
§ 10 *Geo.* 3. *c.* 17. ‖ 13 *Geo.* 3. *c.* 44.

Digitized by Google

would be a work of great and laborious toil; and that the views and objects of the inquiry, originating with the papers, and the Petition being totally distinct in their nature, the determinations and execution arising from both must be different.

Mr. *T. Townshend* contended that it would be fairer, and more manly, to reject the Petition at once, than thus endeavour to defeat it; that the pretence of appointing a Committee was but a mere evasion; and that, indeed, as much had been already avowed by the right honourable Member who proposed the amendment, who pointed out so late as the month of *June* before it could be supposed capable of determining or coming to any resolution.

Lord *Clare* was for not submitting to the *Americans* in the least, and ridiculed the opinion of those who said we had a right to tax *America*, yet ought not to exercise it. He was warmly for the amendment. He said if we were resolved to sacrifice the supremacy of Parliament, he would much readier consent to it on any other ground than that which the present Petition would lead to, as this would be an inexhaustible source of applications of the same nature; for whenever the *Americans* had any point to gain, let it be ever so unreasonable, all they had to do was to refuse to pay their debts, to threaten to stop all commercial intercourse with us, and their business would be done; if, therefore, we were to submit, let us fairly give up the point at once; let us sooner even become their vassals, than remain open to demands which could have no bounds, and must be irresistible when they were brought forward in the present form.

Mr. *Charles Fox*, in favour of the *Americans*, repeatedly called on Lord *North* to know who was the man that advised the late Acts, for it was he who had created the disturbances, it was he who had placed General *Gage* and his Troops in the ridiculous situation in which they were, and it was he who ought to answer to his country for the mischief and expense that might ensue. He attacked the Minister violently; pointed out his delays before Christmas, and his speed after: he said the Committee meant no more than a mere farce to delude the Merchants, as he was certain nothing serious was intended.

Lord *J. Cavendish* was for the Petition being heard with the papers, and condemned Lord *North* for his behaviour in bringing in estimates at the beginning of the session before he knew the expense which would be necessary; that it was a deceit to the country gentlemen, who retired into the country satisfied with the estimate at first, and who never imagined there would be any further sum required; that the noble Lord was pressed, and ought to have laid before the House the papers before the holidays, as he was desired.

Lord *North* defended the delay before the holidays chiefly on two grounds: first, for want of necessary information; secondly, because he understood from several persons, who pretended to know it, that the Address from the Continental Congress to the King was of that conciliatory nature as to make way for healing, lenient measures. As to the question before the House, besides repeating the very great delays which the matters contained in the Petition would probably occasion, it could not with the least colour of propriety, be considered with the papers; one being simply an object of commerce, the other clearly a matter of policy. He said, his reasons for not laying the papers before the House sooner was on account of what the *Americans* called a Congress, but what he called an illegal and reprehensible meeting, not being finished; and that he was informed a Petition would be sent from them to the Throne, which would reconcile all matters in an amicable manner.

Sir *George Macartney* was severe against the Petition, though, he said, he wished to be thought a friend to so respectable a body as the Petitioners: Petitions were generally framed, he said, and brought about by some interested persons who had artifice enough to induce others to sign them.

Captain *Luttrell*. I have listened with attention to this debate, in hopes of receiving such instruction as might enable me to judge which way of acting will be most conducive to the welfare of *America* and this country. Sir, I am sorry to find such a variety of opinions prevail amongst us, as makes it very difficult to determine what measures are likely to prove the most salutary; but being neither willing to be led astray by the oratory of one man, or the party zeal of another, I feel a wish to consider this Petition on the day moved for, and to pursue an opinion I have adopted from my own personal knowledge of the *Americans*, their country and their coasts. Sir, that the Colonies are inseparably united to the Imperial Crown of this Realm, I trust will never be denied by the friends of either clime; but though it has been asserted, *America* can subsist without our commerce, I believe nobody will say she can flourish without our protection. If we abandon her to her present miserable situation she must soon sue to us or to some other Power for succour. Insecure in their lives and properties, the *Americans* must, ere long, experience the fatal consequences of being exposed to the depredations of marauders and lawless ruffians; they will soon cry aloud for the re-establishment of those judicial authorities that have been imprudently overturned, and which are necessary, not only to the welfare, but to the very existence of the subject, among the rudest nations of the globe. Sir, I fear, indeed, the *Americans* at this hour cannot properly be styled the most civilized people in the known world; but an unfortunate fatality seems to have awaited that unhappy country for a series of years past. The late war was scarce at an end before you put a total stop to their trade with the *Spanish West Indies*. 'Tis true, it was, strictly speaking, illicit, but it was very beneficial to them, for from thence they got their specie. Then, sir, as if you meant to add insult to bad policy, no sooner had you deprived them of the means of assisting you, but you ungenerously imposed the right of taxation. Sir, if such a power is vested in the *British* Parliament, you have mistaken the season to exercise it; but I never can consider that we, who are many of us strangers to the resources of that country and its produce, are competent judges which of their commodities can best bear the burden of taxation. Sir, those that are acquainted with *America* know as well as I do, that from *Rhode-Island* northwards they have no money; that their trade is generally carried on by barter, from the most opulent Merchant to the necessitous Husbandman. Sir, before your Fleets and Armies visited their coasts, you might almost as soon have raised the dead as one hundred Pounds in specie from any individual in the Province of the *Massachusetts Bay*, Then, sir, let us suppose the *Americans* to be the most tractable, the most loyal of all the King's subjects, with every good inclination to pay obedience to the mandates of the mother country, where are their abilities to comply with your present demands? For my part, I know but one method by which you can possibly put *America* into a situation to assist this country; agree with her upon a fair and certain subsidy to be paid you annually; wait with patience the arrival of her merchandises here, and the sale of them also; then, and not till then, their money will be forthcoming to pay you. Sir, such are my present sentiments with respect to the situation of our Colonies at this important crisis; but I will hope for better days, and better information; because I wish to be convinced that neither *America* nor this country are in danger of being undone.

Lord *Stanley*, for a young speaker, acquitted himself very decently. He expatiated largely on the legislative supremacy and omnipotence of Parliament; spoke much of treason, rebellion, coercion and firmness; and insisted, that if we gave way to their present temper, the consequence would probably be their desiring a repeal of the Navigation Act, and every other Act on our Statute Books that in the least degree affected them.

Mr. *Adam* and Mr. *Innis* also spoke for the amendment; Governour *Johnstone* and Alderman *Sawbridge* against it.

And then the question being put, that the word "the" stand part of the question; the House divided, Yeas, 81; Noes, 197.

So it passed in the Negative.

And the question being put, that the word "a" be inserted instead thereof;

It was resolved in the Affirmative.

And the question being put, that the words "to whom "it is referred to consider of the several Papers which "were presented to the House by the Lord *North*, upon "*Thursday* last, by his Majesty's command," stand part of the question;

It passed in the Negative.

Digitized by Google

Then the main question, so amended, being put,

Ordered, That the said Petition be referred to the consideration of a Committee of the Whole House; and that the Petitioners be admitted to be heard by themselves or Agents, before the said Committee, upon the said Petition, if they think fit.

Resolved, That this House will, upon *Friday* morning next, resolve itself into a Committee of the Whole House, to consider of the said Petition.

Mr. *Burke*, then, in a very severe speech, which he pointed chiefly at Lord *North*, condemned the behaviour of Administration in this business; declaring that they had, for decency's sake, admitted the Petition, yet had determined that it should never be heard. He said he had a Petition in his hand from the principal Merchants in *Bristol* trading to *America;* yet, as he found there were two Committees now, the one for hearing evidence, the other for burying Petitions, he plainly saw his Petition would share the fate of the other, and be buried in oblivion, though not in sure and certain hopes of a joyful resurrection; that his worthy colleague (Mr. *Cruger*) had likewise a Petition of the Merchants of *Bristol* to present, but it would go to the silent Committee, and the three, he imagined would be left to sleep together. He concluded with asking leave to present his Petition;

Which being granted,

Mr. *Burke* then presented a Petition of the Master, Wardens, and Commonalty, of the Society of Merchants Venturers of the City of *Bristol*, under their common seal; which was read, setting forth, That a very beneficial and increasing trade to the *British* Colonies in *America*, has been carried on from the Port of *Bristol*, highly to the advantage of the Kingdom in general, and of the said City in particular; and that the Exports from the said Port to *America*, consist of almost every species of *British* Manufactures, besides *East India* Goods and other articles of commerce; and the returns are made not only in many valuable and useful commodities from thence, but also by a circuitous trade carried on with *Ireland* and most parts of *Europe*, to the great emolument of the Merchant, and improvement of his Majesty's Revenue; and that the Merchants of the said Port are also deeply engaged in the trade to the *West India* Islands, which, by the exchange of their produce with *America*, for Provisions, Lumber, and other Stores, are thereby almost wholly maintained, and consequently become dependent upon *North America* for support; and that the trade to *Africa*, which is carried on from the said Port to a very considerable extent, is also dependent on the flourishing state of the *West India* Islands and *America;* and that these different branches of commerce give employment not only to a very numerous body of Artists and Manufacturers, but also to a great number of Ships, and many thousand Seamen, by which means a very capital increase is made to the Naval strength of *Great Britain;* and that the trade to *America* has of late years suffered very considerable checks, the first of which was after the passing of the Act for levying Stamp Duties there, which subjected the Merchants here to many and great losses and inconveniences, and threatened them with ruin, from which the repeal of that Act in the following year removed their apprehensions, and restored the trade to its former flourishing state; and that in this prosperous situation the trade continued till the next year, when an Act passed for levying Duties on Glass, Paper, and other articles in *America*, and it again received a considerable check; but the repeal of a great part of those Duties revived it, till the passing of certain Acts of Parliament, and other measures lately adopted, caused such a great uneasiness in the minds of the inhabitants of *America*, as to make the Merchants apprehensive of the most alarming consequences, and which if not speedily remedied, must involve them in utter ruin. And the Petitioners, as Merchants deeply interested in measures which so materially affect the commerce of this Kingdom, and not less concerned as *Englishmen*, in every thing that relates to the general welfare, cannot look without emotion on the many thousands of miserable objects, who, by the total stop put to the Export trade to *America*, will be discharged from their Manufactures for want of employment, and must be reduced to great distress; and the Petitioners look back with regret to those times in which their trade suffered no interruption; but they presume not to suggest any particular mode of relief to the House, in whose wisdom they place the most unreserved confidence; they venture, however, to express their wishes that the former system of commercial policy may be taken into consideration; and that the destructive breaches made in their trade by the alarms to which it has been for many years subject, may be closed, the peace of this great Empire restored, and commerce once more fixed on the most solid and permanent foundation.

Mr. *Burke* moved that the said Petition be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider of the several Papers which were presented to the House by the Lord *North*, upon *Thursday* last, by his Majesty's command.

Lord *North* objected to it, as it did not desire to be heard. He observed it could not be of any information.

Mr. *Burke* replied; the noble Lord had objected to one Petition because it desired to be heard, to the other, because it did not desire to be heard; but nothing was to be expected from him but blunders and inconsistencies.

Lord *North* said it was impossible for him to have foreseen the proceedings in *America* respecting the Tea: that the Duty had been quietly collected before; that the great quantity of Tea in the warehouses of the *East India* Company, as appeared by the Report of the Secret Committee, made it necessary to do something for the benefit of the Company; that it was to serve them that nine Pence in the pound weight drawback was allowed; that it was impossible for him to foretel the *Americans* would resist at being able to drink their Tea at nine Pence in the pound cheaper.

Governour *Johnstone* said he got up to speak to a matter of fact; that he could not sit still and hear the noble Lord plume himself on actions which, of all others, were most reprehensible in this train of political absurdities; that it was unbecoming the noble Lord to allege that this dangerous measure was adopted to serve the *East India* Company, when it was notorious the Company had requested the repeal of the three Pence per pound in *America*, and felt and knew the absurdity of giving a drawback here, and laying a duty there—a perfect solecism in commerce and politicks; that the *East India* Company offered their consent that Government should retain six Pence in the pound on the exportation, if the three Pence was remitted in *America;* that the noble Lord had been requested and entreated, by the Governour himself, in his place, to remove the cause of the dispute, and was foretold the consequence of persevering in errour; that the noble Lord had shewn by his conduct, he was neither financier nor politician, or infatuated with those about him; that the *East India* Company presented the happiest opportunity which could have offered for removing, with credit, the cause of difference. The noble Lord himself had confessed, in repealing the other articles in the original Act, that the Tea was as much an anti-commercial tax as any of those which were repealed on that principle; but the authority of Parliament being disputed, he could not repeal all till that was fully acknowledged. Here, then, sprung the happiest occasion of doing right, without injuring the claims on either side. The *East India* Company ask; their situation required the relief. It could not be alleged it was done at the instance of *American* discontent. But the golden bridge was refused; new contrivances were set on foot to introduce the Tea into *America*. I know, said he, the various intrigues, solicitations, and counter-solicitations, that were used to induce the Chairman and Deputy Chairman of the Committee to undertake the rash and foolish business. I protested against it as contrary to the principles of their monopoly; yet the power of Ministry prevailed, and the noble Lord would now cover all those facts, which are ready, from their consequences, to convulse the Empire, and take credit for them as having been done with the most innocent intentions to serve the *East India* Company; when, on the contrary, it must appear to every man, that the glut of Tea in their warehouses was chiefly occasioned by the impolitick and anti-commercial imposition of three Pence a pound in *America*, which deprived them, and still deprives them of that great vent; and that the losses they have since sustained, by sending Teas on their own account to *America*, is likewise chargeable to Administration. If this is the

Digitized by Google

manner in which they serve their friends, I desire still to be counted among the number of their enemies.

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words "the Petition of the "Merchants, Traders, and others, of the City of *London*, "concerned in the commerce of *North America*, is referred," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question;

The House divided—Yeas 65, Noes 192.

So it passed in the Negative.

And the question being put, that the words "the Petition of the Merchants, Traders, and others, of the City "of *London*, concerned in the commerce of *North America*, is referred," be inserted instead thereof;

It was resolved in the Affirmative.

Then the main question so amended being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

Mr. *Cruger* presented a Petition of the Merchants, Traders, and Manufacturers, and others, of the City of *Bristol*, whose names are thereunto subscribed, which was also read; setting forth—

That the trade to *America* not only from this Port, but the whole Kingdom of *Great Britain* and *Ireland*, is of the utmost importance; and that the said City is highly interested in its welfare, as from thence very large quantities of every species of Manufacture are exported, whereby employment is given to a great number of Ships, Seamen, and others, on which Manufactures several thousand persons depend for their daily support, whose cause, from motives of humanity, exclusive of every advantage to themselves, it becomes their duty to submit to that tribunal from whence alone redress can be expected; and that the trade of the *West India* Islands, in all its extensive branches, essentially depends upon the Continent of *America*, as many articles absolutely necessary for the existence of their inhabitants, are only to be had from thence; and any stop to the commerce and well-being of *North America*, must mutually affect the whole system, being mediately or immediately connected with each other; and that the Petitioners already feel the unhappy effects of the stagnation of trade at present subsisting in consequence of certain Acts made by the Legislature of *Great Britain*, from which cause all orders for Goods are countermanded, and the Merchants in danger of being deprived of their returns for those already sent; and that from the circumstances before recited, many thousands of industrious poor are, and will be deprived of subsistence, and Merchants even of the largest property will be reduced to difficulties in their fortunes and credit, heretofore unknown to them; and that, in the present crisis, so very alarming to the interest of the trading part of these Kingdoms, and in its consequences to the landed interest, ever dependent on each other, they have every reason to fear a total loss of their trade, and every evil that will attend an event so much to be deprecated; and, therefore, praying the House to take the premises speedily into their serious consideration, and to adopt such measures as will not only relieve them from the difficulties which press them on the present exigency, but be a security against a return of those frequent interruptions to their trade they have for many years experienced, which have made destructive breaches in the commercial interests, and disturbed the concord of this great Empire, so that the whole may be fixed on the same solid basis which formerly united the mother country and her Colonies.

Mr. *Cruger* moved that the said Petition be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider of the several Papers which were presented to the House by the Lord *North*, upon *Thursday* last, by his Majesty's command.

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words "the Petition of the "Merchants, Traders, and others, of the City of *London*, "concerned in the commerce of *North America*, is referred," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question,

It passed in the Negative.

And the question being put, that the words "the Petition of the Merchants, Traders, and others, of the City "of *London*, concerned in the commerce of *North America*, is referred," be inserted instead thereof,

It was resolved in the Affirmative.

Then the main question so amended being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

TUESDAY, *January* 24, 1775.

A Petition of the Merchants and Traders of the City of *Glasgow*, was presented to the House, and read, setting forth—

That the Petitioners are deeply interested in the trade to *North America*, by exporting annually great quantities of *British* Manufactures and other Goods, and receiving in return the produce of the Colonies; and have at this time, in effects belonging to them in *America*, and in debts due to them by the Colonies, to the amount of one million and upwards; and that the trade between *Great Britain* and the Colonies, has for a long time been carried on to the great advantage of every part of the *British* Empire; and that it has been a great nursery for Seamen; has given employment to many thousand Manufacturers in *Britain*, and greatly increased his Majesty's Revenue; and that the Petitioners have observed, with much concern, that certain late Acts of Parliament have created fears and jealousies, and raised much dissatisfaction in the minds of his Majesty's *American* subjects, who have been induced to enter into resolves to interrupt the commerce between *Great Britain* and the Colonies; and that the Petitioners apprehend, if this interruption to trade is long continued, many thousands of *British* Manufacturers will be reduced to poverty and distress by want of employment; the Petitioners will suffer great loss, and his Majesty's Revenue be diminished; but they trust, with full confidence, in the wisdom and justice of the House, to bring about a happy reconciliation between *Great Britain* and the Colonies; and, therefore, praying the House to take into their serious consideration this great commercial business, and to give such relief as shall seem best.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting, "it is referred to consider of the "several Papers which were presented to the House by the "Lord *North*, upon *Thursday* last, by his Majesty's com-"mand," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question;

The House divided—Yeas 68, Noes 26.

So it was resolved in the Affirmative.

Then the main question being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

Ordered, That there be laid before this House an Account of the Value of all Goods, Wares, and Merchandise, exported from that part of *Great Britain* called *England*, to the *British* Colonies in *North America*, from Christmas, 1772, to Christmas, 1774, or as far as the same can be made up; distinguishing each Colony and each year.

Ordered, That there be laid before this House an Account of the Value of all Goods, Wares, and Merchandise, exported from that part of *Great Britain* called *Scotland*,

Digitized by Google

to the *British* Colonies in *North America*, from Christmas, 1768, to Christmas, 1769; distinguishing each Colony.

Ordered, That there be laid before this House an Account of the Value of all Goods, Wares, and Merchandise, exported from that part of *Great Britain* called *Scotland*, to the *British* Colonies in *North America*, from Christmas, 1772, to Christmas, 1774, or as far as the same can be made up; distinguishing each Colony and each year.

WEDNESDAY, *January* 25, 1775.

A Petition of the Merchants, Manufacturers, and Traders, and other Inhabitants of the City of *Norwich*, was presented to the House, and read, setting forth—

That in the said City there hath been, for a long series of years, a very considerable manufacture of various kinds of Worsted Stuffs, wherein the raw material of Wool, (the produce of *Great Britain* and *Ireland*) hath been increased to ten times its value; the amount of which Manufactures, at a moderate computation, exceeded lately the yearly value of one million five hundred thousand Pounds, and therein above eighty thousand persons, men, women, and children, as well in the City of *Norwich* as in the several Counties of *Norfolk* and *Suffolk*, have been employed and maintained; and that a considerable part of the Goods thus manufactured, were sent as well by the Port of *Yarmouth*, in *Norfolk*, as by the Port of *London*, on the account of *North American* Merchants and Traders, to the several Provinces of that extensive Continent; but since the unhappy differences which have arisen between *Great Britain* and the Colonies, a stop hath been put to the exportation of the said Manufactures to *North America*; and that the inhabitants of the said City liable to the publick taxes, are already greatly burthened with a numerous poor; and if the demand of *Norwich* Stuffs to any of the several Ports of *Europe*, (of late plentifully supplied) should by any means be lessened, the Petitioners are fearful of the consequences which must inevitably happen to the said City from the stoppage of the *American* Trade; and that, on any further reduction of the Manufactures of the said City, the number of poor Artificers and their families, which will be thrown on the publick expense, will be insupportable; and that the industrious Artificers and labouring men, and their families, will be reduced, by poverty and want of employment, to be without the necessary succours of food and raiment. And therefore, for the revival of the Petitioners' trade and commerce to *America*, and to prevent the continuance or growth of the above evils, praying the House will take the premises into their immediate and most serious consideration, and grant them such effectual and permanent relief as they shall think proper.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants and Traders, and others of the City of *London*, concerned in the commerce of *North America*, is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words, "it is referred to consider of the several Papers which were presented to the House by the Lord *North*, upon *Thursday* last, by his Majesty's command," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question?

The House divided: Yeas, 85; Noes, 11.

So it was resolved in the Affirmative.

Then the main question being put;

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

A Petition of the Merchants and Manufacturers residing in the Town and neighbourhood of *Dudley*, in the County of *Worcester*, was presented to the House, and read, setting forth—

That the Petitioners have, for a number of years past, employed a great many thousand hands in manufacturing of Nails and other sorts of Iron Wares, the greatest part of which have been exported to *North America*; and in consequence of the present stagnation of their commerce thither, are very much distressed for want of the usual demands; and that in a very short time the many thousands of their hands dependent on the *American* consumption in those articles, must be out of employ, and thereby totally deprived of the means of subsistence; and that the Petitioners likewise are deeply concerned for the property which some of them, as well as the Merchants and Traders with whom they are connected, have in that country; and therefore praying the House will take the premises into consideration, and adopt such measures as they shall judge most effectual for their relief.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words, "it is referred to consider of the several Papers which were presented to the House by the Lord *North*, upon *Thursday* last, by his Majesty's command," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question?

It was resolved in the Affirmative.

Then the main question being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

A Petition of the Inhabitants of the Town and neighbourhood of *Birmingham*, was presented to the House, and read, setting forth—

That the Petitioners are apprehensive, that any relaxation in the execution of the laws respecting the Colonies of *Great Britain*, will ultimately tend to the injury of the commerce of the said Town and neighbourhood; and therefore the Petitioners request that the House will continue to exert their endeavours to support the authority of the laws of this Kingdom over all the Dominions of the Crown.

A motion was made by Lord *North*, and the question being put, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred;

Mr. *Burke* objected, saying this was not a Petition concerning commerce; it was a warlike, blood-thirsty Petition, and desired to hear the names of the persons who signed it, read; which was complied with.

He then moved as an amendment to the question, to leave out from the word "whom" to the end of the question, and insert the words, "it is referred to consider of the several Papers which were presented to the House by the Lord *North*, upon *Thursday* last, by his Majesty's command," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question?

It was resolved in the Affirmative.

Then the main question being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

Sir *George Savile* rose, and acquainted the House, that not understanding any business except the balloting was meant to come on that day, he had left the House as soon as it was over, but on going home, a Petition of Doctor *Franklin*, Mr. *Lee*, and Mr. *Bollan*, the three gentlemen who had the direction of the Petition from the *North American* Congress to the King, was put into his hand. He stated the contents, which were: "That the Petitioners "could explain and throw great light on the Petition presented from the Congress to the King, which, by his Majesty's command, had been referred to that Honourable "House, and therefore praying to be heard on the same."

Digitized by Google

A conversation now ensued concerning a point of order, whether a Petition could be received concerning a Petition which lay before the House, but of which they could have no possible knowledge. This conversation lasted some time, in which Lord *North*, Mr. *Rigby*, the Solicitor General, Lord *F. Campbell*, and Mr. *Gascoyne*, were against the receiving it, complaining of the thinness of the House, and the lateness of the hour. But it was ably contended that it could be received, by Sir *George Savile*, Mr *Burke*, and Mr. *T. Townshend*, who all shewed the difference there was between receiving a Petition and complying with its prayer. The thinness of the House, and the late hour, they treated with ridicule, by reminding their opponents, that when the question was first proposed the House was pretty full, and it was in the afternoon.

A motion was drawn up by Mr. *Burke*, in order for the point to be discussed, but as the House was so thin, there being but forty Members with the Speaker, it was withdrawn.

THURSDAY, *January* 26, 1775.

Ordered, That there be laid before this House an Account of the Value of the Exports and Imports to and from *North America*, from Christmas, 1762, as far as the same can be made up; distinguishing each Port and each year.

Ordered, That there be laid before this House an Account of the Value of the Exports and Imports to and from the *West Indies*, from Christmas, 1762, as far as the same can be made up; distinguishing each Port and each year.

Mr. Alderman *Hayley* presented a second Petition from the Merchants, Traders, and others, of *London*, concerned in the commerce of *North America*, which was read, viz:

To the Honourable the Commons of GREAT BRITAIN, *in Parliament assembled.*

The humble Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, sheweth:

That your Petitioners did, on *Monday*, the 23d instant, present an humble Petition to this Honourable House, stating the nature and importance of the commerce between *Great Britain* and *America*; the repeated interruptions which of late years have happened therein; the alarming state to which that commerce is at present reduced, and the true cause, as your Petitioners apprehend, of the same. And relying on the justice of this Honourable House, to take the whole of the weighty matters so stated into their most serious consideration, did humbly pray, that this House would enter into a full and immediate examination of that system of commercial policy which had formerly been adopted and uniformly maintained, to the happiness and advantage of both countries, and would apply such healing remedies as can alone restore and establish the commerce between *Great Britain* and *America* on a permanent foundation.

Your Petitioners have ever conceived an opinion, resulting from education, and confirmed by reason and experience, that the connection between *Great Britain* and *America*, originally was, and ought to be, of a commercial kind; and that the benefits derived therefrom to the mother country are of the same nature. And observing the constant attention which the *British* Legislature had, for more than a century, given to these valuable objects, they have been taught to admire the regulations by which that connection had been preserved and those benefits secured, as the most effectual institution which human wisdom could have framed for those salutary purposes. Presuming, therefore, on this opinion, and supported by this observation, your Petitioners beg leave to represent to this Honourable House, that the fundamental policy of those laws of which they complain, and the propriety of enforcing, relaxing, or amending the same, are questions inseparably united with the commerce between *Great Britain* and *America*; and consequently, that the consideration of the one cannot be entered on without a full discussion of the other.

Your Petitioners observe by the votes of this Honourable House, that a Committee hath been appointed to take into consideration certain Papers presented to this House by Lord *North*, on *Thursday*, the 19th instant; and by the titles and dates of said Papers, and in particular of Nos. 148 and 149 of the same, your Petitioners are warranted in presuming that the said Papers contain matters respecting the present situation of *America*, and essentially concerning the mutual interests of your Petitioners and that country.

Under all these circumstances, your Petitioners find reason sincerely to lament, that this Honourable House has thought fit to refer the consideration of their said Petition to any other Committee than that to which the said Papers had previously been referred; and your Petitioners conceive, that by the resolution to which this House hath come, respecting the reference of their said Petition, they are absolutely precluded from the benefit of such a hearing in support of their said Petition, as can alone procure them that relief which the importance and present deplorable state of their trade require.

Your Petitioners therefore humbly pray this Honourable House, that they will take the premises into their immediate consideration, and will direct that your Petitioners may be heard by themselves or their Agents, in support of their said former Petition; and that no resolution respecting *America* may be taken by this Honourable House, or by any Committee thereof, until your Petitioners shall have been fully heard in support of their said Petition.

Mr. *Hayley* moved that the Order made upon *Monday* last, for referring the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America* to the consideration of the Whole House, might be read.

And the said Order being read accordingly,

Mr. *Hayley* then moved that the said Order be discharged.

He resented the indignity and mockery put on a great body of Merchants, in referring their business, which was the business of the Nation, and of the Empire, indeed, to a separate Committee, whose object was pretended to be no more than to form commercial regulations, which no Petition had required or asked; and which Committee had not a pretended concern in the great points of commercial policy, the ill-conduct of which threatened a most dangerous civil war. He expressed his fears that the rejection of the informations of the trading interest, and the precipitate hurry of resolutions in an uninformed Committee, or informed only so far as Ministry chose, must drive on a civil war with *America*.

Mr. *Hotham* contended that the Order should be discharged, and a new one made for hearing the Petitioners; that, on the ground of law, it was no more than what the Petitioners might claim as a judicial right; on the grounds of justice and reason, the claim was equally clear on the one side, equally proper to be granted on the other; and as to expediency, nothing could be more compatible with that than a hearing of the Petitioners, which, by affording information to the House, might guide their deliberations in the paths of wisdom.

Mr. *Hans Stanley* could not help persuading himself that interested and factious persons had induced the Merchants to sign these Petitions. He argued, with respect to the impropriety of discharging the Order and hearing the Petitioners, substantially thus: the only end which can be proposed in hearing the Petitioners at the bar, is information. What information could they lay before the House? Were they to allege, that whilst the disputes between *Great Britain* and *America* subsisted, their trade would undergo a temporary stagnation? This was to say nothing but what was already known; it was known that a stoppage of trade would be occasioned by the *American* disputes; there was no question but the stockholders and landed interest would be greatly affected by these disputes; but what of that? Unless the supremacy of Parliament and the rights of sovereignty were vigorously asserted by *Great Britain*, the *American* traffick could not subsist. To support the sovereignty was therefore to support the trade of *Great Britain*; and if, in attempting this arduous task, our commerce should be suspended, our funds should sustain a shock, and the landed property of individuals should experience a diminution, yet all these were evils gentlemen should patiently endure with firmness and magna-

Digitized by Google

nimity; the Merchants should forego their own interests for the sake of those permanent advantages which they would undoubtedly reap when the *Americans* were subdued, if, peradventure, a subduction, obtained by force, should be found expedient.

Mr. *Hayley* said that a Committee of three capital Merchants had attended the signing of the Petition, to prevent inconsiderable or improper persons from putting their names to it. He affirmed that no undue means were used to procure persons to sign it; on the contrary, the greatest caution was taken: many more would have signed it, but were prevented, either from not being known to be concerned in the *American* trade, or from being deemed too inconsiderable.

Mr. *T. Townshend* replied to Mr. *Stanley* with irony, accepting his acknowledgment of the distress that must fall on the commerce, the landholder, and the stockholder; but the place-holder, said he, will batten in the sunshine of his country's ruin; no distress of the publick can affect him; he may talk at ease of the patience with which others are to endure ruin. The contractors of every kind may pant for a civil war; but the event of violent councils must shake to its very foundation the publick credit, on which every thing depends.

Mr. *Lewis* said he had a speech of an honourable gentleman (meaning Mr. *Burke*) in his hand, wherein the eloquent declaimer had asserted, that during nine long years we had been lashed round the circle of miserable argumentation, without coming to any conclusion on the subject. The *American* Merchants, he thought, came too late; that they ought not to have been silent so long; and that having so long confided in Parliament, they ought to continue that confidence. He spoke of the relation of parent and child that subsisted between the countries; he supposed ingratitude in the child, and wished for its chastisement.

Mr. *Jenkinson* said that Parliament had a right to regulate the internal concerns of *America*. He instanced an Act for regulating their paper currency; and from their submission to that, he concluded they ought to submit to every act of *English* Legislature. He entertained no doubt that some resolutions for preserving the supremacy would answer every end of the Merchants' Petition, and restore trade.

Mr. *Edmund Burke* treated the talk of paper currency with very little respect, and said that Mr. *Jenkinson's* discourse had not the most remote tendency to prove this, or any other point. For what argument (said he) can be drawn from the instance of an Act to prevent paper currencies, to prove that the Merchants of *London* ought not to be heard in the *American* Committee? The most depreciated paper currency ever issued by *Rhode-Island*, in its worst times, was not more different from good money than this talk from sound argument. The other gentleman (Mr. *Lewis*) was sitting Member last Parliament. I thought he had a good right to his seat. I lamented that the publick had, for seven years, been deprived of the benefit of his talents; but suppose this had been the same Parliament whose acts he defends, and of whose injustice he was the proto-martyr, and that he had till the last session been silent, and that his modesty had persuaded him to defraud the House of the benefit of his talents to the last hour, would that septennial silence of his argue that he ought not to be heard at the end of the seven years, when he at last chose to interfere in the debates? Then we should have heard him patiently and calmly; nay, if his argument had required an answer, we should have answered him. He then turned to Sir *Gilbert Elliot*, who, in the former debate, had argued that the House was already perfectly acquainted, in general, with the trade and its importance, and admitted, in its full extent, whatever the Merchants could allege. He said that this gentleman was rather too ready to take the measure of mankind from himself; and because he was so very knowing, did not sufficiently condescend to the ignorance of others. But whatever the knowledge of any individual in the House might be, there was a great difference between knowing and feeling. That the honourable gentleman could easily abstract and generalize his ideas even to the *genus generalissimum;* but the nature of mankind was such that general observation affected their minds in a slight and indistinct manner, when the detail of particulars, and the actual substance of things, made a most forcible impression. He illustrated this by a story of a learned Prince, who was of the same part of the Island to which we owe the honourable gentleman: *James* the First, who, as *Osborne* tells the story, having ordered a present of 20,000 Pounds for one of his favourites, his Treasurer, a wary and prudent Minister, well read in human nature, and knowing how little the general expression of things operates, and that the words 20,000 Pounds were as easily pronounced as 20,000 Farthings, contrived to place the whole sum in a vast heap before the King's eyes as he passed to his levee, in good Jacobuses; when the King was taken out of his *generals*, and saw the money itself spread out before his eyes, he was frightened at what he was about, and threw himself, in great agony, on the mass of gold, and scrambling up a handful or two, there, said he, "ge'en that, that's enough." Now, said he, if we are to be generous in sacrificing our trade to our dignity, let us know what the value of the sacrifice is that we make; let us not be generous in the dark; true generosity is to give and see, and know whatever we give. Let us, then, see this thing, this trade we are to give up for our dignity. Your dignity may be worth it all, but let us be informed by the Merchants what all really is. To be generous, without knowing what we give, is not liberality, but negligence; and fearlessness, arising from ignorance, is not courage, but insensibility. He said that the reason given by those who sent the Petitions to the Coventry Committee, for not referring them to that on *American* Papers, was of a most extraordinary and unheard of nature: it was, that the resolutions of that Committee were to be solely on the grounds of policy, and that the commercial examination would delay the measures necessary for the coercion of *America*. This was to anticipate and predetermine the future proceedings in a Committee, as a reason for keeping information from it. How did they know what measures would be pursued there, and on what principles? Was there any instruction to the Committee so to confine itself? Or was it that the Ministry had already not only solved what that Committee was to do, but reckoned upon it so much as a certainty, and as a matter so justifiable, that they did not scruple to avow it, and to make it a ground of argument for what the House ought, or ought not to have brought before its Committee. This proceeding he thought no less alarming than unprecedented. If they meant hostility, the reason they gave for not hearing was the strongest for it. But as their war ever must be dependent upon their finances, and their finances must depend upon their commerce, the true state of that commerce was necessary to be known, especially as Colonies and commerce are inseparably connected.

Having thus pleaded for the necessity of hearing the Petitioners, Mr. *Burke* proceeded to lament the national calamities about to befall this devoted Kingdom. Besides the horrours of a civil war, besides the slaughtered innocents who are to be victimated to the counsels of a Ministry precipitate to dye the Rivers of *America* with the blood of her inhabitants; besides these disasters, an impoverished Revenue; famished millions; the stagnation of Manufactures; the total overthrow of Commerce; the increase of the Poor's Rate; the accumulation of Taxes; innumerable Bankruptcies; and other shocks which may make the fabrick of publick credit totter to its basis: these were all depicted in the strongest colours by Mr. *Burke*. He professedly reserved himself, however, for that day when, if properly supported by the people, he vowed by all that was dear to him here and hereafter, he would pursue to condign punishment the advisers of measures fraught with every destructive consequence to the Constitution, the commerce, the rights and liberties of this country.

Mr. *Burke* concluded his animated harangue by quoting an instance, related in history, of an archer about to direct an arrow to the heart of his enemy, but found that in his adversary's arms was enfolded his own child. This singular incident he recommended with cautionary admonition to those statesmen who had in contemplation the destruction of *America*, unmindful that they could not accomplish so baneful a purpose, without, at the same time, plunging a dagger into the vitals of *Great Britain*. Let your commerce, said Mr. *Burke*, come before you,—see whether it be not your child that *America* has in its arms,

Digitized by Google

see of what value that child is—examine whether you ought to shoot; and if you must shoot, shoot so as to avoid wounding what is dearest to you in the world. Without examining your trade you cannot do this.

Mr. *Charles Fox* spoke on the same side. He arraigned, in the severest terms, the Acts of the last Parliament, as framed on false information, conceived in weakness and ignorance, and executed with negligence. We were promised that on the very appearance of Troops, all was to be tranquillity at *Boston*, yet so far from subduing the spirit of that people, these Troops were, by neglect of those who sent them, reduced to the most shameful situation, and dishonourably intrenched within the lines of circumvallation, which a necessary precaution for their own safety obliged them to form. That the contrary effect of what the Minister had promised, was foretold; but that the Minister, forsooth, in his usual negligence, avowed that when he was pursuing a measure of the last degree of importance, though it were treasonable in him, (the strength of the words he afterwards disavowed) yet he thought it would be blameable in him so much as to inquire what the effects were to be of his measures. He believed it was the first time any Minister dared to avow that he thought it his duty not to inquire into the effects of his measures; but it was suitable to the whole of the noble Lord's conduct, who had no system or plan of conduct, no knowledge of business; that he had often declared his unfitness for his station, and he agreed that his conduct justified his declaration; and that the country was incensed, and on the point of being involved in a civil war by his incapacity. He pledged himself to join Mr. *Burke* in pursuing him, and bringing him to answer the mischiefs occasioned by his negligence, his inconsistency, and his incapacity: he said not this from resentment, but from a conviction of the destructive proceedings of a bad Minister.

Colonel *Barré* began with a short and spirited history of the late Parliament, who, he said, commenced their political life with a violation of the sacred right of election in the case of *Middlesex;* they had died in the act of Popery, when they established the Roman Catholick religion in *Canada;* and they had left a rebellion in *America* as a legacy. He asserted, in favour of the *Americans*, that they drew a just and reasonable line, which had been a line of peace, and would be so again, if we had sense enough to return to it. The *Americans*, he insisted on it, required no more; and they had too much justice on their side to be satisfied with less. He flatly denied that they had objected to the Declaratory Act; and for proof he referred to Mr. *Dickinson's* Pamphlet, entitled "A New Essay," &c., on which he passed the strongest eulogium. He concluded with a story which his friend Mr. *Burke's* archer had put him in mind of; than which nothing could be more apposite. There was another story, he said, of the famous *William Tell*, who, being ordered to shoot an apple off his child's head, effectually did it, and the tyrant who had given the inhuman command, seeing him draw out another arrow, said to him, "What, another arrow?" "Oui, dit-il, il y a une autre; et c'est pour toi, tyran, destinée." Yes, tyrant, another arrow, and it is destined for thee!

Mr. Solicitor General *Wedderburn* went upon a proposition of quieting the Merchants, by passing a law obliging the several Provinces in *America* to pay the respective debts due by the inhabitants of the said Provinces to the Merchants of this country.

Lord *North* said the question had been so fully discussed, that it would be presumption in him to rise at that late hour of the night to trespass on the indulgence of the House, he should therefore decline it; but he thought it nevertheless incumbent on him to say a word in answer to some insinuations, and some general charges made against him by two honourable gentlemen (Messrs. *Burke* and *Fox*.) He observed that those gentlemen constantly made a point, not even of attacking, but threatening him. As to general charges, he could only answer them in general terms; and when that black, bitter, trying day should come, which had been prophecied by one of those gentlemen, and that he should bring any particular charge against him, he trusted he should be able to give it a particular answer. As to the other, who found so many causes of censure, and who disclaimed all resentment, he was sure, though he now discovered in him so much incapacity and negligence, there was a time when he approved of at least some part of his conduct.

Lord *George Germaine* began with a justification of the last Parliament; and insisted that in their proceedings towards *America*, they had gone upon sufficient information. He made a strong declamation on dignity. His Lordship mentioned the Declaratory Act, professing not to address himself to those who denied our right to tax *America*, but to those who favoured that Act; they, his Lordship insisted, were bound to support the idea of subduing *America;* the confession of the right implied the propriety and necessity of exercising it. If the *Americans*, pointing the late Acts out as a grievance, would petition for their repeal, he would stretch forth the first hand to present it; but, on the contrary, if they claimed such repeal as a right, thereby disputing the authority of the mother country, which no reasonable man ever called in question, he wished the said Acts might be enforced with a *Roman* severity.

Mr. *Fox*, in reply to Lord *North*, said: That my private resentments have not affected my publick conduct will be readily believed, when I might have long since justly charged the noble Lord with the most unexampled treachery and falsehood. Here Mr. *Fox* was called to order, and the House grew clamorous. He sat down twice or thrice, and on rising each time, repeated the same words; but at length, assuring the House he would abstain from every thing personal, he was permitted to proceed. He then repeated his former charges of negligence, incapacity, and inconsistency; and added, that though he at one time approved of part of the noble Lord's conduct, he never approved of it all; of which a stronger proof could not be given, than that he differed from him. He charged all the present disputes with *America*, to his negligence and incapacity, and instanced his inconsistency in the case of the *Middlesex* election. It was true, he said, the noble Lord had often confessed his incapacity, and from a consciousness of it, pretended a willingness to resign; but the event had proved that whatever his consciousness might have been, his love of the emoluments of office had completely conquered it.

Lord *North* replied, that the high post he now occupied was not of his own seeking, but was submitted to, because he thought it his duty to obey the commands laid on him; that whatever interpretation might be put by the honourable gentleman, he well knew that it was no desire of his to retain his present situation; that that honourable gentleman was no stranger to how he had been tried on many critical occasions, particularly when we were threatened with a *Spanish* war, in the affairs of the *East India* Company, &c.

Mr. *Burke* rose to explain, but the clamour and call to order was so great that he was obliged to sit down unheard; to use his own words, in a "torrent of candour and a storm of moderation."

The question was then taken, and the House divided—Yeas 89, Noes 250.

So it passed in the Negative.

Ordered, That the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, this day presented to the House, do lie upon the table.

A Petition of the Merchants and Manufacturers of the Town of *Manchester*, interested in *American* commerce, was presented to the House, and read, setting forth—

That the Petitioners have for several years carried on a very extensive and beneficial trade with the Continent of *America;* and that the payments for Goods exported to that country, have been such as to encourage the Merchants and Manufacturers to execute orders from thence with cheerfulness and confidence; and that the stoppage of trade occasioned by the late unhappy differences with the *Americans*, will soon render it necessary to discharge vast numbers of workmen, who have been maintained by this commerce; and that it is not requisite, were it possible, to enumerate the evils that must arise from the precarious situation on which their intercourse with *America* now stands; they therefore recommend themselves to the care and protection of Parliament, and rely on the justice, wisdom, and attention to the publick welfare, by which their present apprehensions may not only be removed, but a sys-

Digitized by Google

tem for their future commerce formed on a sure and lasting basis.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words, "it is referred to "consider of the several Papers which were presented to "the House by the Lord *North*, upon *Thursday* last, by "his Majesty's command," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question,

It was resolved in the Affirmative.

Then the main question being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

A Petition of the Merchants, Traders, and Manufacturers of *Wolverhampton*, in the County of *Stafford*, and places adjacent, was presented to the House, and read, setting forth—

That the present stagnation of commerce to the *North American* Colonies, and the prospect of increasing embarrassments, occasioned by the unhappy differences subsisting between *Great Britain* and those Colonies, greatly alarm the Petitioners, who are engaged in, and greatly depend on, that trade, for vending various kinds of Goods they manufacture of Iron, Steel, and other metals; and that they view with the deepest concern many Manufacturers already out of employ; and the evils which they before experienced in similar situations daily increasing, which presage the utmost misery to the said Town and its neighbourhood, and, therefore, praying the House will take their trade and distresses under their most serious consideration, and grant them such relief as to the House shall seem meet.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words, "it is referred to con-"sider of the several Papers which were presented to the "House by the Lord *North*, upon *Thursday* last, by his "Majesty's command," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question,

It was resolved in the Affirmative.

Then the main question being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

A Petition of the Merchants and Tradesmen of the Port of *Liverpool*, whose names are subscribed, was presented to the House, and read, setting forth—

That an extensive and most important trade has been long carried on, from the said Town, to the Continent and Islands of *America*; and that the exports from thence infinitely exceed in value the imports from *America*, from whence an immense debt arises, and remains due to the *British* Merchant; and that every article which the Labourer, Manufacturer, or more ingenious Artist, can furnish for use, convenience, or luxury, makes a part in these exports for the consumption of the *American*; and that those demands, as important in amount as various in quality, have for many seasons been so constant, regular, and diffusive, that they are now become essential to the flourishing state of all their Manufactures, and of consequence to every individual in these Kingdoms; and that the bread of thousands in *Great Britain*, principally and immediately depends upon this vast branch of commerce, of which a temporary interruption will reduce the hand of industry to idleness and want, and a longer cessation of it would sink the now opulent Trader in indigence and ruin; and that at this particular season of the year, the Petitioners have been accustomed to send out to *North America* many Ships wholly laden with the products of *Britain*; but by the unhappy differences at present subsisting, from whatever source they flow, the trade to these parts is entirely at a stand; and that the present loss, though great, is nothing, when compared with the dreadful mischiefs which will certainly ensue, if some effectual remedy is not speedily applied to this spreading malady, which must otherwise involve the *West India* Islands and the trade to *Africa* in the complicated ruin; but that the Petitioners can still, with pleasing hopes, look up to the *British* Parliament, from whom they trust that these unhappy divisions will speedily be healed, mutual confidence and credit restored, and the trade of *Britain* again flourish with undecaying vigour.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words "it is referred to con-"sider of the several Papers which were presented to the "House by the Lord *North*, upon *Thursday* last, by his "Majesty's command," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question,

It was resolved in the Affirmative.

Then the main question being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

Sir *George Savile* offered to present a Petition of *William Bollan*, *Benjamin Franklin*, and *Arthur Lee*, Esqs., stating themselves to have been authorized by the persons who signed one of the Papers presented to the House, by the Lord *North*, upon *Thursday* last, by his Majesty's command, entituled, "Petition of sundry persons, on behalf "of themselves and the inhabitants of several of his Majes-"ty's Colonies in *America*," to procure the said Paper to be presented to his Majesty, and praying that they may be heard at the Bar of this House in support thereof.*

And the question being put, that the said Petition be brought up,

The House divided—Yeas 68, Noes 218.

So it passed in the Negative.

The Orders of the Day being read,

* Though it was then late, a Petition was offered from Mr. *Bollan*, Doctor *Franklin*, and Mr. *Lee*, three *American* Agents, stating, that they were authorized by the *American* Continental Congress to present a Petition from the Congress to the King, which Petition his Majesty had referred to that House; that they were enabled to throw great light upon the subject, and prayed to be heard at the Bar in support of the said Petition. On this a violent debate arose, partly on the same grounds with the former, partly on different. The Ministry alleged that the Congress was no legal body, and none could be heard in reference to their proceedings, without giving that illegal body some degree of countenance; that they could only hear the Colonies through their legal Assemblies, and their Agents, properly authorized by them, and properly admitted here; that to do otherwise, would lead to inextricable confusion, and destroy the whole order of Colony government.

To these arguments it was answered, that regular Colony government was in effect destroyed already; in some places by Act of Parliament; in others, by dissolution of Assemblies by Governors; in some, by popular violence. The question now was, how to restore order? That this Congress, however illegal to other purposes, was sufficiently legal for presenting a Petition. It was signed by the names of all the persons who composed it, and might be received as from individuals; that it was their business rather to find every plausible reason for receiving Petitions, than to invent pretences for rejecting them; that the rejection of Petitions was one principal cause, if not the most powerful cause of the present troubles; that this mode of constantly rejecting their Petitions, and refusing to hear their Agents, would infallibly end in universal rebellion; and not unnaturally, as those seem to give up the right to Government, who refuse to hear the complaints of the subject. This Petition was rejected upon a division, by a majority of two hundred and eighteen to sixty-eight.—*Ann. Regis.*

Digitized by Google

The House resolved itself into a Committee of the Whole House, to consider of the several Papers which were presented to the House by the Lord *North*, upon *Thursday* last, by his Majesty's command.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the chair of the Committee.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had made a progress in the matters to them referred; and that he was directed by the Committee to move, that they may have leave to sit again.

Resolved, That this House will, to-morrow morning, resolve itself into a Committee of the Whole House, to consider further of the said Papers.

FRIDAY, *January* 27, 1775.

Mr. *Tomkyns*, one of the Commissioners of the Revenue, presented to the House, according to their order, an Account of the Value of all Goods, Wares, and Merchandises, exported from that part of *Great Britain* called *England*, to the *British* Colonies in *North America*, from Christmas, 1772, to Christmas, 1773; distinguishing each Colony.

A Petition of sundry Merchants, Factors, and Manufacturers, of *Birmingham*, in the County of *Warwick*, on behalf of themselves and others in that neighbourood, who are interested in the trade from thence to *North America*, was presented to the House, and read, setting forth—

That the demand from *North America* to the Manufacturers of the said Town and neighbourhood, has of late years very considerably increased, and many thousands of people have usually found a regular employment, in making various kinds of Goods which have been exported thither; and that the present stagnation of their commerce with that country is already very materially felt; and although it is with the greatest reluctance that they thus trouble the House with their complaints, yet they might stand accused of a want of duty to the House, did they neglect to express their fears; that in a short space of time, a very numerous body of working people will be deprived of the means of subsistence, which becomes the more alarming on account of the high price of those provisions which their industry has heretofore enabled them to procure; and that these, their difficulties, are also much increased by the uneasy apprehensions of their Traders to *North America*, for the large property which they have entrusted there; and, therefore, beseech the House to take their case into consideration, and grant them such relief as by the House shall be judged necessary.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words, "it is referred to "consider further of the several Papers which were present-"ed to the House by the Lorth *North*, upon the 19th "day of this instant, *January*, by his Majesty's com-"mand," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question,

It was resolved in the Affirmative.

Then the main question being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

The House, according to order, resolved itself into a Committee of the Whole House, to consider of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, and of the several other Petitions referred to the consideration of the said Committee.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. *Thomas Wooldridge*, one of the Committee of *American* Merchants, was called to the Bar, when he addressed the Committee in the following words:

I am directed by the Committee of Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *America*, to represent to this Honourable Committee, that Merchants revealing at this Bar the state of their affairs, is a measure which all would wish to avoid, unless upon such great occasions as the present, when the publick weal is evidently at stake, when their duty as good subjects requires it of them; but when the mode of examination is such as totally precludes them from answering the great publick object, (which, in their opinion, is clearly the case at present) they beg leave humbly to signify, that they waive appearing before the Committee which has been appointed, and that the Merchants are not under any apprehensions respecting their *American* debts, unless the means of remittance should be cut off by measures that may be adopted in *Great Britain*.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee that they had made a progress; and that he was directed by the Committee to move that they may have leave to sit again.

Resolved, That this House will, upon this day sevennight, resolve itself into a Committee of the Whole House, to consider further of the said Petitions.

The other Order of the Day being read;

The House resolved itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon *Thursday*, the 19th day of this instant, *January*, by his Majesty's command.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee that they had made a further progress in the matters to them referred; and that he was directed by the Committee to move that they may have leave to sit again.

Resolved, That this House will, upon *Tuesday* morning next, resolve itself into a Committee of the Whole House, to consider further of the said Papers.

TUESDAY, *January* 31, 1775.

The Lord *North* presented to the House, by his Majesty's command,

No. 1. Extract of a Letter from Governour *Martin* to the Earl of *Dartmouth*, dated *Newbern*, *North Carolina*, 1st *September*, 1774; received 27th *January*, 1775, enclosing,

No. 2. Resolutions entered into at a Meeting of the Inhabitants of the District of *Wilmington*, 21st *July*, 1774, and an Address to the Freeholders of *Craven* County.

No. 3. Paper addressed to the Freeholders of *Craven* County.

No. 4. Extract from the *North Carolina Gazette*, of the 2d of *September*, 1774.

No. 5. Extract of a Letter from Lieutenant Governour *Bull* to the Earl of *Dartmouth*, dated *Charlestown*, *South Carolina*, 19th *December*, 1774; received 27th *January*, 1775, enclosing,

No. 6. Charge given by Judge *Drayton*, of *South Carolina*, and Presentments of the Grand Jury.

No. 7. Copy of a Letter from Sir *James Wright*, Baronet, to the Earl of *Dartmouth*, dated *Savannah*, in *Georgia*, 13th *December*, 1774; received 27th *January*, 1775, enclosing,

No. 8. Extract from the *Georgia Gazette*, of the 14th of *December*, 1774.

Together with a List of the said Papers.

And the said List was read.

Ordered, That the said Papers be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon *Thursday*, the 19th day of this instant, *January*, by his Majesty's command.

Digitized by Google

Ordered, That there be laid before this House an Account of all *British* Plantation Tobacco imported into that part of *Great Britain* called *England*, from the year 1760, to the year 1775, and the quantity exported from *England* in the same period; distinguishing the Exports and Imports in each particular year.

Ordered, That there be laid before this House an Account of *British* Plantation Tobacco imported into that part of *Great Britain* called *Scotland*, from the year 1760, to the year 1775, and the quantity exported from *Scotland* in the same period; distinguishing the Exports and Imports in each particular year.

A Petition of the Manufacturers of Felt Hats, and dealers therein, as also of the Shoemakers in the Town of *New-Castle*, in the County of *Stafford*, was presented to the House, and read, setting forth—

That the said Town has, for many years past, been the principal place in the Kingdom for Felt Hats; and that large quantities of Shoes have been made there, the bulk of which have from time to time been exported to different parts of *America*, until the differences unhappily arose betwixt this Kingdom and the Colonies; since then a total stop to their trade thither has taken place; and that their manufactured Goods lie dead upon their hands, payments are suspended, and their works stopped; so that great numbers of their people are quite destitute of employment, whereby the Petitioners are involved in the general distress, and their lower class of people and their families are reduced to very great extremity; and what enhances their unhappiness, is the very high price of most of the necessaries of life at this season of the year; and therefore praying that the House would take the same into their serious consideration, and concert such measures as they shall dictate for alleviating their miseries, and that may operate in opening their trade again, and thereby enabling them to afford an opportunity to their working people of procuring a subsistence for themselves and their families.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words "it is referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon *Tuesday* the 19th day of this instant, *January*, and this day by his Majesty's command," instead thereof,

And the question being put, that the words proposed to be left out, stand part of the question?

It was resolved in the Affirmative.

Then the main question being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

A Petition of the Manufacturers and Traders in Earthen Ware, residing in *Burslem*, *Tunstall*, *Colridge*, *Shelton*, *Hanly*, *Stoke Lane*, *Delf Lane End*, and places adjacent, in the County of *Stafford*, was presented to the House, and read, setting forth—

That in *Burslem* and the several places above mentioned, there are near two hundred separate Potteries for making various kinds of Earthen Wares, which together have found constant employment and support for near ten thousand people; and that a considerable part of the Goods manufactured by the Petitioners were exported into the different parts of *America*, until the late differences unhappily arose between this Kingdom and her Colonies; and that the Petitioners have great quantities of Goods now lying upon their hands; and instead of receiving from *America* the orders usually given at this season of the year, those few orders they had received, have since been countermanded, and a total stop is now put to that trade, and the payments for Goods already sold to them rendered very precarious; in consequence of which the Petitioners have been obliged to reduce their works and discharge numbers of their servants, and unless some speedy alteration in affairs takes place, they must discharge many more, whereby a great number still will be destitute of employment, and reduced with their families to the utmost necessity; and therefore praying the House to take the premises into their serious consideration, and concert such measures as to them may seem expedient, for opening again the commercial intercourse between this Kingdom and her *American* Colonies.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words "it is referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon *Thursday*, the 19th day of this instant, *January*, and this day, by his Majesty's command," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question?

It was resolved in the Affirmative.

Then the main question being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

Mr. *Edmund Burke* moved, "that it be an instruction to the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred, that they do inquire into the manner of procuring and signing the Petition of the inhabitants of the Town and neighbourhood of *Birmingham*, which was presented to the House upon *Wednesday* last; and also the Petition of sundry Merchants, Factors, and Manufacturers, of *Birmingham*, in the County of *Warwick*, on behalf of themselves and others in that neighbourhood, who are interested in the trade from thence to *North America*, which was presented to the House upon *Friday* last; and how far the persons severally signing the same are concerned in the trade to *North America*."

This brought on a debate respecting the manner in which the Petitions had been signed, and by whom: that the first Petition from *Birmingham* was signed by persons not concerned in the trade to *North America*, and therefore ought not to have the least weight with Parliament; that the second Petition from *Birmingham* being signed by the persons really interested, merited a serious consideration.

Sir. *W. Bagot* opposed the motion.

Mr. *Burke* replied, that the persons who signed the first Petition were not in the least concerned in the trade to *North America*, and that they chiefly consisted of shopkeepers. He then read a paper, containing an account of the manner in which the Petition was procured, viz: "On the 11th of *January*, 1775, a meeting of the Merchants, Traders, &c., of *Birmingham*, was held, to consider of proper methods to be pursued on account of the alarming situation of their trade, when it was unanimously resolved to wait and see what the *North American* Merchants in *London* did, and to be guided by them. On the 17th another meeting was held, when it was likewise resolved to petition Parliament. At this meeting, a Mr. *Bolton* said he did not think petitioning would have any good effect; but he had a friend next him, Doctor *Roebuck*, who knew more of the matter. Doctor *Roebuck*, after apologizing for his neither being a trader nor inhabitant, desired them by no means to petition Parliament; for, by a conversation he had lately with a Lord of the Treasury, he was acquainted that a petition to Lord *North* would be much better, he being the only person that could give them redress; and that to his certain knowledge, there was at that time in the House of Commons, four Members to one determined to execute the laws in force against *America*. In this manner did Doctor *Roebuck* endeavour to hinder the people from

Digitized by Google

"petitioning Parliament; but, notwithstanding his endeavours, a Committee was appointed and a Petition prepared, which, after a few amendments, met with almost universal approbation, and publick notice, by advertisement, was repeatedly given that it lay at the *Dolphin*, in *Birmingham*, to be signed. In the interim, the Petition in question was procured by Doctor *Roebuck*, and carried about from house to house clandestinely, without the least notice, to be signed."

Mr. *Rice* objected to the motion, because the Petition in question, according to his opinion, contained more good sense and sound policy than all the other Petitions put together.

Mr. *Burke* desired to know whether it was sound policy for Merchants to wish to go to war with the people with whom they dealt?

Sir *John Wrottesley* should agree to the motion, as he was certain it would redound to the Petitioners' honour; at the same time he begged leave to remind the House, that the trade of the neighbourhood of *Birmingham* was far more extensive than that of *Birmingham* itself. He asked Mr. *Burke*, whether he was ready to discuss the *Bristol* Petition?

Mr. *Burke* replied, yes.

Mr. *Fox* observed, that if any gentlemen suggested that the *Bristol* Petition was surreptitiously obtained, and offered to prove it, the House ought to hear it; but that it came with an ill grace from Ministry, to say that the motives and manner of obtaining Petitions was not to be considered, when their only answer to the Petitions disapproving their conduct, was that they were surreptitiously obtained; that, indeed, there was one difference between the Ministers' imputation and Mr. *Burke's* charge; theirs was a mere voluntary suggestion of their own; Mr. *Burke* offered proof of his.

Mr. *T. Townshend* was for the motion, saying, that if the allegations set forth were true, the persons guilty of procuring such a Petition ought to be looked on as criminals.

Sir *Gilbert Elliot* contended that the persons who petitioned had not been guilty of the least fraud, for they styled themselves only the inhabitants of the Town and neighbourhood of *Birmingham;* and certainly no gentleman would deny but the Petitioners were inhabitants, if not traders.

Mr. *Burke* admitted they might be inhabitants, but contended that the counter-petition delivered on the 27th, of "the principal Merchants, Traders, Manufacturers, and Factors, of *Birmingham*," ought to have a preference to that of the inhabitants only.

Sir *Edward Astley* observed, that had there not been a counter-petition, he should have given a negative to the motion; but as the counter-petition, in his opinion, carried so much more importance with it, he should give his hearty affirmative to the motion.

The question being put, the House divided: Yeas, 37; Noes, 85.

So it passed in the Negative.

The other Order of the Day being read,

The House resolved itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon *Thursday*, the 19th day of this instant, *January*, and this day, by his Majesty's command.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had made a further progress in the matters to them referred; and that he was directed by the Committee to move that they may have leave to sit again.

Resolved, That this House will, to-morrow morning, resolve itself into a Committee of the Whole House, to consider further of the said Papers.

A Petition of the Mayor, Recorder, Aldermen, and Assistants of the Borough of *Leeds*, in the County of *York*, and of the several other persons whose names are thereunto subscribed, principal Inhabitants, Merchants, Traders, and Manufacturers in the Borough of *Leeds* aforesaid, and in *Wakefield*, *Halifax*, *Bradford*, and other places, within the West Riding of the said County, was presented to the House, and read, setting forth—

That the Petitioners, convinced that the preservation of the commerce of this country and its Colonies, depends upon a due obedience to the laws of *England*, are greatly alarmed at the unwarrantable proceedings now carrying on by the inhabitants of *Boston*, and some other Colonies in *North America*, in open defiance of the supreme Legislative power of this Kingdom, manifestly obstructing commerce, and subverting all legal Government; and that the Petitioners have great reason to believe attempts are now making to excite groundless fears and apprehensions in the minds of many of his Majesty's faithful subjects in this Kingdom, respecting the present situation of *American* affairs, and by false representations, and other undue means, to prevail upon them to sign Petitions to the House for a repeal of several Acts of Parliament; and that the Petitioners, on the contrary, apprehend the maintaining the authority of the *British* Legislature, is the best security for all interested in the trade to *America;* and, therefore, praying the House to take such measures as may seem to them most expedient for enforcing a due obedience to the *British* Legislature, and restoring order and good Government in *America*.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words, "it is referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, by his Majesty's command," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question,

It was resolved in the Affirmative.

Then the main question being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

A Petition of the Merchants of *Leeds*, trading to the *North American* Colonies, or having property there, was presented to the House, and read, setting forth—

That by means of the *North American* commerce carried on directly from the Town of *Leeds*, to the *North American* Colonies, as also by the very great quantities of the Manufactures of the said Town and neighbourhood, passing to the said Colonies, through the hands of the Merchants of *London*, *Bristol*, *Liverpool*, *Glasgow*, &c., the Petitioners have been enabled greatly to extend the Manufactures of the said Town and County, and given thereby a large employ to a great number of master Manufacturers, and to many thousands of their industrious poor Labourers; and that the *North American* commerce from the said Town and neighbourhood, taken collectively in its full extent, is an object of great concern to the West Riding of *Yorkshire* in general, to the Petitioners in particular, and worthy the attention of Parliament; and that, by the unhappy differences lately broke forth between *Great Britain* and her *American* Colonies, the Petitioners labour under the present stagnation of that branch of trade, which in years past has been too considerable not to be sensibly felt by themselves, and in time will be much more so by the industrious Manufacturers of the said Town and neighbourhood; and that the Petitioners having very considerable property in the hands of the *North Americans*, they cannot, in the present critical situation of affairs, but be anxious for the safety thereof, although in ever so honest hands the same may be deposited; the Petitioners, therefore, alarmed for themselves and families, at the same time feeling for the distresses of those to whom in times past they have been enabled to give support, confiding in the wisdom, the justice, and the moderation of Parliament, pray such relief as to the House shall seem meet.

Digitized by Google

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, by his Majesty's command;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words, "the Petition of the "Merchants, Traders, and others, of the City of *London*, "concerned in the commerce of *North America*, is refer-"red," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question,

It passed in the Negative.

And the question being put, that the words "the Peti-"tion of the Merchants, Traders, and others, of the City "of *London*, concerned in the commerce of *North Ame-"rica*, is referred," be inserted instead thereof,

It was resolved in the Affirmative.

Then the main question, so amended, being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

The Lord *North* presented to the House, by his Majesty's command,

No. 1. Extract of a Letter from the Honourable Governour *Gage*, to the Earl of *Dartmouth*, dated *Boston*, 26th of *December* 1774; received 31st *January*, 1775, enclosing,

No. 2. Copy of a Letter from Governour *Wentworth* to Governour *Gage*, dated 14th of *December*, 1774.

No. 3. Copy of a Letter from Captain *Cochran* to Governour *Wentworth*, dated 14th *December*, 1774.

No. 4. Extracts of a Letter from Governour *Wentworth* to Governour *Gage*, dated 16th *December*, 1774.

No. 5. Extract of a Letter from Lieutenant Governour *Colden* to the Earl of *Dartmouth*, dated *New-York*, 4th *January*, 1775; received 31st *January*.

No. 6. Extract of a Letter from the Deputy Governour of *Pennsylvania* to the Earl of *Dartmouth*, dated *Philadelphia*, 31st *December*, 1774; received 31st *January*, 1775, enclosing,

No. 7. Extracts from the Printed Votes of the Assembly of *Pennsylvania*.

No. 8. Extract of a Letter from Deputy Governour *Eden*, dated *Annapolis*, *Maryland*, 30th *December*, 1774; received 1st *February*, 1775, enclosing,

No. 9. Extract from the *Maryland Gazette*, of *December* 29th, 1774.

No. 10. Copy of a Paper handed about in the City of *Annapolis*.

Together wish a List of said Papers.

And the said List was read.

Ordered, That the Papers be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, by his Majesty's command.

The other Order of the Day being read,

The House resolved itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and this day, by his Majesty's command.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had made a further progress in the matters to them referred; and that he was directed by the Committee to move that they may have leave to sit again.

Resolved, That this House will, to-morrow morning, resolve itself into a Committee of the Whole House, to consider further of the said Papers.

THURSDAY, *February* 2, 1775.

A Petition of the Planters of his Majesty's Sugar Colonies, residing in *Great Britain*, and of the Merchants of *London*, trading to the said Colonies, was presented to the House, and read, setting forth—

That the Petitioners are exceedingly alarmed at an Agreement and Association entered into by the Congress held at *Philadelphia*, in *North America*, on the 5th day of *September*, 1774, whereby the Members thereof agreed and associated for themselves and the inhabitants of the several Provinces lying between *Nova-Scotia* and *Georgia*, that, from and after the 1st day of *December*, 1774, they would not import into *British America*, any Molasses, Syrups, Paneles, Coffee, or Pimento, from the *British* Plantations; and that after the 10th day of *September*, 1775, if the Acts and the parts of Acts of the *British* Parliament therein mentioned are not repealed, they would not directly or indirectly, export any Merchandise or commodity whatsoever to the *West Indies*; and representing to the House that the *British* property in the *West India* Islands amounts to upwards of thirty millions sterling; and that a further property of many millions is employed in the commerce created by the said Islands, a commerce comprehending *Africa*, the *East Indies*, and *Europe*; and that the whole profits and produce of those capitals ultimately centre in *Great Britain*, and add to the national wealth, while the navigation necessary to all its branches, establishes a strength which wealth can neither purchase nor balance; and that the Sugar Plantations in the *West Indies* are subject to a greater variety of contingencies than many other species of property from their necessary dependence on external support; and that, therefore, should any interruption happen in the general system of their commerce, the great national stock thus vested and employed must become unprofitable and precarious; and that the profits arising from the present state of the said Islands, and that are likely to arise from their future improvement, in a great measure depend on a free and reciprocal intercourse between them and the several Provinces of *North America*, from whence they are furnished with Provisions and other Supplies absolutely necessary for their support and the maintenance of their Plantations; and that the scarcity and high price in *Great Britain*, and other parts of *Europe*, of those articles of indispensable necessity, which they now derive from the middle Colonies of *America*, and the inadequate population in some parts of that Continent, with the distance, danger, and uncertainty of the navigation from others, forbid the Petitioners to hope for a supply in any degree proportionate to their wants; and that, if the first part of the said Agreement and Association for a Non-Importation hath taken place, and shall be continued, the same will be highly detrimental to the Sugar Colonies; and that, if the second part of the said Agreement and Association for a Non-Exportation shall be carried into execution, which the Petitioners do firmly believe will happen, unless the harmony that subsisted a few years ago between this Kingdom and the Provinces of *America*, to the infinite advantage of both, be restored, the Islands, which are supplied with most of their subsistence from thence, will be reduced to the utmost distress, and the trade between all the Islands and this Kingdom, will of course be obstructed to the diminution of the publick Revenue, to the extreme injury of a great number of Planters, and to the great prejudice of the Merchants, not only by the said obstruction, but also by the delay of payment of the principal and interest of an immense debt due from the former to the latter; and, therefore, praying the House to take into their most serious consideration that great political system of the Colonies heretofore so very beneficial to the mother country and her Dependencies, and adopt such measures as to them shall seem meet, to prevent the evils with which the Petitioners are threatened, and to preserve the intercourse between the *West India* Islands and the Northern Colonies, to the general harmony and lasting benefit of the whole *British* Empire; and that they may be heard by themselves, their Agents, or Counsel, in support of their Petition.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom it is refer-

Digitized by Google

red to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and yesterday, by his Majesty's command; and that the Petitioners be heard by themselves, their Agents, or Counsel, before the said Committee, in support of their Petition, if they think fit;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the words "and that the Petitioners," and inserting the words, "the "Petition of the Merchants, Traders, and others, of the "City of *London*, concerned in the commerce of *North* "*America*, is referred," instead thereof;

And the question being put, that the words proposed to be left out, stand part of the question,

It passed in the Negative.

And the question being put, that the words, "the Peti- "tion of the Merchants, Traders, and others, of the City "of *London*, concerned in the commerce of *North Ame-* "*rica*, is referred," be inserted instead thereof,

It was resolved in the Affirmative.

Then the main question, so amended, being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred; and that the Petitioners be heard by themselves, their Agents, or Counsel, before the said Committee, in support of their Petition, if they think fit.

The Order of the Day being read;

The House resolved itself into a Committee of the Whole House to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and yesterday, by his Majesty's command.

Lord *North* recapitulated the information contained in the Papers; discriminated the temper of the Colonies; pointed out those where moderation prevailed, and where violence was concealed under the appearance of duty and submission; and named such as he thought were in a state of actual rebellion. He spoke of arts which he asserted were employed on both sides the *Atlantic* to raise this seditious spirit. He drew a comparison between the burdens borne by the people of *Great Britain* and those of *America*. The annual taxes paid by the inhabitants of *Great Britain*, he said, amounted to ten millions sterling, exclusive of the expenses of collection; and the number of inhabitants of *Great Britain* he supposed to be eight millions, therefore every inhabitant paid at least twenty-five Shillings annually. The total taxes of the Continent of *America* amount to no more than seventy-five thousand Pounds; the number of inhabitants of *America* were three millions, therefore an inhabitant of *America* paid no more than six Pence annually. He then proceeded to lay down the Legislative supremacy of Parliament; stated the measures adopted by *America* to resist it, and the almost universal confederacy of the Colonies in that resistance. Here, he said, he laid his foot on the great barrier which separated, and for the present disunited both countries; and on this ground alone of resistance and denial, he raised every argument leading to the motion he intended to make; which, he said, would be for an Address to the King, and for a conference with the Lords, that it might be the joint Address of both Houses. He hinted that the measures intended to be pursued, in case the King should comply with their Address, were to send more Force; to bring in a temporary Act to put a stop to all the foreign trade of *New England*, particularly to their fishery on the banks of *Newfoundland*, till they returned to their duty; at the same time declaring that whenever they should acknowledge the supreme authority of the *British* Legislature, pay obedience to the laws of this Realm, and make a due submission to the King, their real grievances, upon their making proper application, should be redressed. His Lordship observed that the other Colonies were not so culpable, and he hoped might yet be brought to a sense of their duty to the mother country by more lenient measures. The question, he said, lay within a very narrow compass: it was simply, whether we should abandon this claim, and at once give up every advantage arising both from the sovereignty and the commerce, or to ensure both? Or whether we should resort to the measures indispensably necessary on such an occasion? He concluded with moving,

"That an humble Address be presented to his Majesty, "to return his Majesty our most humble thanks for having "been graciously pleased to communicate to this House "the several Papers relating to the present state of the "*British* Colonies in *America*, which, by his Majesty's "commands, have been laid before this House, and from "which, after taking them into our most serious considera- "tion, we find that a part of his Majesty's subjects in the "Province of the *Massachusetts Bay* have proceeded so "far to resist the authority of the supreme Legislature, that "a rebellion at this time actually exists within the said "Province; and we see, with the utmost concern, that "they have been countenanced and encouraged by unlaw- "ful combinations and engagements entered into by his "Majesty's subjects, in several of the other Colonies, to "the injury and oppression of many of their innocent fel- "low-subjects resident within the Kingdom of *Great Bri-* "*tain*, and the rest of his Majesty's Dominions; this con- "duct on their part appears to us the more inexcusable, "when we consider with how much temper his Majesty "and the two Houses of Parliament have acted in support "of the Laws and Constitution of *Great Britain*; to de- "clare that we can never so far desert the trust reposed in "us as to relinquish any part of the sovereign authority "over all his Majesty's Dominions, which by law is vested "in his Majesty and the two Houses of Parliament; and "that the conduct of many persons, in several of the "Colonies, during the late disturbances, is alone sufficient "to convince us how necessary this power is for the pro- "tection of the lives and fortunes of all his Majesty's sub- "jects; that we ever have been, and always shall be, ready "to pay attention and regard to any real grievances of any "of his Majesty's subjects which shall, in a dutiful and "constitutional manner, be laid before us; and whenever "any of the Colonies shall make a proper application to "us, we shall be ready to afford them every just and rea- "sonable indulgence; but that, at the same time, we con- "sider it as our indispensable duty humbly to beseech his "Majesty that his Majesty will take the most effectual "measures to enforce due obedience to the laws and au- "thority of the supreme Legislature; and that we beg leave, "in the most solemn manner, to assure his Majesty that it "is our fixed resolution, at the hazard of our lives and "properties, to stand by his Majesty, against all rebellious "attempts, in the maintenance of the just rights of his "Majesty and the two Houses of Parliament."

Mr. *Dunning:* Sir, the noble Lord has endeavoured, by every light into which he can throw the question, to prove that the resistance of the *Americans*, though it has gone no further than Votes and Resolutions, is actual and open rebellion, and we are to come to a Resolution declaratory of the same idea; I think, sir, that there is no difficulty in proving the direct contrary position; that the *Americans* are not in rebellion, that the Votes and Resolutions of the several Congressess, both Provincial and Continental, are decent and moderate, though firm declarations of the estimation in which liberty ought to be held, and tempered with the highest expressions of loyalty and duty to their Sovereign. Against what is it that they rebel? Do they deny allegiance to his Majesty? Are they in arms in opposing the King's Troops? By what explanation, or by what misconception their conduct is now to be branded with so violent and so fatal an epithet, I cannot apprehend. You passed Acts in the last session, which, instead of governing *America*, carried tyranny into the bowels of *America*, and overturned all legal constitution in one of their Provinces; and you utterly ruined the capital of the Empire in that part of the world, by way of punishing the insolence of a mob. You executed those Acts by force of Arms; the people of the Colonies thinking themselves tyrannically used, and conceiving that the nature of their dependency upon the Parliament of *Great Britain* was not well understood on either side of the water, in order to treat with this country upon such momentous points, convened a General Congress; the Deputies met in that Congress, came to Resolutions declaratory of their ideas of their submission unto *Britain*, full of duty and allegiance to the King, and respect towards Parliament; but as all free countries have licentious subjects, and freedom in that country is attended

Digitized by Google

with licentious newspapers, we, the Parliament of *Great Britain*, are to overlook the conduct of the Congress, and search for proofs of rebellion among the *American* mobs and Colony newspapers, which have actually been laid before us as state-papers, upon which we are to form our resolutions; yet in the action of those mobs, and in the expressions of these newspapers is not rebellion to be found. And it must be by the most sophistical of all arguments, that such a deduction is to be drawn; a people governed by a Constitution subordinate to our own, but the extent and powers of which are unknown even to ourselves, professing the utmost loyalty and obedience to the King, and using no violence against his Troops, nor being any where in arms, cannot, but by the utmost perversion of sense and expression, be denominated Rebels. I insist that *America* is not in a state of rebellion. I insist that every appearance of riot, disorder, tumult, and sedition, which the noble Lord has so faithfully recounted from newspapers, arises not from disobedience, treason, or rebellion, but is created by the conduct of those who are anxious to establish despotism; and whose views are manifestly directed to reduce *America* to the most abject state of servility, as a prelude to the realizing the same wicked system in the mother country. He concluded by insisting that an opposition to arbitary measures was warranted by the Constitution, and established by precedent.

Mr. Attorney General *Thurlow:* Sir, the honourable and learned gentleman has greatly exerted his eloquence in order to prove that the present situation of the *Americans* is not that of rebellion. The errour of this idea is pointed out by simply recurring, not to the elaborate arguments of so learned a gentleman, but to the deduction of common sense only. The several Provincial Meetings have ordered an arrangement of the Militia; that the fencible men hold themselves armed, accoutred, and ready for actual service; that thirty rounds of Powder and Ball be provided. And the inhabitants of the Colonies are so alert in obeying these orders, that they go beyond their commission, and seize upon the King's Artillery and Stores; the whole Continent joining in one universal voice of disobedience to the Legislature of this country. Now, sir, if this is not rebellion, I desire the learned gentleman will explain what is rebellion. Throwing the stress of his argument on the point of proving that the Colonists situation is not that of rebellion, is implying that the present proposition is wrong only on that account; and admitting that if they were in rebellion, the present measures would be perfectly right. By every principle of policy, we ought to render ourselves as secure as possible; and if we heard that such menacing circumstances as I have mentioned were breaking out in *Scotland*, in *Ireland*, or *Cornwall*, would not the Ministry deserve impeachment, if they took no previous measures to smother those seeds of rebellion before they grew up too powerful for resistance. Should they wait till all the parties had joined, and were on one march to *London?* The cases are similar; if the Colonists are allowed to proceed, they join in one powerful army, to resist which will be more difficult, and attended with more mischief, than to prevent the evils of such a campaign by vigorous measures before their forces are in a field: I speak openly upon this point, because I am convinced their intentions are to open hostility against the Troops, and to become independent of this country; and nothing can prevent their throwing off their allegiance, and becoming independent states, and this country losing all the commercial advantages from them she ever enjoyed, but a vigorous adherence to the measues now proposed.

Colonel *Grant* said he had served in *America*, and knew the *Americans* well; was certain they would not fight. They would never dare to face an *English* Army, and did not possess any of the qualifications necessary to make a good soldier; he repeated many of their common place expressions, ridiculed their enthusiasm in matters of religion, and drew a disagreeable picture of their manners and ways of living.

Mr. *Charles Fox* spoke better than usual. He entered fully into the question; pointed out the injustice, the inexpediency, and folly of the motion; prophesied defeat on one side the water, and ruin and punishment on the other. He moved an amendment to omit all the motion, but the three or four first lines, and to substitute the following words: "But deploring that the information which they "(the Papers) have afforded serves only to convince the "House that the measures taken by his Majesty's servants "tend rather to widen than to heal the unhappy differ-"ences which have so long subsisted between *Great Bri-"tain* and *America*, and praying a speedy alteration of the "same."

Mr. *Grenville*, spoke well in support of the Legislative power and controlling supremacy of Parliament; but entirely disapproved of the present measures as every way improper, intemperate, and impolitick.

Mr. *Cruger* said, though interested as he was in the business before the House, he should have remained silent had he not conceived that an honourable gentleman (Colonel *Grant*) had thrown some undeserved reflections on the *Americans*, which he should take some notice of before he sat down, but that he chose first to pay a little attention to the general business. He observed that the dispute between this country and her Colonies was of such infinite importance to both, that he hoped he should be forgiven if he said it would be imprudent to enter into it, but with the utmost caution and deliberation; that we were now like men walking on the brink of a precipice; that there was danger in every step, and that, in his opinion, the salvation of this country depended on the measures that were adopted by the House this night. He then apprized the House that the settlement of the unhappy disputes between *England* and *America* did not particularly concern any set of men, whether in or out of Administration; that it related to all, was connected with all, and materially affected the interests of the whole state. He then strongly recommended to all parties to go into an examination of the question, free from resentment or prejudice; to consider it with impartiality, to discuss it with temper, and to adopt with unanimity any salutary proposition, regardless of the man or party that may suggest it. He then endeavoured to vindicate the *Americans*, both as to their courage and gallantry, (in opposition to the assertions of the Colonel:) the latter he did with much good humour and pleasantry, but lost his temper in the former, became personal, and was called to order. He concluded with saying, that as many schemes of accommodation were talked of, he earnestly wished that some one might be adopted which would tend to restore the harmony and affection that once subsisted between *Great Britain* and her Colonies, and produced so many invaluable blessings to both.

Captain *Luttrell*. Notwithstanding the variety of opinions, information, and arguments we have heard from the different parts of this House, in the course of the several debates respecting our differences with *America*, I fear if we venture to consider them in a right point of view, we shall find they have put this country into a situation we are not yet sufficiently aware of, but which requires a very serious attention. Sir, I know it is unfashionable, and by some it will be reckoned troublesome, to talk of our marine in Parliament in times of peace; but after the recent proof we have had of the good disposition of a great majority of the Commons of *England* towards it, I have no doubt but they will cheerfully listen to the concerns of the Navy; and as the Papers now lying before us make it very materially necessary for me to mention them, I must risk the displeasure of a few individuals, who perhaps from interest or iniquity, have shown an inclination to keep us in the dark. Sir, I congratulate Administration upon the safe arrival of one half of Captain *Le Crass's* squadron at *Boston*, because it is attended with this fortunate circumstance, that we know where to find those Ships, and so have the power to recall them from a country where they must prove totally useless, to one that may possibly need their protection. Sir, it seems to me very unaccountable, for what useful purposes these two deck Ships could be sent to *Boston*, though I did indeed expect, in the course of the correspondence between Vice-Admiral *Graves* and the Board of Admiralty, some plausible excuse would have been offered us for disarming this country. But though, sir, in this respect, and many others, these letters convey but very limited and insufficient information, they at least tend to authenticate my assertions. For, sir, Admiral *Graves*, in the very curious accounts he gives us of his situation, in his letters to Mr. *Stephens*, observes, [Here he read several extracts from the *American* Letters] that the only part of

Digitized by Google

the Fleet he can employ in actual service, is the twenty-gun Ships and small crafts; for which reason he has been obliged to purchase several Schooners to perform the King's service; that the rest of the Fleet are frozen up, and reduced to act upon the defensive. But, sir, I must request that the letter of the 14th of *January*, from the Lords of the Admiralty to the Earl of *Dartmouth*, may be read. Now, sir, I believe there is not a Member in this House that would not expect as much as I did, that the information alluded to in that letter, and the correspondence said to accompany it, should of course follow; and I had indeed some curiosity to see by what magick art the Admiral could station and dispose of a Fleet, which, according to his account and my belief, may be long since locked up in the ice, and attackable from the shore. Loaded wagons have been known to pass upon the ice at *Boston* at this season of the year. But, sir, not one line of this information is laid before us, though it clearly relates to matters of fact, not of opinion. I conclude there are reasons of state for suppressing it, and therefore shall make no comments on the subject. The House will draw their inferences; I, as a seaman, know how to draw mine. Sir, if the epithet of Traitor be applicable to him who feels for the commerce and persecutions of *America*, I think the *English* language wants a name for that man who knowingly and wantonly disarms this country, with no better view nor no other hope than to destroy her Colonies. The *Americans*, however, feel this consolation, that every Ship and every Regiment you send to *Boston*, serves but to add strength to their cause; for without much pretension to prophecy, I think I may venture to foretel, that the history of these dissensions will be similar to that in the reign of Queen *Elizabeth*, when the troubles subsisted in *Ireland*. Sir, the Queen, as impatient to subdue the *Irish* as you have been the *Americans*, sent a large Army into that country; and did it immediately answer the end proposed? By no means; the *Irish* continued to gain strength daily, insomuch, that the Queen, demanding of her Ministers to know the cause of it, received for answer, that her Majesty's Army being there was the true reason; for that their money had found its way into the country, which not only enabled her opponents to purchase Ammunition, and all sorts of warlike Stores, but even to hire foreign officers to act against her. Sir, let us look towards *America*, and see if this anecdote is not applicable to the present times. But, sir, I must express my surprise, when I consider our insular situation and the true interest of this great commercial country, at the precipitate and indecent manner in which the reduction of the Navy at this important crisis was determined on. Sir, a partial letter produced from one of the Ports, not the most considerable one neither, and a lumped account of a supposed number of seamen in that country or in this, was all the information the House seemed entitled to, to enable us to judge of the eligibility of reducing our Naval force; but it is true, a certain noble Lord did afterwards condescend to re-assume the subject, though in a language which appeared to me strange and ungracious. Sir, his Lordship congratulated us upon being able to reduce the Navy Establishment to that of the year 1769; but, sir, he very ingeniously forgot to remind us, that there are one thousand six hundred effective men gone in four large Ships towards *America*, which are the complement of five sail of Guard-Ships; so that though the establishment be the same, our Naval force at home is already a quarter part inferiour to what it was in 1769; and, sir, I am sorry to see this reduction made at a time when, I believe, it is pretty well known that the *Spaniards* maintain a large Fleet, under pretence of being at war with the Emperor of *Morocco;* and that the *French*, without paying them much compliment, are not less formidable in these Seas than we are; for, sir, from the best accounts I can procure at the different Ports, the numbers of seamen and marines left for the defence of this country, on board the several Guard-Ships and at quarters, do not exceed six thousand five hundred effective men, out of the twenty thousand voted last year by Parliament; how many of the remainder are in other parts of the world, is neither possible nor necessary for me to determine. But, sir, in this situation, is it sensible, is it politick, nay, is it safe, to pursue such coercive measures as, in my opinion, could only be justified if *America* and *Great Britain* were contending for the sovereignty of another Empire? Are we sure, sir, a desperate people, made so by persecution and oppression, will not commit a desperate act; and, in imitation of ourselves in former times, sue to some other Power for protection? Can we believe, sir, that the *French* and *Spaniards* will look any longer with an eye of indifference on these disputes, than may be consistent with their interest to do so; or that they have not, at this very hour, priests and emissaries in *America*, aided, perhaps, by your new Roman Catholick subjects, to blow the coal of contention between *America* and this country? Do we not know, sir, that the *Spaniards* have never abandoned the claim they set up to *Jamaica;* and may we not expect, from their conduct at *Falkland's* Island, they wait such a favourable opportunity as this to commence hostilities against us? Or can we believe that the *French* will ever forget the manner in which you made reprisals previous to the commencement of the late war? I fear, indeed, we are about to pursue an effectual, unconquerable, though unconstitutional method, to lay a permanent embargo on our trade; but it is still possible that the *French*, by way of reciprocity, may insult your Coasts, while great part of your Fleet is frozen up in a distant country. But, sir, I must do the noble Lord on the opposite bench the justice to say, that he has been uniformly explicit in his principles respecting the Navy; he tells us to be jealous of it; that it is the favourite service, and that we must be cautious not to bestow too much upon our Fleet. Alas, sir, the officers of the Navy know by experience, that under the present Administration there is little prospect of either honours or emoluments being bestowed on their service, that need create a jealousy; though, sir, I am aware it may be accounted ungrateful if I omit to acknowledge those very high and distinguished marks of his Majesty's favour conferred on a late memorable occasion, no doubt at the recommendation of the Ministers too, upon some of the oldest flag-officers and most respectable characters in the *English* Navy; sir, I mean the honour of Knighthood. Such flattering testimony of royal approbation, I admit was sufficient to create a sort of jealousy wherever the news went forth. Sir, those dignified characters will undoubtedly command uncommon respect both abroad and at home. The event has given a consequence to the Naval service, and the youth of it look up with emulation to those high honours they may possibly arrive at, on the close of a life of danger and fatigue, spent in the service of their country. But, sir, I marvel not at this, because the noble Lord, upon a former occasion, was pleased to tell us, that the question with him was, how cheap we could be served? Sir, such an expression might possibly be well adapted to a parcel of *Hessians*, for I would give his Lordship's economy all due credit where it was consistent with the honour and safety of the Nation; and it might probably prove useful to this country, if he will extend them to the Civil as well as the Military departments of the state. Then, sir, on a fair investigation of the merits, should it appear that the Navy and Army receive more than a proportionable share of the loaves and fishes, let a part of them be appropriated to the inestimable services of the Lords of Treasury, Admiralty, and Trade. Sir, I think the noble Lord who moved this Address, has ventured to assert that Administration have a plan to intercept the trade of the *Americans*, by means of our Fleet cruizing on their Coast. Now, sir, I can divine but one source from whence such an idea can possibly spring; and if I am right in my suggestion, I must dread the future consequences of a certain summer excursion. Sir, I have long been aware that they are attended with a very great and unnecessary expense to the publick, and that the honours of the flag have been shamefully prostituted to the supercilious vanity of those who, as individuals, are by no means entitled to the distinctions they have desired and exacted. But, sir, I have hitherto considered these Naval expeditions to be more like the pageantry of the luxurious Queen of *Egypt* on the *Cydnus*, than like a serious and official inspection into the real state of our marine. If, sir, however, from exploring our cold shore, a judgment has been formed of the frozen Coasts of *America*, I fear we shall, ere long, experience the fatal consequences of such a conjecture. Sir, it is next to impossible that the King's Ships should keep the Sea in the Northern parts of that country, from *November* to *June;* and therefore, sir, however the leaders of Government may be disposed to-

Digitized by Google

wards the officers of the Navy, I will entreat them to pay some regard to the safety of the Fleet, and a little attention to the situation of this country. Then, I hope, sir, that both humanity and interest will dictate to them not to sport with the lives of the few seamen now employed.

Mr. *Cosmo Gordon* was against any compromise or lenient measures with *America*, until she entirely submitted.

Mr. *Burke*, who was this day much indisposed, laid forth the numerous ill consequences that must inevitably follow; called the present moment the true crisis of *Britain's* fate; painted the dreadful abyss into which the Nation was going to be plunged; called upon the commercial part of the House to rouse themselves at the open declaration of their approaching ruin, and pathetically described to the landed interest the fatal effects that must inevitably reach them.

The *Solicitor General* defended the measure. He gave every allowance for, and paid all deference to, the interests of Commerce and Manufactures; but contended that in the present case interests were concerned of yet greater consequence; that all the world must acknowledge, that when the clearest rights of the Legislative power of a country were invaded and denied, and when in consequence, the people so denying were in actual and open rebellion, that then there were points of greater importance to be settled and decided, than those of Commerce and Manufacture; An enemy in the bowels of a Kingdom was surely to be resisted, opposed, and conquered, notwithstanding the trade that might suffer, and the fabricks that might be ruined. That descriptions of the immense consequence of our *American* trade were arguments rather against the opposing Members than for them; for the greater the consequence of the Commerce, the greater the care ought to be, and the firmer the policy that was to preserve it; that the question was not now the importance of the *American* Colonies, but the possession of the Colonies at all.

The question being put on the amendment moved by Mr. *Fox*, the Committee divided: Yeas, 105; Noes, 304.

So it passed in the Negative.

The question then being put, on Lord *North's* motion for an Address, the Committee divided; Yeas, 296; Noes, 106.

So it passed in the Affirmative.

Mr. Speaker then resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had made a further progress in the matters to them referred, and had come to a Resolution, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received upon *Monday* morning next.

Sir *Charles Whitworth* also acquainted the House that he was directed by the Committee to move that they may have leave to sit again.

Resolved, That this House will, upon *Monday* morning next, resolve itself into a Committee of the Whole House, to consider further of the said Papers.

FRIDAY, *February* 3, 1775.

Ordered, That there be laid before this House an Account of the quantities of Sugar imported into *Great Britain* from the *British* Colonies and Plantations, from Christmas, 1762, as far as the same can be made up; distinguishing each Colony and each year.

Ordered, That there be laid before this House an Account of the quantities of *Muscovado* Sugar, and of refined Sugar, exported from *Great Britain*, from Christmas, 1762, as far as the same can be made up; distinguishing each year; and the quantities exported to *North America*.

Ordered, That there be laid before this House an account of the amount and value of the Imports from the *British* Sugar Colonies into *Great Britain*, from Christmas, 1762, as far as the same can be made up; distinguishing each Colony and each year.

Mr. *Tomkyns*, one of the Commissioners of the Customs, presented to the House, pursuant to their orders,

An Account of the amount of the Drawbacks paid out of the produce of the Customs in *England*, for the three years ending at Christmas, 1773; distinguishing each year; and also,

An Account of all *British* Plantation Tobacco imported into that part of *Great Britain* called *England*, from the year 1760, to the 5th of *January*, 1774; and the quantity exported from *England* in the same period; distinguishing the Exports and Imports in each particular year, which is as far as the same can be made up; and also,

An Account of the value of the Exports and Imports to and from *North America* and *England*, from Christmas, 1762, to Christmas, 1773, which is as far as the same can be made up; distinguishing each Colony and each year; and also,

An Account of the value of the Exports and Imports to and from the *West Indies* and *England*, from Christmas, 1762, to Christmas, 1773, which is as far as the same can be made up; distinguishing each Island and each year.

The Order of the Day being read,

Resolved, That this House will, upon *Wednesday* morning next, resolve itself into a Committee of the Whole House, to consider further of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, and of the several Petitions referred to the consideration of the said Committee.

MONDAY, *February* 6, 1775.

Ordered, That there be laid before this House an account of all the Corn, Flour, and Bread, imported from *North America* into that part of *Great Britain* called *England*, from *January*, 1767, as far as the same can be made up; distinguishing each kind of Grain, and the quantity imported in each year.

Sir *Charles Whitworth*, according to order, reported from the Committee of the Whole House, to whom it was referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the first day of this instant, *February*, by his Majesty's command, the Resolution which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the Clerk's table, where the same was read, and is as followeth, viz:

Resolved, That it is the opinion of this Committee that an humble Address be presented to his Majesty, to return his Majesty our most humble thanks for having been graciously pleased to communicate to this House the several Papers relating to the present state of the *British* Colonies in *America*, which by his Majesty's commands, have been laid before this House, and from which, after taking them into our most serious consideration, we find that a part of his Majesty's subjects in the Province of the *Massachusetts Bay*, have proceeded so far to resist the authority of the supreme Legislature, that a rebellion at this time actually exists within the said Province; and we see with the utmost concern, that they have been countenanced and encouraged by unlawful combinations and engagements entered into by his Majesty's subjects in several of the other Colonies, to the injury and oppression of many of their innocent fellow-subjects resident within the Kingdom of *Great Britain* and the rest of his Majesty's Dominions. This conduct on their part appears to us the more inexcusable, when we consider with how much temper his Majesty and the two Houses of Parliament have acted in support of the Laws and Constitution of *Great Britain*; to declare that we can never so far desert the trust reposed in us, as to relinquish any part of the sovereign authority over all his Majesty's Dominions, which by law is vested in his Majesty and the two Houses of Parliament; and that the conduct of many persons in several of the Colonies, during the late disturbances, is alone sufficient to convince us how necessary this power is for the protection of the lives and fortunes of all his Majesty's subjects; that we ever have been, and always shall be ready to pay attention and regard to any real grievances of any of his Majesty's subjects, which shall in a dutiful and constitutional manner be laid before us; and whenever any of the Colonies shall make a proper application to us, we shall be ready to afford them every just and reasonable indulgence; but that, at the same time, we consider it as our indispensable duty humbly to beseech his Majesty, that his Majesty will take the most essential measures to enforce due obedience to the laws and authority of the supreme Legislature; and that we beg leave, in the most solemn manner, to assure his Majesty, that it is our fixed

Digitized by Google

resolution, at the hazard of our lives and properties, to stand by his Majesty against all rebellious attempts, in the maintenance of the just rights of his Majesty and the two Houses of Parliament.

Lord *John Cavendish* moved that it be recommitted. He strongly recommended the reconsideration of a measure which he deemed fraught with so much mischief; commented on the proposed Address; thought it improper to assert that a rebellion existed; mentioned the insecurity created by the Act for changing the Government of *Massachusetts Bay;* said the inhabitants knew not for a moment under what Government they lived. His head and heart combined to deprecate the horrours of civil war, necessarily involving a foreign one also, with the combined forces of very powerful Nations. He represented the jealousy of our neighbours, from their disgrace and our glory in the last war. If the *Americans* should hear of our having declared them Rebels, and that more force was coming, might they not determine rather to attack a part than wait for the whole? a small rather than a greater number? He stated our domestic situation, our state with the Colonies and with foreign Powers. He called the attention of the House to the unequal balance of our loss and our gain in the event; in which we might find our Revenue destroyed, our Trade annihilated, and our Empire itself overturned; and if we succeeded in subduing *America*, we could gain nothing.

Lord *Lumley* seconded the motion. He expressed himself with modesty, handsomely making his youth a personal plea for his wishing the utmost time for reconsideration on a matter so important.

The Lord Mayor, Mr. *Wilkes*. Mr. Speaker: the business before the House, in its full extent, respecting the *British* Colonies in *America*, is of as great importance as was ever debated in Parliament. It comprehends almost every question relative to the common rights of mankind, almost every question of policy and legislation. I do not mean to enter into so vast, so well-trodden a field. I will confine myself to the immediate business of this day. The Address now reported from the Committee of the Whole House, appears to be unfounded, rash, and sanguinary. It draws the sword unjustly against *America;* but before Administration are suffered to plunge the Nation into the horrours of a civil war, before they are permitted to force *Englishmen* to sheath their swords in the bowels of their fellow-subjects, I hope this House will seriously weigh the original ground and cause of this unhappy dispute, and in time reflect whether justice is on our side, and gives a sanction to the intended hostile proceedings. The assumed right of taxation, without the consent of the subject, is plainly the primary cause of the present quarrel. Have we, then, sir, any right to tax the *Americans*? That is the great important question. The fundamental laws of human nature, and the principles of the *English* Constitution, are equally repugnant to the claim. The very idea of property excludes the right of another's taking any thing from me without my consent, otherwise I cannot call it my own. No tenure can be so precarious as the will of another. What property have I in what another person can seize at his pleasure? If any part of my property is subject to the discretionary powers of others, the whole may be so likewise. If we can tax the *Americans* without their consent, they have no property; nothing they can call their own with certainty; for we might by violence take the whole as well as the part. The words liberty and property, so dear to an *Englishman*, so pleasing in our ears, would become a cruel mockery, an insult to an *American*. The laws of society are professedly calculated to secure the property of each individual, of every subject of the state. This point is no less clearly determined by the great principles of that happy Constitution under which we live. All subsidies to the Crown have always been considered, and expressly declared, to be grants from the Commons of the Realm, free gifts from the people. Their full consent is stated in the grant. Much has been said of the Palatinate of *Chester*, and the Principality of *Wales*, and the period of their taxation; but, sir, there is a more remarkable case in point, which alone would determine this question. If gentlemen will search the Records in the Tower, and the Chapel of the Rolls, they will find that the Town of *Calais*, in *France*, when it belonged to the Imperial Crown of this Realm, was not taxed till it sent a Representative to Parliament. A *Thomas Fowler* actually sat and voted in this House as a Burgess of the Town of *Calais*. From that period, and not till then, was *Calais* taxed. The Writ out of Chancery, and the Return in the reign of *Edward* Sixth, are still extant. I faithfully gave them to the publick from attested copies.

It will, I foresee, sir, be objected; is *America* then to enjoy the protection of *Great Britain*, and to contribute nothing to the support of that parent state, which has so long afforded it safety and security, which has carefully and tenderly nursed it to this hour of its present strength and greatness? The *Americans* themselves have given the fullest answer to this objection, in a manner not to be controverted, by their conduct through a long series of years, and by the most explicit declarations. Equally in words and actions, of the most unequivocal nature, they have demonstrated their love, their ardour, their strong filial piety towards the mother country. They have always appeared ready, not only to contribute towards the expenses of their own Government, but likewise to the wants and necessities of this state, although perhaps they may not be over-fond of all the proud, expensive trappings of royalty. In the two last wars with *France*, they far exceeded the cold line of prudence. With the most liberal hearts, they cheerfully gave you nearly their all, and they fought gallantly and victoriously by your side, with equal valour against our and their enemy, the common enemy of the liberties of *Europe* and *America*, the ambitious, faithless *French*, whom now we fear and flatter. Our Journals, sir, will bear witness to the grateful sense we had of the important services of our brethren in *America*, by the great sums we shall find voted to be repaid them for what they expended in the spirited warlike expeditions, which they carried through with equal courage and conduct. The siege and capture of *Louisbourg*, the various successful operations against the general foe, without the least knowledge, much less participation, on our part, are the fullest proofs of the warm affection of their hearts to this country, and of their readiness to bear more than their share of the publick expense and burthen. But, sir, the whole was the gift of freemen, our fellow-subjects, who feel that they are, and know they have a right to be, as free as ourselves. What is their language even now, at a moment when you are planning their destruction, when you are branding them with the odious appellation of Rebels? In the late Petition of the Congress to the King, they declare, "they are ready and willing, as they ever "have been, when constitutionally required, to demonstrate "their loyalty to his Majesty, by exerting their most strenu-"ous efforts in granting Supplies and raising Forces." This is the unanimous Resolution of a Congress, composed of Deputies from the several Colonies of *New-Hampshire*, *Massachusetts Bay*, *Rhode-Island* and *Providence Plantations*, *Connecticut*, *New-York*, *New-Jersey*, *Pennsylvania*, the Counties of *Newcastle*, *Kent*, and *Sussex*, on *Delaware*, *Maryland*, *Virginia*, and the two *Carolinas*.

I have heard, sir, of a plan of accommodation, which, I believe, would reconcile all differences. But alas, sir, it does not come from any servant of the Crown. It comes from the noble Lord, to whom this country has the most essential obligations; to whom it is so highly indebted for its late splendour and glory. The plan is, to assemble another Congress in the Spring, under the authority of the Parliament of *Great Britain;* the Deputies of the several Colonies to meet together, and to be jointly empowered to regulate the various quotas to be paid by each Province to the General Treasury of the whole Empire. I would, in addition to that plan, propose that a regulation, similar to what actually takes place with respect to *Scotland*, be adopted as to *America*. The proportion of each Colony might be settled according to the Land-Tax in *England*, at one, two, or more Shillings in the Pound. I am not deep politician enough to know what the proportion should be of each Province, which will vary greatly in half a century; but I speak of each quota being at all times to be regulated according to the Land-Tax of this country. The very extensive and flourishing Colonies of the *Massachusetts Bay*, *Virginia*, and *South Carolina*, for instance, should contribute more; the smaller and poorer Colonies of *New-Hampshire* and *New-Jersey*, less; but, sir, I insist, not a Shilling can be taken without their consent. After this day's debate, should the Address now moved for, be

Digitized by Google

carried in this House, I greatly fear that not only this wise plan of the noble Lord, but every idea of a reconciliation between this country and her Colonies, will be utterly impracticable.

The *Americans*, sir, have of late been treated, both within doors and without, in a manner which marks no small degree of injustice, and even a wantonness of cruelty. We have been repeatedly told to-day, that they complain of the Navigation Act, and insist on the repeal of it. We have authentick evidence to the contrary. In the Resolutions of the Congress; they desire only to be put on the footing they were at the close of the late war, "as to the system of Statutes and Regulations;" nor among the various Acts, of which they solicit the repeal, have they once mentioned either the Navigation or Declaratory Act. It has likewise been asserted, that they are forward and angry enough to wish to throw off the supremacy of the mother country. Many express Resolutions, both of the General Congress, and the different Provincial Assemblies, are the fullest evidence of the sense which the *Americans* entertain of their obedience and duty to *Great Britain*. They are too numerous to be quoted. Their full claim, as stated by themselves, is so explicit and clear, that I beg leave to read it to the House from their Petition to the King. It declares, "We ask but for peace, liberty, and safety." Surely, sir, no request was ever more modest and reasonable, no claim better founded. It expressly mentions, "We "wish not a diminution of the prerogative, nor do we soli- "cit a grant of any new right in our favour. Your royal "authority over us, and our connection with *Great Bri-* "*tain*, we shall always carefully and zealously endeavour "to support and maintain."

What a contrast, sir, does this make with the proceedings of Administration at home. They are sedulously endeavouring to tear asunder those powerful ties, which have long and happily knit and bound us together.

The Address, sir, mentions the particular Province of the *Massachusetts Bay* as in a state of actual rebellion. The other Provinces are held out to our indignation as aiding and abetting. Many arguments have been employed by some learned gentlemen among us, to involve them in all the consequences of an open, declared rebellion, and to obtain the fullest orders for our Officers and Troops to act against them as against rebels. Whether their present state is that of rebellion, or of a fit and just resistance to unlawful acts of power, to our attempts to rob them of their property and liberties, as they imagine, I shall not declare. This I know; a successessful resistance is a revolution, not a rebellion. Rebellion indeed appears on the back of a flying enemy; but revolution flames on the breast-plate of the victorious warriour. Who can tell, sir, whether in consequence of this day's violent and mad Address to his Majesty, the scabbard may not be thrown away by them as well as by us; and should success attend them, whether in a few years the independent *Americans* may not celebrate the glorious era of the Revolution of 1775, as we do that of 1688? The generous efforts of our forefathers for freedom, Heaven crowned with success, or their noble blood had dyed our scaffolds, like that of *Scottish* Traitors and Rebels; and the period of our history, which does us the most honour, would have been deemed a rebellion against the lawful authority of the Prince, not a resistance authorized by all the laws of *God* and man, not the expulsion of a Tyrant.

The policy, sir, of this measure, I can no more comprehend, than I can acknowledge the justice of it. Is your force adequate to the attempt? I am satisfied it is not. What are your Armies? And how are they to be kept up and recruited? Do you recollect that the single Province of *Massachusetts Bay* has at this moment thirty thousand men well trained and disciplined? Do you not know that they can bring near ninety thousand men into the field? They will do it, when every thing dear to them is at stake, when they have their liberties to defend against cruel oppressors and invaders. You will not be able to conquer and keep even that single Province. The noble Lord (*North*) with the blue ribband, proposes only ten thousand of our Troops to be there, including the four Regiments now going from *Ireland*; and he acknowledges, with great truth, that the Army cannot enforce the late Act of Parliament. Why then is it sent? *Boston*, indeed, you may lay in ashes, or it may be made a strong Garrison; but the Province will be lost to you. *Boston* will be like *Gibraltar*. You will hold in the Province of *Massachusetts Bay*, as you do in *Spain*, a single Town, while the whole country remains in the power and possession of the enemy. Your Fleets and Armies may keep a few Towns on the Coast, for some time at least; *Boston*, *New-York*, *St. Augustine*; but the vast Continent of *America* will be irrecoverably lost. A few Fortresses on the Coast, and some Seaports only, will remain in your possession. All the back settlements will be independent of you, and will thrive in the rapid progression of your violences and unjust exactions on the Towns. A new and amazing landed interest will be created. The ancient story of the Philosopher *Calanus* and the *Indian* Hide will be verified. Where you tread it will be kept down; but it will rise the more in all other parts. Where your Fleets and Armies are stationed, the possession will be secured while they continue; but all the rest will be lost. In the great scale of Empire, you will decline, I fear, from the decision of this day; and the *Americans* will rise to independence, to power, to all the greatness of the most renowned states; for they build on the solid basis of general publick liberty.

I tremble, sir, at the almost certain consequences of such an Address, founded in cruelty and injustice, equally contrary to the sound maxims of true policy, and the unerring rule of natural right. The *Americans* will certainly defend their property and their liberties with the spirit of freemen, with the spirit our ancestors did, and I hope we should exert on a like occasion. They will sooner declare themselves independent, and risk every consequence of such a contest, than submit to the galling yoke which Administration is preparing for them. An Address of this sanguinary nature cannot fail of driving them to despair. They will see that you are preparing not only to draw the sword, but to burn the scabbard. In the most harsh manner you are declaring them Rebels. Every idea of a reconciliation will vanish. They will pursue the most vigorous measures in their own defence. The whole Continent of *North America* will be dismembered from *Great Britain*, and the wide arch of the raised Empire fall. But I hope the just vengeance of the people will overtake the authors of these pernicious counsels, and the loss of the first Province of the Empire be speedily followed by the loss of the heads of those Ministers who advised these wicked and fatal measures.

Captain *Harvey*. I shall make no apology for intruding on the time of the House, because I think it a duty incumbent on every man, who has the welfare of his country at heart, to speak out on this occasion, and declare his sentiments on so very important a crisis; a crisis, sir, in which I believe this country has not been involved in a more intricate one since the Revolution, and for which we are not only indebted to the refractory spirit of some of those ungrateful subjects on the other side of the *Atlantic*, but to some no less restless ones on this side of it; and which induces me to believe, that as a great Minister once boasted in this House, that he had conquered *America* in *Germany*, so, I very much fear, we shall now be obliged to conquer it, or at least some part of it, again in *England*; for, till we put a stop to the sedition that is so constantly, so artfully, and so shamefully blown from hence, and give a check to those incendiaries who dare breathe forth such inflammatory poison as every newspaper conveys, we can never hope, without the last extremities, to bring the wicked leaders of those deluded people to a sense of their duty.

To acknowledge, sir, the supremacy of the Legislative power of this country over all its Dominions, and dispute the right of that power to exert itself, as it shall judge best for the good of the whole, is, in my humble opinion, too puerile and too trifling to throw away an argument upon; and, in our present situation with the Colonies, too criminal not to condemn without hesitation. Either the Legislative power of a Kingdom has authority over all its Dominions, or it has none over any part of them; it cannot be partial; nor do I think any one branch of that Legislature can, by any act or charter whatever, exempt any particular set of its subjects from the authority of the whole Legislature. Could that be done, sir, and could a preference be given to any, I am very sure this House would long ago have turned their eyes towards our sister Kingdom of *Ireland*, who has

Digitized by Google

every claim to that preference in our affections and for our assistance, being as remarkable for their loyalty and obedience, as they are for their industry, and I am sorry to say, for their poverty.

That *America*, by every tie human nature can devise, ought to be subordinate to the authority of *Great Britain*, is beyond a doubt, more especially when we consider and reflect, at what immense expense of blood and treasure to this country, those very Colonies have been brought to that excess of greatness and riches, as that they shall now vainly think themselves able, and insolently declare themselves ready, to shake off their dependence, and become a separate state. That they have long been aiming at it, is evident from all their proceedings, and from all the papers before you; and that they may possibly become so in some future age (long may it be first) is natural to suppose, from what history teaches us of the vicissitude of all Nations. But this I am certain of, the more they dare to sound that alarm, and the more they struggle for that period, the more it is our duty, as *Englishmen*, to watch over them, and not let the evil day be anticipated by any remissness or want of firmness on our part, for that would not only be highly criminal towards our King and country to permit it, but also leave an everlasting stain on the present age, if we meanly shake off the task of preventing it from ourselves, and leave it for posterity to struggle with as they can.

Sir, although I am under no kind of apprehensions from the consequences that may ensue from enforcing obedience in the Colonies, from the good opinion I yet have of some cool, dispassionate, well affected men in the Colonies, yet I own, for the sake of tranquillity here, and our Manufactures, I wish there were any lenient measures left to pursue; but I know of none that have not been repeatedly tried; and I very much fear, that mildness and lenity, with which Government has proceeded throughout all their conduct towards the Colonies, that tenderness shewn in every step hitherto taken, has been both here and there construed into timidity, and from advantages drawn from thence, by disaffected and interested people, has produced these disgraceful and fatal effects.

For my own part, sir, if the House will allow me to trespass on their indulgence, and speak of the conduct of so insignificant an individual as myself, I will tell them, that notwithstanding all the threats and menaces, all the harsh censures that were the other night, on this subject, thrown out against all those who had supported the measures of Government, and all the crude epithets that were given to every thing that had been done, to every thing that was doing, and every thing that was to be done, (without knowing very well what that last was to be,) yet, sir, I shall, in defiance of all those threats and menaces, still glory in having given my negative to the repeal of the Stamp Act. I took the liberty on that extraordinary occasion to foretel to the House, the consequences that would ensue from that puerile, pitiful, and baneful measure; and I am now no less proud of declaring, that as my education and profession have led me a very different path from that of a politician; so, sir, from the moment I had a seat in this House, I thought it my duty to study the opinions and conduct of those, whose abilities and whose attachment to their country, justly entitled them to a preference, and very early attached myself to that good, wise, and able Minister, Mr. *Grenville*, whose loss this country will long feel and lament, and whose memory I shall ever honour and revere; though it is some consolation from what I heard the other night fall from a young noble Member, to find the father's virtues and abilities reviving in the son. However, sir, I will not prove myself undeserving the friendship and confidence that Minister honoured me with, by deviating this day in one single iota from what I am confident would have been his conduct, had we been so happy to have had him still among us; and therefore, as far as my voice goes, I will never consent to the rescinding, the discharging, or the repealing any one resolution, order, or act, that either the last, or any former Parliament, has passed for the declaring, maintaining, and enforcing the Legislative authority of *Great Britain* over all its Colonies.

Sir, I shall be very happy to give my vote, (and if I had health and abilities equal to my zeal and inclination,) my assistance also, to any proper *English* constitutional measure that could effectually restore that harmony between the mother country and the Colonies, so essentially necessary to both, but which I absolutely deny (in any one point of view) to be more so to *England* than to *America;* but, sir, whilst there are those individuals on this side of the water, some of great abilities, some of great titles, and some few of great fortunes, but all of great passions, whom I fear are so forgetful of their duty, as to be sacrificing the honour and welfare of this country, nay, risking the very existence of it to their own private views and ambition, to their own private piques and resentments, we can never flatter ourselves that any measures will have the wished for effect, but the most determined, the most firm, and the most vigorous ones.

Having said this, sir, let me not be understood to wish, or mean to recommend, the carrying execution through all the Colonies with fire and sword. No, sir, *God* forbid I should have so sanguine a thought. I flatter myself other means may be found, and I hope, and have not a doubt, but so soon as they find us determined to do our duty, they will be brought to a sense of theirs, and all difficulties will subside without shedding one single drop of blood; but should I be so misunderstood here, and so misrepresented without doors, (which is the prevailing mode,) all I can say is, that I am determined to be as indifferent to it as conscious innocence will ever be to every invidious slander. I look upon all such temporary misrepresentations and abuse, just as I do on the clouds that pass under the sun; they cast a momentary shade on all people and all things; wait but with a little patience, truth, like the sun, will break out, disperse those clouds, and all people and all things appear in their proper lustre. I shall, therefore, sir, wait with patience for that moment, trusting to those abilities, to that temper, and to that firmness, with which the noble Lord by me, who now holds the helm, has hitherto conducted us, through the violent storm, and through all the difficulties in which he found us involved; and make no doubt, but notwithstanding all the obstacles thrown in his way, he will bring us to a lasting and pleasing calm; and, therefore, sir, I shall most heartily concur in this proposed Address, and be against the recommitment of it.

Sir *William Mayne*. I should not rise to trouble you this day, could I reconcile to my own breast the giving a silent vote on a question, upon which depends not only the existence of this country, but the happiness of millions. The vote I shall give, will be free from the smallest tincture of that prejudice which has industriously been inculcated into the minds of the *Americans* from this side the water, that they are to expect from every Member of this House who drew his first breath on the other side of the *Tweed*. No sir; I will give my vote this day, uninfluenced by party, and undictated to by power; I will give it like an honest Member of Parliament, who considers the approbation of his own mind his best Parliamentary reward, and who acknowledges no dictator but that of his own conscience.

Some time ago, I gave my support to the Address to his Majesty, holding myself at full liberty to decide upon every point relating to *America*, when they came specially before this House. Since that time, I have taken all the information from the Papers upon your table, as well as from the proceedings in *America*, by which I regulate my judgment upon this great and arduous situation of this country. And it is with sorrow I say it, that so very violent has been, and still is, the conduct of the *Americans*, that there is scarce an opening left for *British* justice and *British* humanity to interfere for their relief, or to give protection to those loyal and faithful subjects, of which I trust many are yet to be found in that Continent.

No man, I think, can read the votes and proceedings of the *American* Continental Congress, held at *Philadelphia* on the 5th of *September* last, without amazement, compassion, and indignation; amazement at the act, compassion for the delusion, and indignation at the insult offered to their mother country.

Declaratory of what they say they are entitled to by the immutable laws of nature, the principles of the *English* Constitution, and the several Charters or compacts, they come to eleven Resolutions, all of which, in my opinion, both in spirit and in substance, are subversive of, and destructive to, every fundamental principle which either constitutes or supports our most excellent Constitution.

Digitized by Google

In the first Resolution they tell you they have never ceded to any power the disposal of their life, liberty, or property; which is a positive denial of their being *British* subjects, and of the existence of this Constitution, which we all know has inherent in it a power to make laws to hold in penalty the lives, liberty, and property of its subjects, when the general safety of the whole requires it; as in cases of felony, where life and consequently liberty is forfeited; and in cases of high treason, where both life, liberty, and property are forfeited.

They set forth that their ancestors were, at the time of their emigration from the mother country, entitled to all rights, liberties, and immunities of free and natural born subjects within the Realm of *England*, and that they, their descendants, are now entitled to the same; a claim which neither the wisdom nor justice of this country will deny them, provided they will yield the same obedience to the Laws and Constitution of this country, which was the pride, the glory, and protection of their ancestors at the time they left it.

It has been strongly urged by the advocates for *America*, that they were not represented; this has made deep impressions on the minds of many people, who thought if they were allowed an adequate number of Representatives in the *British* Senate all would be well, and every thing again subside to its original harmony; but how vain this hope, all must see who read the fourth Resolution of the Congress, whereby they expressly tell you that the *English* Colonies, from their local and other circumstances, cannot be represented in the *British* Parliament; from which it must be obvious to every one, that it is not a common, mixed representation with *Great Britain* they wish to enjoy, but a free and independent Legislature of their own.

They likewise claim the full benefit of our most excellent Constitution, though, in the same breath, they deny and resist its legal authority in every part. They declare the keeping a Standing Army in the Colonies, in time of peace, without the consent of the Legislature of the Colony in which it is so kept up, is against law. In times of danger from their foreign and domestick enemies, they acquiesced without murmuring to this Standing Army, kept up at our expense; but no sooner is the moment of danger over, and they feel themselves in a state of security from the calamities of war, and that this Standing Army becomes necessary to secure their obedience and allegiance to the Laws and Constitution of this country—but it is inadmissible, contrary to law, and a flagrant violation of the freedom of their *American* Constitution.

Can we view with an indifferent eye the Resolutions of the Congress, where, in a style more becoming the haughty Courts of *Versailles* and *Madrid*, they inhibit all intercourse of commerce between *America* and this country. To all Nations with whom we are not actually at war, we can transport our commodities with safety, but it is only on the inhospitable Continent of *America* that *British* Manufactures, the produce of *British* industry, cannot find an asylum.

Much has been said with respect to the reception of the Merchants' Petition. Nobody can or ought to have a higher respect for that honourable body of men than I have; but I must say I think their Petition was decently received and decently treated. The advocates for it pressed for its being referred to the same Committee with the Papers; alleging, if it was not heard in that Committee, that you would decide upon the Papers without having the evidence of the Merchants, which might be essential to your determining properly upon that great question. In the course of the business of this House, it so fell out that on the *Thursday* fixed for considering the Papers, which was the day before the Merchants' Committee, the House could not proceed upon them, and the consideration of them was adjourned till the *Tuesday* following. This left the very next day open for the Merchants to come to your bar, and there give you their full evidence, which we could carry in our minds to meet that of the Papers on the *Tuesday* following; but what was our surprize when this House resolved itself into a Committee, and called for the Merchants; only one single person appeared, who read a written paper, the purport of which was, that they had nothing to offer, as they could not be heard in the same Committee with the Papers. Much has been said too, of foreign powers taking the advantage of our disputes with *America*. I am persuaded fears of that kind are ill-founded, as all Powers on the Continent of *Europe*, who have settlements in the Western and Southern world, are alarmed lest, if our Colonies should succeed in shaking off their dependence on this country, theirs would soon follow the example.

Strong suspicions have been thrown out that the *Americans* have been heated to their present phrenzy by incendiaries from home. If there are *Catalines* in this country, (I am sure there are none of them within these walls, for we are all honourable men) who have been plotting treasons in the dark against the state, let them be dragged to light; let them be offered up a sacrifice to the just resentments of the people and the violated rights of their country; let their names be handed down with infamy to posterity, and let ages yet to come execrate their memory.

Therefore, upon the whole, if a universal resistance to the Civil Government of *America*, as by law established, if denying a free and reciprocal interchange of *British* and *American* commodities, if resisting every act of the *British* Legislature, and absolutely, in word and deed, denying the sovereignty of this country, if laying a strong hand on the revenues of *America*, if seizing his Majesty's Forts, Artillery, and Ammunition, if exciting and stimulating by every means the whole subjects of *America* to take Arms and to resist the constitutional authority of *Great Britain*, are acts of treason, then are the *Americans* in a state of the most flagrant rebellion; a state that every good man must lament, and none more than myself, as I sincerely wish every moderate and constitutional method to be taken to bring back these unhappy and deluded people to a sense of their duty. But if, after all, conciliating measures shall fail, this country has no alternative left but to make use of that power they enjoy, under Heaven, for the protection of the whole Empire; and to shew the *Americans* that as our ancestors deluged this country with their blood to gain this Constitution for us, we, like men, in defiance of faction at home, or rebellion abroad, are determined, in glorious emulation of their example, to transmit it perfect and unimpaired to posterity, or perish in the attempt. These, sir, are my sentiments on this great question, flowing from the purest dictates of an uninfluenced and unbiased conscience, supported by a heart ready to bleed for the rights and liberties of the people, indifferent to me where I meet the invaders of them, whether on the cultivated plains of *Britain*, or the more wild and uncultivated deserts of *America*; so shall give my hearty affirmative to this motion.

Mr. *T. Townshend* insisted that the imputation of causing a civil war was misplaced; called upon the last speaker to point out those *Catalines* who had fomented civil dissentions; and said that every one else thought the imputation and description belonged to another set of men. You are, said he, in the last moment wherein there can be any possibility of a pause that may suggest any measures of reconciliation. The Address cries havock!

Mr. *Jolliffe* said his ideas differed so widely from the noble Lord (*North*) that he could not give his assent to measures his soul shuddered at. He disapproved of the plan, and was for considering it in every light, lest resistance should be made justifiable.

Mr. *Hans Stanley* approved of the proposed Address; remarked on the Papers; said he wanted nothing but the *Americans* to submit; would then hang out the olive branch, propose an amnesty, an act of grace and oblivion, a compact; but thought some examples ought to be made.

Lord *Irnham* began with asking what are the real springs and motives for Administration carrying on this alarming and ruinous *American* war? The House of Commons, in my humble opinion, said his Lordship, cannot perceive, by any thing that has been communicated to us from Papers read at your table, which contain very little more than what we have seen in the publick prints; nor do I think it likely we should grow wiser by any information more candid and satisfactory than that they have already bestowed upon us. However, I shall suppose in their favour, that they have other motives for their conduct, than have hitherto appeared to that part of this House which consists of independent Members.

When I say "they," I mean the noble Lord at the head of Administration, and a few others his chief associates; for, as to the mass of those who support his measures, I

Digitized by Google

believe they do not insist upon more weighty arguments than that constant one he furnishes them with. Since, therefore, Parliament cannot merely, from the materials on your table, approve or sanctify this violent attack upon *America;* and since the safety or consequence of it cannot be tried on any commercial considerations, which this House has for the present debarred us from, kindly indeed, in one respect, as the view of it would have exhibited a most gloomy and uncomfortable prospect; we are, therefore, in obedience to their will, to combat them on the ground they have chosen; and we must consider this *American* war, in regard to its being a constitutional, and likewise a political question, under the latter head, including foreign and domestick policy. On the ground, then, that they have chosen, I will meet them, and fairly put our cause to the issue.

First, to consider it in a constitutional light, it militates against the great principles which has constantly been adopted by the friends of liberty, which is the life and soul of true Whiggism—that the interest of the community at large, and their sense of that interest, ought to govern and be the rule for the Executive power to act by, in preference to the will or opinion of any man, or order of men, however dignified, as servants of that community. To evince this clearly, let us look back to the first struggle for liberty, in the reign of *Charles* the martyr. What was then the great point to be decided? Was it not whether the few, though possessed of all the powers in the state, civil, military, and ecclesiastical, might employ those powers against the will of the many (the body of the people) or should conform themselves to the latter?

On the one side were, not only the Monarch then on the throne, but a high spirited and spendid Peerage, my Lords the Bishops, and indeed the whole hierarchy called the Church, by far the majority of my Lords the Judges, and the other superiours of the Long Robe, with their numerous dependants. These all were for supporting the prerogative of the Crown, as enlarged by the *Tudors* and *Stuarts*. They were for the dispensing power, star-chamber prosecutions, ship-money, and other arbitrary claims, as the true plan on which this Nation should be governed.

On the contrary side, were the People of *England* at large, and as part of themselves, their faithful and independent Representatives in this House; the great commercial Cities of *London* and *Bristol;* the important inland Towns, *Coventry*, *Birmingham*, *Manchester*, &c., the Manufacturers, Artificers, and Husbandmen, throughout the Kingdom; both sides appealed to the sword, and after the trial of many a well-fought field, it was determined in favour of the People at large; and on that decision all your liberty, property, and happiness has been founded—on that principle, of the sovereignty, virtually, ultimately, and really residing in the people. All Whiggism, every rational idea of the Constitution of this, and any other perfectly free country, must rest, and be bottomed on this definition. It was the Constitution of *Rome*, when in its perfection. The *Romans* had Consuls, representing the Kingly power; they had also a Senate, but the sovereignty virtually and ultimately resided in the People at large.

Now, sir, let us try the question of this day, as it includes in its consequences the liberty and property of your whole wide and extended Empire, still more extensive than that of *Rome*. Let us try it, sir, by that touchstone, that criterion, the interest and the opinion of that interest, consequently the will and desire of all who claim the rights of *Englishmen*. First, sir, your vast and beneficial territories in *America;* your Kingdom of *Ireland;* your unpensioned and unwarped neighbours of *Scotland;* and at home, your citizens of *London*, *Bristol*, and *Norwich;* your trading Towns of *Manchester*, *Birmingham*, and *Coventry;* and, in short, every great commercial and manufacturing City and Town in *England;* the Whigs dispersed throughout every County; these are all averse to this dreadful and dangerous civil war, and are attached and rivetted to the cause I now espouse, and to which Administration are enemies.

Pray, sir, what can you arrange on the opposite side? And who are for supporting those hostile measures? for, excepting the noble Lord at the head of Administration, and some few others, so very few, that they will easily occur to every one that hears me, the rest of the abetters of this extraordinary attempt, are as contemptible a collection of servile courtiers, renegado Whigs, and fawning, bigoted Tories, as ever strove to support the measures of any Administration. It reminds me of *Virgil's* arrangement of the opposite forces at the battle of *Actium*. On the one side were Troops of *Bactrians*, *Arabians*, *Egyptians*, and every servile Nation then in the world; and at the head of them their contemptible divinities. "*Omnigenumque Deûm monstra et latrator Anubis*"—(that *Egyptian* dog who was the emblem of servitude)—"*Contra Neptunum et, Venerem contraque Minervam;*" for, sir, *Neptune*, that is the whole seafaring as well as commercial interest, is against this measure. As to *Venus*, every grace of body and mind is annexed to liberty. And as for *Minerva*, wisdom and true policy are on the side of the *Americans;* and the Arts, of which she is the patroness, must immediataly withdraw, when you have removed her olive branch.

And now, sir, to view it next in a political light: first, in regard to foreign Powers, and then in regard to ourselves at home. Is it possible to conceive that any thing on earth could give that heartfelt pleasure to *France* and *Spain* that this unfortunate system of oppressing *America* has done! You had become the masters of all warlike *America*, which they term bold *America;* and with that assistance you bid fair to crush their power in every part of the globe, whenever they dared to provoke you; and now you have weakly, impoliticly, and dangerously contrived to irritate, injure, and inflame all *America* against you; and if we are not blind to our own interest, we might easily perceive this by the conduct of the *French* and *Spaniards*, on your applying to their respective Courts for orders to stop their Merchants from supplying *America* with Goods or Warlike Stores. They immediately (apparently against every motive of their interest and policy) comply with your demands; and for what ends, but plainly to urge you on, and to incite you to your own destruction? For depend on it, that notwithstanding all this courtesy and politesse, the *Americans* will receive from them every ounce of Powder and Ball that they can pay for, as well as all other Goods in abundance. This is, therefore, a measure of confiding in our new friends and old enemies, the *French* and *Spaniards*, instead of our old friends and brethren the *Americans*. This kind of policy is insecure in private concerns, but must be ruinous in this important, this decisive one. And now, sir, to sift and examine it in what is infinitely of more importance, by a political process; by which it may be tried in those respects wherein it would operate as to our own internal happiness and security; that the making our Prince absolute and despotick over all his vast *American* Dominions, cannot, in the sober apprehension or constitutional creed of any man that hears me, add a tittle to the happiness our Sovereign enjoys, as a Monarch limited by the laws he found established both there and here; and I am fully persuaded, by the frequent gracious declarations that have fallen from his mouth, he, following his natural and noble disposition, unperverted and unseduced, either by his avowed or inward Cabinet, would, of all men living, less wish to possess such despotick power. But that the attempt may prove ruinous to our liberty, property, and every thing dear to our civil rights, I appeal to the history of every state that has heretofore figured on the stage of the world.

The adopting of the measures of supporting large Standing Armies to enforce the sovereignty over their Provinces, (an alluring motive) has subjugated them all in their turns, and extinguished their constitutional provisions and barriers against tyranny. To pass over the lesser states, not only *Marias*, and *Sylla*, and *Cæsar*, but *Augustus* and *Tiberius*, those able tyrants, who systematically ruined the *Roman* liberty—achieved it by Troops raised to maintain the *Roman* sovereignty over their Provinces. They did, indeed, subdue those Provinces; but they also oppressed the liberty of the *Roman* Republick; and their project reached still farther than they expected; for it stopped not till the military power, established by them for that end, overturned the imperial power itself. In less than fifty years from the death of *Augustus*, those Armies, raised to keep the Provinces in awe, had no less than three Emperours on foot at the same time; and thenceforward the military power disposed of the Empire, and gave to whom it pleased the

Digitized by Google

throne of the *Cæsars*. Whoever will calmly examine those precedents, must be convinced that the like causes must have similar effects. Oppressed by an overgrown Army the liberty of *America* and *Ireland* (for that stands next in the Ministerial plan) and afterwards that of *Great Britain* will follow of course; the monster of Despotism will only grant even to the latter the favour intended for *Ulysses*, that of being last devoured.

I have now, sir, to the best of my ability, agitated this great question on the ground proposed by Administration, in a constitutional as well as in a political light; and will venture to assert that it appears in both those views formidable and destructive; and that it becomes absolutely necessary to retract the unconstitutional and impolitick steps which Administration have hitherto taken, founded evidently upon Tory and arbitrary principles. Let us, therefore, at length return back to those glorious maxims of universal liberty, established by our great deliverer King *William* the Third—that friend to mankind; to whom we owe that this Nation, by adhering heretofore to those maxims, had become the most powerful and illustrious on earth; and by whose wisdom the sceptre of this Empire has been placed in the hands of the family who now wield it; which may they ever do with honour and perfect safety, whilst they remain enthroned in the hearts of all the loyal, free-born, independent, and Whiggish subjects throughout *Great Britain*, *Ireland*, and *America*.

Mr. *William Adam* spoke against the motion. He recurred to first principles; said he was a Whig; declared his readiness to support the Constitution of *Great Britain*, in which *America* was included; spoke of the doctrine of resistance; declared the *Americans* never had a legal power of resistance in their Constitution.

Mr. *Scott* represented the dangers of a civil war, but pressed the necessity of violent measures on the present occasion.

Governour *Johnstone*. Before you pronounce this dreadful sentence upon a meritorious, sober, and industrious people, I hope the House will indulge me with a few words in discharge of the duty I owe myself, and likewise with a view of transmitting my character fair to posterity, when those black scenes shall be examined without prejudice.

The real question before us, is upon the proper measures to be pursued respecting our fellow-subjects in *America*. In order to judge of this, we must consider the real cause of dispute. I say the substantial difference turns upon the right of Taxation. Most of the advocates on the other side, have endeavoured to slur this point, and allege "that the claims of "the *Americans* extend far beyond this article, and that the "Act of Navigation itself is in danger." But it is impossible for a judicious mind to read the material papers, and not to see that this is illusory. The Congress has expressly told us, "they are willing to acquiesce in those laws which "secure to us the monopoly of their trade, as necessary in the "mutual connection;" and the instructions from *Philadelphia*, on which the proceedings of the Congress are chiefly formed, avow these doctrines in more full and explicit terms. This method of condemning men by inference and conjecture, contrary to their repeated declarations, I cannot approve; I shall therefore bend the whole force of my argument to the original cause of quarrel—Taxation.

The great and only secret yet found out for preserving the liberties of mankind from the encroachments of that power which is necessary for the Executive in large Kingdoms, is the power of the purse. This was the subject of contention in the civil wars of *Charles* the First. It is this privilege alone which makes the House of Commons respectable. This is the point which *Hampden* obtained for us! And I leave every one acquainted with the history of those memorable times, to determine in his own mind, "whether we should ever have enjoyed this blessing, if he had tamely paid the tax, and had not resisted?" From this power we derive the certainty of assembling the Representatives of the people; by this, redress of grievances may precede supplies; and the security that the exercise will not be abused, is derived from hence, that the House cannot impose on others what they are not to feel themselves. By the principles of the Constitution, every man should be represented; but the deviation from a rule too nice for practice, is safely borne, because the interest of every particular member remains as a pledge, that no individual can be over-burthened. When this security is removed, there is no longer any safety for those to whom the fact does not apply. What is the case respecting the *Americans*? Does any Member feel himself affected by the impositions he shall lay on them? Nay, does not the contrary principle prevail? The more he shall burthen *America*, the more he will relieve himself. Judge *Hobert* says, "if an Act of Parliament was made constituting a "man a judge in his own cause, it would be void by the "law of nature." Yet such is the precise situation in which we contend we ought to be placed respecting the *Americans*, and for the denial of which we are ready to condemn our fellow-subjects to all the tortures enacted by the laws of treason.

Let us look round, and view the fate of different states that have yielded or preserved the privileges for which the *Americans* contend. So soon as the Cortes lost this power, their slavery was complete. *Portugal* has now no vestige of this palladium—here is tyranny supreme! In *France*, where the traces are left, (as in the *pais d'etat*) their happiness is distinguishable from the misery of other parts. In *Britain* we are yet free, because we retain it. In *Holland*, *Switzerland*, and the other states of *Europe*, they are more or less so as they preserve it.

What are the circumstances that distinguish and protect the *British* Colonies from those of other Nations? The Representatives of the people met in General Assembly, and the trial by Jury. If the system of taxation by the Parliament of *Great Britain*, takes place, what being can be so credulous as to expect the assemblies of the people will ever meet; and it is confessed, that Admiralty Courts, disclaiming trials by Jury, are necessary to enforce this species of taxation. Here, then, are all the essential privileges of an *Englishman* dependent on this question, and the real interest of the state is in no way concerned in the contrary scale, since the prosperity of the Colonies must ever prove the riches and glory of *England*. Nothing but the absurd pride or narrow ignorance of the present Administration can be thrown into it. When once this system takes place, we shall then feel the tyranny and oppression of Governours, with all their train of dependants, as in the Provinces of *Rome*, which are now quoted as an example.

Thus much supposing the *Americans* right in the dispute (as I believe they are;) but supposing them wrong, I shall now state their excuse, and see what heart can condemn them, and retain any claims to humanity.

The question concerning the right to tax the Colonies, though clear to those who are accustomed to think deeply on the principles of free Governments, is difficult to common apprehensions. *Montesquieu* has observed, "that in "Despotism every thing ought to depend on two or three "ideas." As for instance, is there any thing so fit to solve this dispute, as the unity of the *British* Empire, the supremacy of the Legislative authority of *Great Britain*, the omnipotence of Parliament? Is there any man so ignorant, after having heard those sounding words, as not clearly to comprehend the whole of the controversy? Plodding, thinking creatures, who are accustomed to consider the complicated privileges in a free Government, from whence the harmony of the whole springs, may be puzzled; but men who have never disturbed their repose with such dry considerations, can have no doubt on the matter; be that as it may, certain it is, that the discussion of this most important question was debated in this assembly by the greatest abilities, after the fullest information that ever accompanied any political question. The decision was in favour of the *Americans*; the Stamp Act was repealed. I admit that "principles of expediency" are alleged as the reason, in the preamble of the Bill; but the men who boldly denied, during this discussion, the power of taxing the Colonies, as constitutionally existing in the Commons of *Great Britain*, namely, Lord *Chatham* and Lord *Camden*, (men of as extraordinary talents as ever adorned society) the one was made Prime Minister, the other was created a Peer and Lord High Chancellor of *Great Britain*, the keeper of the King's conscience! What *American* could have retained any doubt of his cause in the mind of his Majesty, or the Nation, after such a decision? The Compromising Act soon followed, (for the sake of gratifying a party) violating all the principles of commerce and policy in the lump—

Digitized by Google

giving drawbacks here, exacting duties there; committing the power and authority of the Nation on subjects which never could produce any effectual revenue, and this in a manner that all men of sense must ever condemn

When the *Americans* saw, by this act of Parliament, that the great question was likely again to return upon them in the progress of time, through the greediness, ignorance, or caprice of statesmen, they met the position in its sly, circuitous, questionable shape; they recurred to their old principles; they revolted against the preamble; they transmitted Petitions; and all failing, they entered into Non-Importation Agreements. This produced Lord *Hillsborough's* Circular Letter, which I will repeat again and again, till a contrary conduct is pursued; for no satisfactory answer can be given about it, while the present doctrines are avowed. The *Americans*, thus fortified in their opinions concerning the point of taxation, are unanimous against our power from *Nova Scotia* to *Georgia*. If there be any doubt on this fact, why not call Governour *Eden*? We are told he lately arrived; it would have been becoming to have produced him; but I call on his relations, friends, or any man, to contradict me in this assertion, "that the *Americans* are unanimous against this power of taxation." They are resolved to resist; and since you have placed them in a situation where they must either be rebels or slaves, the blame must lie with those who have drove them to this dilemma.

In discussing the question of resistance, the gentlemen on the other side have great advantages. We stand on difficult ground, since, from its nature, it never can be defined or admitted as lawful. The first Officer of the Crown has fairly expressed my ideas on the subject. The principle should never be extinguished in any Government, much less in a free country; the occasion must ever be referred to the general feelings of mankind. Now, if depriving a trading Town of its commerce; if cutting off whole societies from the benefit of the element which *God* has given them; if proceeding to deprive them of the fishery, their subsistence; if altering their Charter and annihilating all their rights, without hearing them in their defence; if establishing in its stead a new form of Government, which leaves all things in confusion; if erecting a system of tyranny in their neighbourhood, and establishing (not tolerating) all the absurdities of the Roman Catholick religion—trial by Jury dismissed—Habeas Corpus denied—the Representatives of the people determined useless—inferiour duties levied by Act of Parliament; in short, precedents for the violation of every thing we hold most sacred in this country; I say, if acts like these can vindicate resistance, the *Americans* can quote them, and *God* and the world must judge between us. For my own part, I consider with Lord *Somers*, that "treason against the Constitution is the first species of that crime." Acts of Parliament are sacred things, and yet they may be so made, grinding the face of mankind, that human nature will revolt at their severity. *Dudley* and *Empson* were hanged for acting according to Act of Parliament.

I have now stated the arguments which should induce you to pause at least before you take this irretrievable step. I shall examine next the consequences.

Suppose we should succeed in subduing the *Americans*, is it not clear from henceforward that we must govern them by military force? Must not our Army be increased in proportion? While his Majesty retains the power of moving his Troops from one part of his Dominions to another, can there be any safety for the liberties of this country? If the mortification begins at the extremities, will it not soon communicate to the centre? Every man acquainted with the history of Nations must foresee the consequences. If we fail in the attempt, which is the happiest event that can occur, what difficulties may not disgust, irritation, and all the horrours of civil war engender? While the justice and moderation of this country are blotted from the face of the earth, and the accumulated expense, when the springs of riches are cut off, must shake publick credit to the very centre.

The noble Lord has hinted, "if repealing the Tea Tax would do, he would yield that," and he speaks even faintly on the power of taxation. If these are his principles, we are yet more inexcusable. We are going to punish men for maintaining what we are ready to yield, and to engage the Nation in endless expense, for the sake of a quiddity. Since, whether renounced on the principles of expediency or right, the satisfaction must be equally complete to the *Americans*.

But the noble Lord alleges, "that yielding the point of taxation would not now do." This is conjecture on his part; but at least it would produce this good effect—we should divide the *Americans*; we should unite men in this country, and go to the contest with better hopes of success. The proofs the noble Lord gives for his opinion, are several indiscreet acts of different meetings since the late confusion in *America*. Such detail never affects me. I think no conclusions can be drawn from them. In all civil wars, when the people are let loose to reason on Government, a thousand absurd doctrines are broached. Let us apply this to our own country; let us remember all the ridiculous circumstances which *Hudibras* has painted better than I can. But should the great cause of Liberty, in which our ancestors were engaged, suffer from such circumstances? To their feelings we may trust; on the reasoning of the multitude there is little dependence. For my own part, I think with Cardinal *De Retz*, that "any number above one hundred, is at best but a mere mob." [Here the House felt the expressions as too strong.] It never could be my intention to apply the rule to this House, long trained in form and discipline; though sometimes there are doctrines and proceedings, even here, that would surprise a stranger into this belief.

But the noble Lord says, "Why not petition first and acknowledge the right, and then we will grant freely." Have they not petitioned? Is there a means of supplication and protestation they have not tried? I am convinced they went to the Crown merely as a mode of introducing their petition here. Now you deny hearing their Agents. An honourable gentleman in Administration says, "he wished we had heard their Petitions." Do not then condemn them for not petitioning, till you have declared your resolution to hear them. Can it be expected the *Americans* will act on the inuendos of a Minister? If you mean fair, why not declare your intentions by some binding act? After the *East India* Company, who will trust you? You invited them to petition, under hopes and declarations, and afterwards made use of this very petition to deprive them both of their money and their privileges. In the ceded Islands you invited men to settle under the Royal Proclamation, and then levied four and a half per cent. on their produce, which procedure has lately been condemned in the Courts of Law. In *Canada* you have been guilty of a greater violation, as liberty is dearer than property. Here you have despised the Royal Proclamation, and forfeited your engagements to mankind. I repeat it again, what man or society of men can trust you?

The next objection to the *Americans* is the Congress. This is now termed an illegal meeting. Government here lay by with great expectation, waiting their Resolves. If they had been favourable to their views, or had any untoward circumstances broke their union, we should have had much eulogium on the Congress. Now they have come to Resolves favourable to the liberties of mankind, all is abuse. I do not know by what law, (except that of common sense) mankind can be regulated on these occasions. What kind of meeting can that be called which was held in this place at the Revolution? Aldermen and old Members of Parliament mixing in consultation. The necessity on these occasions gives rise to the case. You wished to know the sense of the people of *America*; was ever the judgment of a people so fairly taken? First the occasion is promulgated; the people choose Representatives; these choose Deputies; the Deputies in Congress publish their proceedings; each Member returns to his respective Colony, where his conduct is again approved; no place, no pension, no bribe, to influence his election or bias his vote. But even as to the legality, the manner of meeting is not new; Government itself called a Congress in the last war, to apportion the quotas of Men and Troops.

One gentleman has said, "that our situation is quite new, and there is no example in history to direct our steps." I say there is a case directly similar, but we are too conceited to profit from such experience. *Philip* the Second and his seventeen Provinces, are the counterpart of what we are acting. The debates in his Council on sending the Duke

Digitized by Google

of *Alva* into the *Netherlands*, are applicable in every part. He was advised by two sensible men, to repair thither himself and hear the complaints of his people, before he came to such rash resolves; but the majority said, as in this case, that his glory was compromised. It was not religion only, but taxing without the consent of their states, that brought matters to the last extremity. The Duke of *Alva*, it is true, was victorious every where at first, but his cruelties were but sowing the serpent's teeth. The gueux, the beggars of the *Briel*, esteemed at that time infinitely more despicable than the *New England* men are represented, gave the first shock to the power of *Spain*. In comparing the probability of events, can any man say *Great Britain* has such a prospect of victory in the contest, as *Spain* might then have expected? Yet we know the event, and how that mighty Empire was rent in pieces. The present Resolution hurries us into that situation, from which there is no retreating. It obliges the *Americans* immediately to act. By declaring them in rebellion, they must have recourse to arms; all negotiation is cut off. I think the word "rebellion" both impolitick and unjustifiable. I beg to know what Paper on your table can vindicate that term? The first Law Officer of the Crown said, "a number of men committing treason was rebellion." I differ from him in the definition. According to my conception of the phrase, they must be in military array, to effect some military purpose. One hundred men coining money, are not in rebellion, though committing treason. Insurrections to pull down enclosures, is not rebellion, though deemed a constructive levying war. In the case of *Purchase* and *Dammaree*, for pulling down the Meeting Houses,* they were convicted of treason, but no one ever thought of saying the confederates or associates were in rebellion. I think we should be very cautious how we criminate bodies of men on such intelligence. I dare say the noble Lord has been deceived himself; but this I affirm, he has hitherto constantly deceived this House. It appears to me that no intelligence from General *Gage* can be depended on. I beg the House will attend particularly to what I now say, before they engage their lives and fortunes. It appears General *Gage* has regularly deceived Administration. No event has turned out as he foretold, or gave reason to hope; the next letter constantly contradicts the expectations raised by the former. He seems never to have known what they were about—no doubt grossly imposed on himself, but the facts are undeniable. When he first arrived, he writes, the mal-contents were abashed, and the friends of Government would soon appear. Next, his expectations from the Assembly were disappointed, and he dissolves them in surprise; then, there would be no Congress; next, though there would be a Congress, they would differ and disagree. In short, led on, and leading others by vain expectations, till the last letter, which announces a total disaffection, and which I believe to be the true state of the Provinces.

Singling out the Province of *Massachusetts Bay*, can answer no purpose, but to expose our partiality. It is the cause of all, and the other Colonies can never be so mean as first to encourage, and then desert them, before the general right is settled.

The noble Lord talks next of stopping their Fisheries; but he says, "the Act is only to be temporary." Does the noble Lord think he can turn the channels of trade as easily as he can turn the majorities of this House? To explain the idea, supposing the *New England* Fisheries stopped, their utensils must waste and destroy. But, will the *English* Merchant madly increase his stock, and fit out new Ships, if the Act is merely temporary? If it is perpetual, the people in *America* are ruined. The consequence is, that the *French* must in the end reap the benefit of all this strange policy.

We are constantly stating the great obligation we have conferred on the Colonies by our former behaviour towards them; if it was ever so good, we can claim no merit from hence in private or publick concerns, to do injury in future. They do not complain of your former behaviour, but they say, you have altered this very system from whence you would now derive their submission.

There are two arguments of the noble Lord which I must remark upon before I sit down; the first is, "the comparative view of taxation between this country and the "Colonies, according to the number of inhabitants." His Lordship says, "we pay about twenty-five Shillings a head, and they pay about six Pence." Who is there so unacquainted with political arithmetick, as not to know that the small sum people pay in taxation is often a proof of their poverty, and the large sum a proof of their prosperity, by demonstrating the riches from the greatness of the consumption? Let this kind of reasoning be applied to *Ireland* and *Scotland*, where we know the multitude to be poor in comparison to the inhabitants of *London*, whom we know to be rich; besides, if the Colonist does not pay in palpable cash from his own hand, does not he pay all the taxes on the four millions of Manufactures he receives, and part of those taxes on the raw materials he sends hither?

The other argument is still more extraordinary. The noble Lord says, "if we fail in our attempt of forcing *America*, we shall still be in the same situation we are in at "present." What! after our Armies have been disgraced, our fellow-subjects destroyed, all the irritation of a civil war, publick confidence, and fair opinion lost! does the noble Lord think he will be in the same situation himself? I really speak it with regret; for personally I have much regard for the noble Lord, and particularly because I perceive from his faint manner of stating his propositions, that they are not the dictates of his own mind, and that they are forced on him.

I cannot see my other memorandums, and therefore I shall conclude by heartily concurring with the noble Lord who moved for the recommitment of this Address.

Sir *Robert Smythe* spoke of two kinds of connection which the *Americans* had with *Great Britain*. The first, as emigrants, they had a political connection; the commercial connection was next in order. If we had stopped to hear the Merchants' Petition, it was just the same as if we had stopped the measures of Government against the rebels, when they were in the heart of the Kingdom, to hear Petitions from *Preston* and *Manchester*: he was therefore for proceeding.

Mr. *Burke* applied his argument to that prevalent idea, which alone, he said, can make one honest man the advocate for Ministerial measures, namely, that the *Americans* attack the sovereignty of this country. He said, the *Americans* do not attack the sovereignty itself, but a certain exercise and use of that sovereignty. He stated, that no tyranny itself found a justification in the mere plea of their unlimited authority. He stated seven acts of tyranny, which justified resistance. He shewed, that the cause of the late rebellions at home, and those disturbances in *America*, differed widely; that the trade of the country was little affected by those rebellions; that our trade at present is the primary object; that the object of that rebellion was to set an unnatural tyrant on the throne; that he feared the *Americans* were now what we were then; and were struggling that an insufferable tyranny should not be established over them. He represented the delusion practised by Ministry, who in all speeches argue that *Boston* alone was in rebellion, and that it was an affair with *Boston* only; but he shewed that all *America* was concerned, from clear and positive facts. He proved, that from one end of the Continent to the other, the like resistance had been found; and he pressed the independent Members to consider that; for he said, if people were once convinced that the mischief was so wide, they would think a little more seriously what might have been the cause of so general discontent, and might wish to apply other remedies than fire or sword. He said, that their definition of rebellion was the oddest he had ever heard; it must be the destruction of Tea; but burning Tea was not in their definition rebellion; for such a place had burnt it; that spoiling it in damp vaults was not in their definition; for it had been so treated in such a place. Now, to answer their definition of rebellion, Tea must be drowned like a puppy-dog; and even that was not quite enough; it must be drowned, and drowned at *Boston*. This was the definition of rebellion. He exerted himself to deprecate the shameless tyranny we exercised. He abhorred political as much as he did religious persecution. His heart seemed engaged. He mentioned with horrour the idea of tearing a man from his family and friends the other side the *Atlantic*, and tearing his heart out in *Smithfield*, styling it the heart of a Traitor, because he would

* See *Howell's* State Trials, vol. 15, p. 521.

Digitized by Google

not believe in virtual representation, and because he would not believe that *America* was part of the manor of *Greenwich*. He said, he had two years before called their attention to *Virginia*, the mother Colony; and shewed that in all their proceedings *Virginia* had taken the lead; and that therefore it was plain it was not *Boston*, but *America*; and if we meant a war with the whole, we ought with our eyes open to prepare for that, and not for a scuffle with *Boston*. He also put it on its true bottom; you have, said he, your option, *America* or this Ministry; and he exposed with all his wit, the absurdity of balancing in such a choice.

Mr. Solicitor General *Wedderburn* replied to Mr. *Burke*. He spoke largely of the goodness of *Britain* to *America*. Thought it highly necessary to enforce the laws, and complained much of the dispositions of the *Americans* being encouraged from hence by those who avowed their cause in *England*.

Colonel *Barré* allowed that the *Americans* might be encouraged by their confidence in having friends at home, when they recollected that a few years ago the gentleman's voice who spoke last was made hoarse in condemning the measures of this country towards *America*. He was never louder than in his invective against Lord *Hillsborough* for the letter which he insisted deserved impeachment. The Colonel went into a fine eulogium on Colonels *Howe*, *Burgoyne*, and *Clinton*, destined to serve against *America*. He lamented that this country should lose their services when the course of things must call for it; for a foreign war was inevitable, if we incurred a civil one. He insisted that no honour could be gained there. He avowed a fear that we should not vanquish, and insisted it was our duty to cherish the *Americans*. He reproached the spirit of Administration, who in the *Falkland's* Island business, and in all foreign transactions, readily sacrificed the honour of the Nation; but in dealings with our own people, when the people's good ought to be the first object, pride and dignity was their only principle. He shew from Count *De Guines's* Memorial, that we had agreed on that occasion to disarm first, but now the *Americans* must submit first; and when they do, they may look to be pardoned when the Ministers are ashamed to punish. He said he felt himself connected with *America* more than any man in the House; and added, you are this night to decide, whether you are to make war on your Colonies.

Lord *North* professed good intentions, but did not seem to promise much success in his measures. He made some distinctions between his administration and the Duke of *Grafton's*; said he did not mean to tax *America*; and added, if they would submit, and leave to us the constitutional right of supremacy, the quarrel would be at an end.

Mr. *Mackworth* spoke against the Address, and observed that as the Minister had declared he did not mean to tax *America*, he was for stopping short, as he thought it an idle quarrel about words, when we were avowedly to get nothing.

Mr. *Sawbridge* was against the Address. Two parts in it he could not agree to: first, saying the *Americans* were in rebellion; the second, promising to risk his life and fortune.

The question then being put on the motion of Lord *John Cavendish*, to recommit the Resolution;

The House divided—Yeas 105, Noes 288.

So it passed in the Negative.

Then the said Resolution being read a second time,

An amendment was proposed to be made thereto, by leaving out from the first "and" to the end of the question, and inserting the words, "to assure his Majesty, that "in order to fix the true dignity of his crown, and the au-"thority of Parliament, on a sure foundation, we shall "endeavour to recover the hearts of his subjects in *Ame-"rica*, too many of whom are unhappily alienated from "their usual affection to their mother country, by attempt-"ing to remove all those causes of jealousy and apprehen-"sion which have arisen from an unfortunate management "of his Majesty's affairs, and from Acts of the last Parlia-"ment made without sufficient information of the true state "of *America*," instead thereof;

And the question being put that the words proposed to be left out stand part of the question,

It was resolved in the Affirmative.

Then the said Resolution was, upon the question put thereupon, agreed to by the House.

Ordered, That a Committee be appointed to draw up an Address, to be presented to his Majesty upon the said Resolution.

And a Committee was appointed, of Lord *North*, Mr. *Grenville*, &c.; and they are to withdraw immediately into the Speaker's chamber.

The Lord *North* reported from the Committee, who was appointed to draw up an Address, to be presented to his Majesty, upon the Resolution this day reported from the Committee of the Whole House, to whom it was referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 2d day of this instant, *February*, by his Majesty's command, that the Committee had drawn up an Address accordingly, which they had directed him to report to the House, and he read the same in his place, and afterwards delivered it in at the Clerk's table, where the same was read, and is as follows, viz:

Most Gracious Sovereign:

We, your Majesty's most dutiful and loyal subjects, the ********** Commons, in Parliament assembled, return your Majesty our most humble thanks for having been graciously pleased to communicate to us the several Papers relating to the present state of the *British* Colonies in *America*, which, by your Majesty' commands, have been laid before us, we have taken them into our most serious consideration, and we find that a part of your Majesty's subjects in the Province of the *Massachusetts Bay*, have proceeded so far to resist the authority of the supreme Legislature, that a rebellion at this time actually exists within the said Province; and we see with the utmost concern, that they have been countenanced and encouraged by unlawful combinations and engagements entered into by your Majesty's subjects in several of the other Colonies, to the injury and oppression of many of their innocent fellow-subjects resident within the Kingdom of *Great Britain*, and the rest of your Majesty's Dominions. This conduct on their part, appears to us the more inexcusable, when we consider with how much temper your Majesty and the two Houses of Parliament have acted, in support of the Laws and Constitution of *Great Britain*; we can never so far desert the trust reposed in us, as to relinquish any part of the sovereign authority over all your Majesty's Dominions, which, by law, is vested in your Majesty and the two Houses of Parliament; and the conduct of many persons in several of the Colonies, during the late disturbances, is alone sufficient to convince us how necessary this power is for the protection of the lives and fortunes of all your Majesty's subjects. We ever have been, and always shall be, ready to pay attention and regard to any real grievances of any of your Majesty's subjects, which shall in a dutiful and constitutional manner, be laid before us; and whenever any of the Colonies shall make a proper application to us, we shall be ready to afford them every just and reasonable indulgence. At the same time, we consider it as our indispensable duty, humbly to beseech your Majesty, that you will take the most effectual measures to enforce due obedience to the laws and authority of the supreme Legislature; and we beg leave, in the most solemn manner, to assure your Majesty, that it is our fixed resolution, at the hazard of our lives and properties, to stand by your Majesty, against all rebellious attempts, in the maintenance of the just rights of your Majesty and the two Houses of Parliament.

The said Address being read a second time,

Resolved, That the House doth agree with the Committee in the said Address, to be presented to his Majesty.

Ordered, That the said Address be communicated to the Lords at a conference, and their concurrence desired thereto.

Ordered, That a conference be desired with the Lords, upon a matter of high importance and concern, respecting the state of his Majesty's Colonies in *North America*.

Ordered, That Lord *George Germain* do go to the Lords, and desire the said conference.

The Order of the Day being read, for the House to re-

Digitized by Google

solve itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st day of this instant, *February*, by his Majesty's command;

And the House having continued to sit till three of the clock on *Tuesday* morning,

Resolved, That this House will, to-morrow morning, resolve itself into a Committee of the Whole House, to consider further of the said Papers.

TUESDAY, *February* 7, 1775.

Lord *George Germain* reported, that he had, according to order, been at the Lords, to desire a conference; and that the Lords do agree to a conference, and appoint the same immediately, in the Painted Chamber.

Ordered, That the Committee who were yesterday appointed to draw up an Address, to be presented to his Majesty, do manage the said conference.

And the names of the Managers were called over, and they went to the conference;

And being returned,

The Lord *North* reported, that the Managers had been at the conference with the Lords; and had acquainted their Lordships that the Commons had agreed upon an Address to be presented to his Majesty, to which they desire the concurrence of their Lordships; and that they had left the said Address with the Lords.

WEDNESDAY, *February* 8, 1775.

A Message from the Lords by Mr. *Browning* and Mr. *Leeds*:

Mr. *Speaker*:

The Lords do desire a conference with this House in the Painted Chamber, this day, at three of the clock, upon the subject matter of the conference of yesterday.

And then the Messengers withdrew.

Resolved, That this House doth agree to a conference with the Lords, as is desired by their Lordships.

And the Messengers were again called in; and Mr. Speaker acquainted them therewith.

And then the Messengers again withdrew.

The time being come for the conference with the Lords,

Ordered, That the Managers who managed the last conference do manage this conference.

And the names of the Managers were called over, and they went to the conference.

And being returned;

The Lord *North* reported that the Managers had met the Lords at the conference; which was managed on the part of the Lords by the Lord President of the Council, who acquainted them that the Lords had taken into consideration the Address yesterday communicated to their Lordships at a conference, and had agreed to the said Address, and filled up the blank with "Lords Spiritual and Temporal, and".

A Message from the Lords, by Mr. *Browning* and Mr. *Leeds*:

Mr. *Speaker*:

His Majesty having appointed to-morrow, at three of the clock, at his Palace of *Saint James's*, to be attended with the Address of both Houses of Parliament, the Lords do intend to be there at that time.

And then the Messengers withdrew.

A Petition of the Manufacturing Hosiers of the Town and County of the Town of *Nottingham*, was presented to the House, and read, setting forth—

That the Petitioners, with great humility, approach the natural guardians of all that is valuable to them, and beg leave to represent the impending ruin of the trade and commerce of the said flourishing Town and neighbourhood; that the produce of the Manufactories under their direction has hitherto, in a very great proportion, been exported to the *American* Colonies, and on the demand from thence depends the employment of many thousands of their ingenious and industrious Artificers. The entire cessation of this important trade, has not only shut up in their warehouses a great part of their property in different sorts of Goods provided for the *American* market alone, but obliges them daily to dismiss from employment their dependent workmen, who have no resource but in the exercise of that trade; every day will add to the number, from the utter inability of the Petitioners to proceed in the accumulation of an useless stock; and a short time must consign great part of the most useful but most necessitous members of their community to absolute idleness, and all its dreadful train of evils; distressed in themselves, they have no hopes of administering that relief to their wants, which, in every ordinary exigence, humanity has prompted them to; and if not prevented by the timely interposition of Parliament, they see no possibility of repelling that poverty, distress, and ruin, in which the said Town and neighbourhood must be soon involved, whatever be the fate of the Kingdom at large. Abhorring the thought of stimulating the dissensions of this Nation, and urged only by sober important truth, interesting in its extensive operation to every individual, they humbly recur to the wisdom of Parliament in this their alarming situation; trusting that the faithful depositories of the people's welfare will find some temperate and honourable means of conciliating the differences of the *British* Empire, which will revive the hopes of the Manufacturer, and enable him to call back into the arms of industry the poor distressed Artificer.

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

The Orders of the Day being read,

Lord *North* moved to postpone the further consideration of the *American* Papers to the tenth.

Mr. *Fox* said, the noble Lord was all hurry till he had effected measures for rescuing General *Gage* out of the very dangerous situation he was in; that he now imagined he had got him into a state of security, he meant to proceed more coolly and deliberately, because he dreaded that the defeat and destruction of that General and his Troops, would be solely attributed to his Lordship's negligence and rashness. He contrasted his Lordship's conduct respecting the several Petitions presented by the *American* Merchants, remarking that Administration would not wait a single day to hear the complaints of so respectable a body; but now that his favourite measure was carried, he seemed to proceed with caution and deliberation. He concluded, by observing that he understood the measure his Lordship had next in contemplation to carry into execution, was the most extraordinary that ever entered into the head of an *English* Minister, to prevent the *New England* Provinces from fishing on the banks of *Newfoundland*.

Lord *North* replied, that it was impossible for him to escape the censure of the honourable gentleman, let him act as he might. If he had proposed any measure to the consideration of Parliament this day or to-morrow, hurrying matters precipitately would be imputed to him. Now that he had given the House a respite of one day to consider and deliberate, he was charged with procrastination; and to what motive was this delay attributed? Because General *Gage* was now in safety. For his part, he could not see how any Resolution of either House of Parliament could be a means of immediate security to that gentleman, if he were in danger; he was sure he was not; but was in all imaginable safety and security. As to the Petitions, he denied that the House refused to hear them; neither were they withdrawn, but were still properly under the consideration of the House; nor upon any ground could the information of one day, upon a subject so vast and extensive, be of any material service.

Resolved, That this House will, upon this day sevennight, resolve itself into a Committee of the Whole House, to consider further of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, and of the several other Petitions referred to the consideration of the said Committee.

Resolved, That this House will, upon *Friday* morning next, resolve itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the first day of this instant, *February*, by his Majesty's command.

Digitized by Google

FRIDAY, *February* 10, 1775.

Mr. Speaker reported, that both Houses did yesterday attend his Majesty with their Address, to which his Majesty was pleased to give this most gracious Answer:

My Lords and Gentlemen:

I thank you for this very dutiful and loyal Address, and for the affectionate and solemn assurances you give me of your support, in maintaining the just rights of my crown, and of the two Houses of Parliament; and you may depend on my taking the most speedy and effectual measures for enforcing due obedience to the laws and the authority of the supreme Legislature.

Whenever any of my Colonies shall make a proper and dutiful application, I shall be ready to concur with you in affording them every just and reasonable indulgence; and it is my ardent wish that this disposition on our part may have a happy effect on the temper and conduct of my subjects in *America*.

HOUSE OF LORDS.

THURSDAY, *February* 2, 1775.

The Earl of *Dartmouth* (by his Majesty's command) laid before the House more Papers relating to the Disturbances in *America*, together with a List thereof; which was read by the Clerk, as follows:—[*See Folio* 1539.]

The Order of the Day being read, for taking into consideration the several Papers laid before the House by the Earl of *Dartmouth* (by his Majesty's command) on the 20th day of *January* last, relating to the Disturbances in *America*, and for the Lords to be summoned,

The House proceeded to take the said Papers into consideration.

And the Clerk having read part of the said Papers, to No. 148;

Ordered, That the further consideration of the said Papers, and also of those delivered this day, be put off till to-morrow, and that the Lords be summoned.

FRIDAY, *February* 3, 1775.

The Order of the Day being read, for the further consideration of the several Papers laid before this House on the 20th of *January* last, and yesterday, by the Earl of *Dartmouth*, (by his Majesty's command,) relating to the Disturbances in *America*, and for the Lords to be summoned,

The remainder of the said Papers were read by the Clerk.

Ordered, That the further consideration of the said Papers be adjourned to *Tuesday* next, and the Lords summoned.

TUESDAY, *February* 7, 1775.

A Message was brought from the House of Commons by the Lord *George Germaine*, and others:

To desire a Conference with this House upon the state of his Majesty's Colonies in *North America*.

To which the House agreed.

The Messengers were again called in, and told "that the "Lords agree to a Conference as is desired, and appoint "the same presently in the Painted Chamber."

Then the Lords following were named Managers of the Conference:

Lord President, (Earl *Gower*,) Lord Privy Seal, (Duke of *Grafton*,) Duke *Chandos*, Duke *Newcastle*, Lord *Chamberlain*, (Earl of *Hertford*,) Earl *Denbigh*, Earl *Sandwich*, Earl *Plymouth*, Earl *Rochford*, Earl *Galloway*, Earl *Loudoun*, Earl *Dalhousie*, Earl *Marchmont*, Earl *Ferrers*, Earl *Macclesfield*, Earl *Bucks*, Earl *Hardwicke*, Earl *Darlington*, Viscount *Falmouth*, Lord Bishop *London*, Lord Bishop *Landaff*, Lord Bishop *Chester*, Lord Bishop *St. Davids*, Lord *Cathcart*, Lord *Sandys*, Lord *Scarsdale*, Lord *Digby*.

The House being informed "That the Managers for the "Commons were ready for the Conference in the Painted "Chamber;"

The names of the Managers for the Lords were called over:

And the House was adjourned during pleasure, and the Lords went to the Conference.

Which being ended, the House was resumed:

And the Lord President reported, "That they had met the Managers for the Commons at the Conference," which, on the part of the Commons, was managed by the Lord *North*; who acquainted the Managers for the Lords "That "they having taken into their consideration the state of "his Majesty's Colonies in *North America*, have agreed "upon an Address to be presented to his Majesty;" to which they desire the concurrence of this House.

Then his Lordship read the Address delivered at the said Conference, as follows:

"*Most Gracious Sovereign:*

"We, your Majesty's most dutiful and loyal subjects, "the ********** Commons, in Parliament "assembled, return your Majesty our most humble thanks "for having been graciously pleased to communicate to "us the several Papers relating to the present state of the "*British* Colonies in *America*, which, by your Majesty's "commands, have been laid before us: we have taken "them into our most serious consideration, and we find that "a part of your Majesty's subjects, in the Province of the "*Massachusetts Bay*, have proceeded so far to resist the "authority of the supreme Legislature, that a rebellion at "this time actually exists within the said Province; and we "see, with the utmost concern, that they have been countenanced and encouraged by unlawful combinations and "engagements entered into by your Majesty's subjects in "several of the other Colonies, to the injury and oppression of many of their innocent fellow-subjects, resident "within the Kingdom of *Great Britain*, and the rest of "your Majesty's Dominions. This conduct, on their part, "appears to us the more inexcusable when we consider "with how much temper your Majesty and the two Houses "of Parliament have acted in support of the Laws and "Constitution of *Great Britain*. We can never so far "desert the trust reposed in us as to relinquish any part "of the sovereign authority over all your Majesty's Dominions, which by law is vested in your Majesty and the "two Houses of Parliament; and the conduct of many "persons in several of the Colonies, during the late disturbances, is alone sufficient to convince us how necessary "this power is for the protection of the lives and fortunes "of all your Majesty's subjects.

"We ever have been, and always shall be, ready to pay "attention and regard to any real grievances of any of your "Majesty's subjects which shall, in a dutiful and constitutional manner, be laid before us; and whenever any of "the Colonies shall make a proper application to us, we "shall be ready to afford them every just and reasonable "indulgence. At the same time we consider it as our indispensable duty humbly to beseech your Majesty that you "will take the most effectual measures to enforce due obedience to the laws and authority of the supreme Legislature; and we beg leave, in the most solemn manner, to "assure your Majesty that it is our fixed resolution, at the "hazard of our lives and properties, to stand by your Majesty against all rebellious attempts in the maintenance of "the just rights of your Majesty, and the two Houses of "Parliament."

The Earl of *Dartmouth* and the Marquis of *Rockingham* both rising to speak, a debate arose who should speak first.

In this confusion the Lord Chancellor put the question, "Is it your Lordships' pleasure that the Earl of *Dartmouth* be now heard?" This called up the Duke of *Richmond*, who contended that it was a most slavish position to say that any Lord in that House should have a preference before another; and that the preference should be determined by the House.

Lord *Mansfield* replied that he had always understood it was in the option of the Chairman in either House, (the Speaker in the other, and the Lord Keeper in this,) to so far decide as at least to put the question on which of the two persons he pleased. To prove this his Lordship cited an instance in a Committee of the House of Commons on the *Spanish* Convention in 1739, when two Members rising at the same instant to make motions of a direct contrary tendency, Mr. *Winnington*, the Chairman, pointed to one of them in preference to the other, which gave birth to the witty observation of Mr. *Pulteney*, afterwards Earl of *Bath*,

Digitized by Google

in the course of the debate, "that the Chairman had made the deadest point he ever saw in his life."

Lord *Camden* urged the necessity and justice of their previously accepting the Petition of the Merchants, which he understood the noble Marquis had to present, and hearing the Merchants' allegations; he told the House they not only set there in their representative, but in their judicial capacity, and were therefore bound by all the ties of official duty, to get every light and information upon the subject before them; otherwise, their coming to a determination could not be acting in the spirit of the Constitution. He pressed them but for a day, which would not create any delay, and in that time he had no doubt their Lordships would receive that solid information founded on the truest proofs, commercial experience; which would, perhaps, influence their Lordships to think differently from what they then did.

Earl *Gower* insisted that such a mode of proceeding was totally unusual and unparliamentary; that very early in life, much about the period the noble and learned Lord alluded to, he remembered a circumstance which came directly in point; it was on an intended motion of the late Lord *Halifax's*, when the Lord Keeper decided against him, that another noble Lord should be first heard.

The Earl of *Denbigh* observed that the preference was with the noble Earl, out of the respect due to the other branch of the Legislature.

The question was then put, "Whether the Earl of *Dartmouth* shall now be heard?"

It was resolved in the Affirmative.

The Earl of *Dartmouth* accordingly rose, and after putting in his claim to be heard, on the question at large, moved "To agree with the Commons in the said Address, "by filling up the blank with 'Lords Spiritual and Tempo-"ral, and'".

The Marquis of *Rockingham* acquainted the House that the matter which he rose to was to present Petitions, one from the Merchants of *London*, concerned in the commerce to *North America*, and the other from the *West India* Merchants and Planters; that he imagined their contents were of the highest importance, were immediately relative to the business under consideration, and were well worthy of arresting any determination of this House, for at least one day, being certain that, within that short period, information of infinite consequence would be laid before their Lordships, perhaps sufficient to alter, or at least soften the rigour of the measures they were now madly, hastily, and blindly proceeding to adopt. His Lordship then desired the Petitions might be read, which being complied with, he observed, as a question was now before the House, that must be first disposed of; and as consequently the subject matter of Petitions could not regularly come under the cognizance of the House; and that he still hoped the House would be willing to hear the Petitioners, as men suffering under the heaviest misfortunes, none of which could be attributed to their own misconduct, he would be under the necessity, as the only means left, of moving the previous question, which would open a door for taking into consideration a general state of the Petitioners' grievances.

He moved the previous question accordingly, and then his Lordship proceeded.

He observed, that until the previous question was first disposed of, he could not regularly enter into a discussion of the Address; but he would, nevertheless, in this stage of the business, assure the House that there was one paragraph in it which he totally disclaimed, and desired to be understood neither to have act or part in, that was, where both Houses were to assure his Majesty they would, in support of the measures therein recommended, hazard their lives and fortunes; for he now openly declared he would neither risk nor hazard life or fortune in such a cause. He said the noble mover adverted to something which he did not perfectly understand about unanimity. If every man who opposed this Address was presumed to be actuated by false notions of popularity, or factious motives, he believed four-fifths of the Nation would fall under that predicament; but this he could answer for himself, at all events, that he should not tread in the steps of his noble, but ill-fated ancestor, (Lord *Strafford*,) who first courted popular favour, and then deserted the cause he had embarked in; for as he had set out by supporting the cause of the people against the tyranny and arbitrary measures of Ministers, so he should never, for any temptation whatsoever, desert or betray them, but would persevere, to the last, in endeavouring to obtain for them a full reparation for all the injuries they had sustained.

The Earl of *Pomfret* contended that the Sea was our proper element; was against a Land war, and strenuously urged the necessity of sending a Naval Force sufficient to block up their Harbours, and by that means to cut off their communication with all other Powers, and put a total stop to their commerce.

The Earl of *Denbigh* united in this opinion on general principles, but insisted that a Military Force would be necessary for the protection of his Majesty's loyal subjects, who would be otherwise exposed to the fury and violence of their merciless persecutors.

Earl *Gower* adhered closely to the question before the House, the propriety of entering into an immediate examination of the matter contained in the Petitions intended to be presented by the noble Marquis. He said, the Petitioners were persons who deserved every mark of attention and respect which the House could pay them, consistently with the interests of the Empire at large; and although their grievances were imaginary, their complaints were, nevertheless, deserving of indulgence. He trusted, however, when they maturely considered that the steps now taken were to prevent the return of such evils in future, they would cheerfully acquiesce in the wisdom of Parliament in the present instance, and be gratefully thankful hereafter; for if the supremacy of the Legislature was once given up, their trade, commerce, and every possible advantage accruing from either, would soon be annihilated. He therefore hoped that the Merchants would, on the present occasion, submit to a temporary inconvenience, nay, a short-lived distress, to insure the most permanent and important benefits; and manifest that degree of magnanimity which a sense of their own interests, founded in submission and acquiescence to the wisdom of Parliament must, upon mature consideration and past experience, most certainly suggest.

Lord *Mansfield* said, it was impossible to confine the attention of the House merely to the matter of the previous question. He perfectly coincided in sentiment with the noble Earl, who asserted that we were reduced to the alternative of adopting coercive measures, or of forever relinquishing our claim of sovereignty or dominion over the Colonies; for consider the question in ever so many lights, says his Lordship, every middle way, every attempt to unite the opposite claims of the contending parties, ends, and is ultimately founded in one resolution or the other. His Lordship observed, that one of the most able *American* writers, after the fullest and clearest investigation of the subject, at last confesses that no medium can possibly be devised, which will exclude the inevitable consequence of either system absolutely prevailing; for that take it up on which ground you would, the supremacy of the *British* Legislature must be complete, entire, and unconditional; or, on the other hand, the Colonies must be free and independent. His Lordship next proceeded to examine very minutely the several Acts of Parliament complained of in the Congress which assembled at *Philadelphia*, and endeavoured to prove that every one of them, more or less, confirmed the principles he had laid down, and the conclusions he had drawn from them, and directly struck at the Legislative superintending power, which it was contended they were willing to submit to, not barely to the subject of taxation. He more particularly adverted to the Acts for the establishing the Admiralty Courts in that country; for regulating the Rates of Postage of Letters; for ordering persons in any part of the Dominions of the Crown to be tried in any *English* County, for being charged with setting his Majesty's Dockyards on fire; for the quartering of Soldiers, and one or two more of the same nature; any one of which, if repealed, would be a total renunciation of the sovereignty, even if the other proposition were true, that we had no right to tax them. But that claim of non-taxation, it was, he said, that introduced all the rest; if the doctrine was a just one in any instance, it must of inevitable consequence extend to all the rest; for it was to the last degree monstrous and absurd to allow they had a right distinct from the *British* Legislature in any one particular,

Digitized by Google

and not in all; if they had such a right, the defence of it would justify resistance; and to contend that subjects had a right of resisting the Government, was a doctrine he should be glad to hear maintained, on any principle of Civil Government, reason, experience, or common sense. This led his Lordship to the subject of the Petitions, but he contended that they did not at all come in the way of the present motion. He did not doubt but the Petitioners were aggrieved; he did not doubt but they laboured under great and singular distresses; he did not doubt but every degree of men, the landed Gentleman, the Merchant, the Manufacturer, the Mechanick, would all heavily feel, in their several situations, the threatened calamities. Nay, he went further, he did not promise certain success from the present measure. The Army might proceed to hostilities, they might be defeated, the *Americans* might prevail, we might be forever stripped of the sovereignty of that country; but what of that? the events of war were uncertain; the question was, allowing all the inconveniences as set forth in the Petitions to be precisely just, and taking into full contemplation every possible contingency that human foresight and prudence could suggest, Whether we should relinquish our rights, or resolve at all events to resolutely persist in asserting them? His Lordship again returned to his former argument, of the Acts they had protested against, and observed, that though he was not present when a noble Lord on a former occasion (Lord *Chatham*) had insisted, that in return for their temporary suspension and constant repeal, he would insist on the most unequivocal declaration on the part of *America*, of the supreme Legislative controlling power of the *British* Legislature, in every other case whatever, but that of taxation only, he could not help remarking, that they avoided every declaration, equivocal or unequivocal; for all they promised in return, was to consent to the Act of Navigation, while they were boldly contending for the repeal of every one Act almost which was to give that great constitutional law the least force or effect. He next proceeded to prove, by a variety of arguments, that the Colonies were in actual rebellion; insisted on the right of the mother country over the Colonies; doubted of the expediency of taxing now, on account of the repeal of the Stamp Act; but said it was utterly impossible to say a syllable on the matter of expediency, till the right was first as fully asserted on one side, as acknowledged on the other. He loudly condemned the bad policy of laying the taxes on in 1767; and laid all our present troubles and political confusions at that door. He said it was the most absurd measure that could possibly be imagined, for all the purpose it answered, was at once to throw the Colonies into a ferment and ill-humour, and to hurt the commerce of *Britain*, by furnishing the *Americans* with a temptation to smuggle; that is, loading our own Manufactures with duties, and permitting other Powers to supply the *American* markets with the same commodities, without paying any.

Lord *Camden* took up the last noble Lord on his assertion, that the Colonies were in rebellion. If rebellion and treason meant the same thing, he would be bold to say the Colonies were not in rebellion. He said he knew no species of treason but those described by the Statute of the twenty-fifth of *Edward* the Third, which were, levying war within the Realm, or compassing or imagining the death of the King. He owned that there were many precedents in the books of constructed treason, where certain acts of an atrocious nature were adjudged and referred to one or other of those; but he contended that no one act hitherto committed in *America*, came within any of those precedents. He said constructive treason was a dangerous thing; the rule should be certain and definite; for, were it otherwise, no man could tell where it would end, as the lives and properties of the subject would be then at the mercy of the Judge: the culprit would then suffer at the will of the Judge, not by the spirit or the letter of the law. He insisted he had as great and good a Judge as ever sat in *Westminster* Hall, Lord *Hale*, to support him in this opinion, who, after laying down the law of *Edward* the Third, and the expositions of it in the several decisions of his predecessors, asserts, in the most absolute and unreserved terms, that nothing should be deemed treason, by any parity of reasoning or similarity of circumstances, unless it came expressly within the Statute, or the interpretation of it, as laid down in the several decisions which had been given since the passing of the law. He added, on this head, that the wisdom of the framers of it had provided for any mischief that might arise, by directing the Judges to apply to Parliament for their advice, should any new case arise which did not come within the words or obvious meaning of the Statute. He next replied to the noble and learned Lord, as being seemingly involved in the censure passed on the Administration which consented to lay the duties, one of which, (that on Tea) was now the original cause of the unhappy disputes subsisting between *Great Britain* and the Colonies. He utterly disclaimed having the least hand in that measure; said he was not consulted in the framing the law which laid on those duties, and that he was at the time closely and laboriously employed in discharging the weighty functions of his office. He next entered into a very full and detailed view of both the previous and detailed question. He said he was astonished to hear a noble Lord, in the course of the debate, advise the very extraordinary measure of blocking up the *American* Ports, and thereby preventing them from all commerce whatever. He observed, that sending an Army thither in a hostile manner, was insanity the first; but were the present proposed measures adopted, it would indeed be insanity the second. It would be no less than a political *felo de se;* and would be like a man, who, to be revenged of a person that he supposed had injured him, should sheath a poinard in his own bosom. Our commerce, says his Lordship, is at once the source of our wealth and of our power; it both gives us seamen to man our Fleets, and money to pay them; without commerce, this Island, when compared with many countries on the Continent, is but a small insignificant spot; it is from our commerce alone that we are entitled to that consequence we bear in the great political scale. When compared with several of the great Powers of *Europe*, *England*, in the words of *Shakspeare*, being no more than a "bird's nest floating on a pool." What then would be the consequence of adopting so wild and dangerous an expedient? We should neither have Ships to defend us, seamen to man them, nor money to pay them, and we must of course fall a prey to the first invader; for both the means of defence, and the sources which were wont to support it, would be at once cut off. He said every engine had been set to work, and art essayed, to prejudice the landed interest, and distinguish it, on the present occasion, from the commercial, as if the latter could sustain any injury that the other must not equally feel. What rose the value of the lands but commerce? What supported commerce again but the lands?—their interests being as inseparable as the benefits they derived from each other were mutual and reciprocal. He concluded generally on the high sounding unintelligible phrases of Legislative supremacy and Parliamentary omnipotence; but, for his part, they conveyed to his mind precisely such an idea, and gave equal satisfaction, as the answer given by the fine gentleman in the play, who, being charged with baseness by his friend, who told him he had eat his meat, drank his wine, and lain with his wife, made no other reply, at the end of every sentence, but, "Sir, I wear a sword."

The Duke of *Grafton* rose with great warmth, and after observing that his ideas on this important subject did not coincide with what had been urged from any side of the House, and that he meant to reserve his opinion till the great question, with all its several relations and collateral circumstances, came to be taken into consideration and finally decided on, animadverted with no small degree of acrimony and resentment on the conduct of the two learned and noble Lords who preceded him. Of the latter (Lord *Camden*) he insisted it was mean, and much beneath the dignity of one who acted in the exalted station he did, at the time the duties now mentioned were imposed, to come at this time to screen himself from the disagreeable consequences that measure produced, and shift the blame off his own shoulders to lay it on those of others, whom he was perfectly convinced, and fully conscious, had no more particular hand in it than his Lordship. The measure, said his Grace, was consented to, at least, in the Cabinet. The noble Lord acquiesced in it, he sat in that chair, (pointing to the Lord Keeper's) while it was passing through this House in its several stages. The learned Lord was the very person who signified the Royal approbation of this law

Digitized by Google

in his official capacity, under the seal of his office; and shall he now come to tell this House and the publick, that it passed without his approbation or participation? He then observed, that matters which had passed in that House were frequently misrepresented without doors; but he was glad of an opportunity of testifying to the publick that it was no measure of his, perhaps it was contrary to his judgment; but he reserved his sentiments on that subject to a future occasion; as what he meant now was, that let the measure be good or bad, all he wished was, that every Cabinet Minister who acted and deliberated in that capacity at the time of passing that law, should equally share the censure, if it was a bad one, or be entitled to an equal claim of merit if it were a good one. In reply to the other noble and learned Lord, he said he totally differed from him as to the commercial effect of that law; for if the law itself was wise, and the principle it originated from expedient and equitable, the regulation was certainly no less so; for there was no other possible mode left of enforcing the Declaratory Law, (internal taxation being totally abandoned by the repeal of the Stamp Act,) but by laying on Post Duties. And he knew of none against which the noble Lord's objections would not lie as forcibly as those proposed to be levied by the Act under consideration. He lamented the misfortune, that the Administration he was connected with was the only one who wanted the assistance of the noble and learned Lord. He was certain that some of the preceding Administrations had profited of his great abilities; and though he was deprived of the support which might be derived from such sage counsels, he was happy that the Nation experienced the good effects in the aid he had given to some of the Administrations which preceded the one in which he was concerned, and perhaps, nay probably, the one that succeeded it.

Lord *Mansfield* feeling this as a direct attack, implying an interference in the publick Councils, endeavoured to exculpate himself from the charge. He said he had been a Cabinet Minister part of the late reign, and the whole of the present; that there was a nominal and an efficient Cabinet; that for several years he acted as a member of the latter, and consequently deliberated with the King's Ministers; that however, a short time previous to the Administration in which the noble Marquis presided at the head of the Treasury, and some considerable time before the noble Duke succeeded him in that department, he had prayed his Majesty to excuse him; and from that day to the present he had declined to act as an efficient Cabinet Minister. He said he had lived with every Administration on equal good terms, and never refused his advice when applied to; that particularly the noble Marquis must recollect his giving him every assistance his poor abilities were capable of affording; nor was it his fault that noble Duke did not experience the same; for had he been applied to he would have cheerfully rendered him every assistance in his power. That he had not changed his opinion on the present subject, he appealed to every side of the House; for when the repeal of the Stamp Act was brought into it, though he wished to give the measures of Government every support consistent with his judgment and his publick duty; yet, foreseeing the consequences exactly in the same light they have since turned out, he voted against it; but assured the House that he took no other private or ostensible part whatever in that business; and so careful and studious was he to avoid the least appearance of any thing of that kind, that he even returned a proxy that was sent to him against the repeal, sooner than seem to take any publick part against the King's servants. His Lordship likewise apologized to the noble Duke, and assured him that he had not the most distant intention of passing any censure on any measure pursued in the Administration in which he acted; so far from it, that he highly approved of putting the Declaratory Law into execution; all he at most insinuated was, that the present Minister's plan was much better calculated for giving it effect, as it at once destroyed the temptation to smuggle, by reducing the duty from one Shilling to three Pence; for who would risk his whole property against such a trifling duty? or how was it possible that the smuggler could come to market upon equal terms, under all the circumstances attending that trade, with the fair importer.

The Earl of *Shelburne*, after taking a general view of both the previous and main question, respecting the propriety of hearing the Petitioners, and the madness of a civil war, upon every ground of justice, prudence, and sound policy, in a very able and comprehensive manner, said he hoped the day of inquiry and publick retribution would come, when the author of the present dangerous measures would be discovered, and of that despotick system which has governed our Councils for some years past, clearly developed. Candour obliged him to testify to the conduct and sentiment of the noble Duke, (*Grafton*,) that he was averse to the measure; and the day it was brought in as part of a Money Bill from the other House, never rose to support it, as the strongest mark of his disapprobation. He was certain the noble and learned Lord (*Camden*) equally disapproved of it; and, for his own part, who had then the honour of occupying a very high post in Administration, his sentiments were too well known to call for explanation. He said further, that his situation gave him an opportunity of knowing the sentiments of a very high personage, and he could affirm, from his own knowledge, that they were extremely favourable towards *America*. It was therefore a matter well worth knowing, and extremely deserving of inquiry, how this unexpected change was effected, and by what overruling, fatal influence, this great Empire was brought to the eve of being plunged into all the miseries and horrours of civil war.

Lord *Lyttelton* contended for the universality and unity of the *British* Empire over all its territories and dependencies, wherever its domination extended. He was severe on the noble and learned Lord (*Camden*) who spoke so fully on the dangerous consequences of constructive treason. He asserted those little evasions and distinctions were the effects of professional subtilty and low cunning; that it was absurd to the last degree to enter into such flimsy observations on this or that particular phrase or word, and thence draw deductions equally puerile and inconclusive, that the Colonies were not in rebellion. For his part, he should not abide by such far-fetched interpretations, he would be guided by common sense, and only consult the papers on the table, to prove beyond question that *America* was in rebellion. What! will any noble Lord in this House rise and tell me seriously, that a country is not in rebellion when it openly disclaims all obedience to the laws, all dependence on the Legislature! when they offer to appropriate the publick moneys to the very means of resistance! when they prevent the Courts of Justice from assembling, and the Counsellors appointed by the Crown from acting! Will any noble Lord pretend to say, that any or all of those are not manifest acts of rebellion? or that it is not treason in every obvious, substantial, and legal meaning of the word, to attack one of the King's Fortresses, make his Troops render it up, and seize and convert the King's stores to the direct purposes of openly resisting his legal authority by force of arms? Are these acts of the most flagrant rebellion and treason? or are they, according to the ingenious doctrine and legal language of the noble and learned Lord, only to be construed mere misdemeanor or felony? His Lordship next entered into a very spirited defence of his noble and learned friend who spoke on the same side, and dealt his blows very liberally on all those who had attacked him. He bestowed the highest encomiums on his talents, integrity, and political conduct; and charged his accusers with being weak and evil counsellors, no less in their general sentiments than in their personal attacks. He recurred to his former arguments, and contended without reserve for the Legislative supremacy of Parliament over every part of the *British* Dominions in *America*, the *East* and *West Indies*, in *Africa*, in *Asia*, in every part and quarter of the globe, nay, over *Ireland* itself, if it should become necessary; the right of taxation and legislation being indivisible and unconditional, over every place to which our sovereignty extended.

The Duke of *Richmond* condemned, in the most pointed and direct terms, what his Grace called the inflammatory and ill-grounded representations of the learned and noble Lord (*Mansfield*.) He said it was very unbecoming the gravity and dignity of his situation, and of the several high relations he stood in to the state, to endeavour to inflame and mislead at so alarming a crisis. He observed that the noble Lord had laboured all in his power to prove the Colonies in rebellion; but for his part he did not perceive that he used one solid argument in proof of this cruel assertion; an assertion, in

Digitized by Google

every view of it, big with the most horrible and direful consequences; an assertion which, as soon as sanctioned by a vote of both Houses, authorized every species of rapine, plunder, massacre, and persecution whatever. His Grace then turned to the consideration of constructive treason; and observed, that the noble and learned Lord and his friends ought to be the last to approve of lax and indefinite interpretations of treasons, as it might, on some future day, open a door for obtaining of substantial and effectual justice on those who, through the whole course of their lives, had been as sedulous to evade the law, as they were industrious to break it. He entered fully into the propriety of postponing the contents of the Address; and at least listening to hear what the Petitioners had to offer. It would be decent to pay some degree of attention to so respectable and useful a body as the Merchants, and though no Petition had been presented, it would be manifestly indecent, and totally derogating from the dignity of that House, to blindly and implicitly adopt the present measure, without examination, deliberation, or inquiry. This night's debate, he confessed, brought back strongly to his mind what had often been the subject with him of great astonishment and serious consideration. The measure which had been originally the cause of our present dangerous situation, was now openly disavowed by three Cabinet Ministers, then occupying the first departments of the state. They had, each of them, he remarked, solemnly declared it was no measure of theirs, jointly or separately; one of them (Lord *Shelburne*) has assured us, from his own knowledge, that it did not seem to be agreeable to the sentiments of a great personage. Whence then, says his Grace, are we to suppose it originated? I will not say that the noble and learned Lord knows; but this I will venture to remind his Lordship of, that when I came into office, I saw several foreign despatches, on the margin of which were written observations in that noble Lord's hand-writing. I need not tell his Lordship, but I shall take the liberty to inform the House, that the correspondence with our foreign Ministers, at a convenient time, is sent round in little blue boxes to the efficient Cabinet Ministers; and that each of them give their opinions on them in writing. These are the opinions and the observations I now allude to. His Grace, besides, in the course of his speech, condemned very severely the Acts respecting *America*, passed during the last session, particularly to that which gave a new power to the Sheriffs, unknown to the Constitution; that of creating what he called pocket-juries; and the other, which, if possible, is of a much more dangerous tendency, preventing all meetings, under the penalties of high treason; for if it be treason to resist an Act of the *British* Parliament in the manner now contended for, it must of consequence be treason to assist at the Assemblies, which the Bill for altering the Charter positively prohibits.

Lord *Mansfield* rose in great wrath: he said he could hardly bring himself to believe the several insinuations thrown out on the other side of the House could be directed at him; yet, on the other hand, if they meant any thing, he knew not otherwise how to interpret them. If they were intended to be imputed to him as a crime, they missed their aim; for in his opinion, they had, perhaps undesignedly, done him the greatest honour. What, do their Lordships insinuate, that I have been the author of the present measures, and it is I that direct them? I should be proud to own them if it were, because I think them wise, politick, and equitable; but surely they will permit me to repeat again, that I have been a nominal Cabinet Minister part of the last reign, and the whole of the present; that I was an efficient Cabinet Minister during part of both periods; but that since the time before alluded to in this debate, I have had no concern or participation whatever in his Majesty's Councils. Threats are thrown out, and inquiries predicted; I heartily wish they may be speedy; I am prepared for them, and put their intended authors to the most utter defiance. It has been urged against me as a crime to-day, that I have courted popularity. I never did court it; but I always have studied to deserve it. Popularity will always fly the pursuers; she must follow. I do not mean to say that I despise it; on the contrary, I sincerely wish for it, if not purchased at too dear a price; at the expense of my conscience and my duty. If a faithful discharge of one, and execution of the other, be the means of procuring it, I hope I shall always be a warm candidate for popular fame. I have hitherto, to the best of my abilities, acted on that plan, and I hope I shall persevere to the end. I have seen much of Courts, Parliaments, and Cabinets, and have been a frequent witness to the means used to acquire popularity, and the base and mean purposes to which that popularity has been afterwards employed. I have been in Cabinets where the great struggle has not been to advance the publick interests; not by coalition and mutual assistance to strengthen the hands of Government; but by cabals, jealousy, and mutual distrust, to thwart each others' designs, and to circumvent each other, in order to obtain power and pre-eminence. I have been no less careful to observe the effects of popularity, where it has been courted and gained for particular purposes; but where every engagement was abandoned which led to its attainment, when the keeping of them became no longer necessary to the views of self-interest and ambition. I am *threatened!* I *dare* the authors of those threats to put any one of them in execution. I am ready to meet their charges, and am prepared for the event, either to cover my adversaries with shame and disgrace, or in the fall, risk the remnant of a life nearly drawing to an end, and consequently not worth being very solicitous about.

Lord *Lyttelton* rose a second time, to defend his noble and learned friend; and the Duke of *Richmond* in particular, and one or two other Lords on the same side, having dwelt much on the probable consequence our present civil dissensions might have on the conduct of *France* and *Spain*, his Lordship pressed the King's servants to declare what steps they had taken to bring these Courts to an explanation on this subject.

The Earl of *Rochford* replied, that he believed the noble Lord had spoken by inspiration. He declared he had no sort of conversation with him relative to the subject, whatever appearance it might have of being concerted between them; but he thought it extremely fortunate, that the question furnished him with an opportunity of acquainting the House, that he had received a letter that very day from the King's Minister at *Paris*, giving him the most full and unreserved assurances that the *French* Court would prohibit all commerce with the *British* Colonies; and that should any of the subjects of the Crown of *France*, after such declaration on their part, presume to carry on any trade with *America*, his most Christian Majesty meant to be understood, that they were to be deemed out of his protection; and that the *British* Court were at liberty to seize the Vessels and confiscate their Cargoes. His Lordship said, that it might possibly be objected to this declaration, that we ought not to depend on *French* faith; and that probably those assurances were given only with a view of lulling us into a fatal security; but he said he had every reason to believe *France* sincere, as well by the pacifick Councils which at present prevailed in that country, as from the permanent policy of both *France* and *Spain*, who were determined, on their own account, against countenancing, abetting, or bringing into precedent, any measure which might operate as an encouragement to the Colonies in the new world, to render themselves independent of the parent state. His Lordship then referred to a work lately published in *France*, wherein it is expressly asserted, that it would be bad policy in the extreme, for *France* to interfere in the present disputes between *Great Britain* and her Colonies.

The Earl of *Shelburne* returned to his general charges of a fatal and over-ruling influence. He observed, it was very extraordinary that the Bills passed last session of Parliament, respecting *America*, were disowned by the Law Officers of the Crown; and who, in the name of *God*, could have framed them, says his Lordship? We cannot suppose it was the Minister who framed them. We are almost certain that none of the Members of Administration drew them up. We know they were fabricated by some person conversant in the law. It is impossible we can hesitate a minute, therefore, to pronounce them to be the work of some hand who is unwilling to own them. The Law Officers of the Crown have disavowed them. Who then framed them? The publick naturally look at a law Lord, notoriously high in favour in the Cabinet, with whose sentiments and doctrines they perfectly agree. Is not this, my Lords, enough to raise suspicions in the most unsuspecting

Digitized by Google

mind, that the King is betrayed, the Nation undone, and the Ministry rendered mere cyphers, to give a sanction to a system of measures, which, sooner or later, must be the ruin of this country, or at least of its constitutional liberties? The noble and learned Lord has confessed, that though for some years he has ceased to act in the character of an efficient Cabinet Minister, there was a time when it was otherwise; there was a time when he united in his character two things in the *English* Constitution, the most repugnant in their nature; that of an acting Cabinet Minister, and a Lord Chief Justice of *England*. For my part, I always imagined, according to the true principles of this Constitution, that it was the great pervading principle and excellence of it, to keep the Judicial and Executive powers as separate and distinct as possible, so as to prevent a man from advising in one capacity what he was to execute in another. I hope the time will come when those matters will undergo a full and impartial discussion, without a personal allusion to any man, when we shall be able to point out, with certainty, the real author of the present measures; and be at the same time informed, where the Judges in *Westminster* Hall have kept within their own province, and where they have invaded the Constitution, by substituting their own prejudiced and partial opinions for the law of the land. In particular, I sincerely wish, that means may be devised for leaving the Members of the Cabinet, at the time the duties imposed on *America* were laid, at liberty to declare freely what they know of that matter, so that the real authors may be discovered, and the framers of this pernicious, fatal measure, held forth to publick detestation. The noble and learned Lord has disclaimed having any direct concern in the present business, and endeavours to strengthen his bare assertion, by shewing what little or no temptation he could have to interfere. But the noble Lord knows, every noble Lord in this House knows, a Court has many allurements, besides even place or emolument. His Lordship denies any obligations or personal favours whatever. I am ready to give his Lordship full credit for this declaration; but he will permit me at the same time to observe, that smiles may do a great deal; that if he had nothing to ask for himself, he has had friends, relations, and dependants amply provided for; I will not say beyond their deserts; but this I may say, much beyond their most sanguine expectations. Independent however of these considerations, I think the pride of directing the Councils of a great Nation, to certain favourite purposes, and according to certain preconceived principles, may possibly effect great things, and tempt to great hazards, considering the frame and temper of some men's minds.

Lord *Mansfield* now rose, in great passion. He said, he thought it had been the leading characteristick of that assembly, when contrasted with the other House, who too often descended to altercations and personal reflections, to always conduct themselves like gentlemen; but he was sorry to see that rule departed from this evening for the first time. He charged the last noble Lord with uttering the most gross falsehoods. He totally denied that he had any hand in framing all the Bills of the last session; and was certain, that the Law Officers of the Crown never asserted that they had no hand in them; but whether they had or had not, was of no consequence to him; for he was clear; the charge, when applied to him, was as unjust as it was maliciously and indecently urged.

The Earl of *Shelburne* returned the charge of falsehood to Lord *Mansfield* in direct terms; he appealed to the House, whether the words he had used, were not, "that if "among the Bills of the last session, there were some dis-"avowed by the Law Officers of the Crown, it was natural "for the publick to look at a law Lord, notoriously high "in favour in the Cabinet, to whose sentiments the princi-"ples of those Bills appeared to be particularly adapted, "and with whose doctrines they entirely agreed;" which he called on his Lordship to contradict, if he dared.

The Duke of *Richmond* animadverted, in very severe terms, on an expression which fell in the heat of debate from a noble Lord *(Lyttelton.)* He said no man could impute littleness, lowness, or cunning, to any Member of that assembly, (alluding to what his Lordship had pointed at Lord *Camden*,) for delivering his sentiments freely, unless he drew the picture from something he felt within himself, as, by illiberally charging others with low and sinister designs, the charge could only be properly applied to the person from whom it originated. His Grace entered into a full consideration of the true purport of what had fallen from a noble Lord in office, (Lord *Rochford*,) relative to the present language and disposition of the *French* Court. He said, the assurances now quoted, with so much official parade, and so seasonably brought under consideration, without any design, were, or were not, to be relied on; that they were not to be entirely relied on, the noble Lord partly confessed, by insisting, that we were prepared for the worst; he should be therefore glad to know what those preparations consisted in; what proportion they bore to the strength of those, who in the contest might possibly become our adversaries; and above all, he should be obliged to the noble Lord, who presided at the head of the Naval Department, to lay before the House an authentick, precise state of what our Naval Force consisted in; because he had observed, that on a former important occasion, we received the most full and solemn assurances, that our Navy was on a very respectable footing at the time of the dispute about *Falkland's* Island; yet it was afterwards discovered, that we had not a single Ship-of-War fit to proceed to Sea. His Grace then proceeded to discuss the question at large, relative to our present unhappy disputes with *America*, and by the several important lights he let in on the subject, and the variety of interesting facts he adverted to and elucidated, he shewed himself to be very fully and thoroughly informed of the conduct of the contending parties; of the provocations given on one side, and the effects they produced on the other; and, above all, the total ignorance of Administration, relative to the temper and disposition of the Colonies.

The Earl of *Sandwich*, to answer his Grace, apologized for rising at that late hour of the night. He said, he had employed himself in taking notes the whole evening; and intended, before he went away, to have eased himself of the burthen, (an expression of Lord *Shelburne's*;) but as the matter had been already so fully discussed, he should not, at so unseasonable an hour, trespass on their Lordships' patience, but solely confine his reply to the information desired by the noble Duke, relative to the department over which he had the honour to preside. He said, when he came to the Admiralty Board, the Navy was in the most ruinous condition; insomuch, that within the last four years, there were no less than forty Line-of-Battle Ships broke up, and even six in the course of the last year; that there was not six months Timber of any kind in the Yards, and in some, he believed, not fifty Pounds worth; and that he did not impute the least blame to the great and gallant officer, the first in the world in his profession, (Sir *Edward Hawke*,) whom he had succeeded, and who had retired purely on account of his age and infirmities. His Lordship next contrasted the present state of the Navy. He said, we had now nearly fourscore Ships-of-the-Line, and several more building in the King's and Merchants' Yards, with a proportionable number of inferiour rates, all either stout, clean Ships, or Vessels newly built; that we had three years seasoned Timber in the Yards; that all that were not on actual service, or turned in Guard-Ships, were in dock, where they could not meet with any injury; that the Guard-Ships, which formerly were useless, in cases of emergency, not being fit for the Sea, nor having rigging, or more than a third of their complement of men, were now ready for any service, at a few days notice, which he instanced in the year 1773, at the time we meant to send a Fleet to the *Mediterranean*, when ten Men-of-War of the Line actually sailed from *Plymouth* within three days after they received their orders. He next informed the House, that there were twenty Guard-Ships, three of which, of the Line-of-Battle, were on the *American* station; that we had squadrons besides in the *East* and *West Indies*, the Leeward Islands, and *Mediterranean;* that after sufficiently providing for those respective services, the Naval Force for home protection would consist of seventeen Men-of-War of the Line, besides Frigates, seven thousand two hundred Seamen, and eight hundred Marines; that after the peace of *Aix la Chapelle*, in 1748, our whole Naval establishment did not exceed that now reserved for the Channel alone, eight thousand Seamen, including Marines, being only voted; and that he would pledge himself to answer all the demands, and co-operate with the intentions of Adminis-

Digitized by Google

tration, with only an augmentation of two thousand men. He added further on the same head, that we had a Fleet superiour to any that the combined force of *France* and *Spain* could fit out; that our Ships were all clean, well provided, rigged, and ready to proceed to Sea on a few days notice; and that we had a supply of seasoned Timber in our Yards equal to three years consumption. That this was a force fully sufficient to defend us against any sudden attack of the combined Fleets of *France* and *Spain*, though he was well assured they had no such intention; but if they had, we were prepared for them; and that he would now pledge himself to the House, and the publick, that with an augmentation of two thousand Seamen more, he would supply Government with such a Naval Force as would at once protect us at home, and be sufficient to enforce its measures respecting *America*. He begged, however, that the House would not understand that he arrogated any peculiar merit to himself relative to the present state of the Navy, compared to what it was when he was called to the head of the Admiralty, for very little of it fell to his share. He had only performed his official duty; it was to Lord *North*, who had been the means of so amply providing for it in the House; and to his Lordship, therefore almost the sole merit was due, that our Navy was now put on so respectable a footing.

The Duke of *Richmond* controverted several of the positions laid down by the noble Earl, (*Sandwich*,) both respecting the disposition of the *French* and *Spaniards*, and the force sufficient to resist them, should they make any attempt on these Kingdoms, or give an occasion for a rupture by their conduct in the *American* Seas. He again commented very ably on the answer given by the *French* Minister. What does this answer import, says his Grace, supposing it to be literally kept on their part? That if you detect any of their Ships trading with our *American* subjects, we shall be at liberty to seize them, and confiscate their cargoes. Does the noble Earl pretend to interpret this explanation, generally, so as to authorize our taking their Vessels at Sea? If he does not, what can such a vague deluding promise avail? If he does, then I will venture to assure his Lordship that he is miserably deceived; and that the first attempt to prevent *French* or *Spanish* Ships from navigating the *American* Seas, for pretences will never be wanting on such occasions, will furnish them with an opportunity of asserting their maritime freedom, of making reprisals, and of justifying their conduct to the other great states of *Europe*, who are known to be long jealous of what they are pleased to call our despotick claim to the sovereignty of the Ocean. The noble Earl gives us a melancholly account of the deplorable, ruinous state of our Navy, at the time he came to preside over our Naval concerns. He said our Ships were rotten, and our Guard-Ships useless. I would be glad to know from his Lordship what have been the means employed to work this miraculous change. He speaks of so many Ships-of-the-Line proceeding to Sea in three days; and of Captain *Barrington's* great merit in that business. No Lord in this House has a higher opinion of that gentleman's merit as an officer than I have. I remember well the time the Royal Naval review was at *Portsmouth*, that able officer had his Ship some hours ready to proceed to Sea, before the Division under the command of a noble Lord in this House, (Lord *Edgcumbe*.) The noble Earl dwelt greatly on the manner our Guard-Ships are manned and provided; yet I well recollect that in the Royal presence, when we may presume every nerve would have been strained, the *Plymouth* Division took above three hours in weighing. The apology then made was that the Ships had not more than half their complement of men; and I can affirm, that Captain *Barrington's* Ship was the only one which seemed to answer the anxious expectations of the spectator.

The Earl of *Sandwich* replied humorously, in the words of the old ballad of *Chevy Chase*, written, as he said, in the time of *Henry* the Fourth. "I trust we have many as good as he." He insisted, without any disparagement to the honourable Captain, there were several as able officers in the Navy as he; that wind and tide, and a variety of circumstances attendant on them, were not to be commanded. He assured the noble Duke, let the consequences be what they might, they would not wait for the *French* Ships being in Port, or even in with the land; but would seize them without ceremony in the first instance, and trust to the event, be it what it might; Administration being determined to abide, and, if necessary, to enforce the true terms of the explanation, in the sense only it was desired and given. As to the other part relative to the state of the Navy, and his reasons for pronouncing, with so much confidence, concerning it, he told the noble Duke that the case was now entirely different from what it was in 1770; for that towards the conclusion of the late war, when the publick exigencies called for a powerful Fleet, they were obliged to make use of green Timber, of any kind of Timber in the construction of our Ships-of-War; that those Ships rotted at the end of five or six years; whereas these built lately would stand thirty, as they were built of seasoned Timber, of which we had a large three years' stock; and that besides we made use of another precaution, which was still seasoning the Timber while the Ship was building, by giving orders that no Man-of-War should be hastily built, or launched in less than three years after she was put upon the stocks.

The Bishop of *Peterborough* (Doctor *John Hinchcliffe*.) Throughout the whole of this day's debate, and indeed on every question relative to *America*, it has been to me of very serious concern to see so much of your Lordships' time taken up in mutual charges and recriminations. It is but too evident that a complicated variety of very untoward circumstances have combined to bring *Great Britain* and her Colonies into so great difficulty and embarrassment, that to extricate them requires all your Lordships' temper as well as wisdom. Yet while we have heard, on the one hand, Lords, eminent for their abilities and experience, assert that the Constitution is violated, and the sacred rights of our fellow-subjects encroached upon by principles of arbitrary power, till resistance itself is thought justifiable; we are assured, on the other, by authority no less respectable, that opulence and security have begot a desire of independence in our Colonies; that a spirit of discontent and disaffection is gone forth, which has been unhappily increased by the arts and encouragement of some men here at home, under the influence of like passions, till *America* is become impatient of all legal restraint, and determined to break through every tie which has hitherto connected her with the mother country.

I rise not to trouble your Lordships as an advocate for either extreme of opinion, but profess that, above all things, I wish for reconciliation upon the very easiest terms that, consistently with the just authority and pre-eminence of this country can be admitted as a ground of re-union. Yet sensible as I am that it is my duty, nor is it less my inclination, to promote peace, yet cannot I, for fear that our commercial concerns should suffer a temporary interruption, wish to see the honour and lasting prosperity of this country sacrificed to its temporary interests. For, waiving all discussion of that great constitutional question, whether or not the Legislative supremacy implies or not the right and power of taxation, there is, to my understanding, a very evident distinction between an Internal General Tax, and a Port Duty, upon any article of trade, which the subject is at liberty to purchase or not, as he thinks proper.

I am aware that the advocates for the total independence of *America* have endeavoured to prove that a duty so raised is illegal and oppressive as any other tax whatever; but to have made it so, Parliament must have done by the Tea in *America*, what is done in *France* by the Salt, have obliged every family to have bought, not as much as they were willing, but as much as it was thought they were able to consume.

That there is a power in this country to regulate the trade throughout all the Ports of the whole *British* Empire, is what, I believe, hardly one of your Lordships will contest. It would be of use, therefore, in shortening this debate, to recollect that it was for the tumultuous resistance to this acknowleged right of the Legislature, that the Port of *Boston* was shut up. I am free to own that there may be an oppressive exercise of even an acknowledged right; but it will be a difficult matter to bring the duty upon Tea under that description. The noble Lord (*Camden*) before me, acknowledges that he made no objection to it at the times it was laid, though he was then in the highest department of the law, with so much credit to himself and satisfaction to the publick; he will allow, there-

Digitized by Google

fore, that there was no appearance of illegality in its origin; it was also moderate in its exercise; it affected not a necessary of life, and left the *American* consumer of a foreign luxury in a much better situation than any subject in *Great Britain*. But admitting that the people of *Boston*, either from their own notions of the matter, or from prejudices instilled into them, thought the duty upon Tea an oppression, it surely was incumbent on them to have presented a Memorial or Petition to Parliament; not to have invaded private property with violence, nor to have treated the sovereign Legislature of *Great Britain* with insolence and contempt. Reparation ought long ago to have been made for these offences; and it is in order to obtain it that I understand Administration think themselves under a necessity of adopting coercive measures as the only means to bring about a lasting union.

As a learned Lord, (*Camden*) in the course of this debate, has taken occasion to censure the two Acts which passed in the last session, after the *Boston* Port Bill; I will beg your Lordships' indulgence while I say a few words to each of them. First, as to the Bill for the impartial administration of justice in *Massachusetts Bay;* was I to take my idea of this Bill from what has fallen from the learned Lord, "that by coupling it with the Statute of *Henry* the "Eighth, it gave a full power to bring the *Americans* over "here to butcher them in the King's Bench," I should conclude that it was a Bill empowering Administration to tear any obnoxious person from his wife and family, and carry him to a foreign judicature to answer for crimes said to be committed in his own country; whereas, in truth, it is a Bill of mercy, as well as of justice, giving security to persons acting under legal powers, that they shall not, in the discharge of their duty, be subject to the resentment of a factious and deluded populace, who neither acknowledge the laws, nor the authority of the Magistrate; besides the Bill is temporary, and respects only the present tumultuous state of the Province.

As to the other Bill, for altering the Charter of *Massachusetts Bay*, which the same learned Lord represents as an exorbitant abuse of Parliamentary power, I will only say, that an alteration, full as material, in that very Charter, was made by King *William* immediately after the Revolution. Shall it then be said, in this House, that it is an abuse of power for the present King, sitting in his Parliament, to do an act similar to what King *William*, that great restorer of *British* freedom, did by the advice of his Council only; though that Council was composed of men that loved liberty as well, and hazarded as much in the preservation of it, as any set of Patriots before or since.

As to the Papers upon your Lordships' table, it appears from them to be the general opinion of all those who, either from their office or their situation, are capable of judging what will be the probable effect of it, that a steady perseverance to support the rights of the Legislature will, in the end, bring the *Americans* to a just sense of their duty and their interest. It will then be time for tenderness and forgiveness. May I not add, it will then be time for indulgence even to popular prejudices, and that idea they are so fond of, the right of taxing themselves. But was *Great Britain* tamely to submit to the indignities that have been put upon her, her condescension would defeat its very purpose, and be treated as a meanness and timidity. It might, indeed, procure peace; but it would be only drawing ashes over the embers that would still be burning underneath, or, like the act of an unskilful Surgeon, who heals the wound outwardly, while it is still left festering within.

I shall, therefore, give my vote for this Address; not because I love coercive measures, though, to a certain degree, they may become necessary. I approve of it rather, because it takes the middle way, so much recommended by the noble and learned Lord; for the steadiness is the means, yet reconciliation is avowedly the end proposed. Reconciliation is what I shall never lose sight of; and I am persuaded that, could your Lordships be induced to join unanimously in this Address, it would speedily bring about what all your Lordships are desirous of, the peace, harmony, and lasting prosperity of the *British* Empire.

The Duke of *Richmond* observed, that he thought it was extremely improper for the Right Reverend Bench to take any part on the present occasion, or to be at all accessary to the shedding of the blood of their fellow-creatures and fellow-subjects. It would be much fitter, if they interfered at all, to act as mediators, than as persecutors; more consistent with the principles they professed to teach; but much more particularly suited to the sacred functions they were called to discharge. He said, that by the specimen now given, he should not be surprised to see the lawn sleeves upon those benches stained with the blood of their innocent and oppressed countrymen on the other side the *Atlantic*.

The Duke of *Manchester* animadverted with great energy on the very indecent and unprecedented attack made by a noble Lord, early in the debate, (Lord *Lyttelton*) on all those who happened to differ with him. He said it was a pretty method of convincing an adversary, to tell him that his opposition to measures was founded in the worst motives; and that all who entertained contrary sentiments to his own, were weak and wicked Counsellors. Such language had been always discountenanced, and he hoped would always meet with the strongest marks of discouragement and disapprobation in that House, as it would otherwise banish all sober deliberation and free discussion from within those walls; and introduce, in their stead, the most improper personalities and disgraceful altercations.

Lord *Lyttelton* endeavoured to exculpate himself from the charges of the two noble Dukes. He said, any thing severe he might have dropped respecting a noble and learned Lord on the other side, was only upon certain suppositions. He had not, however, changed his opinion relative to the true interpretation of treason; nor could he bring himself to subscribe to his Lordship's definition of it; as the more he thought on the subject, or heard it argued, the fuller he was satisfied that *America* was in rebellion. He said he had a very high authority to support him, (Lord Chief Justice *Foster*) and a real friend to liberty, who enumerates several species of treason, besides those expressly defined by the Statute of the twenty-fifth of *Edward* the Third, and lays it down as law, though a consultation to levy war, in which the person of the King is not meant to be injured, may appear not to be treason within the Statute of *Edward* the Third, yet that an overt act of one species of treason may be good evidence to prove an intention to commit the other.

Lord *Mansfield* assured the House that he had not given the least intimation to the noble Lord of what he now urged; but that it was nevertheless the general doctrine laid down by those who had written on the subject. He was personally acquainted with the great law authority now quoted, who assured him he was present in Court at the trial of the offenders in Queen *Anne's* time, who pulled down the Meeting Houses, and that *Holt*, Chief Justice, and the rest of the Court agreed that evidence of an overt act of one species of treason, was sufficient proof of an overt act of another species of treason.

Lord *Camden* still retained his former sentiments; he entered into a warm eulogium on the learned Judge alluded to; insisted the doctrine now imputed to him was not his; offered to meet the noble and learned Lord on the other side on that ground; and remarked that the intended object of the language held this day, was to bring the unhappy *Americans* to *England*, to be tried under the Act of *Henry* the Eighth, and have them butchered in the King's Bench. Early in the debate Lord *Mansfield* having said that the Ministers of the Church of *England* were persecuted by the fanatics of *Boston*, and other parts of *New-England*, Lord *Camden* reprehended him very severely for using such inflammatory language.

The Earl of *Dartmouth* closed the debate. He said that he approved of the measure; that *America* would be tenderly and gently treated, if they would return to their obedience; that he was directed by his own judgment, not by Lord *Mansfield's;* and that he believed Lord *Mansfield* was totally unconnected with the present Administration.*

* This extraordinary debate was attended with some singular circumstances. A great law Lord, who had been so severe in his charge against the *Americans*, condemned also, in the most explicit and unreserved terms, (to the great surprise of most of his auditors,) the measure of laying on the Duties, in the year 1767, which he declared to be the most absurd and pernicious that could be devised, and the cause of all our present and impending evils. If this declaration was unexpected, the acknowledgment that followed was more so. Three great Lords who were at that time Cabinet Counsellors, and held the first offices in the state, declared separately in their places, that they had no share in that measure, nor had ever given it any approbation; and two of them

Digitized by Google

The previous question was then put, "Whether the said question shall now be put?"

It was resolved in the Affirmative. Contents 90, Proxies 14—104; Non-Contents 29.*

The following Protest was thereupon entered:

Dissentient,

1st. The previous question was moved, not to prevent the proceeding in the Address communicated at the conference with the Commons, but in order to present the Petition of the *North American* Merchants, and of the *West India* Merchants and Planters, which Petitions the House might reject, if frivolous, or postpone, if not urgent, as it might seem fit to their wisdom; but to hurry on the business to which these Petitions so materially and directly related, the express prayer of which was, that they might be heard before "any resolution may be taken by this right honourable House respecting *America*;" to refuse so much as to suffer them to be presented, is a proceeding of the most unwarrantable nature, and directly subversive of the most sacred rights of the subject: it is the more particularly exceptionable, as a Lord in his place, at the express desire of the *West India* Merchants, informed the House, that, if necessitated so to do, they were ready, without Counsel or farther preparation, instantly to offer evidence to prove that several Islands of the *West Indies* could not be able to subsist, after the operation of the proposed Address in *America*. Justice, with regard to individuals, policy with regard to the publick, and decorum with regard to ourselves, required that we should admit this Petition to be presented. By refusing it, justice is denied.

2dly. Because the Papers laid upon our table by Ministers, are so manifestly defective, and so avowedly curtailed, that we can derive from them nothing like information of the true state of the object on which we are going to act, or of the consequences of the resolutions which we may take. We ought (as we conceive) with gladness to have accepted that information from the Merchants, which, if it had not been voluntarily offered, it was our duty to seek. There is no information concerning the state of our Colonies, (taken in any point of view,) which the Merchants are not far more competent to give than Governours or Officers, who often know far less of the temper and disposition of the people, or may be more disposed to misrepresent it than the Merchants. Of this we have a full and melancholy experience in the mistaken ideas on which the fatal Acts of the last Parliament were formed.

3dly. Because we are of opinion, that in entering into a war in which mischief and inconvenience are great and certain, (but the utmost extent of which it is impossible to foresee,) true policy requires that those who are most likely to be immediately affected, should be thoroughly satisfied of the deliberation with which it was undertaken; and we apprehend that the Planters, Merchants, and Manufacturers, will not bear their losses and burthens, brought on them by the proposed civil war, the better, for our refusing so much as to hear them previous to our engaging in that war; nor will our precipitation in resolving, add much to the success in executing any plan that may be pursued.

We protest, therefore, against the refusal to suffer such Petitions to be presented, and we thus clear ourselves to our country of the disgrace and mischief which must attend this unconstitutional, indecent, and improvident proceeding.

Richmond,	Courtenay,
Camden,	Abingdon,
Torrington,	Effingham,
Archer,	Ponsonby,
Stanhope,	Fitzwilliam,
Cholmondeley,	Scarborough,
Rockingham,	Abergavenny,
Wycombe,	Portland,
Craven,	Tankerville.

Then the main question was put, "Whether to agree "with the Commons in the said Address, by inserting the "words 'Lords Spiritual and Temporal, and?'"

It was resolved in the Affirmative.

Dissentient,

1st. Because the violent matter of this dangerous Address was highly aggravated by the violent manner in which it was precipitately hurried through the House; Lords were not allowed the interposition of a moment's time for deliberation before they were driven headlong into a declaration of civil war. A conference was held with the Commons; an Address of this importance presented; all extraneous information, although offered, positively refused; all Petitions arbitrarily rejected; and the whole of this most awful business received, debated, and concluded, in a single day.

2dly. Because no legal grounds were laid in argument or in fact to show that a rebellion, properly so called, did exist in *Massachusetts Bay*, when the papers of the latest date, and from whence alone we derive our information, were written. The overt acts to which the species of treason, affirmed in the Address, ought to be applied, were not established, nor any offenders marked out. But a general mass of the acts of turbulence, said to be done at various times and places, and of various natures, were all thrown together to make out one general constructive treason. Neither was there any sort of proof of the continuance of any unlawful force from whence we could infer that a rebellion does now exist. And we are the more cautious of pronouncing any part of his Majesty's Dominions to be in actual rebellion, because the cases of constructive treason, under that branch of the 25th of *Edward* the Third, which describes the crime of rebellion, have been already so far extended by the Judges, and the distinctions thereupon so nice and subtle, that no prudent man ought to declare any single person in that situation, without the clearest evidence of uncontrovertible overt acts, to warrant such a declaration. Much less ought so high an authority as both Houses of Parliament, to denounce so severe a judgment against a considerable part of his Majesty's subjects, by which his forces may think themselves justified in commencing a war, without any further order or commission.

3dly. Because we think that several Acts of the last Parliament, and several late proceedings of Administration, with regard to the Colonies, are real grievances, and just causes of complaint; and we cannot, in honour or in conscience, consent to an Address which commends the temper by which proceedings so very intemperate have been carried on; nor can we persuade ourselves to authorize violent courses against persons in the Colonies, who have resisted authority, without at the same time redressing the grievances which have given but too much provocation for their behaviour.

4thly. Because we think the loose and general assurances given by the Address, of future redress of grievances, in case of submission, is far from satisfactory, or at all likely to produce their end; whilst the Acts complained of continue unrepealed, or unamended; and their authors remain in authority here, because these advisers of all the measures

condemned it in express terms, while the third, who was still high in office, did not by any means pretend to support it. It seems they were in some way overruled. But the manner in which a measure of Ministry was carried against the opinion of Ministers, was not explained.

It cannot be wondered, that such a disclosure relative to a matter, which had already convulsed the whole Empire, and was still more to be dreaded in its future consequences, should excite the most general amazement, mixed with a great share of indignation and regret in particulars. The fatal and overruling secret influence, which, as they said had so long guided and marred all the publick affairs of the Nation, was accordingly deplored and animadverted upon in different parts of the House.

In the course of the heat, which sprung from much collateral matter that was thrown in upon this occasion, a series of arraignment, justification, assertion, denial, animadversion, and recrimination took place, in which many things passed, that were either new in that House, or extraordinary in their nature. The learned Lord who had condemned the measure of laying on the *American* Duties in the year 1767, was himself, partly by implication, and in part directly, charged with having a principal share in those secret counsels, which had been stigmatised as the most obnoxious and ruinous to the Nation; notwithstanding his repeated declaration, that he had not acted as an efficient Cabinet Counsellor for several years. These charges were urged and opposed with a degree of asperity, and a harshness of personal altercation, not often heard in that House; with violent threats on the one side, and general defiance on the other.—*Ann. Regis.*

* List of the Minority who Divided upon the Previous Question:—

Dukes.—*Cumberland, Richmond, Devonshire, Portland, Manchester.*
Marquis.—*Rockingham.*
Earls.—*Abingdon, Besborough, Cholmondeley, Coventry, Effingham, Fitzwilliam, Scarborough, Shelburne, Spencer, Stanford, Strafford, Tankerville.*
Viscounts.—*Courtenay, Torrington.*
Lords.—*Abergavenny, Archer, Beaulieu, Camden, Craven, Fortescue, King, Sondes.*
Bishop.—*Exeter. (Frederick Keppel.)*

Digitized by Google

which have brought on the calamities of this Empire, will not be trusted while they defend, as just, necessary, and even indulgent, all the Acts complained of as grievances, by the *Americans;* and must, therefore, on their own principles, be bound in future to govern the Colonies in the manner which has already produced such fatal effects; and we fear that the refusal of this House, so much as to receive previous to determination (which is the most offensive mode of rejection) Petitions from the unoffending natives of *Great Britain* and the *West India* Islands, affords us but a very discouraging prospect of our obtaining hereafter any petitions at all, from those whom we have declared actors in rebellion, or abetters of that crime.

Lastly. Because the means of enforcing the authority of the *British* Legislature, is confined to persons of whose capacity, for that purpose, from abundant experience, we have reason to doubt; and who having hitherto used no effectual means of conciliating or of reducing those who oppose that authority; this appears in the constant failure of all their projects, the insufficiency of all their information, and the disappointment of all the hopes, which they have for several years held out to the publick. Parliament has never refused any of their proposals, and yet our affairs have proceeded daily from bad to worse, until we have been brought, step by step, to that state of confusion, and even civil violence, which was the natural result of these desperate measures.

We therefore protest against an Address amounting to a declaration of war, which is founded on no proper Parliamentary information; which was introduced by refusing to suffer the presentation of Petitions against it, (although it be the undoubted right of the subject to present the same,) which followed the rejection of every mode of conciliation; which holds out no substantial offer of redress of grievances; and which promises support to those Ministers who have inflamed *America*, and grossly misconducted the affairs of *Great Britain.*

RICHMOND,	CHOLMONDELEY,
CRAVEN,	ABINGDON,
ARCHER,	PORTLAND,
ABERGAVENNY,	CAMDEN,
ROCKINGHAM,	EFFINGHAM,
WYCOMBE,	STANHOPE,
COURTENAY,	SCARBOROUGH,
TORRINGTON,	FITZWILLIAM,
PONSONBY,	TANKERVILLE.

Ordered, That the words "Lords Spiritual and Temporal, and" be inserted in the said Address.

Ordered, That the said Agreement be communicated to the Commons at a Conference.

Ordered, That the said Address be presented to his Majesty by the Whole House.

Ordered, That the Lords with White Staves do wait on his Majesty, humbly to know what time his Majesty would please to appoint to be attended with the said Address.

A Message was ordered to be sent to the House of Commons, by Mr. *Browning* and Mr. *Leeds:*

"To desire a Conference with that House this day, at "three o'clock in the afternoon, in the Painted Chamber, "upon the subject matter of the last Conference."

Ordered, That the Managers of the last Conference be the Managers of this.

Upon reading the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the *American* commerce, setting forth—

"That the Petitioners are essentially interested in the commerce, which, for many years, hath been carried on with the *British* Colonies in *America*, to the increase of the Manufactures, the improvement of the Revenues, the support of the Naval strength of *Great Britain*, and to the extension of the general trade of the whole Empire: And considering the happy effect of those laws which the *British* Legislature had, from time to time, enacted for the regulation of this commerce, the Petitioners were warranted in presuming that human wisdom could not have framed a more effectual institution for the attainment and security of these valuable objects. It is to the operation of laws incompatible with this institution, that the Petitioners can alone attribute the frequent interruptions which of late years have prevailed in this commerce; the total stagnation which at present subsists in the export trade with the greatest and most important part of *North America;* the certain ruin with which the whole of that valuable and extensive commerce, and thousands of industrious Manufacturers in these Kingdoms, are threatened; the large and fatal diminution which the national revenue must inevitably sustain, and the sensible decline of publick credit. Under these circumstances, the Petitioners are constrained, by a sense of that duty which they owe to themselves, their fellow-subjects, and their posterity, to appear before this right honourable House with these their respectful but just complaints. The Petitioners approach this right honourable House with the greater confidence, when they reflect, that the Peers of this Realm are the hereditary Counsellors of the Crown, and the constitutional guardians of those invaluable interests, by which the most distant subjects of the Empire are inseparably united. And relying on their justice for a fair construction of the motives which induced them to this necessary application, the Petitioners rest assured that they shall not be deemed to have brought under the consideration of this right honourable House, matters of trivial concern, when they humbly submit, that the fundamental policy of those laws of which they complain, and the propriety of enforcing, relaxing, or amending the same, are questions essentially connected with the commerce between *Great Britain* and *America;* and consequently, that the consideration of the one cannot be entered on without a full discussion of the other;" the Petitioners, therefore, most humbly pray this right honourable House, "That they will enter into an immediate examination of that excellent system of commercial regulation, on the faith of which the intercourse between *Great Britain* and her Colonies hath been founded and maintained to an extent, and with a success, of which history affords no example. And weighing the true cause of that disorder by which this happy intercourse hath been disturbed, will apply such healing remedies as can alone restore and establish the same on a permanent foundation;" and therefore, praying their Lordships, "That no resolution may be taken by this right honourable House, respecting *America*, until they shall have been heard by themselves, their Agents, or Counsel, in support of this Petition."

It is ordered that the said Petition do lie on the table.

Upon reading the Petition of the Planters of his Majesty's Sugar Colonies residing in *Great Britain*, and of the Merchants of *London* trading to the said Colonies, whose names are thereunto subscribed, setting forth—

"That the Petitioners are exceedingly alarmed at an Agreement and Association entered into by the Congress held at the City of *Philadelphia*, in *North America*, on the 5th of *September*, 1774, whereby the Members thereof agreed and associated for themselves and the inhabitants of the several Provinces lying between *Nova Scotia* and *Georgia*, that from and after the first day of *December*, 1774, they would not import into *British America* any Molasses, Syrups, Paneles, Coffee, or Pimento, from the *British* Plantations; and that after the tenth day of *September*, 1775, if the Acts and the parts of Acts of the *British* Parliament therein mentioned, are not repealed, they would not directly or indirectly export any Merchandise or commodity whatsoever to the **East Indies*. And the Petitioners do most humbly represent, that the *British* property or stock vested in the *West India* Islands, amounts to upwards of thirty millions sterling; that a farther property of many millions is employed in the commerce created by the said Islands, a commerce comprehending *Africa*, the **East Indies*, and *Europe;* that the whole profits and produce of these capitals ultimately centre in *Great Britain*, and add to the national wealth, while the navigation necessary to all its branches establishes a strength which wealth can neither purchase nor balance; that the Sugar Plantations in the *West Indies* are subject to a greater variety of contingencies than many other species of property, from their necessary dependence or external support; and that therefore, should any interruption happen in the general system of their commerce, the great national stock thus vested and employed, must become unprofitable and precarious; that the profits arising from the present

* It is thus in the Journal, but in the original Petition it is *West*.
* It is thus both in the Journal and in the original Petition.

Digitized by Google

state of the said Islands, and that are likely to arise from their future improvement, in a great measure depend on a free and reciprocal intercourse between them and the several Provinces of *North America*, from whence they are furnished with provisions and other supplies absolutely necessary for their support and the maintenance of their plantations; that the scarcity and high price in *Great Britain* and other parts of *Europe*, of those articles of indispensable necessity, which they now derive from the middle Colonies of *America*, and the inadequate population in some parts of that Continent, with the distance, danger, and uncertainty of the navigation from others, forbid your Petitioners to hope for a supply in any degree proportionate to their wants; that if the first part of the said Agreement and Association for a Non-Importation, hath taken place and shall be continued, the same will be highly detrimental to the Sugar Colonies; and that if the second part of the said Agreement and Association for a Non-Exportation, shall be carried into execution, which the Petitioners do firmly believe will happen, unless the harmony that subsisted a few years ago between this Kingdom and the Provinces of *America*, to the infinite advantage of both, be restored, the Islands which are supplied with most of their subsistence from thence, will be reduced to the utmost distress, and the trade between all the Islands and this Kingdom will of course be obstructed, to the diminution of the publick Revenue, to the extreme injury of a great number of the Planters, and to the great prejudice of the Merchants, not only by the said obstruction, but also by the delay of payment of the principal and interest of an immense debt due from the former to the latter;" and therefore praying "That their Lordships will be pleased to take into their most serious consideration that great political system of the Colonies heretofore so very beneficial to the mother country and her Dependencies, and adopt such measures as to their Lordships, in their great wisdom, shall seem meet, to prevent the evils with which the Petitioners are threatened, and to preserve the intercourse between the *West India* Islands and the Northern Colonies, to the general harmony and lasting benefit of the whole *British* Empire; and that they may be heard by themselves, their Agents or Counsel, in support of their Petition."

It is ordered that the said Petition do lie on the table.

Ordered, That the proper Officer do lay before this House an Account of the Value of Exports and Imports to and from *North America* and *England*, from Christmas, 1739, to Christmas, 1773; distinguishing each Colony and year, and *British* Goods, Wares, and Merchandise, from Foreign; also,

An Account of the Value of Exports and Imports to and from *North America* and *Scotland*, from Christmas, 1739, to Christmas 1773; distinguishing each Colony and year, and *British* Goods, Wares, and Merchandise, from Foreign; also,

An Account of the Value of Exports and Imports to and from the *West Indies* and *England*, from Christmas, 1739, to Christmas, 1773; distinguishing each Island and year, and *British* Goods, Wares, and Merchandise, from Foreign; also,

An Account of the Value of Exports and Imports to and from the *West Indies* and *Scotland*, from Christmas, 1739, to Christmas, 1773; distinguishing each Island and year, and *British* Goods, Wares, and Merchandise, from Foreign; and also,

An Account of the Value of Exports and Imports to and from *Africa* and *England*, from Christmas, 1739, to Christmas, 1773; distinguishing each year, and *British* Goods, Wares, and Merchandise, from Foreign.

WEDNESDAY, *February* 8, 1775.

The Lord Chamberlain reported, that the Lords with White Staves, had, according to order, waited on his Majesty, humbly to know at what time his Majesty would please to appoint to be attended with the Address of both Houses; and that his Majesty had appointed to-morrow, at three o'clock, at his Palace of *St. James*.

The Messengers sent to the House of Commons to desire a Conference this day with that House, on the subject-matter of the Conference of yesterday, acquainted the House that the Commons do agree to a Conference with their Lordships, as desired.

The House being informed that Managers for the Commons were ready for the Conference in the Painted Chamber,

The names of the Managers for the Lords were called over;

And the House was adjourned during pleasure, and the Lords went to the Conference;

Which being ended, the House was resumed,

And the Lord President reported, that the Managers for the Lords had met the Managers for the Commons at the Conference, and had acquainted them as directed.

A Message was sent to the House of Commons, by Mr. *Browning* and Mr. *Leeds*:

To acquaint them that his Majesty had appointed to-morrow, at three o'clock, at his Palace of *Saint James*, to be attended with the Address of both Houses; and that the Lords intend to be there at that time.

FRIDAY, *February* 10, 1775.

The Lord Chancellor reported, that both Houses of Parliament did, yesterday, present to his Majesty their humble Address, to which his Majesty was pleased to return the following most gracious Answer:

My Lords and Gentlemen:

I thank you for this very dutiful and loyal Address, and for the affectionate and solemn assurances you give me of your support in maintaining the just rights of my crown, and of the two Houses of Parliament; and you may depend on my taking the most speedy and effectual measures for enforcing due obedience to the laws and the authority of the supreme Legislature.

Whenever any of my Colonies shall make a proper and dutiful application, I shall be ready to concur with you in affording them every just and reasonable indulgence; and it is my ardent wish that this disposition may have a happy effect on the temper and conduct of my subjects in *America*.

HOUSE OF COMMONS.

MONDAY, *February* 13, 1775.

The Order of the Day being read, for the House to resolve itself into a Committee of the Whole House, to consider further of the Supply granted to his Majesty,

The House resolved itself into the said Committee.

Mr. *Buller* moved that an additional number of two thousand men be allowed for Sea Service for the year 1775.

He stated the respective services our Ships were on, and said that the proposed augmentation was necessary to enforce the measures of Government in *America*.

Lord *North* remarked, that the subject had been so amply discussed on *Friday*, by being so much blended with the means of restraining the Fishery of *Massachusetts Bay*, that he should have the less to offer upon this occasion; that the rebellious disposition and motions of that and other Colonies made it necessary to have such a guard upon the Coasts of *North America*, that the augmentation was highly necessary; and as the people of *New England* could not be restrained from the Fishery without some Sloops stationed for that purpose, the circumstance made it doubly requisite to provide accordingly. He gave no precise explanation, but only general assurances that this would be the last application of the kind. He said he could not possibly pretend to foretel every event that might happen, and consequently could not bind himself by any specifick promise or engagement.

Governour *Johnstone* observed, that this was a most extraordinary mode of procedure, and that he was at a loss to determine whether it proceeded from ignorance or design. He was certain, however, that it gave full scope to gaming in the Alley, for stocks had been falling gradually, till they had now come down five per cent. It furnished a happy opportunity to those in the secret to enrich themselves at the publick expense. He did not mean to bring home this

Digitized by Google

charge to any particular person or set of men; but it was well known it had been frequently practised by the confidential people in office.

Lord *North* knew nothing of what had been done by such people, but believed upon his honour that none of the present confidential servants in office did game in the funds; for it would be basely betraying the confidence of their Prince.

Lord *John Cavendish* and Colonel *Barré* accused the noble Lord of great inconsistency, in thinking so far to blind the House as to have it believed that the augmentation asked for could answer any purpose but to convince the *Americans* of the inveteracy of the mother country against them, and to throw a reconciliation to a yet greater distance; that a few thousand seamen added to the service would never effectually answer the purpose, if that purpose was to prohibit the trade of the most commercial Colonies in *America;* that the noble Lord must mean only to trifle with the House and with mankind, in declaring one day *America* to be in rebellion, the next prohibiting the commerce of *Massachusetts Bay*, and the third coming for so insignificant an augmentation; that the gentlemen on the same side of the House had repeatedly asserted that the commerce of the *New Englanders*, and much of that of the other Colonies, was contraband; and that *America* was peopled with smugglers, to the great detriment of that advantage which would otherwise flow to this country. How could Administration, therefore, with any degree of consistency, suppose that such a system of smuggling, added to a new created system of the same, the Fishery, be all kept under by any thing less than the most powerful armaments?

Mr. *Cornwall*, taking an historical circuit of *American* affairs, in order to shew the connection and dependence of the Minister's measures on each other, replied to the objections that had been started. He remarked, that to pass Acts to restrain commerce, and to declare the extra Provincial meetings in the Colonies illegal, whose object principally was to import Arms and Ammunition, in order for the purposes of rebellion, would be nugatory and absurd, unless corresponding measures were taken to enforce those Acts; that as to great Armaments and Fleets of Men-of-War of the Line, the gentlemen of the House in that line of the military well knew them to be unnecessary and out of the question; that Sloops and the smaller Frigates would answer all the purposes by being properly stationed; that the *Newfoundland* Fishery was so local that a few Sloops-of-War would nearly command the whole, unless some foreign Power had a superiour force there, with whom we were at war, or on ill terms; that in regard to the objections which had generally been made against using force with the *Americans*, he could not see their propriety, since he was persuaded that the *Americans* were determined to make the dispute a question of dependency on the Crown of this Realm.

Mr. *Charles Fox* contended strongly, that taking the affairs of *America* on the very footing upon which the honourable Member had thrown them, that their conduct betrayed nothing but incapacity; that the gentlemen on the Treasury bench were repeatedly telling the House of the rebellion of the *Americans*, and how strongly they are persuaded that they mean to throw off all dependence on this country; how then, said he, are we to account for that slothful, dilatory conduct of Administration, to sit quiet for so many months, and to seem in their management to have no idea that force could ever be used or would ever be necessary. If Administration were really persuaded of the views and intentions of the *Americans;* if rebellion was written among them in such legible characters, why did they not take the earliest opportunity of preventing those intentions and of stifling that rebellion. Had they conducted themselves upon the principles of common sense, they certainly would have been earlier in their intelligence to Parliament, earlier in their application, and more vigorous in their measures. But this, sir, is under the supposition that they knew the rectitude of their intentions, and approved of their own conduct. He then deviated into a personal attack on Lord *North*, but was uncommonly spirited throughout.

Captain *Walsingham* insisted that our present Naval force was by no means adequate to the execution of our professed intentions; for that the squadron we designed for *America* would answer no purpose of stopping their commerce; or, if we did send a sufficient one, our own Coasts, comparatively speaking, must be left totally defenceless, as he was well informed that *France* alone had seventy-five Men-of-War of the Line now, more than one half of which were manned and fit for actual service. He then gave an account of a conversation which passed lately between him and a *French* gentleman well acquainted with the state of their Navy, from which he was fully satisfied that the whole of our force, in every part of the world, would not be sufficient to defend us at home, should we blindly rush into a civil war.

Mr. *Temple Luttrell.* I rise up under a number of disadvantages, and shall scarce be able to express my sentiments without much agitation and embarrassment, a novice as I am at political disquisitions, and attempting, (from a seat which till this hour I might not call my own) to speak on a subject of such high import, in the presence, and possibly against the opinion of the most experienced statesmen in any country of the universe. But, sir, it has been earnestly recommended to me, as well by the electors of the Borough of which I have the honour to be a Representative, as by several other persons of respectable consideration, that I will exert the utmost of my humble endeavours and faculties, towards the establishing of peace, and conciliating the affections of the *American* Colonies with their parent state of *Great Britain*, and to promote the joint happiness of both divisions of this mighty Empire, on the firm basis of equity and mutual good offices; and I should hold it an unpardonable omission of duty, were I to remain now silent, especially as I was precluded by the dependence before Parliament of a controverted return, from declaring my disposition towards the oppressed Colonists, at the opening of the present session, when a Speech from the Throne, of the most inimical tendency to *America*, and therefore the most alarming and dangerous tendency to the whole *British* Realm, received the thanks of this House. I was under the same preclusion when Commerce here stood a dejected supplicant, in just apprehension from the impending storm. Well, sir, might she be alarmed, to see a pilot at the helm, as the winds and the billows arise, who, rather than part with the guns, throws the merchandise overboard; save them sir, he may, by so costly a sacrifice, but not for jubilee or triumph; they shall be saved for signals of distress, and to solemnize the obsequies of your Empire.

The Merchants were not then to be heard, lest their candid story should set in the proper point of view those insidious fragments of official letters laid on your table. What human understanding could cement such a mangled correspondence together, so as to derive any clear accurate knowledge of the real condition or sentiments of the *Americans?* Whatsoever might extenuate offences, excuse errour, and restore perfect amity between the two countries, did the partial hand of Administration wickedly suppress, while in too glaring a light was exhibited every fact that could serve to widen the breach and inflame the passions, and blow up a faint, luckless spark of animosity to the full combustion and horrours of a civil war! These misrepresentations, however, answered the ends proposed, for both Houses were blindly entrapped to give their sanction to as sanguinary a scroll, (in the form of an Address) as was ever laid by a prostitute Senate at the feet of deluded Majesty. Did not your ancestors, sir, manfully fight, did not some of them heroically fall, to preserve those constitutional rights of the subject to every *Briton*, which you have now, by one vote, pledged yourself, at the hazard of life and fortune, to subvert and to annihilate throughout the better part of the whole *British* Monarchy?

I do not conceive it possible that any man here present can feel as he ought, be conscious of the least participation in the superintendence of the Commonwealth, and remain a mere tranquil observer, when so interesting a subject comes before you; a subject on the issue of which, perhaps, his own individual happiness or misery, doubtless the happiness or misery of his nearest posterity, will depend. With what hebitude, sir, must the blood circulate through his veins! What must his definition be of an ignominious supineness and apathy? This is not a debate of slow animation, in which few persons are concerned, and of limited

Digitized by Google

influence; we are now to decide upon the fate of millions, through a long series of ages, and the part which every man shall take on this occasion must stamp him with characters indellible through all eternity—a Patriot or a Parricide. It is, sir, from the collisions of controversy that those radiant sparks are struck out by which Truth lights her sacred torch—nor have I less expectation from those gentlemen who are but just initiated into Parliamentary business, than from your veteran politicians, "deep on whose front engraven" (to use the phrase of *Milton*) "deliberation sits and publick care." Such veterans might, indeed, be our surest guides, were we now about to agitate questions wrapt up in subdolous *Machiavelian* mystery, and only to be developed by the acutest abstract reasoning. The present juncture, sir, requires only a well principled heart, and a head moderately conversant with the nature of men and things.

It is not, I own, I feel, given to a young Member to deliver his ideas with that guarded correctness, that unagitated confidence, which long habitude of speaking usually supplies; but will he, sir, yield with less ductility to the dictates and honest zeal of inward conscience? He comes among you at least with a judgment unbiased; he has not pledged himself to any partial junto, whose maxims and interests he is at all events to adopt for the measure of his political career; he has not stood forth an accomplice to any of those manifold mischiefs and blunders which have heretofore been committed in the administration of your Colonies; he has had no share in inflaming the evil by temporary anodynes; nor has he treated the imperial concerns of that wide-stretched Continent, as only accessary to, and of trivial account when compared with his own private schemes of ambition and aggrandizement. Upon the whole, sir, I can but think him rather the more likely to execute the share of such important award committed to his discretion, as becomes an upright delegate of the people at large, heedless whether his conduct therein may quadrate with the narrow, selfish views of this or that set of men who are candidates for titles or power; not but that I have the satisfaction to see here present some characters animated with the true patriotick spirit, who have long and worthily been seated within these walls; on whose eminent talents, on whose approved integrity, *America* rests her best hope.

Such gentlemen as come within the scope of any of those disadvantageous allusions I have just thrown out, will consider that a well-timed recession from errour claims the next praise to a perfect exemption therefrom: they will no longer endeavour to palliate a dreadful disease, which, if once arrived at a full paroxysm, it will baffle the *Esculapian* skill of their expertest state doctors to cope with.

Our present sagacious rulers had, it seems, drawn their political clue in that quarter of the globe to so *Gordian* a tie, that despairing to revolve by patience and sober wisdom through the several implications their hands had wrought, they took a summary recourse to the edge of the sword. Sir, their sword-law will best agree with the arbitrary principles and system of government applied to almost every department of the state by that flagitious confederacy which hath latently presided over the councils and arcana of the Cabinet ever since the accession of our present most gracious Sovereign. I say, sir, that these occult dictators to the royal conscience should prefer the sword-law, I am not at all astonished; but that the ostensible adviser, a man of profound judgment and the clearest penetration; a man whom the most slanderous of his enemies allow to possess the tenderest feelings of social affection, to be even prodigal of the practices as well as professions of humanity, that he, sir, should, with a ruthless composure, adopt and carry into execution their bloody mandates, may well create general consternation and the deepest concern. It was pronounced by a consumate Minister, who once held the reigns of Government with so much honour to himself, and transcendent glory to the whole Empire of *Britain*, that the *Canadian America* was conquered in *Germany*. It is, it seems, by the *German* policy of dominion, which our own clan-bred feudists are ever prone to expose, that *British America* is to be reduced to vassalage: but let the all-potent minions beware, lest while they are bowing the stubborn necks of these Colonists to the yoke, they find not their own necks bow to the block of an executioner.

Sir, the far more considerable part of the people of *England* do now wish us to use temper, moderation, and forbearance towards *America*. "*Dignos esse qui Romani fiant*," (said the illustrious Consul to the Senate of certain tributaries in allegiance to the *Roman* eagles) "*eos, qui nihil præterquam de libertate cogitent.*" Sir, when the two most renowned Republicks of ancient time had long contended for universal empire, and victory over many a well-fought field had held almost an equal balance, then it was the rigid censor (*M. Cato*) denounced that memorable judgment, "*Delenda est Carthago.*" Sir, the *Carthagenians* were the natural rivals of the trade and glory of *Rome*; they had, in cool blood, inhumanly put to death one of the most perfect heroes and patriots her annals could boast: in their national character they were perfidious to a proverb; and they early led their children to the altar to lisp assent to solemn adjuration of eternal warfare and vengeance against *Rome*. In short, sir, the further existence of these *Africans* was become quite incompatible with the peace and security of the *Roman* Commonwealth.

The words "*Delenda est Carthago*" were, in the reign of our *Charles* the Second, borrowed by a Member of the other House of Parliament, the famous Earl of *Shaftesbury*, in height of passionate resentment, against the *Hollanders*: but, sir, though the *Hollanders* had, to the most substantial injuries, added the provoking insult of sailing up to the emporium of your commerce, with brooms at their mast-heads; though they had by many an inveterate combat on the Ocean brought your marine power, and consequently our very being as a people, to as desperate a crisis as ever befell *Rome* during the rage of the *Punick* wars, yet, sir, it is a well-known anecdote of that day, there was scarce a Peer in the assembly but stood aghast and shuddered at the unchristian severity of the sentence. "*Delenda est Carthago*" has been applied for the third time: it has, sir, been recently and publickly applied, by an avowed zealous partisan of the present administration of your Government, to our fellow-subjects of *America*, and the news will, I fear, ere long reach your Colonies.

I am not master of language sufficient in energy to give the due comment to such an expression; but, sir, should it be here uttered in sobriety, and calmly listened to, might you not be apt to imagine yourself seated midst the Deputies of the *Indian* Tribes, near the interiour Lakes of that Continent, and sacrificing to the demon of revenge, rather than with the Deputies of the free, polished natives of the *British* Isles, in their imperial seat of legislation? I can, indeed, easily conceive that the gentleman alluded to (Mr. *Van*) was rather more forward, rather more ingenious, than the chieftains of his cause will thank him for: they hardly could mean that the final catastrophe of this their tragick plot should be discovered just at the opening of the very first act.

It was a noble sentiment of *Fenelon* (Archbishop of *Cambray*) that "he loved his friend equal to himself; his "country far better than his friend and himself; mankind "in general beyond all put together." What that amiable prelate makes *Mentor* say, on revealing a celestial form to the son of *Ulysses*, (who had just attained to years of manhood) may afford an allegory to assist the *British* Legislature at some future period, in the safest and sagest conduct towards her Colonists. "I have guided you through "rocks and quicksands, through the ensanguined battle, and "the various calamities incident to the human species; I "have taught you, through forcible experience, the good "and the bad maxims by which Government may be car-"ried on; it is now time that you be fully emancipated. "Love your fellow-creatures; endeavour to renew the "golden age; avoid effeminacy, profuseness, and ostenta-"tion; let simplicity be your best ornaments; on virtue "and your own just actions rest your chief security; pure "liberty, peace, delightful abundance, and unsullied glory "ever attend you."

I am sensible, sir, that I have too long withheld the attention of the House from persons of far superiour weight and abilities. I shall, therefore, at a future day, hope for the same indulgence that has now been shewn me, while I urge that to compel the *Americans*, by a military force, to acknowledge the paramount and unbounded authority of Parliament, in the taxation of their property—property created by their intellects and industry, is neither just, poli-

Digitized by Google

tick, nor practicable; a measure totally repugnant to the liberal notions of rectitude which have ever characterized the happy natives of *England*, and irreconcilable with the spirit of those very rules and institutes, by which the three estates of this Realm hold existence.

Mr. *Sawbridge* said he perceived that Administration were hurrying the Nation to certain ruin, but he should reserve himself to speak on our present conduct towards *America* till a fitter and some more convenient opportunity.

Mr. *Buller's* motion was then agreed to without division.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee that they had come to several Resolutions, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received to-morrow morning.

Sir *Charles Whitworth* also acquainted the House that he was directed by the Committee to move that they may have leave to sit again.

Resolved, That this House will, upon *Wednesday* morning next, resolve itself into a Committee of the Whole House to consider further of the Supply granted to his Majesty.

TUESDAY, *February* 14, 1775.

Sir *Charles Whitworth*, according to order, reported from the Committee of the Whole House, to whom it was referred to consider further of the Supply granted to his Majesty, the Resolutions which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were read, and are as followeth, viz:

Resolved, That it is the opinion of this Committee, that an additional number of two thousand Men be allowed for the Sea Service, for the year one thousand seven hundred and seventy-five, including four hundred and ninety Marines.

Resolved, That it is the opinion of this Committee, that a sum not exceeding four Pounds per man per month, be allowed for maintaining the said two thousand men for thirteen months, including Ordnance for Sea Service.

Resolved, That it is the opinion of this Committee, that a sum not exceeding one hundred and five thousand three hundred and twenty-six Pounds, sixteen Shillings and eight Pence, be granted to his Majesty, upon account of the reduced Officers of his Majesty's Land Forces and Marines, for the year one thousand seven hundred and seventy-five.

Resolved, That it is the opinion of this Committee, that a sum not exceeding eight hundred and seventy Pounds, three Shillings and nine Pence, be granted to his Majesty for defraying the charge for allowances to the several Officers and private gentlemen of the two Troops of Horse-Guards reduced, and to the superannuated gentlemen of the four Troops of Horse-Guards, for the year one thousand seven hundred and seventy-five.

Resolved, That it is the opinion of this Committee, that a sum not exceeding six hundred and twenty-eight Pounds be granted to his Majesty, for the paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines, as died upon the establishment of half-pay in *Great Britain*, and were married to them before the twenty-fifth day of *December*, one thousand seven hundred and sixteen, for the year one thousand seven hundred and seventy-five.

Resolved, That it is the opinion of this Committee, that provision be made for the Pay and Clothing of the Militia, and for their Subsistence during the time they shall be absent from home on account of the annual exercise, for the year one thousand seven hundred and seventy-five.

The said Resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

The other Order of the Day being read, for the House to resolve itself into a Committee of the Whole House, to consider further of the Supply granted to his Majesty;

Ordered, That the Estimate of the charge of an augmentation to his Majesty's Forces for the year 1775, be referred to the said Committee.

Ordered, That the Estimate of the charge of the difference of pay between the *British* and *Irish* establishment of one Regiment of Light Dragoons, and two Regiments of Foot, from the 1st *March* to 24th *December*, 1775, both days inclusive, being two hundred and ninety-nine days; as also of the charge of levy money, for the augmentation to Major General *Preston's* Regiment of Light Dragoons, for the year 1775, be referred to the said Committee.

Then the House resolved itself into the said Committee.

Lord *Barrington* moved, that sixty-seven thousand seven hundred and six Pounds, seven Shillings and one Pence, be granted for the service of the year 1775, to enable his Majesty to augment his Land Forces with four thousand three hundred and eighty-three Men, Officers and Non-Commissioned Officers included.

His Lordship introduced his motion with explaining the several military arrangements, with stating the force to be kept at *Boston*, which he said would be about ten thousand men, and with giving general assurances, that no more Troops would be wanted to enforce the execution of the laws; and added, that part of the additional expense would be incurred by the appointment of some additional Officers to each Regiment.

Colonel *Barré* said, that such appointment was putting the Nation to an unnecessary expense, as it was to no manner of purpose.

Lord *Barrington* replied, this appointment would take place only in such Regiments as were on actual service, and as the operations against the *Americans* were intended to be carried on by detachments, an additional number of Officers would consequently be wanting.

Colonel *Barré* agreed to this reasoning, if that was the mode meant to be adopted, in case of hostilities.

Mr. *Coxe* was strong against the Resolution, and severe against the authors of so weak, cruel, and unnatural a measure.

Mr. *T. Townshend* insisted, that nearly half the number of Men, and all the Officers now wanted, might be taken from the Half-Pay and *Chelsea* Out-Pension Lists, without putting the Nation to the heavy expense now proposed. He said, that there were sixteen thousand Out-Pensioners, many of whom were fit for actual service; and if they were not, they were at least fit to supply the places of the draughts that might be sent to complete the Regiments now at *Boston*; that many of them were young men; and, on the whole, contended that the greatest part of the expense now proposed might be saved, as the difference of pay between the Pensioners and those doing duty was not above a Penny a day.

Colonel *Barré* reminded Lord *North* of what had fallen from him on a former occasion, that we should want no new levies for enforcing measures against *Boston*, as with the Regiments from *Ireland*, and the Troops quartered in *America*, the force would be fully sufficient.

Lord *North* replied, that he did not recollect any such expression; that it must be a mistake, as the paper he now held in his hand, was the same he spoke from, when he was supposed to make use of the words now alluded to by the honourable gentleman.

The question then being put,

The Committee divided—Ayes 91, Noes 15.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had come to several Resolutions, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received to-morrow morning.

Sir *Charles Whitworth* also acquainted the House, that he was directed by the Committee to move, that they may have leave to sit again.

Resolved, That this House will, upon *Friday* morning next, resolve itself into a Committee of the Whole House, to consider further of the Supply granted to his Majesty.

THURSDAY, *February* 16, 1775.

Sir *Charles Whitworth*, according to order, reported from the Committee of the Whole House, to whom it was

Digitized by Google

referred to consider further of the Supply granted to his Majesty, the Resolutions which the Committee had directed him to report to the House, which he read in his place, and afterwards delivered in at the Clerk's table, where the same were read, and are as followeth, viz:

Resolved, That it is the opinion of this Committee, that a sum not exceeding sixty-seven thousand seven hundred and six Pounds, twelve Shillings and one Penny, be granted to his Majesty for defraying the charge of an augmentation to his Majesty's Forces, consisting of four thousand three hundred and eighty-three men, for the year 1775.

Resolved, That it is the opinion of this Committee, that a sum not exceeding nine thousand five hundred and thirty-six Pounds, ten Shillings and seven Pence, be granted to his Majesty, for defraying the charge of the difference of pay between the *British* and *Irish* establishment of one Regiment of Light Dragoons, and two Regiments of Foot, from the 1st of *March* to the 24th of *December*, 1775, both days inclusive, being two hundred and ninety-nine days; as also, for defraying the charge of Levy-Money for the augmentation to Major-General *Preston's* Regiment of Light Dragoons for the year 1775.

Mr. *Hartley* observed, that as we had hitherto proceeded totally in the dark, and determined on measures without sufficient previous information, so we were resolved to continue to proceed in the same blind blundering manner. We first agreed to go to war, without inquiring into the motives that should induce us to take so momentous a step, and then consented to employ a certain number of forces, without being acquainted with the particular services for which they were destined.

Sir *G. Savile* spoke much against the power vested in the Commander-in-Chief; and in the course of his observations made some very severe and pointed strictures on the *Quebec* Bill.

Lord *Beauchamp* warmly defended the justice and policy of the *Quebec* Bill.

The said Resolutions then being severally read a second time, were, upon the questions severally put thereupon, agreed to by the House.

HOUSE OF COMMONS.

MONDAY, *February* 20, 1775.

The House, according to order, resolved itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st and 5th days of this instant, *February*, by his Majesty's command.

Lord *North* rose and said: Sir, as I mean to offer to the consideration of the Committee some propositions which may be the ground of a Resolution, and which I conceive to be founded on the Address which the House has presented to his Majesty, I desire that the said Address may be read. [The Address was read accordingly.] His Lordship remarked, that the Address, both as it was proposed, and in the sense in which it was understood when agreed to, meant to hold out to the *Americans*, that on the matter of taxation, although the Parliament of *Great Britain* could never give up the rights, although it must always maintain the doctrine that every part of the Empire was bound to bear its share of service and burthen in the common defence; yet, as to the matter of that right, and with respect to the mode of the contribution, if the end could be obtained, and if the *Americans* would propose any means, and give assurance of the prosecution of those means by which they should contribute their share to the common defence—he had said, he did not apprehend Parliament would hesitate a moment to suspend the exercise of that right; but would concede to the *Americans*, raising their share of the contribution by themselves. This was the direct and avowed sense, in which the Resolution for the Address was moved. I publickly, said his Lordship, gave my opinion, and very explicitly said, that if the *Americans* would propose to Parliament, any mode by which they would engage themselves to raise, in their own way, and by their own grants, their share of contribution to their common defence, the quarrel on the subject of taxation was at an end.

As nearly as I can recollect, these were my very words; but these, sir, were the words only of a private Member of Parliament; they were but opinion given in debate. The words contained in the Address seem to many gentlemen to require this comment, this explanation, by Parliament itself, in some clear, explicit, and definitive opinion. That if the promise of indulgence on this point of taxation means really to hold out the grounds of peace, we ought to explain on what terms we will accede to it; and what the propositions are, which we are willing to accept. To be explicit, then, as to my own opinion, I must say, that if the dispute in which the *Americans* have engaged goes to the whole of our authority, we can enter into no negotiation, we can meet no compromise. If it be only as to the suspension of the exercise of our right, or as to the mode of laying and raising taxes for a contribution towards the common defence, I think it would be just, it would be wise, to meet any fair proposition, which may come in an authentick way from any Province or Colony; and on this ground it is that I shall propose to the Committee the following Resolution:

"That it is the opinion of this Committee, that when "the Governour, Council, and Assembly, or General Court, "of any of his Majesty's Provinces or Colonies in *Ame-* "*rica*, shall propose to make provision, according to the "condition, circumstances, and situation of such Province "or Colony, for contributing their proportion to the com- "mon defence, (such proportion to be raised under the "authority of the General Court, or General Assembly, of "such Province or Colony, and disposable by Parliament,) "and shall engage to make provision also for the support "of the Civil Government, and the Administration of Jus- "tice, in such Province or Colony, it will be proper, if such "proposal shall be approved by his Majesty and the two "Houses of Parliament, and for so long as such provision "shall be made accordingly, to forbear, in respect of such "Province or Colony, to levy any Duty, Tax, or Assess- "ment, or to impose any farther Duty, Tax, or Assess- "ment, except only such Duties as it may be expedient to "continue to levy or to impose for the regulation of com- "merce; the nett produce of the Duties last mentioned to "be carried to the account of such Province or Colony "respectively."*

This Resolution, added his Lordship, marks the ground on which negotiation may take place. It is explicit, and defines the terms, and specifies the persons from whom the proposals must come, and to whom they must be made. It points out the end and purpose for which the contributions are to be given, and the persons from whom the grant of them is to originate. It takes away every ground of suspicion as to the appropriation of the Revenue when raised, to purposes for which the *Americans* never would grant it. And from the nature of it is seen, that it must be conclusive so long as the *Americans* observe the agreement. But

* Whilst parties thus pursued their debates with much eagerness and animosity, and nothing but defiance was hurled at *America*, on the part of Government, the noble Lord at the head of Administration amazed all parties, and seemed for a time almost to dissolve his own, by that famous conciliatory motion with respect to *America*, which was then, and has been since, the subject of so much discussion.

Upon the first bruit of conciliatory measures being proposed by the Minister, it was surmised, that he was going either to resign, and would first make a disavowal of those publick measures which had been lately pursued, or that from some strange convulsion in the internal Cabinet, the whole political system of Government was to be changed; all those Members who were within hearing, accordingly hastened to the House, with the most eager expectation. Nor was the astonishment less within doors. From some perplexity in its construction, and obscurity in the words, the extent or drift of the motion was not immediately comprehended. The Courtiers looked at each other with amazement, and seemed at a loss in what light to consider the Minister. That numerous high-prerogative party, who always loved a strong Government, in whatever hands it might be lodged, and according had, upon principle, ever opposed any relaxation in favour of the Colonies, heard the propositions with horrour, and considered themselves as abandoned and betrayed. Even some of the old staunch friends of Government, who had always gone with every Administration, and uniformly pursued the same line of conduct, in all changes of men and measures, began now more than to waver. In a word, the Treasury Benches seemed to totter, and that Ministerial phalanx, which had been so long irresistible, ready to break, and to fall into inextricable disorder.—*Ann. Regis.*

Digitized by Google

many objections from various quarters, and on different grounds, will be made to it. If there be any persons who think we ought to make no advances towards accommodation, because they understand such to be concessions which we ought not to make—if there be any who may think the terms which this Resolution holds out are disadvantageous, I would not wish them to agree to it. But they will give me leave (who think, that even were we to impose terms in the hour of victory itself, this proposition would be a good, would be a just one,) to propose it now, before any blood is shed. Some gentlemen may ask the question—will you treat with rebels? I am not treating with rebels. It has never been yet said, that all the *Americans* are rebels, or that all the Colonies are in rebellion—it cannot, I hope, be said. There is certainly in the Province of *Massachusetts* a rebellion. But, sir, could I open the door even to rebels to return to their duty, I should be happy. The specifick rebellion of the *Massachusetts* is, that the people of the Province reject and oppose with force of arms, the Government, as established by the King and Parliament. The moment that they acknowledge that Government, and meet in assembly to act under it, the rebellion is at an end. The propositions contained in the Resolution, form an express declaration, and do not begin a negotiation.

Others, perhaps, will say it is proper that Parliament should bind itself; I answer, that whenever Parliament confirms an agreement it always does bind itself. Others will look to the effect; and ask what consequences do you expect from this? Will you, in the mean time, suspend your operations of force? Certainly not. The putting ourselves off our guard is certainly not the way to treat on safe grounds or with effect. The ground on which we stand at present is, in all human probability, such as will enable us to enforce what we have a right to demand; and is therefore the most likely to claim attention, and to produce that effect, by peace, which we are otherwise in a situation to procure by force of arms. Whether the *Americans* will accede to this or not, must depend on various circumstances that cannot be foreseen. If their outward pretensions be the real principles of the opposition which they have made, they must, consistently with those principles, agree to this proposition. If they do not meet us on this ground, it will evince that they have other views, and are actuated by other motives. It will have been wise, it will have been just, it will have been humane, that we have held out the terms of peace; if they reject it, their blood must be upon their own heads. But I have better hopes; there are people, and I hope whole Colonies, that wish for peace; and by these means I hope they will find their way to it.*

Governour *Pownall*. Sir, when in the last session of the last Parliament, I remarked to the House that the circumstances of the *American* affairs were brought to a crisis, and that that crisis was actually in event, wherein all opinion as to the modes of policy must be useless and at an end, and that your future deliberation would be only employed on measures of force, I took my leave of debate on this subject; I had imposed on myself a determined silence, and since I have had the honour of a seat in this Parliament, have adhered invariably to that resolution.

I have been always an advocate for the Colonies, and the *British* subjects in *America*. I have always defended their rights, where I thought any infraction was made on them. Where they have got into disputes on points where I could not think they were right, I have endeavoured to excuse or extenuate their fault; where I could not do that, I have yet at all times endeavoured to alleviate the resentment which may have been raised in this country against them. It would not therefore, be suitable to the conduct which I have held, nor could I feel it proper for me to become their accuser and their persecutor, as some Governours have done; much less could I ever bring myself to calumniate them.

I had early opportunity of seeing the commencement of this business. I was at the Congress held at *Albany* in 1754. I had the means of then knowing the real opinions of some of the first men of business and ability in that country. I saw that a crisis of this nature was then taking its rise. I have, in the course of my employment in that country, seen the progressive advance of it; the whole scope therefore of my conduct, whilst I was employed, and of every opinion which I have given, whenever I have been listened to, has been to advise such modes of policy as might prevent matters coming to the point at which they are now arrived; but when I saw that such advice, neither in this country nor in *America*, was listened to—that matters were actually come to force, and all modes of policy ceased to have effect, and were at an end, I would not become an adviser of measures of force, nor ever have been advised with in them. Yet, taking up the matter on the ground whereon it now stands, without consideration of that influence either of persons or things that have caused this effect; without looking into the conduct of various sets of men and various Ministers, with whom I never had any connection, and with whom I never shall form any; having stood, and being determined to remain unconnected with all parties; speaking my own private sentiments, looking to things and not to men, I act from my own principles. On this ground, having by my publications pledged myself to the publick, I wished to be tried and judged by those

* *Extract of a Letter from* London, *to a Gentleman of* Philadelphia, *dated* February 23, 1775.

Enclosed I send you an authentick Speech, made by Lord *North* at the time he introduced his *deceitful* plan as to *American* taxation, and forming a system for *disunion* in *North America*. You may rely on the authenticity of the Speech, as it was taken in short-hand by a Member in the House.

"Grievances can only be settled by a dutiful application. When subjects apply in that manner, it is right to grant whatever indulgence is necessary. The exercise of the right of taxing every part of the *British* Dominions, by no means to be given up; the propositions I have now made only states upon what ground it may be suspended. That it may be asked whether it is possible for Parliament to come to some Resolution on that subject, while they are sending Fleets and Armies in order to lay the trade of the Colonies under restrictions; but he thought it best at this outset to let them know what we expect, and whether they meant to dispute the whole of our authority or no; that though it was not worth while to spend the lives of his Majesty's subjects in levying a trifling tax among them, it was worth every exertion to secure their allegiance, and to enforce the supreme Legislative authority of this country; that their Congress was an illegal assembly; that they were separate States, independent of one another, and had no connection but in that relation to *Great Britain;* that as our Army and Navy Establishment was necessarily increased on their account, and for their protection, they ought to contribute their just proportion to that expense, subject to the disposal of Parliament; that he should never depart from the proper exercise of that right when they refused to contribute voluntarily, which, if they did, he should think it right to suspend the exercise of our right to tax them here, except for the regulation of commerce; and to remove every objection, that other taxes might be raised upon them under colour of regulations on commerce, he meant that the produce of such Duties should be applied to the particular use of that Province, where they were levied.

"That Parliament cannot divest itself of the right of taxation in every part of the Empire, because it may become necessary to demand assistance and supply from every corner of it. That the Colonies complain Parliament is ignorant of their true state; but this is only a specious pretence—let them first tax themselves, and then it will be seen whether suspension of taxation accompanies their contribution; that this proposition was no dishonourable concession, because, in the present condition of things, the mother country, in the moment of victory over them, would demand no more; that we are not treating with enemies, nor wishing to take any advantage of them, but only to settle a dispute between subject and subject on a lasting foundation; that it might be objected *America* paid enough already, but that he begged leave to remind the House that the subjects of *Britain* were subjected to the payment of 1,800,000 Pounds yearly to discharge the interest on the debt contracted last war, our conquests in which left them in a state of ease and security. But it may be said, *will you treat with Rebels?* I am *not* inclined *to treat*, but to demand: nor do I mean in the least to suspend our military operations by Sea and Land till they submit to the laws.

"Whether any Colony will come in on these terms I know not; but I am sure it is both just and humane to give them the option.

"*If one consents, a link of the great chain is broken.* If not, which possibly may be the case, and that they make no offer whatever, or none *that we could with any propriety accept*, it will convince men of justice and humanity *at home*, that our dispute with *America* was not about modes of taxation, but that they have deeper views, and mean to throw off all dependence upon this country, and to get rid of every control of the Legislature; that he hoped at least this would not lessen our unanimity at home, though he never expected to see that unanimity so much wished on a matter of this importance."

—

A circumstantial account of the important Debates in the American *Committee on Lord* North's *motion of* Monday, February 20, 1775.

On *Sunday* evening *February* 19, a Treasury Letter, desiring an attendance in the House for the next day, was sent to the most active persons in opposition, as well as to all those who support Ministry, as Lord *North* had a motion of importance to make. It is unusual to send such letters to the Members who oppose. This message, therefore, occasioned much speculation. Early on *Monday* it was universally given out that Lord *North* intended to move a *conciliatory* proposition, which would have a tendency to quiet the troubles that unhappily distract the *British* Empire.

About four o'clock Sir *Charles Whitworth* took the chair in the *American* Committee. Lord *North* immediately rose, and having laid open his design in a speech of rather less than an hour, concluded with the following motion:

Digitized by Google

principles, and I challenge any one to say that I have ever varied either in my principles or in my conduct. Taking, then, the matter on the ground whereon it now stands; when I see that the *Americans* are actually resisting that Government which is derived from the Crown, and by the authority of Parliament; when I see them opposing rights which they always acknowledged, and for asserting which I could produce the best authority, (I mean their own authority, as expressed by one of their ablest agents;) when I see them arming and arraying themselves, and carrying this opposition into force by arms; seeing the question brought to an issue, not on a point of right, but a trial of power; I cannot but say that it is become necessary that this country should arm also. It is become necessary that this Government should oppose its force to force; when that force is to be employed only in maintaining the Laws and Constitution of the Empire. These, sir, are my reasons for acquiescing (though I have neither advised, nor been advised with) in measures of force. The *Americans* themselves have rendered them necessary; but, sir, another

"That it is the opinion of this Committee that when the Governour, "Council, and Assembly, or General Court of any of his Majesty's "Provinces or Colonies in *America*, shall propose to make provision, "according to the conditions, circumstances, and situation of such "Province or Colony, for contributing their proportion to *the common* "*defence*, (such proportion to be raised under the authority of the "General Court or General Assembly of such Province or Colony, "and *disposable by Parliament*,) and shall engage to make provision "also for the *support of the Civil Government and the administration* "*of justice* in the said Province or Colony: it will be *proper*, if such "proposal *shall be approved by his Majesty and the two Houses of Par-* "*liament*,) and for so long as such provision shall be made accordingly, "to *forbear*, in respect to *such* Province or Colony, to levy any Duty, "Tax, or Assessment, or to impose any further Duty, Tax, or Assess- "ment, except only such Duties as it may be expedient for the regula- "tion of commerce. The nett produce of the Duties last mentioned "to be carried to the account of such Province or Colony respec- "tively."

The motion was supported by Governour *Pownall*, Mr. *Jenkinson*, Sir *G. Elliot*, Mr. *Cornwall*, and Mr. *Wedderburne*.

The principal arguments used by these gentlemen, and particularly by Lord *North*, in favour of the proposition, were the following:

That in the late Address of the two Houses, a promise was given to redress the grievances of the *Americans*. It was, indeed, impossible to define what Parliament ought to deem a real grievance among the many factious complaints of the *Americans;* but as there was one point upon which they and others were most particularly clamorous, the matter of taxation, it would be proper to come to a fair and indulgent explanation on that subject; and as many new restrictions on the trade of the *Americans* have been already proposed, and as many more were intended in that situation, the Colonies ought fairly to know what they are to expect, and what is expected from them.

Justice and policy, he said, required, that every person under any Government should be compelled to become contributory to that Government, according to his ability, and to the further support he derives from it. This principle ought to extend to the Colonies, and to all other dependencies of this Empire, just as much as to any part of *Great Britain;* and the slightest relaxation of any penal or restrictive Statutes now made or hereafter to be made, in consequence of their disobedience and contumacy, ought not to be so much as listened to, until they come to Parliament and offer such contributions as that sovereign judge and legislator should decide to be their just and fair proportion towards the common defence of the whole Empire; and that this offer must be understood as *the condition upon which we are to accept their allegiance.*

This proposition ought not to be settled by a *Congress*. Such a mode could only tend to promote factious combinations in the Colonies, who, as Colonies, have no sort of relation among themselves; they are all the Colonies of *Great Britain*, and it is through her alone that they have any relation to each other.

At present, the quota which each Colony ought to pay, cannot be settled; but the proportions (when the *Americans* come to make their offers) must be adjusted upon the following standard: The wealth and population of each Colony; its advantages relatively to the other Colonies; and its proportion to the wealth and other advantages taken together with her burthens and necessities of *Great Britain*.

There had been much talk of the restrictions on the Colonies; but when the Goods which they take from this country, only because they are the best and cheapest, shall be deducted from the account of restriction, the *Americans* will have but little ground for exemption on that account; and they will be found so much on a par with the inhabitants of *Great Britain*, in commercial advantages, that reason and justice require they should be put on a par with regard to their contributions; and to pay (after the above deduction) *full as much in taxes as the people of* Great Britain. Seventy millions of debt in the last war was incurred *solely* on their account; and in equity the *Americans* ought to bear at least their fair proportion of it. The Army and Navy of *England* are employed for their protection in common with the rest of the Empire; they ought therefore to contribute both to the Army and Navy; and when a Fleet is sent to the *East Indies*, the Colonies ought to pay their share of the charges, just as well as when it is stationed on the Coast of *North America:* for this force being for the common benefit, the Colonies are virtually included in the protection derived from it, wherever it is employed.

As to the mode of taxation, provided the substantial supply is obtained, it is our interest to indulge the Colonies in this particular as much as we can; partly, because we may not be as knowing in the *detail* as the *American* Assemblies, and we may oppress when we meant only to tax; and partly, because it has been found almost impossible for Parliament to lay taxes there, which would produce any thing in any degree adequate to their purposes.

Lord *North* confessed, that he rather imagined this proposition would not be to the *taste* of the *Americans*, and would not be complied with by several of the Colonies. However, if but one of them submitted, that one link of the chain would be broken; and if so, the whole would inevitably fall to pieces. This separation would restore our Empire; and *divide et impera* was a maxim never held unfair or unwise in Government. If this hope should be frustrated, and that the proposition should do *no good in* America, *it will not, however, fail in* England. *First*. It will stand as an eternal monument of the wisdom and clemency, of the humanity and justice of *British* government. *Secondly*. It will shew the Traders and Manufacturers of *England*, the temper and moderation of Parliament, and the obstinacy and disaffection of the *Americans;* and will of course support them under the decay and loss of trade, and all the miseries of war. They will bear with patience all these temporary losses, when they are assured that they are incurred for the sake of a large Revenue, which is to ease them from the many and heavy taxes which at present oppress their industry. *Thirdly*. It will animate the Officers and Soldiers we send out to *America* to a vigorous and manly exertion of their native courage, without doubt or scruple, when they are assured they no longer fight for a phantom, and a vain, empty point of honour, but for a substantial benefit to their country, which is to relieve her in her greatest exigence.

That this is putting the quarrel upon a proper ground—a dispute for Revenue—a dispute to compel *America* to come to the relief of *Great Britain*. That it was no conceding proposition, but what true policy must suggest, if they had actually subdued *America*, and had her prostrate at their feet. That it is not to abandon the authority of Parliament, but to confirm it; it is to enforce it in the most effectual manner, and for the most essential objects—because the *taxing power* is, by this *Resolution*, in the *hands of Parliament*—and to be *exercised* merely, according to its *discretion*. All the vigorous measures, either by penal laws or by the military force, are to go on exactly as before, and no further relaxation whatsoever is intended. This is the *ultimatum*.

If it should seem to be abandoning the high ground taken in the Address, or to be contrary to the assurances so frequently given, "that no terms should be held out to *America* previous to its submission," this is nothing said Lord *North*, but what is common. The greatest Powers have done it. In the war of the succession, it was a fundamental point, that no Prince of the House of *Bourbon* should ever sit on the Throne of *Spain*. This was several times repeated, and in the most solemn manner—such politicks are necessary to gain, or to animate allies—yet all the Powers which composed this Confederacy yielded, and a Prince of the House of *Bourbon* did sit, and of the same House does now sit, on the Throne of *Spain*. In the *Spanish* war of 1739, we declared, that we would never treat with *Spain* until she had given up the point of search. Yet peace was made without her giving up this point, and the search continues. Lord *North* added to these several other instances, in which great Powers had abandoned their pretensions, and disappointed the hopes they had held out to their allies.

From the London General Evening Post.

We are assured the following is Lord *North's* explanation of the above Resolve:

"By this Resolution of the House of Commons, *America* is offered all she can ask for—the security of her liberties, consistent with the safety of the state.

"The *Americans* grant that they are willing and ready to contribute a share to the necessary expenses of Government. Now, all that Parliament ask by this Resolution, is, that the different Assemblies would state what sums they are severally able to grant; that they are now only required to lay before the *British* Legislature an estimate of the proportion of taxes they will levy, according to the relation they bear to *Great Britain* and the rest of the Colonies.

"That when the rate or quota is once fixed, Parliament will give all the security they can ask for the establishment of their liberties, by a fixed Constitution; that they will stand on a better predicament than *Scotland*, as they will be allowed to fix the mode and raise the taxes (by such ways and means as they shall think most agreeable and expedient) by their own Assemblies, being secured against any exorbitant demand of the *British* Legislature; for by this barrier, the *English* Commons cannot tax them much without taxing our constituents more.

"The *Americans* have even said their sole objection was applied to the Parliament's claim of taxing them *unrepresented;* that this is not given up, therefore all objections should cease of course.

"The best friends to *America* have always allowed the power of compelling every branch of the state to assist in bearing the common burthens, and that this power can be lodged nowhere more fitly than in the Parliament, which connects and presides over the component part of the Empire, and directs all their operations for the attainment of a common good.

"That the power will never be exerted, except when a Colony refuses to comply with and fulfil its own engagements; and it is therefore beneficial, as it is the interest of all *America*, that every Province be obliged to contribute its fair and just proportion."

America's best friends in *Europe* agree, that the Colonies ought to aid in defraying the expenses of the state. Lord *Chatham* proposed that this should be done by a legal Congress; Mr. *Burke*, and Mr. *Hartley*, by the old mode of requisition; but still they all agree in this, that taxes ought to be levied, and that if the Colonies refuse, they must be compelled to it.

Lord *North's* proposition, therefore, in this respect, stands on the same ground with the rest; but it is better on this account, that it invites the different Assemblies to propose the annual sums that they are willing and able to bear, and leaving the mode of levying to the Legislature of each Province; promising also, that the moneys arising by the Duties proposed for the regulation of trade, *shall be applied to the sole use of the Province in which it was raised, and accounted in part of the sum stipulated to be contributed by it.*

The Tea Act also will be repealed, if asked for.

These propositions to come from the different Assemblies in a dutiful Address.

That his Majesty does not wish to distress *America*, but must not lose the authority of Government.

Digitized by Google

reason which has weighed with me, as to the mode of those measures, is, that it is founded in precedents, the authority of which I am sure gentlemen that may at present disapprove them, will not reject. I refer myself to the Parliament that sat after the execution of *Charles* the First, when the Government was formed into a Republick; a Parliament that perfectly understood the distinction between that resistance which is justifiable, and that which is rebellion. The Colonies affecting to be the subjects of the King only, and not subordinate to the state, revolted from the Government of the state, denied the authority of Parliament, and set up a Government of their own, independent of that state and Parliament. The case is not very different from what has been affected to be stated in the present situation of things. See, then, what was the method taken by that Parliament; they made a law totally to prohibit from trade *Virginia*, *Barbadoes*, and the rest of the Colonies which were under that revolt; and as it is a precedent which has weighed with me for acquiescing in the proposition of bringing in a Bill to restrain the Colonies of *New England* from trade, other than to *England*, and from fishing, until they acknowledged the authority of Parliament; and as it contains not only a prohibitory, but a declaratory law of the right of Parliament, I will beg leave to read it:* but although I have acquiesced in those measures, my eye has always looked to peace, nor have my endeavours ever ceased to labour for it, and I seize this first moment, in which I cannot but hope I see some dawn of peace, to speak to it for this once more. At present, matters are come to the last extremity—this country and *America* are in the situation of open and declared war; they are on the very point of striking the blow which must be the beginning of shedding of blood. When two independent Nations are in that situation, they generally, amidst their friends and allies, can find some common mediator, that may at least bring them to some terms of conference, some mode of explanation, that may avert the war that is ready to commence; but where can that mediator be found that can stand forward between the subjects and the Government of a country. Who can have sufficient authority to interpose in such a case, to prevent the fatal consequences? If the country gentlemen, the landed staple interest of this country, that have never taken any share in this business, as a party, will not on this occasion stand forth, there can be no such mediator. They alone are in that predicament which will enable them (and it becomes their actual duty) to stand forth on this occasion. It is their interest also, as well as their duty; for it is their interest that is principally at stake—and I do feel myself, I own, extremely happy to see that the noble Lord who has laid the proposition on your table, although as a Minister it is his duty to support the authority of this country, and carry on such measures as his Majesty, by the advice of Parliament, has thought fit to adopt; yet, sir, I do think it is humane, it is nobly spirited in him, as a private Member of Parliament, as one of that candid body which will, I hope, join him to stand forth as the mediator upon this occasion, holding out such terms as may prevent a people from being driven to desperation; and may open a door to reconciliation, upon such terms as shall establish the authority of this country, and give security to the rights and liberty of *America*. And I own I feel extremely happy to find that they are such terms as a wise and honest man might offer, even if the success of war had put into your hands the right of enforcing every thing that you claim; for even if we go to war, this business must finally end in negotiation; and I wish the Committee would attend to what I am going to say, (for I know it to be true) that the country of *America* must, for the future, be governed under regulations and forms, and a Constitution that must be settled by compact. The relation between the two countries must, in its future process, stand upon the compact; or this country must hold its dominion in the Colonies by the tenure of a war that will cost more than they are worth, and finally ruin both. In whatever instance you come to regulate their trade, you will always find yourself involved in disputes, and must have a never failing source of quarrel between this country and that, until the regulations and restrictions under which the whole of the *American* trade is to be carried on for the future, are settled by compact; if you mean to have peace for the future, this must be done. If you mean to retain that superintending controlling power of government which you have over the Colonies, so as that it may act with effect, and yet retain them as subjects administered under government, and not subjected by force of arms, even their Constitutions must for the future be settled by compact; their Charters, which the King grants them, are not and cannot be considered as such compact; for if it was, the King making terms with any parts of his Dominions, might dismember the Empire, and set all the various parts of it together at variance and in war. Such compact, therefore, temporary as it must be in its nature, must be under the supervision and supreme control of Parliament. Parliament must necessarily have a right to interfere, and I think should so far interfere, as to examine, to settle, and to give the several Colonies, once for all, such a Constitution as is fit for such dependent communities within the Empire; by settling with them and for them such articles, terms, and conditions as may be confirmed by act of Parliament, in like manner as was done in the union of the two parts of the present Kingdom, which articles, when once confirmed by Parliament, cannot, according to the law of Nations, of justice and policy, be altered without the consent of the parties; until the Colonies, holding their Governments under the terms of dependency on the Empire, shall break those conditions, or endeavour to emancipate themselves from them.

On the point of taxation this Resolution goes to every thing that can or ought to be proposed; and is, if rightly understood, and accepted as it ought to be, a fair and just preliminary that must lead to peace. Although those spirits in *America* which are irritated, and in their resentments look to men rather than things, may be indisposed to receive any terms whatever, and willing to hazard all, rather than treat with men against whom those resentments are raised; and although those that take up this matter here, only as a measure of opposition, may endeavour to ridicule and obstruct every good effect which it might have; yet those men of weight and property, both here and in *America*, who have a real interest at stake, and not pledged to any party, but act from principle, must and will see that the line of this proposition will lead finally to such settlement, in which alone their interest can be effectually secured, and the safety of both countries be firmly and permanently established.

If the Committee will indulge me with their further patience for a moment, I will proceed to make one or two very short remarks on the tenor of the Resolution itself. The Resolution says, and says properly, that no proposition can be received by this country but what comes from the General Court or Assembly of the respective Provinces—that is the only authority, most undoubtedly, that this country can acknowledge and treat with—that is the only body that can have any authentick power to make any propositions; and although I know that those propositions can-

* The law referred to by Governour *Pownall*, is in *Scobell's* Acts and Ordinances, 1650, cap. 28. "Whereas in *Virginia*, and in the Islands of *Barbadoes*, *Antigua*, *St. Christopher's*, *Mevias*, *Montserrat*, *Bermudas*, and divers other Islands and places in *America*, there hath been, and are, Colonies and Plantations which were planted at the cost and settled by the people and by authority of this Nation, which are and ought to be subordinate to, and dependent upon *England;* and hath, ever since the planting thereof, been, and ought to be, subject to such Laws, Orders, and Regulations as are and shall be made by the Parliament of *England:* and whereas divers acts of rebellion have been committed by many persons inhabiting in *Barbadoes*, *Antigua*, *Bermudas*, and *Virginia*, whereby they have most traitorously, by force and subtilty, usurped a power of government, and seized the estates of many well-affected persons into their hands, and banished others, and have set up themselves in opposition to, and distinct from this State and Commonwealth; many of their chief actors in, and promoters of these rebellions having been transported and carried over to the said Plantations in foreign Ships, without leave, license, or consent of the Parliament of *England;* the Parliament of *England* taking the premises into consideration, and finding themselves obliged to use all speedy, lawful, and just means for the suppression of the said rebellion in the said Plantations, and reducing the same to fidelity and due obedience, so as all peaceable and well-affected people who have been robbed, spoiled, imprisoned, or banished, through the said treasonable practices, may be restored to the freedom of their persons, and possession of their own lands and goods, and due punishment inflicted on the said delinquents, do declare all and every the said persons in *Barbadoes*, *Antigua*, *Bermudas*, and *Virginia*, that have contrived, abetted, aided, or assisted those horrid rebellions, or have since willingly joined with them, to be notorious robbers and traitors, and such as, by the law of Nations, are not to be permitted any manner of commerce or traffick with any people whatsoever; and do forbid to all manner of persons, foreigners and others, all manner of commerce, traffick, and correspondency whatsoever to be used or held with the said rebels in the *Barbadoes*, *Bermudas*, *Virginia*, and *Antigua*, or either of them."

Digitized by Google

not be any way regularly communicated to any Congress or meeting of all the Provinces; that no proposition coming from any such Congress or meeting could have authority to pledge or engage the Provinces in any propositions that may be made—yet as I do apprehend that no General Court or Assembly of any Province will listen to any matter that shall be proposed to them on this subject, or make any proposition hereupon; but as they take the tone from the opinion of that General Congress which they have of late accustomed themselves to meet in, I should hope that some how or other the propositions of this Resolution may find their way to such Congress, so as to become a matter of their attention.

The next observation which I shall make is, that by the terms of this Resolution, whatever contributions are agreed and settled, as to be raised by the Colonies, are to be raised under the appropriation of the common defence. This condition, sir, is wisely grounded and decided, for it will remove every idea of appropriating it to a matter which the Colonies most fear; it will avoid every suspicion of a misapplication to purposes for which it never was meant to be raised.

An honourable gentleman (Mr. *Charles Fox*) in a late debate, though he took up the idea in opposition, certainly was the first and the only one in that line of debate who hit upon the real jet of the dispute between this country and *America*. He very ably stated, that the reason why the Colonies objected to the laying taxes for the purpose of a Revenue in *America*, was that such Revenue in the hands of Government, took out of the hands of the people that were to be governed, that control which every *Englishman* thinks he ought to have over that Government to which his rights and interests are entrusted. The mode of appropriation specified in this Resolution takes away the ground of that opposition—for although Parliament is to have the disposal and expenditure of this Revenue, yet as the settlement proposes that the Colonies shall, by a particular revenue, make provision for the establishment of their own Government, and specifies that the general revenue which shall be raised, is for the common defence, no part of this money so raised can be applied by Parliament so as to destroy that control which they so much contend for. The misapplication of that four and a half per cent. which was raised for the publick service and common defence, to purposes totally foreign and alien to that end, has ever left in the minds of the Colonists a suspicion which has stood in the way of all propositions made for raising any general revenue; but this Resolution totally removes every ground of such suspicion, and leads to matters worthy of the attention of those who may have the carrying it into execution.

Upon these grounds it is, sir, that although the propositions contained in this Resolution may not come into direct negotiation; and although they do not contain all that I do suppose negotiation will lead to, yet containing all that 'tis possible could be proposed in the present state of the business, I do believe that they will finally open the way to reconciliation and peace, and as such I have given my support, and do give my most hearty consent to them.

Mr. *Charles Fox*. I congratulate my friends, and I congratulate the publick, upon the motion which the noble Lord has now produced. He, who has been hitherto all violence and war, is now treading back his steps to peace. I congratulate my friends and the publick on those measures which have produced this effect. It is now seen what the effects are which a firm and a spirited opposition will produce; it is the opposition which has been made in this House, although ineffectual, to oppose the measures of Ministers, whilst they were pleased to be violent, yet has had that effect, that they now find it their interest and their safety to be otherwise. The noble Lord has receded from his proposition of violence—has begun (I mean if he is sincere) to listen to reason; and, if the same spirit of opposition continues to resist violence, and to support the liberties and rights of the Colonies, he will grow every day more and more reasonable. He has quoted as an authority the conduct of Nations towards each other; that, in the outset of their demands they claim more than they are willing to accept. The noble Lord has done the same, and, I dare say, will in a future day be as ready to recede from what he has now proposed, as he has now been humble enough to give up what he before so strenuously defended. I say this upon the supposition that the noble Lord is sincere; but I cannot believe it. Besides the opposition which his Lordship found obstructing his way, he felt that even his friends and allies began to grow slack towards the vigour of his measures; he was therefore forced to look out for some propositions that might still induce them to go on with him, and that might, if possible, persuade the *Americans* to trust their rights to his candour and justice. What he has now proposed to you, does accordingly carry two faces on its very first appearance. To the *Americans*, and to those who are unwilling to proceed in the extremes of violence against them, he holds out negotiation and reconciliation. To those who have engaged with him on condition that he will support the supremacy of this country unimpaired, the proposition holds out a persuasion that he never will relax on that point; but, sir, his friends see that he is relaxing, and the Committee sees that they are all ready to withdraw from under his standard. No one in this country who is sincerely for peace, will trust the speciousness of his expressions, and the *Americans* will reject them with disdain.

Mr. *Jenkinson*. The honourable gentleman who spoke last, has, among other objections, stated that the proposition now made to you is a total change of measures, and is totally new. Sir, it is so far from a change of measures, that it makes part of those very measures in which the House engaged itself when it presented the late Address to his Majesty. It speaks out as to what indulgence was held out and promised, and it speaks out as to the ground on which that indulgence can be granted. It lays down as a rule at the foundation, that every part of the Empire must bear its share to the common defence; and as to the mode by which the Provinces and Colonies may contribute their share, it leaves that to the very course which their principles have always claimed it ought to go in. But it does it, sir, in a way that maintains and supports the supremacy of Parliament. The terms on which this agreement is to be established, must have the sanction of Parliament; the Revenue raised must be at the disposal of Parliament. Sir, this is so far from being a proposition new at this day, that it is the very proposition which Mr. *Grenville* made to the Colonies the year before he brought forward the measure of the Stamp Act; and, would the Colonies at any time have come forward and proposed any measures in this line of common service, the Government of this country would, I believe, at all times have been ready to listen to them. If there be any thing new in this proposition, it is that it speaks out explicitly and definitely; and, if the Colonies reject it, it leaves them without excuse in the eyes of all mankind.

Mr. *Welbore Ellis*. At all times, sir, when I rise to speak in this House, I do it with a diffidence of my own opinion, but more so on the present occasion, as I am afraid I shall not only differ from my friends, but perhaps from every man in this House. I am extremely sorry to differ from the noble Lord. It is from the sincere opinion I have of his abilities and integrity, not from any fear of his power. But, sir, on the present occasion, the proposition which is now made to you, is so directly contrary to my idea of the Address, as I agreed to it, that I cannot, consistent with the opinion I then gave, accede to it. Sir, I was in hopes to find, and in any measure that I can agree to, I must expect to meet with, as the first step in the business, an express and definitive acknowledgment from the *Americans*, of our supremacy. Without that point first settled, I can neither receive nor consent to any other propositions. If I ask myself whether the present Resolution expresses the meaning of the Address, I certainly must answer no. If I am called upon as a gentleman, to say whether it does or not, I must, as a gentleman, upon my honour, declare that I think it does not. So far, therefore, as I have pledged my opinion in that Address, I find myself as a man of honour bound to oppose this proposition. But my mode of conceiving things can be no rule to other persons; and I own that I do not wish to impose my opinion upon any other person whatever. I wish not to influence any other person. Having therefore said thus much to explain and justify my own conduct, I think the best thing I can do is to sit down.

Mr. *Adam* spoke against the Resolution, upon the ground of its waiving, if it did not give up, the supremacy.

Digitized by Google

Mr. *Cornwall* explained the nature of the supremacy, and shewed how the measure now proposed was not only consistent with it, but the best and wisest measure, as a measure of finance. He confirmed what his right honourable relation had said as to its being no new proposition, but having been formerly made by Mr. *Grenville*.

Mr. *T. Townshend* replied to Mr. *Cornwall*.

Mr. *Ackland*. It is, sir, with the greatest diffidence I rise to deliver my sentiments on this occasion to the House. Astonished at propositions I so little expected, I rise to beg permission of the House to make the following motion: That the Chairman do leave the Chair. I am prompted to it by a conviction, that the propositions laid before the House by the noble Lord, can, on the principles of the gentlemen on the other side, produce no good consequences; on the principles of the gentlemen of this side, must produce many bad ones. Sir, I have supported Administration on every *American* step they have taken during the session, because I approved them; and as long as I continued to approve them I should have continued to support them. But, sir, I cannot approve this measure, and therefore beg to make the above motion.

Mr. *Dundas*, Solicitor General of *Scotland*, spoke in very strong terms, to mark the contradiction of the present measure to the Address, and to every other measure to which he had given his consent; declared that he could never accede to any concessions whatever, which he understood this to be, until the *Americans* did, in direct terms, acknowledge the absolute supremacy of this country; much less could he consent to such concessions, while they were in arms against it.

Sir *Gilbert Elliot*. The debate has taken a different turn from any that I could have conceived; and gentlemen have taken up ideas so contrary to every thing contained in the motion, that I own I cannot but wish to explain it as I understand it to be; not only as it stands in the present Resolution, but as I conceive it to be a part of a measure already entered into. The Address to his Majesty, in consequence of our considering the Papers, contained, in the sense in which I agreed to it, two correspondent lines of conduct. With force to repress those that were in rebellion; with the protection of this country to defend those who were acting under the authority of it, to establish the Government, and to enforce the laws of this country in the Colonies, was one line of that conduct. You have addressed his Majesty to enforce all those measures that were necessary to carry this into effect. You have augmented your forces both by sea and land; you have raised money for this purpose; you have proceeded to measures of restriction, and are in a way to proceed still further in that course; in the whole of which nothing is looked to but the support and establishment of the supreme authority of this country. The other line, whose direction is concurrent and concomitant with this, has been the holding out a promised indulgence to those who will do their duty towards this country. In an Address you can only state this in general and vague terms. You could not, without taking it up as a particular point of consideration, and as a particular measure, express yourselves in an explicit and definitive manner to that point. While you are going on with the one part of this united measure, will you stop short in this, to which you have pledged both your honour and humanity? Sir, so far from the measure now proposed being contradictory to, or inconsistent with the other, the plan on which you sat out at the opening of this business, would be defective, would be unjust, without it. While, therefore, you are maintaining the authority of this country, and that with measures of force, forget not your humanity and your policy. Each proposition is to me but part of one measure; and, as part of a measure which I have approved in the whole, I must give my consent to it.

Colonel *Barré*. How this new scheme of letting the *Americans* tax themselves, ever came into the noble Lord's head, I cannot conceive. Whether it be the genuine product of his own new wisdom and policy, or whether it arises from prodigious cunning; whether from advice of any new friends, or springs from the friendship of old enemies, is impossible to conceive. By what I can collect, it is not likely to gain him any new friends from this side the House; and I should have thought it was going to lose him several friends from that side, had not the right honourable gentleman who spoke last risen to his aid. When that gentleman pleases to exert his eloquence, there is something so powerful, so persuading, so leading in it, that those who were in doubt become immediately convinced. His opinion, whenever explicitly given, becomes like a standard, under which even troops which have turned their backs, may be rallied and brought again to their ranks; and, notwithstanding what we may have thought some few moments ago, we shall yet see all the troops reconciled to the march they are to make. And I begin now to see, that whatever may be the various doubts, the opinions and speeches on different sides, when we come to a division, I believe the use of a standard in this House will be seen, in that there will be scarcely any difference in numbers of those who have hitherto divided on either side. But though the noble Lord's new motion will cause no new divisions amongst us here, yet it is founded on that wretched, low, shameful, abominable maxim which has predominated in every measure of our late Minister, *divide et impera*. This is to divide the *Americans;* this is to break those Associations, to dissolve that generous union in which the *Americans*, as one man, stand in defence of their rights and liberties. If you are so weak as to imagine, from any thing which that sincerely associated band of Ministers can find in their own hearts, you can believe that the *Americans* are so foolish or so base to each other, you will be deceived. They are not such gudgeons as to be caught by such a foolish bait. But the noble Lord does not expect it will be accepted; it is meant only to propose something specious, which he knows the *Americans* will refuse, and therefore offers to call down tenfold more vengeance on their devoted heads, rendered thus ten times more odious, by refusing such fair, such reasonable, such just, such wise, and such humane offers; but neither will this snare succeed.

Lord *North*. I agree, sir, that it is very probable the propositions contained in this Resolution may not be acceptable to the *Americans* in general. The Resolution certainly does not go to all their claims; it is, however, just, humane, and wise; and those in *America* who are just, who are wise, and who are serious, will, I believe, think it well worthy their attention. The gentleman has charged me with mean, low, and foolish policy, in grounding my measures on that maxim *divide et impera*. Is it foolish, is it mean, when a people, heated and misled by evil Councils, are running into unlawful combinations, to hold out those terms which will sift the reasonable from the unreasonable; that will distinguish those who act upon principle, from those who wish only to profit of the general confusion? If propositions that the conscientious and the prudent will accept, will at the same time recover them from under the influence and fascination of the wicked, I avow the using that principle which will thus divide the good from the bad, and give support to the friends of peace and good Government. A right honourable gentleman who always speaks and acts like a man of honour, and when he differs from his friends does it like a man of honour, thinks, that according to the sense in which he understood the Address, that the propositions now proposed by me, totally deviate and depart from it; I will beg leave to refer that gentleman to the explicit language which I held when I proposed the Address; was it not precisely, almost literally the same as what I now propose? I can even refer to my very words as being the same. I will appeal to the House as to the manner in which I explain the idea of the indulgence which the Address held out and promised; and having held out and promised such indulgence, if I had not followed it by some propositions which were open, explicit, and definitive, I might indeed have been charged with throwing out deceptions to gentlemen here, and with laying a snare for our fellow-subjects in *America*. Whatever may be the reception these propositions shall meet with, I feel that I have done my duty fairly and consistently.

Mr. *Edmund Burke* declared he came to the House this day, upon the report of a change of measures, with a full resolution of supporting any thing which might lead in any way towards conciliation; but that he found the proposition altogether insidious in its nature, and therefore purposely rendered to the last degree obscure and perplexed in its language. Instead of being at all fitted to produce peace, it was calculated to increase the disorders and con-

Digitized by Google

fusions in *America*, and therefore he never could consent to it. He readily admitted that the proposition was a contradiction to every thing that Parliament had declared; a shameful prevarication in Ministers, and a mean departure from every declaration they had made. He was, however, willing to purchase peace by any humiliation of Ministers, and, by what was of more moment, even by the humiliation of Parliament. But the measure was mean indeed, yet not at all conciliatory. The mode of argument on the side of Administration, he said was the most ridiculous that ever had been known in Parliament. They attempted to prove to one side of the House, that the measure was a concession; and to the other, that it was a strong assertion of authority—just on the silly principle of the Tea Act, which to *Great Britain* was to be a duty of supply, to the *Americans* a tax of regulation. He was equally surprised, he said, by another extraordinary phenomenon. Up to this day, during the whole course of the *American* debates, the Ministry had daily and hourly denied their having any sort of contest about an *American* Revenue; that the whole was a dispute for obedience to trade laws, and to the general Legislative authority. Now they turned short, and to console our Manufacturers, and animate our Soldiers, they told them for the first time, "the dispute is put on its "true footing, and the grand contest is not for empty hon-"our, but substantial Revenue." But Manufacturers and Soldiers, said he, will not be so consoled or so animated, because the Revenue is as much an empty phantom as the honour, and the whole scheme of the Resolution is oppressive, absurd, impracticable, and what, indeed, the Ministers confess the *Americans* will not accept; nay, what they own *America* has already rejected. It is oppressive, because it was never the complaint of the *Americans* that the mode of taxation was not left to themselves; but that neither the amount and quantum of the grant, nor the application, was in their free choice. This was their complaint, and their complaint was just. What else is it to be taxed by Act of Parliament, in which they are not represented, but for Parliament to settle the proportion of the payment, and the application of the money? This is the purport of the present Resolution. If an Act of Parliament compelled the City of *Amsterdam* to raise an hundred thousand Pounds, is not *Amsterdam* as effectually taxed without its consent, as if duties to that amount were laid upon that City? To leave them the mode may be of some ease as to the collection; but it is nothing to the freedom of granting, in which the Colonies are so far from being relieved by this Resolution, that their condition is to be ten times worse than ever. I contend that it is a far more oppressive mode of taxing than that hitherto used; for here no determinate demand is made. The Colonies are to be held in durance by Troops, Fleets, and Armies, until singly and separately they shall do—what? Until they shall offer to contribute to a service which they cannot know, in a proportion which they cannot guess, on a standard which they are so far from being able to ascertain, that Parliament which is to hold it, has not ventured to hint what it is they expect. They are to be held prisoners of war, unless they consent to a ransom, by bidding at an auction against each other and against themselves, until the King and Parliament shall strike down the hammer, and say "enough."

This species of auction to be terminated not at the discretion of the bidder, but at the will of the sovereign power, is a kind of absurd tyranny which I challenge the Ministers to produce any example of in the practice of this or of any other Nation. The conduct the most like this method of setting the Colony Assemblies at guessing what contribution may be most agreeable to us in some future time, was the tyranny of *Nebuchadnezzar*, who, having forgot a dream, ordered the assemblies of his wise men, on pain of death, not only to interpret his dream, but to tell him what his dream was. To set the impracticability and absurdity of this scheme in the stronger light, I ask, in case an Assembly makes an offer which should not be thought sufficient by Parliament, is not the business to go back again to *America*? and so on backwards and forwards as often as the offer is displeasing to Parliament; and thus, instead of obtaining peace by this proposition, all our distractions will be increased tenfold, and continue forever. It is said, indeed, by the Minister, that this scheme will disunite the Colonies. Tricks in Government have sometimes been successful, but never when they are known, avowed, and hackneyed. The *Boston* Port Bill was a declared cheat, and accordingly, far from succeeding, it was the very first thing that united all the Colonies against us, from *Nova Scotia* to *Georgia*. The idea of deducting the value of Goods supposed to be taken by the Colonists, because we sold cheap, at a time when we did not suffer the Colonies to make a trial, and by such arithmetick to deduce the propriety of their paying in nearly an equal proportion with the people of *England*, was of a piece with the rest of the policy and the argument of this profound project. I strongly protest against any scheme which shall begin by any mode of extorting Revenue. Every benefit, natural or political, must be had in the order of things, and in its proper season. Revenue from a free people must be the consequence of peace, not the condition on which it is to be obtained. If we attempt to invert this order, we shall have neither peace nor revenue. If we are resolved to eat our grapes crude and sour, instead of obtaining nourishment from them, we shall not only set an edge on our own teeth, but on those of our posterity forever. I am therefore for the reconsideration of the Resolution, until it can be brought to some agreement with common sense.

Mr. *Dunning* assured the House that he had been much alarmed for the noble Lord *(North)* in the course of the day; for though the noble Lord had been actually five times on his legs, yet all his eloquence seemed thrown away, and his authority on the point of losing its weight. Young Members and old, nay, even the known phalanx of Ministerial supporters, seemed to totter, and it appeared to him, as if it was going to be, "to your tents, O *Israel*;" but in the moment of the noble Lord's distress, when all his own eloquence, all his acknowledged authority seemed lost, a gentleman of great abilities arose, (Sir *G. Elliot*,) but he was too wise to waste his eloquence; he did not attempt to argue, but with great good sense, he warned the party not to divide among themselves. I saw, said Mr. *Dunning*, the instantaneous good effect of this wholesome admonition; no wit, no argument could have had half the effect—it operated like a charm—and though I do not see well, I could discern from various faces, that the Minister was safe, and was rescued from the disgrace I had begun to apprehend for him, of being in a minority. He then shewed that the new proposition was, indeed, scandalously contradictory to all the professions of the Minister, and therefore justified the opposition of the Minister's old friend; but for his part, he opposed it, not as being conciliatory, which he wished it was, but as being futile and treacherous.

The question then being put,

The Committee divided—for the Resolution, 274, against it, 88.*

Sir *Charles Whitworth* reported from the Committee, that they had made a further progress in the matters to them referred; and had come to a Resolution, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received upon *Friday* morning next.

Sir *Charles Whitworth* also acquainted the House, that he was directed by the Committee to move, that they may have leave to sit again.

Resolved, That this House will, upon this day sevennight, resolve itself into a Committee of the Whole House, to consider further of the said Papers.

FRIDAY, *February* 24, 1775.

The Order of the Day being read, for receiving the Report from the Committee of the Whole House, to whom it was referred to consider further of the several Papers

* Notwithstanding the general dissatisfaction with which this motion was received by the friends of Administration, who thought their dignity not a little lowered by it, and believed the effects of conciliation or disunion proposed by it, to be very uncertain, it was thought better not to give a triumph to opposition by rejecting a proposition made by the Minister. It was thought, also, that this Resolution being susceptible of a variety of interpretations, as had appeared in the debates, such an interpretation might be hereafter adopted, as should be most suitable to their circumstances. Accordingly, though some of those, who, in the beginning, had openly declared themselves, and could not recede, voted (on grounds totally adverse to them) with the Opposition; the rest of the Members went as usual; and the question was carried on a division, 274 to 88.—*Ann. Regis.*

Digitized by Google

which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st and 15th days of this instant, *February*, by his Majesty's command,

Ordered, That the Report be received upon *Monday* morning next.

MONDAY, *February* 27, 1775.

Sir *Charles Whitworth*, according to order, reported from the Committee of the Whole House, to whom it was referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and 1st and 15th days of this instant, *February*, by his Majesty's command, the Resolution which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the Clerk's table, where the same was read, and is as followeth, viz:

Resolved, That it is the opinion of this Committee, that when the Governour, Council, and Assembly, or General Court, of any of his Majesty's Provinces or Colonies in *America*, shall propose to make provision, according to the condition, circumstances, and situation of such Province or Colony, for contributing their proportion to the common defence, (such proportion to be raised under the authority of the General Court, or General Assembly of such Province or Colony, and disposable by Parliament,) and shall engage to make provision also for the support of the Civil Government, and the Administration of Justice, in such Province or Colony, it will be proper if such proposal shall be approved by his Majesty and the two Houses of Parliament, and for so long as such provision shall be made accordingly, to forbear, in respect of such Province or Colony, to levy any Duty, Tax, or Assessment, or to impose any farther Duty, Tax, or Assessment, except only such Duties as it may be expedient to continue to levy or to impose for the regulation of commerce; the nett produce of the duties last mentioned to be carried to the account of such Province or Colony respectively.

The said Resolution being read a second time,

Lord *North* moved that the House do agree with the Committee therein.

Mr. *Scott*, after condemning the whole system of Colony administration for some years back, said, that in such a state of confusion, uncertainty, and political versatility, he was for agreeing to the Resolution, as a basis to erect something on hereafter, which might be the means of producing a permanent and comprehensive plan of reconciliation.

Mr. *Ackland*. I hope the House will pardon me, if I beg their attention a few moments, and but for a few moments; for I should make a very ill return to the favourable indulgence shewn me on a former day, if I presumed to trouble it long on this. Uninformed, unacquainted, unexpecting a proposition of so extraordinary a nature, as that laid before us by the noble Lord on that day, I felt myself forced from a seat of silence, which perhaps would then have, and might still better become me; but which I should have thought, under such circumstances, it would have been shameful to have continued. After having maturely considered the Resolution, whether on the principles of accommodation with *American* demands, or of enforcing the authority of this country, I think it nugatory and humiliating. Does the noble Lord really think, that a people who deny all right of taxation, will be satisfied with having the mode of taxation left to them? Does he not think the *Americans* will feel themselves as effectually put under contribution as any town or country ever yet was, in any state of open war? Will he presume to call that an amicable plan, which asks for contribution at the mouth of your cannon and point of your bayonets? Sir, by holding out these terms of accommodation, ridiculous in themselves, and nugatory in their effect, by making the first offer to treat with those men you have just declared rebels, you will lower the dignity of this country; you will bring your Government into contempt, and, by the insult of the offer, irritate, not appease, that spirit which you are now about publickly to declare to the whole world, you tremble to encounter. This, sir, I am confident, is the light the *Americans* will see it in; and these are the principles on which they are expected to accommodate.

Before I give my assent to any measure, I ought to inform myself what is meant to be founded on that measure, and what consequences are meant to be drawn from it; for, by these means alone I can judge of the propriety or impropriety of the measure. I do not doubt, therefore, that the noble Lord will answer me with as much candour, as I shall ask with diffidence. Now, the words I would wish to draw the attention of the House to, are these: "according to the condition, circumstances, and situation "of such Province for contributing their proportion, shall "be approved." Sir, the questions I would ask, are, is this proportion to be annually offered by the Colonies, and annually refused or accepted by Parliament? Or is it in the first instance to be settled for a certain period of years, or is it to be settled forever? These questions demand a serious answer; in the first case, you perpetuate the seeds of discord, and lay the foundation of a dispute that can never end, but in a total convulsion of the *British* Empire. In the second, adopting a temporary expedient, you withdraw your own shoulders from a burthen you have no resolution to bear, leaving the great point in dispute as unsettled as you found it, leaving it to arise at that fixed period whenever that period shall arrive, to be the cause of new quarrels, and fresh bloodshed. If you settle it forever, do consider what a miserable bargain you are contending for. The *Americans* are supposed to double in twenty years; it is but reasonable to suppose, that their wealth and opulence will increase in proportion; that, therefore, what would be a reasonable proportion now, will, in a few years, become comparatively with their increased wealth, a miserable pittance.

I must here take notice of an argument the noble Lord has enforced more than once with great weight; it is, that these terms are such as should be offered, after the most complete victory. For the sake of the argument, I will agree with the noble Lord, and therefore conclude, that they are improper to offer before the victory. That, sir, which is generosity, which is magnanimity after victory, is timidity and foul disgrace before it. There may be situations in which states may be found, where they cannot, without certain ruin, acquiesce even in just claims; there are situations too, in which states may grant more than is asked, and give more than is desired, with honour, security and advantage. The first of these situations precede great commotions; the second succeed complete victory. I remember, sir, the *Romans*, in a war they had with the *Italian* states, granted them when conquered, those privileges which, with a firmness peculiar to their Nation, with a firmness that led them to universal empire, they haughtily refused them before their contest.

I will not take upon me to say what confidence the people reposed in Administration before, but I will take upon me to say, that whatever it might be, it is now entirely done away; they no longer expect to find firmness, resolution, and unanimity in the Councils of the King's servants; that they have seen them weak, irresolute, disunanimous. For the reception these propositions met within these walls, I will appeal to the unequivocal effects they had at their first opening, on the Members of this House. I will recall to the noble Lord's memory, the feelings he must have had during those awful moments in which the common sense of the House stood amazed at the propositions that were held out to her, when uncertainty, surprise, distraction, were seated on every countenance, when the doctrine held out to us, was so new and unheard of, so contrary to every principle we had been thought to adopt, that no man could guess at the opinion of his neighbour, when those, who had relied on that firmness, which the noble Lord had so often and so publickly pledged, turned pale with shame and disappointment, when within the space of a few awful moments, the dignity of Government and the honour of this country, were given up forever. That this was the immediate effect, I believe every gentleman who hears me, and was present on that very extraordinary day, must admit. I have expressed myself warmly. I felt, and do still feel my disappointment warmly. I estimated the noble Lord's publick wisdom, prudence, and above all, his political resolution, at as high a rate as I honoured, and do still honour, those private virtues which adorn his character, and which shine illustriously pure amidst a licentious and a dissipated age.

Digitized by Google

I will address a few words to the honourable Lord, and have done; I will tell him that decision and resolution, even when employed to but indifferent purposes, render their possessor respectable; I will speak with tenderness, I will not tell the noble Lord what effect, even with the best intentions, the contrary qualities will have. I will conclude with telling the noble Lord that if he adopts a decided line of conduct, he will have decided friends, and he may still stand on firm ground; but that if he continues to waver between both he will fall to the ground unsupported by either.

Mr. *Temple Luttrell.* Sir, upon a former occasion I presumed to state a few of my sentiments to the House, relative to the war impending over the *Americans*, because I was sure I could not answer it to my cwn feelings, I thought I could not answer it to my country, had I neglected, at the very earliest moment that might offer, to declare my utter abhorrence of those unconstitutional, arbitrary, and diabolical projects devised by his Majesty's Ministers for the destruction of that unhappy people. I flatter myself a certain illustrious character may soon be left out of this opprobrious list of projectors; there seems to be a divine gleam of radiance coming round his temples; and I foresee almost, if not altogether, as marvellous a conversion into the right path as that which happened in days of yore, to the great persecutor of the Christian followers on the plains of *Damascus*.

To what black storm in the political firmament we are indebted for this sudden change, I, sir, move in too contracted a sphere to discover; but the noble Lord will allow me to tender him my hearty congratulations, that he is at length awakening to that clemency, and to that justice, which will best agree with the innate temper of his heart. There is a long line of statesmen seated in firm array not far from your chair, who have, ever since the birth of this Parliament, uniformly shrunk (and I am sure their consciences always must shrink, whatsoever their politicks or their eloquence may do) from the great *American* question; they have wished to defer, to the latest hour possible, all discussion of this critical topick, in hopes, as they term it, to learn what is actually doing on the other side of the *Atlantic*. Sir, I can inform them; there rises not a sun in that hemisphere, but sets to such additional grievances and outcries as the most soothing future concessions, the most exemplary future sacrifices on your part, will scarce be able to atone for.

However grating to the ears of some individuals the subject may be, I shall take the liberty, with the indulgence of the House, to affirm, that these measures of compelling the *Americans*, by force of arms, to acknowledge the paramount and unlimited authority of Parliament, in the taxation of their property—a property created by their faculties, and by their industry, are not just, not politick, not practicable, but a traitorous infringement on the Constitution of the Colonies, which rests upon the same fundamental principles that uphold the property and uphold the franchises of every native of this Island.

Sir, I ever will contend that the united Parliaments of *England* and *Scotland* cannot legally impose a tax on the subjects of any other part of the *British* Dominions, without the consent of such subjects, either by themselves in person, or by their Representatives. Let the champions of Despotism avail themselves of all their knowledge and sophistry, I will venture to maintain this proposition, not arrogantly presuming on my talents or skill to manage it, but on its own clear intrinsick merits, and the conviction that, to every dispassionate mind, must naturally result from its investigation. The coercion proposed militates against the privileges of all emigrants of their description, from the time of the Patriarchal disjunctions to this day; emigrants who carried with them (as their *penates*) certain inherent rights natural to mankind—immutable and unalienable: confirmed to them for an heritage by that blessed Constitution of *Saxon* contexture under which they were born. Laws established on first necessity and impotence between them and the present state, either by express or tacit assent, were not of an universal, indefinite obligation, they were of a fiduciary nature, adapted to the comparative state of the contracting parties, for the purpose of temporary expedience, and must, of course, vary conformably to such other relative alterations as lapse of time and the vicissitude of human affairs may affect. Acts of Parliaments, or other diplomatick titles, may be produced to shew a formal, and perhaps uncontested assumption of power at some given period of time, but will not countervail the primeval and indefeisible rights of mankind, whenever such rights shall be asserted by a clear major part of the community. On this ground, and this ground only, rests our spiritual reform under *Harry* the Eighth, and that most glorious of all civil Revolutions—the Revolution by which *James* the Second lost the throne of these Realms. Those gentlemen who plead for the omnipotence of Parliaments, and the infallibility of their codes, should advert to the many absurd, contradictory positions and doctrines laid down during the contention of the several pretenders of the *Plantagenet* line, and afterwards of the heiresses of the House of *Tudor*.

In fact, sir, your Statutes of those days borrowed too frequently their maxims and complexion from whatsoever brow might happen to be encircled with the regal diadem. In the reign of *Richard* the Second, a law passed to transfer the power of both Houses of Parliament to twelve Barons. By an Act under one of the *Henries*, the King's Proclamation, with the consent of his Privy Council, was thenceforward to carry with it the force and efficacy of a law of the land. And we all know that the Parliament of 1641 voted itself perpetual, never to be dissolved nor prorogued but by its own consent: and the Act read by an honourable Member to the Committee on the present Resolution, and which he treated with so much deference, because it declared the people of the *Massachusetts Bay* in a state of revolt, was passed by this immaculate Parliament.

Now, sir, let us suppose (what in these our uncorrupt days there can be no reason to apprehend) that a Statute should be procured by some future Minister and minion of the Sovereign, vesting the whole Legislative as well as Executive power in the Crown, totally to abolish both Houses of Parliament; would such Statute be valid and binding on the subject throughout *Great Britain* and *America*? All persons have natural rights—a free people have legal rights, independent of Parliamentary edicts, and of which no form of Government whatever can deprive them. Laws not founded on constitutional justice are, in themselves null and void; nor are the makers of them legislators, but usurpers. A very wise and learned writer, Judge *Blackstone*, has in his Commentaries the following passage: "If "the sovereign power advance with gigantick strides and "threaten desolation to a State, mankind will not be rea-"soned out of the feelings of humanity, nor will sacrifice "their liberty by a scrupulous adherence to those political "maxims which were originally established to preserve that "liberty."

If the powers and pretensions of a few adventurers and fugitives, occupying, about two centuries ago, a small corner of a graceless desert, and possessed of none of the good things of this life, are to ascertain the powers and pretensions of three millions of people, spread over a land flowing with milk and honey, and a thousand leagues in circumference, they may, with the same justice and propriety, be brought two centuries hence to ascertain the rights and pretensions of thirty millions, when the inhabitants of this diminutive Isle shall scarce reach a fourth part of that number; neither can I own such disparity in the calculation of increase to be at all exaggerated, if we consider the various drains from this country, and the daily influx of persons of both sexes at the very meridian of life into these inviting regions; besides, new settlers usually restrict themselves to hunting and agriculture—to toils which afford vigour to the body and enterprise to the mind. They live on plain, wholesome diet; their progeny is healthful, and of boundless increase; whereas, in Nations that have reached their full zenith of luxury, the mass of the people are occupied at sedentary arts and manufactures, drawing in, from morn to eve, an impure, confined atmosphere, or brooding over unwholesome furnaces; hence the vital stamina are hurt, the appetites soon appaled, the spirits easily depressed; they become enfeebled ere the sand of their mortal glass be half run out; their offspring is sapless and emasculate.

America has been loudly charged with ingratitude towards the parent country, from whom she received protection during the late conflict of war. 'Tis not quite clear how far the balance of that account is in her disfavour;

Digitized by Google

however, she cannot be so ignorant of the real springs of war or peace, as to persuade herself that your numerous embattled Legions, under triumphant Fleets sent to her Coasts, were supplied purely from motives of parental affection or sympathetick benevolence. Had, sir, that vast territory been planted with *Portuguese* scions, instead of those from your own stock, ponderating as the political scales of *Europe* then were, would you not have afforded to a people, in their natural and moral character, as far from unison with yourselves as discord is from harmony, an equal supply of men and treasure? Remember, sir, your prowess at the eve of that same war, near the banks of the *Tagus*.

The love or enmity of one people to another cannot be estimated by their occasional alliances, compacts, or guarantees, as a body politick. It is but a century ago that our *English* Brigades served with unparalleled ardour in the Army of that arch enemy to civil and religious liberty, *Lewis* the Fourteenth of *France;* the execrated revocator of the edict of *Nantz;* the aspirer to universal despotism. We served, sir, against a people whose tolerance and charity of religion, whose whole system and freedom of government we at that very time held in emulative veneration; a people whose assistance we supplicated and obtained scarce twenty years after, to deliver us from monarchical tyranny.

Such coercion was highly impolitick, because it is from the prosperity, peace, and contentment of her Colonies, that resources of wealth and laurels of honour are won to a mother country. History teaches us that populousness and affluence are the product of that clime alone where the people may reap in security a full harvest of their labour; where they have affluence in their leaders and governours; where no exactions are inflicted by an alien hand; where the municipal, if not the imperial jurisdiction, together with the power of levying taxes, are vested in substitutes of their own free choice or approbation.

That saying of a despot, "*Oderint dum metuant,*" may be applicable to the swarthy sons of the opposite division of the globe; but, sir, it will never accord with the sentiments of our brethren in *America*. Threats and violence used against hearts of the same sturdy temper with your own, must induce the most calamitous events to both parties. There will be seeds of equal courage and perseverance found in the one battle as in the other, with this difference at the onset, that the arm of the aggrieved is usually braced to bolder, more decisive efforts of rage and despair, than that of the aggressor: "*Aquilæ non generant Columbus.*" Let us, sir, rather rejoice that our breed has not degenerated; that these Colonists have a sense of rational freedom becoming the sons of such high-minded progenitors. Ill would it answer your purpose to bring their bodies under a short-lived subjection, and to leave impressed upon their minds an unabated rancour and aptness for revolt. Revenge is an unchristian passion; yet how rarely do we find the human soul possessed of a sublimer heroism, without this alloy.

Neither, sir, am I altogether unacquainted with the people of whom I am now speaking. Curiosity once led me to travel many hundreds of miles along their flourishing and hospitable Provinces. I found in most of them the *Spartan* temperance, in many the urbanity of *Athens;* and, notwithstanding the base and groundless imputations on their spirit, which the cankered tongue of prejudice and slander has with so licentious a virulence here poured forth against them, they will, I am confident, if set to the proof, evince the *Roman* magnanimity, ere *Rome* fell under sceptered usurpation. But, sir, if a foreign enemy should appear at your gates, and you need their assistance, will there then be found among them many a *Coriolanus?* He stands single as the prodigy of forgiveness, in the annals of a people whose attachment to their native land was carried to the utmost height of enthusiasm. How soon that foreign enemy may appear at your gates, I know not. According to the horological predictions of a most enlightened state soothsayer, we have about seven years more of profound tranquillity with the House of *Bourbon* to trust to; but, from the symptoms of our domestick distraction, and the improved state of the government and finances of our neighbours, I should judge it prudent to be somewhat better provided than we are at present for an early rupture; not entirely to dismantle our Ports and our Coasts of soldiers and seamen, sent to immolate the martyrs to liberty of their own flesh and blood, on the distant Continent of *America*.

It has been made evident to you that a defection of the Northern Colonies will soon bring on the complete ruin of your *West India* settlements, which cannot elsewhere affordably provide themselves with Cattle, Lumber, and divers other articles requisite for the support of a Plantation.

Let us turn our eyes to the inland trading Towns here at home; those large iron founderies which used to supply the anchors of commerce and implements for husbandry and the ingenious arts, are now set at work in moulding the sword and the bayonet to enslave *America*. From the former commissions there accrued constant returns of profit, and numberless comforts; from the latter, what can be expected but poverty, dejection, and mourning? Peace with *America* will make your thousands of Manufacturers and Artisans a thriving, obedient people; war with *America* will make them idle, profligate, and tumultuary. In short, the first open hostilities committed by your Troops on that Continent, will realize to the race of man, from one extremity of the earth to the other, more fatal evils than were even contained in the fabled box of *Pandora*.

It is well known, through melancholy observation drawn from the fate of the *Assyrian*, *Persian*, and *Roman* Empires, that national societies, as well as the individual mortals of whom those societies are composed, have their nonage, their adult vigour, and their decline. Whatsoever share of indulgence and independency *Great Britain* shall, in this her florid and athletick stage, generously bestow on her rising Colonies, they will, no doubt, amply repay to her in some future generation, when she is verging towards that awful goal which must close her race of glory.

The military coercion of *America* will be impracticable. What has been the fate of your famous Bills passed in the last session of the deceased Parliament? I mean, sir, the *Boston* Port Bill, and the Bill for altering the Charter of *Massachusetts Bay*. *America*, as an earnest of her triumph over the future labours for which envy and malice may reserve her, has, like another *Hercules* in the cradle, already grappled with those two serpents sent for her destruction. Neither shall we be long able to sustain the unhallowed war at so remote a distance; unexplored deserts, wood-land ambuscades, latitudes to which few of our soldiery have been seasoned;—the Southern Provinces scarce to be endured in the summer months, the Northern Provinces not approachable in the winter season;—shipwrecks, pestilence, famine. The unrelenting inveteracy and carnage of *York* and *Lancaster*, will here be joined to all the elementary hardships and maladies of a bigot crusade. Shall not such dreadful eras in our earlier chronicle, serve us for beacons at this perilous crisis? Those rash expeditions, indeed, undertaken by a few martial zealots on misconceived piety, began to decline at the death of the hot-brained, savage-hearted King, under whom they were first enterprised; and the sluices of kindred blood which had long inundated the land in the red and white roses, were at length happily put a stop to, by a single matrimonial contract. Now, sir, who can look forward to a probable epoch in the red volume of time, when the sword drawn in this quarrel shall be sheathed in peace! I can see no end, till slaughter, proscription, extirpation, shall totally have annihilated either one or the other people.

Far be it from me to anticipate by conjecture to either country so dreadful a sentence; but, sir, without a gift of preternatural foresight, I may remark, that there are features in the aspect of infant *America* which denote, at maturer years, a most colossal force. The *Helvetick* and *Flemish* Confederacies have demonstrated what extraordinary obstacles a small band of insurgents may surmount in the cause of liberty. The *Helvetick* Confederacy consisted of a few straggling peasants, bannered against a mighty Prince; yet, firmness and desperation supplied that energy, which the best disciplined numbers could not resist. The tragick scenes of *Numantia*, and of *Saguntum*, shew to how dire a catastrophe a spirited people will devote themselves, sooner than submit to an unjust dominion. It appears from one of the *American* letters of a late date, brought to your table, that the inhabitants of *Boston* were inclined to copy, in part, these dire examples; that they

Digitized by Google

meditated to abandon the Town with their wives and families, and the reducing it to ashes. Did not we ourselves give a very striking proof, at the commencement of the twelfth century, to what an incendiary height the flame of vengeance might reach, when we invited over, and received into the very centre of this Island, a whole army of *Frenchmen* to aid us against a tyrant Monarch and his iniquitous Counsellors? We owe, perhaps, that sacred palladium of our liberty, *Magna Charta*, as much to a Dauphin of *France*, as to a King of *England*.

The *Americans* allege that what they now contend for is that reasonable portion of liberty with which they were chartered as their birthright, not by any earthly potentate, but by the King of kings, "to make their lives happy in "the possession of which liberty, they do now hourly in-"voke that King of kings, or to make their death glorious "in its just defence."

What is the aim and scope of the Resolution before you? To lure some of the less refractory Provinces of *America* to dissociate from, and betray their fellow-sufferers; to join in raising a contribution throughout one half of the Colonies, to support your armaments and outrages against the other half, with a view to annihilate trade, cut off every natural channel of livelihood and subsistence, and butcher the disobedient; and how are these seceders to be recompensed for such signal perfidy? Why, by a temporary exercise of certain empty forms and modes of taxation, confirming at the same time a right in the Crown and Parliament of *Great Britain* to fix the gross amount of all Continental subsidies whatsoever; that is, in fact, they are to be still subject to a Ministerial majority in this House, which may levy imposts on them, not by any fair scale of proportion to the burthen laid on the mother country, but the demand may perhaps be carried beyond their abilities, or they may be liable to the discharge of an immense national debt. By way of earnest, however, against the numerous abuses in future, to which this curious plan lies open, they shall instantly repose entire faith and confidence in the present set of the King's Ministers at *Westminster*, so remarkable for consistency, lenity, and wisdom.

The noble Lord puts me in mind of King *Arthur*, in our modern dramatick mask, where that first of the *British* worthies stands balancing between *Grimbald* and *Philadel*. He has just caught a glimpse of the cloven foot of the infernal fiend, by whose dazzling snares and incantations he has been thus long fascinated, and is turning to the fair, heavenly spirit, who would guide him into the ways of happiness and honour. Let him not stop short, but pursue the only track that can save his country—perhaps save himself from perdition.

I should be as strenuous an advocate for the just authority of Parliament as any man; but I think we ought candidly and effectually to relinquish all vain pretences to supreme sovereignty, in cases where they are not maintainable on principles of justice, of sound policy, or the Constitution of the land. If you persist in pride and errour, what will be the consequence? Intestine enmities will be increased—devastation and havock must ensue. When questions of such weight and magnitude as these now in agitation concerning *America*, shall come before you, every Member ought to reflect, that the fate of a whole Nation may possibly depend on his single vote. Whosoever gives the power of oppression, is in fact a tyrant; whosoever gives the power of murder, is in fact an assassin. I am against this Resolution, because I think that so far from extinguishing the flame, it will only throw oil upon it to aggravate its fury; and, however conciliatory it may seem at first sight, when it comes to be analyzed on the other side of the water, it cannot possibly have any other construction put upon it, than that of adding insult to injury.

Sir *P. J. Clerke* said he should not be surprised, such was the fluctuating state of our counsels, to see another Resolution proposed in a few days, totally contradicting the present, and those persons who are most zealous in support of this Resolution, equally warm in support of the next.

Mr. *Hartley*. I am called upon on this occasion, particularly as I made a conciliatory proposition on this subject of the *American* disputes to the House before Christmas, which I shall, at a proper time, offer to the House as a regular motion. The proposition alluded to, was to make a free requisition to the Colonies for a supply towards the expense of defending, protecting, and securing the Colonies. The present motion is not free but compulsory; it is attended with menaces and threats, therefore not a lenient or conciliatory measure, but only thrown out as such for a pretext. To say, give me as much money as I wish, till I say enough, or I will take it from you, and then to call such a proposition conciliatory for peace, is insult added to oppression. The proposition which I made before Christmas, was what it appeared, a free requisition. A requisition by a Secretary of State, is an ancient, legal, approved, constitutional way. It states the case, represents the services necessary to be done, and requires the free aid of the subject for those necessary services, leaving, as a constitutional control, to the subject whose money is required, the judgment upon the necessity of the services stated, and the right of appropriating the money so granted. How totally different from this proposition, is that before us now, which says neither more nor less than this: Give me what I ask, leaving likewise the quantity to my discretion, or I will take it by force. Besides, this proposition is a direct breach of faith towards *America*, who have been assured by a circular letter from the Secretary of State, that his Majesty's Ministers never meant, nor ever would entertain the thought of raising a Revenue in *America* by taxing. This proposition before us is a direct breach of the publick faith so pledged to *America*, by a circular letter from a Secretary of State, in which his Majesty's royal word was particularly plighted. The noble Lord's proposition, who was upon the same bench when the above mentioned circular letter was written, is that we will forbear to tax just so long as they will give us a Revenue to our content. What is this if it be not extorting a Revenue by threats of taxing? The only concession contained in this proposition is, that it gives up at once the mode of our proceedings with *America* for these last ten years, as it confesses that it would be proper to proceed in the way of requisitions. This proposition pretends to condemn the exercise of taxation before you have made a requisition at least, and have met with a refusal, though by uniting them in the same proposition, it destroys the very nature of the requisition, by making it compulsory.

Let us inquire now, whether ever *North America* did refuse to contribute to the common defence, upon requisition; so far from it, that they ever have contributed in case of necessity, even beyond their abilities, as the records of thanks to them, and retribution for the excess of the zeal and fidelity, which stand annually upon your Journals, during the late war, do fully and incontestibly prove. Throughout the whole course of this contest since the war, they have over and over offered to contribute to the necessary supply when called upon in a constitutional way. I have extracted proofs of these from Addresses, Petitions, &c., for the whole period of the last ten years. Their Petitions you have thrown out of your doors, their repeated Addresses, Remonstrances, Letters, and Memorials, you have treated with contempt. I have now in my hand a score of proofs that they have offered to pay upon requisition, according to the utmost of their abilities, if those requisitions were made in a legal and constitutional way. I have collected offers of this kind, and I have got them from, I think, almost every Colony. I can shew them repeatedly from *Massachusetts Bay*, from *New-York*, *New-Jersey*, *Maryland*, *Virginia*, *Pennsylvania*, *Carolina*, and these repeated from time to time during the whole of this contest. I have them in my hand, and will beg to read them to the House. [Reads them.] And to conclude the whole, *North America* assembled at the Continental Congress, pledge themselves, "that whenever the exigencies "of the state shall require a supply, they will as they have "always heretofore done, contribute their full proportion "of men and money." The terms in which all these offers are expressed, are clear, uniform, and explicit. All that they require is, that they may stand upon the footing of freemen and free *British* subjects, and giving and granting their own money. For these reasons I object to the motion before us, and shall, with the permission of the House, endeavour to put the proposition upon its proper grounds, by another motion on some future day.

Mr. *Thomas Powys* wanted to know the sum each Col-

Digitized by Google

ony was to raise, the manner it was to be appropriated, and whether it was to be granted annually, or for a definite number of years.

Lord *North* was for preserving the right of Parliament to tax the Colonies; but for transferring the exercise of that right to the Colony Assemblies. He was for leaving the Colonies at liberty to contribute voluntarily to the alleviating the publick burthens, and for reserving to Parliament a right of rejecting or increasing those voluntary aids at pleasure. Among other things, he said, if the Colonies reject just conditions, they must be reduced to unconditional obedience; that such of the Colonies as did not comply with the Resolution, would have the Acts rigidly enforced against them; that he did not nor could, at present, pretend to specify the exact sum they ought to raise, as it would probably fluctuate by bearing a certain proportion to the sums raised in *Great Britain;* and that whatever propositions they might make, would be received in a legal way from an assembly lawfully and properly constituted, in order to be laid before Parliament for their final approbation. In answer to the honourable gentleman who asked whether the grant was to be an annual one, or for a term of years, he replied he could not tell; but for his part he should wish it to be the latter, otherwise it would return to interrupt the publick business every session, and consequently be a perpetual subject of discussion and disagreement.

Mr. *T. Townshend* said, that the House was at a loss even so much as to conjecture what were the intentions of Administration, or what the present Resolution pointed at; that nothing hitherto offered by the noble Lord, had in the least degree operated towards the alteration of his sentiments. He thought the Resolution impracticable, whether it meant to enforce obedience, or effect reconciliation.

Sir *Richard Sutton* said the objects to which the Resolution was directed, were very apparent.

Mr. *Charles Turner* cited some of the most objectionable parts of the *American* Bills of last session, and said that they were the most tyrannical and oppressive that were ever passed.

Mr. *Hans Stanley* said, that some time before the late Address of both Houses to his Majesty, this proposal was talked of and approved by several persons of very high rank in business. Instructions as to the sums to be raised must undoubtedly be confined to people in confidence. He then proceeded to distinguish between the acts of a Congress, and an assembly legally and constitutionally convened, and grounded the whole weight of his argument on that distinction, shewing that it might be extremely proper to agree to propositions made by one, while it would be madness so much as to treat with the other.

Mr. Alderman *Sawbridge* was very pointed on some of the expressions which fell from the last honourable Member, relative to those who appeared the partisans of *America.* He owned himself of that number, and gloried in the imputation.

General *Burgoyne.* Sir, from the time I have been under orders to serve in *America,* I have thought it an unbecoming part to give my voice as a judge in any *American* question, this upon your paper only excepted. But having taken some share in the debates of last year, which have been misrepresented, and having appeared in some divisions this year, before I had any knowledge or suspicion of my destination, I anxiously wish to take this occasion to explain the motives upon which I have invariably acted; and notwithstanding the exhausted state of the debate, I rise with confidence in the House, that they will give that indulgence to my situation, which I should have little claim to upon any other pretensions.

Sir, I think an explanation the more necessary, because both without doors and within, allusions and references are making continually to the sentiments of those who are to act in the military department—a very important, but very unenviable lot. In some of the licentious prints of the times, there have not been wanting suggestions to the publick, that a sanguinary Minister had chosen the Generals best fitted by their inclinations to carry havock and destruction through the Continent of *America.* Within these walls we have been treated very differently indeed; we have found an attention, a respect, a favour of opinion and of expression, that has imprinted upon my mind, and I am persuaded equally upon the minds of my colleagues, a sincere satisfaction and a deep sense of gratitude to gentlemen on all sides of the House. But still, sir, I have observed through the course of the debate an opinion to prevail, that a great latitude of orders is to be given, and that in acting under such latitude, we shall be influenced by the speeches we hear in this place, some of which are supposed to convey the most inflammatory ideas, others, ideas of the most humiliating concession. I do not know, sir, that any such latitude will be given, at least it will hardly extend to my inferiour station. The utmost merit I shall be able to claim in this expedition, will probably be that of an attentive, an assiduous, circumscribed obedience. But I can speak with confidence of those under whom I am to leave this country, as well as of the high and respectable officer who now commands in *America;* such men will not want the oratory of this House to give a due tone to their spirit or their humanity.

A noble sentiment fell from an honourable gentleman in my eye, (Colonel *Barré*) "that bravery and compassion were associate virtues;" may they remain blended on the minds of every military man in *America;* let a persuasion uniformly prevail, that upon a review of our conduct hereafter, by our dispassionate and impartial countrymen, our bravery will be judged by the test of our compassion. Should we inevitably be made the instruments of punishment, let every action of the unhappy conflict be directed and marked by that temper which ever ought to discriminate the correction of the state from the sudden and impetuous impulse of passion and revenge; but with these principles at the heart of every soldier, and these they will be; for there is a charm in the very wanderings and dreams of liberty, that disarms an *Englishman's* anger; with these principles at the heart, care must be taken that the honour, the ascendancy, the impression of the *British* arms be not insulted or diminished in the hands of those to whom they are entrusted; and while we remember we are contending against fellow-subjects and brothers, it must not be forgot we are contending in the crisis, and for the fate of the *British* Empire.

An honourable young Member, (Mr. *Ackland*) who has entered into the Army with a zeal that justly entitles him to the esteem of every officer, and whose Parliamentary spirit and talents have this day proved him a most valuable acquisition to this House, asked, early in the debate, whether it could be supposed those *Americans* who denied the authority of *British* Legislature, would accept the mode of taxation proposed by these Resolutions? I believe they will not; and I differ with him so far upon this occasion, as to say I do not like the Resolution the worse upon that account. While it holds out conciliation to those who wish to return to obedience and fidelity, and must be accepted by all rational men and well intentioned subjects, the refusal of it will be as explicitly and decisively declaratory, as any manifesto could express, of the principles on which they act, who continue to resist, and it puts the dispute on clear ground.

Sir, in foreign wars, the conscience of the quarrel belongs to the state alone. The soldier draws his sword with alacrity; the cause in which he engages rests between *God* and his Prince, and he wants no other excitements to his duty, than such as the glory of his country, personal honour, and just ambition will suggest. In civil discord, (without inquiring casuistically, whether in any, or in what possible case, a military servant of the Crown can be justified in declining a service to which he is legally commanded,) I believe a consideration of the cause will find its way to the breast of every conscientious man; and in the execution of his duty, he will find sorrow and remorse on one side, or satisfaction and inward comfort on the other, according to the private judgment he entertains. I perceive gentlemen on every side of the House acknowledge the truth of this general observation. Sir, I shall be astonished if any gentleman denies the particular application of it. Is there a man in *England,* (I am confident there is not an officer or soldier in the King's service) who does not think the Parliamentary rights of *Great Britain* a cause to fight for, to bleed and die for? Sir, I will assert that the professed advocates of *America* have never ventured to meet this argument fairly. They have always shifted it to collateral inquiries, accusation, recrimination, and examination

Digitized by Google

of the measures by which we have been led into our present dilemma. Sir, past errours may be great and manifest; every Administration for ten years past may have had their share. It is not my present purpose to justify any. Inquiries may be very proper, at a proper time; but as a Member of Parliament, I hold myself indispensably called upon to take up the question upon this important, now this unparalleled moment in the *English* history, when we tamely suffered Government to be suspended, when we sit here the mere shadow of authority, the phantom of a Parliament, assembling only to lament the substance we have lost, and to propose and subtilize questions of our own impotency.

Sir, another method of evading a debate upon the true merits of this question, has been, to confound the understanding. Ingenious men will run changes upon real and virtual representation, external and internal taxes, revenue and regulation, till one's head grows dizzy with distinctions, and the most gross absurdities and contradictions become, for a moment, specious. But it is not in rhetorick or sophistry to argue the great rational majority of the people of *England* out of the plain, simple proposition which is contained in the Declaratory Act of the sixth of the present King. The reason of the Nation has been long convinced; the trial now only is, whether we have spirit to support our conviction.

Sir, if the whole body of the Kingdom does not rouse at this alarm, and shake off that torpitude under which our publick spirit has long shamefully languished; if every class and distinction of men do not join in this great cause; if our Merchants and Manufacturers do not in one instance take example from the *Americans*, and render it glorious by adapting it to a better cause; if they do not feel insult and affront in the suspicion, that while one country dares the interruption of commerce to effectuate her chimerical claims, the other will not exert equal fortitude to vindicate her fundamental rights; if this be our wretched state, I agree that the sooner a formal surrender is made, the better; let *Great Britain* revert to her primitive insignificancy in the map of the world, and the Congress of *Philadelphia* be the Legislature to dispense the blessings of empire. Let us spare the blood of our subjects, let us spare the treasures of the state; but let us at the same time confess we are no more a people.

Sir, after this avowal of my principles, it might be thought that I sought the situation in which I am going to be employed. I publickly declare I did not seek it. I will take leave to say, on the part of my colleagues, it was sought by none of us, but it was accepted with that submission which is due from servants of the crown, and with that sense of gratitude to his Majesty which the importance of the trust required. I feel an additional call of gratitude on my own part for the honour my name receives in being classed with those of the distinguished officers to whom I have alluded.

I will trespass no longer upon the time of the House. With the sentiments I have expressed, I take leave of all *American* questions; with these sentiments I shall take leave of my country; I shall endeavour to maintain them in arguments, if admitted to any intercourse in *America*. I shall enforce them to the best of my power, if called upon to act in the line of my profession, conscientiously convinced that upon the due support of them both here and on the other side the *Atlantic*, the existence of this country and Constitution directly, emphatically, and conclusively depends.

Governour *Johnstone* replied to several things which dropped from the noble Lord. He said that, on a former occasion, Parliament had charged the *East India* Company will eleven millions for Ships, Forces, &c., sent to their assistance, but owned afterwards it was not so much; and he doubted not but that several of the millions now so roundly charged to the account of *America*, would be discovered to be no better founded, though we even brought the expenses of the present formidable Armament to account. He supposed, if *America* consented to the grants now proposed, that they would in time be managed as the *Irish* are, and that douceurs out of the sums raised would be distributed with equal success among the Colonists, and what could not be effected one way would be carried another: blue ribbons, red ribbons, Lords and Knights, would bring about great things. The Minister well understood to put this House in good humour at all times; and he supposed in time that he would cause this good humour to reach the other side of the *Atlantic*, though he had hitherto failed in his attempts. He concluded by observing, that there had been no precedent for our obliging the Colonies to raise taxes, but the *Romans*, who plundered those who were under their dominion, and brought the plunder to *Rome*, which was in the end the cause of the destruction of that once glorious and powerful Empire.

The question was then taken, and the Resolution was agreed to.

HOUSE OF COMMONS.

FRIDAY, *February* 10, 1775.

The Lord *North* acquainted the House, that he had a Message from his Majesty, to this House, signed by his Majesty; and he presented the same to the House, and it was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth, viz:

GEORGE R.

His Majesty being determined, in consequence of the Address of both Houses of Parliament, to take the most speedy and effectual measures for supporting the just rights of his Crown and the two Houses of Parliament, thinks proper to acquaint this House, that some addition to his Forces by Sea and Land will be necessary for that purpose; and doubts not but his faithful Commons, in whose zeal and affection he entirely relies, will enable him to make such augmentation to his Forces as the present occasion shall be thought to require. G. R.

Ordered, That his Majesty's said most gracious Message be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider further of the Supply granted to his Majesty.

The Order of the Day being read, for the House to resolve itself into a Committee of the Whole House, to consider further of the Supply granted to his Majesty;

Resolved, That this House will, upon *Monday* morning next, resolve itself into the said Committee.

The other Order of the Day being read,

The House resolved itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st day of this instant, *February*, by his Majesty's command.

Lord *North* moved, "That leave be given to bring in a "Bill to restrain the Trade and Commerce of the Provinces "of *Massachusetts Bay* and *New-Hampshire*, the Col-"onies of *Connecticut* and *Rhode-Island*, and *Providence* "*Plantation*, in *North America*, to *Great Britain*, *Ire-*"*land*, and the *British* Islands in the *West Indies;* and "to prohibit such Provinces and Colonies from carrying on "any Fishery on the banks of *Newfoundland*, or other "places therein to be mentioned, under certain conditions, "and for a time to be limited." He supported his motion, by declaring, that as the *Americans* had refused to trade with this Kingdom, it was but just that we should not suffer them to trade with any other Nation. That the restraints of the Act of Navigation were their Charter; and that the several relaxations of that law, were so many acts of grace and favour; which, when the Colonies ceased to merit, it was but reasonable the *British* Legislature should recall. In particular, he said, that the Fishery on the banks of *Newfoundland*, and the other banks, and all the others in *America*, was the undoubted right of *Great Britain*. Therefore, we might dispose of them as we pleased. That, although the two Houses had not declared all *Massachusetts Bay* in rebellion, they had declared, that there is a rebellion in that Province. It was just, therefore, to deprive that Province of its Fisheries. That in the Province of *New-Hampshire*, there was still a Governour and a Government; but Government was weak in that Colony;

Digitized by Google

and a quantity of Powder had been taken out of a Fort there by an armed mob. Besides, the vicinity of that Province to *Massachusetts Bay* was such, that if it were not added, the purpose of the Act would be defeated. *Rhode-Island* he stated not to be in a much better situation than *Massachusetts Bay*; that several pieces of Cannon had been taken there, and carried up into the country; and that they were arraying their Militia, in order to march into any other Colony, in case it should be attacked; and this could, in the present circumstances, be for no good purpose. That from *Connecticut* had marched a large body of men into the *Massachusetts*, on a report that the Soldiery had killed some people in *Boston*; and though this body had returned, on finding the falsity of that report, an ill disposition had been shewn; and that this Colony was in a state of great disorder and confusion. To this he added, that the River *Connecticut* afforded the inhabitants of that Colony an opportunity of carrying on the Fishery. The same might be said of *Rhode-Island*; and as the same argument of vicinity might be applied to both the Provinces as well as to *New-Hampshire*, in order to prevent the defeating of the Act, they also ought to be included in the prohibition to Fish and to Trade.

His Lordship added, that he was not averse to admitting such alleviations of the Act as would not prove destructive of its great object. 1st. Therefore, he would move it only as temporary, to the end of the year, or to the end of the next session of Parliament. 2dly. He would permit particular persons to be excepted, on certificates from the Governour, of their good behaviour; or upon their taking a test of acknowledgment of the rights of Parliament.

Mr. *Dunning* thought the *Americans* had a right of fishing on the banks of *Newfoundland*. He said there was no rebellion in *Massachusetts Bay*; nothing that could be construed into treason; even if there was a rebellion in some parts, why was the whole to be punished? Why *New-Hampshire*? Why *Rhode-Island*? Why *Connecticut*? If the fact was true, that General *Gage* had attacked, was sacking and burning the Town of *Boston*, and the *Connecticut* people resisting, the latter were not in rebellion. He said the Ministers were the best authors of a receipt to make a rebellion.

Mr. Attorney General *Thurlow* said, that no Resolutions, though of both Houses, can make a fact, or decide the law. He had given his opinion upon Papers laid before him, that there was a rebellion in *Massachusetts Bay*. He defended his opinion, by an explanation of the facts upon which he gave it; first as to treason, next as to rebellion.

Mr. *Dunning* to explain. Rebellion is that state between Government and its subjects, which, between two hostile states, would be war.

Mr. Solicitor General *Wedderburn* rose to prove a rebellion in *America*, from the honourable gentleman's definition.

Mr. Speaker *Norton* gave his opinion on the point of law, divested of the facts, and left the Committee to apply the facts, and the opinion. The law does not know the word "rebellion." Levying war against the King, is treason; so is endeavouring to wrest the sword out of the hands of the Executive power.

Governour *Johnstone* said that the proposition was absurd and cruel; absurd, because it took away trade from our own Colonies, which, those who understood that trade, must know we should not be able to transfer to ourselves when it was taken from them; that *God* and nature had given that Fishery to New and not to Old *England*; that when it was once destroyed, we should not be able to restore it to those from whom it was thus violently taken, because the little capital, vessels, and implements of fishermen, (many of them poor,) were only kept up by constant returns of profit; when the profits failed, the capital and implements would not be restored. That *France*, who was sufficiently alert at taking advantages, would come in for a part, at least, of the benefits of which we thus thought proper to deprive our own people. It was cruel, he said, in the highest degree, and beyond the example of hostile rigour; that a maritime people always drew a considerable part of their immediate sustenance from the Sea. This Bill, therefore, would be inhumanly to starve a whole people, except such as a Governour should think it proper to favour; that this partial permission must give rise to unjust preference, monopoly, and all sorts of jobs. He said he had served in the Navy the whole of the last war; he had in his eye several Captains, who had cruized off the enemy's coasts during the whole war, and he appealed to them for the truth of what he asserted, that it was a constant rule in the service to spare the fishing craft, thinking it savage and barbarous to deprive poor wretches of their little means of livelihood, and the miserable village inhabitants of a sea-coast of their daily food.

Mr. *T. Townshend* urged strongly the contradiction which prevailed in the principles of the proposed Bill; for, if the other Provinces were in rebellion, as well as the *Massachusetts*, why were they not declared so? If not, why were they included in the very same punishment?

Sir *George Savile* rallied with pleasantry some arguments of the lawyers about treasons, and exposed the idea of depriving a whole Province of its subsistence, because a rebellion, we know not where, nor by whom, is lurking in it; and then punishing a second Province, because it is next door to rebellion; a third, because it would be doing nothing if you let them escape; and a fourth, because otherwise Ministry could not square their plan. He then took it up in a serious light, and said that he had heard with pleasure many young Members speak with much ability on this occasion. They all had apologized for their want of experience in this session; that he was obliged to consider and apologize for himself as a very young Member of Parliament. This will appear, said he, very strange to those who know that I have sat a great many years in this House. It is true, I have carried through many Turnpike Bills, several Draining Bills, a multitude of Navigations, and Inclosures without number; but I am now come quite a novice to the ways and means for the ruin of Trade and Commerce, and the dismemberment of a great Empire. He then entered into the general argument concerning the justice of making all parts of a state contributary to the support of the whole, and that those who receive protection ought to submit to taxation. He admitted the general maxim to be true; but observed, that this was only in cases where all the parts received the same protection in equal benefits and equal privileges; otherwise equal payment for unequal protection would be injustice itself. That people by compact might give up a part of this right; but then this compact ought to be proved, and it ought to be proved also that an adequate compensation was given for it, else the bargain would not be fair. And this brought him to the doctrine of resistance, which had been handled as best suited the purposes of those who used it. That if rebellion was resistance to Government, he could not consider all rebellions to be alike—there must be such a thing as justifiable rebellion—and submitted to the House whether a people taxed without their consent, and their Petitions against such taxation rejected, their Charters taken away without hearing, and an Army let loose upon them without a possibility of obtaining justice—whether a people under such circumstances could not be said to be in justifiable rebellion?

Sir *W. Meredith* expressed great sorrow and surprise that the honourable gentleman should call the rebellion in *America* a justifiable rebellion, since it was the laws which they resisted; and he (Sir *George*) had consented to the Declaratory Act, which asserted a right in Parliament to make laws to bind *America* in all cases whatsoever. The power of *God* himself was bounded within the limits of strict justice; a power to bind, in all cases whatsoever, had never been claimed by the greatest tyrant upon earth, nor by any earthly power, before the Declaratory Act. He thought, therefore, the honourable gentleman should move a repeal of the Declaratory Act, and of every Act that he thought injurious to the freedom of *America*, before he exhorted the *Americans* to bring on themselves, their families, and their country, all the horrid consequences of rebellion. He had opposed, and ever would do, the principle of laying internal taxes on *America*; but it was not taxation, but the trade of *Great Britain* which the *Americans* now opposed. The Tea Duty is the only tax that remains; a tax, which the *Americans* first resisted, had afterwards complied with, and paid regularly; but when the *East India* Company sent the Tea to be sold at a lower price than the smuggler of *Dutch* and *Swedish* Teas could afford, then they began to resist the law; then they de-

Digitized by Google

stroyed the Merchants' property; then they began to threaten ruin to the commerce of this country, not in support of liberty, but merely to support their own illicit commerce. He had promoted the repeal of the Stamp Act, but would never have taken the part he did, could he have supposed the Ministers who gave up the advantages would have maintained the principle of taxing *America;* neither would he have consented to a repeal of the Stamp Act, had he not believed that the Ministers of that time would have made some effectual provision for the security and protection of the Merchants who trade to *America:* instead of which, the *Americans* were then taught that they had nothing to do but to threaten our Merchants with ruin and our Manufacturers with famine, and then, upon such threats, the Legislature of *Great Britain* must submit to their will. Three times, in the space of a few years, they had thrown the whole trade of *Great Britain* into confusion; that it had better be given up than preserved on such conditions. Life itself, was not worth keeping in a state of uncertainty and fear. Things were now brought to a crisis. The conflict must be borne, and he hoped would never end, but in relinquishing our connections with *America*, or fixing them on a sure and lasting basis. As to the proposal of stopping the Fisheries, whatever distress it might bring on the *Americans*, they had no reason to complain. It was no more than they had begun to practise themselves. They had taken a resolution as far as in them lay to ruin our Merchants, impoverish our Manufactures, and starve all the *West India* Islands. To them, therefore, it can only be said—

——Nec lex hâc justior ulla,
Quam necis artifices arte perire suâ.

Lord *John Cavendish* and Mr. *Townshend* replied that they had been in office with the right honourable gentleman who spoke last, when the Declaratory Act passed, and afterwards long continued in intimacy with him, but had never heard publickly or privately of his objections to the Declaratory Act before this year. They thought it very odd that he should have voted for several severe and proscriptive Acts, in order to force the *Americans* to obedience to taxes, since he thought that we had no right to impose any, and that in this respect he had gone far beyond the most zealous partisans of the rights of this country; as little could they reconcile his voting last year against the repeal of the Tea Duty, with his aversion to the right of taxation.

Lord *Beauchamp* and Sir *Richard Sutton* supported the motion on the equity of prohibiting the trade of those who had prohibited ours.

Mr. *Burke* said that he did not mean to trouble the Committee long, nor to be heard beyond those to whom he immediately applied himself. That by the proposed Bill they had disposed of four of their Provinces. Some were troubled with a concealed rebellion; others were concealers of that concealment; some were infected, others next door to the infection. Provision, too, was to be made by licenses and dispensations, and tests for those in the several Provinces who were more innocent or more in favour. But there was a fifth Province for which no provision at all had been made, which was likely to be as great a sufferer as any of the other four, though not in rebellion, or in the neighbourhood of rebellion. This Province had used no other force, but of one kind, which was not very terrible on earth, though it was said to offer violence to Heaven, the force of prayers and petitions; that this Province was *England*, which had now several hundreds of thousands of her property in the four Provinces of *New England*.

He then shewed that *New England* was not a staple Colony, and could only pay her debts through the Fishery and the Trades which depended upon it; and that to stop their Fishery would be to beggar the *English* Merchants and Manufacturers. This he explained by entering into the nature of the *New England* trade. He further said, it had been asserted, falsely, that the *New England* people had refused to pay their debts. It had been said, also, truly, that they had no compassion on the *English* Manufacturers. But had their dishonesty been as true as the want of compassion, both might have been natural to those we called Rebels; but what ought we to think of a *British* Legislature, disabling the payment of debts, and having no bowels of compassion towards the sufferings of our own innocent constituents.

The question then being taken, the Committee divided: For Lord *North's* motion, 261; against it, 85.

Mr. Speaker resumed the Chair;

Sir *Charles Whitworth* reported from the Committee that they had made a further progress in the matters to them referred, and that he was directed by the Committee to make a motion when the House will please to receive the same.

Ordered, That the Report be now received.

Sir *Charles Whitworth* accordingly reported from the said Committee that he was directed by the Committee to move the House that leave be given to bring in a Bill to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies;* and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited;

And Sir *Charles Whitworth* moved the House accordingly.

Ordered, That leave be given to bring in a Bill to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies;* and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited: And that the Lord *North*, the Lord *Beauchamp*, Mr. Attorney General, Mr. *Ellis*, Mr. *Charles Townshend*, Mr. Solicitor General, Mr. *Cornwall*, Mr. *Jenkinson*, Sir *Charles Whitworth*, and Mr. *Cooper*, do prepare, and bring in the same.

Sir *Charles Whitworth*, also acquainted the House, that he was directed by the Committee to move that they may have leave to sit again.

Resolved, That this House will, upon this day sevennight, resolve itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North* upon the 19th and 31st days of *January* last, and the first day of this instant, *February*, by his Majesty's command.

Ordered, That Mr. Alderman *Oliver*, have leave to make a motion, it being half an hour after eleven of the clock.

And he moved the House accordingly.

Ordered, That there be laid before this House an Account of the amount of the Duties and Excise, drawn back on all Goods of the *West Indies*, exported from *England*, for the last three years; distinguishing the several articles, and each year.

Ordered, That there be laid before this House an Account of the amount of the Duties on all Goods imported from the *West Indies* to *England*, for the last three years; distinguishing the several articles, and each year.

Ordered, That there be laid before this House an Account of the amount of the Excise on all Goods imported from the *West Indies* to *England*, for the last three years; distinguishing the several articles, and each year.

Ordered, That there be laid before this House an Account of the Tonnage of all Ships and Vessels employed in the trade between *Great Britain* and all the Colonies in *North America*, and the *West Indies*, during the three last years; distinguishing each year, and each Colony; likewise the tonnage of all Ships and Vessels employed in the trade with *Africa*.

MONDAY, *February* 13, 1775.

Mr. *Royer*, from the Commissioners of the Customs in *Scotland*, presented to the House, pursuant to their orders:

An Account of the value of all Goods, Wares, and Merchandise, exported from that part of *Great Britain* called *Scotland*, to the *British* Colonies in *North America*, from Christmas, 1768, to Christmas, 1769; distinguishing each Colony; and also,

Digitized by Google

An Account of the value of all Goods, Wares, and Merchandise, exported from that part of *Great Britain* called *Scotland*, to the *British* Colonies in *North America*, from Christmas, 1772, to Christmas, 1773, being as far as the same can be made up; distinguishing each Colony; And also,

An Account of the amount of the Drawbacks paid out of the produce of the Customs in *Scotland*, for the three years, ending on 10th *October*, 1773; distinguishing each year; And also,

An Account of the value of the *Scotch* Exports and Imports to and from the *West Indies*, from Christmas, 1762, to Christmas, 1773, being as far as the same can be made up; distinguishing each Island, and each year; And also,

An Account of the value of the *Scotch* Exports and Imports to and from *North America*, from Christmas, 1762, to Christmas, 1773, being as far as the same can be made up; distinguishing each Colony, and each year.

WEDNESDAY, *February* 15, 1775.

Ordered. That the Order of the Day, for the House to resolve itself into a Committee of the Whole House, to consider further of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, and of the several other Petitions referred to the consideration of the said Committee, be now read,

And the said Order being read accordingly;

Resolved, That this House will, upon this day three weeks, the 8th day of *March* next, resolve itself into the said Committee.

Ordered, That there be laid before this House an Account of the quantity of Corn and Flour exported from *Great Britain* to the Sugar Colonies, for ten years past; distinguishing each year.

Ordered, That there be laid before this House an Account of the value of Goods exported from *Great Britain* to *Ireland*, from Christmas, 1772, as far as the same can be made up; distinguishing each year.

Ordered, That there be laid before this House an Account of the quantity of Train Oil and Blubber, imported into this Kingdom, from Christmas, 1772, as far as the same can be made up; distinguishing the countries from which the same have been imported, and the quantity imported each year.

Ordered, That there be laid before this House an Account of the quantity of Rape Seed and Rape Oil imported into this Kingdom, from Christmas, 1772, as far as the same can be made up; distinguishing the countries from which the same have been imported, and the quantity imported in each year.

A Petition of the principal Manufacturers of the Borough of *Bridgport*, in the County of *Dorset*, on behalf of themselves and thousands of others, Inhabitants of the said Borough and places adjacent, was presented to the House, and read, setting forth—

That the Petitioners being Master Manufacturers of Nets, Lines, and Twine, for the use of the Fisheries carried on on the respective shores and banks of *New England* and *Newfoundland*, and other parts of *North America*; as also of Canvass for Sails for the Vessels and Boats employed in the said Fisheries, have usually employed in the said Borough and the neighbouring Villages, several thousand labourers in the manufacture of the said articles, who solely depend thereon for subsistence, no other manufactory of any sort being carried on there; and that in consequence of the Non-Importation Agreements lately entered into in *America*, the Petitioners have not received, and find they are not this season to expect, a demand for a Shilling's worth of Goods for those parts; and that the loss of that valuable branch of their trade distresses them the more, as from a consideration of the importance of the Fisheries, and the impossibility of carrying them on without Nets, Lines, &c., they had flattered themselves the *Americans*, in their Non-Importation Resolutions, would have made some exception in favour of these articles; and from thence, as well as in compassion to the poor labourers, were induced to continue their Manufactories, so that they have now large stocks of Goods on hand, of a construction peculiar to those parts, which will therefore be of little value to them without a return of this trade; and that from the necessity the *Americans* must be under of an immediate supply of these articles for carrying on the Fisheries, the Petitioners apprehend Manufactories of them already are, or instantly will be set up there, or such other sources of supply discovered, and connections formed, as will forever deprive them of a return of this trade; and that, should this be the case, the Petitioners, already much distressed, shall become great and lasting sufferers; and their labourers, many of whom are already without employment, and the rest employed only in part, must inevitably be reduced to a condition deplorably miserable, being neither capable, nor having an opportunity of turning their hands to any other business; and therefore praying the House to take their and their poor labourers' present distress and impending ruin into consideration, and to grant such speedy and effectual relief as to the House shall seem meet.

Ordered, That the said Petition be referred to the consideration of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

The Lord *North* presented to the House, by his Majesty's command—

Extract of a Letter from the Earl of *Dunmore* to the Earl of *Dartmouth*, dated *Williamsburg*, 24th *December*, 1774.

Ordered, That the said Paper be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the first day of this instant, *February*, by his Majesty's command.

A Petition of the Merchants and Master Manufacturers of Woollen Goods, of the Towns of *Wakefield*, *Halifax*, *Bradford*, *Huddersfield*, and country adjacent, interested in the Trade to *America*, was presented to the House, and read, setting forth—

That by means of the *North American* Commerce carried on directly from the said Towns and the country adjacent, or through the hands of the Merchants of *London*, *Bristol*, *Liverpool*, *Glasgow*, *Hull*, and other places, the Petitioners have been enabled greatly to extend their Manufactories, and give thereby a large employ to many thousands industrious poor labourers; and that the *North American* Commerce, taken collectively and in its full extent, is an object of great concern to the West Riding of *Yorkshire* in general, to the Petitioners in particular, and worthy the attention of Parliament; and that by the unhappy differences subsisting between *Great Britain* and her *American* Colonies, the Petitioners labour under the present stagnation of that branch of trade, the loss of which is sensibly felt, and in time will be much more so, by the Petitioners and the aforesaid industrious poor labourers; and that the Petitioners, thus circumstanced, are justly alarmed for themselves and families, at the same time feeling for the distresses of those whom in times past they have been enabled to give support, humbly represent to the House their present unhappy situation, confiding in the wisdom, the justice, and moderation of Parliament to remove the causes thereof, in such manner as to the House may seem meet.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, the first day of this instant, *February*, and this day, by his Majesty's command;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words, "the Petition of the "Merchants, Traders, and others, of the City of *London*, "concerned in the commerce of *North America*, is referred," instead thereof,

And the question being put, that the words proposed to be left out stand part of the question?

It passed in the Negative.

And the question being put, that the words "the Petition of the Merchants, Traders, and others, of the City "of *London*, concerned in the commerce of *North America*, is referred," be inserted instead thereof?

Digitized by Google

It was resolved in the Affirmative.

Then the main question so amended, being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

Mr. *Tomkyns*, from the Commissioners of the Customs, presented to the House, pursuant to their orders,

An Account of the quantities of Sugar imported into *England* from the *British* Colonies and Plantations, from Christmas, 1762, to Christmas, 1773, which is as far as the same can be made up; distinguishing each Colony and each year; and also,

An Account of the quantities of Refined Sugar, and of *Muscovado* Sugar, exported from *England*, from Christmas, 1762, to Christmas, 1773, which is as far as the same can be made up; distinguishing each year, and the quantities exported to *North America*, *West Indies*, and foreign parts; and also,

An Account of the value and amount of the Imports from the *British* Sugar Colonies, into *England*, from Christmas, 1762, to Christmas, 1773, which is as far as the same can be made up; distinguishing each Colony and each year; and also,

A particular Account of the Expense of collecting and managing the Revenue of Customs in *England*, for three years, ending Christmas, 1773; distinguishing each year.

FRIDAY, *February* 17, 1775.

Mr. *Bruere*, from the Commissioners of Excise, presented to the House, pursuant to their orders,

An Account of the amount of the Excise paid on Rum imported from the *West Indies*, for the last three years, distinguishing each year; and also,

An Account of the amount of the Excise paid on Coffee imported from the *West Indies*, for the three last years; distinguishing each year.

Resolved, That an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House an Act passed by the Assembly of *Virginia*, in the year 1684, entituled "An Act for the better preservation of the Peace of *Virginia*, and preventing Unlawful and Treasonable Associations."

Ordered, That the said Address be presented to his Majesty by such Members of this House as are of his Majesty's most Honourable Privy Council.

The Lord *North* presented to the House, according to order, a Bill to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*; and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited; and the same was received, and read the first time.

Resolved, That the Bill be read a second time.

Ordered, That the said Bill be read a second time upon *Thursday* morning next.

Ordered, That the said Bill be printed.

The other Orders of the Day being read,

Resolved, That this House will, upon *Monday* morning next, resolve itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st and 15th days of this instant, *February*, by his Majesty's command.

MONDAY, *February* 20, 1775.

Mr. Comptroller of the Household reported to the House on the Address of *Friday* last, that his Majesty would be graciously pleased to give directions that there be laid before this House an Act passed by the Assembly of *Virginia*, in the year 1684, entituled "An Act for the better preservation of the Peace of *Virginia*, and preventing "Unlawful and Treasonable Associations," had been presented to his Majesty; and that his Majesty had commanded him to acquaint this House that he will give directions accordingly.

Ordered, That there be laid before this House an Account of Imports to the *British* Sugar Colonies from *North America*, for three years last past; distinguishing each year.

Mr. *Tompkyns* presented to the House, pursuant to their orders,

An Account of all Corn, Flour, and Bread, imported from *North America*, into that part of *Great Britain* called *England*, from the 5th of *January*, 1767, to 5th *January*, 1774, which is as far as the same can be made up; distinguishing each kind of Grain, and the quantity imported in each year; and also,

An Account of the value of the Exports and Imports to and from the *West Indies* and *England*, from Christmas, 1739, to Christmas, 1762; distinguishing each year; and the value of *British* Goods, Wares, and Merchandise, from Foreign Goods, Wares, and Merchandise; and also,

An Account of the value of the Exports and Imports to and from *Africa* and *England*, from Christmas, 1739, to Christmas, 1773; distinguishing each year; and the value of *British* Goods, Wares, and Merchandise, from Foreign Goods, Wares, and Merchandise.

WEDNESDAY, *February* 22, 1775.

Mr. *Rowe*, from the Commissioners of the Customs, in *Scotland*, presented to the House, pursuant to their orders,

An Account of the quantities of Sugar imported into *Scotland* from the *British* Colonies and Plantations, from Christmas, 1762, to Christmas, 1773, being as far as the same can be made up; distinguishing each Colony and each year; and also,

An Account of the quantities of *Muscovado* Sugar and Refined Sugar exported from *Scotland*, from Christmas, 1762, to Christmas, 1773, being as far as the same can be made up; distinguishing each year, and the quantities exported to *North America*; and also,

An Account of the amount and value of the Imports from the *British* Sugar Colonies, into *Scotland*, from Christmas, 1762, to Christmas, 1773, being as far as the same can be made up; distinguishing each Colony and each year.

A Petition of the Merchants of *Whitehaven*, in the County of *Cumberland*, was presented to the House, and read, setting forth—

That the Petitioners and their predecessors, have, for many years past, carried on an extensive trade with *America*, during which time the Manufactures of this Kingdom have been sent out from the said Port to a very considerable amount; and in return, the Petitioners have imported the produce of that Continent in such articles as have not only been beneficial to them, but have also greatly increased the Revenue of this Kingdom; and in the prosecution of which trade a great number of able seamen have been brought up and employed; and that the Petitioners, with the deepest concern, observe the present unhappy disputes subsisting between this Kingdom and *North America*, which are now brought to such a crisis, that, unless some speedy remedy be adopted, will effectually put an end to all future intercourse, and thereby not only prevent the Petitioners from such benefits as they formerly enjoyed, but also be injurious to the commercial interest of this Kingdom in general; and therefore praying the House will take into consideration the cause of these unhappy disputes, and endeavour to establish such a permanent system as may promote the perfect tranquillity of this Kingdom and her Colonies.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st and 15th days of this instant, *February*, by his Majesty's command;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words "the Petition of the "Merchants, Traders, and others, of the City of *London*, "concerned in the commerce of *North America*, is referred," instead thereof.

Digitized by Google

And the question being put, that the words proposed to be left out stand part of the question?

It passed in the Negative.

And the question being put, that the words "the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America* is referred," be inserted instead thereof?

It was resolved in the Affirmative.

Then the main question, so amended, being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

A Petition of the Merchants, Linen Drapers, and principal Inhabitants of the Town and neighbourhood of *Belfast*, in the Kingdom of *Ireland*, was presented to the House, and read, setting forth—

That the Petitioners observe with the deepest concern, the unhappy differences which at present subsist between *Great Britain* and her *American* Colonies, and are apprehensive of the fatal consequences which may arise from them; and that, as their export trade with the *American* Colonies consists chiefly in the exportation of Linen Manufacture, and that of white and brown Linens only, by the Non-Importation Agreement, the Petitioners are deprived of this the only valuable branch of export they are permitted to carry on with those Colonies, and of which they already begin to feel the unhappy effects; and that, if the Linen Manufacture decays, this Kingdom must be reduced to such a state, as, from want of employment at home, to increase emigrations, reduce the value of lands, and diminish every branch of the poor remains of the trade they enjoy; and that the chief commodities which the Petitioners have liberty to import from *America* into this Kingdom, being Flaxseed, Lumber, Wheat, and Flour, should the Non-Exportation take place, they must necessarily be deprived of Flaxseed to raise Flax to carry on their Linen Manufacture; of Staves for Casks to contain our Beef, Pork, and Butter, for the supply of *Great Britain*, his Majesty's Navy, and the *West India* Islands; and that this train of consequences is destructive to the landed property, manufactures, and commerce of this Kingdom, and of course must occasion a very sensible diminution of his Majesty's Revenues, from the then absolute inabilities of the inhabitants; and therefore praying that the House would take the premises into their consideration, hoping that some expedient may be found out, whereby these consequences may be prevented, harmony restored, and established upon a solid and permanent foundation.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st and 15th days of this instant, *February*, by his Majesty's command;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words "the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred," instead thereof.

And the question being put, that the words proposed to be left out stand part of the question?

It passed in the Negative.

And the question being put, that the words "the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred," be inserted instead thereof?

It was resolved in the Affirmative.

Then the main question so amended, being put,

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred.

A Petition of the Aldermen, Sheriff, principal Manufacturers, and Inhabitants of the Town and County of the Town of *Nottingham*, whose names are thereunto subscribed, was presented to the House, and read, setting forth—

That the Petitioners very sincerely lament the unhappy differences which have already arisen between *Great Britain* and her Colonies, and cannot, without great concern and abhorrence, reflect upon that seditious spirit which hath broken out with such violence in the Province of *Massachusetts Bay*, particularly in the Town of *Boston*, whose inhabitants, by their disobedience, have set at defiance the laws and Government of this Kingdom; and that the Petitioners having seen the very ungrateful return made by the *Bostonians*, for the uncommonly mild and indulgent kindness testified to them by the *British* Senate, in the repeal of the *American* Stamp Act, are much surprised to find that Petitions have been repeatedly urged in their favour to the House, and in particular by some of the manufacturing Hosiers of the Town of *Nottingham*; and that the Petitioners, from their intimate knowledge of the manufactory of this Town, well know that the allegations of such Petitions are highly exaggerated; and that the zeal of the Petitioners hath led them beyond the bounds of sober and important truth, representing calamities which have never yet, nor in the remotest probability ever will, be felt and experienced by the inhabitants of the said Town, in the degree stated; and that the Petitioners, from the present disposition of the *Americans*, apprehend that the trade and commerce of *Great Britain* with her Colonies, cannot be effectually restored and permanently secured, without a due and proper submission and obedience to the laws and Government of this Kingdom; and therefore beseech the House to take such measures as may seem most likely to secure and maintain the supreme authority, honour and dignity of *Great Britain*, enforce a due obedience to her laws, and restore subordination, order, and good Government in *America*.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the commerce of *North America*, is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words, "it is referred to consider of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st and 15th days of this instant, *February*, by his Majesty's command," instead thereof.

And the question being put, that the words proposed to be left out stand part of the question,

It was resolved in the Affirmative.

Then the main question being put:

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others of the City of *London*, concerned in the Commerce of *North America*, is referred.

THURSDAY, *February* 23, 1775.

Mr. *Gascoyne*, from the Commissioners for Trade and Plantations, presented to the House, pursuant to their Address to his Majesty,

Copy of an Act passed in the Colony of *Virginia*, the 16th of *April*, 1684, entituled "An Act for the better preservation of the Peace of *Virginia*, and preventing Unlawfull and Treasonable Associations."*

And the title of the said copy was read.

Ordered, That the said Copy do lie upon the table, to be perused by the Members of the House.

* *An Act for the better preservation of the Peace of* VIRGINIA, *and preventing Unlawfull and Treasonable Associations.*

Whereas, many evil and ill-disposed persons, inhabitants of this his Majesty's Colony and Dominion of *Virginia*, contrary to their duty and allegiance, on or about the first of *May*, in the thirty-fourth year of his Majesty's reign, and divers other days and times tumultuously and mutinously assembled and gathered together to cut up and destroy all Tobacco Plants, and to perpetrate the same in a traitorous and rebellious manner, with force and arms entered the Plantations of many of his Majesty's good subjects of this Colony, resolving, by open force, a general and total destruction of all Tobacco Plants within this his Majesty's Dominion, to the hazarding the subversion of the whole Government, and ruin and destruction of his Majesty's good subjects,

Digitized by Google

Mr. Alderman *Hayley* presented the following Petition, which was read:

To the Honourable the Commons of GREAT BRITAIN, *in Parliament assembled:*

The Petition of the Merchants, Traders, and others, of the City of LONDON, *interested in the* AMERICAN *Commerce, Sheweth,*

That your Petitioners are deeply concerned to observe, by the votes of this Honourable House, that a Bill is brought in "to restrain the Trade and Commerce of the "Provinces of *Massachusetts Bay* and *New-Hampshire*, "and the Colonies of *Connecticut* and *Rhode-Island*, and "*Providence Plantation*, in *North America*, to *Great Bri-* "*tain, Ireland*, and the *British* Islands in the *West Indies;* "and to prohibit such Provinces and Colonies from carry- "ing on any Fishery on the banks of *Newfoundland*, or "other places therein to be mentioned, under certain restric- "tions, and for a time to be limited:" Your Petitioners beg leave to represent that the said Bill, should it pass into a law, will, in its operations, deprive thousands of his Majesty's loyal subjects of their actual subsistence, and reduce them to extreme distress, even that of famine, the said Provinces not generally raising Corn sufficient for their support, and by this Bill they will he prevented from receiving any supplies from their sister Colonies, and precluded from their natural resource, the Sea.

That your Petitioners have reason to believe that very great numbers of men bred and employed in the Fisheries, who in hardiness and intrepidity are not exceeded by any in this extensive Empire, will be impelled by the pressing calls of hunger and want, to such a conduct as may be productive of devastation and bloodshed, which may endanger the peace and welfare of that part of his Majesty's *American* Dominions; or be induced to emigrate to the Islands of *Miquelon* and *St. Pierre*, there to fish for the *French*, and give our rivals the means of supplying the market in *Europe*, and thereby render it difficult for us to regain that valuable branch of commerce.

Your Petitioners beg leave further to represent, that there is now due from the said Provinces and Colonies to the City of *London*, very large sums of money; that their remittances are principally made by means of the Fisheries, and consequently the ruin brought on those Colonies will ultimately fall on *Great Britain*.

That among the other grievances of which our fellow-subjects in *America* so generally complain, is of their being deprived of Trial by Jury, in particular cases, and the extension of the jurisdiction of Admiralty Courts; which grievances your Petitioners, with much concern, find are not only continued, but extended by the present Bill, and they think it their duty to represent to the Honourable House, that it is their firm opinions that the disquietude which universally prevails in the minds of their fellow-subjects in *America* will not be removed unless lenient measures be pursued, and their grievances redressed.

Your Petitioners therefore most humbly pray that the said Bill may not pass into a law.

Ordered, That the said Petition do lie upon the table until the said Bill be read a second time.

The Order of the Day being read;

Ordered, That the Bill to restrain the Trade and Commerce of the Provinces of the *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain, Ireland*, and the *British* Islands in the *West Indies;* and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited, be read a second time to-morrow morning.

FRIDAY, *February* 24, 1775.

The Lord *North*, presented to the House, by his Majesty's command, the following extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*.

"Boston, January 18, 1775.

"MY LORD: It was thought impossible that the phrenzy which had seized the people could be of very long duration, unless constantly supported by new events; and there were hopes, if tranquillity could be for a time preserved, that people would have leisure for reflection, and think seriously of their danger, though the leaders have taken pains to assure them that *Great Britain* would be deterred from pursuing her measures, through their resolute opposition to them, and the Resolves of the Continental Congress. I find, by accounts from several parts of the country, that those hopes were not without foundation; that the people's minds are greatly cooled, and many begin to want courts of justice, and that the friends of Government have shown themselves openly in many places. I conceive the Press, which has been more open to Government than usual, to have been of very great use, through which channel the conduct of the leaders has been laid open, and the absurdity of the Resolves of the Continental Congress exposed in a masterly manner, which has served to lower that impression of high importance which the Congress had made upon people's minds.

"I hoped to have procured an Association of many considerable people in this Town, but find them more shy of making open declarations, notwithstanding they are protected, than people are in the country, where they depend only on themselves and their friends for security. They give for excuse, that they must first know the resolutions from home on all that has passed in this country, and that it's time to declare when they are assured that the mother country will not relax, but resolve to pursue her measures. If they begin to associate in the Town it's likely they will also fall on means to pay for the Tea, for, as they are mostly traders, it would be very advantageous for them to have the Port opened in the present conjuncture of their commercial affairs.

"We hear from *New-Hampshire*, that the people who were concerned in the rash action against Fort *William* and *Mary*, in that Province, are terrified at what they have done, and only anxious to obtain pardon for their offence."

The Lord *North* also presented to the House, by his Majesty's command,

No. 2. Extract of a Letter from Governour *Wentworth* to the Earl of *Dartmouth*, dated *New-Hampshire*, 28th *December*, 1774; received 20th *February*, 1775.

No. 3. Extract of a Letter from Governour *Wentworth* to the Earl of *Dartmouth*, dated 14th *January*, 1775; received 20th *February*, enclosing,

No. 4. Copy of a Proclamation.

No. 5. Copy of a Letter from the Lords of the Admiralty to the Earl of *Dartmouth*, dated 21st *February*, 1775; received 22d, enclosing,

No. 6. Extract of a Letter from Vice Admiral *Graves* to Mr. *Stephens*, dated 8th *January*, 1775.

if, by *God's* assistance, and the prudent care and conduct of the then Lieutenant Governour and Council, the mutinaries had not been timely prevented, for which treasons and rebellions against his Majesty, and this his Government, some notorious actors have been indicted, convicted, and some of them executed, and suffered such pains and punishments as for their treasons and rebellions they justly deserved. Now to the end and purpose that none of his Majesty's subjects may be at any time hereafter seduced by the specious pretences of any persons, that such tumultuous and mutinous assemblies to cut up or destroy Tobacco Plants or any other the crop or labours of the inhabitants of the said Colony, are but riots and trespasses; and to the end, his Majesty's subjects of this his Dominion may be the better secured in their estates and possessions, the Burgesses of this present General Assembly pray that it may be enacted, *And be it enacted by the Governour, Council, and Burgesses of this Assembly*, That if any person or persons whatsoever, to the number of eight or above, being assembled together, shall, at any time after the first day of *June*, now next ensuing, intend, go about, practice, or put in use with force, unlawfully to cut, pull up, or destroy any Tobacco Plants, either in beds or hills, growing within the said Colony, or to destroy the same either curing or cured, either before the same is in hogsheads, or afterwards, or to pull down, burn, or destroy the houses or other places where any such Tobacco shall be, or to pull down the fences or enclosures of any Tobacco Plants, with intent to cut up or destroy the same, (and such person or persons being commanded or required, in his Majesty's name, by the Governour or other Commander-in-Chief, or any one of the Council, or one or more of the Justices of the Peace of the said Colony, commanding and requiring such persons to disperse themselves, and peaceably to depart to their habitations) shall continue together by the space of four hours after such Proclamation made, at or nigh the place where such persons shall be so assembled, that then every such persons so willingly assembled, in forceable manner to do any of the acts before mentioned, and so continuing together as aforesaid, and being thereof lawfully convicted, shall be deemed, declared, and adjudged to be traitors, and shall suffer pains of death, and also lose and forfeit as in cases of high treason: *Provided always*, That no person or persons whatsoever shall incur the pains and penalties hereby inflicted, unless he or they be prosecuted and indicted thereupon, within twelve months after the offence committed, any thing herein contained to the contrary notwithstanding.

Digitized by Google

No. 7. Copy of a Letter from Governour *Wentworth* to Vice Admiral *Graves*, dated 20th *December*, 1774.

No. 8. Copy of a Letter from Captain *Barkley* to Vice Admiral *Graves*, dated 20th *December*, 1774.

No. 9. Copy of a Letter from Governour *Wentworth* to Vice Admiral *Graves*, dated 30th *December*, 1774.

No. 10. Copy of a Letter from Captain *Wallace* to Vice Admiral *Graves*, dated 15th *December*, 1774.

No. 11. Copy of a Letter from Captain *Wallace* to Governour *Wanton*, dated 15th *December*, 1774.

No. 12. Copy of a Letter from Vice Admiral *Graves* to Mr. *Stephens*, dated 15th *January*, 1775.

No. 13. Proceedings of a Meeting of Deputies appointed by the several Counties of *Maryland*, at *Annapolis*, from 8th to 12th *December*, 1774; extracted from the *Maryland Gazette;* received from *Robert Eden*, Esquire, Deputy Governour of the said Province, 17th *February*, 1775.

Together with a List of the said Papers.

Ordered, That the said Papers be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st and 15th days of this instant, *February*, by his Majesty's command.

The House being informed that the Sheriffs of the City of *London* attended at the door, they were called in; and at the Bar, presented to the House,

A Petition of the Lord Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled.

And then they withdrew.

And the said Petition was read:

To the Honourable the Commons of GREAT BRITAIN *in Parliament assembled:*

The humble Petition of the Lord Mayor, Aldermen, and Commons, of the City of LONDON, *in Common Council assembled, Sheweth,*

That although your Petitioners bear all due respect to the policy of those Acts of Parliament, which have anciently preserved to *Great Britain* a necessary and beneficial share of commerce with our Colonies, yet they are exceedingly alarmed at the consequences that must ensue, if the Bill now depending to restrain the Trade and Commerce of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, *to Great Britain*, *Ireland*, and the *British* Islands in the *West Indies;* and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited, should pass into a law; and that the said Bill, as the Petitioners conceive, is unjustly founded, because it involves the whole in the punishment intended for the supposed offences of a few; and that it must in its consequences overwhelm thousands of his Majesty's loyal and useful subjects with the utmost poverty and distress, in as much as they will be thereby deprived of the Fisheries, which are the natural means of supporting themselves and families; and that the extensive commerce between *Great Britain* and her Colonies, will by this Bill be greatly injured, as a capital source of remittance will be stopped, which will not only disconnect the future commercial intercourse between those Colonies and this country, but it will eventually render them incapable of paying the large debts already due to the Merchants of this City; and that the utmost confusion will probably ensue from enforcing this Bill, if passed into a law, as it cannot be supposed that a great number of men, naturally hardy and brave, will quietly submit to a law which will reduce them almost to famine, they not having within themselves Provisions sufficient for their subsistence; and that it will induce the *French* to extend their Fisheries, and by that means increase the wealth and strength of our rivals in trade, to the great prejudice of this country; and that the Petitioners feel for the many hardships which their fellow-subjects in *America* already labour under, from the execution of several late Acts of Parliament, evidently partial and oppressive, and which seem to be extended and continued by this Bill, in as much as it confirms those Acts which in particular cases deprive the *American* subject of Trial by Jury; prohibits the inhabitants from carrying Provisions from one Colony to another; invites a contraband trade under military protections; prevents any subject of *Great Britain* or *Ireland* from being part owner of certain *American* Ships or Vessels, and vests an undue and dangerous authority in the Governour and Council of *Massachusetts Bay*. Your Petitioners therefore humbly pray this Honourable House, that the said Bill may not pass into a law.

Ordered, That the said Petition do lie upon the table, until the said Bill be read a second time.

The Order of the Day being read, for the second reading of the Bill to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies;* and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited;

The House was moved that the Petition of the Merchants, Traders, and others, of the City of *London*, interested in the *American* Commerce, which was yesterday presented to the House, and also the Petition of the Lord Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled, this day presented to the House; and which Petitions were then ordered to lie upon the table until the said Bill be read a second time, might be again read.

And the same being read accordingly;

The said Bill was read a second time.

Sir *John Griffin Griffin*, after expressing his sincere wishes to see a happy conclusion put to the *American* disputes without bloodshed, declared, that upon reading the Bill, he felt himself alarmed, and was jealous that, if the greatest caution and delicacy was not to be used in perfecting the Bill, it would rather provoke than effect any good purpose; he would not, therefore, without certain assurances, give his consent to its going to the Committee. He contended, that the first operation of the Bill should be so calculated, that the innocent might in no event be confounded with the guilty, and observed, that the power given to the Government and Council of *New-Hampshire* and *Massachusetts Bay*, to take off the restrictions laid by this Bill by proclamation, appeared to be so limited, that they could not issue such proclamation so as to secure those who were evidently well intentioned from the penalties of the Act: he insisted, that in common justice, the commencement of its operation should be delayed to such a period, as would give those so inclined, time to return to their duty; and concluded, that if this was not to be the case, he should be adverse to its going one step further. On the contrary, if he heard from authority, that none but the unrelenting and intractable would feel its influence, he should wish the Bill success, considering it as very proper and consistent with every resolution taken on the subject of our unhappy disputes with *America*.

Lord *North* replied, that it was intended to fill up the blanks in such manner as would answer the purposes wished for by the honourable gentleman, and that the first operation of the Bill would not have effect sooner than at the expiration of one month at least after its arrival.

Resolved, That the Bill be committed:

Resolved, That the Bill be committed to a Committee of the Whole House.

Resolved, That this House will, upon *Tuesday* morning next, resolve itself into a Committee of the Whole House, upon the said Bill.

Ordered, That the said Petition of the Merchants, Traders, and others, of the City of *London*, interested in the *American* Commerce, be referred to the said Committee.

On the motion of Mr. Alderman *Hayley*, it was

Ordered, That it be an instruction to the said Committee, that they do admit the Petitioners to be heard, by themselves, their Counsel, or Agents, against the said Bill, upon their Petition, if they think fit.

Digitized by Google

Ordered, That the said Petition of the Lord Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled, be referred to the said Committee.

TUESDAY, *February* 28, 1775.

The Order of the Day being read, for the House to resolve itself into a Committee of the Whole House, upon a Bill to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*; and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited;

A Petition of the people called Quakers was presented to the House, and read; taking notice of the Bill to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*; and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited; and that the Petitioners are informed, that, in the Island of *Nantucket*, on the Coast of *New England*, there are about five thousand inhabitants, nine-tenths of whom are of the people called Quakers; and that the said Island is for the most part barren and sandy, not yielding Provisions for a twentieth part of its inhabitants; and that the inhabitants almost wholly depend on the Whale Fishery for their subsistence, purchasing with the produce of the said occupation, Grain, and other necessaries, from the neighbouring Colonies; and that if the said Bill should pass into a law, these people would unavoidably be exposed to all the hardships of famine, as no Provisions can be imported from any of the neighbouring Colonies, and their trade, by which they subsist, will be totally prohibited; and that the said inhabitants, to the best of the Petitioners' information and belief, are entirely innocent in respect to the present disturbances in *America*; wherefore, in consideration of the miseries impending over so large a part of their brethren and others, their fellow-subjects in that Island, and in the neighbourhood, under the like circumstances, the Petitioners entreat the House, that the said Bill may not pass into a law, as thereby, a most grievous punishment would be inflicted on the innocent, and a body of men, whose occupation is hazardous, their gains uncertain, and their labours necessary to themselves and the community, would be subjected to inevitable ruin and destruction.

A Petition of the Merchants, Traders, and principal Inhabitants of the Town and County of *Poole*, was also presented to the House and read, setting forth—

That the Petitioners observe that a Petition is presented to the House from the Lord Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, against the Bill mentioned in the preceding Petition; and that the Petitioners beg leave to observe, that the restraints intended to be laid upon the *Newfoundland* Fishery of the Colonies, mentioned in the said Bill, if carried into a law, will not by any means be injurious to Commerce, as the Petitioners against the Bill conceive, because the foreign markets can be amply supplied by extending the *Newfoundland* Fishery, of subjects resident in *England*; and that the annual produce of the *Newfoundland* Fishery, carried on by subjects resident in the mother country, exceeds five hundred thousand Pounds; and that the *Newfoundland* Fishery of the mother country is a constant nursery of Seamen for the Navy, that great bulwark of the Nation, every fifth man employed being, by the tenth of *William* the Third, obliged to be a Landman, a consideration of infinite weight, the Petitioners imagine, and this the more especially, as the profits of the trade centre entirely in this Kingdom; and that the profits of the *Newfoundland* Fishery carried on by the Colonies mentioned in this Bill, do not centre here; nor is the *Newfoundland* Fishery of the Colonies a nursery of Seamen for the Fleet, because the *Americans* are not obliged by law to make use of Landmen, nor are the *American* Seamen compellable like the *British* Seamen, to serve their country in times of war; the Petitioners are therefore greatly alarmed, lest a Petition from so respectable a body as the Lord Mayor, Aldermen, and Commons of *London*, should operate not only to their prejudice, but to the general prejudice of the Kingdom, on a point of such importance to the national prosperity, humbly submit the foregoing facts to the consideration of the House, and soliciting, no less for their own immediate advantage, than for the universal benefit of their country, such encouragement of the *British* Fishery to *Newfoundland*, as the Parliament shall think proper.

And the said Petitions were severally ordered to be referred to the consideration of the Committee of the Whole House, to whom the said Bill is committed.

A motion was made, and the question being put, that Mr. Speaker do now leave the Chair,

The House divided—Yeas 97, Noes 24.

So it was resolved in the Affirmative.

Then the House resolved itself into the said Committee.

Mr. *David Barclay* called in.

He appears as Agent for the Committee of *North American* Merchants, and means, with the permission of the Committee, to examine some witnesses in support of their Petition.

Mr. *Brook Watson* called in.

He is a Merchant, and has some acquaintance with the Fisheries of *North America*.

Question. What acquaintance has he with that trade?

Answer. I would beg permission in the first place, to acquaint the Committee what is the foundation of the evidence I shall lay before them.

In 1765, and the beginning of 1766, I was called to the Bar of this House, to give such information as I could with respect to the Fishery of *North America*; from that time I took great pains to get further information on that subject, by writing to my correspondents versed in that business; and in 1766, I went to *North America*, and there I had corroborated the information I had before received; and from that information, I then formed a state of the Fisheries, which I would beg leave to refer to. The paper is in my pocket.

The title of the paper is, "*State of Exports from* Great Britain *to, and Fisheries of*, North America, *in* 1764."

Fisheries of *New England*, meaning the four Provinces.

Produce of the Cod Fishery, 300 vessels of fifty tons each, on an average, each navigated with eight men, caught 240,059 quintals of Fish; (the quintals being 112 pounds each;) of which 240,059 quintals, 102,265 was deemed merchantable Fish; (i. e.) Fish fit for the *European* market, where freight and all charges upon it at that time, it was valued at twenty Shillings per quintal, the sum of £102,265. The remaining part being 137,794 quintals, is called *Jamaica* Fish, (i. e.) Fish fit for the *West India* market, and that was valued at fourteen Shillings per quintal, including freight and charges, and amounted to the sum of £96,455 16*s*.

The whole quantity of Fish produced 3,600 barrels of Cod Oil, part of which was carried to the *West Indies*, and the remainder to *Great Britain*, and valued at an average at forty Shillings per barrel, making the sum of £7,200, which added to the sum of the Cod Fishery, makes £205,920 16*s*.

Then follows the produce of the Mackerel, Shad, and Alewife Fisheries. Ninety Mackerel Sloops and Schooners employed; burthen about forty tons each, on an average; navigated with six Men; caught on an average 200 barrels each, making 1,800 barrels for the *West India* market, valued at 22*s*. 6*d*. per barrel, makes £20,050.

Ten thousand barrels of Shad and Alewife for the *West India* market, at 12*s*. 6*d*. per barrel, makes £6,250.

Whale Fishery.

One hundred and fifty Sloops, burthen seventy tons each on an average, three-fourths navigated with thirteen Men each, and the other fourth with seven, caught as follows:

Two thousand tons of Spermaceti Oil, sent to *Great Britain*, and there valued at twenty-four Pounds per ton, makes £48,000.

Digitized by Google

One thousand five hundred tons of common Whale Oil, shipped likewise to *Great Britain*, at sixteen Pounds per ton, makes £24,000.

Sixty tons of Whale Fins, shipped also to *Great Britain*, at three hundred Pounds per ton, makes £18,000.

Total produce of the Whale Fishery, £90,000.

Total produce of the *New England* Fisheries in the year 1764, amounts to £322,220 16*s*.

Then follows the number of tons of Shipping, and of Men employed in the *New England* Fisheries.

In the Cod Fishery.

Three hundred Cod Vessels, of fifty tons each, navigated by eight Men, makes 15,000 tons of Shipping, and 2,400 Men.

Two hundred and forty thousand and fifty-nine quintals of Cod Fish, taken by those vessels, require 13,225 tons of Shipping to carry them to market, each one hundred tons of which shipping being navigated by eight Men, require 1,050 Men to navigate them; thus the Cod Fishery then employed 28,225 tons of Shipping, and 3,450 Men.

Shipping and Men employed in the Whale Fishery.

One hundred and fifty Whale Sloops of seventy tons each, three-fourths navigated with thirteen Men, and the other fourth with seven, is 10,500 tons of Shipping, and 1,728 Men; 3,560 tons of Shipping to carry them to market, each one hundred tons, requiring eight Men to navigate them, makes 3,560 tons of Shipping, and 284 Men.

Hence the Whale Fishery employed in that year, 14,060 tons of Shipping, and 2,012 Men.

Shipping and Men employed in the Mackerel Fishery.

Ninety Vessels of forty tons each, navigated with six Men, makes 3,600 tons of Shipping, and 540 Men.

Thus the whole of *New England* Fishery, employed 45,880 tons of Shipping, and 6,002 Men, in 1764.

That is the whole state of the *New England* Fisheries.

Q. Whether he believes that the Fisheries have increased or decreased since 1764?

A. Believes they have increased very much.

Q. What markets are the Fish sent to ?

A. The Fish taken by the people of *New England* is in part sent to the *Spanish* and other *European* markets, and the rest to the *West Indies*.

Q. Has he ever received any remittance from *Europe*, for proceeds of Fish—I mean from *Spain* to *Portugal*?

A. I do yearly receive remittances from *Spain* for Fish shipped from *North America*, but not from the *New England* Fisheries. My trade is not carried on to those Provinces.

Q. What is his opinion of what will be the consequence of our not supplying the *European* markets for one season —whether it probably would not be the loss of that trade?

A. I can only give my opinon on this question. I conceive, that should the *New England* Fishery be stopped, the markets which have been supplied from thence, cannot be supplied from any other part.

Q. Whether he has known any person concerned in the Whale Fishery on the Coast of *North America* from *Great Britain*?

A. I shall speak freely on that subject. I was concerned in it myself in the year 1760, or 1761. A considerable sum of money was subscribed to carry on the Whale Fishery in the River and Gulf of *Saint Lawrence*, and Straits of *Bellisle*, from *Great Britain*, which money was put into my hands in order to manage and direct the Fishery. Ships were to be fitted out from hence; and notwithstanding every precaution was taken, such was the event, that I believe three-fourths of the capital was sunk, and the Fishery given up.

Q. Whether he knows of any Rum of the manufacture of *New England*, sent to *Quebec*?

A. I have known 1,100 tons of *British* Brandy shipped from the Port of *London* in one year; and that trade is now supplanted by the Rum trade from *New England*.

Q. What return do the *New England* Merchants receive for the Rum sent to *Quebec*?

A. A great deal of Money, and a little Wheat.

Q. Whether the number of Men employed in the Cod and Whale Fishery were Sailors—I mean Navigators?

A. I believe there is no constraint by law to oblige people fitting out their Ships from *New England*, to employ any number of green men; and that none of them are navigators, strictly so called, though I believe them all very good Seamen. The reason why I think so is, that their Cod Fishery is fitted out on shares; their men have a share of what they take home; they take none but stout able-bodied men, who are accustomed to the Seas. The Whale Fisher can carry none but good Seamen; for those Vessels which carry thirteen men, do so, that they may man two Boats; the others, which carry seven men only, can man but one Boat; they must be expert rowers, and the few men left in the Vessel must know how to work her. As to the people employed in the Mackerel Fishery, I believe to be young people, by that means trained up for the other Fisheries.

Q. Whether the Mackerel and Cod Fisheries are carried on at the same time, or succeed one another?

A. The Cod Fishery is carried on from *February* to *September*, (or *October*, I believe,) the Mackerel Fishery can only last during the Summer months, *June*, *July*, and a small part of *August*.

Q. Whether there are eight Men to every hundred tons of Shipping actually employed to bring the produce of these Fisheries to market?

A. As a Merchant, I believe that such Vessels as are sent from *New England* to the *Spanish* and other *European* markets with Fish, are seldom navigated with less than eight Men to the one hundred tons. From this Kingdom, perhaps I should navigate them with seven; for our Seamen are better, and more used to square-rigged Ships than the *Americans*.

Q. What sort of Vessels are employed in bringing the Fish to the *European* market?

A. I believe the Vessels usually employed in carrying Fish from *New England*, are square-rigged, double-decked Vessels, burthen from one hundred and twenty to one hundred and sixty tons.

Q. How are they rigged?

A. When I said square-rigged Vessels, I did not mean Sloops and Schooners, but Ships, Snows, and Brigs.

Q. Whether Brigs and Snows are not chiefly employed in that navigation?

A. I can't say whether it is so or not.

Q. Whether Brigs and Snows do not require fewer Men to navigate them than Ships of the same burthen?

A. I believe a Ship of one hundred and sixty tons will not take more Men to navigate her in the Western Ocean, than a Snow or Brig of the same burthen.

Q. Whether Vessels of one hundred and sixty tons actually carry twelve Men?

A. I believe such as are bound to *Europe* from *New-England* with Fish, do not carry less.

Q. Whether he means that the twenty Shillings per quintal, is Currency or Sterling?

A. I meant Sterling money of *Great Britain*.

Q. Is the Fish dearer or cheaper now, than in 1764?

A. I believe cheaper.

Q. What is the price of *New England* Fish at present?

A. I can't say.

Q. Is the *New England* Fish better than what is taken by Ships fitted out from *Great Britain*?

A. A great deal better.

Q. What are the returns from *Spain* and *Portugal* in payment of the Fish?

A. Bills of Exchange returned to the Merchants of *London*, in payment for *British* Manufactures sent by them to *North America*, and some little part of the proceeds of the Fish is returned in Salt.

Q. Whether the Hooks, Lines, and small Cables, Nets, and other materials for carrying on this Fishery, is not exported from this country?

A. I believe every thing, except Salt, and the Timber of which the Vessels are built, is carried from this country.

Q. Is not the nett proceeds of the Fish remitted to this country?

A. I believe it is.

Q. Whether the circumstance of their catching their Fish cheaper has not been the cause of their success, and whether these Fisheries could not be carried on out of *Newfoundland*.

Digitized by Google

A. The only Fishery I was ever engaged in, was the Whale Fishery, which I never heard was carried on with success out of *Newfoundland.*

Q. Whether, if a bounty were given on the *Newfoundland* Whale Fishery, as well as on the *Greenland* Fishery, the whole Fishery might not be carried on as advantageously there?

A. I believe not. My reason is, that the bounty on the *Greenland* Fishery is confined to Ships of a certain size; the Vessels proper for carrying on the Whale Fisheries in the *American* Seas are small, swift sailors, and easily managed. The Whale Fishery in the *Greenland* Seas is confined to a certain distance, where they are sure of finding Whales, or not at all; the Vessels from *North America* sometimes take their Whales on that Coast, sometimes on the Coast of *Africa*, and the *Brazils*, and even as far South as the *Falkland* Islands.

Q. Whether most of the *Newfoundland* Fisheries don't return to this country to winter?

A. I believe they do.

Q. Whether the Whale Fishery fitted out from *England* before mentioned, did not fail on account of the ignorance of the people of this country in the Spermaceti Whale Fishery?

A. The Fishery which was fitted out under my direction was not for Spermaceti Whale, but for the Bone Whale; Spermaceti Whales are seldom if ever found in the River or Gulf of *St. Lawrence*, or the Straits of *Bellisle.*

Q. Whether the Fish Ships do not carry back the Manufactures of *Spain*, and other countries, to *North America?*

A. The returns are very trivial from thence, except in Salt.

Q. Whether there might not be other advantageous returns carried back?

A. I have no doubt but there might; but the articles are so bulky, that it would be difficult to smuggle them.

Q. If care was not taken by our Ships to prevent smuggling, would not such articles be smuggled?

A. If care was not taken to prevent smuggling, the *Americans* would doubtless smuggle all they could.

Q. Does he not know there is great smuggling in *America?*

A. I do not know. I never smuggled.

Q. What are the Ships' crews composed of, who carry the Fish to foreign markets?

A. North Americans, I believe, in general.

Q. Whether the capital employed in the Fisheries be *North American* or *English*, in the greater proportion?

A. I believe there are men of property in *North America* engaged in the Fisheries; but in general, the Fisheries are carried on with the capital of Merchants in *Great Britain.* I mean that the Merchants of *Great Britain* have given credit to those of *North America*, and that that credit is partly employed in the Fisheries, and that the returns are made in the produce of the Fisheries. The information I wish to convey is, that if a Merchant of *England* should trust a person concerned in the Fishery of *North America*, that person failing, the Merchant of *England* would lose his debt; and that this is all the concern the Merchants of *England* have in the *New England* Fisheries.

Q. Do the Merchants of *England* then intrust the *North Americans* with their property without any views of profit?

A. The Merchant has no doubt of compensation for the risk he runs.

Q. Whether he apprehends that the credit given by the Merchant of *Great Britain* is for this or that particular trade, or in general?

A. The Merchants of *England* when they supply Goods and necessaries for the Fisheries to those of *New England*, do it on commission, and give them credit for a certain time, if not then paid, they receive a legal interest for it till it is paid.

Q. Whether any part of the Fishery on the Coast of *New England*, &c., is necessary for the support of the *New England* people on shore?

A. I believe that very little of the Cod Fishery is consumed in *New England.*

Q. Is the Shad and Alewife a necessary there?

A. I believe in some parts of *New England* it is.

Q. Whether methods used at *Marblehead* to cure the Cod Fish does not make it more valuable than that cured at *Newfoundland?*

A. The nature of their Cod Fish is such that the part fit to be sent to *Europe* is more valuable at many of the *Spanish* markets than any other Fish, and particularly at *Bilboa*—it is owing to their being obliged to go so far to take the Fish; hence it lays so long in the hold of the Ship that it grows more mellow than Fish cured immediately after they are taken out of the Sea.

Q. Whether the *New England* people do not cure their Fish in such a manner as to make it more valuable?

A. There are natural advantages attending their Fisheries which I would explain. They go to take the first share of Fish in the month of *February*, when the wind generally blows from the Westward, that wind carries them to the bank where they take their Fish; the Ships going from *Great Britain* there would have a much longer voyage, and meet with that contrary wind.

Q. Whence arises the greater value of their Fish? Is it from the method of curing it?

A. I believe that all the advantage their Fish has over that of *Newfoundland* arises from the causes already stated; and in the next place, as they take their Fish in deeper water, they take larger Fish, which are held in greater estimation; and further, I would observe, that Vessels carrying on the *Newfoundland* Fishery out of *Great Britain* are, fifteen-sixteenths of them, double-decked, square-rigged Vessels, fit to bring the Fish to *Europe*; hence they are not so fit for carrying on the Fisheries as the Schooners of *New England;* and if such square-rigged, double-decked Vessels were employed in taking the Fish, a great part of it might perish before they could get into a place to cure it.

Q. Whether he believes the method of curing Fish in *New England* does not make the Fish better for land carriage than that of *Newfoundland?*

A. I believe not.

Q. What markets would *Bilboa* and other *Spanish* Ports resort to for Fish if they could not get the Fish of *New England?*

A. It is hard to say. The Pope might grant them a dispensing power to eat flesh in the time of lent, and they might not eat Fish at all; but if they had not that Fish from *New England*, they could get it from no other place.

Q. Whether the Non-Importation scheme, if strictly adhered to, would not destroy their Fishery?

A. There is no doubt of it.

Q. Whether there are not great quantities of salted Mackerel consumed in *New England?*

A. Believes very little.

Q. How many Ships from *St. John* sail to *Lisbon* with Baccalxo?

A. Can't say.

Q. How many from *New England?*

A. Believes the *Portugal* market takes very little. It goes to the *Spanish* market—*Bilboa*, he believes, takes three-fourths.

Q. How is *Lisbon* and *Oporto* served with Baccalxo;

A. From *Newfoundland*, totally.

Q. Whether all the Ships employed in the Fishery for this Kingdom do not go to the banks of *Newfoundland?*

A. I believe they must all go to the banks before they arrive at *Newfoundland*, where they generally lay up, and carry on their Fishery in Shallops.

Q. Whether they don't fish in as deep waters, and catch as large Cod, as the people of *New England?*

A. The *New England* Fishermen do not all go to the banks of *Newfoundland*; there are other banks, such as those of the Isle of *Sable*, Cape *Sable*, and the Isle of *Shoal.*

Q. Whether the Fish are not as large on the banks of *Newfoundland* as in any other place?

A. I have no doubt but the Fishing Vessels out of *Newfoundland* do take as large Cod as the *New England* Vessels; but in general not.

Q. What's the price of a gallon of Rum now at *New England?*

A. I can't say what it is now; but a year back about one Shilling two Pence, sterling.

Q. What is the price of a gallon of Rum at *Barbadoes*, or any other of the *West India* Islands?

Digitized by Google

A. I never had any concern in that trade; I speak at random; perhaps two Shillings four Pence, or two Shillings six Pence.

Q. What is the reason that the people in *New England* can distil Rum cheaper than they can in the Islands?

A. They carry cargoes from *New England* of Lumber and Fish to the Islands, with the proceeds of which they purchase Molasses, which they distil into Rum, and carry part of it to *Africa*, where they buy Slaves and carry them back to eat up the Fish.

Question repeated.

A. The *Jamaica* Fish, which is not fit for the market, they sell at the foreign Islands in the *West Indies*. The *French* are not allowed to distil the Molasses, therefore they sell it cheap, and take in return Fish and Lumber, which the *New England* people would not sell elsewhere.

Q. Whether the Fishermen are employed all the year in the same Fisheries, or in succession?

A. I did not say the Seamen were employed in different Fisheries; I said, that the Mackerel Fishery could only employ them during the Summer months, and I will now add, that when the Cod Fishermen come home, they lay up till they go out again the next season, and the like with the Whale Fishermen. Some of the Ships employed in carrying the Fish to *Europe* may come here from *Spain* to load with the Manufactures of this country for *North America*.

Q. Is there not a trade of consequence with the Ports of *Alicant*, *Barcelona*, and other Ports of *Spain*, for inland consumption?

A. I believe that they casually send to such Ports; but such is the nature of their Fish that it will not bear land carriage, therefore is generally consumed in their sea-ports.

Q. Whether it is not carried to the Ports of *Italy*?

A. I believe very little.

Q. Is there not a trade established in the *Baltick* from *Christianstad* and *Archangel*, in order to rival our Fisheries?

A. Fish taken in the *Baltick* is called Stock Fish—that is, Cod cured by the frost, and do not hold in that estimation with our Fish.

Q. Whether if upon a supposition the trade to the Ports of the *Mediterranean* from *America* being stopped, it would not give advantage to the trade of the *Baltick*?

A. A very probable consequence.

Q. If *Spain* could not provide herself with *New England* Fish could she supply herself any where else?

A. I can't tell.

Q. Will *France* supply it?

A. *France* having free access to the Ports of *Spain* would supply them with Mud Fish.

Q. Whether the people of *Great Britain* carry on the *Newfoundland* Fishery with equal advantage with *France*?

A. No doubt with much greater advantage.

Q. How, if this restriction takes place, are the *West Indies* to be supplied with Fish?

A. The *West Indies* would not be supplied in that case.

Q. Are *Christianstad* or *Archangel* in the *Baltick*?

A. No.

Q. Is *Christianstad* in *Russia* or *Denmark*?

A. In *Denmark*.

Q. Does he know of the Fish trades established there?

A. I do not; but believe it is particularly in the Stock Fish, with which the Navy have been supplied.

Q. Is the Stock Fish equal to our Cod Fish.

A. There is not any Salt used in curing Stock Fish, and it bears a greater price; it is much drier, and does not weigh near so much in proportion to its bulk.

Q. Is it used in the *Mediterranean* in the room of our Cod?

A. Can't say.

Q. Whether it is for the interest of *Great Britain* to have the *Newfoundland* Fishery supplied with *New England* Rum, or with *British* Corn Spirits?

A. I believe it is the interest of this country to supply the Fisheries with every necessary on the cheapest terms, and that *New England* Rum is supplied them at a much lower price than *British*.

Q. Whether there is not a trade between *Russia* and the other Powers of the *Baltick*, with the *Mediterranean* for Stock Fish?

A. I can't say.

Q. Whether it is not exported from *Christianstad* and *Archangel*?

A. I don't know whether *Spain* and *Italy* use Stock Fish or not; that it is exported from those parts I am certain.

Q. Whether Stock Fish was not formerly used on board the King's Ships?

A. I believe it was.

Q. Is it now?

A. Don't know.

Q. How many Vessels sailed from *New England* for the Cod Fishery, to the banks of *Newfoundland*?

A. I believe that the Vessels from *New England* which proceed on the Fishery in *February*, do not generally go so far as the banks of *Newfoundland*.

Q. Whether the refuse Fish and Lumber which goes to the *West Indies*, the Merchants to whom they are consigned are not sometimes authorized to sell the whole, both Ship and Cargoes, and send home the proceeds to this country?

A. Yes.

Q. From what Ports do the Shipping employed in the *New England* Fishery fit out?

A. The greater part of them from *Marblehead*, *Salem*, and Cape *Anne*, for the Cod Fishery, and for the Whale Fishery from *Nantucket*.

Q. Whence do they draw the materials for carrying on their Fisheries?

A. From *Great Britain* all.

Q. Whether, supposing the trade of *New England* was stopped for five years, the Vessels fitted out in *England* for the banks of *Newfoundland* would not supply the markets with Fish now supplied by *New England*?

A. I believe not, and that a very valuable part of the Fishery belonging to *Great Britain* would thereby be lost.

Q. Whether that is matter of fact, or of opinion?

A. Of opinion.

Question repeated.

A. It is not possible for me to say what will *certainly* be the consequence of such a stoppage.

Q. Whether the banks of *Newfoundland* and *Nova Scotia* would not supply the loss of the *New England* Fisheries?

A. *Nova Scotia* is an infant Colony; it has not a capital to support this Fishery.

Q. Whether if the *New England* Fisheries were stopped they could not be carried on from *Great Britain*?

A. I am of opinion that the stopping of one Fishery, and the creation of another, would take up much time, and in the interval the trade would be lost.

Q. Whether there is not an established Fishery on the banks of *Newfoundland* from the West of *England*; and if the Fisheries of *New England* were stopped, they would not increase to supply its deficiencies?

A. The West country people carrying on the Fishery on the banks of *Newfoundland* would no doubt exert their endeavours, but their efforts would fall short.

Q. Why?

A. In the first place, one great material necessary for carrying on the Fisheries is men, and you have them not; the next is money, and I am pretty clear their capitals are fully employed; having, therefore, neither men nor money, nor Ships built for the trade, hence I think it could not be carried on.

Q. How do you know they want men?

A. On this foundation I have given my opinion: that now, when all Ships are supposed to be at home, I have been obliged to pay thirty-eight Shillings per month for Seamen, when this time twelve months, I paid only twenty-eight Shillings.

Q. How does he know this country will not furnish a capital to carry on this trade to any degree?

A. I have no doubt but if Government would supply Men, Money, and Ships, they will find Merchants enough to carry it on.

Q. How does he know the Merchants of this country will not furnish Money to carry on this trade?

A. Only from general knowledge that the Merchants' capitals, who are concerned in the Fisheries, are already fully employed.

Q. Is the trade of this country carried on by Government, in Men, Ships, or Money; or are not the Merchants

Digitized by Google

capable of carrying on the trade of this country to any extent?

A. I believe, that were the *New England* Fisheries to be stopped, the Merchants who carry on the *Newfoundland* Fisheries could not furnish, at this time, either Men or Money to carry on such additional Fisheries.

Q. How does he know that?

A. I deliver it as my opinion, from general commercial knowledge only.

Q. Whether he knows there ever was a time when the trade on the banks of *Newfoundland* have been stopped for the want of Men?

A. Have no doubt but that during the late war, when Men were scarce, that the *Newfoundland* trade decreased; but since the peace it has increased very much, which I attributed to the facility of getting Men.

Q. Does he know of any time when the *Newfoundland* Fishery stopped for want of Men?

A. Can't point out the precise time when stopped; but have heard from the *Newfoundland* people complaints of the great difficulty of getting Men, when the Nation was lately arming against *Spain*.

Q. Whether *Nova Scotia* and *Quebec* could not carry on these Fisheries?

A. *Nova Scotia* and *Quebec* have neither Vessels nor Men of their own; nor could they be supplied with either but from *New England*, even should you supply them with all the Money necessary for carrying them on.

Q. Whether the *New England* people do not get our countrymen to fish for them?

A. Believe not.

Q. Whether there is not among the West country fishermen a general complaint of want of employment?

A. Do not know of any such complaint.

Q. Did he ever know it?

A. Don't recollect I ever did.

Q. Whether the people of *New England* can't fit out their Vessels cheaper than those sent from the West of *England*?

A. I have no doubt but the people of *New England* can carry on the Fishery at a much less expense than any other people.

Withdrew.

Mr. *Stephen Higginson.*

Q. Of what country is he?

A. From *Salem*, in the *Massachusetts Bay*; a Merchant.

Q. Whether there is as much Corn and other Provisions produced in that Province as will supply the inhabitants?

A. Apprehend not.

Q. Whether there is sufficient Corn and other Provisions produced in all the *New England* Provinces for their support?

A. No.

Q. From whence do they receive additional support?

A. From the *Carolinas*, *Virginia*, *Maryland*, and *New-York*, chiefly.

Q. Whether he is acquainted with the trade of the Fisheries carried on in *New England*?

A. Not much acquainted with the Whale Fishery, but have considerable knowledge of the Cod Fishery.

Q. How many Vessels are employed in the Cod Fishery?

A. About seven hundred Vessels.

Q. Of what burthen are they?

A. Five hundred of them estimated from forty to seventy tons; the other two hundred from about fifteen to forty.

Q. How many hands do seven hundred Vessels carry?

A. On an average they carry about six.

Q. How many hands are employed on shore for the Cod Fishery?

A. About half the number are employed in curing the Fish that there is in taking of them.

Q. How many Vessels employed in carrying the Fishery to market?

A. Should imagine about three hundred and fifty, from seventy or eighty tons, to about one hundred and seventy or one hundred and eighty; they carry about eight hands, one with another.

Q. What would these people do if the Fishery was stopped?

A. I can't readily resolve that question; suppose they would remain where they are as long as they could subsist, in hopes of being engaged in their old employment.

Q. But when that hope failed, and they could no longer subsist?

A. Then they will probably go elsewhere.

Q. Whether they would settle at *Halifax*?

A. In general, I think not.

Q. Why?

A. Several reasons; one is, the Fishermen in *Salem* and other Towns are a very quiet and steady set of men. They esteem the people of *Halifax* to be dissolute, and of a quite contrary turn. I think, therefore, they would not sit down among a people so different in their manners. Another reason is, that they think the Government of *Halifax* is arbitrary, and have a terrible notion of it. Another; those who have been there, have disliked the country very much, as being inhospitable, and affording but a very hard and coarse fare.

Q. Would they go to *Miguelon* and *St. Pierre*, and fish for *France*?

A. Don't think they would generally; from *Marblehead* some perhaps would.

Q. Why would they from thence?

A. Because the people there are of various Nations, *Spaniards*, *Portuguese*, and *Dutch*; but the others are born in the Towns where they live, have tenements and freeholds there, and would not leave their place of abode, I conceive.

Q. From whence do the Manufactures used in *New England* come?

A. I suppose from *Great Britain*.

Q. How do they pay for them?

A. By the proceeds of the Whale and Cod Fisheries chiefly.

Q. Do you receive Molasses in return for Fish?

A. A great quantity.

Q. What do they do with it?

A. It is chiefly manufactured into Rum; part is consumed in *America*, and part exported.

Q. Are the Merchants of *Massachusetts Bay* in debt to *Great Britain*?

A. Certainly.

Q. If the Fishery is stopped, what other means of paying their debts?

A. I know of no means but the articles of Pot and Pearl Ash, Lumber, Furs, Ships, and Flaxseed.

Q. What would that be in comparison to the debts?

A. Very small.

Q. Whether, supposing the Fishery stopped in *New England*, and allowed in *Nova Scotia*, they would not follow the Fishery in *Nova Scotia*?

A. I don't think they would.

Q. Whether there is not a constant export of Provisions from *New England* to the *West Indies*?

A. There is from *Connecticut* and the *Massachusetts*; they export Cattle and other live stock.

Q. Whether *Indian* Corn is not exported to the *West Indies*?

A. Don't know that there is any.

Q. Is not Provisions carried to *Newfoundland*?

A. They supply the *Newfoundland* Fishery considerably, with Rice, Bread and Flour.

Q. Why the *Spaniards* and *Portuguese*, of *Marblehead*, would be more afraid of going to *Halifax*, than *Miguelon* and *St. Pierre*.

A. I don't know that they would.

Q. If they send their Fish to *Spanish* markets this year, would they not bring back the proceeds to *America*, and not to *Great Britain*?

A. I imagine the proceeds of the Fish would centre here this year as usual.

Withdrew.

Called in again.

Q. Whether the *Indian* Corn and Flour exported from the Bay for the *Newfoundland* Fishery, is not imported from *Carolina*, *Pennsylvania*, and *New-York*?

A. It is. The Bread and Corn exported to *Newfound-*

Digitized by Google

land Fishery, is not one eighth part of the Corn and Flour imported from the Southern Colonies.

Q. Is not part of the Exports to *Spain* the manufacture of *New England*?

A. No.

Q. Does he know whether the Debt due to the Merchants of *Great Britain* is regularly paid or not?

A. They have been paid with less punctuality for the four or five years last past than before.

Q. To what do you attribute that?

A. To their having imported, in the years 1770, 1771, and 1772, more Goods than was sufficient for their market.

Q. Do the Merchants of *England* still continue to trust the *Americans*?

A. I know of no instance of their having refused to give them credit.

Q. Whether this Bill will enable the Merchants to pay their debts better?

A. Certainly not. The alteration will be quite the reverse, and will cut off the source of payment.

Q. Does he understand the state of the *French* Fishery on *Newfoundland*?

A. Not particularly; but have learn't from our Fishermen that they have of late increased it.

Q. If the Fishery from *New England* was stopped, would not the *French* have a part of it?

A. Suppose they might.

Q. Is he acquainted with the method of the *French* Fishery?

A. Yes.

Q. Do the *French* fish for themselves, or buy it of the *New England* Fishermen?

A. I never heard of their buying any.

Q. Can the *French* cure the Fish as well as *New England* men?

A. I don't imagine they can; for the same reason that the *Newfoundland* Fish is not so well cured, the climate being more subject to fogs.

Q. Whether, if the Provinces are restrained from fishing, their nets would not rot, and materials become unserviceable?

A. They certainly would very soon.

Q. Whether, if this Bill takes place, the Provinces would be in distress for want of Provisions?

A. I imagine they will.

Q. Whether the people of *Nantucket* who follow the Whale Fishery, will not be ruined by its being stopped?

A. They must be entirely ruined.

Q. Could the people of *Great Britain* cure the Fish as well as the *New England* men?

A. They may as dry, but the quality of the Fish will be inferiour.

Q. Is there not a Coast Fishery for the supply of fresh Fish?

A. A vast deal. In the sea-ports of *Massachusetts Bay*, quarter of the people live on fresh Fish.

Q. Does it extend to the four Provinces?

A. Not in the same degree.

Q. What would become of those articles, Potash, &c., if not exported?

A. I suppose the manufacture of Pot and Pearl-ash would cease till the trade opened again.

Q. Whether the Non-Exportation Agreement would not affect the Merchants here, as much as the Bill?

A. I believe not; those articles being not above three-twentieths of the whole.

Q. Does he know any thing of the sale of the Fish in the *Spanish* Ports, and of the consumption inland?

A. Yes.

Q. Whether the *New England* Fish is sent as far inland as the *Newfoundland* Fish?

A. The early spring Fish from *New England* is sent further, it being much tougher, and for this quality a much greater price is given than for the *Newfoundland* Fish.

Q. Do you know this to be fact?

A. I do.

Q. Whether Fish cured in *Newfoundland* is carried to *Portugal*, and thence to the *Brazils*?

A. Can't say.

Q. Whether the Non-Importation Agreement will not prevent their sending the Fish to the *West India* Islands?

A. Apprehend not.

Withdrew.

Mr. *John Lane.*

He is a *New England* Merchant.

Q. What sum of Money is due to *London* only from the four Provinces in *New England*?

A. I believe there may be near a million of Money due.

Q. Whether remittances made from those Provinces for the last twelve months, have not been as good as heretofore?

A. I found no great difference.

Q. Whether, in case no interruption is given to the trade to *New England*, that his house will not as freely give credit to their correspondents there as heretofore?

A. Certainly I should trust them as usual, if there was no interruption in the trade.

Q. How are the remittances usually made?

A. In Oil, Pot and Pearl Ashes, Whale Fins, and from returns for the Cod Fishery from *Portugal* and *Spain*.

Q. Whether the returns are not chiefly made from the Fishery?

A. I take the Cod Fishery to be one third, or near one half.

Q. To what sums have those returns amounted in a year?

A. The Cod Fishery is about 220,000 or £230,000, and that is half nearly of the remittances; the other articles are as follows: from *New England*, from *May*, 1772, to *May*, 1773, in Oil, near £100,000; in Pot and Pearl Ash, near £40,000; Furs, £75,000; Whale Fins, £5,000; Lumber, £3,500.

This is to the Port of *London* only.

The whole amount is about £155,000.

From *May*, 1773, to *May*, 1774, the quantity and value was increased; Oil, £114,640; Pot and Pearl Ash, £35,800; Furs, £9,300; Whale Fins, £3,500; Lumber, £2,500.

Q. What sum does he think might be returned in these articles in that year?

A. I apprehend about £420,000.

Q. How long has the debt of £1,000,000 been accruing?

A. It is very difficult to say; but I suppose a debt to such an amount might accrue in less than three years.

Q. Is not interest paid after the year's credit expires?

A. Yes.

Q. Is it punctually paid?

A. Our interest is paid on a running account; and if we are ever paid, we are paid interest as well as principal.

Q. Can a constant losing trade be carried on?

A. We have other resources in this trade; namely, in Ships built purposely for sale, with their freights from the *West Indies*, besides Bills of Exchange in return for Lumber; but the Lumber is to no great amount.

Q. Does this trade yield a profit?

A. It certainly does.

Q. Whether the interest on the principal is not included in the remittances?

A. It certainly is.

Q. How long has the debt of one million been accruing?

A. It is impossible to answer that question; believe I can only speak with respect to myself; we never tell one another how long our debts have been due.

Q. Whether you give more than one year's credit?

A. Never; but we think ourselves well paid if we receive our money in two years, and then expect interest on our principal.

Q. Whether the Merchants of *New England* must not be ruined, and become incapable of paying their debts, if this Bill should pass?

A. Yes, if it is carried into a law and remain so.

Q. Whether the nine-tenths of all the remittances are not conveyed by means of the Fisheries?

A. I have made no calculation of it, but believe it is not much short of it.

Q. You said that the amount of the Fisheries came to about £220,000 in one year?

A. I mean only the Cod Fishery, and not the Whale

Digitized by Google

Fishery; and both Fisheries together are almost our whole dependence.

Q. Whether this million Debt has not accrued within these six months?

A. I can't tell how to answer that question. We have exported Goods as usual for the five or six months preceding the Non-Importation Agreement.

Q. Whether considerable fortunes have not been made in this trade?

A. I don't recollect any great fortunes made; that is, I don't remember any person retiring from this trade on having made an easy fortune by it.

Q. Are there more failures in that trade than in any other?

A. I think not; the trade is confined in a few hands; I recollect only one house having stopped payment.

Q. Is it now in fewer hands than formerly it was?

A. By the failure of that House, it is lessened, but not more than that one.

Q. Have not many withdrawn themselves from this trade?

A. Some have considerably.

Q. Where?

A. At *Bristol.*

Q. Why have they done so?

A. I can give no particular account why; the *Bristol* people use to complain of want of remittances.

Q. Would a Merchant withdraw himself from a gaining trade?

A. Certainly not.

Q. Whether quick returns on small profit, are not the life of trade?

A. It certainly is; but we have not had such good fortune with *America;* but quick returns can't be had in the nature of things from *Massachusetts Bay.*

Q. Whether the trade to *New England* has been increased, or decreasing?

A. Increasing for several years.

Q. Can a trade increase without adequate payments?

A. The payments are adequate, though they come slowly.

Q. Whether trade in a few hands is as beneficial as when it is in more hands?

A. Don't know how to answer this question.

Q. Whether he is acquainted with Mr. *Reeve*, of *Bristol?*

A. Yes; he was a *North American* Merchant, and carried on as large a trade as any house in *London.*

Q. Was he not ruined by the *American* trade?

A. He had many bad debts, and therefore could not satisfy the demands on him.

Q. Has he not heard that his misfortunes proceeded from other causes?

A. Has heard so.

Q. Whether the Merchant who gives improper credit must not be ruined by that trade in which he gives such credit?

A. This is the case in every trade in the world.

Q. If the Resolutions of the Congress should be adhered to, will it not equally affect the remittances to the Merchants of *Great Britain* as this Bill?

A. I don't think so.

Q. Whether the Merchants do not carry on business, as carriers, profitably, though the parties to the trade are losers by it?

A. This question, as to the *New England* trade, is immaterial, as the Ships in the trade belong generally to the *Americans.*

Q. What is the annual value of the Exports from *Great Britain* to *New England?*

A. About 440,000 or £450,000.

Q. In what manner then is the million of Debt to be paid off in two years?

A. I said it might be done in two or three years, taking in all our resources.

Q. Whether he apprehends that in any trade where credit is given, the whole of the debt can be paid at any one time?

A. I don't well understand this question; I rather think it may be done, but it is not usual.

Withdrew.

Mr. *Seth Jenkins.* He comes from the Island of *Nantucket;* there are between five and six thousand inhabitants there, men and boys, employed in the Whale Fishery; they have no other employment there. About twenty families can be maintained from the produce of the Island, which is fifteen miles long, and three broad. There is only one Harbour there, and one hundred and forty Vessels belong to it; one hundred and thirty-two of which are employed in the Whale Fishery, burthen from fifty to one hundred and fifty tons. They belong chiefly to the people called Quakers; nine-tenths of the people on the Island are Quakers. They sail at all seasons of the year for the Whale Fishery; they fish on all parts of the Coast of *America*, sometimes on the Coast of *Africa*, and the Coast of *Brazils*, and even as far as the *Falkland* Islands. The longest time of a voyage is twelve months; some make two or three trips in a year—I mean those that fish on the Coast of *America.* The Island is supplied with Corn and other Provisions for their support, from *Virginia, Carolina, New-York, Philadelphia*, and *Connecticut;* four sail go in a year to *North Carolina*, for Provisions and Naval Stores; two or three in the constant trade to *New-York*, and two in the constant trade to *Philadelphia.* They bring back Ship-Bread and Flour. The people of this Island receive all their Manufactures from *Great Britain*, chiefly from *London*, and pay for them by remittances in Oil. The whole number of the Whale Fishery Ships from *North America*, is three hundred and nine; they come, forty-eight of them, from *Boston Bay*, eight from *Falmouth*, six from *Martha's Vineyard*, fifty-five from *Dartmouth*, forty-five from *Rhode-Island* and *Providence*, twelve from *New-York*, three from *Connecticut*, one hundred and thirty-two from *Nantucket.*

Q. In case this Bill should pass, and the trade was restrained, and Fishery prevented, what would the inhabitants of *Nantucket* do?

A. I think these people would be induced to stay at home, in hopes that so severe a law would soon be repealed.

Q. When they could no longer subsist on the Island, what then would they do?

A. They must emigrate to the Continent, and settle there in the best manner they could.

Q. Would they go to *Halifax*, and settle there?

A. No.

Q. Why do you think so?

A. Because it is a Military Government, and the soil of the country is very bad; and there is nothing to induce them to go there.

Q. Whether you have known any Vessels go from *England* to the Coast of *Africa* to fish for Whales?

A. Yes; two or three; but they caught no Fish. I fancy it was because they did not know how. It requires long experience—the Spermaceti Whale Fishery especially.

Q. If the inhabitants of *Nantucket* are obliged to emigrate to the Continent, and settle there, whether the fishermen would return to the Island again?

A. It is impossible for me to tell.

Q. Whether the inhabitants of the Island don't depend for their subsistence on the Fish they catch on the Coast?

A. Not so much as on those they catch abroad; some from Towns of the Provinces do, but not in general.

Q. How long could they subsist without the Fishery?

A. Perhaps three months.

Withdrew.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had heard the Petitioners, the Merchants, Traders, and others, of the City of *London*, interested in the *American* Commerce, in support of their Petition by their Agent, and had made a progress in the Bill; and that he was directed by the Committee to move, that they may have leave to sit again.

Resolved, That this House will, to-morrow morning, resolve itself into a Committee of the Whole House, to consider further of the said Bill.

WEDNESDAY, *March* 1, 1775.

Mr. *Rowe*, from the Commissioners of the Customs in *Scotland*, presented to the House, pursuant to their orders,

An Account of all *British* Plantation Tobacco imported

Digitized by Google

into that part of *Great Britain* called *Scotland*, from the year 1760 to the year 1775, and the quantity exported from *Scotland* in the same period; distinguishing the exports and imports in each particular year; and also,

A particular account of the Expense of collecting and managing the Revenue of Customs in *Scotland*, for three years, ending 10th *October*, 1773; distinguishing each year.

Ordered, That the said Accounts do lie upon the table, to be perused by the Members of the House.

Mr. *Tomkyns*, from the Commissioners of the Customs, presented to the House, pursuant to their orders,

An Account of the quantity of Corn and Flour exported from that part of *Great Britain* called *England*, to the Sugar Colonies, for ten years past, viz: from Christmas, 1763, to Christmas, 1773; which is as far as the same can be made up; and also,

An Account of the quantity of Train Oil and Blubber imported into *England*, from Christmas, 1772, to Christmas, 1773, which is as far as the same can be made up; distinguishing the countries from which the same have been imported; and also,

An Account of the quantity of Rape Seed and Rape Oil imported into *England*, from Christmas, 1772, to Christmas, 1773, which is as far as the same can be made up, distinguishing the countries from which the same have been imported; and also,

An Account of the Value of Goods exported from that part of *Great Britain* called *England*, to *Ireland*, from Christmas, 1772, to Christmas, 1773, which is as far as the same can be made up.

Ordered, That the said Accounts do lie upon the table, to be perused by the Members of the House.

The Order of the Day being read;

The House resolved itself into a Committee of the Whole House, to consider further of the Bill to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies;* and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited;

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had gone through the Bill, and made several amendments thereunto, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received upon *Monday* morning next.

Ordered, That Mr. *Benjamin Lister* and Mr. *George Davis* do attend this House upon *Monday* morning next, when the said Report is ordered to be received, in order to be examined touching the Petition of the Merchants, Traders, and principal inhabitants of the Town and County of *Poole*.

MONDAY, *March* 6, 1775.

Sir *Charles Whitworth*, according to order, reported from the Committee of the Whole House, to whom the Bill to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and the Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies;* and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited, was committed, the amendments which the Committee had made to the Bill, and which they had directed him to report to the House; and he read the Report in his place, and afterwards delivered the Bill, with the amendments, in at the Clerk's table, where the Report was read.

And Mr. *Benjamin Lister*, one of the persons who was ordered to attend this House upon the report of the said Bill, in order to be examined touching the Petition of the Merchants, Traders, and the principal inhabitants of the Town and County of *Poole*, was called in, and at the Bar examined relative thereto.

Mr. *Lister* says he is a Merchant trading to *Newfoundland;* has traded thither for thirty-eight years.

Q. Can the foreign markets be supplied, if the *New England* Fishery is stopped?

A. They certainly may.

Q. What is your reason for saying so?

A. We can extend the Fisheries to any degree, having Men, Money, and Ships to carry it on?

Q. What number of Ships are now employed in the *British Newfoundland* Fishery?

A. About four hundred sail, burthen about thirty-six thousand tons; upwards of two thousand Fishing Shallops, burthen twenty thousand tons more.

Q. What number of Men are now employed in that trade?

A. About twenty thousand.

Q. What number of those return yearly to *Great Britain* and *Ireland*?

A. About twelve thousand.

Q. What number of green Men are taken out yearly?

A. Three thousand and upwards.

Q. How many quintals of Fish are taken annually?

A. Above six hundred thousand quintals.

Q. What is the value of each quintal, on an average of seven years, at market?

A. About fourteen Shillings per quintal.

Q. What other advantages arise from the *British Newfoundland* Fishery, besides the Cod Fishery?

A. Salmon, Cod Oil, Seal Oil, and Furs.

Q. What quantity of Salmon?

A. Three thousand tierces and upwards.

Q. What are they worth per tierce at market?

Q. Three Pounds five Shillings per tierce, or something more.

Q. What quantity of Cod Oil is made?

A. Three thousand tons.

Q. What is it worth per ton?

A. On an average, twenty-three Pounds per ton.

Q. What quantity of Seal Oil?

A. About eight hundred tons yearly.

Q. What is it worth per ton?

A. Twenty-five Pounds per ton.

Q. What is the value of the Seal Skins and Furs, per annum?

A. Between three and four thousand Pounds; but the quantity of Seal Skins might be more but for the heavy duty here, which amounts to a prohibition. For which reason so many are not brought to this market as otherwise would be, but they are carried to *New England* and there manufactured into Leather for Shoes, Boots, &c., and carried back to *Newfoundland*.

Q. In what manner are the returns made for the produce of the *British Newfoundland* Cod Fishery?

A. Some part in the produce of the country to which the Fish is sent, and some in specie; others in raw materials, Silk, Oil, Barilla, Cotton, and Bills of Exchange.

Q. In what manner do they carry on the Fishery in the time of war?

A. In a much less degree than in time of peace, on account of the Men being impressed; a great many go to *New England* to avoid being impressed, and are employed in the Fishery there, from whence they do not return.

Q. You said that twenty thousand Men are employed yearly in this Fishery, how happens it that only twelve thousand of those return to *Great Britain* or *Ireland*?

The other eight thousand remain in *Newfoundland*, and are employed in building Boats, Shallops, in catching Furs, and in the Seal Fishery, which is carried on in the Winter.

Q. The residence then, you think, of the eight thousand Men there is necessary for carrying on the *British* Fishery?

A. Yes, I think it is.

Q. Whether the Ships fitted out for the *Newfoundland* Fishery, from *Great Britain*, are not fitted out at one-third more expense than those from *North America*?

Q. I am no judge of the matter.

Q. How many Men are employed to one hundred ton of Shipping, on an average?

Digitized by Google

A. I have not considered the matter.

And then he was directed to withdraw.

And the amendments made by the Committee to the said Bill being severally read a second time, were, upon the question severally put thereupon, with an amendment to one of them, agreed to by the House.

Mr. *Rice* moved to add a clause to the Bill for exempting the Ships belonging to the inhabitants of *Nantucket* employed in the Whale Fishery only.

And the said clause was twice read with a blank, which being filled up, the said clause was, upon the question put thereupon, agreed to by the House.

A motion was made that the Bill, with the amendments, be engrossed:

Lord *Howe* expatiated on the necessity of the measure, as the only moderate means of bringing the disobedient Provinces to a sense of their duty, without involving the Empire in all the horrours of a civil war.

Mr. *Charles Fox* said, that this Bill must have been calculated to put an end to all that remained of the Legislative authority of *Great Britain* over *America*. That it must be intended to shew to the Colonies that there was no one branch of supreme authority, which Parliament might not abuse in such a manner, as to render it reasonable to deny, and necessary to resist it. To prove this he went through the history of the several steps, by which the authority of Parliament was denied, by having been abused. At first said he, the *Americans* being pressed by Parliament's not choosing to leave them their old privilege, whether that privilege was by law, custom, or mere indulgence, of taxing themselves internally, they denied only our right of internal taxation. However, it was soon proved to them, by argument and practice, that an external tax could be made to answer all the purposes, and to produce all the mischiefs, of internal taxation. They then denied the right of taxing for Supply. Parliament next proceeded violently to deprive them of their Charters, and to make them other Acts relative to their trials; then they denied your power of internal Legislation. But still in the midst of all their violence and all their provocation to it, they never hitherto have formally rejected the power of Parliament to bind their trade. But the *British* Legislature is now to convince the *Americans*, that if but a single branch of Legislative power is left to this country, we can make that single power answer all the purposes of a power to tax.

This Bill, which is to restrain their commerce until they submit, until they cease to resist our taxing authority, and indeed, whatever else is thought fit to be imposed on them, will convince, he said, the *Americans*, that this power, thus used, may be made by far the most oppressive, and worse than any of those they had hitherto denied. He was quite satisfied, that the Bill was meant for nothing else but to exasperate the Colonies into open and direct rebellion. Hitherto rebellion was only asserted, and that ambiguously, of one Colony. It would from this Bill probably become apparent, and universal in all; and thus give an opportunity for drawing the sword, and throwing away the scabbard. He indeed acquitted the Ministry of a design of raising a rebellion for the mere purpose of havock and destruction. But said, that as by their injudicious measures they had brought the Colonies into a state of the greatest disobedience, disorder, and confusion, without being at the same time within the legal description of rebellion, this was a state of things full of the greatest difficulties, and in which it required the utmost nicety to conduct Government. But when things were brought to the length of rebellion, the course of proceeding, however desperate, was simple and obvious. And now, as by this Act all means of acquiring a livelihood, or of receiving provisions were cut off, no other alternative was left, but starving or rebellion.

Mr. *Jenkinson* drew a very different inference from the fact of the progressive detail of the several parts of our Legislative authority in *America*. That fact, so strongly stated by Mr. Fox, shewed clearly that the Colonists aimed at a rebellious independence from the beginning; for having at first only denied our right of internal taxation, when that right was modelled to their own pretences, they quarrelled just as violently with this mode as with the former. Afterwards, when their multiplied disorders had made internal regulations necessary, they denied the power of making these regulations. They first provoked penalties by their disobedience, and then denied the right of the power which had been put under a necessity of inflicting those penalties. The reasons, he said, alleged in censure of the acts of legislature, were in reality their strongest justification and best panegyrics. He thought therefore this Act to be in every respect just, and considering the offence of those who are the object of it, merciful.

Mr. *T. Townshend* urged the cruelty and injustice of an act which made no discrimination between innocence and guilt, which starved all alike, and which had a tendency to fix an eternal hatred of this country and its Legislature in the minds of the *Americans*. With regard to the original provocation stated to have produced the penalties, he denied the fact; but asserted, on the contrary, that our violating their privileges, or grossly shocking their old respectable prejudices, first produced the disobedience, and then the disobedience was punished by the most cruel and unnatural acts.

The Solicitor General of *Scotland* (Mr. *Henry Dundas*) said, the Act had his most hearty approbation. That it was just, because provoked by the most criminal disobedience: it was merciful, because that disobedience would have justified the severest military execution. This measure was not sanguinary: and as to the famine which was so pathetically lamented, he was afraid it would not be produced by this Act. That though prevented from fishing in the Sea, the *New Englanders* had fish in their Rivers, to which this Act did not prevent them from resorting; and that though he understood their country was not fit for grain, yet they had a grain of their own, *Indian* Corn, on which they might subsist full as well as they deserved; but whether they might so subsist or not, was no part of his consideration. He looked on the Act as coercive, and that the coercion which put the speediest end to the dispute, was certainly the most effectual. That when it was said no alternative was left to the *New Englanders* but to starve or rebel, this was not the fact, for there was another way, to submit. He wished, however, that some test to discriminate the innocent from the guilty had been adopted. That this test, notwithstanding it had been originally stated as part of the plan by Lord *North*, had been dropped by his Lordship. That it might serve to introduce a rule of obedience for all, and might prevent the innocent from being involved with the guilty in a common punishment. But the Act was on the whole so right, and he approved and admired it so much, that he could not quarrel with it for this defect.

As to what had been apprehended from the loss to the Merchants of Old *England*, by disabling those of the New to pay their debts, he said, that when the Colonists had submitted, they might then resume their Fisheries and their Trade, and thus be enabled to pay their debts. In the mean time, that part of the capital stock of *England*, which was now employed in carrying on the Fisheries of *New England*, would be employed in carrying on our own, and thus our Merchants could suffer no loss whatsoever. This was as clear as any demonstration of *Euclid*.

Lord *John Cavendish* was shocked with the perfect ease and alacrity with which they voted famine to a whole people; and he was in particular surprised at the ideas of clemency, entertained by the learned gentleman who spoke last. He commended this measure, because it was not sanguinary; but to kill by starving, was not cruelty; and provided a man's blood was not shed, he might be destroyed with great gentleness—in any other way whatsoever. This Act he considered as alienating the *Americans* for ever, and rendering useless any possible plan of reconciliation.

Mr. *Rice* did not adopt this proposition but with the greatest pain and reluctance. He knew it was harsh; but that harsh measures were unfortunately necessary. He was satisfied from a careful comparison of all the parts of the proceedings of the *Americans* with each other, that independency was their object; that they intended to throw off the commercial restrictions, as well as the taxes: on which latter point he was as much inclined to relax as any other gentleman, if he could be tolerably assured that such relaxation would not be introductory to a further, and

Digitized by Google

a worse opposition on their parts. He thought he saw, by the obstinate conduct of *Boston* in holding out so long, and under such inconveniences, that their designs were very deep; and he was convinced that the satisfaction to Custom House Officers, required as a condition of pardon by the Act which shut up their Port, was their principal reason for this stubborn opposition. And this pointed clearly to the true object of their resistance.

Mr. *Edmund Burke* was afraid any debate on this subject was to little purpose. When this Parliament, originally disengaged to any system, and free to choose among all, had, previous to any examination whatsoever, begun by adopting the proceedings of the last, the whole line of our publick conduct was then determined. [Here the majority raised a great cry of approbation.] He said the cry was natural, and the inference from what he had said just; that the road by penitence to amendment was, he knew, humiliating and difficult; and that the greater part of mankind were disposed, like *Macbeth*, to think—

"I am in blood
"Stept in so far, that, should I wade no more,
"Returning were as tedious as go o'er;"

and thus they pass towards the further bank, be the channel ever so wide, or the flood ever so deep and rapid. That as this measure was in the same spirit as all the former, he did not doubt but that it would be productive of the very same consequence.

That this was, in effect, the *Boston* Port Bill, but upon infinitely a larger scale. That evil principles are prolifick; this *Boston* Port Bill begot this *New England* Bill; this *New England* Bill will beget a *Virginia* Bill; again a *Carolina* Bill, and that will beget a *Pennsylvania* Bill; till one by one Parliament will ruin all its Colonies, and root up all its commerce, until the Statute Book becomes nothing but a black and bloody roll of proscription—a frightful code of rigour and tyranny—a monstrous digest of Acts of penalty, incapacity, and general attainder; and that, open it were you will, you will find a title for destroying some trade, or ruining some Province.

That the scheme of Parliament was new and unheard of in any civilized Nation, "to preserve your authority by destroying your Dominions." It was rather the idea of hostility between independent states, where one not being able to conquer another, thinks to reduce its strength gradually, by destroying its trade and cutting off its resources. That this mode was never used by Princes towards their subjects in rebellion; the maxim in such cases always was, to cut off the rebels but to spare the country, because its strength is the strength of the Sovereign himself. Here the principle was reversed; the force used against the rebels was trifling (though very expensive) but the trade, which was the wealth of the country, was to be destroyed.

He then entered into the difference of expense, and the loss between the two modes; and proved, in detail, that these Bills would, in all probability, cost the Nation more than the maintenance of an Army of forty thousand men. That when things were come to violences he thought the sword much the most effectual, and though severe, not so unjust as these universal proscriptions, because it would fall only on those who resisted. But this Act confounded all kinds of people, all sexes, all ages, in one common ruin. That nothing could be at once more foolish, more cruel, and more insulting, than to hold out, as a resource to the starving Fishermen, Ship Builders, and the infinite number of other Mechanicks employed in Trade and Fishery, and ruined by this Act, that after the plenty of the Ocean, they may poke in the brooks, and rake in the puddles of their respective countries, and diet on what we considered as husks and draft for hogs.

It was, he said, foolish and insulting; because, when you deprive a man of his trade and occupation, you deprive him of the means of his livelihood, if there were ever so much Fish in the streams, or Corn in the fields. That a Shoemaker's livelihood goes when a Fisherman can no longer pay him for his shoes. He has no resource in other people's plenty. How is he to get at Horse-beans or *Indian* Corn, or at the worst of food for himself and his starving family? Then he shewed that the ruin of the staple trade of a people, involved in it the ruin of the whole community; and proved, by entering minutely into its nature and employment, that the *British* capital employed in the *New England* trade could not possibly be turned to the *British* Fishery; and (treating very lightly the demonstration of *Euclid*) he shewed, that one year's intermission of the course of the *New England* foreign trade, would be the certain loss of the whole debt now due to the *English* Merchants.

But the point on which he rested most was this: the sentence was, in the mildest way, beggary, if not famine, on four great Provinces. The condition of their redemption was, "When it should be made appear to the Gov-"ernours, and the majority of the Council in two of these "Provinces, that the laws would be obeyed." By what evidence, said he, is this to be made to appear? Who is to produce it? What facts are to be proved? What rule has the person who is to make it appear, to go by? What rule have the two Governours to determine, so as to acquit them—in employing or in refusing, either to Government here, or to the people there? You sentence, said he, to famine, at least three hundred thousand people in two Provinces, at the mere arbitrary will and pleasure of two men whom you do not know; for you do not know who will be Governours when this Act takes place. And, lest these two should risk an act of mercy, you add, as a control to them, the majority of two Councils, whom you do not know, and one of them, at present, has no existence. And as to the other Provinces, *Connecticut* and *Rhode-Island*, the Act has not left a man in these two Provinces, who, by the exertion even of an arbitrary discretion, can relieve two hundred thousand people more, or any innocent or repenting individual, let their behaviour be what it will. A Governour of another Province, who can never regularly and officially know their true state, can alone be arbitrary in favour of justice.

This, said he, is because in these two ill-starred Provinces, the people choose their Governours; but is that a crime in individuals, which is the legal Constitution of the country? If it be a bad one, *England* has given it to them, and has not taken even a step towards altering it. On this point, of the unheard of power given to Governours, of starving so many hundreds of thousands at their mere pleasures, of which, he said, no history of real, and even no fabulous invention of fictitious tyranny, had ever furnished an example; he dwelt a long time, and placed it in an infinite variety of lights, and kindled into such warmth, that he was at length called to order. But he continued to repeat the strong terms, as, he said, he had a right to give such epithets to the Bill as he pleased, until it had passed the House. If that should be the case, he would then be silent, because it would be against order to speak of it as it deserved, and against prudence, to offend a body of men who had so much power, and would shew, by passing that Bill, how harsh an use they were disposed to make of it.

He said, however, he was convinced by the whole tenour of the debate, as well as by his private conversation, that most of those who would vote for this Bill had never read it; that what they did was not out of malice, but out of respect to the opinions of others, who, by presenting them such a Bill, shewed how little they deserved this unlimited confidence. He said, that if any were in that situation, he hoped they would have the benefit of the prayer made for those who alone had done an act worse than this, "Forgive them, they know not what they do."

The Lord Advocate of *Scotland* began with disclaiming any thing of cruelty, as foreign to his nature and disposition; but authority must be preserved, though the guilty, and sometimes even the guiltless, by accident, should suffer. That rigour was annexed to the idea of punishment, and that punishment was right or wrong, according to the desert of the parties; that whatever necessity made this punishment so rigorous, or extended it to so vast a latitude, was owing to those who, taking part with *America*, in this House, or elsewhere, encouraged them to resist the just authority of Parliament. They were, he said, guilty of the blood of the Colonists. That he was sure the taxation of *America* was just and defensible, by every principle of the Constitution; and that though this ground of taxation was very much beaten, yet, as the whole question originated there, it was necessary to shew the foundation of the right; this he did by a distinct enumeration of the Acts of Parliament. He was clear and methodical; but the House was not disposed to listen to an argument which they had heard so

Digitized by Google

frequently discussed. He said, with temper, that he gave way to that disposition of the House, and was content to give his approbation to the Bill.

The question then being put, the House divided: Yeas 215; Noes 61.

So it was resolved in the Affirmative.

Ordered, That the said Bill be read a third time upon *Wednesday* next, if the said Bill shall be then engrossed.

WEDNESDAY, *March* 8, 1775.

Ordered, That the Order of the Day, for the third reading of the Bill now engrossed, to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain* and *Ireland*, and the *British* Islands in the *West Indies*, and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited, be now read;

And the said Order being read accordingly;

The said Bill was read the third time.

Mr. *Hartley* moved to add the following engrossed clause to the Bill, by way of ryder:

"Provided always, and be it further enacted, That "nothing in this Act contained, shall extend, or be construed to extend, to prohibit the importation into any or "either of the said Colonies or Provinces, of Fuel, Corn, "Meal, Flour, or other Victual brought coastwise from any "part of *America*."

This clause, said he, cannot be objected to, even by the most vindictive spirit, against the four Provinces of *New England*, who are the objects of this Bill, as it is extracted from the *Boston* Port Bill of last year; the lenity or humanity of which was never so much as pretended, even by its advocates. There cannot be a reason why you should throw away this year the little share of humanity which you had the last; more especially as we are come to discover, and even to acknowledge, by the votes of this House, that we have proceeded hitherto, in this business with *America*, with rashness, misjudgment, and precipitation. The vote I allude to is passed but a few days since; which says, or pretends to say, that it would have been 'proper' (that is the term) to have proceeded in a way of asking a supply of the *Americans*, by the constitutional way of requisitions, before proceeding to compulsory or forcible methods. Having confessed ourselves wrong in the foundation, it is but equal justice to our fellow-subjects of *America*, to suppose that those riots and resistance would not have happened, if we had not begun with them confessedly in an unconstitutional way. Surely, then, it is not a time to add to the severity of our acts, in proportion as we find that we have been unjust in the outset, and that they have been less to blame. It is surely but a little matter to ask, that you would not be more cruel towards *America*, who have never been heard on their defence this year, than you were the last. Besides, what construction can the Town of *Boston* put upon your present measures, if you refuse the clause now offered? They will be besieged, as in actual war with any foreign enemy. General *Gage* has fortified the *Neck* which joins *Boston* to the Continent, by which he may intercept provisions; and by this Bill you proclaim the same intention by Sea. Do you expect that they will submit to be starved, in passive obedience? What resource have they left, but resistance; and, perhaps, to take advantage of the smallness of numbers of General *Gage's* Troops, before they are reinforced; for this Act puts it out of all doubt that you mean to proceed to all extremities. I have been informed by those who know best the temper of the *Americans*, and I hope and believe that they will hold out their patience to the utmost, and that they will not strike the first blow; but what is the difference to them, whether you strike the first blow by the musket or the sword, or to equal effect, by famine? The refusal of this clause will be a declaration on your part, that you mean to bring famine upon them to the utmost of your power, and therefore a warning to them of the mercy which they are to expect at your hands. As to the Bill in general, it has been so ably debated, that I shall only add two remarks. This Bill, by destroying the *North American* Fishery, not only destroys that nursery of Seamen, but will disable the Provinces under the prohibition, from the means of paying their debts to this country, who, therefore, will finally be the sufferers; and when the next year comes, and you find this consequence, you will then turn accusers of the *North Americans* for not paying their debts, and you will add, according to the usual falsehoods towards the *Americans*, that they never intended to pay their debts; and, by the distance of the place, and the falsehood of representations, you will impute those very effects which you have produced yourselves, as the justifying causes of resentment. This is the unjust way in which the *Americans* have been treated on all occasions. I myself asked the other day, why, on a particular occasion of a slight riot of not more than a few hours continuance, four Regiments and a train of Artillery were ordered to *Boston*? To justify this enormous intervention of the military, I was told in this House, that indeed the riots were trifling, but that the *Americans* had come to a resolution to arm the country. What, then, was the real fact, as testified by dates? The fact was, that the resolution to arm was not taken till the Troops were seen in the Offing. It was the sight of the Troops, upon so trivial an occasion, that gave them to understand what they were to expect; and by dates the fact is verified, that they did not take to arms till some months after the Troops were ordered; but it was upon their first notice of the Troops being to come, and the resolution to arm against the worst, was actually debated but a few hours before the Troops were landed. So it is that facts are misrepresented in *America*, and so let me put in my caution now, that the *Americans* do now actually pay their debts like honest men, to the utmost of their power, and let me be beforehand with this charge; if, when the natural consequences of these measures come next year, we should hear any false accusations of the *Americans*, as combining not to pay their debts. I shall make but one remark more, but which seems to me to be of the utmost importance to the whole commercial system of *England*, which is, that the Plantation-built bottoms are two-thirds, or three-quarters, or all the bottoms upon which the *British* Merchandise, to every quarter of the globe, is carried on. When we meditate a blow at the *American* trade, we should recollect at least that there is this one manufacture (if I may so call it) of Ship-building, upon the encouragement of which our very existence as a trading people depends. However we may think it our interest to suppress the rivalship of the Colonies with ourselves in other Manufactures, yet in this trade of Ship-building, they are our most material and essential support. This revengeful blow at the *American* Ship-building, will fall most immediately and fatally upon the Manufacturers and Merchants of every commercial article in this Kingdom. For these reasons I am against the whole principle of the Bill, and if we cannot prevail to have it rejected, I humbly move, at least, the admission of the clause which I have just offered.

Lord *North* said, as the Bill not only meant to restrain the Colonies of *New England* from trade, so long as they would not trade with us, but also to let them feel the inconveniences which they must be exposed to while they deny the authority of Parliament, he could not, until their conduct gave Parliament some grounds for it, agree in opinion that Parliament should relax from the coercion which this Bill meant to execute. He thought it was right that they should feel some of those distresses which the power of this country could bring upon them, while they dared to set their power in opposition to it. But even in the exertion of force, nay of arms, if it should become necessary, he never should wish measures which were cruel. The case of the *Boston* Port Bill was quite different. The Town of *Boston* had obstructed our trade, and had committed an act of outrage against it; it was proper, therefore, to prevent that Town from being a place of trade, until they had made recompense; but as they had not then formally arrayed themselves against the power as well as authority of this country, further restraints, such as were in the present Bill, were not then necessary, and the permitting Provisions and Fuel to go up to the Town by water, was inserted in that Bill. The further restraints which a more violent conduct had now rendered necessary, were inserted in the Bill, and instead of relaxations from these, more severe ones must follow, if their conduct made such further necessary.

Digitized by Google

Mr. *Burke* was warm against the Bill. It was not, he said, sanguinary, it did not mean to shed blood, but, to suit some gentleman's humanity, it only meant to starve five hundred thousand people, men, women, and children at the breast. Some gentlemen had even expressed their approbation of famine, in preference to fire and sword. This Bill not only had taken from these people the means of subsisting themselves by their own labour, but, rejecting the clause now proposed, took from them the means of being subsisted by the charity of their friends. You had reduced the poor people to beggary, and now you take the beggar's scrip from them. You even dash from the mouth of hunger the morsel which the hand of charity would stretch out to it. On the subject of famine he was fine and pathetick.

Lord *Clare* said he would not enter the list with the honourable gentleman who spoke last; it would be the waging an unequal war; but he had in his hand a friend who was a match for him; my old friend, Sir *Joshua Ghee*, a great friend to *America*, though no patriot; a man who has written better on trade than any other man living, and who knew more of *America*. Now, sir, my friend, *Joshua Ghee*, with a kind of prophetick spirit, says, if ever the people of *New England* should aim to set up for themselves, what must we do? Do, sir, why the very things which are now doing. *Joshua Ghee* says you must restrain their trade, and prohibit them from the Fishery, and you will soon bring them to their senses. I hope *Joshua Ghee* will be a prophet there too. But here are his words. [He here read a long passage from the book, and then commented on it.] Now, sir, nobody that ever read this passage, thought this conduct, as here proposed, to be cruel, but necessary and wise, sir. But since we have got a language in this House that is fitter for the turbulent harangues of an *American* Congress, than for a *British* Parliament, every thing which would restrain *American* independency, is unjust and cruel. But if so, sir, how come gentlemen not to oppose the augmentation of the Army and Navy for these purposes. They retired from that question; some never looked to it; others retired sturdily like *Ajax*; they did not turn their backs, but, sir, they retired.

Mr. *T. Townshend*. If the augmentation of the Navy and Army had been proposed as a force with which to make war on *America*, I would, sir, have been as sturdy as *Ajax*, not retiring, but attacking; I would have set my face against it; I would have used every power I had to oppose it; I would have carried my opposition to turbulency, since the noble Lord will so describe it. The reason why I did not oppose it, I will avow; it is a fair one. I knew that it was determined that a great part of the force which we then had was to be sent to *America*. I trembled for the safety of this Realm, thus stripped of the strength intended originally for its defence; I was glad when I heard an additional defence was to be proposed for it. I would not oppose this necessary measure, though I would not in any thing mix myself with the measures of Ministry. He then went into the argument on the subject of famine and starving.

Mr. *Charles Fox*. I think, sir, you have now, by refusing this proposition, completed the system of your folly. You had some friends yet left in *New England*. You yourselves made a parade of the number you had there. But you have not treated them like friends! Rather than not make the ruin of that devoted country complete, your friends are to be involved in one common famine! How must they feel, what must they think, when the people against whom they have stood out in support of your measures, say to them, "You see now what friends in *England* "you have depended upon; they separated you from your "real friends there, while they hoped to ruin us by it; but "since they cannot destroy us without mixing you in the "common carnage, your merits to them will not now save "you; you are to be butchered and starved indiscrimi-"nately with us. What have you to look to for support "but resistance? You are treated in common with us as "Rebels, whether you rebel or not. Your loyalty has ruin-"ed you. Rebellion alone—if resistance is rebellion, can "save you from famine and ruin." When these things are said to them, what can they answer? What part have they to take? They must resist in common with those with whom you have united them in ruin. I thought your measures were intended to divide the people. But when you mean to destroy you unite all, because you wish to destroy all. Thus much I thought it right to say, that I might mark the spirit of your measures.

Governour *Pownall* having now, after two days debate, heard so much about the starving principles of this Bill, and of the famine which was to be the effect of it in *New England*, rose to say a few words, in order, by stating the fact, to wipe off from the Bill an imputation, which not only the oratory of those who opposed it, but the indiscretion of some who had defended it, brought upon it; the foul stain of hard heartedness and cruelty; as also to calm any apprehensions which gentlemen, by their oratory, working on a fact taken for granted, had endeavoured to raise in the breasts of the humane. As to the starving and famine, supposed as an effect which might follow from the operations of this Bill, it was a supposition too idle to combat. The Colonies of *New England* were provision Colonies; they were great grazing settlements; they had not, indeed, been equally attentive to tillage as the farmers of the middle Colonies had been, but they raised sufficient Corn, Rye, and Barley, for their subsistence; that although they imported some Flour and Biscuit from *Philadelphia* and *New-York*, yet the first was chiefly for the luxury of the rich, and the latter for fitting out their Shipping. If it became necessary to restrain their trade, the latter would not be wanted; and if people will go to war, they must expect to give up the former. If the Bill proceeded upon any such principles of hard-heartedness, or if he could see any such cruel effects in it as had been stated, he would have opposed it instead of acquiescing in it; instead of any such mischievous effect on the Colonies, we should have need to watch that it did not produce a contrary effect, namely, that of turning their thoughts more seriously to tillage; if it should, might it not have the effect fabled in the story of *Antæus*, that the moment in which they touch the ground, from that moment they should derive strength. He concluded by saying that he considered this Bill simply as a commercial regulation; as a temporary withholding of those indulgences which particular laws and connivance had given, in relaxation of the general laws on which the Plantation trade had been originally established; as withholding these indulgences so long as the Colonies should think fit to prohibit the trade of *Great Britain*; it was from seeing and considering it in this light alone, that he acquiesced in it.

Mr. *Henry Dundas*, (Solicitor General of *Scotland*.) In what I said in a late debate, I did not say that I approved of measures of starving a whole people; but that, if matters between us and the *Americans* were come to that issue, that we must at last use force, and perhaps the sword; surely those measure which would prevent them from being able to resist, might prevent us from coming to the harsher measures of the sword and bloodshed, I thought these measures would bring them to their senses, and would therefore, in the end, prove mercy to them. This I hoped would be the true operation and effect of this Bill; and, therefore, approving that operation, I must disapprove this motion.

On the question, that the said clause be read a second time? The House divided: Yeas, 58; Noes, 188.

So it passed in the Negative.

Resolved, That the Bill do Pass; and that the Title be, An Act to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and the Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*; and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein mentioned, under certain conditions and limitations.

Ordered, That Mr. *Cooper* do carry the Bill to the Lords, and desire their concurrence.

HOUSE OF LORDS.

MONDAY, *February* 27, 1775.

Upon reading the Petition of the Aldermen, Sheriff, principal Manufacturers, and Inhabitants of the Town and County of the Town of *Nottingham*, whose names are thereunto subscribed, setting forth—

Digitized by Google

"That the Petitioners very sincerely lament the unhappy differences which have already arisen between *Great Britain* and her Colonies, and cannot, without great concern and abhorrence, reflect upon that seditious spirit which hath broken out with such violence in the Province of *Massachusetts Bay*, particularly in the Town of *Boston*, whose inhabitants, by their disobedience, have set at defiance the Laws and Government of this Kingdom; that the Petitioners, from the present disposition of the *Americans*, most humbly apprehend that the Trade and Commerce of *Great Britain* with her Colonies, cannot be effectually restored, and permanently secured, without a due and proper submission and obedience to the Laws and Government of this Kingdom;" and therefore, praying their Lordships "to take such measures as to them may seem most likely to secure and maintain the supreme authority, honour, and dignity of *Great Britain*, enforce a due obedience to her laws, and restore subordination, order, and good government in *America*."

Ordered, That the said Petition do lie upon the table.

THURSDAY, *March* 9, 1775.

A Message was brought from the House of Commons, by Mr. *Cooper*, and others;

With a Bill, entituled, "An Act to restrain the Trade "and Commerce of the Provinces of *Massachusetts Bay* "and *New-Hampshire*, and Colonies of *Connecticut* and "*Rhode-Island*, and *Providence Plantation*, in *North* "*America*, to *Great Britain*, *Ireland*, and the *British* "Islands in the *West Indies*; and to prohibit such Prov-"inces and Colonies from carrying on any Fishery on the "banks of *Newfoundland*, or other places therein men-"tioned, under certain conditions and limitations;" to which they desire the concurrence of this House.

The said Bill was read the first time.

Ordered, That the said Bill be printed.

FRIDAY, *March* 10, 1775.

Ordered, That the Bill be read a second time on *Wednesday* next, and the Lords be summoned.

WEDNESDAY, *March* 15, 1775.

Mr. *Rowe*, from the Commissioners of the Customs in *Scotland*, delivered at the Bar,

An Account of what number of Ships from *Scotland* have been employed in the Whale Fishery to *Davis's* Straits and the *Greenland* Seas, with their respective names and burthens, from whence they were fitted out, and at what Port they were discharged; also, what quantity of Oil and Whale Fins each Ship has imported, from the 10th of *October*, 1773, to the 10th of *October*, 1774.

Ordered, That the said Account do lie on the table.

Upon reading the Petition of the Lord Mayor, Aldermen, and Commons, of the City of *London*, in Common Council assembled, taking notice of a Bill depending in this House, entituled, "An Act to restrain the Trade and "Commerce of the Provinces of *Massachusetts Bay* and "*New-Hampshire*, and Colonies of *Connecticut* and *Rhode-*"*Island*, and *Providence Plantation*, in *North America*, "to *Great Britain*, *Ireland*, and the *British* Islands in the "*West Indies*; and to prohibit such Provinces and Col-"onies from carrying on any Fishery on the banks of *New-*"*foundland*, or other places therein mentioned, under cer-"tain conditions and limitations;" and praying, "for the "reasons therein mentioned, that the said Bill may not pass "into a law;"

It is *Ordered*. That the said Petition do lie upon the table.

The Marquis of *Rockingham* presented the following Petition against the Bill:

To the Right Honourable the Lords Spiritual and Temporal, in Parliament assembled:

The Petition of the Merchants, Traders, and others, of the City of LONDON, *interested in the* AMERICAN *Commerce, humbly Sheweth*—

That your Petitioners are deeply concerned to find that there is now depending before this right honourable House, a Bill to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*; and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain restrictions, and for a time to be limited.

Your Petitioners beg leave to represent, that the said Bill, should it pass into a law, will, in its operation, deprive thousands of his Majesty's loyal subjects of their actual subsistence, and reduce them to extreme distress, even that of famine, the said Provinces not generally raising Corn sufficient for their own support; and by this Bill, they will be prevented from receiving any Supplies from their sister Colonies, and precluded from their natural resource—the Sea.

Your Petitioners have reason to believe, that very great numbers of men, bred and employed in the Fisheries, who in hardiness and intrepidity are not exceeded by any in this extensive Empire, will be impelled, by the pressing calls of hunger and want, and a just feeling of their violated rights, to such a conduct as may be productive of devastation and bloodshed, which may endanger the peace and welfare of his Majesty' *American* Dominions; or be induced to employ themselves in fishing for the *French*, and thereby give our rivals the means of supplying the markets in *Europe*, which will render it difficult for us ever to regain that valuable branch of commerce.

Your Petitioners beg leave further to represent, that there is now due from the said Provinces and Colonies, to the City of *London* only, one million sterling, and upwards; that their remittances are almost entirely made by means of the Fisheries, and consequently, the ruin brought on those Colonies will deeply injure the commercial interest of *Great Britain*, and ultimately fall on the landed property of these Kingdoms.

That among the other grievances of which our fellow-subjects in *America* so generally complain, is their being deprived of Trial by Jury in particular cases, and the extension of the jurisdiction of the Admiralty Courts; which grievances your Petitioners, with much concern, find are not only continued, but extended by the present Bill; and they think it their duty to represent it as their firm opinion to this right honourable House, that the disquietudes which universally prevail in the minds of their fellow-subjects in *America*, will be increased and confirmed by this Bill, which is unjust, as they conceive, because it involves the punishment of those who are allowed to be innocent, with those who are supposed to be guilty, and that these disquietudes will never be removed, unless lenient measures are pursued, and their grievances redressed.

Your Petitioners therefore most humbly pray, that the said Bill may not pass into a law.

The Petition was read.

Ordered, That the said Petition do lie upon the table.

The Marquis of *Rockingham* observed, with regard to the City Petition, that it originated from a body, the members of which demanded every attention, on account of their official respectability. The Petition of the Merchants and Traders, his Lordship did not conceive stood in need of the collateral aid of oral evidence, which, however, was ready to be produced at the bar, if the House deemed such evidence necessary. The general principles of the Bill he inveighed against, as so many glaring infringements on the Constitution, and consequently fraught with every political evil to be apprehended from despotism in the extreme.

The Earl of *Sandwich* entirely dissented in opinion from the illustrious Marquis; he wished that evidence might be called in support of the allegations contained in each Petition; for as he was confident that most of the noble Lords present were either partially mistaken in, or wholly misunderstood the nature of, the *American* Fishery, his Lordship proposed on the part of the Bill, to have such evidences called as in his opinion would elucidate the several facts, and communicate that species of information necessary for the House to be possessed of, previous to the commencement of debates on the merits of the Bill.

A Message was sent to the House of Commons, to desire, "That they will give leave to Sir *Hugh Palliser* and "*Molyneux Shuldham*, Esquire, Members of that House,

Digitized by Google

"to attend this House this day, in order to their being examined upon the second reading of the Bill," entituled "An Act to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*; and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein mentioned, under certain conditions and limitations."

The House was adjourned during pleasure.

The House was resumed.

The Order of the Day being read for the second reading of the Bill;

Lord *Camden* delivered it as his opinion, that to save the House trouble, and afford every possible information to the Members, each witness in support of the allegations contained in the Petition of the *North American* Merchants, should have such questions propounded to him by Mr. *Barclay*, who had signed the Petitions, as he might think tended to throw light on the subject. Lord *Camden* observed, that the House of Commons had adopted this method, and as for his part, he professed himself entirely unacquainted with the subject; he should be happy in having a sensible man propose such trading questions as might be most likely to obtain from the several evidences the information required.

The Earl of *Suffolk* declared, that what had fallen from the noble Lord who spoke last, contributed more than any thing to confirm him in the vote he should give; for that the other House had permitted Mr. *Barclay* to question the evidence, was the very reason why he would wish to reprobate the adoption of a practice which stood unsupported by a single instance recorded in the Journals of the House. His Lordship therefore was for having the questions proposed in the usual mode by the House.

Lord *Camden* retorted, that as precedents, if good, merited every respectful attention, he sincerely hoped the House would not reject the adoption of a particular mode, merely because the Commons had thought fit to accept it in the examination of witnesses at their bar.

The Duke of *Richmond* was strenuous for finishing the altercation, by observing, that if the House really wished for information, the most likely method to obtain it, deserved the preference; and, in the noble Duke's opinion, it would much better answer the proposed end, to have Mr. *Barclay* primarily propound the questions, than that that House should propose them at second hand. If, however, the latter method was agreed on, the noble Duke was ready to acquiesce, although it would detain the Members longer from that dinner, to which their hunger, betrayed in their petulance, stimulated them to repair.

The House rejecting the idea of Mr. *Barclay* propounding any questions to the witnesses, it was agreed that the usual forms of the House should be observed.

The Messengers sent to the House of Commons, to desire "That they will give leave to Sir *Hugh Palliser* and *Molyneux Shuldham*, Esquire, Members of that House, to attend their Lordships, in order to their being examined upon the second reading of the Bill," return answer, "That the Commons give leave for them to attend, if they think fit."

Then *Seth Jenkins*, a Quaker, was called in, and, upon his affirmation, acquainted the House "That he was a Mariner, and is well acquainted with the Island of *Nantucket*: that the number of inhabitants upon the said Island is between five and six thousand, who are almost all employed in the Fisheries; that the number of Vessels belonging to the said Island is one hundred and forty sail, eight of which are employed in the Coasting Trade, and the rest in the Fisheries; that the said Island is about fifteen miles long, and three miles broad—distant from the Main seven leagues; that it has but one Harbour; that the produce of the said Island will not maintain above twenty families; that nine-tenths of the inhabitants are Quakers; that the Vessels employed in the Whale Fishery sail at all seasons; that the limits of the Whale Fishery extend to *Falkland* Islands, and the Coast of *Africa*; that their Fishing Vessels are generally twelve months on their voyage, sometimes fourteen months; that this Island is supplied with Corn from the Provinces of *Carolina*, *New-York*, *Virginia* and *Rhode-Island*; that it is supplied with Manufactures from *London*; that all their Oil comes to *Great Britain*, except a little which is consumed in the Colonies; that if the inhabitants of this Island are restrained from Fishing, they would wait quietly till the Act was repealed, but that they could not subsist above a month; that the inhabitants might be under the necessity of removing from the Island, but would not go to *Halifax*, it being a Military Government; that the Vessels from *England* employed in the Whale Fishery, have little or no success in it, owing to their not understanding it; that this Island formerly belonged to the Province of *New-York*—at present it belongs to *Massachusetts Bay*; that no other men would, if trade is stopped, carry on the Whale Fishery, as they don't understand the nature of it; that the people of *Nantucket*, if their Fishery is stopped, would not get employment from others; that their Craft would be entirely lost, as they could not get purchasers for them; that the lands in *Nova Scotia* are in general very barren, except some in the Bay of *Fundy*, and some *German* settlements: that the lands in the Bay of *Fundy* are fertilized by being often overflowed; that the inhabitants of *Nantucket* are supplied with their materials for the Fishery from *London*; that they have no Stores laid in; that the Non-Importation Agreement in *America* would stop the Fishery in time; that the only materials for building their Fishing Vessels, got from *London*, were Sails and Rigging, that there is an Act which prevents the pressing of the men employed in the *New England* Fishery; that the money arising from this Fishery amounts to about £333,000; that the Quakers are of a peaceable disposition, and did not send any Delegates to the Congress; that they chose but one Representative; that they drink Tea; that they were no ways concerned in the destruction of the Tea; that they reside chiefly upon the Island, and are no great politicians; that he never heard of any persecution at *Halifax* on account of religion, but has heard formerly of persecution on account of religion at *Massachusetts Bay*; that though the people of *Nantucket* would not, by choice, go to another part of *America*, where the trade was restrained, yet they would prefer going there rather than to *Halifax*; that these people have not entered into any combination not to import Goods from *Great Britain*, and that they think this Bill will restrain them from Fishing after the first of *June* next."

Whereupon the clause in the Bill relating to the Island of *Nantucket* was read in the engrossed Bill, whereby it appeared that some words having, by mistake, been omitted in the printed Bill, was the reason of the witness's being of opinion, that this Bill would restrain them from any Fishery after the first of *June* next.

The witness being further examined, acquainted the House "That there are very few others than the Islanders

* Lord *Rockingham* moved that Mr. *Barclay* might be called and examined first; but on Mr. *Barclay's* declining to give evidence, (*not having personal knowledge of the facts*) Mr. *Jenkins* was called.

Duke of *Richmond*. What is your profession?

Jenkins. A Mariner, in the *Newfoundland* Fishery; a Master of a Vessel.

Duke of *Richmond*. Do you know the Island of *Nantucket*?

Jenkins. Yes I do.

Duke of *Richmond*. How many inhabitants has it?

Jenkins. Six or seven thousand.

Duke of *Richmond*. By what do they exist?

Jenkins. The Fishery of Cod, and of Whale, &c.

Duke of *Richmond*. What is the size of that Island?

Jenkins. Fifteen miles long, and three broad.

Lord *Camden*. From whence are the inhabitants fed?

Jenkins. From the Main, from *Jersey*, *New-York*, &c.

Lord *Camden*. Do they not grow Corn and Provisions to feed themselves?

Jenkins Not enough to feed twenty families.

Lord *Shelburne*. If this Bill passes will it not injure them greatly?

Jenkins. Certainly.

Lord *Shelburne* How?

Jenkins. They must migrate or starve.

Lord *Shelburne*. Where will they migrate?

Jenkins. To the other Colonies in *New England*.

Lord *Townshend*. Will they not settle in *Nova Scotia*?

Jenkins. No.

Lord *Townshend*. Why not?

Jenkins. It is a barren country, and the Government, they think, is Military.

Lord *Townshend*. Did you never hear of the tract of land on the Bay of *Fundy*, which belonged to the neutrals—cleared, but not settled?

Digitized by Google

who have any shares in their Fishery; that if the Bill passes they will not be able to get any Provisions, without which they cannot carry on their Fisheries; that the Provinces of *New England* and *Massachusetts Bay* have no superfluity of Provision to supply them with; that *New England* is supplied with Provisions from *Baltimore, Pennsylvania*, and *Carolina*; that Provisions were sent to the Army, in the last war, from *Connecticut*; that there is not a sufficiency raised in *New England* for their own consumption; that they supply the *West Indies* with live Cattle, and can supply *Nantucket* with Beef and Pork, but not Bread, not having sufficient for themselves; that *Newfoundland* is supplied with Provisions from *New-York, Jersey, Pennsylvania*, and *Maryland*; that one reason of

Jenkins. I have, but the quantity is so small that it is no object.

Lord *Townshend.* Nor of another tract called *Lunenburgh*, settled by *Germans*, so fertile by the overflowings of the tide that they take crops from it every year without diminishing its richness?

Jenkins. Small spots.

Duke of *Richmond.* If this Bill takes place, from whence is the Island to have its Provisions?

Jenkins. I understand they are to have none at all.

Duke of *Richmond.* Cannot they be supplied from *New England*?

Jenkins. Impossible.

Duke of *Richmond.* Why?

Jenkins. Because *New England* has not enough for herself.

Lord *Sandwich.* Does not *New England* export Provisions to the *West Indies*?

Jenkins. No Corn.

Lord *Sandwich.* Nor live Stock?

Jenkins. Some.

Lord *Sandwich.* Are there not many Sheep in the Island?

Jenkins. A considerable number.

Duke of *Richmond.* If this Bill passes, can the Islanders build Ships for their Fishery and trade?

Jenkins. No.

Lord *Sandwich.* From whence comes the materials for their Shipbuilding?

Jenkins. From *London.*

Lord *Sandwich.* Their Timber?

Jenkins. They grow it, and have it from the Main.

Lord *Sandwich.* Their Iron?

Jenkins. From the Colonies.

Lord *Sandwich.* Their Masts?

Jenkins. From *New England*?

Lord *Sandwich.* Their Rigging?

Jenkins. All from *London.*

Lord *Sandwich.* So then the Timber, Iron, and Masts of the *Americans*; these, I think, are a pretty considerable part of the Ship, and only a part of the Sails and Cordage from *Britain.*

The next witness that was called was Mr. *Brook Watson*, who introduced his examination with the following words: If this noble House will allow me, I will lay before them such a state of the Fishery as may be found to give more satisfaction than answering single questions. I will, therefore, first read an account of the *North American* Export, as it was in the year 1764.

Lord *Gower.* Is that account taken from Custom House Books, or is it an account from private information.

Watson. My Lords, the way this account was made is this: upon the question of the repeal of the Stamp Act being agitated, the Merchants had a meeting to procure an account of their Exports to *North America.* A box was provided, and in it every Merchant put a paper, on which was written the account of his Exports to each Colony. The total is upwards of £2,700,000.

Lord *Gower.* Has this account been compared with that of the Custom House?

Watson. It has not; the Merchants never thought of comparing an account which they know to be true, with another which they were sure must be false.

Lord *Sandwich.* I should wish Mr. *Watson* would give his reasons for saying the Custom House accounts are false.

Watson. It is impossible they should be otherwise; Merchants, when they make their entries, always enter more than they ship, in order that fresh Goods being sent on board may not want fresh cockets and other expenses, so that the Custom House entries will always be beyond the truth.

He then read an account of the *British* Fishery; distinguished under many heads of Ships, Schooners, Shallops, &c., the Tonnage, Men, Fish, Value, Returns, &c. This is a part of the evidence in which accuracy must be the greatest merit; and therefore to trust one's memory, would be an impertinence to the reader.

Duke of *Richmond.* Does Mr. *Watson* think the Fishery is increased since 1764?

Watson. Very considerably.

Duke of *Richmond.* What may be the value of the *New England* Fishery?

Watson. Three thousand Pounds a year.

Duke of *Richmond.* If by this Bill they are deprived of it, can they make it up by turning to any thing else?

Watson. Most certainly not.

Duke of *Richmond.* Will they be able then to make returns to this country?

Watson. No.

Lord *Shelburne.* Do the *New England* Provinces abound in Provisions?

Watson. They abound in live Stock, but not in Corn.

Lord *Shelburne.* Have they superfluity enough to supply *Nantucket*?

Watson. They have not Bread enough for themselves, and therefore certainly can spare none?

Withdrew.

Lord *Sandwich.* I desire that Mr. *Lyster* may be called to the bar. What is your profession?

Lyster. A Merchant Adventurer from *Poole*, in the *Newfoundland* Fishery.

Lord *Sandwich.* How long have you been in the trade?

Lyster. Thirty-eight years.

Lord *Sandwich.* Were you ever in *Newfoundland*?

Lyster. I am there every season.

Lord *Sandwich.* What share of the trade have the Towns of *Dartmouth* and *Poole*?

Lyster. About two-thirds; *Bristol, Weymouth*, and other places, have the rest. The two Towns have four hundred Vessels employed.

Lord *Sandwich.* How many Seamen does the *British* Fishery employ?

Lyster. In all about twenty thousand.

Lord *Sandwich.* What new men does it breed?

Lyster. Three thousand annually.

Lord *Sandwich.* Could the *British* Fishery increase sufficiently to supply those markets now supplied by *New England*?

Lyster. Certainly.

Duke of *Richmond.* As cheap and as good?

Lyster. Yes; at *Bilboa* the *New England* Fish has a preference, but it is trifling.

Duke of *Richmond.* Do they not build their Ships and navigate them cheaper?

Lyster. They may.

Lord *Sandwich.* Does the Navy ever get any Seamen from the *New England* Ships?

Lyster. I never knew them in my life.

Davis, a Mariner, was then called, whose evidence was a confirmation of the preceding, and he asserted that a Ship of two hundred tons from our Ports for the Fishery, carried out one hundred Men; but a *New England* one only twelve or fifteen.

Lord *Sandwich*, upon this, remarked to the House what a great difference there was between our own Fishery and that of *Boston*, &c., in breeding Seamen, and that the *New England* Men were of no use to the Navy, as, by Act of Parliament, they could not be pressed.

Duke of *Richmond.* Could our own Fishery be ready for the next season to employ twenty thousand tons additional, in lieu of the Provinces of *New England*?

Lyster. It would be necessary; more than half of the *New England* Fishery will be over before the Act takes place, and a good year's fishery may make up the rest.

Duke of *Richmond.* You acknowledged that the *New Englanders* could build and navigate cheaper than you, and that their Fish had the preference at *Bilboa*; will not the *French* then run away with a considerable share of it?

Lyster. I think not; since the last peace the *French* has not more than supplied their home consumption.

Duke of *Richmond.* Perhaps, then, you think it would be advantageous to this country to have the *New Englanders* cut off forever from this Fishery?

Lyster. I do.

Duke of *Richmond.* Will you enlarge your trade upon account of the change?

Lyster. I and many more shall and have done it in expectation.

Duke of *Richmond.* Your profit then will be greater if it passes? [*Lyster* hesitated a little.]

Lord *Camden.* You expect a profit from this Bill individually to yourself?

Lyster. I must run the hazard; if the Bill is passed and then repealed, I shall be a sufferer.

Commodore *Shuldham.*

Lord *Sandwich.* You have been for some time Governour of *Newfoundland*?

Shuldham. For three years.

Lord *Sandwich.* How many Men does the *British* Fishery employ?

Shuldham. Seven thousand Seamen.

Lord *Sandwich.* How many fresh Men does it form annually?

Shuldham. About two thousand two hundred.

Lord *Sandwich.* But what is the total of all Ports.

Shuldham. It will amount to twelve thousand.

Lord *Sandwich.* Passengers and all, and those left in *Newfoundland*?

Shuldham. Including them the total will be twenty-three thousand.

Lord *Sandwich.* Does the *New England* Fishery supply the Navy with any Seamen?

Shuldham. None; or at least a very trivial number, perhaps half a dozen in four or five hundred.

Lord *Sandwich.* Do they get Seamen from us?

Shuldham. They do sometimes.

Lord *Sandwich.* Did you ever know any outrages practised by the *New England* Fishers upon the *British* ones?

Shuldham. I have; they have burnt and destroyed the stages, and done them other mischief.

Lord *Sandwich.* Are they not assistant to the *French* Fishery and Settlements at *Pierre* and *Miquelon*?

Shuldham. They supply them with Provisions; almost support them.

Lord *Sandwich.* Then the *New England* Provinces have Provisions to spare?

Shuldham. I suppose so, by their supplying the *French.*

Duke of *Richmond.* Are those Provisions of their own growth, or do they import them?

Shuldham. I do not know.

Lord *Sandwich.* Do not the *New England* Fishing Ships carry on an illicit trade with the *French*?

Shuldham. Considerably; their Ships meet at Sea, and they supply them with Provisions, Rum, Stores, and the Ships themselves, and return loaded in part with *French* Manufactures.

Lord *Sandwich.* Do you not, upon the whole, think that cutting off the *New England* Fishery forever, would be an advantage to *Britain*, relative to the Navy?

Shuldham. Indeed I think so; I apprehend there would be more Seamen for us.

Sir *Hugh Palliser* was then called and questioned to the same points as Mr. *Shuldham.* He confirmed the whole of his evidence, and was of the same opinion as to Lord *Sandwich's* last question.

Digitized by Google

their wanting Provisions, is the great quantity consumed in the Fishery—and that so many men are employed in the Fisheries that there are not enough left at home to cultivate the land, but if not employed in the Fishery, might, in time, be able to raise more Provisions; that if the people of the Continent would or could send them Provisions they would have no money to pay for them if the Fishery was stopped, but if it is not stopped they could pay for them; that there are many Sheep raised on the Island of *Nantucket;* that considerable quantities of Oats and *Indian* Corn are sent from *Massachusetts Bay* to the *West Indies.*"

He was directed to withdraw.

Then Mr. *Brook Watson* was called in, and, being sworn, acquainted the House "That he was an *American* Merchant, and well acquainted with the Fisheries in *North America;* that he had been examined at the bar of the House of Commons on that subject; that in his passage to *North America*, in 1766, he made out a state of the *American* Fishery in 1764; which state he carefully corrected from the best information on his arrival in *North America;*" and then produced the said state, being the same he had produced at the bar of the House of Commons. He then read the said state at the bar, and afterwards delivered the same in to the House.

"State of the Exports from *Great Britain* to, and Fisheries of, *North America*, in 1764."

He then acquainted the House "That the *American* Fisheries were much increased since the year 1764; that remittances were received for *American* Fish from *Spain, Portugal*, and *Russia;* that large quantities of *New England* Rum are sent to *Quebec*, for which they return Money, Bills of Exchange on Merchants in *London*, and some Wheat; that it was too copious a subject for him to enter into a detail of the general state of trade between *Great Britain* and *America;* that his account of the Exports from *Great Britain* to *America* was made up about the time of passing the Stamp Act; that a Committee of Merchants being appointed to draw up a state of the then trade between *Great Britain* and *America*, each Merchant wrote the amount of his exportation from *Great Britain* upon a piece of paper, but did not sign his name to it, and put it into a box, and the whole amount is specified in the paper he had delivered in, or as near as could be; that the Merchants here generally deliver in at the Custom House an invoice of one third more than is really shipped, and that no Officer of the Customs can make an exact estimate of what is exported to *America;* that the people of *North Carolina* cannot afford to clothe themselves so well as those of the other Provinces; that he never was at the Island of *Nantucket*, but that he knows there is a trade carried on from there in Fish; that four of the Provinces in *New England* do not raise Bread sufficient for their own consumption, and that he has known great quantities of Bread sent to *Boston* from *London* and *New-York;* that he does not know of any immediate substitute for Bread the people of *Nantucket* could eat; that if the Fishery is stopped, the men employed in it cannot turn their hands to any other business; that the restraint upon the *Nantucket* Whale Fishery is taken off by a clause in the Bill; that he don't know if any other persons are concerned with them in their Fishing Ships; that they have all the materials for building their Ships from *England*, except Timber; that the indulgence given by the Bill to the people of *Nantucket*, he fears, will be of little consequence to them; that the *Americans* pay for the Goods from *Great Britain* by the profits of their Fisheries, and by the money they get for the Ships which they build in *America*, and load with Goods for the *West Indies*, where they receive Sugars for their Goods, which they bring to *Great Britain*, where they and the Ships are sold; that if the Bill passes the *Americans* cannot make any returns to *Great Britain* for Goods, nor pay the debts they now owe; that the Merchants in *London* are not concerned in the property of the *American* Fisheries; that the people of *Nantucket* cannot be supplied with Flour from *Quebec*, because at *Quebec* they have only a number of Mills sufficient to grind Corn for themselves, but that they may have a supply from other Provinces; that the weather is so severe at *Quebec* that the Mills cannot work above seven months in the year; that he can't tell, if the other Provinces in *America* should return to their allegiance, whether this Bill would affect *Nantucket;* that, by this Bill, the people of one Province being made answerable for another, *Nantucket* will not receive her usual supply of sustenance; that though the inhabitants of *Nantucket* are the obedient subjects to the laws of this country, and are, and have been, acting with all possible precaution, yet they must suffer on the account of others who may be refractory."

He was directed to withdraw.

Then Mr. *Benjamin Lyster* was called in, and, being sworn, acquainted the House "That he was a Merchant Adventurer in the *Newfoundland* Fishery for thirty-eight years; that he goes to *Newfoundland* every Summer, and is a large dealer in that trade; that he thinks, that if the *American* Fishery was stopped, the foreign markets might be supplied with Fish from *Great Britain* alone in future, and in part this year; that the principal Ports in *England* from whence the *Newfoundland* Fisheries are carried on, are *Poole* and *Dorset**; that four hundred sail are sent from *Great Britain*, the tonnage of which amounts to thirty-six thousand tons, and two thousand Shallops, making twenty thousand tons more; that twenty thousand men are employed, twelve thousand of which return to *Great Britain* and *Ireland;* that they are obliged to carry out every year one man in every five, who is what they call a green man, or one who has never been at Sea before, by which means the *British* Fishery raises three thousand fresh Seamen every year; that they catch about six hundred thousand quintals of Cod Fish, which, for about seven years, has sold at fourteen Shillings the quintal; that the quantity of Salmon caught amounts to about three thousand tierces, at six Shillings and five Pence the tierce—quantity of Cod Oil, three thousand tons, at twenty-three Pounds per ton—Seal Oil, eight hundred tons, at twenty-five Pounds per ton; that they get few Seal Skins, the duty upon them here being so high as to be almost a prohibition of the importation of them, but the *New England* people are exempted from the payment of any duty upon them; that the returns from abroad for the produce of the *British* Fishery is made in raw materials, Barills,† Oil, and some Specie; that the nett produce of the *British* Fishery amounts to about five hundred thousand Pounds, all which centres in *Great Britain;* that all the materials of the Ships employed in this Fishery are bought in *Great Britain;* that the greatest part of the profits arising from the *American* Fishery, centres in *America*; that in war-time the *British* Fishery is not carried on with the same advantage as the *New England* Fishery, as the *New England* Fishermen are exempted, by Act of Parliament, from being pressed, which the *British* Fishermen are not; that the Act of King *William* does not prevent the *Americans* from fishing on the banks of *Newfoundland*, but only from drying their Fish on shore; that he does not know if the whole Fishery, including the Whale Fishery, could be carried on by *Great Britain* only; that the *Newfoundland* Fishery carried on from *Great Britain* is the beneficial nursery for Seamen; that he would not have the Fishery confined only to the Ports of *Poole* and *Dartmouth*, but would have it confined to *Great Britain* only; that if the *American* Fishery was stopped, other places in *Great Britain* besides *Poole* and *Dorset*‡ would engage in it; that the *French* would gain no share in it more than they have, as their Fisheries are bounded; that it would increase the number of *British* and *Irish* Fishing Vessels, and consequently increase the number of *British* Seamen; that the best dried Fish are best for the markets, and there are different markets for all the different sorts of Fish—the *Italian* market is for small Fish; that, in time, the *British* Fishermen would be able to equal the *New England* Fishermen in curing Fish for the *Bilboa* market; that in 1773 there was more Fish caught than was wanted, and that the markets were glutted; that *England* can supply half of the Fish for the *American* markets this year; that the *French* can only supply themselves; that he cannot tell whether *New England* can sell Fish cheaper than *Great Britain*, but that they can afford to sell it cheaper; whoever comes first to the banks has the right of drying; that if *New England* was restrained forever from this Fishery it would be a benefit to *Great Britain;* that he buys three hundred

* Sic; it should be *Dartmouth*. † Sic; it should probably be Barilla.
‡ Sic; it should be *Dartmouth*.

Digitized by Google

hogsheads from *New England* every year; that he thinks if *New England* was deprived of their Fishery, they would not be able to import Goods from *Great Britain;* the Ships from *Great Britain* to *Newfoundland*, now employed, make but one trip in a year, but may make two in future; the *British* Fish sell for one Pound a ton, the *American* Fish from fourteen Shillings to twenty Shillings per ton."

He was directed to withdraw.

Then Mr. *George Davis* was called in, and, being sworn, acquainted the House "That he was a *Newfoundland* Merchant, and had been in that trade for twenty-four years; that if the *New England* Fishery was stopped, the foreign markets might partly be supplied this year from *Great Britain;* that the *French* cannot increase their Fishery on the Coast, and that their Fish are not approved of at market, not being so well cured as ours; that of late years the *New England* Fishery is much increased, and the *British* Fishery very much decreased; that the *British* Ships employed in the *Newfoundland* Fishery are generally about two hundred tons burthen, and their number of hands is one man to two tons; that the Ships employed in the *New England* Fishery carry but twelve hands each; that the *New England* Fish are as good as ours, but not fit for the *Italian* market; that the greatest part of the profits of the *New England* Fishery centres there, but a small part is returned here for the Manufactures of this country; that the *New England* Fish sometimes bears a better price than ours; that the foreign markets might be supplied entirely from *Great Britain*, if the *New England* Fishery was stopped; that it is not more expensive to send Ships from *Great Britain* than *New England;* that the *New England* men have more wages than ours; that they begin to fish sooner than we, but it is very little advantage to them; that our men entering on board their Fishing Ships is a great hurt to the *British* Fishery; that the witness's trade is from *London*; that if this Act should pass, he will reap benefit from it; that he has already enlarged his capital, and shall enlarge it more if the Act passes; that the time of the *New England* Ships getting to market depends upon the seasons; that they get something sooner to the markets, except the *Spanish* markets, than the *British* Ships; that he knows no other reason for the *Italians* preferring the small Fish than their pride, which makes them prefer the having one whole Fish at table rather than a piece of a large Fish; that though all the men carried out in the *British* Ships are not employed in navigation, the greatest part of them going out to be employed in the Fishery—yet all that are carried out return Seamen; that a *New England* Ship of two hundred tons carries about fourteen or sixteen men, and has no Boats; that a *British* Ship has but one Boat, the men being distributed in the Shallops for fishing."

He was directed to withdraw.

Then *Molyneux Shuldham*, Esquire, was called in, and, being sworn, acquainted the House, "That he has been Governour of *Newfoundland* for three years; that the quantity of Cod caught last year amounted to seven hundred and fifty-nine thousand eight hundred and seventy-seven quintals, at nine Shillings a quintal; that the number of men employed in this Fishery amounts to twenty-three thousand six hundred and fifty-two men, all of whom became Sailors; that he has had great complaints of the outrages committed by the *New England* Crews employed in the Fishery; that they cannot take any Seamen out of the *New England* Ships, but that a great many are got out of the *British* Fishing Ships; that the *New England* Ships carry on an illicit trade with the *French;* that they load with Provisions and Lumber, and go to meet the *French* Ships at Sea; that they sell them Ship and Cargo, and take *French* Manufactures and *India* Goods in exchange; that the *New England* Ships carry Provisions to the *French* at *Miquelon* and *St. Pierre*, and he supposes they must have a superfluity of Provisions; that they supply the *French* Fishermen with Flour from *Indian* Corn; that numbers of our Seamen desert the *New England* Ships; that the *New England* Seamen are not so good Seamen as ours; that in the last war very few of them were employed on board of our Men-of-War, perhaps there might be six or ten of them on board a Man-of-War of sixty guns; that if this temporary restraint on the *New England* Fishery was made perpetual, it would be a benefit to *Great Britain*."

He was directed to withdraw.

Then *Sir Hugh Palliser*, Baronet, was called in, and, being sworn, acquainted the House "That in the year 1768 he was Governour of *Newfoundland;* that the number of Ships then employed in that Fishery was three hundred and eighty-nine—Shallops two thousand one hundred and nine, the tonnage of which amounted to **********, the number of men nineteen thousand one hundred and ninety-eight; that this Fishery is the best nursery; that the men are better for the Men-of-War than those taken out of the Colliers; that it would be impossible to man a Fleet, but in a great while, if it was not for the men they get from the *Newfoundland* Fishery; that few or no Seamen are got from the *New England* Fishery; that if the *New England* Fishery was entirely stopped, the *French* would not be benefited, as the *English* are in possession of the markets; that he does not know any thing about the Island of *Nantucket;* that whether the restraining of the *New England* Fishery is temporary or perpetual, it will be an advantage to *Great Britain*; that the Fishery might be carried on from *Great Britain*, *Ireland*, *Jersey*, and *Guernsey*, which would greatly increase the nursery for Seamen; that the *New England* Ships carry Provisions to *St. Pierre* and *Miquelon;* that the *New England* Fishery would be an advantage to *Great Britain*, if there was a power given to press their men."

He was directed to withdraw.

Ordered, That the further consideration of the said Bill be put off till to-morrow, and the Lords summoned.

THURSDAY, *March* 16, 1775.

The Order of the Day being read, for the further consideration of the Bill;

The Earl of *Dartmouth* observed, that as the witnesses deemed necessary on the occasion, had been thoroughly examined, their Lordships now possessed the fullest information; he therefore moved "To commit the Bill."

The Marquis of *Rockingham* opposed the motion. His Lordship asserted that the Bill was oppressive and tyrannical throughout; that the principle which pervaded it, and the means of putting it in execution, had one merit—that of consistency; and that, from the same motive, he should heartily dissent from every syllable of its contents. He meant not to trouble their Lordships in any future stage of the Bill, or perhaps at all on the same subject, during the continuance of the session, for which reason he hoped for their indulgence on the present occasion. He desired to repeat, that the present Bill, and every other framed on the same principle and directed to the same object, to be attained only by the most flagrant acts of cruelty and oppression, must forever continue to meet with his strongest disapprobation; that as he had uniformly dissented from every *American* measure lately adopted, he now felt the double impulse of principle and of humanity both strongly urging him to express the utmost abhorrence of the Bill before the House. The evidence in support of the Petitions had clearly demonstrated the several evils that would result from the Bill, should it pass into a law. Had the counter evidences invalidated these facts? So far from it, that the whole of their testimony tended to prove a matter foreign to the point; for, when it was urged on the one hand, "that the Mercantile interest of this country would "sustain a material injury, and that some thousands of in-"nocent people would be reduced to famine, should the "Bill pass into a law," evidences had been contrasted, not to disprove these allegations, but merely to evince "that "the *British Newfoundland* Fishery was an excellent "nursery for Seamen!" Was this an answer to the objections urged against the Bill? Did it obviate all, or any of the obnoxious clauses? Rather, by not so much as touching the facts alleged by the evidences in support of the Petition, did it not shew that those facts were incontrovertible; and that all the miseries as set forth by the Petitioners to be expected from the Bill, were founded on just apprehensions? That the noble Lord who presided at the head of the Admiralty, should eagerly catch at any project which carried but the least appearance of increasing the maritime power of this country, was perfectly natural; it

Digitized by Google

fell in with the duties of his department. But the question before the House was not whether the *British Newfoundland* Fishery afforded an excellent nursery for Seamen? but whether an innocent people should be reduced to every extreme of poignant misery? Whether they should be cut off by any inhuman act, from the very means of subsistence? Whether the trade of *Great Britain* should ultimately sustain a shock, and the whole body of the *North American* Merchants be reduced to suffer hardships, from which their importance to the state entitles them to be wholly exempt? These were the questions before the House for discussion; because, on the determination of these points, depended the final acceptance or total rejection of the Bill. If the trade of *England* should be at stake, it could not be admitted as a plea of justification for the loss of that trade, to say, "that an additional number of Seamen were raised;" nor, if a people were to experience the horrours of famine, would it be the smallest alleviation of their sufferings to allege, "that the measures, "although harsh, yet occasioned the fitting out a greater "number of Shallops, and thus afforded employment for a "greater number of Sailors." Yet this was tantamount to the whole of the evidence delivered in favour of the Bill; and that this did not operate as exculpatory of the evils flowing from this iniquitous source, was extremely certain; it left no favourable impression on the mind; humanity and sound policy still refused their concurrence with the measures; justice revolted at it, as in every respect repugnant to her righteous decrees; and thus, unsupported by every human virtue, the Bill should be rejected through every principle of human wisdom.

His Lordship then entered into a comparative view of the trade of *America* at different periods, and that of *New England* in particular. He quoted from the Papers lying on the table, that the Exports in 1704, amounted to no more than £70,000 per annum; in half a century, in 1754, it was £180,000; about the time of the repeal of the Stamp Act, in 1766, it was nearly £400,000; and within the last ten years it had so prodigiously increased, as to amount to 7 or £800,000. This increase had extended itself, he was well assured, in pretty much the same proportion to all the other Colonies; and it appeared by a gentleman who gave evidence at the bar, (Mr. *Watson*) that the amount of total Exports in the last mentioned period, was above £2,600,000. His Lordship said he could not help remarking the agreement there was between that gentleman's account and the one on the table, which made the Exports to all *America*, in 1764, about £2,700,000.

The vast increase and consequent importance of the *North American* trade being thus clearly demonstrated, the illustrious Marquis censured the impolicy of measures which struck at the existence of a branch of commerce of such extreme magnitude; but the House, in the discussion of *American* affairs, has hitherto proceeded in the gross, without ever considering the detail of things; yet this default was to be ascribed to the Ministry, who seemed studiously to withhold the necessary information; and in matters fraught even with national ruin, such intelligence was kept back as might throw light on affairs proper for investigation. Thus, with respect to *American* Papers, they were laid before the House in a most mangled state, such only being submitted to the inspection of the noble Lords as answered a temporary purpose, or served to corroborate the assertions of those in office. As an exemplification of this truth, a letter from Lord *Dunmore*, giving an account of the then state of things in *Virginia*, dated in *December*, had been laid before the House, because that letter treats the *Americans* as an "infatuated people," and encourages Administration to hope for a speedy accomplishment of their purposes; yet not the least notice is taken in that letter of the following Association, into which the Officers of Lord *Dunmore's* Army had entered, early in the preceding *November:*

"At a Meeting of the Officers under the command of his Excellency the Right Honourable the Earl of *Dunmore*, convened at Fort *Gower*, *November* 5, 1774, for the purpose of considering the Grievances of *British America*,

"*Resolved*, That we will bear the most faithful allegiance to his Majesty King *George* the Third, whilst his Majesty delights to reign over a brave and free people; that we will, at the expense of life, and every thing dear and valuable, exert ourselves in support of the honour of his Crown and the dignity of the *British* Empire. But, as the love of liberty, and attachment to the real interests and just rights of *America*, outweigh every other consideration, we resolve that we will exert every power within us for the defence of *American* Liberty, and for the support of her just rights and privileges, not in any precipitate, riotous, or tumultuous manner, but when regularly called forth by the unanimous voice of our countrymen.

"Signed by order, and in behalf of the whole Corps.

"BENJAMIN ASHBY, *Clerk*."

Could Lord *Dunmore* be supposed ignorant of this Association? It was impossible that his Lordship could be ignorant of so important a fact, a fact of such notoriety, a fact so truly alarming. But were that even so, a paper which he held in his hand, made it clear that his Lordship could be at least no stranger to its being published at *Williamsburg*, in *Virginia*, the seat of his Government, two days preceding the date of his celebrated despatch. Perhaps it might have been a spurious account, and as such his Lordship could not have taken notice of it; but if that were the case, he should be obliged to some noble Lord in Administration, to rise and tell him so; otherwise he must continue to think that the proceeding of the noble Governour was not to be accounted for, consistent with his duty, or at least with the duty of those, who, having better information, thought proper to hold it back. To treat the associations of the people with superciliousness, and affect to consider them of little moment, at the same instant that a military league was entered into by the Officers of Lord *Dunmore's* own Army, whereby they pledge themselves to defend *American* Liberty with the sword, what was this but to talk at random without adverting to the true state of things? But Administration were accustomed to deal in generals themselves, and hence they might encourage general assertions unsupported by facts in others; thus, general hints had been thrown out respecting the *New-York defection;* yet, when the fact was examined into, to what did it amount? Why, the very persons on whom Ministry placed the firmest reliance, though they may disclaim the authority of the Congress, yet have they virtually denied the Legislative authority of *Great Britain*, and voted, in consequence, a Petition to the King, a Memorial to the House of Lords, and a Remonstrance to the Commons! Did not these things plainly indicate that even the *friends* of Government in *America* are averse to the measures of Administration? And, if those on whom the noble personages in office rely the most, cannot yet be brought to approve their deeds, from avowed enemies nothing but an opposition, constantly and extremely rigorous, was to be expected.

The illustrious Marquis next avowed it by no means his intention to combat this or that particular clause of the Bill, he directed his enmity to the whole; he disliked the *starving* principle on which the Bill was framed; which, he said, exactly resembled the mode adopted by Marshal *Rosen*, King *James* the Second's *French* General in *Ireland*, in order to reduce the rebellious citizens and other defenders of *Londonderry*. They, brave men, as the *Americans* are now, were styled Traitors and Rebels; and they, as well as our rebellious subjects in *America*, were to be starved into compliance; that is, the means employed were to be justified by the goodness of the cause. The Marquis wished his noble auditors to bear in mind the situation of the *New Englanders*, to be deprived of sustenance, if the Fishery Bill took place; as thus alone could the House determine as to the similarity of measures. He then read an order from *Rosen*,* for obliging the garrison

* "*Conrade de Rosen*, Marshal General of all his Majesty's Forces, declares by these presents to the Commanders, Officers, Soldiers, and Inhabitants of the City of *Londonderry:* That in case they do not, betwixt this and *Monday* next, at six o'clock in the afternoon, being the 1st of *July*, 1689, agree to surrender the said place of *Londonderry* unto the King, upon such conditions as may be granted them, according to the instructions and power Lieutenant-General *Hamilton* formerly received from the King, he will forthwith issue out his orders from the Barony of *Inisbone*, and the Sea-Coasts round about, as far as *Charlemont*, for the gathering together of those of their *faction*, whether protected or not, and cause them immediately to be brought to the walls of *Londonderry*, where it shall be lawful for those that are in the Town, (in case they have any pity for them,) to open the gates and receive them into the Town; otherwise, they will be forced to see their friends and nearest relations all *starved* for want of food, he having resolved not to leave one of them at home, nor any thing to maintain them. And that all hope of succour may be taken away, by the landing of any Troops in these parts from *England;* he further declares, that in case they refuse to submit, he will forthwith cause all the said country to be immediately destroyed; that if any succour should be hereafter sent from *England*, they may *perish with them for want of food*. Besides which, he has a very considerable Army, as well for the opposing of them in all places that shall be judged neces-

Digitized by Google

of *Derry* to submit, which was, to collect the wives, children, and aged parents of the garrison, to drive them under the walls of the Town, there to perish, in the presence of their parents, husbands, and other relations; and if they offered to return, to fire on and massacre them. But as weak, infatuated, and bigoted, as that Prince was, his heart revolted at such a horrid expedient of subduing his enemies; for as soon as it reached his knowledge, he immediately countermanded the barbarous order, and left the innocent and unoffending to their liberty. The principle, he contended, was the same; the *Irish* Rebels might have avoided the barbarous purpose, by submitting; so, we should be told, in the course of this day's debate, may the Rebels of *America*.

The noble Marquis concluded with a general disapprobation of all the measures pursued relative to *America*, since the repeal of the Stamp Act; and predicted that an useful and constitutional agreement in sentiments, and a cordial reciprocity of interests, would never take place between them and the mother country, till the same principles were once more recurred to.

The Earl of *Carlisle* was surprised that the noble Marquis could possibly conceive the Bill was either intended, or could be supposed to operate in the manner he affected to think it would; no such thing being meant, no such thing could take place. The present was not a question about taxation; it was not involved in difficulty, but simply, whether we were justified in employing the most lenient methods of bringing *America* back to obedience and a proper sense of her duty. The Bill was not formed on the narrow views of loading her with taxes, or for the sake of a paltry revenue. He believed the Ministry had no design of forcing her into any such concession; if they had, he was certain that neither he, nor any of the other Lords who intended to vote for the measure, had any such desire.

The Duke of *Manchester* censured the Bill generally, as indiscriminately cruel; for it involved the guilty and the innocent in one common punishment. A clause, however, there was, which precluded every hope that the Fishery, of which the *New Englanders* were thus to be deprived, would ever be restored to them; for, the re-surrender of the Fishery into the hands of the *Americans*, depended on the restoration of the trade and commerce with *Great Britain*, and on the re-establishment of peace throughout the *Massachusetts*. The trade with *Great Britain* is to be carried on without the smallest interruption, for one calendar month. This fact is to be certified to the Governours and Council of the Provinces of *New-Hampshire* and the *Massachusetts*, by the Custom House Officers of the respective Provinces; considering, therefore, that the minds of such men are generally actuated by the meanest passions, could it be presumed that they would be in haste to certify what, if true, would contribute to the welfare of those against whom, for some petty injuries received, they may have entertained the most violent prejudices; and who, in their several stations besides, are to share among them the forfeitures to be received under this Act.

With respect to the *famine* threatened by the Bill, the noble Duke could not perceive the evil in any degree remedied, because some scores of *Sheep* were scattered on the Island of *Nantucket*. Were those the property of the Fishermen, whose occupations were to be obstructed by the Bill? If they did not belong to Fishermen, saying they were on the Island, was saying nothing to the purpose. Could the noble Lord who urged this fact, mean that if the Fishermen stood in need of food, they might seize what Sheep they found on the Island, and kill them for their sustenance? This could never be meant; for this would be to authorize injustice, and countenance plunder. What availed it then to allege that Sheep were on the Island? The Fish caught by the industry of the inhabitants, had hitherto afforded them subsistence; to this they had an unquestionable right; but of this they were to be deprived by the Bill, and it was miserable consolation to tell them there were Sheep on the Island, to which they had no right. Equally absurd was the allegation, "that the *Americans* only would feel the effects of the Bill." The noble Duke had every reason to believe the property of many *English* Merchants was embarked in the Vessels which carried on the *New England* Fishery; why was that property to be injured? Why were *English* adventurers to be punished for crimes, in the commission of which they participated not? Was this justice, or was it tyranny? Was it not like the "tender mercies of the wicked," cruelty in the extreme? On the whole, to whatever part of the Bill the noble Duke turned his eyes, he could descry nothing but what bore the complexion of despotism; and, whether owing to the love of liberty, with which his mind had been early tinctured to a peculiar turn of thought, or to whatever other cause, yet he could not help presaging future evils from measures which carried so arbitrary, so tyrannical an appearance. Admitting the *Americans* enslaved, yoked, and in every thing obedient to our wishes, extreme dangers were to be apprehended; the Army employed to subjugate the Colonists, might prove instrumental in the destruction of our liberties; it was possible an arbitrary Minister might select that Army for the very purpose; and in the noble Duke's opinion, it was not improbable, but that there were *some* distinguished personages connected with Administration, who, far from rejecting the idea, would adopt the plan with alacrity.

The Earl of *Denbigh* rose to correct a mistake which the noble Duke fell into, relative to the inhabitants of *Nantucket*, by informing him, that the Bill was not correctly printed from the copy; for that in the engrossed Bill every thing which had the least appearance of severity was provided against. As to the certificate required from the Custom House Officers, he said, that proceeded from a misapprehension of the noble Duke, for the application was to be made to the Governour of the *Massachusetts Bay*, not to the Custom House Officers. His Lordship then disclaimed the imputation thrown out by the noble Duke on Administration, so far as it might be supposed to affect himself, and was certain, that no one member of it ever harboured such a thought.

The Duke of *Manchester* answered, that the clause respecting *Nantucket*, however construed, could extend no further than to the Whale Fishery; for it still left all, but those employed in that Fishery, to starve without employment or bread. He still maintained what he asserted, respecting the mode of application to the Custom House Officers, so far as it related to the Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*. His Grace then read the clause out of the Bill, "If it shall be proved "to the said Governour and Commander-in-Chief, and "Council of *Massachusetts Bay*, by the testimony of the "Officers of his Majesty's Customs," &c. The noble Duke then exculpated his Lordship from the most distant suspicion that he would concur in any design to enslave his country, were he first Minister.

The Earl of *Denbigh* thanked his Grace for the good opinion he entertained of him; but if his insinuations were directed at a noble Lord who presided at the head of the finances, he begged leave to assure him he was mistaken; for he had known that noble Lord (*North*) from his early youth; they had been bred up together; he was perfectly acquainted with his disposition and sentiments; and by a knowledge thus founded and acquired, he could venture to affirm, with the fullest confidence, that there was not a noble Lord in that House, however zealous, would be further from co-operating in any design for overturning the liberties of his country, than he would. He therefore wished that the noble Duke would explain himself; for however flattering his Grace's sentiments might be respecting him-

sary, as for the protecting all the rest of his Majesty's dutiful subjects, whose goods and chattels he promises to secure, destroying all the rest that cannot be brought conveniently into such places as he shall judge necessary to be preserved, and burning the Houses and Mills, not only of those who are in *actual rebellion*, but also of their friends and adherents, that no hopes of escaping may be left for any man; beginning this very day to send his necessary orders to all Governours, and other commanders of his Majesty's Forces, and to Colonel *Sarsfield*, commanding a flying Army beyond *Ballyshanny*; Colonel *Sutherland*, commanding another towards *Inniskillen*, and the Duke of *Berwick*, another on the *Fin Water*, to cause all the men, women, and children, who are any ways related to those in *Londonderry*, or any where else in open rebellion, to be forthwith brought to this place, without hopes of withdrawing further into the Kingdom; that, in case, before this said *Monday*, the 1st of *July*, in the year of our Lord 1689, be expired, they do not send us hostages and other deputies, with a full sufficient power to treat with us for the surrender of the said City of *Londonderry*, on reasonable conditions, that they shall not after this time be admitted to any treaty whatsoever; and the Army which shall continue the siege, and which, with the assistance of *God*, will soon reduce them, shall have orders to give no quarter, or spare either age or sex, in case they are taken by force. LE MARESCHAL ROSEN."

Digitized by Google

self, it took off entirely from the pleasure it would otherwise cause, while it was founded in an insinuation against another, and given at his expense.

The Duke of *Manchester* assured his Lordship, that he had no intention of directly alluding to the noble Lord mentioned.

Viscount *Dudley* observed, that the whole state of the evidence given at their Lordships' bar, had a direct contrary effect upon him from that proposed by those who combated the Bill; for when the interests of this country, the manning of our Navy, the increase of our Seamen, and the employment of our own people, came in competition with the pretended hardships and severities of the Bill, he not only thought that it should receive the approbation of the House on the ground it was taken up on, but that it ought to be made perpetual, in order to secure forever to this country so important a branch of commerce. The Colonies were at present spared, by the lenity and mildness of Administration, who might carry fire and sword throughout the whole Continent of *America*. He totally differed from the noble Marquis, as to the conclusions he drew from the comparative state of the evidence of Mr. *Watson*, and its supposed agreement with that now on your Lordships' table, relative to the Exports to *America* in 1764, as he thought them both equally erroneous. The witness said, that the entries at the Custom House are generally more by one third than the Goods really shipped; and that he and the rest of his brethren, put into a box unsigned papers, containing an account of what each of them exported. Will any noble Lord in this House affirm that there could be an accuracy in such a mode, whereby every man was at liberty to set down any quantity he thought proper, without a possibility of detection. If such be the information this House is to be guided by, I am certain that no reliance ought to be had on it; and that it proves only, that both accounts ought equally to be rejected. He said, two of the noble Lords who spoke on the other side, seemed to feel greatly for the distresses of the *Americans;* but said not a syllable of the present miseries of our own Manufacturers, who were daily dismissed for want of employment; and whose sufferings would, he feared, if not prevented by this Bill, or some other of the same nature, become intolerable. For his part, he lived in the neighbourhood of one of the greatest manufacturing Towns in the Kingdom, (*Birmingham*,) and there the state of trade and the want of work was such, that should it continue much longer, the most dreadful consequences were justly to be dreaded.

Lord *Camden* rose and said: My Lords, I have so often troubled your Lordships on the subject of *America*, that on every new occasion of speaking to it, I rise with great unwillingness and reluctance to encroach on your Lordships' attention; and indeed, I feel myself not a little wearied with the fruitless efforts I have uniformly made since this business has been in agitation. My opinion, on the rights of *England* and the rights of *America*, is well known. I first formed it on the clearest conviction, and it continues the same to this day. This opinion I have uniformly maintained; but the great and certain majorities in both Houses of Parliament, and the great numbers, for I admit there are such, perhaps the majority without doors, differing from those opinions, and overbearing with a high and powerful hand our feeble efforts, have almost wearied me into despair of obtaining any thing in this question, or on this subject, by argument or debate; and I would not now give your Lordships this trouble, but from a consideration of the duty in which I stand, as a member of this House, to interpose my endeavours towards the vindication of justice, and the service of my country. For this purpose, and in this debate, it will not be necessary to go into the several clauses of the Bill with a minute exactness. It will be sufficient for your Lordships to consider the general nature and character of the Bill, to advert to its operation and tendency, and to estimate its fitness and its wisdom, by the qualities that shall be discovered in its nature and character, and by the consequences that are to result from it.

This Bill, my Lords, is held out to us in various lights, and under various characters. It is sometimes described to us as a bill of trade and commercial regulation, to regulate and restrain *North American* Commerce, and in so doing to strengthen and increase the commercial interest of this country. At other times we are told it is a bill of political operation; that it is to increase our maritime power, by augmenting the *British* Fishery at *Newfoundland;* and it is most industriously inculcated by official authority, that the Fishery of *Great Britain* and *Ireland* there, is the great, and perhaps the only source of our marine. We are told by some, that this is a bill of firmness and of vigour, to fill up the measure of justice, and to inflict condign punishment on the obstinate and rebellious Colonists; but other of your Lordships informs us, that it is a bill of mercy and clemency, kind and indulgent to the *Americans*, calculated to soothe their minds, and to favour and assist their interest. But my Lords, the true character of the Bill is violent and hostile. My Lords, it is a bill of war; it draws the sword, and in its necessary consequences plunges the Empire into civil and unnatural war. This, my Lords, is the true description of the Bill; and the various contradictory opinions on it, which I have already stated, will be found by your Lordships, when you consider this subject with due attention, not only contradicted by themselves, but by the truth and reason of things. The evidence yesterday produced at your bar was anxiously examined, to prove the beneficial effects of the Bill to this country, both in its commercial and political character; but when your Lordships recollect the persons who appeared at your bar, to decide points of such importance and such magnitude, you will reject, with due contempt, their petty and interested testimony. A Mr. *Lyster*, of *Poole*, and a Captain *Davis*, were to instruct your Lordships in the political system of *Great Britain* and *America*. Mr. *Lyster*, of *Poole*, was to convince your Lordships, that the profits of the commerce of *America* did not enrich this country; and Mr. *Lyster*, of *Poole*, and his brother-politician, were to satisfy the Legislature of this country that the utter destruction of *American* trade would strengthen the Navy, and invigorate the marine of *England:* and from their redoubtable testimony we were to believe, that the Fishery at present carried on by *New England*, might be supplied and continued by a sufficient number of Men and Ships from *Great Britain* and *Ireland!* that foreign markets should still be amply furnished; and that five or six hundred thousand Pounds, the value of the *North American* Fishery, should be continued, if not increased, to this country, by our own efforts, independently of them! Why, my Lords, or how? Because Mr. *Lyster*, of *Poole*, and his friend Captain *Davis*, were to gain two or three hundred Pounds a year by the operation of this Bill. Your Lordships see the frivolous and contemptible nature of such evidence. The narrow and interested minds of such men are totally unfit for such mighty discussions. Their little distorted scale of understanding cannot comprise, nor comprehend the policy of Nations; but a noble Lord, at the head of a Naval Department, warmly supports this Bill, because, in his opinion also, it is to derive prodigious advantages to our Navy. I do not wonder at the noble Lord's embracing every idea which seems to have that tendency; but I cannot agree that these advantages to our Navy, so contended and hoped for, even if they were proved, are to be decisive arguments to your Lordships to commit this Bill. Though our Navy were to receive the addition of five hundred Seamen, or five thousand, I cannot think with the noble Lord, that we are therefore merely to give effect to a measure which involves the ruinous consequences that I shall have the honour of submitting to your Lordships.

But, my Lords, it is much relied on, that our general trade will not suffer, nor diminish, by the particular restrictions imposed on our *American* Fishery by this Bill. My Lords, this is a question of the most doubtful and dangerous nature, and requires the most circumspect attention from your Lordships. The benefits of trade we know are infinite, and the danger of tampering with it, is in proportion. When we consider its circuity, the various lines it forms, and the many channels through which its several streams flow to a common centre, we shall find it is easy to disturb, but most difficult to restore, the complicated arrangement. The sources are so subtile, and the complication so intricate, that these golden streams, if once disturbed, may be irrecoverably lost, and may imperceptibly glide into channels the most hostile and pernicious. But, it has been observed and argued, that in this great question, trade is a secondary consideration; that it is subordinate

Digitized by Google

to the great discussions of polity involved in this argument. We are then to understand that this is the state of the question: that to maintain a Legislative power over *America*, is the primary, the sole, and the necessary object; for the attainment of which, and for the reduction of the Colonies to an unlimited obedience, all considerations of the benefits of trade, be they what they may, and of the ruinous mischiefs of its loss, be they however certain and fatal, are to be suspended; that we are to contend through every hazard, and in neglect of every other, for this grand object, the establishment of supreme Dominion, *voluntas pro imperio*. I wish, my Lords, to place the question on its proper basis; and then to submit to your Lordships whether, on the real state of it, your wisdom and equity will, for such an object and in exclusion of all other, entail on your country the calamities that I maintain must result from this Bill, the calamities of civil war. Before wise and good men draw the sword, they consider whether the war in which they are going to engage be just, practicable and necessary. Unless the war, which this measure must produce, be found to have these qualities, it cannot be imagined that your Lordships will give your sanction to it. The consideration of the justice of the measure contended for, will bring your Lordships to the original cause of contention, Taxation. As to the right of taxing *America*, my ideas on that subject must ever continue the same; though I am not now to give them to your Lordships. I am tongue-tied on that question. It is now enacted to be law, and is not on this occasion, to be brought into debate. But the exercise of that right, we may always fully examine into. Now, my Lords, I must humbly submit, that we have attempted the exercise of this right of taxation, as some of your Lordships are pleased to call it, most unwarrantably, and pursued it most unwisely, as the events have proved. An *East India* Ship, freighted with Tea, goes to *Boston:* a mob, and a very inconsiderable mob, destroy it: no requisition is made for satisfaction, which would have been given: no step is taken towards accommodation, which would have been effected; no inquiry is instituted into the transaction; but you proceed, without hearing the parties, without distinguishing the innocent from the guilty, or examining whether any were guilty at all, you proceed to block up their Harbour, destroy their Trade, and reduce the whole country to the deepest distress. And for what, my Lords? For a transaction which every *American* disclaimed, and none have attempted to justify. Pursuing the same spirit, you arbitrarily introduce a total change into their Constitution. You violate their charter-rights of choosing their own Council, their own Assembly, and their Magistrates; and invest the Governour with these privileges. You rivet the dependence of their Judges, by making them removable at pleasure. You pack their Juries, by a *bene placito* Sheriff. And thus, my Lords, are annihilated all the securities of their freedom and happiness. In criminal matters, the tyrannical statute of *Henry* the Eighth is revived, and the most oppressive partiality is established. If an *American* kills an *Englishman*, he is dragged hither, far from his neighbours, his friends, his witnesses; from all possibility of vindicating his innocence. If an *Englishman* kills an *American*, he is brought home to his own country, to be tried with all advantages, and without testimony or circumstances to prove his guilt. These are part of the oppressions you have accumulated on *America;* and to repel them, the *Americans* have united their counsels and their valour; and my Lords, I must maintain that they are justified in their union. But, my Lords, some ideas are most industriously circulated, extolling the irresistible omnipotence of Parliament; that the decrees of the Legislature must be obeyed, be they what they may; without doubt, and without appeal. A reverend Dean [Dr. *Tucker*, Dean of *Gloucester*] preaches these unlimited doctrines, in his book on the subject of *America;* and a pamphlet published a few days ago, called "Taxation no Tyranny," I know not the author, [Dr. *Johnson*,] speaks the same language: the press indeed abounds with politicks and pamphlets, studiously endeavouring to enforce the same principles. But, my Lords, I have learned other principles and other doctrines, and I learned them from a writer in support of the Court and the politicks of *William* the Third. Mr. *Locke* wrote his book on Government in defence of King *William's* title to the Crown; and he proves, in that inestimable treatise, that the people are justified in resistance to tyranny; whether it be tyranny assumed by a Monarch, or power arbitrarily unjust, attempted by a Legislature. My Lords, the bodies which compose the Legislature, are invested with that power for the good of the whole. We are trustees, and can exercise our powers, only in execution of the great trust reposed in us. What, my Lords, if both Houses of Parliament, with the concurrence of the King, if you will, should propose to surrender the dearest rights and privileges of the people: and the case lately happened in *Denmark*, almost before our eyes, and formerly in our own history, in the time of *Henry* the Eighth, when Parliament voted that his proclamation should be equivalent to law; in such cases, are not the people justified in resisting? These, my Lords, are the constitutional doctrines of resistance to arbitrary power in all shapes whatever. And let me observe that these are the doctrines which establish the present family on the Throne. Their title stands on this solid rock, the principles of Mr. *Locke*. I trust then, my Lords, those slavish tenets will never gain ground in this country, and that it will never be understood, that the Constitution gives you more power than that of doing right. And when I am asked whether the Legislature cannot retract Charters, and annul rights, if it thinks proper, and merely at its own will, I say, my Lords, it cannot; I say, it cannot. They may be lost, they may be forfeited; but they are not to be arbitrarily sported with, and wantonly violated. And when such is the conduct held against *America*, when the severest and most comprehensive punishments are inflicted, without examining the offence; when their constitutional liberties are destroyed; when their Charters and their rights are sacrificed to the vindictive spirit of the moment; when you thus tear up all their privileges by the roots; is there a country under heaven, breathing the last gasp of freedom, that will not resist such oppressions, and vindicate, on the oppressors' heads, such violations of justice?

Now, my Lords, whether the proposed measure of severity be practicable or not, is also most seriously deserving of your Lordships' attention. To conquer a great Continent of eighteen hundred miles, containing three millions of people, all indissolubly united on the great Whig bottom of liberty and justice, seems an undertaking not to be rashly engaged in. It is said by a noble Lord (*Dudley*) that only our mildness and lenity save them from utter desolation, and prevent our carrying fire and sword through their country. But I believe it is certain that we would have done so, if we could; and that nothing but inability has prevented our proceeding to the most hostile extremes of violence and devastation; if we may judge from what has been done in that line, in which alone any thing can hope to be effected. But, my Lords, where are you to get men and money adequate to the service and expense that the reduction of such a Continent must require? What are the ten thousand men you have just voted out to *Boston?* merely to save General *Gage* from the disgrace and destruction of being sacked in his intrenchments. It is obvious, my Lords, that you cannot furnish Armies, or treasure, competent to the mighty purpose of subduing *America*. It is obvious that your only effort can be by your Naval power; and, as far as those efforts can have effect, you may certainly expect success: at least when we consider *America* alone: but whether *France* and *Spain* will be tame, inactive, spectators of your efforts and distractions, is well worthy the considerations of your Lordships. But admitting full success to your Naval efforts, what can they effect; the blocking up their Ports, and the suppression of their trade. But will this procure the conquest of *America?* No, my Lords; they are prepared to meet these severities, and to surmount them. They are applying themselves most diligently to agriculture, that great source of strength and independence. Foreseeing the important crisis, they have provided against its wants; and have imported into their country stores of industry, implements of husbandry and manufacture. They have united in the rejection of luxury and superfluous enjoyment. They have suppressed their publick diversions, formerly common enough in their great and wealthy towns; and every man attaches himself wholly to the great business of his country. Such is the state of *America*. She has curtailed her expenses; she has reduced her table; she

Digitized by Google

has clothed herself in mean and coarse stuffs; she has adopted the wise system of frugal industry. Her wants can be only ideal, imaginary, nothing.

But, my Lords, what will be the state of this civilized, enlightened, dissipated and debauched country? How shall the want of *American* Commerce be supplied, of that commerce which contributes the means of your luxury, of your enjoyments, of the imaginary happiness of this country? We may feel the loss of *American* connection, a loss which nothing can compensate; but *America* will have little reason to regret her disconnection from *England;* and, my Lords, it is evident that *England* must one day lose the dominion of *America.* It is impossible that this petty Island can continue in dependence that mighty Continent, increasing daily in numbers and in strength. To protract the time of separation to a distant day is all that can be hoped; and this hope might be obtained by wise and temperate counsels; not by precipitation and violence, uniting *America* against you: for so it is, my Lords; there is not a man in *America,* who can endure the idea of being taxed, perhaps to the amount of his whole property, at pleasure, by a Legislature three thousand miles distant; or who can separate the idea of taxation from representation. The groundless and interested rumours that are spread, of discord among the *Americans,* can only impose on the grossest ignorance. They are considered as the cry of the Court, the talk of the day, and meet with the contempt they deserve. But, my Lords, when Administration attempt to join in the imposture, I cannot but think it most humiliating and disgraceful: and such is the attempt made in the exception in favour of *New-York.* The world is to be deceived into an opinion that *New-York* is detached from the general cause, and this dirty, humiliating contrivance, is to create distrust and disunion in *America:* and this, when the directly contrary state of the Province is well known. Did not they send Delegates to the Congress: to that Congress, which I shall ever maintain to have been strictly justifiable? And, my Lords, the Committee is now in the Town, most heartily and unanimously co-operating and enforcing the general cause. Such mean insidious attempts to undermine the *American* union, only prove its solidity and firmness, which are otherwise not to be attacked or shaken, and against which, all your efforts of war must be vain and impracticable.

But, my Lords, an objection may be made to this account of the powerful and invincible state of *America.* It will be said, that if *England* cannot enforce obedience, and curb any refractory disposition that may arise in the Colonies, *America* might at any time revolt, and shake off the authority of the mother country. But the answer is this; that *America* derives the invincible strength I have described, from her union, which can only be produced by the oppressions from this country; for, my Lords, the state of *America* is such, that union can never originate in herself. And this was wisely consulted in the original settlement of that Continent, by the different Constitutions given to the different Provinces, forming them of such divers textures and dispositions, as not easily to unite or assimilate. Some received Royal Charter Governments; some Provincial; and some Proprietory. Some were shaped in the mould of Monarchy; others received the form of pure Democracy; and even these last were granted in a reign in which the most arbitrary counsels disgraced the Throne. But the Ministers of this Prince (*Charles* the Second) wisely detached them from each other, knowing that different forms of Government would give them different directions. And so it was. They could never, for themselves merely coincide or co-operate. You might as easily have reconciled fire and water, as have brought *Virginia* to shake hands with *Pennsylvania,* or associated *New-York* to the *Massachusetts Bay.* And if any one Colony could have ever been infatuated into an attempt entirely to throw off the dependence on this country, she would have had few or none to join her. The contest would then be speedily decided, and very different would be the efforts of divided *America* against united *England,* from the force which now resists you, the collected force of united *America* against *England,* weakened and divided. For such, my Lords, is the state to which the present measures have brought both countries. At home, discontent and division prevail; and in *America* it was reserved for the wisdom of these times to produce such an union as renders her invincible. The *Americans* are now united and cemented by the strongest ties. They are allied in the common defence of every thing dear to them. They are struggling *pro aris et focis,* in support of their liberties and properties, and the most sacred rights of mankind. Thus associated by the strongest mutual engagements, and aided by their mutual strength, grounded on the justice of their cause, I must assert and repeat, my Lords, that your efforts against them must be successless, and your war impracticable.

And now, my Lords, it remains to be considered, whether the war which this Bill must produce, be necessary; for without necessity, it will not be contended that any war should be undertaken; much less a civil war, which in the first instance proscribes, and drives to famine, such multitudes of your fellow-subjects: whole Towns and Provinces: for it is well known, that the Fishery is not only the Trade, but in a great measure, the food of *New England.* Now, it cannot appear that this ruinous measure, fraught with all fatal consequences, both to them and ourselves, is necessary; unless it appears that every prudent and proper endeavour has been made to accommodate, to conciliate, to pacify. If such endeavours have been used, and used in vain, then, my Lords, there might be some colour for the present violence. But it is notorious, that not the temper of moderation and humanity, but the spirit of violence and proscription, has uniformly actuated your counsels. In the first instance, without the forms of justice, for a particular fault, you inflicted general punishment. You proceeded from their Trade, to their Municipal rights, to their Constitutions, their Charters, their liberties; and now, this bill of famine and of war finishes the climax of severity. Such have been the counsels and the measures of Administration. Other counsels have been given, and different measures have been proposed; but they have not been even considered; they were rejected with disdain; though they came from a personage whose character gave them authority, and ought to have procured them respect; a great man, (the Earl of *Chatham*) the greatest perhaps that this age or this country has produced, to whom this country owes her present prosperity, and, I am sorry to say it, her pride, her pride of conquest, which has infatuated her, even in this impracticable war, with the ideas of victory, and certain success; that great man, from whose opinions, though some of your Lordships may sometimes differ, yet there is not one of your Lordships who does not pay homage to his consummate capacity, his extensive talents, his great services, and his age, when he delivers those opinions from his place. I lament that I do not see him there. That great man did propose to you a plan of conciliation between this country and her Colonies. How was it received? It was treated with the most scornful contempt; rejected without being looked into; spurned, trampled upon! I protest, my Lords, I am afflicted with grief, when I reflect on the proceedings of that day; in such an arduous moment, that such a plan, the labour of such talents and such experience, should be rejected, even from your consideration, unlooked into, with such indecent indignity. Erase it from your books; obliterate the transaction from your records; let not posterity be contradicted by history, that such could have been your conduct towards such a man!

So much, my Lords, for conciliatory plans in this House. In another House of Parliament, when a noble Lord, (*North*) whose character I by no means intend to reflect on, or to mention with disrespect, when he proposed what was conceived in some degree to tend towards conciliation, there was immediately a general alarm; it created almost a civil war amongst his troops, and the confusion was universal, till some of the veteran and principal officers brought back their general, and fixed and ascertained him on the old ground of severity. Nothing conciliatory, therefore, has been proposed from Administration, or received from any other quarter; but an uniform system of maxims, doctrines, and measures of violence, has been maintained. And surely, before you resolved on measures of such magnitude, where the event is at least hazardous, and certainly of the extremest importance, it was your duty to have tried all possible means of lenity, accommodation, and of prevention, and not have rushed into such fatal calamities,

Digitized by Google

till impelled by the last necessity. As it appears to me, therefore, my Lords, that the war in which this Bill must involve this country, is neither just, practicable, nor necessary, I must give my vote against committing the Bill.

The Earl of *Sandwich*. The noble Lord mentions the impracticability of conquering *America;* I cannot think the noble Lord can be serious on this matter. Suppose the Colonies do abound in men, what does that signify? They are raw, undisciplined, cowardly men. I wish instead of forty or fifty thousand of these *brave* fellows, they would produce in the field at least two hundred thousand, the more the better, the easier would be the conquest; if they did not run away, they would starve themselves into compliance with our measures. I will tell your Lordships an anecdote that happened at the siege of *Louisbourg:* Sir *Peter Warren* told me, that in order to try the courage of the *Americans*, he ordered a great number of them to be placed in the front of the Army; the *Americans* pretended at first to be very much elated at this mark of distinction, and boasted what mighty feats they would do upon the scene of action; however, when the moment came to put in execution this boasted courage, behold every one of them ran from the front to the rear of the Army, with as much expedition as their feet could carry them, and threatened to go off entirely, if the Commander offered to make them a shield to protect the *British* soldiers at the expense of their blood; they did not understand such usage. Sir *Peter*, finding what egregious cowards they were, and knowing of what importance such numbers must be to intimidate the *French* by their appearance, told these *American* heroes that his orders had been misunderstood, that he always intended to keep them in the rear of the Army to make the great push; that it was the custom of Generals to preserve the best Troops to the last; that this was always the *Roman* custom; and as the *Americans* resembled the *Romans* in every particular, especially in courage and love of their country, he should make no scruple of following the *Roman* custom, and made no doubt but the modern *Romans* would shew acts of bravery equal to any in ancient *Rome*. By such discourses as these, said Sir *Peter Warren*, I made a shift to keep them with us, though I took care they should be pushed forward in no danger-

**Letter to the Earl of* SANDWICH, *upon the Expedition to* LOUISBOURG

LONDON, *April* 22, 1775.

MY LORD: I have waited a considerable time, in expectation either that some abler advocate for the living and the dead, would have exposed the fallacy of your late extraordinary harangue in the House of Lords, as it was printed in the publick Newspapers; or that a positive contradiction would have appeared from authority; I mean a solemn asseveration that you never made use of such absurd terms, or related such an improbable particular instance, attended with such ludicrous circumstances concerning the brave Sir *Peter Warren*, and the equally brave *North Americans*. This latter expectation was rather reasonable in me, because, though I was admitted to the honour of being present at the memorable siege of *Louisbourg*, in 1745, I cannot, in these times of inquisitorial secrecy, be admitted to the like honour at the assemblies of the *British* sages; I mean in the House of Lords or Commons, and of course cannot depend upon what may be said to have passed there. The constituents of the Commons are rudely thrust out of the gallery of their own House; and as that celebrated botanist, philosopher, favourite, and Knight of Polar Star, Sir *John Hill*, says in the preface to his Animadversions upon the Royal Society, I have the honour not to be a member of either. But, my Lord, I was an eye witness to the siege in question, was much nearer than Sir *Peter* at the time of, and assisted to cover the landing, which was heroically effected; and I do most absolutely deny your second-hand character and account given of the *Americans*, if it is yours, to be true. I was also frequently an ear witness to the declarations of Sir *Peter*, which were always directly contrary to what he hath been lately made to relate; I therefore also sincerely believe that part of the harangue in question not to be true. You know, my good Lord, dead men tell no tales; it is well for some they cannot, or perhaps if they could, in this refined and free thinking age, they would not be believed, no, not even *Moses* and the Prophets, were they to arise. Your Lordship will excuse the quotation; you was always extravagantly fond of the Scriptures, at least I have been told so; and one tale, my good Lord, may be as true as another, you know; and yet, after all, your Lordship, far from declaiming so fallaciously, may never have even seen the ludicrous tale you are represented to have so ludicrously embellished. You may, my Lord, be infinitely above reading of Newspapers; nevertheless, in justice to your Lordship, as well as the rest of the concerned, it once more makes its appearance, with a few remarks; and would your Lordship condescend so far, you might learn how injuriously to your honour you have been libelled in the publick prints.

"As to their prowess, I remember very well when I had the honour to be at the Board at which I now preside, I had the curiosity to inquire about the surprising feats said to be performed by those people, [the *Americans*] at the siege of *Louisbourg*, of the great Naval officer who commanded on that expedition, as able and honest a seaman as ever lived, (Sir *Peter Warren*) who told me very frankly they were the greatest set of cowards and poltrons he ever knew; they were all bluster, noise, and conquest, before they got in the presence of their enemies, but then they were good for nothing. I remember a particular instance he told me, which, from the ludicrous circumstances attending it, made a very deep impression on my mind. Soon after their landing, there was a battery, called the Island Battery, which commanded the entrance of the Harbour. Sir *Peter* having ordered them to attack it; they engaged to perform it; but what was the consequence? They ran away on the first fire. And how did you manage? Did you employ them afterwards, or upbraid them with their cowardice? says I; No, answered Sir *Peter*, neither would it have been prudent; I formed the Marines and part of the Ships' crews into a body, to act on shore; and instead of upbraiding them, I told them they had behaved like heroes; for, if I had acted otherwise, I should have never taken the Town, as their presence and numbers were necessary to intimidate the besieged.

"Their numbers, [meaning the *Americans* at large] and extent of country both, will unite with their cowardice to render their conquest the more easy; for, in the first place, it will be more difficult to assemble them, and when they are assembled, the more easy to defeat them. I would be better pleased that the Standing Army should meet two hundred thousand of such a rabble, armed with old rusty firelocks, pistols, staves, clubs, and broomsticks, than twenty thousand, as the war would be at an end, and instead of five victories, one on our part would be equally decisive."

Sir *Peter Warren*, then a Commodore only, was as able and honest a seaman as ever stept between the stem and stern of a Ship; he might have been advised with; nay, he certainly was, because the most perfect harmony subsisted between the Land and Sea Officers; but he never ordered the Land Forces to attack any part of the Fortifications, nor would they have engaged to perform such orders, if he had; the chief Naval Officer understood discipline much better than to trench upon the Province of General *Pepperell;* such orders must have bred ill-blood. Can any man be brought to believe, that the General, or his brave volunteer irregulars, about three thousand eight hundred in number, every one of whom belonged to *America;* nay, almost to a man **New Englanders*, would have suffered such treatment? Besides, would any mere Naval officer in his senses, have made himself unnecessarily responsible for consequences so hazardous? Lastly, and beyond all, who could have imagined that an *English* First Lord of the Admiralty would have espoused such a doctrine, and approved of such conduct?

The Island Battery stood upon a small rock, almost inaccessible, about twenty yards broad, and two hundred long, with a circular Battery of forty-two pounders towards the neck of the Harbour, in front, with a guard-house and barracks behind. How could they, the *Americans*, run away, then, on the first fire? Or where to? unless into the Ocean; for the Whaling and Ships' boats were sunk, or obliged to draw off; as it was they made a noble stand. One *Brooks*, an *American* officer, had nearly struck the flag of the Fort; it was actually half down, when a *French Swiss* Trooper clove his scull. Their courageous landing; their dragging of eighteen pounders several miles over rocks, and through morasses; their drilling of forty-two pounders left in the deserted grand Battery, which had been spiked up by the *French*, and then conveying them round the Northeast Harbour to the Light-house; the speedy and close approach of the fascine Batteries to the ramparts, and the general alertness of the successful besiegers, entitles them, surely, to more than a *sneer;* it justly entitles them to the real appellation of heroes. Could men so circumstanced exert themselves more? Do such an handful of undisciplined soldiers deserve the opprobrious epithets of cowards or poltrons?

The Admiral, it is true, blocked up the Harbour effectually, and neglected nothing in the power of an experienced and valiant Naval officer, on Sea or Shore, to assist the Land Forces; but did any one besides your Lordship ever hear him boast, that if he had acted otherwise, than by crouching and lying to cowards and poltrons, HE should have taken the Town? Modesty is a constant attendant upon real merit; the Admiral would have modestly insisted, that the Fleet blocked up the Port and did its duty, but that the Army took the Town.

You have been libelled, my Lord, or you have paid a poor compliment to the memory of Sir *Peter Warren*, and much poorer to the manes of the brave *North Americans* who perished before the walls; neither have you done justice to the survivors upon that expedition; I bled in this business, my Lord; and though an Old *Englishman*, feel for the honour of the *British* Empire in every quarter of the globe. I feel also my proportionate part of the ungenerous and degrading insult; but every defamation that gross falsehood and sheer ignorance can suggest against our truly meritorious and much injured brethren of *America*, is now *courtly*, and of course fashionable.

How would your Lordship approve of it, to have the ashes of your departed, your broken-hearted brother, Captain *Montagu*, commonly called Mad *Montagu*, raked up? Would you like to be reminded of his drunken skirmishes, his nightly window-breakings, and his amorous rencounters at *Boston?* I have been an eye witness to several such particular instances, attended with ludicrous circumstances likewise; and cannot but remember when one of those brave fellows whom you are said to have stigmatized with the base character of cowards, poltrons, and rabble, (*Joe Pierrepont*) a small sized man of *Roxbury*, near *Boston*, nicknamed the Duke of *Kingston*, fairly fought with, and drubbed him within an inch of his life. I will go further, my Lord, than you perhaps have chosen to do; to your brother's credit, it shall be recorded that he regarded the man for the residue of his days.

I have done with your Lordship for the present, but not with the publick. As the best refutation to such illiberal malice, I lately caused even Doctor *Smollet* to give testimony against it, and will, in a few days, make other apt quotations from other historical writers, written at a period when some late pernicious Tory doctrines had not been broached; or if they had, would not have been countenanced, much less encouraged; I mean in the reign of King *George* the Second, under whom, as *Sterne* makes uncle *Toby* declare of King *William* the Third, I had the honour to serve, though now I am no more than

AN OLD ENGLISH MERCHANT.

* "Inhabitants of *Massachusetts Bay, New-Hampshire, Connecticut*, and *Rhode-Island;* 3,850 voluntary Soldiers, principally substantial persons, and men of benefi cial occupations; this brave, determined, though undisciplined band of Soldiers, embarked from *Boston* on the 20th of *March* for *Canso;* and, *pray for us, while we fight for you*, was the valiant and endearing language wherewith they animated their desponding countrymen, on their departure from their families, their fortunes and their occupations."—*Felt's Impartial Representation, &c., Volume 4, Fol.* 12.

Digitized by Google

ous conflict. Now, I can tell the noble Lord that this is exactly the situation of all the heroes in *North America;* they are all *Romans*. And are these the men to fright us from the post of honour? Believe me, my Lords, the very sound of a cannon would carry them off, in Sir *Peter's* words, as fast as their feet could carry them. This is too trifling a part of the argument, to detain your Lordships any longer. The noble Earl then went on to abuse the *Americans* for not paying their debts; he made no doubt that the real motive of their Associations, was to defraud their creditors; that the Congress, on which the noble Lord has passed high encomiums, was a seditious and treasonable meeting of persons assembled to resist the legal and just authority of the supreme Legislative power; and however dignified by his Lordship, or any other noble Lord, he should always continue to describe it by the latter appellation, as its only true and proper name. His Lordship entered into a long examination of the purport of the evidence given at the bar by Messrs. *Lyster, Davis, Shuldham*, and *Paliser;* and laboured to prove that the present Bill, whatever other objects it might take in, was not, nor ought to be, a bill of intimidation or experiment, but a perpetual law of commercial regulation, operating to extend our trade, to increase our seamen, and strengthen our Naval power.

The Earl of *Shelburne*, after stating at large the nature of the *Newfoundland* Fishery, and its great importance to this country, observed, that unless the present Bill was taken up as a permanent commercial regulation, however great an object it might be, it was by no means at present before the House. You are told it is in proof before you, that the people of *Nantucket*, the unoffending, peaceable inhabitants of that Island, will be deprived of every means of sustenance and support, should this Bill pass into a law. It remains yet uncontradicted, that the people of *New England* have not Corn nearly sufficient for their own consumption; and this Bill says they shall not be supplied elsewhere. How nugatory and ridiculous it is, then, to talk of commercial regulation, which is supposed to include improvement and protection, when that regulation is immediately directed to starve and oppress one part of your subjects, to whom there is not so much as any crime or offence imputed, in order to give commercial advantages to another. But if the several laws in being, for the improvement of the *Newfoundland* Fishery, are not sufficient, or that the Admiralty, in whose department it is, satisfy Parliament that those powers have been properly exerted, and are found to be inadequate, let a Bill be brought in for that purpose. I am convinced of the very great importance of the Fishery; and no man in this House will be more zealous to give it his most warm support, than I shall be. His Lordship next adverted to the sedentary Fishery, given up to *Canada* by the *Quebec* Bill, and fully explained the great pains taken by the two very able men who preceded him at the Board of Trade, *Charles Townshend* and a certain noble Lord and himself, to annex the Fishery of *Labrador*, &c., to that of *Newfoundland*. He gave the most flattering testimony to the attention and great abilities of Sir *Hugh Palliser*, to whom he entrusted the entire negotiation of that difficult affair with the Count *De Guerchy*, the *French* Minister. He entirely coincided in sentiments with the noble Lord (*Camden*) who called this a Bill of Pains, Penalties, and Coercion, not of Commercial Regulation. He agreed with him likewise, that the popular tide was against him; but he was certain it would not be long before it took a different turn, as the people would find they were deceived, and Parliament would at length discover they were misinformed and misled. He therefore, as a member of that body, put in his early claim of objecting to the current Ministerial language, that Parliament did this, and Parliament did that, for he insisted that Parliament had done nothing; it was the Ministry had done all. Attend only a minute to their conduct, said his Lordship, and you will see that what I have now advanced is strictly true. They have laid before us a mutilated correspondence, precisely calculated to answer certain purposes. On one hand they have suppressed whole letters, and of such as they have laid before us, they have only given partial extracts; on the other, they have held back the whole of the official letters on this side of the water, one or two of no consequence only excepted. Will any noble Lord seriously affirm, that whatever proceedings have been taken on such information, can be deemed the proceedings of Parliament? Or that any set of Ministers will be permitted to screen themselves under the protection of Parliament, when it shall be discovered that the measures recommended and adopted, were framed on facts misstated, or for want of material ones designedly suppressed? His Lordship concluded, with observing the strange diversity of sentiment which prevailed among the several leading members in Administration. He alluded to the plan of conciliation proposed by Lord *North*, which was instantly reprobated. He then observed, that of several of the noble Lords, no two of them scarcely thought alike; some were for commercial regulation, others for asserting the right, without wishing for a paltry revenue, and a very considerable body for the right and revenue both. This state of things put him in mind of a General whom he served under in *Germany*, a native of that country, who first desired the Regiments at the right to form to the left, then again to the right, then to the rear, again to the right-about; that the Troops, after being harassed for two days by these absurd, contradictory manœuvres, at last found themselves in the place they set out from, without making the least way, on which the General desired every Corps to march as they liked, so as to make their way in the most speedy manner to the place of their destination. He hoped, however, that *Englishmen* would never copy the slavish obedience of *Germans*, but would learn to act for themselves, and spurn the direction of those who knew neither to lead them to victory, nor protect them from ruin.

The Earl of *Suffolk* totally disapproved of some of the reasoning employed, and facts alluded to, by Lord *Sandwich*. He said, that noble Lord's insinuations and assertions, that the *Americans* would not fight, were what he could not approve of. He believed, there were as brave men in that country as in any other; and though the fact were otherwise, he could never hear it asserted, with any degree of satisfaction, that there was any part of the King's subjects deficient in that degree of personal courage for which the whole were so justly renowned. There was another point much laboured by the same noble Lord, to which he could never give his assent; and he was sorry to hear it relied on, and so much adverted to in the course of the debate; that was, that the present Bill was meant to be a measure of permanent commercial regulation, distinct from its main object. This, he said, was by no means the intention of its original framers; it was intended as a bill of coercion, to oblige the people of *New England* to submit to the legal and just power of the mother country, and that the faith of Parliament would be pledged to them to restore the Fishery as soon as it should appear that they had returned to their former obedience. His Lordship then proceeded to defend the Bill on that idea; and, in answer to what had been said relative to the diversity of opinions which prevailed among the King's servants, he was certain there was not a second among them as to the material question of the right, and the means of exerting it. As to the conciliatory motion in the other House, he owned that many of the Members of it were much staggered, and very justly so, till it came to be explained; and, for his part, he should be much grieved if there was not as great a majority against it as there appeared for it, if the motion had not admitted of the obvious sense it did when it came to be examined. He repeated how happy he was in being one of the persons who advised the dissolution of Parliament, as the designs and expectations of *America* were at once frustrated and broken by that measure; and concluded in replying to what the noble Marquis dropped early in the debate, that the repeal of the Stamp Act was the source from which all our present confusions had totally originated.

The Earl of *Radnor* said, he was at the throne, going out, not intending to vote on either side, when he heard the last noble Earl pledge the faith of Parliament that so valuable a branch of our commerce was intended to be given up to the *New Englanders*, as a sacrifice for their returning to their duty. It was an improper language to be held in that House, nor was the policy in every respect less exceptionable; for both which reasons he had returned to give his voice against the Bill.

The Earl of *Suffolk* said, he did not mean, as a Minister, to pledge the faith of Parliament, nor did he promise the

Digitized by Google

people of *New England* that the Fishery should be given up; the intentions he wished to impress being only, that the present Bill was not a bill of commercial regulation, but of coercion; which, as soon as the ends proposed were attained, would certainly be repealed, leaving Parliament, nevertheless, to take the matter up on motives of policy.

The Earl of *Radnor*, not at all satisfied with this explanation, adhered to his former opinion, and declared that he could not, in conscience, give his vote in favour of a Bill, obedience to which was to be purchased on the implied conditions of sacrificing the most important branch of commerce belonging to the *British* Empire.

The Duke of *Grafton* said, he had not the least difficulty in giving his vote on the present occasion, as it did not, in his opinion, rest on the question so much agitated on both sides of the House; the question of taxation so improperly introduced into the debate. The present Bill, he insisted, was founded on the principle of retaliation and punishment, for an outrage as daring as it was unprovoked, still further heightened and aggravated by a resistance to all lawful authority, and almost a positive avowal of a total independence on the mother country. On those grounds the propriety of the present Bill could only be fairly argued; and the motives of retaliation in one instance, and a withholding the benefits only due to a dutiful and obedient conduct in the other, were what had determined him to give his vote that the Bill should be committed. His Grace next disclaimed all ideas of taxation and commercial regulation, as being clearly out of the question. He observed, that a noble Lord in Administration (the Earl of *Suffolk*) had very improperly imputed all the present confusions to the repeal of the Stamp Act. I was the person, said his Grace, who framed those Resolutions, and had the honour to propose them to a Committee of this House, on which the Bill for that repeal was afterwards formed, brought in, and passed. I was then the advocate, and still take a particular pride in being the steady friend of *America*. The delicacy of my situation then, as well as now, will not permit me satisfactorily to explain the motives which led to that repeal, nor the consequent very disagreeable circumstances which succeeded it, and perhaps now regulate my conduct; but this, however, I am at liberty to declare, that the argument so confidently urged, that *America* contributes nothing towards the common support, however plausibly maintained, or forcibly expressed, is a fallacious one. I affirm, she does contribute largely to the publick burthens, in the great consumption of our Manufactures; and I should be very sorry to see, that what appears now a speculative composition, liable to be controverted, should ever come to be demonstrably, nay actually, proved. Will any noble Lord, at all conversant with the trade and commerce of this country, contend that we are not enabled to pay the great load of taxes we labour under, by the vast increase of our Exports to that Continent; or that the various articles of Leather, &c., and in short all exciseable commodities exported to that country, as well as the innumerable benefits derived to every part of the three Kingdoms, by the circuitous commerce carried on with it, is not, in reality, a very great augmentation to our revenue, and to every substantial purpose, answers the end of an actual tax, unaccompanied by any of the disagreeable consequences that never fail to attend laying burthens on the people, and collecting it? A noble and learned Lord, (*Camden*) seemed to take it for granted that all thoughts of conciliation are laid aside; and that this Bill is no less than a positive declaration of war on our part. I beg leave to differ from the learned Lord. I rejoice, said the Duke, that, in speaking before so numerous an audience, I can describe the true state of this transaction, and prevent its crossing the *Atlantic* in improper colours. When the noble Earl (*Chatham*) proposed his Bill, could such a Bill be expected? Could any man imagine a person of his wisdom and experience, (and I have all respect for his abilities, but would speak even if he were present with the same freedom I now do) of his Parliamentary experience, would propose a Bill which must involve us in fatal disputes with the Commons; a Bill which was to repeal nine Acts of Parliament, and many of them revenue Acts? But let his plan have been what it would, it was not spurned from this House; it is yet in this House; it now lies on your table. I believe that *America* will trust to the parental disposition of this country, where she has many strenuous friends, among whom I number myself one of the warmest. I trust, therefore, that she will not blindly rush on her own destruction, and thereby prevent them from serving her, but return to her obedience, as the surest means of obtaining a reparation for any injuries she may have sustained. On the whole, therefore, I sincerely hope that the present Bill will have the desired effect; that our fellow-subjects in *America* will wisely and dutifully return to their obedience; and, that as in the present year 1775, we are prosecuting just measures to bring about so desirable an end, so in the year 1776, we may be employed in manifesting the most ample proofs of our removing all cause, or almost possibility of the return of the same evils, by ascertaining their rights and the constitutional power of this country, on the most fair, equitable, and permanent foundations. It was my task on a former occasion; and I shall, with pleasure, in the year 1776, as a strenuous friend to the just claims of *America*, unremittingly labour in the same cause.

The Marquis of *Rockingham* observed that a noble Lord (*Dudley*) had objected to the accounts of the *American* Exports of 1764, now lying on the table, as well as that given by a witness at their Lordships' bar, (Mr. *Watson*) and drew a conclusion from the method of obtaining them, one being made up from unsigned papers, and the other from false entries; that they were both erroneous, and consequently that every deduction drawn from such premises must be equally fallacious and undeserving of the least degree of credit or attention. To this his Lordship answered, that for the purpose he employed those supposed facts, it was totally immaterial whether they were correct or not; the Exports, for instance, might be £2,700,000, or only £2,000,000; the argument either way was equally good. All he meant to prove by stating them was to shew the vast increase of our trade to *America*, from a comparative state of it at different periods. The errour, his Lordship said, was uniform; it existed at all times, or not at all. Thus the Custom House entries, said the annual Exports in 1704, were of foreign Goods £17,000, and of home £54,000, in all £71,000; in 1754, £180,000; in 1764, in ten years, more than double; and in the last nine years again, nearly in the same proportion, the Exports being between seven and eight hundred thousand Pounds to *New-England* alone. His Lordship concluded with observing, that some noble Lords, who formerly entertained an opinion of the propriety of the Stamp Act, seemed to have since altered their sentiments. He, therefore, called upon them to declare their minds freely, and not to act under any restraint: for he was ready and willing to unload them of such a burthen, and bear the whole of the blame on his own shoulders; trusting, on the other hand, if it proved a wise measure, that he might be entitled to claim the merit thus abandoned.

Lord *Camden* rose to explain, in reply to what had fallen from the last noble Duke who spoke in the debate. He begged leave to correct a mistake of his Grace's, relative to the reception Lord *Chatham's* conciliatory Bill met with, and to recall to the memory of the House the manner of its total rejection. When the noble Lord who brought it in had explained the purposes of the Bill, and delineated its great outlines, he apologized for the matter it contained, and the awkward dress it appeared in; beseeching, at the same time, the attention, indulgence, and assistance of the House, to amend it in matter and form, so as to suit it to the magnitude and importance of the objects to which it was meant to be directed. What was the immediate consequence? said his Lordship. A noble Lord in Administration, (Lord *Dartmouth*) remarkable for his candour, consented that the Bill should lie on the table, to be taken up on some future day, in order to consider it maturely, as it contained such an infinity of matter; but on a sudden another noble Lord, high in office, (Lord *Sandwich*) strenuously opposed it, and moved for a total rejection, refusing it even the cold compliment or ceremonial, of letting it lie on the table for twenty-four hours. His Grace has a kind of answer to this; he says, "though the "Bill was not permitted to go to a second reading, it was "never totally rejected, it is still before the House, and may "be still brought under its cognizance." This I absolutely deny. The Bill, though on your Lordships' table, is now

Digitized by Google

no more than waste paper; it may be there, or any where else, as to any substantial purpose. Look into the Clerk's minutes; suppose the Journals made up, and in either event you will find the Bill absolutely, to all intents and purposes, rejected; and as much out of this House, in point of order and Parliamentary proceedings, as if it had never been brought into it. His Grace's reason for objecting to the Bill, however new, for I am certain nothing like it was suggested in the debate, is equally curious. The noble Duke says, it was highly improper and unparliamentary to bring a Bill into this House, which, by repealing several Revenue Acts, was a direct infringement of the right of the Commons, who claim it as an inalienable privilege to originate all Bills for raising and repealing taxes. Is the noble Duke to be informed, that when the Bill got into the Committee was the time to state that objection, where he or any noble Lord would be at liberty to put a question separately upon every word, sentence, and clause, by which means not only three or four Revenue Acts might be left out, but three or four hundred, if the Bill contained so many? On the whole, my Lords, whatever his Grace's sentiments may be, it was to the principle, not the clauses of the Bill, the real objection lay, therefore those who were against the principle acted very properly not to trouble themselves with the clauses, but to reject the whole at once.

The Earl of *Abingdon* said, that reason, justice, conscience, principle, and instinct, all prompted him to pronounce the Bill a most diabolick measure. How the right reverend Bench reconciled it to their consciences, he was unable to conceive: for his part he put his trust in the Almighty; and though he knew all he could say would avail nothing against a Ministerial majority, yet he cautioned the Lords against injustice, as in the judicial visitation of Providence it generally fell heavy on the heads of those who planned iniquity.

The question was then put;—for committing the Bill, 104; against it, 29.

Ordered, That the said Bill be committed to a Committee of the Whole House;

Ordered, That the House be put into a Committee upon the said Bill to-morrow.

FRIDAY, *March* 17, 1775.

The Order of the Day being read, for the House to be put in a Committee upon the Bill;

The House was adjourned during pleasure, and put into a Committee upon the said Bill.

After some time the House was resumed;

And the Lord *Scarsdale* reported from the Committee, "That they had gone through the Bill, and made several "amendments thereto, which he was ready to report when "the House will please to receive the same."

Ordered, That the said Report be received on *Monday* next.

MONDAY, *March* 20, 1775.

The Lord *Scarsdale*, according to order, reported the amendments made by the Committee of the House to the Bill.

[The following was one of the amendments: Insert clause A. "Provided also, and be it enacted by the au- "thority aforesaid, That nothing in this Act contained "respecting the Fisheries carried on by his Majesty's sub- "jects in *North America*, shall extend, or be construed to "extend to any Ship or Vessel, being the property of any "of the inhabitants of the Townships of *Marshfield* and "*Scituate*, in the Province of *Massachusetts Bay*, employ- "ed in or carrying on the Mackerel, Shad, and Alewife "Fisheries only; if the master or other person having the "charge of any such Ship or Vessel as aforesaid, shall pro- "duce a Certificate under the hand and seal of the Gov- "ernour or Commander-in-Chief of the Province of the "*Massachusetts Bay*, setting forth, that such Ship or Ves- "sel (expressing her name, and the name of her Master, "and describing her built and burthen,) is the whole and "entire property of his Majesty's subjects of the said "Townships of *Marshfield* and *Scituate*, and was the pro- "perty of one or more of them on or before the twenty- "fifth day of *March*, in the year one thousand seven hun- "dred and seventy-five, which Certificate or Certificates "such Governour or Commander-in-Chief is hereby au- "thorized and required to grant."]

And the said amendments being read a second time, were severally agreed to by the House.

Ordered, That the said Bill be read a third time to-morrow, and the Lords summoned.

TUESDAY, *March* 21, 1775.

The Order of the Day being read, for the third reading of the Bill;

The said Bill was accordingly read the third time; which done,

The Earl of *Buckinghamshire* offered an amendment. The clause, as it stood in the engrossed Bill, which his Lordship wished to alter, was part of the prohibitory clause relative to the Fishery, where it was enacted, "That if "any Ship or Vessel, being the property of the subjects of "*Great Britain*, not belonging to, and fitted out from, "*Great Britain*, *Ireland*, or the Islands of *Guernsey* and "*Jersey*, shall be found, after the 20th of *July*, 1775, car- "rying on any Fishery, of what nature or kind soever, "upon the banks of *Newfoundland*, the Coast of *Labra- "dor*, or within the River or Gulf of *St. Lawrence*, or "upon the Coast of Cape *Breton*, or *Nova Scotia*, or any "other part of the Coast of *North America*, or having on "board materials for carrying on any such Fishery, every "such Ship or Vessel, with her Guns, Ammunition, Tackle, "Apparel, and Furniture, together with the Fish, if any "shall be found, shall be forfeited, unless the Master, or "person having the charge of such Ship or Vessel, do pro- "duce to the Commander of any of his Majesty's Ships-of- "War, stationed for the protection and superintendence of "the *British* Fisheries in *America*, a Certificate under the "hand and seal of the Governour or Commander-in-Chief "of any of the Colonies or Plantations of *Quebec*, *New- "foundland*, *St. Johns*, *Nova Scotia*, *New-York*, *New- "Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, *North Car- "olina*, *South Carolina*, *Georgia*, *East* or *West Florida*, "setting forth, that such Ship or Vessel, expressing her "name, burthen, &c., and describing her, hath been fitted "out from some one of the said Colonies or Plantations;" his Lordship moved, that the words "*New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*," be omitted.

The Duke of *Manchester* opposed the amendment. He said, that one half of the Continent of *North America* was at once punished by the proposed alteration, without any trial, proof, or inquiry whatever; that such a mode of proceeding was totally repugnant to the established rules of equity, which always supposed the party accused had been heard before judgment was pronounced.

The Lord Chancellor said, the House was in possession of evidence, fully sufficient to authorize their Lordships in agreeing to the proposed amendment; that at the time the Bill originated in the other House, the information alluded to was not known; that it appeared by the several accounts received from the Provinces of *New-Jersey*, *Pennsylvania*, &c., that they were equally culpable with those of *New England*; and that of course they ought to suffer under one common punishment.

The Duke of *Manchester* acceded to the general premises laid down by the learned Lord; but totally denied the propriety of the inferences and conclusions drawn from them. He observed, that although the letters stated what his Lordship was pleased to call the disobedient and undutiful disposition of the Southern Colonies, but what he should always esteem as a meritorious perseverance in the cause of freedom, and a constitutional assertion of their rights, those letters were no more in the contemplation of the House, in its legislative or deliberate capacity, than if they had never existed. Have they, said his Grace, been even so much as read? Have they been considered? Have the parties accused been heard in their own defence? Away, then, with such pretences! Has not the Minister in the other House, and the House itself, been in possession of the same information? Why then have not they proceeded in the same manner? No; however willing they might be to do it, they plainly saw the insurmountable difficulties which lay in their way, and wisely declined it. The Province of *New-York* was permitted to stand in the Bill with

Digitized by Google

the other favoured Provinces, though it was well known that they had, in their legislative capacity, denied the right of taxation; and had conformably to those sentiments, transmitted a Petition to the King, a Memorial to this House, and a Remonstrance to the other. His Grace, therefore, desired to know the reason why they were singled out from the rest, when the offence was the same. He had no objection to the indulgence; but he could not perceive how their Lordships could reconcile their conduct on this occasion with any rule of consistency whatever.

The Earl of *Effingham*. I have been well informed that a Ship has arrived at *New-York*, and that the people of that Colony absolutely and peremptorily refused to permit any part of the cargo to be landed. I therefore call on some of the noble Lords in Administration, to contradict this account if false, or confirm it if it be true. Should the latter be the case, I cannot for my part conceive, on what ground the present exemption in favour of *New-York* can be defended.

The Earl of *Dartmouth*. It is not in my power directly to contradict, or affirm, the intelligence of the noble Lord. All I can say on the subject is, that the last account I received was from a gentleman of veracity on the spot, who, writing on the *Saturday*, and informing me of the arrival of the Vessel, assures me, that the Goods would be landed on the *Monday* following.

The question was then put, "Whether these words shall stand part of the Bill?"

It was resolved in the Negative.

Other amendments were offered and agreed to.

Then it was moved, "That this Bill, with the amendments, do Pass?"

Which being objected to;

The question was put, "Whether this Bill, with the amendments, shall Pass?"

The House divided—for the Bill, 73, against it, 21, viz: *Camden, Richmond, Devonshire, Portland, Rockingham, Ponsonby, Abingdon, Manchester, Courtenay, Tankerville, Scarborough, Cholmondeley, Abergavenny, Wycombe, Torrington, Effingham, Fitzwilliam, Craven, Leinster, Stanhope, Archer.*

So it was resolved in the Affirmative.

The following Protest was entered:

Dissentient.

1st. Because the attempt to coerce by famine, the whole body of the inhabitants of great and populous Provinces, is without example in the history of this, or perhaps of any civilized nation; and is one of those unhappy inventions, to which Parliament is driven by the difficulties which daily multiply upon us, from an obstinate adherence to an unwise plan of government. We do not know exactly the extent of the combination againt our commerce in *New England*, and the other Colonies; but we do know the extent of the punishment we inflict upon it, which is universal, and includes all the inhabitants; amongst these, many are admitted to be innocent; and several are alleged by Ministers to be, in their sense, even meritorious. That Government which attempts to preserve its authority by destroying the trade of its subjects, and by involving the innocent and guilty in a common ruin, if it acts from a choice of such means, confesses itself unworthy; if from inability to find any other, admits itself wholly incompetent to the ends of its institution.

2dly. Because the *English* Merchants are punished without any guilt, real or pretended, on their part. The people of the proscribed Provinces, though failing in their duty to Government, ought to be permitted to discharge their obligations to Commerce. Without their Fishery, this is impossible. The Merchants of *England* entertain no fears for their debts, except from the steps which are said to be taken in their favour. Eight hundred thousand Pounds of *English* property, belonging to *London* alone, is not to be trifled with, or sacrificed to the projects of those who have constantly failed in every expectation which they have held out to the publick, and who are become more bigotted to methods of violence, in proportion to the experience of their inefficacy, and the mischievous consequences which attend them.

3dly. Because the people of *New England*, besides the natural claim of mankind to the gifts of Providence on their own Coast, are specially entitled to the Fishery by their Charters, which have never been declared forfeited. These Charters, we think, (notwithstanding the contempt with which the idea of publick faith has been treated,) to be of material consideration. The Bill, therefore, not growing out of any judicial process, seems equally a violation of all natural and all civil right.

4thly. Because we conceive that the attempt which has been made to bribe the Nation into an acquiescence in this arbitrary Act, by holding out to them (by evidence at the bar) the spoils of the *New England* Fishery, worth upwards of £300,000 a year, to be a scheme full of weakness and indecency; of indecency, because it may be suspected that the desire of the confiscation has created the guilt; weak, because it supposes that whatever is taken from the Colonies, is of course to be transferred to ourselves. We may trample on the rules of justice; but we cannot alter the nature of things. We cannot convey to *Great Britain* the advantages of situation which *New England* possesses for the Fishery. If the value of the commodity should be enhanced at the foreign market by the exclusion of so large a part of the supply, it may either greatly injure the sale of the commodity itself, or put the consumers on new articles of consumption, or new methods of supply, to the just ruin of those who, deluded by avarice, have chosen, from the vain hope of an enhanced market, to disturb the natural, settled, and beneficial course of traffick.

5thly. Because we do not apprehend that the topick so much insisted upon by a Lord high in office, in favour of this project, namely, the cowardice of his Majesty's *American* subjects, to have any weight in itself, or to be at all agreeable to the dignity of sentiment which ought to characterize this House. We do not think it true, that any part of the subjects of this Empire are defective in bravery. It is to the last degree improper to act upon such a supposition; as it must highly disgrace our arms in case of misfortune, and must take away all honour from them in case of success. Nothing can tend more effectually to defeat the purposes of all our coercive measures, than to let the people against whom they are intended know, that we think our authority founded in their baseness; that their resistance will give them some credit, even in our own eyes; and that we attribute their obedience only to their want of courage. This is to call for resistance, and to provoke rebellion by the most powerful of all motives which can act upon men of any degree of spirit and sensibility.

6thly. Because the interdict from Fishing and Commerce, is not to be terminated by any certain and definite act to be done by the party interdicted, but its duration depends solely on the will of the Governours and majority of the Council in some of the Provinces; upon their mere arbitrary opinion of the state of commerce. In two of the proscribed Provinces, the interdict is made to depend on the same arbitrary will in much worse hands, those of mere Custom House Officers. A power of such magnitude is not fit to be delegated to any man, however wise or however exalted.

But to deliver over several hundred thousands of our fellow-creatures to be starved at the mere pleasure of persons in certain subordinate situations, and some of them in an office always more or less suspicious and obnoxious, and necessary to be watched and guarded, rather than vested with absolute power over all; and this without any rule to guide their discretion, without any penalty to deter from an abuse of it, is a strain of such tyranny, oppression, and absurdity, as we believe never was deliberately entertained by any grave assembly.

Lastly. Because the Bill, though in appearance a measure of retaliation only, upon a supposition that the Colonies have been the first aggressors, by their Association not to import Goods from *Great Britain*, yet is in truth a most cruel enforcement of former oppressions; and that Association is no more than a natural consequence of antecedent and repeated injuries. And since the restraint of this Bill is not to be taken off till the several Colonies shall agree to receive again all Goods whatsoever from *Great Britain*, and to pay all the Duties imposed by Parliament, not excepting those upon Tea; and since three of them must apply through the medium of the new Council of *Massachusetts Bay*, and the last mentioned Province is obliged

Digitized by Google

not only to acknowledge the new Charter, but submit in all respects to the severe conditions of the Port Bill, before they can be released from their hardships; since these are the terms, and the only terms, upon which this proscription is to cease, and the Colonies must therefore submit to be the slaves instead of the subjects of *Great Britain;* this Bill, in its principle, is both arbitrary and unjust. And as we do not conceive any ground of expectation that the Provinces will yield to such hard conditions, a civil war, which may probably end in the total separation of the Colonies from the mother country, will too naturally be the consequence of this Bill; in respect of which, as well as for the other reasons hereby assigned, we do most solemnly and heartily protest against the same.

ABINGDON,	TORRINGTON,
CRAVEN,	ROCKINGHAM,
ABERGAVENNY,	CAMDEN,
STANHOPE,	EFFINGHAM,
LEINSTER,	PONSONBY,
WYCOMBE,	CHOLMONDELEY,
RICHMOND,	FITZWILLIAM,
DEVONSHIRE,	MANCHESTER.

A Message was sent to the House of Commons, to return the said Bill, and acquaint them, that the Lords have agreed to the same, with some amendments, to which their Lordships desire their concurrence.

An Act to Restrain the Trade and Commerce of the Provinces of MASSACHUSETTS BAY *and* NEW-HAMPSHIRE, *and Colonies of* CONNECTICUT *and* RHODE-ISLAND, *and* PROVIDENCE PLANTATION, *in* NORTH AMERICA, *to* GREAT BRITAIN, IRELAND, *and the* BRITISH *Islands in the* WEST INDIES; *and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of* NEWFOUNDLAND, *or other places therein mentioned, under certain conditions and limitations.*

Whereas, by an Act, made in the twelfth year of the reign of King *Charles* the Second, entituled "An Act for the Encouraging and Increasing of Shipping and Navigation;" and by several subsequent Acts of Parliament which are now in force, it is, amongst other things, enacted, that for every Ship or Vessel that shall load any commodities in those Acts particularly enumerated, at any *British* Plantation, being the Growth, Product, or Manufacture thereof, Bonds shall be given, with one surety, to the value of one thousand Pounds, if the Ship be of less burthen than one hundred tons, and of the sum of two thousand Pounds, if the Ship be of greater burthen, that the same commodities shall be brought by such Ship or Vessel to some other *British* Plantation, or to some Port in *Great Britain:* And whereas, by several other Acts of Parliament which are now in force, no commodities of the Growth, Product, or Manufacture of *Europe*, (except Salt for the Fisheries, Wines of the *Madeiras* and *Azores*, and Western Islands, and Victual and Linen Cloth from *Ireland*, under the restrictions in such Acts particularly mentioned) can be imported into any Plantation, Colony, Territory, or place belonging to his Majesty in *Asia*, *Africa*, or *America*, but what shall be *bonâ fide*, and without fraud, laden and shipped in *Great Britain*, and carried directly from thence: And whereas, during the continuance of the Combinations and Disorders which at this time prevail within the Provinces of *Massachusetts Bay* and *New-Hampshire*, and the Colonies of *Connecticut* and *Rhode-Island*, to the obstruction of the Commerce of these Kingdoms and other his Majesty's Dominions, and in breach and violation of the laws of this Realm, it is highly unfit that the inhabitants of the said Provinces and Colonies should enjoy the same privileges of Trade, and the same benefits and advantages to which his Majesty's faithful and obedient subjects are entitled; *Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same,* That from and after the first day of *July*, one thousand seven hundred and seventy-five, and during the continuance of this Act, no Goods, Wares, or Merchandises, which are particularly enumerated in, and by the said Act made in the twelfth year of King *Charles* the Second, or any other Act, being the Growth, Product or Manufacture of the Provinces of *Massachusetts Bay*, or *New-Hampshire*, or Colonies of *Connecticut*, *Rhode-Island*, or *Providence Plantation*, in *North America*, or any or either of them, are to be brought to some other *British* Colony, or to *Great Britain;* or any such enumerated Goods, Wares, or Merchandise, which shall at any time or times have been imported or brought into the said Provinces or Colonies, or any or either of them, shall be shipped, carried, conveyed, or transported from any of the said Provinces or Colonies, respectively, to any Land, Island, Territory, Dominion, Port, or Place whatsoever, other than to *Great Britain*, or some of the *British* Islands in the *West Indies*, to be laid on shore there; and that no other Goods, Wares, or Merchandise, whatsoever, of the Growth, Product, or Manufacture of the Provinces or Colonies hereinbefore mentioned, or which shall at any time or times have been imported or brought into the same, shall, from and after the said first day of *July*, and during the continuance of this Act, be shipped, carried, conveyed, or transported from any of the said Provinces or Colonies, respectively, to any other Land, Island, Territory, Dominion, Port, or place whatsoever, except to the Kingdoms of *Great Britain*, or *Ireland*, or to some of the *British* Islands in the *West Indies*, to be laid on shore there; any law, custom, or usage, to the contrary notwithstanding.

II. *And be it further enacted by the authority aforesaid*, That from and after the said first day of *July*, before any Ship or Vessel shall lade, or take on board any Goods as aforesaid, in any or either of the Provinces or Colonies before mentioned, sufficient Bond, with one surety, besides the Master of such Ship or Vessel, shall be given to the Collector, or other principal Officer of the Customs at the Port or place where such Goods are intended to be laden, or taken on board, in the penalty of one thousand Pounds, if the Ship be of less burthen than one hundred tons; and of the sum of two thousand Pounds if the Ship shall be of that or any greater burthen, with condition that such enumerated Goods shall not be landed, or put on shore, at or upon any other Land, Island, Territory, Dominion, Port, or place whatsoever, except some Port or place within the Kingdom of *Great Britain*, or some of the *British* Islands in the *West Indies;* and that all other Goods, Wares, or Merchandise, so intended to be laden as aforesaid, shall not be landed or put on shore at or upon any Land, Island, Territory, Dominion, Port, or place whatsoever, other than, and except, some Port or place within the Kingdoms of *Great Britain*, or *Ireland*, or some of the *British* Islands in the *West Indies;* and with further condition to bring a Certificate in discharge thereof, within eighteen months from the date of such Bond, for such of the said Goods as shall be entered for, or landed in, *Great Britain* or *Ireland*, respectively, and within six months for such of the said Goods as shall be entered for, or landed in, any of the *British* Islands in the *West Indies;* which respective Certificates shall be under the hands and seals of office of the Collector and Comptroller, or other principal Officer of the Customs, resident at the Port or place where such Goods shall be landed, testifying the landing thereof; or such Bond or Bonds shall and may be discharged by proof, upon oath made by credible persons, that the said Goods were taken by enemies, or perished in the Seas.

III. *And it is hereby further enacted by the authority aforesaid*, That where any such Bond or Bonds shall be given as aforesaid, in pursuance of this Act, the Collector, or other principal Officer of the Customs, to whom such Bond or Bonds shall have been given, shall deliver, under his hand and seal of office, without fee or reward, to the Master of the Ship or Vessel taking in such Goods, for the security of her Navigation, a Certificate that such Bond or Bonds hath or have been given, expressing therein the quantity and species of the Goods, with the marks and numbers of the Packages, and the Port or place for which they were entered; and if any such Goods shall be laden on board any such Ship or Vessel in any of the Provinces or Colonies in this Act before mentioned, before such Bond or Bonds shall be given, or shall be found on board any Ship or Vessel, without the Certificate hereinbefore directed, that such Bond or Bonds hath or have been given, the Goods so laden, together with the Ship or Vessel, with her Guns, Ammunition, Tackle, Apparel, and Furniture, shall be forfeited; and if any Goods, so laden as aforesaid, shall be landed or discharged at any Port

Digitized by Google

or place, contrary to the intent and meaning of this Act, over and above the penalty of the Bond or Bonds, the Shipper and Owner of such Goods, and the Master or person taking charge of the Vessel on board which they were laden, shall respectively forfeit the full value of the Goods so landed or discharged, to be estimated according to the highest price or value which such sort of Goods bear in the Province or Colony where and at the time when they were shipped and laden; which Ship and Goods may be seized and prosecuted, or the value of such Goods prosecuted for by any Admiral, Chief Commander, or Commissioned Officer of his Majesty's Fleet or Ships-of-War, or by any Officer of his Majesty's Customs, in the manner hereinafter directed.

IV. *And it is hereby further enacted by the authority aforesaid*, That from and after the first day of *September*, one thousand seven hundred and seventy-five, and during the continuance of this Act, no sort of Wines, Salt, or any Goods or commodities whatsoever, (except Horses, Victual, and Linen Cloth, the Produce and Manufacture of *Ireland*, imported directly from thence) shall be imported into any of the said Colonies or Provinces hereinbefore respectively mentioned, upon any pretence whatsoever, unless such Goods shall be *bona fide*, and without fraud, laden and shipped in *Great Britain*, and carried directly from thence, upon forfeiture thereof, and of the Ship or Vessel on board which such Goods shall be laden; and it shall be lawful for any Admiral, Chief Commander, or Commissioned Officer of his Majesty's Fleet or Ships-of-War, or any Officer of his Majesty's Customs, to seize any Ship or Vessel arriving at any of the said Provinces or Colonies before mentioned, or which shall be discovered within two leagues of any shore thereof, having such Goods on board, and the Goods laden thereon, (except as before excepted) for which the Master, or other person taking charge of such Ship or Vessel, shall not produce a Cocket or Clearance from the Collector, or proper Officer of his Majesty's Customs, certifying that the said Goods were laden on board the said Ship or Vessel in some Port of *Great Britain*; any law, custom, or usage, to the contrary notwithstanding.

V. *Provided always, and it is hereby further enacted by the authority aforesaid*, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to prohibit the exportation or carrying out from any of the Provinces or Colonies before mentioned, or the importation into the same, of any Goods or Commodities whatsoever, for the victualling or providing any of his Majesty's Ships-of-War, or other Ships or Vessels in his Majesty's service, or for his Majesty's Forces, Forts, or Garrisons; any thing herein contained to the contrary notwithstanding.

VI. *And provided, also*, That nothing herein contained shall extend, or be construed to extend, to hinder or restrain the lawful importation into any or either of the said Provinces or Colonies hereinbefore mentioned, from any of the *British* Islands in the *West Indies*, of any such Goods or Commodities, being the Growth or Produce thereof, as may now by law be imported from thence into the said Provinces or Colonies, or any or either of them.

VII. *And it is hereby further enacted by the authority aforesaid*, That if any Ship or Vessel, being the property of the subjects of *Great Britain*, not belonging to, and fitted out from *Great Britain* or *Ireland*, or the Islands of *Guernsey*, *Jersey*, *Sark*, *Alderney*, or *Man*, shall be found, after the twentieth day of *July*, one thousand seven hundred and seventy-five, carrying on any Fishery, of what nature or kind soever, upon the banks of *Newfoundland*, the Coast of *Labrador*, or within the River or Gulf of *St. Lawrence*, or upon the Coast of Cape *Breton*, or *Nova Scotia*, or any other part of the Coast of *North America*, or having on board materials for carrying on any such Fishery, every such Ship or Vessel, with her Guns, Ammunition, Tackle, Apparel, and Furniture, together with the Fish, if any shall be found on board, shall be forfeited, unless the Master, or other person having the charge of such Ship or Vessel, do produce to the Commander of any of his Majesty's Ships-of-War, stationed for the protection and superintendence of the *British* Fisheries in *America*, a Certificate, under the hand and seal of the Governour or Commander-in-Chief, of any of the Colonies or Plantations of *Quebec*, *Newfoundland*, *St. John*, *Nova Scotia*, *New-York*, *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, *Georgia*, *East Florida*, *West Florida*, *Bahamas*, and *Bermudas*, setting forth that such Ship or Vessel, expressing her name, and the name of her Master, and describing her build and burthen, hath fitted and cleared out from some one of the said Colonies or Plantations, in order to proceed upon the said Fishery, and that she actually and *bona fide* belongs to, and is the whole and entire property of his Majesty's subjects, inhabitants of the said Colony or Plantation; which Certificates such Governours or Commanders-in-Chief, respectively, are hereby authorized and required to grant.

VIII. *And to the end that the foregoing Prohibitions, Restrictions, and Regulations may be more effectually carried into execution, it is hereby further enacted by the authority aforesaid*, That it shall and may be lawful to and for all or any of the Commanders of his Majesty's Ships or Vessels of War, stationed and appointed for the regulation and protection of the *British* Fishery upon the Coasts of *North America*, or to and for the Commanders of any other of his Majesty's Ships or Vessels employed at Sea, and they, and every of them, are hereby required and enjoined to examine, search, and visit all Ships and Vessels suspected to be carrying on the said Fisheries, and to seize, arrest, and prosecute, in manner hereinafter directed, all and every such Ships and Vessels as shall be found to be carrying on the said Fisheries, not belonging to and fitted out from *Great Britain* or *Ireland*, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, which shall not have on board the Certificate hereinbefore required.

IX. *Provided always, and be it further enacted by the authority aforesaid*, That nothing herein contained shall extend, or be construed to extend, to empower any Officer of his Majesty's Ships-of-War, or of his Majesty's Customs, to seize any Ship or Vessel which shall be fitted and cleared out from any of the said Colonies and Provinces before the first day of *June*, one thousand seven hundred and seventy-five, for the Whale Fishery only, and which shall be found carrying on such Fishery within the limits aforesaid, between the said first day of *June* and the first day of *November*, one thousand seven hundred and seventy-five, and not carrying on, nor having on board any materials for carrying on any other Fishery.

X. *And be it further enacted by the authority aforesaid*, That nothing in this Act contained, respecting the Fisheries carried on by his Majesty's subjects in *North America*, shall affect, or be construed to affect, any Ship or Vessel, her Guns, Ammunition, Tackle, Apparel, Furniture or Fish, on board, being the property of any of the inhabitants of the Island of *Nantucket*, employed in the Whale Fishery only, if it shall appear, by the papers on board, that such Ship or Vessel was fitted and cleared out from thence before the first day of *June*, one thousand seven hundred and seventy-five, or if the Master, or other person having the charge of any such Ship or Vessel as aforesaid, shall produce a Certificate, under the hand and seal of the Governour or Commander-in-Chief of the Province of the *Massachusetts Bay*, setting forth that such Ship or Vessel, (expressing her name, and the name of her Master, and describing her built and burthen) is the whole and entire property of his Majesty's subjects of the said Island of *Nantucket*, and was the property of one or more of them on or before the twenty-fifth day of *March*, in the year one thousand seven hundred and seventy-five, and that she was cleared out with materials on board in order to proceed upon the Whale Fishery only; any thing in this Act to the contrary thereof, in any wise notwithstanding.

XI. *Provided also, and be it enacted by the authority aforesaid*, That nothing in this Act contained respecting the Fisheries carried on by his Majesty's subjects in *North America*, shall extend, or be construed to extend, to any Ship or Vessel being the property of any of the inhabitants of the Townships of *Marshfield* and *Scituate*, in the Province of *Massachusetts Bay*, employed in or carrying on the Mackerel, Shad, and Alewife Fisheries only, if the Master or other person having the charge of any such Ship or Vessel as aforesaid, shall produce a Certificate, under the hand and seal of the Governour or Commander-in-Chief of the Province of *Massachusetts Bay*, setting forth that such Ship or Vessel, (expressing her name and the name of her Master, and describing her built and burthen) is the whole and entire property of his Majesty's subjects of the

Digitized by Google

said Townships of *Marshfield* and *Scituate*, and was the property of one or more of them, on or before the twenty-fifth day of *March*, in the year one thousand seven hundred and seventy-five, which Certificate or Certificates such Governour or Commander-in-Chief is hereby authorized and required to grant.

XII. *Provided always, and be it enacted*, That the River which emptieth itself into *Passamacadie* or *Passamaquadi* Bay, on the Western side, and is commonly called and known by the name of *Saint Croix* River, be held and deemed for all the purposes in this Act contained, to be the boundary between the Provinces of *Massachusetts Bay* and *Nova Scotia*.

XIII. And whereas, it is the intent and meaning of this Act, that the several prohibitions and restraints herein imposed upon the Trade and Commerce and Fisheries of the said Provinces and Colonies, should be discontinued and cease, so soon as the Trade and Commerce of his Majesty's subjects may be carried on without interruption, *Be it therefore enacted by the authority aforesaid*, That whenever it shall be made appear to the satisfaction of his Majesty's Governour or Commander-in-Chief, and the majority of the Council, in the Provinces of *New-Hampshire* and *Massachusetts Bay*, respectively, that peace and obedience to the laws shall be so far restored within the said Provinces, or either of them, that the Trade and Commerce of his Majesty's subjects may be carried on without interruption within the same, and that Goods, Wares, and Merchandise have been freely imported into the said Provinces, or either of them, from *Great Britain*, and exposed to sale without any let, hindrance, or molestation, from or by reason of any unlawful combinations to prevent or obstruct the same; and that Goods, Wares, and Merchandise have in like manner been exported from the said Provinces, or either of them, respectively, to *Great Britain*, for and during the term of one calendar month preceding, that then, and in such case, it shall and may be lawful for the Governour or Commander-in-Chief, with the advice of the Council of such Provinces, respectively, by Proclamation, under the seal of such respective Province, to notify the same to the several Officers of the Customs, and all others; and after such Proclamation, this Act with respect to such Province, within which such Proclamation or Proclamations have been issued as aforesaid, shall be discontinued and cease (except as hereinafter provided;) and all Officers of his Majesty's Customs, and all other persons having charge of the execution of this Act, having received due notice of such Proclamation, are hereby directed and required to yield and pay obedience to such Proclamation, and to proceed in the discharge of their respective duties, in admitting to entry, clearing, and discharging all Ships and Vessels, and all Goods, Wares, and Merchandises, into and out of such respective Province; and to permit and suffer any Ships or Vessels to carry on the Fisheries within the limits hereinbefore mentioned, in like manner as if this Act had never been made; any thing herein contained to the contrary notwithstanding.

XIV. *And be it further enacted*, That the Governour or Commander-in-Chief, with the advice of the Council of the Province of *Massachusetts Bay*, shall and may, and he is hereby authorized and empowered, upon application for and on behalf of the Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, or either of them, by the Governour or Commander-in-Chief of the said Colonies, respectively, to issue the like publick notice or notices, by Proclamation within the said Colonies, or either of them, if it shall be proved to the said Governour or Commander-in-Chief, and Council of *Massachusetts Bay*, by the testimony of the Officers of his Majesty's Customs in each of the said Colonies respectively, and the said Governour or Commander-in-Chief, and Council, shall be satisfied of the truth thereof, that the lawful Trade between the said Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, and *Great Britain*, is and hath been carried on in manner hereinbefore mentioned within the said Colonies, or either of them, for the space of one calendar month preceding the date of such application; and from and after such Proclamation, this Act shall, with respect to such Colonies, or either of them, be discontinued and cease (except as hereinafter provided;) and all Officers of the Customs in the said Colonies, and all others, are hereby required to pay obedience to such publick notice of the said Governour or Commander-in-Chief as aforesaid, and to proceed in the discharge of their respective duties in admitting to entry, clearing, and discharging, all Ships and Vessels, and all Goods, Wares, and Merchandise, into and out of such Colony or Colonies, in like manner as if this Act had never been made; any thing herein contained to the contrary notwithstanding.

XV. *Provided nevertheless, and it is hereby further enacted and declared by the authority aforesaid*, That such Proclamation or Proclamations shall not extend, or be construed to extend, to discharge or suspend any proceedings upon any seizure which shall have been made, or any prosecution which shall have been commenced for any penalty or forfeiture inflicted by this Act before the issuing of such Proclamation or Proclamations.

XVI. *And it is hereby further enacted by the authority aforesaid*, That if any person or persons shall give or grant any false Certificates, Cocket, or Clearance, for any of the purposes required or directed by this Act, such person or persons shall forfeit the sum of five hundred Pounds, and be rendered incapable of serving his Majesty, his heirs and successors, in any office whatsoever; and if any person or persons shall counterfeit, erase, alter, or falsify, any Certificate, Cocket, or Clearance, required or directed by this Act, or shall knowingly or willingly make use of any false Certificate, Cocket, or Clearance, or of any Certificate, Cocket, or Clearance, so counterfeited, erased, altered, or falsified, such person or persons shall, for every such offence, forfeit the sum of five hundred Pounds, and such Certificate, Cocket, or Clearance, shall be invalid and of no effect.

XVII. *And be it further enacted by the authority aforesaid*, That the several forfeitures and penalties inflicted by this Act, shall and may be prosecuted, sued for, and recovered, and be divided, paid, and applied, in like manner as other penalties and forfeitures inflicted by any Act or Acts of Parliament relating to the Trade or Revenues of the *British* Colonies or Plantations in *America*, are directed to be prosecuted, sued for, or recovered, divided, paid, and applied, by two several Acts of Parliament, the one passed in the fourth year of his present Majesty, entituled "An "Act for granting certain Duties in the *British* Colonies "and Plantations in *America*; for continuing, amending, "and making perpetual, an Act passed in the sixth year "of the reign of his late Majesty King *George* the Second, "entituled 'An Act for the better securing and encouraging "the Trade of his Majesty's Sugar Colonies in *America*; "for applying the produce of such Duties, and of the Du-"ties to arise by virtue of the said Act, towards defraying the "expenses of defending, protecting, and securing, the said "Colonies and Plantations; for explaining an Act made "in the twenty-fifth year of the reign of King *Charles* the "Second, entituled 'An Act for the encouragement of "the *Greenland* and *Eastland* Trades, and for the better "securing the Plantation Trade; and for altering and dis-"allowing several Drawbacks on Exports from this King-"dom, and more effectually preventing the clandestine "conveyance of Goods to and from the said Colonies and "Plantations, and improving and securing the Trade be-"tween the same and *Great Britain*;'" and the other passed in the eighth year of his present Majesty's reign, entituled "An Act for the more easy and effectual recovery "of the penalties and forfeitures inflicted by the Acts of "Parliament relating to the Trade or Revenues of the "*British* Colonies and Plantations in *America*."

XVIII. *And be it further enacted by the authority aforesaid*, That if any action or suit shall be commenced against any person or persons, for any thing done in pursuance of this Act of Parliament, the defendant or defendants in such action or suit may plead the general issue, and give the said Act and the special matter in evidence, at any trial to be had thereupon, and that the same was done in pursuance of and by the authority of this Act; and if it shall appear so to have been done, the Jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared, or if judgment shall be given upon any verdict or demurrer, against the plaintiff, the defendant or defendants shall recover treble costs, and have the like remedy for the same, as defendants have in other cases by law.

Digitized by Google

HOUSE OF COMMONS.

MONDAY, *February* 27, 1775.

The Orders of the Day being read;

Resolved, That this House will, upon *Wednesday* morning next, resolve itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st, 15th, and 24th days of this instant, *February*, by his Majesty's command.

WEDNESDAY, *March* 1, 1775.

The Order of the Day being read, for the House to resolve itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st, 15th, and 24th days of *February* last, by his Majesty's command;

Resolved, That this House will, upon *Friday* morning next, resolve itself into the said Committee.

FRIDAY, *March* 3, 1775.

The Lord *North* presented to the House, by his Majesty's command,

No. 1. Copy of a Letter from Lieutenant Governour *Colden* to the Earl of *Dartmouth*, dated *New-York*, 1st *February*, 1775, enclosing,

No. 2. Copy of the Lieutenant Governour's Speech to the General Assembly.

No. 3. Copy of Address of the Council.

No. 4. Copy of Address of the Assembly.

No. 5. Extract of a Letter from Governour *Franklin* to the Earl of *Dartmouth*, dated *New-Jersey*, 1st *February*, 1775, enclosing,

No. 6. Copy of the Governour's Speech to the General Assembly.

No. 7. Copy of Address of the Council, and of the Governour's Answer.

No. 8. Copy of the Resolves of the Assembly, and of their Address.

No. 9. Extract of a Letter from Deputy Governour *Penn* to the Earl of *Dartmouth*, dated *Philadelphia*, 30th *January*, 1775, enclosing,

No. 10. Copy of Proceedings of a Provincial Convention held at *Philadelphia*.

No. 11. Copy of the Testimony of the people called Quakers.

Together with a List of the said Papers.

And the said List was read.

Ordered, That the said Papers be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st, 15th, and 24th days of *February* last, by his Majesty's command.

Copy of the extract of a Letter from Governour *Franklin* to the Earl of *Dartmouth*, dated *Perth Amboy*, *February*, 1, 1775.

"The General Assembly of this Province are now sitting, being convened on the 11th of last month, in order to transact the publick business.

"At the opening of the session, I had some hopes of prevailing on the House of Representatives not to approve of the proceedings of the General Congress held at *Philadelphia*, for which purpose a paragraph of my Speech was particularly calculated; but the Delegates from this Province took the alarm, and used their utmost endeavours with the Members to persuade them to give their approbation to those proceedings, as otherwise, one grand end the Congress had in view would be entirely frustrated, namely, the preserving an appearance of unanimity throughout the Colonies, without which, they said, their measures could not have that weight and efficacy with the Government and people of *Great Britain*, as was intended.

"The scheme, however, met with some opposition in the House, every Member proposing to defer the consideration of it to a future time, or to give their approbation to only some parts of the proceedings of the Congress; but by the artful management of those who espoused the measure, it was carried through precipitately the very morning it was proposed, as your Lordship will see by a copy of their Resolutions now enclosed, [*See Folio* 1124] which were all previously prepared for the purpose."

Copy of the extract of a Letter from Deputy Governour *Penn* to the Earl of *Dartmouth*, dated *Philadelphia*, *January* 30, 1775.

"No publick occurrences of any consequence have lately happened within this Government, except that a Convention of Deputies from most of the Counties of this Province, was held in this City last week, in order to consult on the most effectual measures for carrying into execution the Association of the Continental Congress. They have just published an account of their proceedings, and I beg leave to enclose a copy of them for your Lordship's particular information."—[*See Folio* 1169.]

A Petition of the Merchants, Linen Drapers, and principal Inhabitants of the City of *Waterford*, in the Kingdom of *Ireland*, was presented to the House, and read, setting forth—

That the Petitioners, with the deepest concern for the unhappy differences which at present subsist between *Great Britain* and her *American* Colonies, and from an apprehension of the fatal consequences which may arise from thence, beg leave to set forth, that, as their export trade with the *American* Colonies consists chiefly in the exportation of the Linen Manufacture, and that of white and brown Linens only, by the Non-Importation Agreement they are deprived of this the only valuable branch of export they are permitted to carry on with the Colonies, and of which they already begin to feel the unhappy effects; and that if the Linen Manufacture decays, this Kingdom must be reduced to such a state as, from want of employment at home, to increase emigrations, reduce the value of lands, and diminish every branch of the poor remains of the trade they enjoy; and that the chief commodities which they have liberty to import from *America* into this Kingdom, being Flaxseed, Lumber, Wheat, and Flour, should the Non-Importation take place, they must necessarily be deprived of Flaxseed to raise Flax to carry on their Linen Manufacture; of Staves for Casks to contain their Beef, Pork, and Butter, for the supply of *Great Britain*, his Majesty's Navy, and the *West India* Islands; and this train of consequences, so destructive to the landed property, manufactures, and commerce of this Kingdom, and which of course must occasion a very sensible diminution of his Majesty's Revenues, from the then absolute inability of the inhabitants, forces them to pray the House would take the premises into their consideration, hoping that some expedient may be found out, whereby these consequences may be prevented, and harmony restored and established upon a solid and permanent foundation.

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, is referred.

FRIDAY, *March* 3, 1775.

The Order of the Day being read,

Resolved, That this House will, upon *Wednesday* morning next, resolve itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st, 15th, and 24th days of *February* last, and this day, by his Majesty's command.

WEDNESDAY, *March* 8, 1775.

The Lord *North* presented to the House, by his Majesty's command, the following

Copy of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 27th *January*, 1775.

"MY LORD: We have information often from the country, that the Towns in this Province become more divided, notwithstanding the endeavours used to keep up their enthusiasm; and the tyranny and oppressive acts exercised against persons deemed friends of Government, has driven them in several places to combine together for their mutual defence. Where the majority in a Township has been

Digitized by Google

averse to their measures, the faction has employed their adherents in neighbouring Towns to join and form bodies sufficient to force them, by numbers, to sign recantations, which has been attended generally with violence and ill usage. The Town of *Marshfield*, with part of that of *Scituate*, having been lately under terrours of that kind from the threats of their neighbours, for having formed some Associations amongst themselves, applied to me for protection; and I have sent a detachment of one hundred men to their relief. It is the first instance of an application to Government for assistance, which the faction has ever tried to persuade the people they would never obtain, but be left to themselves.

"Governour *Wentworth* has acquainted me of a quantity of Tea burnt by the populace at *Portsmouth*, and that the Magistrates have not support sufficient to enable them to apprehend any of the people concerned in the attack of Fort *William* and *Mary*, or keep them safe in jail after commitment, and desires that two Regiments may be stationed at *Portsmouth*. No quarters are yet prepared for them, nor am I informed how they are to be quartered, and I must send an officer to the Governour to settle those matters with him, previous to the moving any Troops.

"People are waiting determinations from home, which will probably make great alterations in proceedings here.

"I have the honour to be, my Lord, &c.,

"THO. GAGE."

This Letter enclosed the copy of a Petition of the Magistrates and sundry Inhabitants of *Scituate* and *Marshfield*.

Ordered, That the said Papers be referred to the consideration of the Committee of the Whole House, to whom it is referred to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, and the 1st, 15th, and 24th days of *February* last, and the 3d day of this instant, *March*, by his Majesty's command.

Mr. *Hartley* moved, that an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House a copy of a Letter from the Earl of *Dartmouth* to Lieutenant Governour *Colden*, of the 10th *December*, 1774.—[*See Folio* 1035.]

Mr. *Hartley* said, as this Letter contained matter well worthy the consideration and attention of the House, he should be glad to have it laid before the House.

Mr. *Rigby* opposed this. He said Administration must always be understood to be the sole judges of what is and what is not proper to be laid before the House.

Mr. *T. Townshend* observed, it was a very novel and extraordinary doctrine to affirm, that when a paper was called for, and particularly described, it was in the option of the Minister to produce or withhold it at his pleasure.

Lord *North* contended there were many papers which a mere spirit of curiosity might prompt men to call for; but that bare curiosity, in his opinion, should not be gratified, when it might be productive of evil; that he believed it was neither novel nor extraordinary to keep many matters secret.

Mr. *Fox* said, the noble Lord from the beginning had taken care to lead the House blindfold, and would, he was certain, continue to do so, till he found some personal convenience in acting otherwise. He pronounced confidently, that the Bill just passed could not succeed, and desired the noble Lord to recollect his words, and at the same time not to come to Parliament telling them, though the measure miscarried, it was their measure, for if they had not framed, they had, after the fullest deliberation, approved of it. The fact was the very reverse, as his Lordship had been both the framer and approver; and by the arts of misinformation on one hand, and want of any material information on the other, Parliament were persuaded into an approbation of his measures.

The question being put on Mr. *Hartley's* motion,

It passed in the Negative.

The House, according to order, resolved itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, the 1st, 15th, and 24th days of *February* last, the 3d of this instant, *March*, and this day, by his Majesty's command.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee,

Mr. Speaker resumed the Chair;

Sir *Charles Whitworth* reported from the Committee that they had made a further progress in the matters to them referred, and that he was directed by the Committee to move that they may have leave to sit again.

Resolved, That this House will, to-morrow, at twelve of the clock, resolve itself into a Committee of the Whole House, to consider further of the said Papers.

THURSDAY, *March* 9, 1775.

Mr. *Royer*, from the Commissioners of the Customs in *Scotland*, presented to the House, pursuant to their orders,

An Account of the quantity of Corn and Flour exported from *Scotland* to the Sugar Colonies, for ten years, preceding Christmas, 1773, being as far as the same can be made up; distinguishing each year; and also,

An Account of the value of Goods exported from *Scotland* to *Ireland*, from Christmas, 1772, to Christmas, 1773, being as far as the same can be made up; and also,

An Account of the quantity of Train Oil and Blubber imported into *Scotland*, from Christmas, 1772, to Christmas, 1773, being as far as the same can be made up; distinguishing the countries from which the same have been imported; and also,

An Account of the quantity of Rape Seed and Rape Oil imported into *Scotland*, from Christmas, 1772, to Christmas, 1773, being as far as the same can be made up; distinguishing the countries from which the same have been imported.

Ordered, That the said Accounts do lie upon the table, to be perused by the Members of the House.

A Petition of Gentlemen, Merchants, and Traders, in the Woollen Manufactory at or near *Hudderfield*, in the West Riding of the County of *York*, was presented to the House, and read, setting forth—

That the Petitioners are very essentially interested in the Woollen Trade of the Northern parts of this Kingdom, and particularly in the narrow Cloths, and that the trade there has been good the last year, and is so at the present, notwithstanding the difficulties that it necessarily meets with from the conduct of the *Americans*, in presuming to obstruct the trade from thence to many of the Colonies in *America*; and that the Petitioners apprehend, that any submission to their unjust and unlawful demands, would be most prejudicial to the Petitioners, as well as to the Kingdom in general, as it would tend to make them more insolent, and totally to overthrow the lawful authority which the King and Parliament must have over all its Dominions; but, should the Petitioners suffer a present loss, they are willing to do so, rather than a certain future one, which must involve themselves and their posterity, and consequently the whole Kingdom, in perpetual distress; and therefore praying the House will take all such measures as shall be thought advisable, to support the lawful authority of this Kingdom, and maintain the just rights and privileges thereof, in opposition to all its enemies whatsoever.

A motion was made, and the question being proposed, that the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America* is referred;

An amendment was proposed to be made to the question, by leaving out from the word "whom" to the end of the question, and inserting the words "it is referred to "consider further of the several Papers which were present-"ed to the House by the Lord *North*, upon the 19th and "31st days of *January* last, the 1st, 15th, and 24th days "of *February* last, and the 3d and 8th days of this instant, "*March*, by his Majesty's command," instead thereof.

And the question being put, that the words proposed to be left out stand part of the question?

It was resolved in the Affirmative.

Then the main question being put,

Digitized by Google

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, is referred.

A Petition of the Manufacturing Hosiers of the Town and County of the Town of *Nottingham*, was presented to the House, and read, renewing their application to the House, from a deep sense of the importance of the facts contained in their former Petition, from a perfect knowledge of their truth; and apprehensive of the unhappy influence which an intervening Petition from the other inhabitants of the said Town, entituled "A Petition of the "Aldermen, Sheriff, principal Manufacturers, and Inhab-"itants thereof," may have upon the deliberations of Parliament at this important juncture; and knowing of no greater crime to their country, than to approach their Representatives with falsehood, and thereby mislead the great Council of the Nation, the Petitioners beg leave to express their abhorrence of the unjust representation of the Manufacturers of this Town and neighbourhood, which men, styling themselves its Aldermen, principal Manufacturers, &c., have not been afraid to present to the House; and that the former Petitioners do constitute a very great majority of the real Manufacturers of this Town, and the present Petitioners are the Committee appointed by them to transact this business; the distress they represented in their former Petition as real, has already in some measure taken place, and they are persuaded must increase upon them every day, beyond their abilities to support, should the present cessation of the *North American* Trade continue; and the contrary representations of men ill capable of judging of their trade or its dependencies, has no foundation in truth, not one fifth of the signers of that Petition being Manufacturers, or any way concerned in the *North American* Trade; and it is to obviate the impression which such misrepresentations may have to second that relief which the House may be now meditating for their distress, and to contribute by their particular experience to that perfect knowledge of the real state of the manufactory of this Town and neighbourhood, that the Petitioners earnestly entreat that they may be heard, in proof of the several allegations in this their present and former Petitions.

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, is referred; and that these Petitioners be heard before the said Committee, upon their said Petitions, if they think fit.

Ordered, That Mr. *Unwise*, Junior, do attend the said Committee upon *Wednesday* morning next.

The Order of the Day being read;

The House resolved itself into a Committee of the Whole House, to consider further of the several Papers which were presented to the House by the Lord *North*, upon the 19th and 31st days of *January* last, the 1st, 15th, and 24th days of *February* last, and the 3d and 8th days of this instant, *March*, by his Majesty's command.

Lord *North* moved, that the Chairman (Sir *Charles Whitworth*) be directed to move the House, "That leave be "given to bring in a Bill to restrain the Trade and Com-"merce of the Colonies of *New-Jersey*, *Pennsylvania*, "*Maryland*, *Virginia*, and *South Carolina*, to *Great* "*Britain*, *Ireland*, and the *British* Islands in the *West* "*Indies*, under certain conditions and limitations." He said, as the Southern Provinces had acceded to the Non-Importation and Exportation Agreement, it would be manifest partiality not to make their punishment the same as the Northern Provinces.

Lord *John Cavendish* little expected to see another Bill of the same tendency with the last so soon make its appearance; but he should endeavour to frame his mind so as that nothing should surprise him.

Sir *W. Mayne* was no less astonished, as he understood from the noble Lord, that he meant to proceed no further, till it should be known what effect the former Bill would have. He thought the present an irritating measure, from which no salutary consequence could be expected.

Mr. *Hartley*, after lamenting the fluctuating state of our publick Councils, observed, that a few days ago, nothing was echoed from the other side of the House but plans of conciliation, of moderation, and concession. In all probability, said those gentlemen, though all the Colonies should not consent to tax themselves, or break the Non-Importation and Non-Exportation Agreement, some of them certainly will, and destroy the confederacy, the refractory with very little struggle must submit. Now, what is the language Drive the whole Continent of *America* into despair; hold out no temptation to the moderate and less offending, and that is the sure way to restore peace and harmony, to recover our commerce, just on the verge of destruction, and to reconcile them cordially to our Government. He said, he had been informed that lands on the confines of *Virginia* had been ceded at the conclusion of the late *Indian* war, which cession had been divided into twenty-two shares; and that those shares had been sold. Not intending to reflect upon the noble Lord (*Dunmore*) who must have had the principal hand in that business, or upon any other person in particular, he wished for information whether the facts thus confidently reported, were true.

Lord *North* gave no answer, but defended the propriety of the Bill now moved for. The former Bill was only against a part of *America*; this against the remainder. He did not recollect that he had ever said he would wait to know the event of the first Bill, before he proposed another. As the Colonies had come to an agreement to carry on no trade whatever with *Great Britain*, *Ireland*, or the *West Indies*, he was clearly of opinion, that it became indispensably necessary to restrain their commerce, and prevent them from trading with any other country.

The question then being put, the Committee agreed to the motion offered by Lord *North*.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that he was directed by the Committee to make a motion, when the House will please to receive the same.

Ordered, That the Report be now received.

Sir *Charles Whitworth* accordingly reported from the said Committee, that he was directed by the Committee to move the House, that leave be given to bring in a Bill to restrain the Trade and Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions and limitations.

And Sir *Charles Whitworth* moved the House accordingly.

Ordered, That leave be given to bring in a Bill to restrain the Trade and Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions and limitations; and that the Lord *North*, the Lord *Beauchamp*, Mr. *Charles Townshend*, Mr. *Cornwall*, Mr. Attorney General, Mr. Solicitor General, Sir *Charles Whitworth*, and Mr. *Cooper*, do prepare and bring in the same.

MONDAY, *March* 13, 1775.

Mr. *Cooper* presented to the House, according to order, a Bill to restrain the Trade and Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions and limitations; and the same was received, and read the first time.

Resolved, That the Bill be read a second time.

Ordered, That the said Bill be read a second time upon *Thursday* morning next.

Ordered, That the said Bill be printed.

WEDNESDAY, *March* 15, 1775.

Mr. *Tomkyns*, from the Commissioners of the Customs, presented to the House, pursuant to their orders,

An Account of the amount of the Duties paid on Coffee, Sugar, and Rum, imported into *England* from the *West Indies*, for the last three years that can be made up, viz: from Christmas, 1770, to Christmas, 1773; distinguishing the several articles; and also,

Digitized by Google

An Account of the amount of the Drawbacks paid on Coffee, Sugar, and Rum, exported from *England*, with the amount of the Bounty paid on *British* Refined Sugar exported for the three last years, that can be made up, viz: from Christmas, 1770, to Christmas, 1773; distinguishing the several articles; and also,

An Account of Imports to the *British* Sugar Colonies, from *North America*, for three years last past; distinguishing each year.

And then he withdrew.

And the Titles of the said Accounts were read.

Ordered, That the said Accounts be referred to the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, is referred.

A Petition of the Clothiers, and other principal Inhabitants of *Trowbridge*, in the County of *Wilts*, was presented to the House, and read; setting forth—

That the Petitioners observe certain persons styling themselves Representatives of the People of sundry Provinces in *America*, assembled in General Congress, have presented a Petition to his Majesty, in which they question the authority of the supreme *British* Legislature, to enact laws for raising a Revenue in those parts of his Majesty's Dominions; and that the Petitioners conceive the openly or tacitly giving up in this instance, the authority of the Legislature of *Great Britain* over the *American* Colonies, would be not only highly derogatory to the honour and dignity of the Crown and Parliament, but greatly injurious to the welfare and trade of *Great Britain*; and that the Petitioners cannot be insensible that, if their fellow-subjects in *America* are exempted from contributing in such way as the *British* Legislature shall judge best, and in some equitable proportion with the inhabitants of *Great Britain*, to the Revenues necessary for supporting the dignity of the Crown; the administration of Government and justice in, and the protection of the whole Empire, such exemption to them must occasion the people here being unequitably and too heavily burdened; and, as the Petitioners apprehend the disproportioned and heavy share of the publick burthens, which the inhabitants of this Kingdom have been hitherto called to bear, has been one occasion of numbers from different branches of the Woollen Manufacture already emigrating to *America*, so they are persuaded the continuance of such disproportion would be a means of drawing from hence to *America*, yet more and more of our most useful and industrious Manufacturers and Mechanicks, to a degree, which in the end, must be pernicious both to the landed and commercial interest of *Great Britain*; and, therefore, praying, that the House will ever assert and maintain entire, the supremacy of the *British* Legislature over his Majesty's Dominions in *America*, and provide by such laws and measures as to the House shall appear best, that whilst the inhabitants of those Dominions claim and expect countenance and protection from the influence of the *British* Government, and the united strength of the *British* Empire, they be obliged to contribute an equitable share towards the honourable support of that Government, and the means of providing for the common defence and security of that Empire.

Ordered, That the said Petition be referred to the consideration of the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, is referred.

THURSDAY, *March* 16, 1775.

The Order of the Day being read, for the second reading of the Bill to restrain the Trade and Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions and limitation;

Ordered, That the said Bill be read a second time tomorrow morning.

FRIDAY, *March* 17, 1775.

Ordered, That the Order of the Day, for the second reading of the Bill to restrain the Trade and Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions and limitations, be now read.

And the said Order being read accordingly;

The said Bill was read a second time.

Mr. *Sawbridge* said the Minister was consistent; no charge could be brought against him for partiality, since he was now laying an equal measure of punishment on the whole Continental Empire. These restraining Bills tied the bands of union and good fellowship between all the Provinces, and united them in a common cause.

Mr. *Temple Luttrell* condemned, in strong terms, the principle of the Bill; said, that this and the other restraining Bill ought to be burnt by the common hangman; he treated the present Bill as treasonable against the community, and said, it must eventually be the cause of a civil war.

Resolved, That the Bill be committed.

Resolved, That the Bill be committed to a Committee of the Whole House.

Resolved, That this House will, upon *Monday* morning next, resolve itself into a Committee of the Whole House, upon the said Bill.

MONDAY, *March* 20, 1775.

Ordered, That the Order of the Day, for the House to resolve itself into a Committee of the Whole House, upon the Bill to restrain the Trade and Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions and limitations, be now read.

And the said Order being read accordingly;

The House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had gone through the Bill, and made several amendments thereunto, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received upon *Thursday* morning next.

THURSDAY, *March* 23, 1775.

The Order of the Day being read;

Ordered, That the Report from the Committee of the Whole House, to whom the Bill to restrain the Trade and Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions and limitations, was committed, be received upon *Monday* morning next.

MONDAY, *March* 27, 1775.

Ordered, That the Report from the Committee of the Whole House, to whom the Bill to restrain the Trade and Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions and limitations, was committed, be received upon *Wednesday* morning next.

WEDNESDAY, *March* 29, 1775.

Ordered, That the Report from the Committee of the Whole House, to whom the Bill to restrain the Trade and Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions and limitations, was committed, be received to-morrow at twelve of the clock.

THURSDAY, *March* 30, 1775.

Sir *Charles Whitworth*, according to order, reported from the Committee of the Whole House, to whom the Bill to restrain the Trade and Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions

Digitized by Google

and limitations, was committed, the amendments which the Committee had made to the Bill; and which they had directed him to report to the House; and he read the Report in his place, and afterwards delivered the Bill, with the amendments, in at the Clerk's table, where the amendments were once read throughout; and then a second time, one by one; and upon the question severally put thereupon, were agreed to by the House.

Mr. *John Luttrell* said: Sir, I am induced to offer a few observations upon the imperfections of the Bill before you, that we may not too hastily adopt an opinion which has been frequently held forth by the friends of Administration, that, provided our trade from *Great Britain* and *Ireland* should increase, though that of *America* do suffer, you will have a greater number of Seamen. Sir, it has been said, in support of the assertion I have alluded to, that very few *American* Seamen return in *English* Vessels from that Coast. I think it a very fortunate circumstance that they do not, because we have no employment for them, and they therefore must become a burthen to this country. But I will appeal to my Naval friends on the other side of the House, whose knowledge of maritime concerns is very extensive, if *American* Seamen are not always impressed in every part of the world to man the King's Ships whenever the service requires men? I am sure the books of the *Northumberland*, *Sterling*, *Castle*, *Southerland*, *Success*, *Lizard*, and many other Ships stationed upon the Coasts of either *America*, in the course of the last war, will furnish us with very long lists of them; but they have hitherto been so intermixed with the Seamen of this country, and always considered (as I hope they ever will be) equally valuable, and as one and the same people, that I believe it never yet occurred to the Commanding Officer of any Squadron employed in times of war, either in the *West Indies*, *America*, or elsewhere, to make a particular inquiry into their numbers; the idea would have been accounted as unnecessary and strange as the distinction is new, ridiculous, and dangerous. But, sir, I have ever considered *America* to be a great nursery, where Seamen are raised, trained, and maintained in times of peace to serve this country in times of war, and though I shall readily admit, from the distance of their shores, that you cannot lay hands upon them the first half hour of an Armament, yet am I persuaded that you may be possessed of some thousands within the time usually prescribed for the return of *English* Seamen from foreign services. As I am up, sir, I would wish to say a word or two upon that part of the Bill which principally relates to the Commanders of his Majesty's Ships-of-War, employed for what the Bill styles the *protection*, but would be much more properly termed the destruction of the trade, and it may possibly not be found quite so easy in practice as to some people it appears in theory, either to seize these Vessels, or to discover false clearances or certificates. There are those that hear me, who perfectly well remember the variety of dexterous tricks practised in the course of the late war, by almost every Nation, with respect to false clearances and certificates: the difficulties attending the detection, and the uncertainty of the event. There are those in *America* who bear in memory the shameful decisions respecting *Monto Christo* men. They will be aware that though the Vessels be condemned, and shared in *America*, they must be liable to appeals at home, and perhaps be obliged to refund, when the Seamen have spent the money, and the Captain (as has been the case) is made answerable for the whole. I have no doubt but the *Americans*, by being put into the calamitous situation they are, and feeling the tyranny of the mother country, will endeavour to carry on a trade at the risk of the fine imposed under this Act of Parliament; but there are few Sea Officers who, after a long peace, will find money to throw away upon such ungracious prosecutions; nor do I believe that they will wish to prosecute their fellow-subjects in a manner which may appear to them to be arbitrary and unconstitutional; besides we have been too roughly handled by the civil law courts, to wish to have many dealings with them. Sir, on the score of seizure, I shall revert to my former arguments, that the King's Ships cannot keep the Seas in safety, in the Northern parts of the Coasts of *America*, for more than half the year. Whenever they can cruize, the *Americans* will have the advantages, that a perfect knowledge of the shoals, soundings, rocks, creeks, and places of shelter can afford them; by which means they must frequently escape your most vigilant researches: besides it is not a very pleasant service for an Officer to risk the King's Ships upon a lee-shore, with which he is totally unacquainted, not in pursuit of an enemy, but to destroy a friend. Upon the whole, sir, I consider this Bill to be somewhat less cruel than that which is meant to demolish the *New England* Provinces by famine; in every other respect I hold it to be equally mischievous. It is with real concern I see humanity and sound policy giving way to that hated revenge which involves indiscriminately the innocent with the guilty. By this oppressive Act you will certainly extend the unhappy differences which already but too generally prevail in *America*, to every Province; nay, I fear I may say, to almost every individual upon that vast Continent: therefore, I protest against the measure.

Mr. *Temple Luttrell*. Sir: it is but too visible, from the rash measures pursued by the Ministers of your Government here in *England*, and from the temper and situation of your *American* Colonies, that a civil war will be inevitable. Gentlemen on the other side of the House have always held as a favourite proposition, that protection and obedience are reciprocal duties; and of course, that the withdrawing of the one discharges the other. Now, sir, by these Bills you are withdrawing your protection to some purpose; I therefore presume your Colonies are no longer to be treated as Rebels, but, whatever may be the hazard of battle, will be entitled to the same military honours, to the same acts of clemency and of grace, that are usually practised, according to the modern system of war, by every civilized Nation in the world. You have a striking example of such rule of conduct from ancient time, in the most flagrant and sanguinary of all the wars the *Romans* ever waged: I mean the war against their own countrymen, commonly called the Social War; a war that, in many of its circumstances, bears so close a resemblance to the present unhappy era in our history, that I cannot help asking leave of the House to say a few words upon it. The passions of mankind, in the aggregate, are, throughout all ages, nearly alike; and the same probable events may, in future, be looked for from those causes to which they have heretofore been found incidental.

Several confederate *Italian* Provinces, to whose courage and industry the *Roman* Republick, in a great measure, owed her meridian splendour, despairing to obtain, by fair means, those privileges to which they had every reasonable claim, took up arms: they founded a new capital; they constituted a Senate to themselves, and they choose Consuls. The mass of the people of *Rome*, who stedfastly maintained those principles, which are the genuine principles of *British* Whiggism—a devotion to rational liberty, and a spirit of resistance to all exorbitant power wheresoever lodged—called aloud for vengeance on their Ministers and patricians, to whose iniquity they ascribed every impending evil. Sir, a resolute Tribune (and I hope a worthy Chief Magistrate of this metropolis will now take the hint) did impeach the ostensible contrivers and managers of so unnatural a war. And recollect, sir, how it ended: the *Roman* Senate, though aided by their old enemies the *Gauls*, and by some scattered factions in the heart of the revolted country, whose patriotism, like that of certain *New-Yorkists*, was not quite proof against state artifices and venality:—I say, sir, the *Roman* Senate was at length compelled to cede, with a very bad grace, those terms which ought at first, in justice, to have been accorded by amicable compact. During this civil conflict was spilt the best blood of *Rome*: in less than three years, near three hundred thousand persons fell in the field of combat. But there was a still more fatal consequence; for it was in this school that *Marius*, *Sylla*, and other aspiring leaders, learned their first rudiments of despotism, and familiarized themselves to the massacre of their fellow-subjects. That sword which was unsheathed by order of the *Roman* Senate, and under the authority of the *Roman* people, to deprive of the dearest rights of human nature, their allies, their associates, and brethren, was not returned into its scabbard till *Rome* herself had, at her inmost vitals, felt the sharpness of its edge. The Generals employed on that occasion were many of them men of heroick sentiments, of humane dispositions; they might have sat for the amiable portraits

Digitized by Google

which a very skilful Colonist here drew of the three Officers chosen to undertake a similar task on the *American* Continent; they, too, talked of reluctance, they talked of compassion and universal philanthropy; at the very hour of encounter they announced themselves, *necessitate hostes, voluntate hospites*. Yet, sir, these very men, once familiarized to domestick slaughter, and to military sway, could not prevail upon themselves to stop, till they had subverted the Constitution, and totally annihilated the liberties of the whole Commonwealth. In short, by this war the *Romans* were irrecoverably undone. Hence the perpetual Dictatorship; hence the succeeding Triumvirs; and, at length, the throne and tyranny of *Cæsar*. Sir, I contend, that this our social war, like the war I have been speaking of, is founded on a laudable resistance to the despotism of Administration, sustained by a Parliamentary majority, rather than any defection in the *Americans* at heart from the mother country. The generous natives of *England* thirst not after an unjust dominion, neither can they look with an eye of malignant jealousy on their kindred Colonists, who, scarce a century ago, drew, in common with them, one parental breath. Jealousy is too mean a vice to grow in a soil with such exalted virtues as distinguish a *Briton:* he seeks not the palm of victory earned at so dear a cost as by the destruction or abject servitude of millions of his fellow-subjects—that too for upholding principles which he himself sanctimoniously reveres.

The first duty of a good citizen is to the publick; and to assert, that the supreme sovereignty, as to the fundamentals of our Constitution, be vested in any form of Government whatever, or elsewhere, than with the society at large, is a traitorous doctrine, not merely against the *Americans*, but against our own immediate constituents here at home. The same allegiance that every private individual owes to the estates of the *British* monarchy, legally established, do those very estates owe to the community in general, which hath always reserved to itself, and asserted, certain original rights of mankind, that it would be rebellion, it would be sacrilege in us to violate. One of these rights is, that every, the minutest of the component parts of this great Empire, shall be free from dissezin of property, unless under a direct or effective representation in Parliament.

To force a tax upon your Colonists, unrepresented, and universally dissentient, is acting in no better capacity than that of a banditti of robbers. Can our folly and our vanity lead us to flatter ourselves, that they will be taught by our armaments or commercial interdicts, to own for their liege lord and tax-master, the possessor of a poor solitary sheepcote on *Salisbury* plain? Or that (eccentrick as they are with respect to this our distant and circumscribed sphere of the *British* Isles) they will still continue to be cajoled by the absurd, empty plea of virtual representation? Sir, that word 'virtual' must contain in it more mystick power than the sacred archetype on *Aaron's* breastplate, before it can be made to work an effect so contradictory to reason and common sense. The advocates for the coercion of *America*, who have frequent recourse to your written Statutes, and who support their arguments as to the letter of law, from *Selden*, Lord *Coke*, and other high prerogative authorities, would do well calmly and seriously to consider of a passage in *Montesquieu's* divine Spirit of Laws. I allude, sir, to a part of his comment on the triumph of the people of Old *Spain* over the idolatrous *Mexicans;* neither will it be necessary for me to point out to the House where the precise analogy lies between the first invaders of that Southern Continent, and our modern law-makers of the North. "Free men" says he, "they made slaves, when they made slaves free: instead "of giving them the religion of peace, they inculcated on "their minds a more outrageous superstition: it were impos-"sible for me to enumerate all the good things they might "have done; it were impossible for me to enumerate all the "bad things which they actually did. The end of conquest "is this: it leaves upon their victors (though marshalled in "the best licensed cause) an immense arrear of debt to be "paid off to human nature." Impious as it may seem to arraign the dispensations of Providence, I can but lament that destiny had placed this 'fanciful' *Montesquieu* (as he is called by our celebrated pensioned essayist Dr. *Johnson*) in the presidency of a foreign Parliament; the individual members of which, ever occupied in sacrificing to the graces, imperceptibly and totally lost their publick constitution and liberty. Had, sir, his lot been cast in this assembly to day, what might not so good a man, with his capacity and powers of inspiration, have effected? He might have staid the uplifted hand of ravage and oppression; and, though given us too late to prevent *Great Britain* from madly opening her own veins, he might perhaps have been the means of administering some timely remedy that should save her from bleeding to death. But, indeed, after the reception which a very respectable Member (Mr. *Burke*) here met with some evenings ago, who pleaded the cause of justice and humanity, with an almost supernatural force of reasoning and with every charm of eloquence, we might even despair of working the necessary reform in this House, though an angel from Heaven, with the full attributes of his beatitude, should descend among us.

There was a Parliament in the reign of *Henry* the Sixth, which, on account of the severity of its judgments and proscriptions against certain partisans of the *York* family, has gained in our annals the honourable distinction of *Parliamentum Diabolicum*. Now, sir, by passing such Acts as these are, shall not we lay in a just claim to be transmitted down to posterity, if possible, under a still more infernal appellation? I am for rejecting the Bill with the deepest marks of penitence in us, for having proceeded in it thus far, and with every term of ignominy and abhorrence with respect to the wicked principle on which this, and its fellow edict for butchery and famine, the Fishery Bill, are grounded.

Lord *North* defended the Bill on the former ground of necessity. He offered a clause to be added to the Bill—"To prevent frauds arising in the exportation of Goods of "the produce of the Counties of *Kent*, *Sussex*, and *New-"Castle*."

A few observations were made on this extraordinary motion; which it was said was unprecedented in the annals of Parliament, that of condemning people unheard, nay, even without inquiry.

It was answered generally, that the House was in possession of information sufficient to warrant the insertion of the clause; that the Papers laying on the table contained that information; and that any gentleman who doubted that the inhabitants of those Counties deserved no exclusive favour or particular indulgence, had need only to peruse the Papers laid before the House, to be convinced.

The question then being put, it was agreed to by the House, that the clause be made part of the Bill.

Then several amendments were made by the House to the Bill.

Ordered, That the Bill, with the amendments, be engrossed.

Ordered, That the said Bill be read the third time upon *Monday* morning next, if the said Bill shall be then engrossed.

THURSDAY, *March* 30, 1775.

The Lord *North* presented to the House, by his Majesty's command,

No. 1. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 17th *February*, 1775; received 27th *March*, enclosing,

No. 2. Extracts from the Records of the late Provincial Congress held at *Cambridge*, in the months of *October*, *November*, and *December*, 1774; also, Extracts from the Minutes of the Proceedings of the Congress held at *Cambridge*, in *February*, 1775.

No. 3. Proceedings of the Provincial Congress at *Cambridge*, on the 7th, 15th, and 16th *February*, 1775.

No. 4. Extract of a Letter from the Honourable Governour *Gage* to the Earl of *Dartmouth*, dated *Boston*, 20th *February*, 1775; received 27th *March*.

Copy of the extract of a Letter from the Honourable Governour GAGE *to the Earl of* DARTMOUTH, *dated* BOSTON, 17*th* February, 1775.

"I am honoured with your Lordship's Despatch, of the 10th of *December*, No. 13; as also of your Lordship's Circular Letter of same date, enclosing copies of his Ma-

Digitized by Google

jesty's most gracious Speech to both Houses of Parliament, with the Addresses of the Lords and Commons thereupon.

"The firm resolution expressed in his Majesty's Speech, to maintain the authority of the supreme Legislature over all parts of the Empire, and the assurances given by the new Parliament to support his Majesty's measures, in which the demagogues here flattered themselves to find abetters and defenders of their conduct, has cast a damp on the faction; but they still entertain hopes that the Resolves of their Continental Congress will work in their favour.

"Your Lordship will be told of the late instance of loyalty in the *New-York* Assembly, which has had very good effects; and we are told that they are changing their sentiments at *Philadelphia* The fury into which people were thrown, and which spread like an infection from Town to Town, and from Province to Province, is hardly to be paralleled, where no oppression was actually felt; but they were stirred up by every means that art could invent. They were made to believe that their religion was in danger, their lands to be taxed, and that the Troops were sent to enforce the measures, and wantonly to massacre the inhabitants. People well disposed caught the popular fever; and when it raged at the highest, the Delegates were chosen for the Continental Congress; so that, as we are told, the greatest incendiaries in most Provinces were elected. It required temperate management and much pains to undeceive the people, who are more moderate in general, though numbers still hold their first prejudices.

"If this Provincial Congress is not to be deemed a rebellious meeting, surely some of their Resolves are rebellious, though they affect not to order, but only to *recommend* measures to the people; which measures, I have learnt from the emissaries I have sent through the country, have not been regarded as to the raising of money, though they have been training men in several Townships, as they could get them in the humour to assemble. This new elected Congress met on the first instant, and I transmit your Lordship some of the Resolves. I am just informed that they have adjourned themselves.

"Nothing can be attempted here till the reception that the proceedings of their great Congress meets with in *England*, is known. The sending a detachment to *Marshfield* has had a good effect in that quarter of the country, and I hope will encourage other places where oppression is felt, to make applications of the same nature."

Copy of the extract of a Letter from the Honourable Governour Gage *to the Earl of* Dartmouth, *dated* Boston, *20th* February, 1775.

"I have tried to get intelligence if they had presumed to usurp the Government entirely, and choose a Governour, and am informed that the measure was talked of, but could not be carried. Some people from *Connecticut*, termed a Committee, and amongst them the Governour's son, came to the Congress just after adjournment, which caused much speculation, and of course many reports. Some say their business was to offer an aid of men; others, to inform them of the contents of a letter the Governour of that Colony had received from your Lordship; but I can only yet discover that it was a visit of curiosity."

Ordered, That the said Papers do lie upon the table to be perused by the Members of the House.

Monday, *April* 3, 1775.

Ordered, That the Order of the Day, for the third reading of the Bill (now engrossed) to restrain the Trade and Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions and limitations, be now read.

And the said Order being read accordingly;

Ordered, That the said Bill be read the third time tomorrow morning.

Mr. *Gascoyne*, from the Commissioners for Trade and Plantations, presented to the House, by his Majesty's command—

No. 1. Estimate of the charge of maintaining and supporting the Civil Establishment of his Majesty's Colony of *Nova Scotia*, for the year 1775; and also,

No. 2. Estimate of the Civil Establishment of his Majesty's Colony of *Georgia*, and other incidental expenses attending the same, from the 24th of *June*, 1774, to the 24th of *June*, 1775; and also,

No. 3. Estimate of the Civil Establishment of his Majesty's Province of *East Florida*, and other incidental expenses attending the same, from the 24th of *June*, 1774, to the 24th of *June*, 1775; and also,

No. 4. Estimate of the Civil Establishment of his Majesty's Province of *West Florida*, and other incidental expenses attending the same, from the 24th of *June*, 1774, to the 24th of *June*, 1775; and also,

No. 5. Estimate of the expense attending general Surveys of his Majesty's Dominions in *North America*, for the year 1775.

Together with a List of the said Estimates.

And the said List was read.

The said Estimates are as followeth, viz:

Estimate of the Charge of Maintaining and Supporting the Civil Establishment of his Majesty's Colony of Nova Scotia, *for the year* 1775.

To an additional salary to the Governour,	£500 00 00
To a salary to the Chief Justice, - -	500 00 00
To a salary to the Attorney General, -	182 10 00
To an allowance to the Secretary for himself and Clerks, - - - - -	262 10 00
To an allowance to the Naval Officer, -	182 10 00
To an allowance to the Register, - -	182 10 00
To an allowance to the Surveyor of Lands, and for other contingent expenses attending that establishment, - - -	321 15 00
To the salaries of a Secretary and Messenger to the Council, - - - - -	96 12 00
To the hire of a house and other contingent expenses attending the Secretary's office,	52 06 00
To sundry stipends and allowances for house rent to the Ministers and Schoolmasters in the different Districts of the Province, -	440 00 00
To an allowance for fire-wood for the use of the Governour's house and publick offices,	288 15 00
To the expenses of a Pilot-boat, - -	203 01 00
To the salary of the Agent, - - -	200 00 00
To the salary of the Treasurer, - -	50 00 00
To the expense of the Orphan House, -	384 01 05
To an allowance to Mrs. *Howe*, who, after long and meritorious services of her late husband, is left destitute under an age of infirmity, - - - - - - -	100 00 00
To an allowance for a Magistrate in the Island of *Breton*, - - - - -	100 00 00
To an allowance for a Priest to the *Micmack Indians*, pursuant to a treaty in 1761, being an allowance heretofore paid out of the contingencies, for which no provision is made in this Estimate, - - -	100 00 00
To an allowance in aid of the Duties granted by the Legislature of *Nova Scotia*, for the maintenance and support of a Light House near the entrance of the Harbour of *Halifax*, - - - - - - -	100 00 00
To an allowance upon account for fees to be paid upon orders for the receipt, and upon the issues of the moneys granted upon this Estimate, - - - - - -	100 00 00
	£4,346 10 05

Estimate of the Civil Establishment of his Majesty's Colony of Georgia, *and other Incidental Expenses attending the same, from the 24th* June, 1774, *to the 24th of* June, 1775.

To the salary of the Governour, -	£1,000 00 00
To the salary of the Chief Justice, -	500 00 00
To the salary of the Secretary, - -	100 00 00
To the salary of the Clerk of the Assembly,	20 00 00
To the salary of the Surveyor of Lands, -	150 00 00
To the salary of the Receiver General of the Quit-rents, - - - - -	100 00 00
To the salary of the Attorney General, -	150 00 00
To the Salary of the Provost Marshal, -	100 00 00
To an allowance for a Minister of the Church of *England*, and two Schoolmasters, -	116 00 00

Digitized by Google

To the salary of the Agent for the affairs of the Colony,	200 00 00
To an allowance to the Pilot stationed at the mouth of *Savannah* River, with a boat and sufficient hands,	50 00 00
To an allowance for contingent expenses,	500 00 00
To an allowance to Mr. *Ottolenghe*, Superintendent of the late Filature at *Savannah*, in consideration of his long and faithful services in that office, which is now discontinued,	100 00 00
	£3,086 00 00

Estimate of the Civil Establishment of his Majesty's Province of East Florida, *and other Incidental Expenses attending the same, from the 24th of* June, 1774, *to the 24th of* June, 1775.

To the salary of the Governour-in-Chief,	£1,200 00 00
To the salary of the Chief Justice,	500 00 00
To the salary of the Attorney General,	150 00 00
To the salary of the Secretary and Clerk of the Council,	150 00 00
To the salary of the Register,	100 00 00
To the salary of the Receiver General of the Quit-rents,	100 00 00
To the salary of the Surveyor of Lands,	120 00 00
To an allowance for an Assistant,	30 00 00
To the salary of the Agent,	200 00 00
To a Minister at *St. Augustine*,	100 00 00
To a Minister at *St. Marks*,	100 00 00
To a Schoolmaster at each of the above places, at £25 each,	50 00 00
To the salary of the Provost Marshal,	100 00 00
To an allowance for a Pilot established at *St. Augustine*,	50 00 00
To an allowance for unforeseen contingent expenses,	1,000 00 00
To an allowance for the purchase of a proper assortment of Goods for presents to the *Indians*, and other contingent expenses relative to that service,	1,000 00 00
	£4,950 00 00

Estimate of the Civil Establishment of his Majesty's Province of West Florida, *and other incidental expenses attending the same, from the 24th of* June, 1774, *to the 24th of* June, 1775.

To the salary of the Governour-in-Chief,	£1,200 00 00
To the salary of the Chief Justice,	500 00 00
To the salary of the Attorney General,	150 00 00
To the salary of the Secretary and Clerk of the Council,	150 00 00
To the salary of a Register,	100 00 00
To the Surveyor of Lands,	120 00 00
To an allowance to an Assistant,	30 00 00
To the salary of the Agent,	200 00 00
To the salary of a Minister at *Pensacola*,	100 00 00
To the salary of a Minister at *Mobile*,	100 00 00
To a Schoolmaster at each of the above places, at £25 each,	50 00 00
To the salary of the Provost Marshal,	100 00 00
To an allowance for unforeseen contingent expenses,	1,000 00 00
To an allowance for a purchase of a proper assortment of Goods, for presents to the *Indians*,	1,000 00 00
To an allowance to Mr. *Romans*, for his care and skill in the collection of rare and useful productions in Physick and Botany,	50 00 00
To an allowance to Engineer *Durnford*, in consideration of his labour and expenses in making Surveys of several parts of *West Florida*, between the years 1765 and 1774, by order of the Governours of that Province,	600 00 00
	£5,450 00 00

Estimate of the Expense attending General Surveys of his Majesty's Dominions in North America, *for the year* 1775.

To an allowance to a Deputy Surveyor of Lands at *Quebec*, during the time the Chief Surveyor is employed in making surveys in other parts of the Northern District,	£100 00 00
To a Deputy Surveyor, at ten Shillings per day, and two Assistant Surveyors, at seven Shillings per day each,	438 00 00
To one Draughtsman at five Shillings per day,	91 05 00
To an additional pay of one Shilling and eight Pence per day to one Sergeant, one Shilling per day to one Corporal, and six Pence per day to twelve private men, to assist in such Survey, and to serve as Camp, Colour, and Chain men, and to make signals along shore, and on the tops of mountains,	155 02 00
To extraordinary expenses for horses, guides, &c.,	100 00 00
To expenses and allowances for the Survey of the Southern District,	700 17 00
To an allowance upon account of Fees to be paid upon orders for the receipt, and upon the issue of moneys granted upon the estimate,	200 00 00
To an allowance for defraying the expense of making Copies for the use of the Publick Offices, of the Maps and Plans returned by the Surveyors, and for preparing them for publication,	100 00 00
	£1,885 04 00

Ordered, That the said Estimate do lie upon the table, to be perused by the Members of the House.

Wednesday, *April* 5, 1775.

An engrossed Bill, to restrain the Trade and Commerce of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*, under certain conditions and limitations, was read the third time.

And a motion being made that the Bill do Pass;

Mr. *Hartley* spoke against it, as beyond measure cruel and oppressive. He observed, with great concern, that no power was vested any where to suspend the operations of the Bill, or to abate its rigour, in case *America* was willing to agree to certain temporary stipulations, till the claims of one country and the rights of the other, could be fully ascertained.

Lord *North* said, that it did not seem to him necessary that such a power should be vested in the King and Council; that the operations of the Bill would cease, nay, indeed, the Bill itself, exist or not exist, at the option of the *Americans*; for if they had a mind to seek the friendship and protection of *Great Britain*, which was a reconciliation he sincerely wished, they would comply with the conditions of the Bill, which were a free importation and exportation to and from the mother country as usual.

Sir *William Mayne* declared he did not mean to debate the principle of the Bill, and only differed as to the timing of it; that he was not in any respect altered in his sentiments as to what ought to be the conduct of this country towards *America*, but only wished that whatever measures were pursued, might be conducted in so temperate and moderate a manner as to induce the *Americans* to change their conduct towards *Great Britain*. He lamented that though the *Boston* Port Bill was well intended, yet ever since the carrying of it into execution things had gone from bad to worse in *America*; to the degree, that at this moment the Constitution of this country seemed to totter on its very basis; that, amidst the greatest provocation this country ever received, he wished to suspend the uplifted arm of power, and give the infatuated *Americans* time to reflect what they had been doing, and whither their phrenzy, if persisted in, must carry them; that, entertaining these sentiments, he could not give his affirmative to the Bill, especially as he thought it would rather tend to irritate than

Digitized by Google

reconcile; to unite in one common league, than to disunite the people of *America*.

Mr. *Rigby* pronounced the *Americans* to be in rebellion, and thought every *Englishman* ought to support the present measures; but be the event of our present disputes what it might, he never entertained a second opinion on the subject, and should never give up his sentiments upon any motive of a remote view of the consequences; for as the principles on which the present measure was taken up, appeared to him to be right, so upon a secondary consideration, he was resolved never to depart from it. He then entered into a history of the Stamp Act; said it was the work of a great Minister, and attributed all our present confusions to its repeal.

The Marquis of *Granby*. I rise to trouble the House with a few words on the Bill now before it. I have sat, sir, during the course of two divisions, without taking any part; even so much as giving a silent vote on any *American* question; because, sir, as I will fairly confess to you, I entered these walls with prejudices against the system Administration was pursuing; I thought it was but justice to hear the arguments that might be urged on both sides; to compare those arguments, and draw my opinion from that comparison. As to the Bill, immediately the object of our consideration, I think it, in every respect, so arbitrary, so oppressive, and so totally founded on principles of resentment, that I am exceedingly happy at having this publick opportunity of bearing my testimony against it in the strongest manner I am able. In *God's* name, what language are you now holding out to *America*? Resign your property, divest yourselves of your privileges and freedom, renounce every thing that can make life comfortable, or we will destroy your commerce, we will involve your country in all the miseries of famine; and if you express the sensations of men at such harsh treatment, we will then declare you in a state of rebellion, and put yourselves and your families to fire and sword. And yet, sir, the noble Lord on the floor, has just told this House that a reconciliation is the sole object of his wishes. I hope the noble Lord will pardon me if I doubt the perfect sincerity of those wishes: at least, sir, his actions justify my doubts; for every circumstance in his whole conduct, with regard to *America*, has directly militated against his present professions: and what, sir, must the *Americans* conclude? Whilst you are ravaging their Coasts, and extirpating their Commerce, and are withheld only by your impotence from spreading fresh ruin, by the sword, can they, sir, suppose such chastisement is intended to promote a reconciliation, and that you mean to restore to their forlorn country those liberties you deny to their present possession; and in the insolence of persecution, are compassing Earth and Seas to destroy? You can with no more justice compel the *Americans* to your obedience, by the operation of the present measures, by making use of their necessities, and withholding from them that commerce on which their existence depends, than a ruffian can found an equitable claim to my possessions, when he forcibly enters my house, and with a dagger at my throat, or a pistol at my breast, makes me seal deeds which will convey to him my estate and property. [Mr. *Rigby* having declared the *Americans* to be in rebellion, Lord *Granby*, in answer, said his ideas of rebellion were totally different from Mr. *Rigby's*. If, according to his ideas of rebellion, the *Americans* were in that state, he should be as warmly their opponent as he was now their friend; and then went on.]

I have a very clear, a very adequate idea of rebellion, at least according to my own principles; and those are the principles on which the Revolution was founded. It is not against whom a war is directed, but it is the justice of that war, that does or does not constitute rebellion. If the innocent part of mankind must tamely relinquish their freedom, their property, and every thing they hold dear, merely to avoid the imputation of rebellion, I beg, sir, it may be considered what kind of peace and loyalty there will then exist in the world, which consists only in violence and rapine, and is merely to be maintained for the benefit of robbers and oppressors. I hope, sir, I shall be believed when I assure you that I am as warm a friend to the interests of my country as any man in this House; but then it must be understood when those interests are founded in justice. I am not attached to any particular acre of land; the farmer in *Cumberland* or *Durham* is as little connected with me as the peasant in *America*: it is not the ground a man stands on that attaches me to him; it is not the air he breathes that connects me with him, but it is the principles of that man, those independent, those generous principles of liberty which he professes, co-operating with my own, which call me forth as his advocate, and make me glory in being considered his friend. As for myself, sir, I am not in the least ashamed to avow that my attachment is to a noble Lord who has been, in my opinion, very unjustly reflected on in the course of this debate, (I mean Lord *Chatham*;) I am not even personally acquainted with the noble Lord; I do not know the inconsistencies of which he stands accused; but this, sir, I know, I shall not support his inconsistencies, I shall only support him in those principles which have raised his name to the elevation on which it is now placed in this country, and have so deservedly procured him the love and admiration of his fellow-citizens.

Sir, I shall not trouble this House any longer, as this matter has been so fully discussed, though I must confess I am not sorry a debate has taken place, because I was rather desirous of making a kind of political creed, some professions of my sentiments on this very important, this very serious national question. From the fullest conviction of my soul, I disclaim every idea, both of policy and right, internally to tax *America*. I disavow the whole system. It is commenced in iniquity; it is pursued with resentment; and it can terminate in nothing but blood. Under whatsoever shape in futurity it may be revived, by whomsoever produced and supported, it shall, from me, meet the most constant, determined, and invariable opposition.

Lord *North* said, that something having fallen from a noble Marquis which he thought a charge directly against his honour, he would vindicate himself from that charge. He insisted that the Resolution of the 20th *February*, and the present Bill, were by no means contradictory to each other; for the noble Marquis could not possibly believe that the *Americans* would comply with the terms of the Resolution, while they resisted the conditions of this Bill, which were no more than that the trade between both countries should be carried on in its usual manner.

Mr. Alderman *Sawbridge* spoke strongly against the Bill, observing, as it originated in manifest injustice, so it inflicted a punishment to the last degree cruel and oppressive. He hoped *America* would never tamely acquiesce to be dragooned and compelled to submit to terms as unjust as the power which dictated them was obnoxious to the natural rights of mankind.

Mr. Alderman *Bull*. I shall only mention some facts relating to one very important article, because it has been the occasion of the unhappy disputes with, and the violent prosecution of, the *Americans*. I mean the article of Tea. At the time the *East India* Company had in contemplation the sending a quantity of Tea to different parts of *Europe*, as well as to *America*, and to apply to Parliament for an Act for that purpose, I had the honour to be called upon for my opinion of the measure by a very respectable person in the direction of the Company, whose name I am ready to mention, if called upon by the House. My opinion then was, and I still think it not ill-founded, that the scheme was so extravagantly wild that it was impossible it should ever be carried into execution; but if it could, it would injure, not benefit the Company, as they could not send their Tea to any market where it would bring so good a price as at home. Besides, it would be an act of great injustice to the Merchants here, who have always been used to buy for exportation at their sales. As to sending Tea to *America*, from a knowledge of their disposition, the gentleman was informed they would not receive it; they would look upon it as sent there, not to serve them, but to ensnare them; they would be exceedingly irritated; they would most certainly destroy it. An objection was, however, raised. What must the Company do with their great load of Tea, and how were they to raise the money they were so much distressed for? It was recommended to him to propose to the Court of Directors immediately to give out their declaration for two sales, the one in *March*, the other in *September*, and to put up their whole stock in hand; each sale, on a moderate computation, would produce about one million two hundred thousand Pounds; and as they would be in cash for the first of

Digitized by Google

them in about five months, they, the Company, perhaps might not be under the necessity of borrowing the one million four hundred thousand Pounds they then wanted. The quantity of Tea at that time in the Company's hands was said to be sufficient for six years consumption, and that great part of it was rotting in their warehouses. The real fact, however, was this: the Company then had sixteen and a half millions Pounds weight, not any of which had been in their warehouse more than a year and a half, and the greater part was of the last year's importation; none of it had suffered by keeping. The consumption, on the average, of the preceding five years, was eight millions per annum; so that the Company had in their warehouses a quantity sufficient only for two years, and not six years consumption.

If these sales had taken place, the price of Bohea Tea, the principal sort in demand for exportation, would have been reduced four or five Pence per pound, which probably might have increased the demand for exportation and home consumption together, even to twelve millions per annum. I am of this opinion, sir, because the four foreign *East India* Companies, viz: the *Dutch*, *Danes*, *French*, and *Swedes*, annually import more than eight millions, although it is well known they do not themselves consume near half that quantity; the remaining four or five millions they constantly import, for the sole purpose of smuggling it into *England*, *Scotland*, *Ireland*, and *America*. The quantity that we have exported on the average of the before mentioned five years, has been about one million four hundred thousand Pounds; but this would be greatly increased, the price being only twenty Pence, from which is to be deducted for the drawback, five per cent., which reduces it to fifteen Pence on board; and if we add to this even the fatal *American* three Pence, it will be only eighteen Pence. This price might, perhaps, have induced the *Americans*, as before, to receive the Tea from the Merchants, though not from the Company, and it would at once have put an end to all smuggling; for neither the *Dutch* or any other Company would think it worth their while to send Tea to *America*, to be sold under eighteen Pence per pound. I will not trouble the House with any observations on these facts; but I own I cannot be brought to believe that the Tea was sent to *Boston* to raise money for the Company, to get rid of their load of Tea, or to prevent smuggling, because each of those salutary ends might have been answered without injustice or offence to any individual. The purpose for which the Tea was sent to *America*, and the consequence, are evident now to every man's understanding. For these reasons amongst others, I hitherto have, and shall continue, to the utmost of my power, to support the *Americans*, thus injured and oppressed by the cruel and vindictive measures of an Administration, whose whole conduct breathes the spirit of persecution and Popery.

Sir *John Duntze* said, that the *Americans* had, by their open violence and repeated acts of disobedience, forfeited the good will and protection of this country, and that it therefore became necessary for us to retaliate, in order to bring them back to a proper sense of their duty.

General *Conway* condemned the Bill in very explicit terms. He said, to be consistent, the House should either rescind the Resolution of the 20th *February*, or suspend any farther proceedings on the present Bill, till the effect and event of that proposition were known, otherwise we might possibly be inflicting the most severe punishment on people who were at the same instant acting in the strictest conformity to what was solemnly laid down by this House as the great rule by which their duty and obedience were to be regulated. He concluded with lamenting the unhappy divided state of both countries, and expressing his fears of the dreadful consequences which must follow, should the sword be once drawn, and the whole Empire convulsed with all the horrours of a civil war.

Mr. *Rigby* said the *Americans* would not fight; they would never oppose General *Gage* with force of arms.

Sir *Richard Sutton* was strongly for passing the Bill.

Mr. *T. Townshend* observed, that the noble Lord (*North*) and his friends first created the necessity, and then defended the measure upon that very ground; that is, said he, we do a thing we should not have done, our first essay being imperfect, and not to be executed upon the plan we first formed, it then becomes necessary we should do something else, if possible, more unjust than the former; so that, on the whole, we endeavour to carry into execution one act of injustice, by exercising another, thus become necessary to give it effect.

The question then being put, the House divided: Yeas, 192; Noes, 46.

So it was resolved in the Affirmative.

And that the Title be "An Act to restrain the Trade and "Commerce of the Colonies of *New-Jersey*, *Pennsylva-* "*nia*, *Maryland*, *Virginia*, and *South Carolina*, to *Great* "*Britain*, *Ireland*, and the *British* Islands in the *West* "*Indies*, under certain conditions and limitations."

Ordered, That Mr. *Cooper* do carry the Bill to the Lords, and desire their concurrence.

HOUSE OF LORDS.

THURSDAY, *April* 6, 1775.

A Message was brought from the House of Commons, by Mr. *Cooper* and others,

With a Bill entituled "An Act to restrain the Trade "and Commerce of the Colonies of *New-Jersey*, *Pennsyl-* "*vania*, *Maryland*, *Virginia*, and *South Carolina*, to "*Great Britain* and *Ireland*, and the *British* Islands in the "*West Indies*, under certain conditions and limitations;" to which they desire the concurrence of this House.

The said Bill was read the first time.

Ordered, That the said Bill be printed.

FRIDAY, *April* 7, 1775.

The Bill entituled "An Act to restrain the Trade and "Commerce of the Colonies of *New-Jersey*, *Pennsylva-* "*nia*, *Maryland*, *Virginia*, and *South Carolina*, to *Great* "*Britain* and *Ireland*, and the *British* Islands in the *West* "*Indies*, under certain conditions and limitations;" was read the second time.

Ordered, That the said Bill be committed to a Committee of the Whole House.

Ordered, That the House be put into a Committee upon the said Bill on *Monday* next.

MONDAY, *April* 10, 1775.

The House, according to order, was adjourned during pleasure, and put into Committee upon the Bill entituled "An Act to restrain the Trade and Commerce of the Col- "onies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, "and *South Carolina*, to *Great Britain*, *Ireland*, and the "*British* Islands in the *West Indies*, under certain condi- "tions and limitations."

After some time the House was resumed;

And the Earl of *Galloway* reported from the Committee, "That they had gone through the Bill, and directed him to "report the same to the House without any amendment."

Ordered, That the said Bill be read a third time on *Wednesday* next, and the Lords summoned.

WEDNESDAY, *April* 12, 1775.

The Order of the Day being read, for the third reading of the Bill entituled "An Act to restrain the Trade and "Commerce of the Colonies of *New-Jersey*, *Pennsylvania*, "*Maryland*, *Virginia*, and *South Carolina*, to *Great Bri-* "*tain*, *Ireland*, and the *British* Islands in the *West Indies*, "under certain conditions and limitations;" and for the Lords to be summoned,

The said Bill was accordingly read the third time.

And the question being put, "That the said Bill do Pass?"

It was (without debate) resolved in the Affirmative.

DISSENTIENT.—*Richmond*, *Craven*, *Cholmondely*, *Stanhope*, *Fitzwilliam*, *Abingdon*, *Effingham*, *Camden*, *Wycombe*, *Fred. Exon*, *Spencer*, *J. St. Asaph*, *Rockingham*, *Abergavenny*, *Tankerville*.

An Act to restrain the Trade and Commerce of the Colonies of NEW-JERSEY, PENNSYLVANIA, MARYLAND, VIRGINIA, *and* SOUTH CAROLINA, *to* GREAT BRITAIN, IRELAND, *and the* BRITISH *Islands in the* WEST INDIES, *under certain conditions and limitations.*

Whereas, by an Act made in the twelfth year of the reign of King *Charles* the Second, entituled "An Act for

Digitized by Google

"the encouraging and increasing of Shipping and Navigation;" and by several subsequent Acts of Parliament which are now in force, it is, amongst other things, enacted, that for every Ship or Vessel which shall load any commodities, in those Acts particularly enumerated, at any *British* Plantation, being the Growth, Product, or Manufacture thereof, Bonds shall be given, with one surety, to the value of one thousand Pounds, if the Ship be of less burthen than one hundred tons, and of the sum of two thousand Pounds, if the Ship be of greater burthen, that the same commodities shall be brought by such Ship or Vessel to some other *British* Plantation, or to some Port in *Great Britain:* And whereas, by several other Acts of Parliament, which are now in force, no Commodities of the Growth, Product, or Manufacture of *Europe*, (except Salt for the Fisheries, Wines, of the *Madeiras* and *Azores*, and Western Islands, and Victual and Linen Cloth from *Ireland*, under the restrictions in such Acts particularly mentioned,) can be imported into any Plantation, Colony, Territory, or place belonging to his Majesty, in *Asia*, *Africa*, or *America*, but what shall be *bona fide* and without fraud, laden and shipped in *Great Britain*, and carried directly from thence: And whereas, during the continuance of the Combinations and Disorders which at this time prevail within the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to the obstruction of the Commerce of these Kingdoms, and other his Majesty's Dominions, and in breach and violation of the laws of this Realm, it is highly unfit that the inhabitants of the said Colonies should enjoy the same privileges of Trade, and the same benefits and advantages to which his Majesty's faithful and obedient subjects are entitled; *Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same*, That from and after the twentieth day of *July*, one thousand seven hundred and seventy-five, and during the continuance of this Act, no Goods, Wares, or Merchandises, which are particularly enumerated in, and by the said Act made in the twelfth year of King *Charles* the Second, or any other Act, being the Growth, Product, or Manufacture of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, in *North America*, or any or either of them, are to be brought to some other *British* Colony, or to *Great Britain;* or any such enumerated Goods, Wares, or Merchandises, which shall at any time or times have been imported or brought into the said Colonies, or any or either of them, shall be shipped, carried, conveyed, or transported, from any of the said Colonies respectively, to any Land, Island, Territory, Dominion, Port, or place whatsoever, other than to *Great Britain*, or some of the *British* Islands in the *West Indies*, to be laid on shore there; and that no other Goods, Wares, or Merchandises whatsoever, of the Growth, Product, or Manufacture of the Colonies hereinbefore mentioned, or which shall at any time or times have been imported or brought into the same, shall, from and after the said twentieth day of *July*, and during the continuance of this Act, be shipped, carried, conveyed, or transported, from any of the said Colonies respectively, to any other Land, Island, Territory, Dominion, Port, or place whatsoever, except to the Kingdoms of *Great Britain* or *Ireland*, or to some of the *British* Islands in the *West Indies*, to be laid on shore there; any law, custom, or usage, to the contrary notwithstanding.

II. *And be it further enacted by the authority aforesaid*, That from and after the said twentieth day of *July*, before any Ship or Vessel shall lade or take on board any Goods as aforesaid, in any or either of the Colonies before mentioned, sufficient Bond, with one surety, besides the Master of such Ship or Vessel, shall be given to the Collector or other principal Officer of the Customs at the Port or place where such Goods are intended to be laden or taken on board, in the penalty of one thousand Pounds, if the Ship be of less burthen than one hundred tons, and of the sum of two thousand Pounds, if the Ship shall be of that or any greater burthen; with condition that such enumerated Goods shall not be landed or put on shore at or upon any other Land, Island, Territory, Dominion, Port or place whatsoever, except some Port or place within the Kingdom of *Great Britain*, or some of the *British* Islands in the *West Indies;* and that all other Goods, Wares, or Merchandises so intended to be laden as aforesaid, shall not be landed or put on shore at or upon any Land, Island, Territory, Dominion, Port or place whatsoever, other than and except some Port or place within the Kingdoms of *Great Britain* or *Ireland*, or some of the *British* Islands in the *West Indies;* and with further condition to bring a Certificate in discharge thereof, within eighteen months from the date of such bond, for such of the said Goods as shall be entered for or landed in *Great Britain* or *Ireland*, respectively; and within six months for such of the said Goods as shall be entered for or landed in any of the *British* Islands in the *West Indies;* which respective Certificates shall be under the hands and seals of office of the Collector and Comptroller, or other principal Officer of the Customs, resident at the Port or place where such Goods shall be landed, testifying the landing thereof; or such Bond or Bonds shall and may be discharged by proof upon oath, made by credible persons, that the said Goods were taken by enemies, or perished in the Seas.

III. *And it is hereby further enacted by the authority aforesaid*, That where any such Bond or Bonds shall be given as aforesaid, in pursuance of this Act, the Collector or other principal Officer of the Customs, to whom such Bond or Bonds shall have been given, shall deliver, under his hand and seal of office, without fee or reward, to the Master of the Ship or Vessel taking in such Goods, for the security of her navigation, a Certificate that such Bond or Bonds hath or have been given, expressing therein the quantity and species of the Goods, with the marks and numbers of the packages, and the Port or place for which they were entered; and if any such Goods shall be laden on board any such Ship or Vessel, in any of the Colonies in this Act before mentioned, before such Bond or Bonds shall be given, or shall be found on board any Ship or Vessel without the Certificate hereinbefore directed, that such Bond or Bonds hath or have been given, the Goods so laden, together with the Ship or Vessel, with her Guns, Ammunition, Tackle, Apparel, and Furniture, shall be forfeited; and if any Goods so laden as aforesaid, shall be landed or discharged at any Port or place contrary to the intent and meaning of this Act, over and above the penalty of the Bond or Bonds, the Shipper and Owner of such Goods, and the Master or person taking charge of the Vessel on board which they were laden, shall respectively forfeit the full value of the Goods so landed or discharged, to be estimated according to the highest price or value which such sort of Goods bear in the Colony where, and at the time when they were shipped and laden; which Ship and Goods may be seized and prosecuted, or the value of such Goods prosecuted for, by any Admiral, Chief Commander, or Commissioned Officer of his Majesty's Fleet or Ships-of-War, or by any Officer of his Majesty's Customs, in the manner hereinafter directed.

IV. *And it is hereby further enacted by the authority aforesaid*, That from and after the first day of *September*, one thousand seven hundred and seventy-five, and during the continuance of this Act, no sort of Wines, Salt, or any Goods or Commodities whatsoever, (except Horses, Victual, and Linen Cloth, the Produce and Manufacture of *Ireland*, imported directly from thence) shall be imported into any of the said Colonies hereinbefore respectively mentioned, upon any pretence whatsoever, unless such Goods shall be *bona fide*, and without fraud, laden and shipped in *Great Britain*, and carried directly from thence, upon forfeiture thereof, and of the Ship or Vessel on board which such Goods shall be laden; and it shall be lawful for any Admiral, Chief Commander, or Commissioned Officer of his Majesty's Fleet or Ships-of-War, or any Officer of his Majesty's Customs, to seize any Ship or Vessel arriving at any of the said Colonies before mentioned, or which shall be discovered within two leagues of any shore thereof, having such Goods on board, and the Goods laden thereon, (except as before mentioned) for which the Master or other person taking charge of such Ship or Vessel, shall not produce a Cocket or Clearance from the Collector, or proper Officer of his Majesty's Customs, certifying that the said Goods were laden on board the said Ship or Vessel in some Port of *Great Britain*, any law, custom, or usage, to the contrary notwithstanding.

V. *Provided always, and it is hereby further enacted*

Digitized by Google

by the authority aforesaid, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to prohibit the exportation or carrying out from any of the Colonies before mentioned, or the importation into the same, of any Goods or Commodities whatsoever, for the victualling or providing any of his Majesty's Ships-of-War, or other Ships or Vessels in his Majesty's service, or his Majesty's Forces, Forts, or Garrisons; any thing herein contained to the contrary notwithstanding.

VI. *And provided also*, That nothing herein contained shall extend, or be construed to extend, to hinder or restrain the lawful importation into any or either of the said Colonies hereinbefore mentioned, from any of the *British* Islands in the *West Indies*, of any such Goods or Commodities, being the Growth or Produce thereof, as may now by law be imported from thence into the said Colonies, or any or either of them.

VII. And, in order to prevent frauds and abuses which may be committed contrary to the intention and against the provisions of this Act, by the exportation of any Goods, of the Growth, Product, or Manufacture of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, and *Virginia*, from any of the Ports within the government of the Counties of *New-Castle*, *Kent*, and *Sussex*, on *Delaware*, in *North America*, *it is hereby further enacted by the authority aforesaid*, That during the continuance of this Act, no Goods or Commodities whatsoever shall be shipped, to be carried from any Port or place within the said Counties of *New-Castle*, *Kent*, and *Sussex*, on *Delaware*, or either of them, to any other Land, Port, or place whatsoever, except to the Kingdoms of *Great Britain*, or *Ireland*, or to some of the *British* Islands in the *West Indies*, until the owner or exporter of such Goods shall have made oath, or being one of the people called Quakers, shall have affirmed, before the Collector, or other proper Officer of the Customs at the Port or place where the same shall be shipped, (which oath or affirmation such Collector or other Officer is hereby authorized to administer,) that such Goods are really and *bona fide* of the Growth, Product, or Manufacture of one or other of the said Counties, of which fact the Collector, or other proper Officer of the Customs, shall, and is hereby required to give a Certificate under his hand, to the Master of the Ship or Vessel on board which such Goods are laden, for the security of her navigation; and in failure of producing such Certificate, such Ship or Vessel, and the Goods thereon laden, shall be forfeited, and shall and may be seized and prosecuted as hereinafter directed.

VIII. And whereas, it is the intent and meaning of this Act, that the several prohibitions and restraints hereinbefore enacted, should be discontinued and cease, so soon as the Trade and Commerce of his Majesty's subjects may be carried on without interruption within the said Colonies; *be it therefore enacted by the authority aforesaid*, That whenever it shall be made appear to the satisfaction of his Majesty's Governour or Commander-in-Chief, and the majority of the Council of the Colonies of *New-Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, that peace and obedience to the laws shall be so far restored within the said Colonies, or either of them, that the Trade and Commerce of his Majesty's subjects may be carried on without interruption within the same, and that Goods, Wares, and Merchandises, have been freely imported into the said Colonies, or either of them, from *Great Britain*, and to expose to sale, without any let, hindrance, or molestation, from or by reason of any unlawful combinations to prevent or obstruct the same; and that Goods, Wares, and Merchandises, have in like manner been exported from the said Colonies, or either of them respectively, to *Great Britain*, for and during the term of one calendar month preceding; that then, and in such case, it shall and may be lawful for the Governour or Commander-in-Chief, with the advice of the Council of such Colonies respectively, by Proclamation, under the seal of such respectively, to notify the same to the several Officers of the Customs, and all others; and after such Proclamation, this Act, with respect to such Colony, within which Proclamation or Proclamations, have been issued as aforesaid, shall be discontinued and cease, (except such as hereinafter provided;) and all Officers of his Majesty's Customs, and all other persons having charge of the execution of this Act, having received due notice of such Proclamation, are hereby directed and required to yield and pay obedience to such Proclamation, and to proceed in the discharge of their respective duties, in admitting to entry, clearing, and discharging, all Ships and Vessels, and Goods, Wares, and Merchandises, into and out of such respective Colony, in like manner as if this Act had never been made; any thing herein contained to the contrary notwithstanding.

IX. *Provided, nevertheless, and it is hereby further enacted and declared by the authority aforesaid*, That such Proclamation or Proclamations shall not extend, or be construed to extend, to discharge or suspend any proceedings upon any seizure which shall have been made, or any prosecution which shall have been commenced, for any penalty or forfeiture inflicted by this Act before the issuing of such Proclamation or Proclamations.

X. *And it is hereby further enacted by the authority aforesaid*, That if any person or persons shall give or grant any false Certificate, Cocket, or Clearance, for any of the purposes required or directed by this Act, such person or persons shall forfeit the sum of five hundred Pounds, and be rendered incapable of serving his Majesty, his heirs and successors, in any office whatsoever; and if any person or persons shall counterfeit, erase, alter, or falsify any Certificate, Cocket, or Clearance, required or directed by this Act, or shall knowingly or willingly make use of any false Certificate, Cocket, or Clearance, or of any Certificate, Cocket, or Clearance, so counterfeited, erased, altered, or falsified, such person or persons shall, for every such offence, forfeit the sum of five hundred Pounds; and such Certificate, Cocket, or Clearance, shall be invalid, and of no effect.

XI. *And be it further enacted by the authority aforesaid*, That the several forfeitures and penalties inflicted by this Act, shall and may be prosecuted, sued for, and recovered, and be divided, paid, and applied, in like manner as other penalties and forfeitures, inflicted by any Act or Acts of Parliament relating to the Trade or Revenues of the *British* Colonies or Plantations in *America*, are directed to be prosecuted, sued for, or recovered, divided, paid, and applied, by two several Acts of Parliament, the one passed in the fourth year of his present Majesty, entituled "An "Act for granting certain Duties in the *British* Colonies "and Plantations in *America*; for continuing, amending, "and making perpetual an Act passed in the sixth year of "the reign of his late Majesty King *George* the Second, "entituled 'An Act for the better securing and encouraging "the Trade of his Majesty's Sugar Colonies in *America*;' "for applying the produce of such Duties, and of the Duties "to arise by virtue of said Act, towards defraying the ex-"penses of defending, protecting, and securing the said Col-"onies and Plantations; for explaining an Act, made in the "twenty-fifth year of the reign of King *Charles* the Second, "entituled 'An Act for the encouragement of the *Green-"land* and *Eastland* Trades; and for the better securing "the Plantation Trade;' and for altering and disallowing "the several drawbacks on Exports from this Kingdon, and "more effectually preventing the clandestine conveyance "of Goods to and from the said Colonies and Plantations, "and improving and securing the Trade between the same "and *Great Britain*;" and the other passed in the eighth year of his present Majesty's reign, entituled "An Act for "the more easy and effectual recovery of the Penalties "and Forfeitures inflicted by the Acts of Parliament, rela-"ting to the Trade or Revenues of the *British* Colonies "and Plantations in *America*."

XII. *And be it further enacted by the authority aforesaid*, That if any action or suit shall be commenced against any person or persons, for any thing done in pursuance of this Act of Parliament, the defendant or defendants in such action or suit may plead the general issue, and give the said fact, and the special matter, in evidence, at any trial to be had thereupon; and that the same was done in pursuance of and by the authority of this Act; and if it shall appear so to have been done, the Jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action, after the defendant or defendants shall have appeared, or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall recover treble costs, and have the like remedy for the same, as defendants have in other cases by law.

Digitized by Google

HOUSE OF COMMONS.

WEDNESDAY, *March* 8, 1775.

The Order of the Day (passed on the 15th of *February*) being read, for the House to resolve itself into a Committee of the Whole House, to consider further of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, and of the several other Petitions referred to the consideration of the said Committee;

Resolved, That this House will, upon this day sevennight, resolve itself into the said Committee.

WEDNESDAY, *March* 15, 1775.

Ordered, That Mr. *John Morris* do this day attend the Committee of the Whole House, to whom the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, is referred.

Ordered, That Mr. *Samuel Need* do attend the said Committee at the same time.

Ordered, That Mr. *Heneage Parker* do attend the said Committee at the same time.

Ordered, That Mr. *William Stanford* do attend the said Committee at the same time.

Ordered, That Mr. *John Topott* do attend the said Committee at the same time.

Ordered, That Mr. *Thomas Rawson* do attend the said Committee at the same time.

The Order of the Day being read, for the House to resolve itself into a Committee of the Whole House, to consider further of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, and of the several other Petitions referred to the consideration of the said Committee;

Ordered, That the several Accounts which have been presented to the House in this session of Parliament from the Commissioners of Excise and Customs, be referred to the said Committee.

Then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Alderman *Oliver* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Mr. Alderman *Oliver* reported from the Committee, that they had made a further progress; and that he was directed by the Committee to move that they may have leave to sit again.

Resolved, That this House will, to-morrow, at twelve of the clock, resolve itself into a Committee of the Whole House, to consider further of the said Petitions.

Ordered, That the several persons who were ordered to attend the said Committee this day, do attend the said Committee to-morrow, at twelve of the clock.

THURSDAY, *March* 16, 1775.

The House, according to order, resolved itself into a Committee of the Whole House, to consider further of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, and of the several other Petitions referred to the consideration of said Committee.

Mr. Alderman *Oliver* took the Chair of the Committee.

Mr. *Glover* appeared as Agent of the *West India* Planters, and Manager of the evidence in support of their Petitions, which was presented on the 2d of *February*.—[*See Folio* 1540.]

Mr. *Glover*. Sir, I appear in the behalf, and by the appointment of the Planters and Merchants concerned in the *West Indies*, who have presented to this honourable House an humble Petition, setting forth the great danger to themselves, to the Navigation, Revenue, and Commerce of these Kingdoms, in consequence of an Agreement and Association entered into by a meeting, held at *Philadelphia*, on the 5th day of *September*, 1774.

I bend under the weight of a subject so awful; a weight increased by my own thoughts anticipating calamities, in which every inhabitant throughout this extensive Empire, more or less, may have a share; at the same time, conscious as I am, that a Nation is behind me, generally unfavourable to my undertaking. But above all, I am fearful of a wide difference in sentiments between this great auditory, and the inconsiderable individual at their bar.

I rest, however, upon one consolation, that whatever may be the state of your minds, and of all besides, in every state, whether of dejection or elevation, in every conjuncture, whether adverse or prosperous; let me say, in all time of tribulation, in all time of our wealth, information hath its use, knowledge is salutary; and when presented in their genuine simplicity, untainted by prejudice, passion, or party, not looking towards any one quarter in preference to another, without courting any—meaning to offend none—but soliciting the attention of all, information and knowledge in such a shape cannot be unacceptable to any assembly, and I am confident will be acceptable here.

To throw lights into the Committee is the sole object of your Petitioners, limiting themselves to the line of facts, which, from their peculiar situation, none can fully explain, but such as themselves. I shall ask no opinion from witnesses; and if asked from any other quarter, the answer will be, that to establish facts is their part, to judge and decide is yours: opinion, therefore, might be constructive presumption in them, like an interference with the counsels and measures of the state; whereas, they entertain but one expectation, that the information delivered this day, if not in the present juncture, may be found of some utility at some future period during a portentous series of events, whose final issue is known only to Him who alone knows all things.

I proceed, sir, upon another consolation, in thinking myself secure of one merit with the Committee; that upon the present subject, the variety of matter already lying before you, might by a variety and multitude of witnesses be prolonged, perhaps for twenty days; and that I can pledge myself, so far as rests upon me, to despatch the whole in less than half that number of hours. I shall call but two witnesses, from whose evidence, and from a very few papers respecting the Colonies, out of the large quantity transmitted by Office to the House, it shall be endeavoured to give you a clear insight into the two capital branches of Colony Trade, the *West Indies*, the *North American*, and the immediate dependant upon both, the *African*, with the relations and proportions of each towards the other, and towards the several great interests, the Manufacture, Commerce, Navigation, Revenue, and Land, of *Great Britain*.

George Walker, Esq., called in.

Question. What is your situation?

Answer. I am of *Barbadoes*; resided there a great many years, and have been their Agent ever since I left the country.

Q. Please to inform the Committee what you know in relation to the state of *Barbadoes*, the *Leeward* Islands, and the rest of the Sugar Colonies?

A. My situation having been such as to afford me the means, I may be presumed to know something of the state of *Barbadoes*, of the Islands in its neighbourhood, and of the Sugar Colonies in general. *Barbadoes*, and all the Sugar Islands are to be considered as countries in which a great Manufacture is established. It is a manufacture of Sugar and Rum. Instead of being able to purchase at market, the raw materials for the manufacture, they are obliged to produce the raw materials from their own soil. They ingraft the Farmer upon the Manufacturer; not (in the intention of furnishing the workmen with food, but,) but from the necessity of growing the raw material. Thus the land and labour of the country being devoted to the cultivation of the Sugar-cane, the Corn and Provisions they raise are merely accidental; they are no more than can be raised without prejudice to the Sugar Cane. To the Sugar-cane every thing is sacrificed as a trifle to the principal object. In *Barbadoes*, I doubt whether the Corn, (it is *Indian* Corn, not Wheat) and the ground Provisions (I mean Yams and other Roots,) raised in the Island, are sufficient to maintain the inhabitants for three months; I am certain they will not maintain them for four months, unless the four months be those in the beginning of the year, in the season for ground Provisions. The *Indian* Corn and ground Provisions cannot, by common means, be preserved for any length of time. I ought to add the uncertainty of the native products, especially of *Indian* Corn and ground Provisions: dry

Digitized by Google

weather, or excess of wet weather, hurricanes, blast, vermine, frequently diminish or destroy the hopes of the Planter. The last year exhibited a melancholy example in *Barbadoes*, many families having been supported by publick contributions, nor is the soil in every plantation capable of producing Corn, although very proper for the Sugar-cane. As to the *Leeward* Islands, they produce neither Corn nor ground Provisions worth mentioning, except *Tortola*. *Tortola* was a Cotton Colony; Cotton and Corn are not inconsistent. *Tortola* began to make Sugar within my remembrance; and there is reason to believe the whole country is not yet engrossed by Sugar-cane. From this view of the Sugar Colony, in the light of a manufacture, where the soil, as well as the labour is employed in the manufacture, it follows, that such Colonies must depend, in proportion to the extensiveness of the manufacture, upon other places for necessary food, for actual subsistence. The observation applies to *Jamaica*, and to the Islands under the *Granada* Government.

Q. From what places do the Sugar Colonies draw food for subsistence?

A. They are not many; *Great Britain*, *Ireland*, *North America*. From *Great Britain*, the Sugar Colonies receive a little salted Fish, Pilchards from the West, Herrings from the North. As to Corn, they receive no Wheat in Grain, and a mere trifle in Flour. The Flour during the three years, from 1771 to 1773, may be shown to have been under four quarters, upon the whole to all the *West Indies*. It may be shown that the Beans and Peas together do not exceed thirteen thousand quarters, nor the Oats nineteen thousand; and even this importation, small as it is, is owing to a particular circumstance: it is, that the *Indian* Corn of *North America*, the great supply of the *West Indies*, soon perishes in a hot and moist climate; and as the trade is carried on from different Provinces, it is unconnected, unconcerted, dependent upon the opportunities, upon the caprices of individuals; dependent upon accident of winds and weather; it is therefore, in its nature irregular. A fortuitous combination sometimes increases the irregularity to such a degree, as to reduce a particular Colony to a real, though temporary distress. Beans, Peas, and Oats, being capable of a longer resistence against putrefaction than the *Indian* Corn from *North America*, the Sugar Colonies, especially the *Leeward* Islands, who have the fewest internal resources, do therefore make some provision in these articles against that temporary distress; so delicately strained already is the string, which is now threatened with a rough and unremitting violence. I purposely forbear other articles of food from *Great Britain*, intended for the use of people of some condition, Hams, Cheese, and the like; they belong properly to the general commerce of *Great Britain* with the *West Indies*. I confine myself at present to necessary food. *Ireland* furnishes a large quantity of salted Beef, Pork, Butter, and Herrings, but no Grain. *North America* supplies all the rest, both Corn and Provisions. *North America* is truly the granary of the *West Indies*; from thence they draw the great quantities of Flour and Biscuit for the use of one class of people, and of *Indian* Corn for the support of all the others; for the support not of Man only, but of every animal; for the use of Man, Horses, Swine, Sheep, Poultry. *North America* also furnishes the *West Indies* with Rice. Rice, a more expensive diet, and less capable of sustaining the body under hard labour, is of a more limited consumption, but is a necessary indulgence for the young, the sick, the weakly, amongst the common people and the Negroes. *North America* not only furnishes the *West Indies* with Bread, but with Meat, with Sheep, with Poultry, and some live Cattle; but the demand for these is infinitely short of the demand for the salted Beef, Pork, and Fish. Salted Fish, (if the expression may be permitted in contrast with Bread) is the meat of all the lower ranks of people in *Barbadoes*, and the *Leeward* Islands. It is the meat of all the Slaves in all the *West Indies*. Nor is it disdained by persons of better condition. The *North American* navigation also furnishes the Sugar Colonies with Salt from *Turk's* Island, *Sal Tortuga* and *Anguilla*; although these Islands are themselves a part of the *West Indies*. The testimony which some experience has enabled me to bear, you will find confirmed, sir, by official accounts. The same accounts will distinguish the source of the principal, the great supply of Corn and Provisions. They will fix it precisely in the Middle Colonies of *North America*; in those Colonies, who have made a publick Agreement in their Congress, to withhold all their supplies after the tenth of next *September*. How far that Agreement may be precipitated in its execution, may be retarded or frustrated, it is for the wisdom of Parliament to consider: but if it is persisted in, I am well founded to say, that nothing will save *Barbadoes* and the *Leeward* Islands from the dreadful consequences of absolute famine. I repeat the famine will not be prevented. The distress will fall upon them suddenly; they will be overwhelmed with it, before they can turn themselves about to look out for relief. What a scene! when rapine, stimulated by hunger, has broken down all scenes, confounded the rich with the poor, and levelled the free man with his slave! The distress will be sudden. The body of the people do not look forward to distant events; if they should do this, they will put their trust in the wisdom of Parliament. Suppose them to be less confident in the wisdom of Parliament, they are destitute of the means of purchasing an extraordinary stock. Suppose them possessed of the means; a very extraordinary stock is not to be found at market. There is a plain reason in the nature of the thing, which prevents any extraordinary stock at market, and which would forbid the Planter from laying it in, if there was: it is, that the objects of it are perishable. In those climates the Flour will not keep above six or eight weeks; the *Indian* Corn decays in three months; and all the *North American* Provisions fit only for present use.

Q. If the *West Indies* are deprived of their usual supplies of Corn and Provisions from the Middle Colonies of *North America*, are there no resources by which the deficiency may be made good?

A. I will examine the resources I have heard mentioned. *Great Britain* cannot increase her exportation of Corn and Provisions to the *West Indies*; for she would increase a scarcity at home already complained of: notwithstanding the assistance she largely receives herself, particularly in Wheat and Flour from *North America*. *Ireland* has other markets to furnish besides the *West Indies*; these markets will not suffer themselves to be deprived of their usual share, beyond a certain limited degree; a degree too limited to supply the whole *West India* consumption. The Colonies at the Southern extremity of *America*, the two *Floridas*, are not able to feed themselevs; and *Georgia*, a small country, is said to have acceded to the Congress. At the Northern extremity, *St. John's* is in its infancy. From *Nova Scotia*, the *West Indies* receive some small supplies. As to the salted Fish from *Newfoundland*, it is Fish from *New England*; it is taken upon the banks by the *New England* people chiefly; who are to have none to send us, unless the Fishery Bill should operate a submission, or have no operation at all. *Canada*, sir, produces not *Indian* Corn. In the hands of *Great Britain*, and under *English* laws, it has exported Wheat;* but the quantity is neither equal to the demand of the *West Indies*, nor is it prepared for the *West India* market; but all these are expedients for a distant day. In future times from all these countries, according to their several natures, a constant and regular demand will create a constant and regular supply. It is impossible; it is inconsistent with the nature of commerce to furnish an adequate supply to a vast, an immediate, and an unexpected demand; the demand and the supply must grow up together, mutually supporting and supported by each other. One more expedient remains; it is distant like the rest: it will be effectual, but it will be ruinous; it is to change our system. We must abandon the manufacture, and apply the land and labour now appropriated to the manufacture to the purposes of raising food. The undone remnant of the people who shall not have fallen victims to the intermediate famine, may thus provide against it for the time to come. I flatter myself, sir, I have shown from a deduction of facts the dependence of *Barbadoes* and the *Leeward* Islands upon *North America* for subsistence. I leave it to gentlemen of more intimate knowledge of the state of *Jamaica* than I can pretend to, to show that a relation of the same kind, and if not to the same extent, yet far beyond the common opinion, subsist between that great

* *Eighty thousand quarters.* This sentence is not in the evidence.

Digitized by Google

Island and the Northern Continent. As to *Granada* and its dependencies, sir, let me only observe, that the manufacture of Sugar and Rum, and the cultivation of Coffee, in those Islands having been prosecuted with unremitting ardour, little of their labour can have been diverted to the raising of Corn and Provisions. Their dependence upon *North America* was reasonable; and I may venture to conclude it to be similar to that of their neighbours. I have been the more explicit upon this subject, the dependence of the *West Indies* upon *North America* for subsistence, as it is the calamity which presses immediately, affecting life as well as fortune; it is a distress which your humanity will conspire with your interest to prevent; and I trust that the wisdom of Parliament will find the means.

Q. What is the commodity called Lumber? For what purpose used, and whence procured?

A. In the *West Indies*, they understood, by the term Lumber, every species of *North American* wood, when prepared for the use of buildings or the cooperage. It includes the Deal, the Pine, the Cypress, the Cedar, the White Oak, the Red Oak, and others; and comes in the shape of Beams, Joists, Planks, Boards, Shingles, Staves, and in Logs. Buildings where great strength is required, and which are exposed to wind and weather, demand timber of a texture more solid, and of a quality less subject to decay in those climates; it is distinguished by the name of hard wood; Mahogany is of that tribe. Such, as far as my experience extends, grow only between the Tropicks; the price is high—three and four Shillings sterling the cubick foot; employed from the call of necessity, the consumption is limited. For every other purpose of the Carpenter and of the Cooper, it is the Lumber of *North America* that is used. It is a pleasure to me, sir, to spare the patience of the Committee a detail of conjectural calculations. I understand that there is some official paper which will inform you precisely. The part which is furnished by the Middle Colonies of *North America* is out of all proportion to the others. Without Lumber to repair the buildings they run immediately to decay. And without Lumber for the proper packages for Sugar, and to contain Rum, they cannot be sold at market, they cannot even be kept at home.

Q. Are there not places besides the Middle Colonies of *North America*, from whence may be drawn a supply of Lumber in some degree proportionate to the wants of the *West Indies?*

A. I will examine. The first resource may be in the Colony itself; but *Barbadoes* and the *Leeward* Islands are altogether destitute of wood. The gentlemen of *Jamaica* will inform you how unequal their country is to its own demands. Remains the Government of *Granada*. And here I beg leave to state a fact. Ready-made Houses of *North American* Lumber have been exported from *Barbadoes* to the Islands under the Government of *Granada*. These Islands have plenty of wood; and this wood is of a more durable nature than Lumber; but an anxiety for the staple manufacture superseded this consideration; and the labour of the Slaves, instead of being turned to the providing of materials for the Carpenter, was reserved for the cultivation of the Sugar-cane.

Although the Sugar Colonies may find no resources from their soil, they may find it in their market at home. Lumber is a commodity not so perishable as Corn and Provisions. A stock of it might be laid in. This certainly is an expedient. It will be attempted by the provident and the wealthy; the combined description includes not a multitude in any country, and the attempt will greatly enhance the price. But it is practicable only to a certain point. It must be confined to the quantity at market. If an unusual quantity should be imported, as is probable, supposing no sinister events to prohibit, the Planter has no fund to pay for it. I speak of the great body of Planters in general. They are not able to provide for the expenses of two or more crops out of the profits of one crop. It is well if every crop can bear up against its own particular load. Sufficient to the day is the evil thereof. Before I proceed to external resources, I beg leave, sir, to repeat what I have said before upon the subject of a new channel for the supply of Corn and Provisions. I said it was inconsistent with the nature of commerce to furnish an adequate supply to a vast, an unexpected, an immediate demand; that the demand and the supply must grow up together, mutually supporting and supported by each other. This principle destroys the prospect of a timely and effectual assistance from any quarter whatsoever. Not content with the operation of the general principle, I will examine the particular resources. I will only say of the two *Floridas*, that the population is feeble in the extreme. *Georgia* sends some Lumber; but *Georgia* is said to have acceded to the Congress. What has been said of the *Floridas* with respect to population, is applicable to *St. John's*, and in some measure to *Nova Scotia*. Nor does *Nova Scotia* export any materials proper for Casks to contain Rum. In *Canada* the population is not adequate to the new enterprise, without neglecting points of greater importance in their system. I say of greater importance; because the *West India* market is now open to them; an exchange of *West India* commodities is desirable; and notwithstanding *Canada* exports Lumber to the *West Indies*. In truth, there is a mass of objections which nothing but a length of time can overcome. Supported by large capitals, or long credit, *Canada* must first combine several commercial objects, so as to furnish an assortment of cargoes. They must have proper Artificers, as well as people. They must provide a navigation equal to the bulky commodity—equal to it under the accumulated difficulties of a great distance, and the dangers and delays of a River covered or choaked with ice for more than half the year. If there is little or no resource to be found in *America*, let the *West Indies*, in search of Lumber, turn their eyes to *Europe*. I pass over *Great Britain* and *Ireland*, because they both import vast quantities of Lumber. No inconsiderable part of it is drawn from the Middle Colonies of *North America*. But it is to be found in *Europe*, of every sort, and in every shape. The demand of the *West Indies* has been shown to be vast. It will be immediate. The tenth of *September* is advancing very fast, and the demand will be unexpected; unexpected, in the opinion of every person who hopes that lenient measures may be adopted; unexpected, in the opinion of every person who, without reasoning farther, depends upon the wisdom of Parliament to extricate the *West Indies*, and in them the whole Empire, from danger. A domestick event, unexpected in *Great Britain*, will not be presumed in foreign countries. Nor *Germany*, nor *Norway*, nor the *Baltick*, will risk an extensive operation in commerce upon the speculative idea of a continuance of a most unnatural quarrel. I will, however, suppose for a moment that *Germany* provides a more plentiful stock of Staves; that *Norway* and the *Baltick* pay the like attention to their Deals. I pray it may be understood that the freight of bulky Goods trenches deeply into their value. The freight of Lumber from *North America* to the *West Indies*, a short safe passage, is a moiety of the Goods shipped. The double voyage, first to *Great Britain*, and then to the *West Indies*, takes away at the same rate for distant and hazardous voyages, an half of that moiety, leaving only a quarter part to the original shipper. At what an enormous price then must this Lumber come to the hands of the consumer? By a suspension of the Acts of Navigation, it may indeed be carried to the *West Indies*, disencumbered of the intolerable burden of a double voyage; yet add the original price much higher than in *America*; add the increase in this price from the increase in the demand from *Great Britain*, *Ireland*, and the *West Indies*; the remedy itself is only the lesser evil.

Q. What other species of commodities, from the Middle Colonies, are interchanged with the *West Indies?*

A. Besides the absolute dependence of the *West Indies* upon *North America* for Subsistence and for Lumber, there are supplies less consequential, but very useful, and even necessary, in some respect, to the *West Indies*; which are all furnished by the confederating Colonies. The articles are, Train Oil, for the many lamps in the Sugar Works, Horses, for the saddle and for draught, Tallow, Leather, Tobacco, Pitch, Tar, Turpentine, Iron, Sloop and Boat Timbers, and some others. As to Ships, I refer them to the head of Navigation, created by the commerce of the *West Indies*.

Q. What commodities do the Sugar Colonies give in exchange to *North America?*

A. They did give a part of all their products in exchange: but the Middle Colonies have refused to take

Digitized by Google

Molasses, Syrups, Paneles, Coffee, and Pimento, since the first of last *December*. The principal exchange is of Sugar and Rum. The Sugar is generally supposed to amount to twenty-five thousand hogsheads directly, besides fifteen thousand hogsheads in the shape of Refined Sugar from *England*. As to Rum, the dependence of all the Islands, except *Jamaica*, is as great upon the Middle Colonies of *North America* for the consumption of their Rum, as it is for Subsistence and Lumber. *Jamaica* sends about eleven thousand puncheons to *London*, which stocks the market at the present price. Lower the price, the method is plain and easy, the consumption increases in proportion. Nor will the revenue suffer. How far the expedient may save *Jamaica*, in this momentous article of their manufacture, I leave to be explained by gentlemen more intimately acquainted with that Island. The Rum of *Barbadoes*, the *Leeward* Islands, and the Government of *Granada*, does not come to *England*, except in small portions. It goes in part to *Ireland*; and all the rest, the great quantity, is distributed chiefly amongst the Middle Colonies of *North America*, agreeable to the law of reciprocal exchange. The Agreement of those Colonies, which is to take place the tenth of next *September*, extends, in words, only to the withholding of all supplies; but it must effect a total suspension of commerce. They will not send their Vessels in ballast, to purchase with gold and silver the Goods they have been accustomed to receive in exchange for the products of their own soil and industry. It is an idea repugnant to every principle of commerce—it is more; it is repugnant to the spirit which now inflames those Colonies. Sir, I have shown, I trust, the absolute dependence of the Sugar Colonies upon the Middle Colonies of *America*, in three essential points, viz: for Corn and Provisions for subsistence; for Lumber and other necessaries for the maintenance of their Plantations; and lastly, for the consumption of their produce of all kinds—greatly of Sugar, but principally of Rum. This doctrine of the dependence of Sugar Colonies upon *North America* is confirmed by an authority which will not be disputed. The Act of Parliament of the sixth of *George* the Second, chapter thirteenth, was made upon this occasion. The *British* Sugar Colonies complained of the great increase of the *French* Sugar Colonies, and demonstrated the increase to have been owing principally to the support which the *French* Sugar Colonies received from the Middle Provinces of *North America*, in exchange for Sugar and Molasses. Perhaps it is beside my present purpose to remark the manner in which the Administration of those days adjusted the great dispute. Sir, they contrived to please both sides. To the Islands they gave the letter of the law; and the Continent they indulged in the breach of it. The fact is all I want. It shows that even the *French* Sugar Colonies do depend, in no small degree, upon *North America*. Nor are the *Danes* in the Islands, nor the *Dutch* in the Southern Continent, an exception. Such is the force of that principle, which considers a Sugar Plantation as a manufactory obliged to raise its own materials. If, in the course of events during this unhappy dispute, the foreign Colonies should be deprived of their resources from *America*, it is not my province to examine whether the distress will be looked upon with indifference: but it becomes me to hope that *Great Britain* will never suffer her own to be ruined for want of the accustomed and accessary supplies from *North America*.

Q. What is the kind of Property in the *West India* Islands? And can you estimate the value thereof?

A. The nature of the property vested in the *West Indies* will appear by the estimate of its value. I shall calculate in sterling money of *Great Britain*. To begin with *Barbadoes*. It stands first on the map. This Island contains one hundred and eight or six thousand acres. The Land is almost entirely under cultivation; but I will reckon only upon the hundred thousand. From a knowledge of a multitude of appraisements made upon oath, by freeholders of the vicinity, upon occasions of deaths, or of extents for the payment of debts; from many actual sales; I state that thirty Pounds an acre is a reasonable valuation. I include with the Land all the dwelling-houses in the country, the Sugar Works, and the young Crops. I throw in the Cattle, the Plantation, and household Furniture. This article, the Land, amounts to three millions. The Negroes, by a poll tax, in which the whole number is certainly not included, are seventy-five thousand; cheap at forty Pounds each, they make a second sum of three millions. I throw in the two Towns, whose rents amount to forty thousand Pounds a year, as a casting weight to make good the aggregate sum of six millions. Taking *Barbadoes* as a standard by which to measure all the rest of the Sugar Colonies, I observe that the Sugar exported from *Barbadoes* to all parts, at a medium of many years, (it is a calculation formed upon the receipts of the Duty of four and an half per cent.) is about fifteen thousand common hogsheads a year. Now the Sugar imported into *Great Britain* alone, from all the Sugar Colonies, amounted, in the year seventy-three, to one hundred and seventy thousand hogsheads, allowing ten hundred weight of Sugar to a hogshead. The import of seventy-four is more. I will suppose the produce of *Barbadoes* to be as one in ten. If a part of the *Barbadoes* Sugar is clayed, if its muscovado is properest for common use, yet there are clayed Sugars from other Islands; the muscovado of several, especially of *St. Kitt's*, is fitter for the refiner. Besides, twenty thousand such hogsheads are deducted, and a great number of common hogsheads, I mean the exports to *North America*, are omitted before the proportion of one in ten is stated. If *Barbadoes* yields Ginger, Cotton, and Alloes, the other Colonies add to the same products Coffee, Pimento, and other articles. The capital of *Barbadoes* then being six millions, and its produce as one in ten of the produce of all the *West Indies*, it is fair to conclude, at the same proportion, the capital of the whole to be sixty millions: a conclusion which amply warrants the Petition in declaring it to be upwards of thirty millions. I take nothing in the estimate for the value of the future increase of *Jamaica* and the new settled Islands.

Q. Can you make any estimate of the value of *West India* Property owned by persons who live in *England*; and of the amount of the debt due to this Kingdom from the *West Indies*?

A. Of the millions vested in the *West Indies*, many are the property of persons residing in *England*, and not a few are united and consolidated with the landed property of this Kingdom. It is difficult to ascertain the total. I have endeavoured at a calculation for *Barbadoes*, and am below the mark in stating it at one million four hundred thousand Pounds. In the other Islands, for obvious reasons, the proportion is greater than in *Barbadoes*. The most eminent Merchants will tell you that they have hardly any body to correspond with in *St. Christopher's*, except the overseers of plantations. Resuming *Barbadoes* as a rule to measure with, the proportion is fourteen millions. It is a more difficult and less pleasing task to investigate the millions due to the Merchants and others in this Kingdom, upon the security of *West India* Plantations. I can form no particular estimate. The sum, in general, is immense. The Sugar trade, from its infancy, by reason of the small capitals of the first Planters, and the great cost of a Sugar Manufacture, must have been the creatures of credit. It was raised to the present pitch by the wealth of the Merchant supporting the industry of the Planter. Neither is it necessary to be exact in the value of the property of the *English* residents, nor of the debt to the *English* Merchants and others. For the Sugar Colonies are really no other than a *British* Manufacture, established at the distance of three and four thousand miles, for reasons of convenience. And the dependence of this Manufacture is the same as if it was situated in the heart of the Kingdom. I do not retract the idea of its dependence upon *North America*. In such a case it can be suggested only in theory; *Great Britain* must draw from *North America* the supplies, without which her Manufacture, wheresoever it is situated, is incapable of subsisting.

Q. What are the advantages of the Sugar Colonies to *Great Britain*? And what to the Revenue thereof?

A. I desire, sir, I may consider them as a *British* Manufacture, whose capital is sixty millions. The advantage is not that the profits all centre here; it is, that it creates, in the course of attaining those profits, a commerce and a navigation in which multitudes of your people, and millions of your money are employed; it is, that the support which the Sugar Colonies received in one shape, they give in another. In proportion to their dependence upon *North America*, and upon *Ireland*, they enable *North America*

Digitized by Google

and *Ireland* to trade with *Great Britain*. By their dependence upon *Great Britain* for hands to push the cultivation of the Sugar-cane, they uphold the trade of *Great Britain* to *Africa*.* A trade which in the pursuit of Negroes, as the principal, if not the sole intention of the adventurer, brings home Ivory and Gold as secondary objects. In proportion as the Sugar Colonies consume, or cause to be consumed amongst their neighbours, *Asiatick* commodities, they increase the trade of the *English East India* Company. In this light I see the *India* Goods which are carried to the Coast of *Guinea*. In proportion as the *West Indies* use the Wines of the *African* Islands, and as they use the products of *Europe*, so far they add to the trade of *Great Britain* with the *African* Islands, and with the rest of *Europe*. Without taking in any of these circuitous channels, the direct exports to the *West Indies* will appear, by official accounts, to be of immense value;† will show the wealth gradually earned by the hands of labour and of skill, which the Sugar Colonies are daily adding to the national stock. I hardly dare venture to place in this light the salaries and profits of the Officers appointed by Government for the superintendence of the *West Indies*. As to revenue, the nett receipt, I understand, to exceed seven hundred thousand Pounds.

Q. In case the usual intercourse between *North America* and the Sugar Colonies should be interrupted, what would be the prejudice to *Great Britain*, and to the revenue thereof?

A. The advantages arising from, and dependent upon the usual intercourse, must cease with the interruption. I will not add that the Nation is to pay in money to the foreigners the large sum for *West India* commodities, for which the *British* Manufactures, and the profits of a circuitous commerce, are now given in exchange. The observation would be fallacious. The decrease in the consumption of *West India* commodities will surely keep pace with the decay of the Manufactures and Commerce the *West Indies* supported. The revenue will lessen in proportion to the diminished consumption, nor will the loss stop at the *West India* commodities. The revenue from Tea, without the accustomed plenty of Sugar, without the profits of the Sugar trade, and of the commerce created by the Sugar trade, will sink into insignificance; the interruption will be felt severely in every branch of revenue; for it will be felt severely in every branch of trade which contributes, by consumption, to the revenue; and in trade, as in the human body, nothing suffers singly by itself; there is a consent of parts in the system of both, and the partial evil grows into universal mischief. Of all the branches of commerce which will suffer immediately, or indirectly, from the interruption of the usual intercourse, the most important is the navigation. By investigating its value, we estimate the loss. It is equal to the bulky products, and still more bulky supplies of a stock in trade of sixty millions; it is co-extensive with the commerce created by that trade, comprehending the navigation to *Africa*, and making no inconsiderable part of that of *England* to the *East Indies*, and to the rest of *Europe*. It establishes, as is asserted in the Petition, a strength which wealth can neither purchase nor balance. Sir, I will add, it is a strength which is so justly a favourite with the Nation, that nothing but some unhappy mistake can deprive it of the national protection and support.

Mr. *Innes* asked, how many White People are there in *Barbadoes*?

Question objected to.

Withdrew.

Called in.

Q. What is the common food of the Negroes in the *Leeward* Islands?

A. In all the Islands it is salt Fish (as I said before) and *Indian* Corn. I entered into those points particularly before.

Q. Whether the Islands will not be supplied equally well, notwithstanding the *Newfoundland* Fishery from *New England* should be stopped?

A. That is a matter of opinion. I came here as an evidence of facts, which I hope will influence the opinions of the House, but not to obtrude my own. My opinion is, that they will not have the usual supply, because there will not be the usual quantity taken, and fewer people to carry it to them.

Q. What proportion of Land in the *Leeward* Islands, being applied to the raising Provisions, would supply the Negroes with Provisions, on an estate of two hundred hogsheads, for instance?

A. The native products of the Islands are very uncertain; all so, but *Guinea* Corn; therefore much more land must be applied to this purpose than would be necessary to raise the supply for the regular constant consumption. They must provide against accidents, such as hurricanes, excess of wet weather, or of dry weather, the climate being very uncertain; it is, therefore, impossible to answer this question precisely; but this I can say, that if they were obliged to raise their own food, that their food must be then their principal object, and Sugar only a secondary object; it would be but the trifle, which Provisions are now.

Q. If the Planters could not be supplied from *North America*, would they not have a share of fresh Provisions from *Great Britain* and *Ireland*, to answer their wants?

A. They must have more than a share; they must have a full proportion for their whole subsistence, and *England* cannot afford it; it would occasion a scarcity at home.

Q. Would not the Merchants here send out cargoes of Provisions to the *West Indies*?

A. I answered that question, and most of the others, before, by obviating them in my evidence. I have said, and repeat, that *Great Britain* cannot increase her exports of Provisions to the *West Indies*, without increasing a scarcity already complained of at home.

Q. What quantity of Flour is allowed to the White People, on an estimate of two hundred hogsheads?

A. No regular allowance. They have Rice, Biscuit, as they may want, in proportion as a variety of things which are provided for them by the plantation, falls short, or abounds.

Q. Whether Deal Boards would not do in the room of Staves, for packing Sugar?

A. The *Portuguese* pack in Chests; but they are not made of Deal Boards, but of strong Plank. We must make a total alteration in our Shipping, our Tradesmen, and many circumstances, if we were to pack our Sugar in Chests.

Q. Whether there are not many packs of Staves shipped to the *West Indies* from *London*, both for Rum and Sugar?

A. I have known some for Sugar; but it has been found necessary to mix them with many new Staves from *North America*. Our Staves, like our Cloths, wear out by use; many of them are broken in the voyage, and the rest are seldom fit for much.

Q. I mean new Staves?

A. I never knew any sent [supposing the words to have been new Casks,] but as packages for Goods exported to the *West Indies;* this is sometimes done, and the Casks so made as to be used afterwards for Sugar and Rum; but this is done merely to save particular packages for the Goods; nor even in that case is it always thought an advantage.

Q. I mean Staves sent on purpose?

A. I cannot answer that but by saying, I never knew an instance of it. I know Staves are brought from the *West Indies* to *London* upon a prospect of advantage; but I never knew them sent from hence to the *West Indies*.

Q. How are the *French* Islands supplied with Lumber, Bread, Flour, &c.?

A. I cannot give a precise answer to that question. I have said they receive great supplies from *North America*. I have mentioned before, that the *French*, *Dutch*, and *Danes*, in their Sugar Colonies, depend in a great measure on *North America;* but I do not know the particulars precisely.

Q. Whether he does not know that the *French* carry on ten times the trade with *North America* that the *English* do?

A. I do not know the extent of the *French* trade; I am not well enough acquainted with it, so as at this time to be able to state propositions. I have said there is a certain

* The medium of fourteen years, from 1756 to 1773, is £469,237. Imports from *Africa* £49,858.

† Medium of exports for fourteen years, from Christmas 1756 to Christmas 1773, is £1,145,735.

Digitized by Google

degree of dependence of the *French* Islands on *North America*.

Q. Whether, if the *Americans* were prevented from trading with the *French* Islands, it would be advantageous to *Great Britain*?

A. A speculative opinion is asked; I speak only to facts.

Withdrew.

John Ellis, Esq. called in.

Q. What is your situation?

A. I am a Planter of *Jamaica*; have resided in that Island at different periods, from 1754 to 1773.

Q. Inform the Committee what you know of the present state of *Jamaica* in general, and of her dependence in particular on *North America*, in regard to the reciprocal exchange of commodities between them.

A. The Island of *Jamaica* being of great extent, the several parts of which differ from each other, from a variety of circumstances attending their respective situations, it is impossible to give any one general answer, that is not liable to many exceptions. The Island contains nearly four millions of acres, of which I compute one hundred and sixty thousand acres to be planted in Sugar-canes, and I suppose a little above double that quantity of land is kept as a necessary appendage to the Sugar estates, and employed in pasturage and grounds allotted to the Negroes for Provisions, and in furnishing Timbers, Fire-wood, Lime, &c., the whole of which makes five hundred thousand acres. In other settlements, such as Pimento, Cotton, Coffee, Ginger, and Pen-land, for breeding Cattle, and in Provision plantations in the neighbourhood of the Towns, I reckon as much more. The remaining three millions consist of a great wilderness, chiefly mountainous, in which it may be presumed there are many intermediate tracts capable of cultivation, but which, from difficulty of access, and the little prospect of profit adequate to the stock requisite for their settlement, continue in their present state; for however rich any lands may be in themselves, yet, if the circumstances attending their cultivation are such as to render it probable that the capital to be employed will not produce an adequate return, it cannot be supposed that any prudent person will adventure therein. In so large a tract the soil is various, and adapted to the production of different commodities; the climate and seasons also differ greatly. On the South side, at the extremities of the Island, the Parishes of *Westmoreland* and *St. Thomas*, are seasonable, or supplied with refreshing showers, and the manurable lands are chiefly employed in the growth of the Cane. The intermediate Parishes near the Sea, being *St. David*, *Port Royal*, *St. Andrew*, *St. Catharine*, *St. Dorothy Vere*, and *St. Elizabeth*, are subject to dry weather, insomuch that particular spots only are employed in the cultivation of Sugar. The flat lands are chiefly appropriated to the purposes of raising Cattle, and the mountainous lands in the vicinity of *Spanishtown* and *Kingston*, besides producing Coffee, Ginger, and a little Pimento, afford a partial supply of Provisions, such as Plantains, Roots, and *Indian* Corn. The inland Parishes of the South side, *St. John's*, *St. Thomas*, in the vale, and some part of *Clarendon*, being more seasonable, raise, I believe, in plentiful years, a sufficiency of the above Provisions for their own support, and sometimes furnish relief to the neighbouring Parishes. The several Parishes on the North side, are fertile, and in general seasonable, excepting on some parts of the Sea-coast, where I have known the drought so excessive, as it was particularly in the year 1770, and the calls of distress so loud, that neither the back lands nor the neighbouring Parishes could afford sufficient relief; and had it not been for supplies from *North America*, many thousand Negroes must have perished for want. On the whole, though the Island of *Jamaica* has, in respect of internal supplies, greatly the advantage over *Barbadoes* and the other *British* Sugar Islands, yet from the circumstances of drought and gusts of wind which happen frequently, and are particularly destructive to the Plantain Trees, which yield the chief support of the Negroes, her dependence on *North America* in point of Provisions, is very great, and cannot, I think, be lessened in any considerable degree, without diminishing the growth of the staple commodities of Sugar and Rum; for besides those articles which chiefly constitute or supply the place of Bread, such as Flour, Rice, Corn, and Peas, she receives from *America* great quantities of salted Fish; which, with Herrings from *Europe*, serve the Negroes as Meat. I confine myself in this state to matters of mere subsistence for our Negro Slaves, without taking into the estimate the great quantities of Pork and other salted Provisions imported from *America* for the use of the White inhabitants. In regard to Lumber, for that species which is called Staves and Heading, and of which we make the Packages for our Sugar and Rum, the dependence which *Jamaica* has on *North America*, may be judged of from this circumstance. The Island at present yields about eighty thousand hogsheads of Sugar, and about thirty thousand puncheons of Rum, for exportation. Now I am positive that not three thousand of the Casks necessary to contain this great quantity of produce, are made from *Jamaica* Wood; a few Puncheons indeed are imported from *England*, and also some few *Hambro* Staves, the Puncheons being packages of Goods sent out; but all the rest we receive from the Middle Colonies of *North America* and from *Georgia*. With regard to the other species of Lumber, such as Scantling, Boards, and Shingles for Houses, the different Towns are chiefly built with these articles from *North America*; as are also the buildings of most of the settlements on the Sea-coast. The interiour parts of the country being in the neighbourhood of large woods, supply themselves from the growth of the country, or at least I think ought so to do.

To conclude, the supplies annually imported into *Jamaica*, chiefly from the associated Provinces of *North America*, consisting of Pitch, Tar, Turpentine, Lamp Oil, Boards, Joists, Plank, Hogshead and Puncheon Staves, Shingles, &c., Horses, and a great variety of Provisions, such as Flour, *Indian* Corn, Biscuit, Beef, Pork, salted Fish of different kinds, and Rice, amount by the most exact calculation I am able to make, to upwards of one hundred and fifty thousand Pounds sterling, in payment of which the *Americans* receive Sugar, Rum, Coffee, Ginger, and other articles of *Jamaica* produce. The *North Americans* have of late years imported also considerable quantities of Cash, which, with their cargoes, they lay out in the purchase of the above articles.

Q. In so vast a space as three millions of acres of unsettled Land, do you not apprehend there are a great many tracts capable of cultivation, and of producing Provisions, and many other articles of those supplies, which at present are furnished from *North America*?

A. Doubtless there are; but the Planter must necessarily, and will irremediably suffer before those lands can be prepared for cultivation, and yield them a sufficient supply. He will even suffer by his dependence on the wisdom and interposition of Parliament; not perceiving, till it is too late, the absolute necessity of converting his distant lands, if he has any, into Provision settlements, before the calamities attending distress and want will overtake him. I speak now in regard to Provisions only; a failure in which may be attended with the most alarming consequences, from rebellions of the Slaves. As to Lumber, those plantations which are situated near considerable tracts of Wood-land, may doubtless, at all times, obtain a partial supply, though very few species of Wood are fit for the purpose of making Staves for Sugar Casks; as to Casks for Rum, the Island affords no proper Wood; but I know not how the other estates are to be furnished, except from *America*. And after all, supposing the Island had resources within herself, and could, in time, actually supply both Lumber and Provision in sufficient quantity, it must be remembered that seven-eighths of the Planters are already deeply in debt to *Great Britain*, and cannot support the expense of great land carriage, which must unavoidably attend the cutting their own Wood, and bringing it to their estates; neither can they obtain credit to make new settlements for the purpose of raising Provisions. It follows, therefore, and the fact really is, however fortunate a few individuals may be in respect to the situation of their estates, that the Planters in general cannot submit to the necessity of cutting their own Lumber, and of raising greater quantities of Provisions than the Island at present affords, without neglecting, in a proportionate degree, the staple articles of Sugar and Rum; and I need not point out to the Committee how greatly

Digitized by Google

the Trade, Revenues, and Navigation of this country will suffer, by a diminution in the growth and manufacture of these commodities.

Q. What do you apprehend will be the consequence to *Jamaica*, in case the supply of Provisions from *North America* is interrupted?

A. I have partly answered that question before. Those plantations which have not good Provision-grounds for their Negroes, will soon be in a starving condition; and even those which have must suffer greatly; for the Negroes are a very thoughtless, improvident people; they do not look forward to provide against those evils which too frequently happen; such as droughts, which destroy their ground Provisions, and gusts of wind which throw down their plantation trees. Those who are in want, will steal; when they can no longer steal, and hunger presses, they will take by force. What further consequence may arise, I dread to think of.

Q. Are there not places, besides the Middle Colonies of *North America*, from whence may be drawn a supply of Lumber?

A. I apprehend not. *Georgia*, indeed, furnishes at present, in small quantities, Scantling and Boards for building, and some few Staves. How far that Province is capable of increasing the export of these articles, I cannot say; but it must surely be many years before it equals that of all the confederated Colonies together. As to *Canada*, and the two *Floridas*, the population at the extremities of the Continent is too feeble to promise any great supply from thence. The navigation from *Canada* is obstructed many months in the year by the ice; but however this may be, these countries do not afford any supply at present; and I believe it is contrary to the known principles of commerce, to expect that any country can yield an adequate supply to a great, an immediate and unexpected demand.

Q. What do you compute the value of the Property in that Island?

A. Twenty-four millions sterling. I shall not take up the time of the Committee by a long tedious calculation. In every well-appointed property, the value of Negroes constitute a third of the capital. By a well-appointed property, I mean a property where the Master is competent to the furnishing it with a sufficient stock of Negroes and Cattle, and every necessary appendage. In such properties, the value of Negroes constitute a third of the capital; but the greater part of the properties in the Island, from the inability of the Planters, have not a due proportion of Negroes, and in such the value of the Negroes does not exceed one-fourth of the capital. I shall, however, make my calculation upon a supposition, that all the properties in the Island are sufficiently stocked with Negroes, and that the value of Negroes, therefore, constitute one-third part of the general capital of the Island. Now the number of Negroes in the Island of *Jamaica*, exceed two hundred thousand; however, I shall estimate them only at two hundred thousand; and I shall value them only at the same rate with the *African* cargoes; of them I have lately seen several sales, and they average for each Negro from forty Pounds to forty-five Pounds; but I will put them only at forty Pounds, and I shall rate the Negroes of the Island who are seasoned to the country, are civilized, and have acquired arts, at the same value with the Savages newly imported from *Africa;* two hundred thousand Negroes, therefore, at the rate of forty Pounds each, amount to eight millions, and the Negroes constituting one third of the general capital, the whole capital of the Island amounts to twenty-four millions.

Mr. *Glover* having finished with this evidence, some questions were asked by Mr. *Innes*, relative to particular articles of Provision, and in what quantities they were furnished to the Negroes by their Masters; in answer to which Mr. *Ellis* asserted, that the dependence of the Island upon foreign Provisions was so very great, that if the Masters did not attend to, and supply the wants of their Slaves, many thousands of them must perish.

Withdrew.

After the examination of Mr. *Walker* and Mr. *Ellis*, the whole was summed up, as follows:

Sir: Having closed the examination of witnesses, I must recur to my introductory proposition; that from the evidence at your bar, and official papers upon your table, it shall be endeavoured to give the Committee a clear insight into the two capital branches of Colony Trade, the *West Indian*, the *North American*, and the immediate dependent upon both, the *African*, with the relations and proportions of each towards the other, and towards the several great interests, the Manufacture, Commerce, Navigation, Revenue, and Land of *Great Britain*.

Finding my authority so much diminished in number, I must supply the void by imagination, presenting, to my view, the genius of the place, the majestick genius of Parliament, holding a balance to weigh the future fortunes of Kingdoms, with an impartial hand, ready to receive the weights peculiar to each scale; and conscious that the welfare, perhaps the being, of a whole Empire depend on the turn.

I begin with investigating the general system of the *British* Empire, not only in description, but illustration by comparison. Ancient Nations were possessed of the widest dominion, not with commercial helps. To be brief, I shall confine the inquiry to one—to the *Romans*, in their ages of purity. Cultivation of their soil, rude manufacture, just adequate to their necessities, severity of manners, superiority in martial discipline, enthusiasm for the very name of *Rome*, and the *dulce et decorum pro patria mori*, made them masters of the world. War was conducted with little expense, and the weightiest arms in the most skilful hands prevailed. Commerce flourished among others, whose affluence submitted to the steel of *Rome*.

What is the system now? All over *Europe* the same weapons, the same discipline, the same military arts are in practice; war is attended with a profusion of expense; and the deepest purse is the best assurance of success. Hence the encouragement of manufacture and trade is the pursuit of every Nation in this quarter of the globe, except two, who derive the treasure which *Europe* wants, from distant mines, with a facility enervating their own industry, while the rest are exerting theirs, each for a share in that wealth which the other two introduce, and can only be obtained through the commercial channel. By this, *Holland*, with a territory insufficient to nourish her inhabitants, hath in her day stood forth a bulwark against tyranny and superstition. An artificial strength, created by commerce, enabled her to make head, with numerous Fleets and Armies, against Powers immensely her superiours in natural force. Above all, in commercial arts and advantages, is *Great Britain*. Her purse, kept full by her credit, the resource of a trading Nation, an annual expenditure at least of sixteen to eighteen millions recently supported so long, so extensive, and so vigorous a war. Had her purse been scanty, she never would have seen a Navy which bore little short of ninety thousand men, could never have engaged a potent ally, nor furnished such Troops as acted so efficiently, and at the same time in such different parts of the globe. Hence it is evident her system is commercial; her strength and resources are wholly derived from trade. I allow the first interest in rank among us is the landed, but interwoven altogether with trade. Pay no regard to a doctrine from me, but pay all to the supreme authority of the clearest luminary this country ever produced, the great Mr. *Locke*. His words are these: "The decays that come upon and "bring to ruin any country, do constantly first fall upon "the land; and though the country gentleman is not very "forward to think so, yet this nevertheless is an undoubted "truth, that he is more concerned in trade, and ought to "take a greater care that it be well managed and pre-"served, than even the Merchant himself."

On the firm ground of such authority, let inquiry be made, whether we should not remain content with the lot assigned us, which hath raised us so high among the modern Nations, where all are in rivalry for manufacture and trade; whether we should degrade our refinements by a parallel with an unpolished and rugged race of old, and contaminate the delicacy of modern sensations, with those primitive and stern principles which imposed such a yoke on mankind, as the '*Majestas populi Romani;*' or whether, confining our speculations to the placid sphere of enjoyments, with more quiet and less hazard, than the restless pursuits of their ambition, we should not have in contemplation, upon all extraordinary convulsions, how far the means of those enjoyments may be affected, that influx of

Digitized by Google

wealth, the creature of commerce, which solely constitutes our envied power and rank in the present world.

To elucidate by facts a system so essential to our being, your Petitioners have appeared at this tremendous crisis, when *Great Britain* and *America*, the parent and the child, with equal irritation, are menacing at least, what barely in words, what barely in thought, is horrour—to unsheath the sword of parricide, and sever the dearest ties of consanguinity, of mutual aids, and general prosperity.

Your Petitioners preferred but one supplication to the all-merciful Being; their own reason suggested no other than to be heard by you. He hath inclined you to hear, truth enables us to speak. Truth in its nature is healing, and productive of reflection; reflection leads to composure of mind, and strengthens in our breasts a hope that an hour may come, when this humble application may not be found altogether ineffectual; if too, for that auspicious purpose, it may prove my good fortune so to collect and combine the various evidence from your bar, and from the copied records of office upon your table, as to establish a system of the whole, and found that whole upon truth; whose efficacy upon the mind I have described before, and with some fervour of hope anticipate now.

Here, sir, I entreat your acceptance of a clue through the seeming labyrinth of accounts. The ways, indeed, are all unadorned, but the least perplexed of any to a little attention; and to make them short shall be mine.

You have before you official Accounts of the Exports from *England* to the *West Indies*, from Christmas, 1739, to Christmas, 1773. Of these thirty-four years, the first seventeen, ending at Christmas, 1756, forms a period which closes in the first year of the last war; the whole value exceeds £12,000,000, and gives an annual medium of more than £700,000. The last period of seventeen years end at Christmas, 1773, and renders a total of more than £19,000,000, and more than £1,100,000 at the annual medium I only observe in this place, that the increase of the latter upon the former is in the proportion of eleven to seven; and of the value in both, two-thirds are *British* Goods, and one-third only Foreign.

A second set of Accounts contain the Exports to *North America*. The first seventeen years yield more than £17,000,000 in the whole, and than £1,000,000 at the annual medium. The last period renders more than £40,000,000 in the whole, and largely more than £2,300,000, at the annual medium, an increase upon the former in a proportion of twenty-three to ten, with a value in both of three-fourths *British* Goods to one-fourth Foreign.

The third Account relates to *Africa*, whose commerce with *England* owes its existence to her Colonies. The first seventeen years reach nearly to £3,000,000, and to an annual medium something short of £180,000; the last seventeen years nearly to £8,000,000, and an annual medium of £470,000, an increase upon the first in a proportion of forty-seven to eighteen, with a value in each of two-thirds *British* Goods to one-third Foreign.

On this augmentation of Exports to your Colonies, irrefragable proof is founded, that through whatever channels riches have flowed among them, that influx hath made a passage from them to the mother country, and in the most wholesome mode, not like the dash of an oriental torrent, but in salubrious, various, placid, and copious streams, refreshing and augmenting sober industry by additional employment to thousands and ten thousands of families, and lightening the burthen upon rents, by reducing the contributions of Parishes to poverty unemployed.

But this requires a further explanation. The date of the last period is the commencement of the last war. The expenditure of publick money was one source of wealth to the *West Indies*. That temporary acquisition being soon exhausted, by its return to *England*, sufficient sums were procured upon credit after the peace, to cultivate new land and improve the old, still further enlarging the consumption of our commodities there and in *Africa*, that from the year of the peace to Christmas, 1773, the import of Sugar only to *England*, who, without her *West Indies*, must purchase that immense article from foreigners, hath risen from one hundred and thirty thousand to one hundred and seventy thousand hogsheads, an augmentation in value of £800,000.

The publick expenditure being much larger in *North America*, produced a proportionate effect on the consumption of our Manufactures through that Continent. This money returned from its peregrination to the mother country, by 1764, or 1765 at the furthest. But, as the *West Indies* had a succedaneum, so had *North America* through a new opening of trade, which converted the misfortune of *England* into a blessing. Though I am convinced that the same number of hands at least is devoted to Agriculture here, and that the earth at a medium of years hath yielded the same increase. As we have been disposed to consume it all among ourselves, or as our presumption may impute the scarcity to Providence restraining the fertility of our soil for ten years past, in either case we could not spare, as heretofore, our grain to the foreigner; a reduction in our exports one year with another, of more than £600,000. The *American* subject took place of the *British* in markets we could no longer supply, extended their vent from season to season, and from Port to Port, and by a circuition of fresh money thus acquired by themselves, added fresh numbers to your manufactures, the rents of land increasing at the same time, till the amount of Exports to *North America*, for the last three years, ending at Christmas, 1773, stand upon your papers at £10,500,000, or £3,500,000 at the annual medium; add £1,300,000, the medium of the same three years, for the *West Indies*, and £700,000 for *Africa*, and the total value of Exports to the Colonies, nearly in a proportion of three-fourths *British* to one-fourth Foreign Goods, is £5,500,000, at the medium of these three years, ending at Christmas, 1773. A slight matter this to the great question before you, says the general voice without doors, and readily admitted without the ceremony of proof. This I mention by way of preparation to introduce the most material account of all, which will demonstrate, that the magnitude of £5,500,000, exported in the Colony branches, the *West Indian*, *North American*, and *African*, is not to be considered as an object so striking in itself, as in comparison with the whole export of *England* to all countries whatsoever. The annual medium for twelve years back stands on these papers at less than £15,000,000; but as I have limited the Colony branch to 1771, '2, and '3, I shall take the general Exports during that period, which renders a medium of £16,000,000. What part is the Colony branch? Five and a half is rather more than a third. Does the magnitude appear in a stronger light by the comparison? Or hath it been admitted in this view, before it was stated? Be it so. I have something behind, perhaps enough for the keenest appetite of admission to digest.

Sir, one part of our Exports to foreigners is supplied by Colony Produce, Tobacco, Rice, Sugar, &c., through *Great Britain*, for £1,000,000 sterling, at a low estimation. Add £2,000,000 more, exported of all kinds from *England* to her principal Colony, *Ireland*, and both to the former £5,500,000; your whole Colony branch will then exceed the half of your whole Export in the proportion of eight and a half to sixteen.

Thanks to the care and forecast of our forefathers one hundred and twenty years since. In the circle of ancient trade, narrow in comparison with the modern, the great trading states, *Carthage*, pre-eminent to all, suffered but little from rivalship. All in *Europe* are our rivals, all devoted to manufacture and traffick, as capital pursuits of policy; while we, struggling with such competition, have in some instances already experienced its hurtful effects, and must prepare for more; we had always one consolation left, that our Colony trade, kept to ourselves by old and salutary regulations, hath been augmented from period to period, till at present it constitutes more than half of the whole, with a prospect of further growth, rather than diminution, unless we create our own rivals.

One more observation remains, of all the most important, so far as safety to a state is a consideration above all others. Of this trade, the part which depends on the associated Provinces, contributes in Naval Stores, in other low priced and bulky commodities, more to the *British* Marine, than triple the present exports in commodities of such higher value, and if shipped so largely in foreign bottoms to the foreign market. Such was your situation.

Upon the present question I will not take that larger half before mentioned for my ground. I will deduct the £2,000,000 to *Ireland*, and the odd £500,000 furnished to Prov-

Digitized by Google

inces not of the combination, though they did not receive more than £400,000 in value, at the medium of these three last years; when there will remain £6,000,000 out of the £8,500,000; nay, I will further reduce the six by nearly £700,000, to remove all suspicion of exaggeration, and to make an exact third of the sixteen, and which is the part immediately affected by the Association in *North America*.

From this ground see what is put in hazard; not merely a moneyed profit, but our bulwark of defence, our power in offence—the arts and industry of our Nation. Instead of thousands and ten thousands of families in comfort, a navigation extensive and enlarging, the value and rents of land yearly rising, wealth abounding, and at hand for further improvements, see or foresee, that this third of our whole commerce, that sole basis of our Empire, and this third in itself the best, once lost, carries with it a proportion of our national faculties, our treasure, our publick revenue, and the value of land, succeeded in its fall by a multiplication of taxes to reinstate that revenue, an increasing burden on every decreasing estate, decreasing by the reduced demand of its produce for the support of Manufactures and Manufacturers, and menaced with a heavier calamity still—the diminution of our Marine, of our Seamen, of our general population, by the emigration of useful subjects, strengthening that very country you wish to humble, and weakening this in the sight of rival Powers, who wish to humble us.

Having been hitherto merely general, I must now descend to a detail, but of parts so large, that each is separately big with sufficient evils to draw the utmost stretch of your attention. I begin with those which threaten the *West Indies*.

To recapitulate the heads of that material evidence delivered by Mr. *Walker* and Mr. *Ellis*, would be tedious in me, unnecessary in itself. Leaving it, therefore, to its own powerful impression, I here add only, in a general mode of my own, that of the inhabitants of those Islands, above four hundred thousand are Blacks, from whose labour the immense riches there, so distinctly proved at your bar, are derived, with such immense advantage to these Kingdoms. How far these multitudes, if their intercourse with *North America* is stopped, may be exposed to famine, you have heard. One half in *Barbadoes* and the *Leeward* Islands, say one hundred thousand Negroes, in value at least four millions sterling, possibly, it grieves me to say probably, may perish. The remainder must divert to Provisions the culture of the produce so valuable to *Great Britain*. The same must be the practice in great part throughout *Jamaica* and the new settled acquisitions. They may feel a distress just short of destruction, but must divert for subsistence so much labour as, in proportion, will shorten their rich product. In fact, why should they raise the latter, if Lumber should be wanting for its package to *Great Britain*? How vague, how uncertain, how nearly impracticable, would be a supply of these necessaries through any new channel, I need not repeat; but shall close this head with another short general state, in confirmation of Mr. *Walker's* most accurate detail. The gross amount of Imports, at an annual medium, from these now unfortunate Islands, exceed £4,000,000; one hundred and ninety thousand casks of Sugar and Rum, besides many other articles, the bulky loading for such a multitude of Vessels, more than authorize my assertion. Of these annual four millions, the Exchequer receives its proportion, the Navigator and Merchant theirs, the rest centres with the Planter; and how distributed by him? In the purchase of £1,300,000 in our Exports direct, and the largest part of £700,000 more in circuition through *Africa*, for a constant supply of Negroes. What is left, considerable as it may be among residents here, is applied to home consumption; not with a sparing hand, and to investments, upholding the price of land and the credit of publick funds. At the same time they are furnishing commodities to us of such necessary use, which else must be paid for to foreigners, and with a superfluity for foreign consumption likewise; I avoid comparison, but judge from this state how valuable a subject is the Planter. All these benefits, the healthy progeny of active trade, all or part must sleep as in a grave, during a total or partial stagnation.

Upon the *North American* Imports I shall only remark, that the most considerable part of their bulky productions is bought by the foreigner, and of the amount consumed in *Great Britain*, the Exchequer hath a capital share. Nor will I take *North America* for a companion in my present melancholy walk, because she may prove the only gainer, and as the community become more sound and healthy, while every other member of the Empire lies bleeding. But my heart bleeds, when, renewing my gloomy progress, I turn a view towards one Kingdom, a great member, which may unhappily be distinguished above all sufferers in the present conjuncture; I mean the Kingdom of *Scotland*; and among my honourable hearers, they whose particular attention I may now engage, have no cause to doubt the sincerity of my feelings. I have taken equal pains with the accounts of Exports from that Kingdom as from this. The Papers I could collect began at Christmas, 1748, and end at Christmas, 1772, with two years wanting; a circumstance, however, which will not in the least impede me in illustrating the progress and improvement of the North *British* trade. A first period shews an annual medium of about £500,000. In a second it rises to £860,000. In a third to £1,150,000. And in the last, for 1770, 1771, and 1772, to £1,700,000, of which about £400,000 is Colony export, exclusive of *Ireland*, and the far greater part to the Tobacco Provinces, where many of my most worthy friends have a property lying, much larger than I choose to conjecture. To this I add a known export of Linen, exceeding £200,000, supplied to *England* for *American* use. The whole may be little short of £700,000; but calling it six, I ask if *Scotland* can well endure a stagnation of such a value for twelve months to come? Whether their export to *Ireland* of 3 to £400,000, will be affected; and how far emigration, of late so prevalent, may be extended by the pressure of a new calamity, I will not forbode. Sir, I feel—sir, those feelings forbid me to expatiate further; I choose to drop the subject, observing only, that the Colony Export from *Scotland* is to their whole much in the same proportion with ours. I will now pass over to *Ireland*.

That Kingdom takes from *England* and *Scotland* little short of £2,400,000 annually in Goods. How doth she pay for them? A large part in Linen and Yarn, the remainder in cash, acquired by her foreign traffick. In the printed report to this House, from their Linen Committee, it appears that, in 1771, the Linen made and brought to market for sale in that Kingdom, for its own use and ours, amounted to £2,150,000, and the Yarn exported, to about £200,000. This immense value, the employment of such numbers, hath its source in *North America*. The Flaxseed from thence, not worth £40,000, a trifle to that Continent, forms the basis of *Ireland*, and reverts largely in Manufacture from her to the original seat of growth. In reply, what is the cry of my magnanimous countrymen without doors? Dignity! Supremacy! The evil hour is advancing, not yet come; no sooner come than felt: it may produce a discovery too late, that high-sounding words imply no food to the hungry, no raiment to the naked; and these, throughout our Empire, may amount to millions in number. But new channels of supply shall be found; our potency can surmount all difficulties. It is full time to begin the essay in *Ireland*, lest, during the experiment, emigration so constant there, should change to depopulation in the Protestant quarters.

I now return to *England*, not a member, but the head. Her sorrows I will leave to the contemplation of that superiour class which must be the ultimate and permanent sufferer. The sage Mr. *Locke* would tell the country gentleman, that his visible property must replace the loss of publick revenue; that he must provide for a Nation of hungry and naked, or sink into utter debility and despondency; when the Sun rises no more on this once flourishing Island, but to see the desertion of inhabitants, and a wretched remnant wandering, unclad and unfed, in lamentation over a wilderness.

I have mentioned the Revenue, and shall now be very concise upon that head: deducting Bounties and Drawbacks, the nett receipts at the Exchequer, from Duties and Excise on *West India* productions, I venture to set at more than £700,000, and another receipt in the *North American* branch, at just so much as with the former, may render a total of one million. To that amount the publick Reve-

Digitized by Google

nue is immediately concerned. Consequential loss, for instance, in the great article of Tea, for want of the usual supply of Sugar, or in any other articles, I do not dwell upon here, but leave to reflection.

Thus far, sir, I hope that I have proved what was your situation, happy in receiving from your Colonies all the possible advantage attainable in the nature of things. Could our forefathers, the authors of such a system, which, exclusive of foreign profit, could bring the numerous subjects of the same state in such dispersed habitations over the earth, thousands and thousands of miles asunder, to a concurrence in the extirpation of idleness, in promoting the comfort, and calling forth the faculties of each other:—could those venerable founders of a structure so stupendously great arise, and seeing it brought to such perfection by time and experience, yet find it within the last ten years so roughly handled in a conflict with finance, what looks would they cast on their blinded posterity—almost the whole *British* people, who, on every start of pecuniary contribution from *America*, have, under three Administrations, been open-mouthed, and are still for *American* taxation? Let the three Administrations have all the justification of "*defendit numerus, junctæque umbone phalagens.*" But I, an unconnected man, firmly pronounce, that the consenting voice of all mankind cannot make two and two, more or less than four; that the *Vox Populi* is not always the *Vox Dei*, and among us, upon the present subject, resembles the popular cry in old *Jerusalem* of, Crucify! Crucify!

Yet, sir, I likewise sincerely wish that the gloomy aspect I have given to our future situation may be all nugatory, all misrepresentation unintended; but not, therefore, less the result of errour and blindness. Hitherto I have looked on one side of the question only: permit me now to contemplate the other.

It is the general acceptation, that the associated Provinces submit in consequence of the measures taken. The measures I allude to are publick facts; and, with some relief to my own dejection, I apply them to introduce another fact, incontestible and brilliant, whereon I gladly dwell for a while: it is a subject of praise, requiring but few words, because it is true. I have named the *Romans*; we have among us a select body, whom I compare with them, as their equals at any the most distinguished epoch of their martial science and prowess. I will not hazard a panegyrick. The grateful sensations of all our memories retain the illustrious and recent achievements of the *British* military, by Land and Sea, with a warmth which would render the most elaborate encomium spiritless and cold. But themselves, lettered gentlemen of *England*, and versed in history, will allow, that the peculiar superiority derived from discipline, possessed by them in its highest excellence, is but the effect of human art; that there are left at large in human nature certain sparks, whose occasional concurrence produces operations not to be circumscribed or controlled by art or power, and hath caused such wonderful vicissitudes, recorded in times past, but I hope will make no part of our future annals: I allude to that violent agitation of the soul, enthusiasm. Such vicissitudes, not to be shunned by art or power, merit the most attention when most is set upon a cast.

Many without doors have treated the existence of this uncontrollable spirit as imaginary. I did not reason with those who either feel no enthusiasm for any thing serious, or retain just so much as may be requisite in the eager pursuit of diversions, pleasures, or profit. I would have accompanied others more speculative through their several gradations of hope, still disappointed, and still reviving, but for one observation, which I have generally kept concealed, but will soon reveal to you. But for this observation I might have concurred with the publick belief, that the capital of a Province, now declared in rebellion, would have submitted on the landing of a few Regiments; this failing, that other Provinces, from ancient jealousy and disgust, would not have interfered, rather sought their own advantage out of that Town's distress; this failing, that they never would have proceeded to the length of constituting a certain inauspicious Assembly among themselves; this failing, that the Members of such Assembly would have disagreed, and not framed a single Resolution. This last hope having proved abortive, a new one is popularly adopted, that the first intelligence of enforcing measures, at least the bare commencement of their execution, will tame the most refractory spirits. I will here state the grounds of this, and all the preceding hopes; afterwards, with your indulgence, the ground of my original and continued doubts.

Our trading Nation naturally assumed, that the present contention would be with the traders in *America*. The stock of a trader, whether his own, or in part, and often the greatest part a property of others, confided in him, is personal, lodged in a magazine, and exposed in seasons of commotion to instantaneous devastation. The circumstance of such property, the considerations suggested by common prudence, by the sense of common justice to those who have given a generous credit, rarely make room for that intrepidity which meets force with force. Hence I admit, that the mere traffickers would have submitted at first, and will now, whenever they dare. The reason why they have not dared, is the foundation of my doubts.

I am speaking to an enlightened assembly, and conversant with their own annals. In those ages, the reverse of commercial, when your ancestors filled the ranks of men at arms, and composed the Cavalry of *England*, of whom did the Infantry consist? A race unknown to other Kingdoms, and, in the present opulence of traffick, almost extinct in this, the yeomanry of *England*; an order of men possessing paternal inheritance, cultivated under their own care enough to preserve independence, and cherish the generous sentiments attendant on that condition, without superfluity for idleness or effeminate indulgence. Of such doth *North America* consist. The race is revived there in greater numbers, and in a greater proportion to the rest of the inhabitants; and in such the power of that Continent resides. These keep the traffickers in awe. These, many hundred thousands in multitude, with enthusiasm in their hearts, with the Petition, the Bill of Rights, and the Acts of Settlement, silent and obsolete in some places, but vociferous and fresh, as newly born among them; these, hot with the blood of their progenitors, the enthusiastick scourges at one period, and the revolutional expellers of tyranny at another; these, unpractised in frivolous dissipation and ruinous profusion, standing armed on the spot, delivered down from their fathers, a property not moveable, nor exposed to total destruction, therefore maintainable, and exciting all the spirit and vigour of defence; these, under such circumstances of number, animation, and manners, their Lawyers and Clergy blowing the trumpet, are we to encounter with a handful of men, sent three thousand miles over the Ocean to seek such adversaries on their own paternal ground.* But these will not fight, says the general voice of *Great Britain*. Agreed. I desire to meet my antagonists in argument upon no better ground.

That Exports to the associated Provinces have ceased for months, is a fact. May not their Non-Importation Agreement singly be a weapon sufficiently effectual in their hands, without striking a blow? Why strike without occasion?

To overset this suggestion, an assertion is brought, that necessity will break the combination. I take this fresh ground to shew that necessity, in conjunction with enthusiasm, may produce a directly opposite effect. I throw but a transient glance on the extraordinary stock of Goods laid in by the Colonists last year, though said to be sufficient for the consumption of two. The arguments I shall use carry their own evidence with them. Let the population in the associated Provinces be three millions, as delivered into the Congress, or be reduced to two and a half, white and black. At a moderate computation per head, the quantity of Goods, including all uses besides apparel, is not adequate to half their consumption, which I stated before to the amount of three millions sterling, without separating some considerable articles for the month. This annual supply they never did annually pay for, but always remained under a heavy debt to the mother country; a capital advantage to her, as shall be explained in its place. How is the other half of their consumption, unsupplied from hence, provided with the several articles for clothing and other necessaries? What is introduced through illicit trade with the foreigner must be paid for in ready money, and is chiefly

* The following remark might have been trite to the honourable hearer, but may not occur to every common reader: That if there are any seeds of talents and genius in a country, they are drawn into action and vigour by publick ferments and troubles; but might have remained in times of tranquillity for ever useless and unknown, perhaps at the plough, under a shed, or amongst the lowest class of mechanicks.

Digitized by Google

for the rich and the few. How is the multitude supplied, dispersed over that vast Continent, and at considerable distances from the Sea? Sir, by the same means, and necessarily so, as are practised in most countries of these Kingdoms. There are two kinds of manufacture; one active and systematick, collected under a superintendence, and brought to the markets of sale. The other is sedantry and domestick, obscure, but large; could the small and scattered parcels be gathered up for computation, as may be made of the former, from the records of publick marts. The latter lies among the wives and children of rural, of rustick families; is applied to domestick use, and rarely sees a market for sale. In the same mode the *American* yeomanry are furnished among themselves. The domestick manufacture must, in course, be large for the use of such numbers; the active for sale is far from maturity among them; but necessity, urged against them, may extend the arts and materials, already indubitably possessed; and enthusiasm may stamp on their home-spun all the value, all the pride of ornament.

Sir, I foresee these differences with *America* will be composed, and how? Their silence becomes me best. It will be so late, that *Great Britain* must receive a wound, which no time can heal. A philosophical sense of dignity must step in under the shape of consolation.

This reflection I wish to obviate, and will state a strong question from the other side. Admitting, if I please, the practicability of the Colonist supplying his wants with his own homely manufacture, improvable too by time and experience; yet will not an interruption to the vent of his own produce, and to the profits of his trade, be a loss of such magnitude, as may quickly, and with an intermediate stagnation, too short for us sensibly to feel, reduce his mind to a state of humiliation? The interruption, I allow, will be a loss to individuals; large to some, and small to many, and operate in degrees proportionate to situations and tempers. The trading class foresee it already, and are humbled enough to submit if they could. Those who keep them in awe, the multitude of small, but independent proprietors of land, may feel their part of the loss so light, as not to relax the restiff spirit which they have manifested down to this day; and may be strengthened by a truth too obvious, that *America*, as a publick, must be a gainer by such interruption.

She always hath been, and is now, largely indebted to the *British* Merchants; a proof that the nett value of her annual produce and remittances, through the circuitions of her trade, hath ever been short of her purchases here. So far as this difference reaches, whether small or large; so far as she substitutes more of her own labour in the stead of ours, for her own wants, just so much will be, on a general balance, a clear profit to her community, while the intercourse with ours is stopped, and a loss to *Great Britain* irrecoverable, so far as, during the melancholy interval, the arts of manufacture may be better established, and more extended in that Continent; but if extended beyond frugal uses, the yeomanry there will sink into futile and enervating enjoyments, the source of venality and discord; and in their turn verify a celebrated axiom in politicks, that discontents, murmurs, profusion, and outward shew, are the sure signs of a state in decay.

Sir, you have repeatedly heard before this day of the large debt from the Colonists to our Merchants; an uncontrovertible truth, to the permanent amount of millions. Grieved as humanity must be at any occurrence which puts such a property and so many meritorious subjects in peril, or even under a temporary anxiety, yet such being the course of that trade, the effect of a voluntary conduct, publick policy hath cause to rejoice, at the same time to acknowledge a high, though unsought obligation to the Merchant, who, by this practice, holds in his hand the principal bond of Colony dependence, enforces the Act of Navigation, and becomes, in the publick behalf, the true guardian of that half divine law, the work of penetration and wisdom, equal to the great man who framed it. Illicit traffick is common to all regions and Governments; nor to be avoided in any, but by a strict care not to lead into temptation. Upon the whole, no commercial regulation hath been more accurately observed than the Act of Navigation, to which the *American* Congress most intelligibly submits, and which, in their deprivation of capital privileges and liberties, enjoyed by their fellow-subjects here, comprehends their contribution for protection; an Act which hath generally been well obeyed by them, and the Merchant at home hath made it their interest. A foreign correspondent might account most justly for the nett proceeds of Tobacco, Rice, Sugar, &c., but will not give credit for a stiver more; and for that reason doth not receive such consignments even from the less scrupulous observers of the law. The *British* Merchant, on a hundred Pounds, netted from a consignment, readily supplies the *American's* wants for a hundred and twenty, thirty, how far is immaterial. This accommodation he hath not, and through long habit doth not try to have from any quarter out of *Great Britain*, and therefore chooses to send his produce through her channel; nor will a few exceptions invalidate the argument: and till the awful volume of earthly vicissitudes shall disclose the fatal page, where that Omnipotent Hand, which hath lifted up and cast down the proudest Dominion of old, may have written the designation of Empire to the child; till then the Merchant of *Great Britain* will keep the child in all possible dependence on the parent.

Sir, after all, though my fellow-subjects rise more and more in the flattering confidence, that the Colonies will not adhere to their Agreements, I do not commit myself in asserting the contrary; I do not pronounce, that they will; I only suggest, that they may; and on that supposition have attempted to shew, what *England*, *Scotland*, and *Ireland* stake on the contest; nothing less than a long-approved and successful system, embracing every circumstance of national stability, prosperity, and lustre. For what this is put in hazard, I humbly hope is a question too serious for casuistry; and, I humbly believe, solely to be measured by expediency and practicability, under the direction of that great Council, which holds the guardianship of three Kingdoms, and their boundless dependencies.

Right, authority, sovereignty, dignity, supremacy, are admitted to the utmost extent of their ground. Is there not another ground antecedent and original, that from the nature of mankind, there never was, nor is, and never will be a community who, after the possession of benefits, delivered down from father to son for more than a century, will be persuaded to relinquish such possession by any plea of law and right, urged with all the eloquence of advocates? A force superiour to argument is requisite, which brings the question back to expediency and practicability.

Conceive not, sir, that our very thoughts have presumed to interfere with the counsels or determinations of the state; but as the present subject of deliberation and measures is too pregnant with events not to run far into the future, we submissively hope, that the facts we have produced, and the deductions from them, if not in the present hour, may prove of some utility hereafter.

You, in your future deliberations, will separate the frivolous from the important, the specious and the plausible from the sound and the true. You, searching the depths of human nature, will not be misled by trite and popular opinion; and, when the force of self-interest is alleged at this momentous crisis, you will discover that interest is not the predominant ruler of mankind—I repeat, that interest is not the predominant ruler of mankind. The few, indeed, are under that frigid influence; but the many are governed by passion, whose train I need not arrange. Perseverance in acts of violence from one quarter, and perseverance in another to suffer, may be in both the result of passion. Passion can misinterpret words, give solidity to empty sounds, and convert shadow to substance. Passion could give weight to the cry of the Church, when *Sacheverell* infatuated a Nation, renowned above all others for solid sense and depth of thought.

To conclude: if, sir, in any future operation, this honourable House may condescend to a moment's remembrance of us, our appearance may prove not altogether in vain. Although there is still much remaining to offer, permit us now to withdraw, unreproved, we hope, by you; but surely so by our own conscientious feelings in thus attempting our discharge of a duty to the publick; over the Acts already passed and passing, I do not breathe out a word—only a parting sigh.

Mr. Speaker resumed the Chair.

Mr. Alderman *Oliver* reported from the Committee, that

Digitized by Google

they had heard the Planters of his Majesty's Sugar Colonies, residing in *Great Britain*, and the Merchants of *London* trading to the said Colonies, by their Agent; and had examined several witnesses, and made a further progress; and that he was directed by the Committee to move that they may have leave to sit again.

Resolved, That this House will, upon *Monday* morning next, resolve itself into a Committee of the Whole House, to consider further of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, and of the several other Petitions referred to the consideration of the said Committee.

Ordered, That the several persons who were ordered to attend the said Committee this day, do attend the said Committee upon *Monday* morning next.

The Lord *North* presented to the House, by his Majesty's command,

A Paper, entituled "Copy of the Petition and Memo-"rial of the Assembly of *Jamaica*, to the King in Coun-"cil."

And the title of the said Paper was read.

Ordered, That the said Paper do lie upon the table, to be perused by the Members of the House.

Ordered, That Mr. *Cooper* have leave to make a motion, it being half an hour after seven of the clock.

And he moved the House accordingly.

Ordered, That Mr. *George Robinson* do, upon *Monday* morning next, attend the Committee of the Whole House, to whom it is referred to consider further of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, and of the several other Petitions referred to the consideration of the said Committee.

Ordered, That Mr. *William Illingworth* do attend the said Committee at the same time.

MONDAY, *March* 20, 1775.

The House, according to Order, resolved itself into a Committee of the Whole House, to consider further of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, and of the several other Petitions referred to the consideration of the said Committee.

Mr. Speaker left the Chair.

General *Howe* took the Chair of the Committee.

Some persons were examined in proof of the allegations contained in the Petitions presented from the Stocking Manufacturers, and other Inhabitants of the Town of *Nottingham*, presented on the 8th of *February* and the 9th of *March*.

Mr. *Nead* was called in to prove the allegations contained in the Counter Petition presented on the 22d of *February*, two of his partners having signed the former Petition.

Mr. *Burke* questioned him as to the character of those Petitioners. This was objected to by Mr. *Van*, and a debate ensued.

Mr. *Van* said, it was a rule in judicial proceedings, and adopted very properly by that House, never to put any question to a man, the giving a true answer to which might tend to injure him or affect his interest. It was plain, he said, that the question asked was in effect the same as if put to the persons alluded to, their credit and reputation as partners being the same.

Mr. *Burke* replied, that the reasoning was very just if it applied; but insisted that the question proposed by him involved no such consequence, it being only to their moral character, their reputation as men of veracity, not to their responsibility to pay their debts, or their situation as Traders.

Mr. *Solicitor General* directed his arguments to show the consequences that may happen, and in some instances which have happened, from leading persons at the bar to disclose the nature of their trade and the state of their affairs.

Mr. *Burke* reminded the gentlemen of the Treasury Bench of their conduct on the 16th, when questions of a much more delicate nature and direct tendency to create the inconvenience and evils now dreaded, were put and insisted on, though strongly objected to.

Mr. *Fox* and two or three others spoke, but the point was carried against answering the question, and the witness was called in and desired to proceed.

He was cross-examined by Mr. *Burke*, when it appeared that he was not concerned in the *American* trade, and that he knew little of it.

In the course of the examination, Lord *North* having asked several questions in order to establish proof that there was no foundation for the complaints in the other Petitions, Mr. *Bailey* got up and told General *Howe*, that as he was going to *America*, where he would find many rational and sensible men who would be asking him questions concerning the business the Committee were then sitting upon, he therefore begged the General would not forget to render all due justice to the noble Lord on the Treasury Bench, (Lord *North*) who was now uncommonly active in the examination of this evidence, and in forming questions to draw such sort of answers as might gain, if possible, from the person at the bar something like a proof, that these Counter Petitions came unsolicited by Government, (though all the world knew well enough to the contrary,) and that the grievances and loss of trade complained of in the other Petitions were merely fictitious; all which, Mr. *Bailey* said, might appear very natural to the noble Lord; for that he had observed, and the whole House had remarked it, that whenever the noble Lord attended the examination of the evidences who came to prove any of the injuries that this country would suffer by the loss of her *American* Commerce, he was either fast asleep and did not hear it; or, if awake, he was talking so loud as even to prevent others from hearing it; that this was so shamefully the case the other day, when the great man Mr. *Glover* was summoning up an evidence to the Committee that would have awakened any other Minister in the world to a sense of his duty, yet, to the inexpressible astonishment of every one, the present Minister showed a determined resolution not to listen to any thing that might tend in the least to convince him of the ruin he was drawing down upon this country and *America*.

Another witness was examined in support of the allegations in the Counter-Petition. He had formerly been concerned in the *American* trade, but was not at present. He was asked by Mr. *Burke*, how he could know, being now unconnected with that business, that the Non-Importation Agreement would not affect the trade? He replied, because he had been in several Warehouses, where he saw great quantities of Goods made up to be sent to *Holland*. Being asked if that was usual? He replied, he never remembered it before; and that he supposed they were intended for the *American* market, to be smuggled by the way of *Holland*.

It was a continual scene of altercation, from nine o'clock till one in the morning, when the Committee rose.

Lord *North* observed at the conclusion, that he was glad to find the Manufacturers of *Nottingham* were not likely to be starved for want of employment, as they had happily got one of the best marts in *Europe* for their Goods.

Mr. *Burke* replied, that if his Lordship reflected properly, he did not think he had any great reason to exult in measures which threw the business formerly transacted by our own Merchants, into the hands of the *Dutch*, and at the same time enriched his professed foes, the Smugglers, on the other side of the *Atlantic*, at the expense and ruin of his seemingly professed friends, the fair Traders, and to the total ruin besides of the Revenue.

Mr. Speaker resumed the Chair.

General *Howe* reported from the Committee, that they had heard the Manufacturing Hosiers of the Town and County of the Town of *Nottingham*, by their Agent, upon their Petitions, and had examined several witnesses; and had also examined several witnesses in support of the Petition of the Aldermen, Sheriff, principal Manufacturers, and Inhabitants of the Town and County of the Town of *Nottingham*, whose names are thereunto subscribed, and had made a further progress; and that he was directed by the Committee to move that they may have leave to sit again.

Resolved, That this House will, upon this day seven-night, resolve itself into a Committee of the Whole House,

Digitized by Google

to consider further of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, and of the several other Petitions referred to the consideration of the said Committee.

Ordered, That Mr. *Burke* have leave to make a motion, it being one of the clock on *Tuesday* morning.

And he moved the House accordingly.

Ordered, That there be laid before this House an Account of the quantity and value of the Silk, Cotton, Worsted, Linen, and Mixed Hose, of *English* Manufacture, exported to *North America* and the *West Indies*, since Christmas, 1772; distinguishing each year, as far as the same can be made up.

MONDAY, *March* 27, 1775.

The Order of the Day being read;

Resolved, That this House will, upon this day sevennight, resolve itself into a Committee of the Whole House, to consider further of the Petition of the Merchants, Traders, and others, of the City of *London*, concerned in the Commerce of *North America*, and of the several other Petitions referred to the said Committee.

HOUSE OF COMMONS.

WEDNESDAY, *March* 22, 1775.

Mr. *Burke* arose, and addressed the House as follows:

I hope, sir, that notwithstanding the austerity of the Chair, your good nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural, that those who have an object depending, which strongly engages their hopes and fears, should be somewhat inclined to superstition. As I came into the House full of anxiety about the event of my motion, I found to my infinite surprise, that the grand Penal Bill, by which we had passed sentence on the trade and sustenance of *America*, is to be returned to us from the other House.* I do confess I could not help looking on this event as a fortunate omen. I look upon it as a sort of Providential favour, by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this Bill, which seemed to have taken its flight forever, we are at this very instant nearly as free to choose a plan for our *American* Government, as we were on the first day of the session. If, sir, we incline to the side of conciliation, we are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are, therefore, called upon, as it were by a superiour warning voice, again to attend to *America*; to attend to the whole of it together, and to review the subject with an unusual degree of care and calmness.

Surely it is an awful subject, or there is none so on this side of the grave. When I first had the honour of a seat in this House, the affairs of that Continent pressed themselves upon us, as the most important and most delicate object of Parliamentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust; and, having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in every thing which relates to our Colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the *British* Empire. Something of this sort seemed to be indispensable, in order, amidst so vast a fluctuation of passions and opinions, to concentre my thoughts; to ballast my conduct; to preserve me from being blown about by every wind of fashionable doctrine. I really did not think it safe or manly to have fresh principles to seek upon every fresh mail which should arrive from *America*.

At that period I had the fortune to find myself in perfect concurrence with a large majority in this House. Bowing under that high authority and penetrated with the sharpness and strength of that early impression, I have continued ever since, without the least deviation in my original sentiments. Whether this be owing to an obstinate perseverance in errour, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge.

Sir, Parliament having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct, than could be justified in a particular person, upon the contracted scale of private information. But, though I do not hazard any thing approaching to a censure, on the motives of former Parliaments to all those alterations, one fact is undoubted, that under them the state of *America* has been kept in continual agitation. Every thing administered as remedy to the publick complaint, if it did not produce, was at least followed by an heightening of the distemper, until, by a variety of experiments, that important country has been brought into her present situation—a situation which I will not miscall, which I dare not name, which I scarcely know how to comprehend in the terms of any description.

In this posture, sir, things stood at the beginning of the session. About that time, a worthy Member (Mr. *Rose Fuller*) of great Parliamentary experience, who, in the year 1766, filled the chair of the *American* Committee with much ability, took me aside, and, lamenting the present aspect of our politicks, told me things were come to such a pass, that our former methods of proceeding in the House would be no longer tolerated; that the publick tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity; that the very vicissitudes and shiftings of Ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent, which nothing could satisfy; whilst we accused every measure of vigour as cruel, and every proposal of lenity as weak and irresolute. The publick, he said, would not have patience to see us play the game out with our adversaries; we must produce our hand. It would be expected, that those who, for many years, had been active in such affairs, should shew that they had formed some clear and decided idea of the principles of Colony Government, and were capable of drawing out something like a platform of the ground, which might be laid for future and permanent tranquillity.

I felt the truth of what my honourable friend represented; but I felt my situation too. His application might have been made with far greater propriety to many other gentlemen. No man was, indeed, ever better disposed, or worse qualified for such an undertaking, than myself. Though I gave so far into his opinion, that I immediately threw my thoughts into a sort of Parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of Government, except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception; and for my part I am not ambitious of ridicule; not absolutely a candidate for disgrace.

Besides, sir, to speak the plain truth, I have, in general, no very exalted opinion of the virtue of paper government; nor of any politicks, in which the plan is to be wholly separated from the execution. But when I saw that anger and violence prevailed every day more and more; and that things were hastening towards an incurable alienation of our Colonies, I confess my caution gave way. I felt this as one of those few moments in which decorum yields to an higher duty. Publick calamity is a mighty leveller; and there are occasions when any, even the slightest, chance of doing good, must be laid hold on, even by the most inconsiderable person.

To restore order and repose to an Empire so great and so distracted as ours, is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by

* The Act to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*; and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, and other places therein mentioned, under certain conditions and limitations.

Digitized by Google

degrees I felt myself more firm. I derived, at length, some confidence from what, in other circumstances, usually produces timidity. I grew less anxious, even from the idea of my own insignificance; for, judging of what you are by what you ought to be, I persuaded myself that you would not reject a reasonable proposition because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure, that if my proposition were futile or dangerous, if it were weakly conceived, or improperly timed, there was nothing exteriour to it, of power to awe, dazzle, or delude you. You will see it just as it is, and you will treat it just as it deserves.

The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of universal discord, fomented from principle, in all parts of the Empire; not peace to depend on the juridical determination of perplexing questions; or the precise marking the shadowy boundaries of a complex Government. It is simple peace, sought in its natural course and in its ordinary haunts; it is peace sought in the spirit of peace, and laid in principles purely pacifick. I propose, by removing the ground of the difference, and by restoring the *former unsuspecting confidence of the Colonies in the mother country*, to give permanent satisfaction to your people, and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very same interest which reconciles them to *British* government.

My idea is nothing more. Refined policy ever has been the parent of confusion, and ever will be so as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is an healing and cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendour of the project which has been lately laid upon your table by the noble Lord in the blue riband.* It does not propose to fill your lobby with squabbling Colony Agents, who will require the interposition of your mace at every instant, to keep the peace amongst them. It does not institute a magnificent auction of finances, where captivated Provinces come to general ransom, by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of algebra to equalize and settle.

The plan which I shall presume to suggest, derives, however, one great advantage from the proposition and registry of that noble Lord's project. The idea of conciliation is admissible. First, the House in accepting the Resolution moved by the noble Lord, has admitted, notwithstanding the menacing front of our Address, notwithstanding our heavy Bill of Pains and Penalties, that we do not think ourselves precluded from all ideas of free grace and bounty.

The House has gone farther; it has declared conciliation admissible, *previous* to any submission on the part of *America*. It has even shot a good deal beyond that mark, and has admitted that the complaints of our former mode of exerting the right of taxation, were not wholly unfounded. That right, thus exerted, is allowed to have had something reprehensible in it; something unwise, or something grievous, since, in the midst of our heat and resentment, we, of ourselves, have proposed a capital alteration; and, in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new; one that is, indeed, wholly alien from all the ancient methods and forms of Parliament.

The *principle* of this proceeding is large enough for my purpose. The means proposed by the noble Lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end; and this I shall endeavour to shew you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation; and where there has been a material dispute, reconciliation does in a manner always imply concession on the one part or on the other. In this state of things I make no difficulty in affirming, that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superiour power may offer peace with honour and with safety. Such an offer from such a power, will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy of his superiour, and he loses forever that time and those chances, which, as they happen to all men, are the strength and resources of all inferiour power.

The capital leading questions on which you must this day decide, are these two: First, whether you ought to concede; and secondly, what your concession ought to be. On the first of these questions we have gained (as I have just taken the liberty of observing to you) some ground; but I am sensible that a good deal more is still to be done. Indeed, sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, I think it may be necessary to consider, distinctly, the true nature and the peculiar circumstances of the object which we have before us; because, after all our struggle, whether we will or not, we must govern *America* according to that nature and to those circumstances, and not according to our own imaginations; not according to abstract ideas of right; by no means according to mere general theories of Government, the resort to which appears to me, in our present situation, no better than arrant trifling. I shall, therefore, endeavour, with your leave, to lay before you some of the most material of these circumstances, in as full and as clear a manner as I am able to state them.

The first thing that we have to consider with regard to the nature of the object is, the number of people in the Colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below two millions of inhabitants, of our own *European* blood and colour, besides at least five hundred thousand others, who form no inconsiderable part of the strength and opulence of the whole. This, sir, is, I believe, about the true number. There is no occasion to exaggerate, where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low, is a matter of little moment. Such is the strength with which population shoots in that part of the world, that state the numbers as high as we will, whilst the dispute continues, the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more to manage. Your children do not grow faster from infancy to manhood, than they spread from families to communities, and from Villages to Nations.

I put this consideration of the present and the growing numbers in the front of our deliberation, because, sir, this consideration will make it evident to a blunter discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will shew you that it is not to be considered as one of those *minima* which are out of the eye and consideration of the law; not a paltry excrescence of the state; not a mean dependent, who may be neglected with little damage, and provoked with little danger. It will prove that some degree of care and caution is required in the handling such an object; it will shew that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt; and be assured you will not be able to do it long with impunity.

But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight, if not combined with other circumstances. The commerce of your Colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod some days ago, and with great ability, by a distinguished person, at your bar.* This gentleman, after thirty-five years—it is so long since he first appeared at the same place to plead for the

* Resolution moved by Lord *North* in the Committee, *February* 20, and agreed to by the House, *February* 27.

* Mr. *Glover*, see *Folio* 1733.

Digitized by Google

Commerce of *Great Britain*—has come again before you to plead the same cause, without any other effect of time, than that to the fire of imagination and extent of erudition, which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

Sir, I should be inexcusable in coming after such a person with any detail; if a great part of the Members who now fill the House had not the misfortune to be absent when he appeared at your bar. Besides, sir, I propose to take the matter at periods of time somewhat different from his. There is, if I mistake not, a point of view, from whence, if you will look at this subject, it is impossible that it should not make an impression upon you.

I have in my hand two accounts; one a comparative state of the export trade of *England* to its Colonies, as it stood in the year 1704, and as it stood in the year 1772. The other a state of the export trade of this country to its Colonies alone, as it stood in 1772, compared with the whole trade of *England* to all parts of the world, (the Colonies included,) in the year 1704. They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuscript of *Davenant*, who first established the Inspector General's Office, which has been ever since his time so abundant a source of Parliamentary information.

The export trade to the Colonies consists of three great branches. The *African*, which, terminating almost wholly in the Colonies, must be put to the account of their commerce; the *West Indian* and the *North American*. All these are so interwoven, that the attempt to separate them would tear to pieces the contexture of the whole; and if not entirely destroy, would very much depreciate the value of all the parts. I, therefore, consider these three denominations to be, what in effect they are, one trade.

The trade to the Colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus:

Exports to *North America* and the *West Indies*, - - - - - - -	£483,265
To *Africa*, - - - - - - -	86,665
	£569,930

In the year 1772, which I take as a middle year between the highest and lowest of those lately laid on your table, the account was as follows:

To *North America* and the *West Indies*, -	£4,791,734
To *Africa*, - - - - - -	866,398
To which, if you add the Export Trade from *Scotland*, which had, in 1704, no existence,	364,000
	£6,022,132

From five hundred and odd thousand, it has grown to six millions. It has increased no less than twelve-fold. This is the state of the Colony trade as compared with itself at these two periods, within this century; and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the Colonies alone, in 1772, stood in the other point of view, that is, as compared to the whole trade of *England* in 1704.

The whole Export Trade of *England*, including that to the Colonies, in 1704, -	£6,509,000
Export to the Colonies alone, in 1772, -	6,024,000
Difference, - - -	£485,000

The trade with *America* alone is now within less than £500,000 of being equal to what this great commercial Nation, *England*, carried on at the beginning of this century with the whole world! If I had taken the largest year of those on your table, it would rather have exceeded. But, it will be said, is not this *American* trade an unnatural protuberance, that has drawn the juices from the rest of the body? The reverse. It is the very food that has nourished every other part into its present magnitude. Our general trade has been greatly augmented; and augmented more or less in almost every part to which it ever extended; but with this material difference; that of the six millions, which, in the beginning of the century, constituted the whole mass of our export commerce, the Colony trade was but one twelfth part; it is now (as a part of sixteen millions) considerably more than a third of the whole. This is the relative proportion of the importance of the Colonies at these two periods; and all reasoning concerning our mode of treating them, must have this proportion as its basis; or it is a reasoning weak, rotten, and sophistical.

Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. It is good for us to be here. We stand where we have an immense view of what is, and what is past. Clouds, indeed, and darkness, rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose memory might touch the two extremities. For instance, my Lord *Bathurst* might remember all the stages of the progress. He was in 1704, of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et quæ sit poterit cognoscere virtus*. Suppose, sir, that the angel of this auspicious youth, foreseeing the many virtues, which made him one of the most amiable, as he is one of the most fortunate men of his age, had opened to him in vision, that, when in the fourth generation, the third Prince of the House of *Brunswick* had sat twelve years on the throne of that Nation, which (by the happy issue of moderate and healing councils) was to be made *Great Britain*, he should see his son Lord Chancellor of *England*, turn back the current of hereditary dignity to its fountain, and raise him to an higher rank of Peerage, whilst he enriched the family with a new one—if amidst these bright and happy scenes of domestick honour and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country, and whilst he was gazing with admiration on the then commercial grandeur of *England*, the genius should point out to him a little speck, scarce visible in the mass of the national interest, a small seminal principle, rather than a formed body, and should tell him—"Young man, there is "*America*—which at this day serves for little more than "to amuse you with stories of savage men, and uncouth "manners; yet shall, before you taste of death, shew itself "equal to the whole of that commerce which now attracts "the envy of the world. Whatever *England* has been "growing to by a progressive increase of improvement, "brought in by varieties of people, by succession of civil-"izing conquests and civilizing settlements in a series of "one thousand seven hundred years, you shall see as much "added to her by *America* in the course of a single life!" If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it? Fortunate man, he has lived to see it! Fortunate, indeed, if he lives to see nothing that shall vary the prospect, and cloud the setting of his day!

Excuse me, sir, if, turning from such thoughts, I resume this comparative view once more. You have seen it on a large scale; look at it on a small one. I will point out to your attention a particular instance of it in the single Province of *Pennsylvania*. In the year 1704, that Province called for £11,459, in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why nearly fifty times as much; for in that year the export to *Pennsylvania* was £507,909, nearly equal to the export of all the Colonies together in the first period.

I choose, sir, to enter into these minute and particular details, because generalities, which in all other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our Colonies, fiction lags after truth, invention is unfruitful, and imagination cold and barren.

So far, sir, as to the importance of the object in the view of its commerce, as concerned in the exports from *England*. If I were to detail the imports, I could shew how many enjoyments they procure, which deceive the burthen of life; how many materials which invigorate the springs of national industry, and extend and animate every part o our foreign and domestick commerce. This would be a

Digitized by Google

curious subject indeed; but I must prescribe bounds to myself in a matter so vast and various.

I pass, therefore, to the Colonies in another point of view, their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of Grain, comprehending Rice, has some years ago exceeded a million in value. Of their last harvest, I am persuaded, they will export much more. At the beginning of the century, some of these Colonies imported Corn from the mother country. For some time past, the old world has been fed from the new. The scarcity which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a *Roman* charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

As to the wealth which the Colonies have drawn from the Sea by their Fisheries, you had all that matter fully opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy; and yet, the spirit by which that enterprising employment has been exercised, ought rather, in my opinion, to have raised your esteem and admiration. And pray, sir, what in the world is equal to it? Pass by the other parts, and look at the manner in which the people of *New England* have of late carried on the Whale Fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of *Hudson's* Bay, and *Davis's* Straits, whilst we are looking for them beneath the arctic circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen serpent of the South. *Falkland* Island, which seemed too remote and romantick an object for the grasp of national ambition, is but a stage and resting-place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them, than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the Coast of *Africa*, others run the longitude, and pursue their gigantick game along the Coast of *Brazil*. No Sea but what is vexed by their Fisheries. No climate that is not witness to their toils. Neither the perseverance of *Holland*, nor the activity of *France*, nor the dexterous and firm sagacity of *English* enterprise, ever carried this most perilous mode of hard industry to the extent to which it has been pushed by this recent people; a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. When I contemplate these things, when I know that the Colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection; when I reflect upon these effects, when I see how profitable they have been to us, I feel all the pride of power sink, and all presumption in the wisdom of human contrivances melt, and die away within me. My rigour relents. I pardon something to the spirit of liberty.

I am sensible, sir, that all which I have asserted, in my detail, is admitted in the gross; but that quite a different conclusion is drawn from it. *America*, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions and their habits. Those who understand the military art, will of course have some predilection for it. Those who wield the thunder of the state, may have more confidence in the efficacy of Arms. But I confess, possibly for want of this knowledge, my opinion is much more in favour of prudent management, than of force; considering force not as an odious, but a feeble instrument, for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connexion with us.

First, sir, permit me to observe, that the use of force alone is but *temporary*. It may subdue for a moment; but it does not remove the necessity of subduing again: and a Nation is not governed, which is perpetually to be conquered.

My next objection is *uncertainty*. Terrour is not always the effect of force; and an armament is not a victory. If you do not succeed, you are without resource; for, conciliation failing, force remains; but, force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness; but they can never be begged as alms, by an impoverished and defeated violence.

A further objection to force is, that you *impair the object* by your very endeavours to preserve it. The thing you fought for is not the thing which you recover; but depreciated, sunk, wasted, and consumed in the contest. Nothing less will content me, than *whole America*. I do not choose to consume its strength along with our own; because in all parts it is the *British* strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict; and still less in the midst of it. I may escape; but I can make no insurance against such an event. Let me add, that I do not choose wholly to break the *American* spirit, because it is the spirit that has made the country.

Lastly. We have no sort of *experience* in favour of force as an instrument in the rule of our Colonies. Their growth and their utility has been owing to methods altogether different. Our ancient indulgence has been said to be pursued to a fault. It may be so. But we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it; and our sin far more salutary than our penitence. These, sir, are my reasons for not entertaining that high opinion of untried force, by which many gentlemen, for whose sentiments in other particulars I have great respect, seem to be so greatly captivated. But there is still behind a third consideration concerning this object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of *America*, even more than its population and its commerce, I mean its *temper and character*.

In this character of the *Americans*, a love of freedom is the predominating feature which marks and distinguishes the whole; and as an ardent is always a jealous affection, your Colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the *English* Colonies, probably, than in any other people of the earth; and this from a great variety of powerful causes, which, to understand the true temper of their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

First. The people of the Colonies are descendants of *Englishmen*. *England*, sir, is a Nation, which still, I hope, respects, and formerly adored her freedom. The Colonists emigrated from you, when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands. They are, therefore, not only devoted to liberty, but to liberty according to *English* ideas, and on *English* principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object; and every Nation has formed to itself some favourite point, which, by way of eminence, becomes the criterion of their happiness. It happened, you know, sir, that the great contests for freedom in this country were, from the earliest times, chiefly upon the question of taxing. Most of the contests in the ancient Commonwealths turned primarily on the right of election of Magistrates; or on the balance, among the several orders of the state. The question of money was not with them so immediate. But in *England* it was otherwise. On this point of taxes, the ablest pens, and most eloquent tongues, have been exercised; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the *English* Constitution, to insist on this privilege of granting money as a dry point of fact, and to prove, that the right had been acknowledged in ancient parchments, and blind usages, to reside in a certain body called a House of Commons. They went much further; they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of a House of Commons, as an immediate representative of the people; whether the old records had delivered this oracle or not.

Digitized by Google

They took infinite pains to inculcate, as a fundamental principle, that, in all monarchies, the people must, in effect, themselves mediately or immediately possess the power of granting their own money, or no shadow of liberty could subsist. The Colonies draw from you, as with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specifick point of taxing. Liberty might be safe, or might be endangered in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy, indeed, to make a monopoly of theorems and corollaries. The fact is, that they did thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination, that they, as well as you, had an interest in these common principles.

They were further confirmed in this pleasing errour, by the form of their Provincial Legislative Assemblies. Their Governments are popular in a high degree; some are merely popular; in all, the popular representative is the most weighty; and this share of the people, in their ordinary government, never fails to inspire them with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance.

If any thing were wanting to this necessary operation of the form of Government, Religion would have given it a complete effect. Religion, always a principle of energy in this new people, is no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit. The people are Protestants: and of that kind which is the most adverse to all implicit submission of mind and opinion. This is a persuasion not only favourable to liberty, but built upon it. I do not think, sir, that the reason of this averseness in the dissenting churches from all that looks like absolute Government is so much to be sought in their religious tenets, as in their history. Every one knows that the Roman Catholick Religion is, at least, coeval with most of the Governments where it prevails; that it has generally gone hand and hand with them; and received great favour and every kind of support from authority. The Church of *England* too was formed, from her cradle, under the nursing care of regular Government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world; and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All Protestantism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our Northern Colonies is a refinement on the principle of resistance; it is the diffidence of dissent; and the Protestantism of the Protestant Religion. This religion, under a variety of denominations, agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the Northern Provinces; where the Church of *England*, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing, most probably, the tenth of the people. The Colonists left *England* when this spirit was high; and in the emigrants was the highest of all: and even that stream of foreigners, which has been constantly flowing into these Colonies, has, for the greatest part, been composed of dissenters from the establishments of their several countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive, by their manner, that some gentlemen object to the latitude of this description, because in the Southern Colonies the Church of *England* forms a large body, and has a regular establishment. It is certainly true. There is, however, a circumstance attending these Colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the Northward. It is that in *Virginia* and the *Carolinas*, they have a vast multitude of Slaves. Where this is the case, in any part of the world, those who are free, are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there that freedom, as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exteriour of servitude, liberty looks, amongst them, like something that is more noble and liberal. I do not mean, sir, to commend the superiour morality of this sentiment, which has at least as much pride as virtue in it; but I cannot alter the nature of man. The fact is so; and these people of the Southern Colonies are much more strongly, and with a higher and more stubborn spirit, attached to liberty, than those to the Northward. Such were all the ancient Commonwealths; such were our *Gothick* ancestors; such in our days were the *Poles*; and such will be all masters of Slaves, who are not slaves themselves. In such a people the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

Permit me, sir, to add another circumstance in our Colonies, which contributes no mean part towards the growth and effect of this untractable spirit. I mean their education. In no country, perhaps, in the world is the law so general a study. The profession itself is numerous and powerful; and, in most Provinces, it takes the lead. The greater number of the Deputies sent to the Congress were Lawyers. But all who read, and most do read, endeavour to obtain some smattering in that science. I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the Plantations. The Colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of *Blackstone's* Commentaries in *America* as in *England*. General *Gage* marks out this disposition very particularly in a letter on your table. He states, that all the people in his Government are Lawyers, or smatterers in law; and that in *Boston* they have been enabled, by successful chicane, wholly to evade many parts of one of your capital penal Constitutions. The smartness of debate will say, that this knowledge ought to teach them more clearly the rights of Legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honourable and learned friend on the floor, (the Attorney General,) who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honours and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to Government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores*. This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full of resources. In other countries, the people, more simple, and of a less mercurial cast, judge of an ill principle in Government only by an actual grievance; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance; and snuff the approach of tyranny in every tainted breeze.

The last cause of this disobedient spirit in the Colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of Ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening Government. Seas roll, and months pass, between the order and the execution: and the want of a speedy explanation of a single point, is enough to defeat a whole system. You have, indeed, winged ministers of vengeance, who carry your bolts in their pounces to the remotest verge of the Sea. But there a power steps in, that limits the arrogance of raging passions and furious elements, and says, "So far shalt thou go, and no farther." Who are you, that should fret and rage, and bite the chains of nature? Nothing worse happens to you, than does to all Nations who have extensive Empire; and it happens in all the forms into which Empire can be thrown. In large bodies, the circulation of power must be less vigorous at the extremities. Nature has said it. The *Turk* cannot govern *Egypt*, and *Arabia*, and *Curdistan*, as he governs *Thrace*; nor has he the same dominion in *Crimea* and *Algiers*, which he has at *Brusa* and *Smyrna*. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose reign, that he may govern at all; and the whole of the force and vigour of his authority in his centre is derived from a

Digitized by Google

prudent relaxation in all his borders. *Spain*, in her Provinces, is, perhaps, not so well obeyed as you are in yours. She complies too; she submits; she watches times. This is the immutable condition, the eternal law of extensive and detached Empire.

Then, sir, from these six capital sources, of descent; of form of Government; of Religion in the Northern Provinces; of Manners in the Southern; of Education; of the the remoteness of situation from the first mover of Government; from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people of your Colonies, and increased with the increase of their wealth; a spirit, that unhappily meeting with an exercise of power in *England*, which, however lawful, is not reconcileable to any ideas of liberty, much less with theirs, has kindled this flame, that is ready to consume us.

I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might be more desired, more reconcileable with an arbitrary and boundless authority. Perhaps we might wish the Colonists to be persuaded, that their liberty is more secure when held in trust for them by us (as their guardians during a perpetual minority) than with any part of it in their own hands. But the question is, not whether their spirit deserves praise or blame;—what, in the name of *God*, shall we do with it? You have before you the object; such as it is, with all its glories, with all its imperfections on its head. You see the magnitude; the importance; the temper; the habits; the disorders. By all these considerations, we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct, which may give a little stability to our politicks, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more untractable form. For, what astonishing and incredible things have we not seen already? What monsters have not been generated from this unnatural contention? Whilst every principle of authority and resistance has been pushed, upon both sides, as far as it would go, there is nothing so solid and certain, either in reasoning or in practice, that has not been shaken. Until very lately, all authority in *America* seemed to be nothing but an emanation from yours. Even the popular part of the Colony Constitution derived all its activity, and its first vital movement, from the pleasure of the Crown. We thought, sir, that the utmost which the discontented Colonists could do, was to disturb authority; we never dreamed they could of themselves supply it; knowing in general what an operose business it is, to establish a Government absolutely new. But having, for our purposes in this contention, resolved, that none but an obedient Assembly should sit, the humours of the people there, finding all passage through the legal channel stopped, with great violence broke out another way. Some Provinces have tried their experiment, as we have tried ours; and theirs has succeeded. They have formed a Government sufficient for its purposes, without the bustle of a revolution, or the troublesome formality of an election. Evident necessity, and tacit consent, have done the business in an instant. So well they have done it, that Lord *Dunmore* (the account is among the fragments on your table) tells you, that the new institution is infinitely better obeyed than the ancient Government ever was in its most fortunate periods. Obedience is what makes Government, and not the names by which it is called; not the name of Governour, as formerly, or Committee, as at present. This new Government has originated directly from the people; and was not transmitted through any of the ordinary artificial media of a positive Constitution. It was not a manufacture ready formed, and transmitted to them in that condition from *England*. The evil arising from hence is this: that the Colonists having once found the possibility of enjoying the advantages of order, in the midst of a struggle for liberty, such struggles will not, henceforward, seem so terrible to the settled and sober part of mankind, as they had appeared before the trial.

Pursuing the same plan of punishing by the denial of the exercise of Government to still greater lengths, we wholly abrogated the ancient Government of *Massachusetts*. We were confident, that the first feeling, if not the very prospect of anarchy, would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A vast Province has now subsisted, and subsisted in a considerable degree of health and vigour, for near a twelvemonth, without Governour, without Publick Council, without Judges, without Executive Magistrates. How long it will continue in this state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us, that many of those fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be; or, that we have not at all adverted to some other far more important, and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against further experiments, which tend to put to the proof any more of these allowed opinions, which contribute so much to the publick tranquillity. In effect, we suffer as much at home, by this loosening of all ties, and this concussion of all established opinions, as we do abroad. For, in order to prove that the *Americans* have no right to their liberties, we are every day endeavouring to subvert the maxims which preserve the whole spirit of our own. To prove that the *Americans* ought not to be free, we are obliged to depreciate the value of freedom itself; and we never seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding some of those feelings, for which our ancestors have shed their blood.

But, sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state, that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit, which prevails in your Colonies and disturbs your Government. These are:—To change that spirit, as inconvenient, by removing the causes. To prosecute it as criminal. Or, to comply with it as necessary. I would not be guilty of an imperfect enumeration; I can think of but these three. Another has, indeed, been started, that of giving up the Colonies; but it met so slight a reception, that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children, who, when they cannot get all they would have, are resolved to taking nothing.

The first of these plans, to change the spirit as inconvenient, by removing the causes, I think is the most like a systematick proceeding. It is radical in its principle; but it is attended with great difficulties, some of them little short, as I conceive, of impossibilities. This will appear by examining into the plans which have been proposed.

As the growing population of the Colonies is evidently one cause of their resistance, it was last session mentioned in both Houses, by men of weight, and received not without applause, that, in order to check this evil, it would be proper for the Crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in private hands, as to afford room for an immense future population, although the Crown not only withheld its grants, but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming mischief of population.

But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You cannot station Garrisons in every part of these deserts. If you drive the people from one place, they will carry on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they have topped the *Appalachian* Mountains. From thence they behold before them an immense plain, one vast, rich, level meadow; a square of five hundred miles.

Digitized by Google

Over this they would wander, without a possibility of restraint; they would change their manners with the habits of their life; would soon forget a Government, by which they were disowned; would become hordes of *English Tartars;* and, pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your Governours and your Counsellors, your Collectors and Comptrollers, and of all the slaves that adhered to them. Such would, and, in no long time, must be, the effect of attempting to forbid as a crime, and to suppress as an evil, the command and blessing of Providence, "Increase and multiply." Such would be the happy result of an endeavour to keep as a lair of wild beasts, that earth, which *God*, by an express charter, has given to the children of men. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of Wax and Parchment. We have thrown each tract of land, as it was peopled, into Districts; that the ruling power should never be wholly out of sight. We have settled all we could; and we have carefully attended every settlement with government.

Adhering, sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of hedging in population to be neither prudent nor practicable.

To impoverish the Colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shown a disposition to a system of this kind; a disposition even to continue the restraint after the offence; looking on ourselves as rivals to our Colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things, is often more than sufficient for this. I do not look on the direct and immediate power of the Colonies to resist our violence, as very formidable. In this, however, I may be mistaken. But when I consider that we have Colonies for no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous to make them unserviceable in order to keep them obedient. It is, in truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course; that discontent will increase with misery; and that there are critical moments in the fortune of all states, when they who are too weak to contribute to your prosperity, may be strong enough to complete your ruin. *Spoliatis arma supersunt.*

The temper and character which prevail in our Colonies, are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a Nation, in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale, would detect the imposition; your speech would betray you. An *Englishman* is the unfittest person on earth to argue another *Englishman* into slavery.

I think it nearly as little in our power to change their republican religion, as their free descent; or to substitute the Roman Catholick as a penalty, or the Church of *England* as an improvement. The mode of inquisition and dragooning is going out of fashion in the old world; and I should not confide much to their efficacy in the new. The education of the *Americans* is also on the same unalterable bottom with their religion. You cannot persuade them to burn their books of curious science; to banish their Lawyers from the courts of law; or to quench the lights of their assemblies, by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies in which these Lawyers sit. The Army, by which we must govern in their place, would be far more chargeable to us; not quite so effectual; and, perhaps, in the end, full as difficult to be kept in obedience.

With regard to the high aristocratick spirit of *Virginia* and the Southern Colonies, it has been proposed, I know, to reduce it, by declaring a general enfranchisement of their Slaves. This project has had its advocates and panegyrists; yet I never could argue myself into any opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free, as it is to compel freemen to be slaves; and in this auspicious scheme, we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the *American* master may enfranchise too; and arm servile hands in defence of freedom? A measure to which other people have had recourse more than once, and not without success, in a desperate situation of their affairs.

Slaves as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very Nation which has sold them to their present masters? From that Nation, one of whose causes of quarrel with those masters, is their refusal to deal any more in that inhuman traffick? An offer of freedom from *England*, would come rather oddly, shipped to them in an *African* Vessel, which is refused an entry into the Ports of *Virginia* or *Carolina*, with a cargo of three hundred *Angola* Negroes. It would be curious to see the *Guinea* Captain attempting at the same instant to publish his proclamation of Liberty, and to advertise his sale of Slaves.

But let us suppose all these moral difficulties got over. The Ocean remains. You cannot pump this dry; and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue. "Ye gods, annihilate but space and time, and make two lovers happy!"—was a pious and passionate prayer; but just as reasonable as many of the serious wishes of very grave and solemn politicians.

If then, sir, it seems almost desperate to think of any alterative course, for changing the moral causes (and not quite easy to remove the natural) which produce prejudices irreconcilable to the late exercise of our authority; but that the spirit infallibly will continue; and, continuing, will produce such effects as now embarrass us; the second mode under consideration is to prosecute that spirit in its overt acts as *criminal.*

At this proposition, I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem, to my way of conceiving such matters, that there is a very wide difference in reason and policy, between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men, who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great Empire. It looks to me to be narrow and pedantick to apply the ordinary ideas of criminal justice to this great publick contest. I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures, as Sir *Edward Coke* insulted one excellent individual (Sir *Walter Raleigh*) at the bar.* I am not ripe to pass sentence on the gravest publick bodies, entrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think, that for wise men, this is not judicious; for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

Perhaps, sir, I am mistaken in my idea of an Empire, as distinguished from a single State or Kingdom. But my idea of it is this; that an Empire is the aggregate of many states under one common head; whether this head be a Monarch, or a presiding Republick. It does, in such Constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority, the line may be extremely nice. Of course disputes, often too, very bitter disputes, and much ill blood, will arise. But though every privilege is an exemption (in the case) from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather *ex vi termini*, to imply a superiour power. For to talk of the privileges of a state, or of a

*See Howell's State Trials, vol. 2, p. 7, *et seq.*

Digitized by Google

person, who has no superiour, is hardly any better than speaking nonsense. Now, in such unfortunate quarrels, among the component parts of a great political union of communities, I can scarcely conceive any thing more completely imprudent, than for the head of the Empire to insist, that, if any privilege is pleaded against his will, or his acts, that his whole authority is denied; instantly to proclaim rebellion, to beat to arms, and to put the offending Provinces under the ban. Will not this, sir, very soon teach the Provinces to make no distinctions on their part? Will it not teach them that the Government, against which a claim of liberty is tantamount to high treason, is a Government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities with such an idea.

We are, indeed, in all disputes with the Colonies, by the necessity of things, the judge. It is true, sir. But I confess, that the character of judge in my own cause, is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect, that, in my little reading upon such contests as these, the sense of mankind has, at least, as often decided against the superiour as the subordinate power. Sir, let me add too, that the opinion of my having some abstract right in my favour would not put me much at my ease in passing sentence; unless I could be sure, that there were no rights which, in their exercise under certain circumstances, were not the most odious of all wrongs, and the most vexatious of all injustice. Sir, these considerations have great weight with me, when I find things so circumstanced, that I see the same party, at once a civil litigant against me in point of right, and a culprit before me; while I sit as criminal judge, on acts of his, whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations; but justice is the same, let the judge be in what situation he will.

There is, sir, also a circumstance which convinces me that this mode of criminal proceeding is not (at least in the present stage of our contest) altogether expedient; which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a rebellion in *Massachusetts Bay*, as they had formerly addressed to have traitors brought hither under an Act of *Henry* the Eighth, for trial. For though rebellion is declared, it is not proceeded against as such; nor have any steps been taken towards the apprehension or conviction of any individual offender, either on our late or our former Address; but modes of publick coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility towards an independent Power, than the punishment of rebellious subjects. All this seems rather inconsistent, but it shews how difficult it is to apply these juridical ideas to our present case.

In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous? What advances have we made towards our object, by the sending of a force, which, by Land and Sea, is no contemptible strength? Has the disorder abated? Nothing less. When I see things in this situation, after such confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion that the plan itself is not correctly right.

If, then, the removal of the causes of this spirit of *American* liberty be, for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable, or, if applicable, are in the highest degree inexpedient, what way yet remains? No way is open, but the third and last—to comply with the *American* spirit as necessary; or, if you please to submit to it, as a necessary evil.

If we adopt this mode, if we mean to conciliate and concede, let us see of what nature the concession ought to be; to ascertain the nature of our concession, we must look at their complaint. The Colonies complain that they have not the characteristick mark and seal of *British* freedom. They complain that they are taxed in a Parliament in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask, not what you may think better for them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession; whereas, our present theme is the mode of giving satisfaction.

Sir, I think you must perceive that I am resolved, this day, to have nothing at all to do with the question of the right of taxation. Some gentlemen startle—but it is true; I put it totally out of the question; it is less than nothing in my consideration. I do not, indeed, wonder, nor will you, sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine whether the giving away a man's money be a power excepted and reserved out of the general trust of Government; and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature; or whether, on the contrary, a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other; where reason is perplexed, and an appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides, and there is no sure footing in the middle. This point is the "great *Serbonian* Bog, betwixt "*Damiata* and *Mount Casius* old, where Armies whole "have sunk." I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable; but whether it is not your interest to make them happy? It is not what a Lawyer tells me I may do, but what humanity, reason, and justice, tell me I ought to do. Is a politick act the worse for being a generous one? Is no concession proper, but that which is made from your want of right to keep what you grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence-room full of titles, and your Magazine stuffed with arms to enforce them? What signify all those titles, and all those arms? Of what avail are they, when the reason of the thing tells me that the assertion of my title is the loss of my suit, and that I could do nothing but wound myself by the use of my own weapons.

Such is, steadfastly, my opinion of the absolute necessity of keeping up the concord of this Empire by a unity of spirit, though in a diversity of operations, that, if I were sure the Colonists had, at their leaving this country, sealed a regular compact of servitude; that they had solemnly abjured all the rights of citizens; that they had made a vow to renounce all ideas of liberty for them and their posterity, to all generations, yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two millions of men impatient of servitude, on the principles of freedom. I am not determining a point of law; I am restoring tranquillity; and the general character and situation of a people must determine what sort of Government is fitted for them. That point nothing else can or ought to determine.

My idea, therefore, without considering whether we we yield as matter of right, or grant as matter of favour, is *to admit the people of our Colonies into an interest in the Constitution*; and, by recording that admission in the Journals of Parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean, forever, to adhere to that solemn declaration of systematick indulgence.

Some years ago, the repeal of a Revenue Act, upon its understood principle, might have served to shew that we intended an unconditional abatement of the exercise of a taxing power. Such a measure was then sufficient to remove all suspicion and to give perfect content. But unfortunate events since that time, may make something further necessary; and not more necessary for the satisfaction of the Colonies, than for the dignity and consistency of our own future proceedings.

I have taken a very incorrect measure of the disposition of the House, if this proposal in itself would be received

Digitized by Google

with dislike. I think, sir, we have few *American* financiers. But our misfortune is, we are too acute; we are too exquisite in our conjectures of the future, for men oppressed with such great and present evils. The more moderate among the opposers of Parliamentary concession, freely confess that they hope no good from taxation; but they apprehend the Colonists have further views, and if this point were conceded, they would instantly attack the Trade laws. These gentlemen are convinced that this was the intention from the beginning; and the quarrel of the *Americans* with taxation was no more than a cloak and cover to this design. Such has been the language even of a gentleman (Mr. *Rice*) of real moderation, and of a natural temper so well adjusted to fair and equal Government. I am, however, sir, not a little surprised at this kind of discourse, whenever I hear it; and I am the more surprised, on account of the arguments which I constantly find in company with it, and which are often urged from the same mouths, and on the same day.

For instance, when we allege that it is against reason to tax a people under so many restraints in trade as the *Americans*, the noble Lord (*North*) in the blue riband shall tell you, that the restraints on trade are futile and useless, of no advantage to us, and of no burthen to those on whom they are imposed; that the trade to *America* is not secured by the Acts of Navigation, but by the natural and irresistible advantage of a commercial preference.

Such is the merit of the Trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes; when the scheme is dissected; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the Colonies; when these things are pressed, or rather press themselves, so as to drive the advocates of Colony taxes to a clear admission of the futility of the scheme, then, sir, the sleeping Trade laws revive from their trance, and this useless taxation is to be kept sacred, not for its own sake, but as a counter-guard and security of the laws of Trade.

Then, sir, you keep up Revenue laws which are mischievous, in order to preserve Trade laws that are useless. Such is the wisdom of our plan in both its members. They are separately given up as of no value, and yet one is always to be defended for the sake of the other. But I cannot agree with the noble Lord, nor with the Pamphlet from whence he seems to have borrowed these ideas concerning the inutility of the Trade laws. For, without idolizing them, I am sure they are still, in many ways, of great use to us, and in former times they have been of the greatest. They do confine, and they do greatly narrow, the market for the *Americans*. But my perfect conviction of this does not help me, in the least, to discern how the Revenue laws form any security whatsoever to the Commercial Regulations; or that these Commercial Regulations are the true ground of the quarrel; or, that the giving way in any one instance of authority, is to lose all that may remain unconceded.

One fact is clear and indisputable. The publick and avowed origin of this quarrel was on taxation. This quarrel has, indeed, brought on new disputes on new questions; but certainly the least bitter, and the fewest of all, on Trade laws. To judge which of the two be the real radical cause of quarrel, we have to see whether the commercial dispute did, in order of time, precede the dispute on taxation? There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the Trade laws be the real cause of quarrel, it is absolutely necessary to put the taxes out of the question by a repeal. See how the *Americans* act in this position, and then you will be able to discern, correctly, what is the true object of the controversy, or whether any controversy at all will remain? Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, sir, recommend to your serious consideration, whether it be prudent to form a rule for punishing people, not on their own acts, but on your conjectures? Surely it is preposterous at the very best. It is not justifying your anger, by their misconduct; but it is converting your ill will into their delinquency.

But the Colonies will go further. Alas! alas! when will this speculating against fact and reason end? What will quiet these panick fears which we entertain of the hostile effect of the conciliatory conduct? Is it true, that no case can exist, in which it is proper for the Sovereign to accede to the desires of his discontented subjects? Is there any thing peculiar in this case, to make a rule for itself? Is all authority of course lost, when it is not pushed to the extreme? Is it a certain maxim, that, the fewer causes of dissatisfaction are left by Government, the more the subject will be inclined to resist and rebel?

All these objections being, in fact, no more than suspicions, conjectures, divinations, formed in defiance of fact and experience; they did not, sir, discourage me from entertaining the idea of a conciliatory concession, founded on the principles which I have just stated.

In forming a plan for this purpose, I endeavoured to put myself in that frame of mind, which was the most natural, and the most reasonable; and which was, certainly, the most probable means of securing me from all errour. I set out with a perfect distrust of my own abilities; a total renunciation of every speculation of my own; and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a Constitution, and so flourishing an Empire, and what is a thousand times more valuable, the treasury of the maxims and principles which formed the one, and obtained the other.

During the reigns of the Kings of *Spain*, of the *Austrian* family, whenever they were at a loss in the *Spanish* Councils, it was common for their Statesmen to say, that they ought to consult the genius of *Philip* the Second. The genius of *Philip* the Second might mislead them; and the issue of their affairs shewed, that they had not chosen the most perfect standard. But, sir, I am sure that I shall not be misled, when, in a case of constitutional difficulty, I consult the genius of the *English* Constitution. Consulting at that oracle, (it was with all due humility and piety,) I found four capital examples in a similar case before me; those of *Ireland*, *Wales*, *Chester*, and *Durham*.

Ireland, before the *English* conquest, though never governed by a despotick power, had no Parliament. How far the *English* Parliament itself was, at that time, modelled according to the present form, is disputed among antiquaries. But we have all the reason in the world to be assured, that a form of Parliament, such as *England* then enjoyed, she instantly communicated to *Ireland;* and we are equally sure, that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal Baronage, and the feudal Knighthood, the roots of our primitive Constitution, were early transplanted into that soil, and grew and flourished there. Magna Charta, if it did not give us originally the House of Commons, gave us at least a House of Commons of weight and consequence. But your ancestors did not, churlishly, sit down alone to the feast of Magna Charta. *Ireland* was made immediately a partaker. This benefit of *English* laws and liberties, I confess, was not, at first, extended to *all Ireland*. Mark the consequence. *English* authority and *English* liberty had exactly the same boundaries. Your Standard could never be advanced an inch before your privileges. Sir *John Davis* shews, beyond a doubt, that the refusal of a general communication of these rights, was the true cause why *Ireland* was five hundred years in subduing; and after the vain projects of a Military Government, attempted in the reign of Queen *Elizabeth*, it was soon discovered, that nothing could make that country *English*, in civility and allegiance, but your laws and your forms of Legislature. It was not *English* Arms, but the *English* Constitution, that conquered *Ireland*. From that time, *Ireland* has ever had a General Parliament, as she had before a Partial Parliament. You changed the people; you altered the religion; but you never touched the form or the vital substance of free government in that Kingdom. You deposed Kings; you restored them; you altered the succession to theirs, as well as to your own Crown; but you never altered their Constitution; the principle of which was respected by usurpation, restored with the restoration of monarchy, and established, I trust, forever, by the glorious Revolution. This has made *Ireland* the great and flourishing Kingdom that it is; and from a disgrace and a burthen, intolerable to this Nation, has rendered her a principal part of our strength and ornament.

Digitized by Google

This country cannot be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles, and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your own liberties could stand a moment, if the casual deviations from them, at such times, were suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches in the Constitution, judge what the stated and fixed rule of supply has been in that Kingdom. Your *Irish* Pensioners would starve, if they had no other fund to live on than taxes granted by *English* authority. Turn your eyes to those popular grants, from whence all your great supplies are come, and learn to respect that only source of publick wealth in the *British* Empire.

My next example is *Wales*. This country was said to be reduced by *Henry* the Third. It was said more truly, to be so by *Edward* the First. But though then conquered, it was not looked upon as any part of the Realm of *England*. Its old Constitution, whatever that might have been, was destroyed; and no good one was substituted in its place. The care of that tract was put into the hands of Lords' Marchers—a form of Government of a very singular kind—a strange heterogeneous monster, something between hostility and government; perhaps it has a sort of resemblance, according to the modes of those times, to that of Commander-in-Chief at present, to whom all civil power is granted as secondary. The manners of the *Welsh* Nation followed the genius of the Government; the people were ferocious, restiff, savage, and uncultivated; sometimes composed, never pacified. *Wales*, within itself, was in perpetual disorder; and it kept the frontier of *England* in perpetual alarm. Benefits from it to the state, there were none. *Wales* was only known to *England* by incursion and invasion.

Sir, during that state of things, Parliament was not idle. They attempted to subdue the fierce spirit of the *Welsh* by all sorts of rigorous laws. They prohibited by statute the sending all sorts of Arms into *Wales*, as you prohibit by Proclamation (with something more of doubt on the legality,) the sending Arms to *America*. They disarmed the *Welsh* by Statute, as you attempted, (but still with more question on the legality,) to disarm *New England* by an instruction. They made an Act to drag offenders from *Wales* into *England* for trial, as you have done (but with more hardship) with regard to *America*. By another Act, where one of the parties was an *Englishman*, they ordained, that his trial should be always by *English*. They made Acts to restrain trade, as you do; and they prevented the *Welsh* from the use of Fairs and Markets, as you do the *Americans* from Fisheries and Foreign Ports. In short, when the Statute-Book was not quite so much swelled as it is now, you find no less than fifteen Acts of penal regulation on the subject of *Wales*.

Here we rub our hands—a fine body of precedents for the authority of Parliament and the use of it!—I admit it fully; and, pray, add likewise to those precedents, that all the while, *Wales* rid this Kingdom like an *incubus*; that it was an unprofitable and oppressive burthen; and that an *Englishman* travelling in that country, could not go six yards from the high road, without being murdered.

The march of the human mind is slow. Sir, it was not, until after two hundred years, discovered, that, by an eternal law, Providence had decreed vexation to violence, and poverty to rapine. Your ancestors did, however, at length open their eyes to the ill husbandry of injustice. They found that the tyranny of a free people could, of all tyrannies, the least be endured, and that laws made against a whole nation were not the most effectual methods for securing its obedience. Accordingly, in the twenty-seventh year of *Henry* the Eighth, the course was entirely altered. With a preamble, stating the entire and perfect rights of the Crown of *England*, it gave to the *Welsh* all the rights and privileges of *English* subjects. A political order was established; the military power gave way to the civil; the Marches were turned into Counties. But, that a Nation should have a right to *English* liberties, and yet no share at all in the fundamental security of these liberties, the grant of their own property seemed a thing so incongruous, that eight years after, that is, in the thirty-fifth of that reign, a complete and not ill-proportioned representation by Counties and Boroughs, was bestowed upon *Wales* by Act of Parliament. From that moment, as by a charm, the tumult subsided; obedience was restored; peace, order, and civilization, followed in the train of liberty. When the day-star of the *English* Constitution had arisen in their hearts, all was harmony within and without—

> "Simul alba nautis
> "Stella refulsit,
> "Defluit saxis agitatus humor:
> "Concidunt venti, fugiúntque nubes:
> "Et minax (quòd sic voluere) ponto
> "Unda recumbit."

The very same year the County Palatine of *Chester* received the same relief from its oppressions, and the same remedy to its disorders. Before this time *Chester* was little less distempered than *Wales*. The inhabitants, without rights themselves, were the fittest to destroy the rights of others; and from thence *Richard* the Second drew the Standing Army of Archers, with which, for a time, he oppressed *England*. The people of *Chester* applied to Parliament in a Petition penned as I shall read to you:

"To the King our Sovereign Lord, in most humble wise "shewn unto your excellent Majesty, the inhabitants of "your Grace's County Palatine of *Chester*; that where the "said County Palatine of *Chester* is and hath been always "hitherto exempt, excluded, and separated out and from "your high Court of Parliament, to have any Knights and "Burgesses within the said Court; by reason whereof the "said inhabitants have hitherto sustained manifold disheri-"sons, losses, and damages, as well in their Lands, Goods, "and Bodies, as in the good, civil, and politick governance "and maintenance of the commonwealth of their said coun-"try: (2.) And for as much as the said inhabitants have "always hitherto been bound by the Acts and Statutes "made and ordained by your said Highness, and your most "noble progenitors, by authority of the said Court, as far "forth as other Counties, Cities, and Boroughs have been, "that have had their Knights and Burgesses within your "said Court of Parliament, and yet have had neither "Knight nor Burgess there for the said County Palatine; "the said inhabitants, for lack thereof, have been often-"times touched and grieved with Acts and Statutes made "within the said Court, as well derogatory unto the most "ancient jurisdictions, liberties, and privileges of your said "County Palatine, as prejudicial unto the Commonwealth, "quietness, rest, and peace of your Grace's most bounden "subjects inhabiting within the same."

What did Parliament with this audacious Address? Reject it as a libel? Treat it as an affront to Government? Spurn it as a derogation from the rights of Legislature? Did they toss it over the table? Did they burn it by the hands of the common hangman? They took the Petition of grievance, all rugged as it was, without softening or temperament, unpurged of the original bitterness and indignation of complaint; they made it the very preamble to their act of redress, and consecrated its principle to all ages in the sanctuary of legislation.

Here is my third example. It was attended with the success of the two former. *Chester*, civilized as well as *Wales*, has demonstrated that freedom, and not servitude, is the cure of anarchy; as religion, and not atheism, is the true remedy for superstition. Sir, this pattern of *Chester* was followed in the reign of *Charles* the Second, with regard to the County Palatine of *Durham*, which is my fourth example. This County had long lain out of the pale of free legislation. So scrupulously was the example of *Chester* followed, that the style of the preamble is nearly the same with that of the *Chester* Act; and without affecting the abstract extent of the authority of Parliament, it recognizes the equity of not suffering any considerable district in which the *British* subjects may act as a body, to be taxed without their own voice in the grant.

Now, if the doctrines of policy contained in these preambles, and the force of these examples in the Acts of Parliaments, avail any thing, what can be said against applying them with regard to *America*? Are not the people of *America* as much *Englishmen* as the *Welsh*? The preamble of the Act of *Henry* the Eighth says, the *Welsh* speak a language no way resembling that of his Majesty's *English* subjects. Are the *Americans* not as numerous?

Digitized by Google

If we may trust the learned and accurate Judge *Barrington's* account of *North Wales*, and take that as a standard to measure the rest, there is no comparison. The people cannot amount to above two hundred thousand; not a tenth part of the number in the Colonies. Is *America* in rebellion? *Wales* was hardly ever free from it. Have you attempted to govern *America* by penal Statutes? You made fifteen for *Wales*. But your legislative authority is perfect with regard to *America*; was it less perfect in *Wales*, *Chester*, and *Durham*? But *America* is virtually represented. What! does the electrick force of virtual representation more easily pass over the *Atlantic*, than pervade *Wales*, which lies in your neighbourhood; or than *Chester* and *Durham*, surrounded by abundance of representation that is actual and palpable? But, sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the inhabitants of Territories that are so near, and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater, and infinitely more remote?

You will now, sir, perhaps imagine, that I am on the point of proposing to you a scheme for a representation of the Colonies in Parliament. Perhaps I might be inclined to entertain some such thought; but a great flood stops me in my course. *Opposuit natura*—I cannot remove the eternal barriers of the creation. The thing, in that mode, I do not know to be possible. As I meddle with no theory, I do not absolutely assert the impracticability of such a representation. But I do not see my way to it; and those who have been more confident, have not been more successful. However, the arm of publick benevolence is not shortened; and there are often several means to the same end. What nature has disjoined in one way, wisdom may unite in another. When we cannot give the benefit as we would wish, let us not refuse it altogether. If we cannot give the principal, let us find a substitute. But how? Where? What substitute?

Fortunately, I am not obliged for the ways and means of this substitute to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile framers of imaginary Commonwealths: not to the Republick of *Plato*; not to the Utopia of *More*; not to the Oceana of *Harrington*. It is before me—it is at my feet, "*and the rude swain treads daily on it with his clouted shoon.*" I only wish you to recognise, for the theory, the ancient constitutional policy of this Kingdom with regard to representation, as that policy has been declared in Acts of Parliament; and, as to the practice, to return to that mode which an uniform experience has marked out to you as best, and in which you walked with security, advantage, and honour, until the year 1763.

My Resolutions, therefore, mean to establish the equity and justice of a taxation of *America*, by *grant* and not by *imposition*. To mark the *legal competency* of the Colony Assemblies for the support of their Government in peace, and for publick aids in time of war. To acknowledge that this legal competency has had *a dutiful and beneficial exercise*; and that experience has shewn the *benefit of their grants*, and the *futility of Parliamentary taxation as a method of supply*.

These solid truths compose six fundamental Propositions. There are three more Resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of *British* concord. I have no more doubt than I entertain of my existence, that, if you admitted these, you would command an immediate peace; and with but tolerable future management, a lasting obedience in *America*. I am not arrogant in this confident assurance. The propositions are all mere matters of fact; and if they are such facts as draw irresistible conclusions, even in the stating, this is the power of truth, and not any management of mine.

Sir, I shall open the whole plan to you together, with such observations on the motions as may tend to illustrate them where they may want explanation. The first is a Resolution—"*That the Colonies and Plantations of* Great "Britain *in* North America, *consisting of fourteen separate* "*Governments, and containing two millions and upwards* "*of free inhabitants, have not had the liberty and privi-* "*lege of electing and sending any Knights and Burgesses,* "*or others, to represent them in the High Court of Parlia-* "*ment.*" This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the Constitution; it is taken nearly *verbatim* from Acts of Parliament.

The second is like unto the first—"*That the said Colo-* "*nies and Plantations have been liable to, and bounden* "*by, several Subsidies, Payments, Rates, and Taxes, given* "*and granted by Parliament, though the said Colonies* "*and Plantations have not their Knights and Burgesses,* "*in the said High Court of Parliament, of their own elec-* "*tion, to represent the condition of their country; by lack* "*whereof they have been oftentimes touched and grieved* "*by Subsidies, given, granted, and assented to, in the said* "*Court, in a manner prejudicial to the Commonwealth,* "*quietness, rest, and peace of the subjects inhabiting within* "*the same.*"

Is this description too hot, or too cold, too strong, or too weak? Does it arrogate too much to the Supreme Legislature? Does it lean too much to the claims of the people? If it runs into any of these errours, the fault is not mine. It is the language of your own ancient Acts of Parliament. "*Non meus hic sermo, sed quæ præcepit Ofellus rusticus, abnormis sapiens.*" It is the genuine produce of the ancient, rustick, manly, home-bred sense of this country. I did not dare to rub off a particle of the venerable rust that rather adorns and preserves, than destroys the metal. It would be a profanation to touch with a tool the stones which construct the sacred Altar of Peace. I would not violate, with modern polish, the ingenuous and noble roughness of these truly constitutional materials. Above all things, I was resolved not to be guilty of tampering, the odious vice of restless and unstable minds. I put my foot in the tracks of our forefathers; where I can neither wander nor stumble. Determining to fix articles of peace, I was resolved not to be wise beyond what was written; I was resolved to use nothing else than the form of sound words; to let others abound in their own sense; and carefully to abstain from all expressions of my own. What the Law has said, I say. In all things else I am silent. I have no organ but for her words. This, if it be not ingenious, I am sure is safe.

There are, indeed, words expressive of grievance in this second Resolution, which those who are resolved always to be in the right, will deny to contain matter of fact, as applied to the present case; although Parliament thought them true, with regard to the Counties of *Chester* and *Durham*. They will deny that the *Americans* were ever "touched and grieved" with the taxes. If they consider nothing in taxes but their weight as pecuniary impositions, there might be some pretence for this denial. But men may be sorely touched and deeply grieved in their privileges, as well as in their purses. Men may lose little in property by the act which takes away all their freedom. When a man is robbed of a trifle on the highway, it is not the two pence lost that constitutes the capital outrage. This is not confined to privileges. Even ancient indulgences withdrawn, without offence on the part of those who enjoyed such favours, operate as grievances. But, were the *Americans* then not touched and grieved by the taxes, in some measure, merely as taxes? If so, why were they almost all, either wholly repealed or exceedingly reduced? Were they not touched and grieved, even by the Regulating Duties of the sixth of *George* the Second? Else why were the duties first reduced to one third in 1764, and afterwards to a third of that third in the year 1766? Were they not touched and grieved by the Stamp Act? I shall say they were, until that tax is revived. Were they not touched and grieved by the Duties of 1767, which were likewise repealed, and which, Lord *Hillsborough* tells you (for the Ministry) were laid contrary to the true principle of Commerce? Is not the assurance given by that noble person to the Colonies of a Resolution to lay no more taxes on them, an admission that taxes would touch and grieve them? Is not the Resolution of the noble Lord in the blue riband, now standing on your journals, the strongest of all proofs that Parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances, and resolutions?

Digitized by Google

The next proposition is—"*That, from the distance of "the said Colonies, and from other circumstances, no me-"thod hath hitherto been devised for procuring a repre-"sentation in Parliament for the said Colonies.*" This is an assertion of a fact. I go no further on the paper; though, in my private judgement, an useful representation is impossible; I am sure it is not desired by them; nor ought it, perhaps, by us; but I abstain from opinions.

The fourth Resolution is—"*That each of the said Colo-"nies hath within itself a body, chosen, in part, or in the "whole, by the freemen, freeholders, or other free inhabi-"tants thereof, commonly called the General Assembly, or "General Court, with powers legally to raise, levy, and "assess, according to the several usage of such Colonies, "Duties and Taxes towards defraying all sorts of publick "services.*"

This competence in the Colony Assemblies is certain. It is proved by the whole tenour of their acts of supply in all the Assemblies, in which the constant style of granting is, "an aid to his Majesty;" and Acts granting to the Crown have regularly, for near a century, passed the publick offices without dispute. Those who have been pleased, paradoxically, to deny this right, holding that none but the *British* Parliament can grant to the Crown, are wished to look to what is done, not only in the Colonies, but in *Ireland*, in one uniform, unbroken tenour every session. Sir, I am surprised that this doctrine should come from some of the law servants of the Crown. I say, that if the Crown could be responsible, his Majesty—but certainly the Ministers, and even these law officers themselves, through whose hands the Acts pass biennially in *Ireland*, or annually in the Colonies, are in an habitual course of committing impeachable offences. What habitual offenders have been all Presidents of the Council, all Secretaries of State, all first Lords of Trade, all Attorneys and all Solicitors General? However, they are safe, as no one impeaches them; and there is no ground of charge against them, except in their own unfounded theories.

The fifth Resolution is also a resolution of fact—"*That "the said General Assemblies, General Courts, or other "bodies legally qualified, as aforesaid, have, at sundry "times, freely granted several large subsidies and publick "aids, for his Majesty's service, according to their abili-"ties, when required thereto by Letter from one of his Ma-"jesty's principal Secretaries of State; and that their right "to grant the same, and their cheerfulness and sufficiency "in the said grants, have been, at sundry times, acknow-"ledged by Parliament.*" To say nothing of their great expenses in the *Indian* wars; and not to take their exertion in foreign ones, so high as the supplies in the year 1695; not to go back to their publick contributions in the year 1710; I shall begin to travel only where the Journals give me light; resolving to deal in nothing but fact, authenticated by Parliamentary record; and to build myself wholly on that solid basis.

On the 4th of *April*, 1748,* a Committee of this House came to the following Resolution:

"*Resolved*, That it is the opinion of this Committee, "*That it is just and reasonable* that the several Provinces "and Colonies of *Massachusetts Bay*, *New-Hampshire*, "*Connecticut*, and *Rhode-Island*, be reimbursed the ex-"penses they have been at in taking and securing to the "Crown of *Great Britain*, the Island of *Cape Breton*, "and its dependencies."

These expenses were immense for such Colonies. They were above two hundred thousand Pounds sterling; money first raised and advanced on their publick credit.

On the 28th of *January*, 1756,† a Message from the King came to us to this effect:—"His Majesty, being sen-"sible of the zeal and vigour with which his faithful sub-"jects of certain Colonies in *North America* have exerted "themselves in defence of his Majesty's just rights and pos-"sessions, recommends it to this House to take the same "into their consideration, and to enable his Majesty to give "them such assistance as may be a *proper reward and "encouragement.*"

On the 3d of *February*, 1756,‡ the House came to a suitable Resolution, expressed in words nearly the same as those of the Message: but, with the further addition, that the money then voted was as an *encouragement* to the Colonies to exert themselves with vigour. It will not be necessary to go through all the testimonies which your own records have given to the truth of my Resolutions. I will only refer you to the places in the Journals: Vol. xxvii.—16th and 19th *May*, 1757. Vol. xxviii.—*June* 1st, 1758; *April* 26th and 30th, 1759; *March* 26 and 31, and *April* 28, 1760; *January* 9 and 20, 1761. Vol. xxix.—*January* 22 and 26, 1762; *March* 14 and 17, 1763.

Sir, here is the repeated acknowledgement of Parliament, that the Colonies not only gave, but gave to satiety. This nation has formally acknowledged two things; first, that the Colonies had gone beyond their abilities, Parliament having thought it necessary to reimburse them; secondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, since the compensation is expressly given as reward and encouragement. Reward is not bestowed for acts that are unlawful; and encouragement is not held out to things that deserve reprehension. My Resolution, therefore, does nothing more than collect into one proposition what is scattered through your Journals. I give you nothing but your own; and you cannot refuse, in the gross, what you have so often acknowledged in detail. The admission of this, which will be so honourable to them and to you, will, indeed, be mortal to all the miserable stories by which the passions of the misguided people have been engaged in an unhappy system. The people heard, indeed, from the beginning of these disputes, one thing continually dinned in their ears, that reason and justice demanded, that the *Americans*, who paid no taxes, should be compelled to contribute. How did that fact of their paying nothing stand when the taxing system began? When Mr. *Grenville* began to form his system of *American* Revenue, he stated in this House, that the Colonies were then in debt £2,600,000 sterling money; and was of opinion they would discharge that debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of £650,000 a year. In fact, however, Mr. *Grenville* was mistaken. The funds given for sinking the debt did not prove quite so ample as both the Colonies and he expected. The calculation was too sanguine: the reduction was not completed till some years after, and at different times in different Colonies. However, the taxes, after the war, continued too great to bear any addition, with prudence or propriety; and when the burthens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No Colony, since that time, ever has had any requisition, whatsoever, made to it.

We see the sense of the Crown and the sense of Parliament, on the productive nature of a *revenue by grant*. Now search the same Journals for the produce of the *revenue by imposition*. Where is it?—let us know the volume and the page—what is the gross, what is the nett produce?—to what service is it applied?—how have you appropriated its surplus?—What, can none of the many skilful index-makers, that we are now employing, find any trace of it?—Well, let them, and that, rest together. But are the Journals, which say nothing of the revenue, as silent on the discontent? Oh no! a child may find it. It is the melancholy burthen and blot of every page.

I think, then, I am, from those Journals, justified in the sixth and last Resolution, which is—"*That it hath been "found by experience, that the manner of granting the said "Supplies and Aids, by the said General Assemblies, hath "been more agreeable to the said Colonies, and more bene-"ficial and conducive to the publick service, than the mode "of giving and granting Aids in Parliament, to be raised "and paid in the said Colonies.*" This makes the whole of the fundamental part of the plan. The conclusion is irresistible. You cannot say, that you were driven by any necessity to an exercise of the utmost rights of Legislature. You cannot assert that you took on yourselves the task of imposing Colony taxes, for the want of another legal body, that is competent to the purpose of supplying the exigencies of the state without wounding the prejudices of the people. Neither is it true that the body so qualified, and having that competence, had neglected the duty.

The question now, on all this accumulated matter, is—Whether you will choose to abide by a profitable experi-

* Journals, Vol. xxv, page 614. † Ibid. Vol. xxvii, page 414.
‡ Ibid. Vol. xxvii, page 424.

Digitized by Google

ence, or a mischievous theory; whether you choose to build on imagination, or fact; whether you prefer enjoyment, or hope; satisfaction in your subjects, or discontent?

If these propositions are accepted, every thing which has been made to enforce a contrary system, must, I take it for granted, fall along with it. On that ground, I have drawn the following Resolution, which, when it comes to be moved, will, naturally, be divided, in a proper manner: "That it may be proper to repeal an Act, made in the "seventh year of the reign of his present Majesty, entituled, "'An Act for granting certain Duties in the *British* Colo-"nies and Plantations in *America;* for allowing a drawback "of the Duties of Customs upon the exportation from this "Kingdom of Coffee and Cocoa Nuts, of the produce of the "said Colonies or Plantations; for discontinuing the draw-"backs payable on *China* Earthenware exported to *Ameri-"ca;* and for more effectually preventing the clandestine run-"ning of Goods in the said Colonies and Plantations.'—And "that it may be proper to repeal an Act, made in the four-"teenth year of the reign of his present Majesty, entituled, "'An Act to discontinue, in such manner, and for such time, "as are therein mentioned, the landing and discharging, lad-"ing or shipping of Goods, Wares and Merchandise, at the "Town and within the Harbour of *Boston*, in the Province "of *Massachusetts Bay*, in *North America*.' And that it "may be proper to repeal an Act, made in the fourteenth "year of the reign of his present Majesty, entituled, 'An "Act for the impartial administration of Justice, in the cases "of persons questioned for any acts done by them, in the "execution of the law, or for the suppression of Riots and "Tumults in the Province of *Massachusetts Bay*, in *New "England*.' And that it may be proper to repeal an Act, "made in the fourteenth year of the reign of his present "Majesty, entituled, 'An Act for the better regulating the "Government of the Province of *Massachusetts Bay*, in "*New England*.' And, also, that it may be proper to explain "and amend an Act, made in the thirty-fifth year of the reign "of King *Henry* the Eighth, entituled, 'An Act for the trial "of Treasons committed out of the King's Dominions.'"

I wish, sir, to repeal the *Boston* Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the King's pleasure) it was passed, I apprehend, with less regularity, and on more partial principles, than it ought. The Corporation of *Boston* was not heard before it was condemned. Other Towns, full as guilty as she was, have not had their Ports blocked up. Even the Restraining Bill of the present session does not go the length of the *Boston* Port Act. The same ideas of prudence, which induced you not to extend equal punishment to equal guilt, even when you were punishing, induce me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

Ideas of prudence and accommodation to circumstances, prevent you from taking away the Charters of *Connecticut* and *Rhode-Island*, as you have taken away that of *Massachusetts* Colony, though the Crown has far less power in the two former Provinces than it enjoyed in the latter; and though the abuses have been full as great and as flagrant in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the Charter of *Massachusetts Bay*. Besides, sir, the Act which changes the Charter of *Massachusetts* is, in many particulars, so exceptionable, that if I did not wish absolutely to repeal, I would by all means desire to alter it; as several of its provisions tend to the subversion of all publick and private justice. Such, among others, is the power in the Governour to change the Sheriff at his pleasure, and to make a new Returning Officer for every special cause. It is shameful to behold such a regulation standing among *English* laws.

The Act for bringing persons, accused of committing Murder, under the orders of Government to *England* for trial, is but temporary. That Act has calculated the probable duration of our quarrel with the Colonies, and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation; and, therefore, must, on my principle, get rid of that most justly obnoxious Act.

The Act of *Henry* the Eighth for the trial of treasons, I do not mean to take away, but to confine it to its proper bounds and original intention; to make it expressly for trial of treasons (and the greatest treasons may be committed) in places where the jurisdiction of the Crown does not extend.

Having guarded the privileges of local Legislature, I would next secure to the Colonies a fair and unbiased judicature: for which purpose, sir, I propose the following Resolution: "That, from the time when the General Assem-"bly or General Court of any Colony or Plantation in *North "America*, shall have appointed, by Act of Assembly, duly "confirmed, a settled salary to the offices of the Chief Jus-"tice and other Judges of the Superiour Court, it may be pro-"per, that the said Chief Justice and other Judges of the "Superiour Courts of such Colony, shall hold his and their "office and offices during their good behaviour; and shall "not be removed therefrom, but when the said removal shall "be adjudged by his Majesty in Council, upon a hearing on "complaint from the General Assembly, or on a complaint "from the Governour or Council, or the House of Repre-"sentatives severally, of the Colony in which the said Chief "Justice and other Judges have exercised the said offices."

The next Resolution relates to the Courts of Admiralty. It is this: "That it may be proper to regulate the Courts "of Admiralty or Vice-Admiralty, authorized by the 15th "chapter of the fourth of *George* the Third, in such a man-"ner as to make the same more commodious to those who "sue or are sued, in the said Courts, and to provide for the "more decent maintenance of the Judges in the same."

These Courts I do not wish to take away; they are, in themselves, proper establishments. This Court is one of the capital securities of the Act of Navigation. The extent of its jurisdiction, indeed, has been increased; but this is altogether as proper, and is, indeed, on many accounts, more eligible, where new powers were wanted, than a Court absolutely new. But Courts incommodiously situated, in effect, deny justice; and a Court, partaking in the fruits of its own condemnation, is a robber. The Congress complain, and complain justly of this grievance.*

These are the three consequential propositions. I have thought of two or three more; but they came rather too near detail, and to the province of Executive Government, which I wish Parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed will be, I hope, rather unseemly encumbrances on the building, than very materially detrimental to its strength and stability.

Here, sir, I should close, but that I plainly perceive some objections remain which I ought, if possible, to remove. The first will be, that in resorting to the doctrine of our ancestors, as contained in the preamble to the *Chester* Act, I prove too much; that the grievance, from a want of representation stated in that preamble, goes to the whole of Legislation as well as to Taxation. And that the Colonies, grounding themselves upon that doctrine, will apply it to all parts of Legislative authority.

To this objection, with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer that *the words are the words of Parliament and not mine;* and that all false and inconclusive inferences drawn from them are not mine, for I heartily disclaim any such inference. I have chosen the words of an Act of Parliament, which Mr. *Grenville*, surely a tolerably zealous and very judicious advocate for the sovereignty of Parliament, formerly moved to have read at your table, in confirmation of his tenets. It is true that Lord *Chatham* considered these preambles as declaring strongly in favour of his opinions. He was a no less powerful advocate for the privileges of the *Americans*. Ought I not from hence to presume that these preambles are as favourable as possible to both, when properly understood; favourable both to the rights of Parliament and to the privilege of the dependencies of this Crown? But, sir, the object of grievance in my Resolution I have not taken from the *Chester* but from the *Durham* Act, which confines the hardship of want of representation to the case of Subsidies, and which, therefore, falls in, exactly, with the case of the Colonies. But, whether the unrepresented Counties were *de jure* or *de facto* bound,

* The Solicitor General informed Mr. *Burke*, when the Resolutions were separately moved, that the grievance of the Judges partaking of the profits of the seizure had been redressed by office; accordingly the Resolution was amended.

Digitized by Google

the preambles do not accurately distinguish; nor, indeed, was it necessary; for whether *de jure* or *de facto*, the Legislature thought the exercise of the power of taxing, as of right, or, as of fact, without right, equally a grievance and equally oppressive.

I do not know that the Colonies have, in any general way, or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of men, when they are composed and at rest, from their conduct or their expressions in a state of disturbance and irritation. It is, besides, a very great mistake to imagine that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We *Englishmen* stop very short of the principles upon which we support any given part of our Constitution, or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed, every human benefit and enjoyment, every virtue, and every prudent act is founded on compromise and barter. We balance inconveniences; we give and take; we remit some rights that we may enjoy others; and we choose rather to be happy citizens than subtle disputants. As we must give away some natural liberty to enjoy civil advantages, so we must sacrifice some civil liberties for the advantages to be derived from the communion and fellowship of a great Empire. But in all fair dealings the thing bought must bear some proportion to the purchase paid. None will barter away the immediate jewel of his soul. Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great Empire too dear, to pay for it all essential rights, and all the intrinsick dignity of human nature. None of us who would not risk his life, rather than fall under a Government purely arbitrary. But, although there are some amongst us who think our Constitution wants many improvements to make it a complete system of liberty, perhaps none, who are of that opinion, would think it right to aim at such improvements, by disturbing his country, and risking every thing that is dear to him. In every arduous enterprise we consider what we are to lose, as well as what we are to gain; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are *the cords of man*. Man acts from adequate motives relative to his interest, and not on metaphysical speculations. *Aristotle*, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments, as the most fallacious of all sophistry.

The *Americans* will have no interest contrary to the grandeur and glory of *England*, when they are not oppressed by the weight of it; and they will rather be inclined to respect the acts of a superintending legislature, when they see them the acts of that power which is itself the security, not the rival, of their secondary importance. In this assurance my mind most perfectly acquiesces; and I confess I feel not the least alarm, from the discontents which are to arise, from putting people at their ease; nor do I apprehend the destruction of this Empire from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens some share of those rights, upon which I have always been taught to value myself.

It is said, indeed, that this power of granting, vested in *American* Assemblies, would dissolve the unity of the Empire, which was preserved entire, although *Wales*, and *Chester*, and *Durham*, were added to it. Truly, Mr. Speaker, I do not know what this unity means; nor has it ever been heard of, that I know, in the constitutional policy of this country. The very idea of subordination of parts excludes this notion of simple and undivided unity. *England* is the head; but she is not the head and the members too. *Ireland* has ever had, from the beginning, a separate but not an independent Legislature; which, far from distracting, promoted the union of the whole. Every thing was sweetly and harmoniously disposed through both Islands for the conservation of *English* dominion and the communication of *English* liberties. I do not see that the same principles might not be carried into twenty Islands, and with the same good effect. This is my model with regard to *America*, as far as the internal circumstances of the two countries are the same. I know no other unity of this Empire than I can draw from its example during these periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods.

But since I speak of these methods I recollect, Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble Lord (*North*) on the floor, which has been so lately received, and stands on your Journals. I must be deeply concerned whenever it is my misfortune to continue a difference with the majority of this House. But as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a body as I possibly can, having already debated that matter at large, when the question was before the Committee.

First, then, I cannot admit that proposition of a ransom by auction, because it is a mere project. It is a thing new, unheard of, supported by no experience, justified by no analogy, without example of our ancestors, or root in the Constitution.

It is neither regular Parliamentary Taxation, nor Colony grant. *Experimentum in corpore vili*, is a good rule, which will ever make me adverse to any trial of experiments on what is certainly the most valuable of all subjects—the peace of this Empire.

Secondly, it is an experiment which must be fatal, in the end, to our Constitution. For what is it but a scheme for taxing the Colonies in the ante-chamber of the noble Lord and his successors? To settle the quotas and proportions in this House, is clearly impossible. You, sir, may flatter yourself, you shall sit a state Auctioneer, with your hammer in your hand, and knock down to each Colony as it bids. But to settle (on the plan laid down by the noble Lord) the true proportional payment for four or five and twenty Governments, according to the absolute and the relative wealth of each, and according to the *British* proportion of wealth and burthen, is a wild and chimerical notion. This new taxation must, therefore, come in by the back-door of the Constitution. Each quota must be brought to this House ready formed; you can neither add nor alter. You must register it. You can do nothing further. For on what grounds can you deliberate either before or after the proposition? You cannot hear the counsel for all these Provinces, quarrelling each on its own quantity of payment, and its proportion to others. If you should attempt it, the Committee of Provincial Ways and Means, or by whatever other name it will delight to be called, must swallow up all the time of Parliament.

Thirdly, it does not give satisfaction to the complaint of the Colonies. They complain, that they are taxed without their consent; you answer, that you will fix the sum at which they shall be taxed. That is, you give them the very grievance for the remedy. You tell them, indeed, that you will leave the mode to themselves. I really beg pardon: it gives me pain to mention it; but you must be sensible that you will not perform this part of the compact. For, suppose the Colonies were to lay the duties which furnished their contingent, upon the importation of your Manufactures; you know you would never suffer such a tax to be laid. You know, too, that you would not suffer many other modes of taxation. So that, when you come to explain yourself, it will be found, that you will neither leave to themselves the quantum nor the mode; nor, indeed, any thing. The whole is delusion from one end to the other.

Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility that Colony Agents should have general powers of taxing the Colonies at their discretion; consider, I implore you, that the communication by special messages, and orders between these Agents and their constituents, on each variation of the case, when the parties come to contend together, and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion, that never can have an end.

If all the Colonies do not appear at the outcry, what is

Digitized by Google

the condition of those Assemblies, who offer, by themselves, or their Agents, to tax themselves up to your ideas of their proportion? The refractory Colonies, who refuse all composition, will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient Colonies in this scheme are heavily taxed; the refractory remain unburthened. What will you do? Will you lay new and heavier taxes by Parliament on the disobedient? Pray consider in what way you can do it. You are perfectly convinced that in the way of taxing, you can do nothing but at the Ports. Now suppose it is *Virginia* that refuses to appear at your auction, while *Maryland* and *North Carolina* bid handsomely for their ransom, and are taxed to your *quota:* how will you put these Colonies on a par? Will you tax the Tobacco of *Virginia?* If you do, you give its death wound to your *English* revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious Colony, what do you tax but your own Manufactures, or the Goods of some other obedient, and already well taxed Colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you, with a clue, to lead you out of it? I think, sir, it is impossible, that you should not recollect that the Colony bounds are so implicated in one another (you know it by your other experiments in the Bill for prohibiting the *New England* Fishery) that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burthen those whom upon every principle, you ought to exonerate. He must be grossly ignorant of *America*, who thinks, that, without falling into this confusion of all rules of equity and policy, you can restrain any single Colony, especially *Virginia* and *Maryland*, the central, and most important of them all.

Let it also be considered, that, either in the present confusion you settle a permanent contingent, which will and must be trifling; and then you have no effectual revenue; or you change the quota at every exigency; and then on every new repartition you will have a new quarrel.

Reflect, besides, that when you have fixed a quota for every Colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years arrears. You cannot issue a Treasury extent against the failing Colony. You must make new *Boston* Port Bills, new Restraining laws, new Acts for dragging Men to *England* for trial. You must send out new Fleets, new Armies. All is to begin again. From this day forward the Empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the Colonies, which one time or other must consume this whole Empire. I allow, indeed, that the Empire of *Germany* raises her Revenue and her Troops by quotas and contingents; but the Revenue of the Empire, and the Army of the Empire, is the worst revenue, and the worst army, in the world.

Instead of a standing revenue, you will, therefore, have a perpetual quarrel. Indeed, the noble Lord, who proposed this project of a ransom by auction, seemed himself to be of that opinion. His project was rather designed for breaking the union of the Colonies, than for establishing a revenue. He confessed, he apprehended that his proposal would not be to *their taste*. I say, this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the noble Lord meant nothing but merely to delude the Nation by an airy phantom which he never intended to realize. But, whatever his views may be, as I propose the peace and union of the Colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. This is mild; that harsh. This is found, by experience, effectual for its purposes; the other is a new project. This is universal; the other calculated for certain Colonies only. This is immediate in its conciliatory operation; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people; gratuitous, unconditional, and not held out as matter of bargain and sale. I have done my duty in proposing it to you. I have, indeed, tired you by a long discourse; but this is the misfortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom! For my part, I feel my mind greatly disburthened by what I have done to day. I have been the less fearful of trying your patience, because, on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the *American* affairs, I have steadily opposed the measures that have produced the confusion, and may bring on the destruction of this Empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my country, I give it to my conscience.

But what (says the financier) is peace to us without money? Your plan gives us no revenue. No! But it does—For it secures to the subject the power of refusal; the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not, indeed, vote you one hundred and fifty-two thousand seven hundred and fifty two Pounds eleven Shillings two and three-quarter Pence, nor and other paltry limited sum. But it gives the strong box itself, the fund, the bank, from whence only revenues can arise amongst a people sensible of freedom: *Posita luditur arca.* Cannot you in *England;* cannot you at this time of day; cannot you, a House of Commons, trust to the principle which has raised so mighty a revenue, and accumulated a debt of near one hundred and forty millions in this country? Is this principle to be true in *England*, and false every where else? Is it not true in *Ireland?* Has it not hitherto been true in the Colonies? Why should you presume, that, in any country, a body duly constituted for any function, will neglect to perform its duty, and abdicate its trust? Such a presumption would go against all Governments in all modes. But, in truth, this dread of penury of supply, from a free assembly, has no foundation in nature. For, first observe, that besides the desire which all men have naturally of supporting the honour of their own Government; that sense of dignity, and that security to property, which ever attends freedom, has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved, that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the politick machinery in the world.

Next we know, that parties must ever exist in a free country. We know too, that the emulations of such parties, their contradictions, their reciprocal necessities, their hopes and their fears, must send them all in their turns to him that holds the balance of the state. The parties are the gamesters, but Government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared, that the people will be exhausted, than that Government will not be supplied. Whereas, whatever is got by acts of absolute power ill obeyed, because odious, or by contracts ill kept, because constrained, will be narrow, feeble, uncertain, and precarious. "Ease would retract vows made in pain, as violent and "void."

I, for one, protest against compounding our demands; I declare against compounding, for a poor limited sum, the immense, overgrowing, eternal debt, which is due to a generous Government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the Colonies to a sum certain, either in the way of ransom, or in the way of compulsory compact.

But to clear up my ideas on this subject—a revenue from *America* transmitted hither—do not delude yourselves—you never can receive it; no, not a Shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from *Bengal*, you were obliged to return in loan what you had taken in imposition, what can you expect from *North America?* for certainly, if ever there was a country qualified to produce wealth, it is *India;* or an institution fit for

Digitized by Google

the transmission, it is the *East India* Company. *America* has none of these aptitudes. If *America* gives you taxable objects, on which you lay your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects which you tax at home, she has performed her part to the *British* Revenue. But with regard to her own internal establishments, she may, I doubt not she will, contribute in moderation. I say in moderation, for she ought not to be permitted to exhaust herself. She ought to be reserved to a war, the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There she may serve you, and serve you essentially.

For that service, for all service, whether of Revenue, Trade, or Empire, my trust is in her interest in the *British* Constitution. My hold of the Colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties which, though light as air, are as strong as links of iron. Let the Colonies always keep the idea of their civil rights associated with your Government—they will cling and grapple to you, and no force under Heaven will be of power to tear them from their allegiance. But let it be once understood that your Government may be one thing, and their privileges another; that these two things may exist without any mutual relation, the cement is gone; the cohesion is loosened, and every thing hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of *England* worship freedom, they will turn their faces towards you. The more they multiply the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have any where; it is a weed that grows in every soil. They may have it from *Spain*, they may have it from *Prussia*. But until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true Act of Navigation, which binds to you the commerce of the Colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond which originally made, and must still preserve, the unity of the Empire. Do not entertain so weak an imagination, as that your Registers and your Bonds, your Affidavits and your Sufferances, your Cockets and your Clearances, are what form the great securities of your commerce. Do not dream that your Letters of Office, and your Instructions, and your Suspending Clauses, are the things that hold together the great contexture of this mysterious whole. These things do not make your Government. Dead instruments, passive tools as they are, it is the spirit of the *English* communion that gives all their life and efficacy to them. It is the spirit of the *English* Constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies, every part of the Empire, even down to the minutest member.

Is it not the same virtue which does every thing for us here in *England*? Do you imagine, then, that it is the Land Tax Act which raises your Revenue; that it is the annual vote in the Committee of Supply which gives you your Army? Or that it is the Mutiny Bill which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their Government, from the sense of the deep stake they have in such a glorious institution, which gives you your Army and your Navy, and infuses into both that liberal obedience, without which your Army would be a base rabble, and your Navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians, who have no place among us; a sort of people who think that nothing exists but what is gross and material; and who, therefore, far from being qualified to be directors of the great movement of Empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth every thing, and all in all. Magnanimity in politicks is not seldom the truest wisdom; and a great Empire and little minds go ill together. If we are conscious of our situation, and glow with zeal to fill our places as becomes our station and ourselves, we ought to auspicate all our publick proceedings on *America*, with the old warning of the Church, *Sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious Empire, and have made the most extensive and the only honourable conquests, not by destroying, but by promoting the wealth, the number, the happiness of the human race. Let us get an *American* Revenue as we have got an *American* Empire. *English* privileges have made it all that it is; *English* privileges alone will make it all it can be.

In full confidence of this unalterable truth, I now (*quod felix faustumque sit*) lay the first stone of the Temple of Peace; and I now move you,

"That the Colonies and Plantations of *Great Britain*, "in *North America*, consisting of fourteen separate Govern- "ments, and containing two millions and upwards of free "inhabitants, have not had the liberty and privilege of elect- "ing and sending any Knights and Burgesses, or others, to "represent them in the High Court of Parliament."*

The question being put on this Resolution, Mr. *Burke* was answered by the Attorney General, who displayed great dexterity and address in his observations on the plan. The other speakers on that side, were, Mr. *Jenkinson*, Mr. *Cornwall*, Lord *Frederick Campbell*, and others. The motions were supported by Lord *John Cavendish*, Mr. *Hotham*, Mr. *Tuffnell*, Mr. *Sawbridge*, and by Mr. *Fox*, who spoke with the greatest ability and spirit.

The Ministerial side did not, in general, so much object to this plan, as repeat and enforce their general arguments on the supremacy of the *British* Parliament, and in favour of the policy and necessity of *American* Taxation. They denied that the *American* Assemblies ever had, at any time, a legal power of granting a Revenue to the Crown; that this was the privilege of Parliament only, and could not be communicated to any other body whatsoever. For this,

Mr. *Jenkinson* quoted the famous Act for securing the rights and liberties of the subject, commonly called the Declaration of Rights, which, as they insisted, clearly enforced the exclusive right of taxing in Parliament all parts

* During this debate the standing order, for the exclusion of strangers, was strictly enforced.

"On this motion, and on the whole matter, the debate was long and animated. It was objected, in general, that those Resolutions abandoned the whole object for which we were contending. That in words, indeed, they did not give up the right of taxing; but they did so in effect. The first Resolution, they said, was artfully worded, as containing in appearance nothing but matters of fact; but if adopted, consequences would follow highly prejudicial to the publick good. That the mere truth of a proposition did not, of course, make it necessary or proper to resolve it. As they had frequently resolved not to admit the unconstitutional claims of the *Americans*, they could not admit Resolutions directly leading to them. They had no assurance, that if they should adopt these propositions, the *Americans* would make any dutiful returns on their side; and thus the scheme, pursued through so many difficulties, of compelling that refractory people to contribute their fair proportion to the expenses of the whole Empire, would fall to the ground. The House of Lords would not, they said, permit another plan, somewhat of the same kind, so much as to lie on their table; and the House of Commons had in this session, already adopted one, which they judged to be conciliatory upon a ground more consistent with the supremacy of Parliament. It was asserted that the *American* Assemblies had made provision upon former occasions; but this, they said, was only when pressed by their own immediate danger; and for their own local use. But if the dispositions of the Colonies had been as favourable as they were represented, still it was denied that the *American* Assemblies ever had a legal power of granting a revenue to the Crown. This they insisted to be the privilege of Parliament only; and a privilege which could not be communicated to any other body whatsoever. In support of this doctrine, they quoted the following clause from that palladium of the *English* Constitution, and of the rights and liberties of the subject, commonly called, the Bill, or Declaration, of Rights: viz. that "Levying money for, or to the use of "the Crown, by pretence of prerogative, without grant of Parliament, "for a longer time, or in other manner, than the same is, or shall be "granted, is illegal."

"This clause, they insisted, clearly enforced the exclusive right in Parliament of taxing every part of the Empire. And this right, they said, was not only prudent, but necessary. The right of taxation must be inherent in the supreme power; and, being the most essential of all others, was the most necessary, not only to be reserved in theory, but exercised in practice; or it would, in effect, be lost, and all other powers along with it. This principle was carried so far, that it was said any Minister ought to be impeached, who suffered the grant of any sort of revenue from the Colonies to the Crown. That such a practice, in time of war, might possibly be tolerated from the necessity of

Digitized by Google

of the King's Dominions. The Article is as follows, that, "Levying money for, or to the use of, the Crown, by pre-"tence of prerogative, without grant of Parliament, for a "longer time, or in other manner than the same is or shall "be granted, is illegal." This, he said, was not only prudent but necessary. The right of taxing was inherent in the supreme power; and by being the most essential of all powers, was the most necessary, not only to be reserved in theory, but exercised in practice; or it would, in effect, be lost, and all other powers along with it. It was, he said, a great mistake, that the establishment of a Parliament in *Ireland* precluded *Great Britain* from taxing that Kingdom; that the right of taxing it had always been maintained and exercised too, whenever it was thought expedient, and ought, undoubtedly, always to be so, whenever the *British* Parliament judged proper, having no other rule in this respect but its own discretion; that all inferiour assemblies were only like the Corporate Towns in *England*, who had a power, like them, of making By-laws, and nothing more. He recommended the example of the *French* Government in their Provinces, called *Pais d'Etats;* where, though the people seem to grant, yet, in reality, the mode alone of raising the tax is left to the Province; the Crown always fixing the sum to be raised. These grants are, therefore, not free, but, as one of their own writers, *Voltaire*, calls them, *repertus libres*, reputed free; and that the people were so well satisfied with this reputed freedom, that they never have refused to grant, except once, when the states of *Languedoc* were refractory; but an Army being sent to reduce them, they were brought to obedience, and have been ever since perfectly quiet. This was the substance of Mr. *Jenkinson's* speech.

Lord *Frederick Campbell* took up the same maxims, and maintained them with great warmth, declaring that he thought any Minister ought to be impeached who suffered the grant of any sort of revenue from the Colonies to the Crown. Indeed, it was possible that such a practice in time of war, from the necessity of the case, might be tolerated, but that a revenue in time of peace could not be granted by the Assemblies, without subverting the Constitution.

Mr. *Jenkinson* moved the previous question.

And the previous question being put, "That that question be now put?" the House divided: Ayes, 78; Noes, 270.

So it passed in the Negative.

the case; but that a revenue, in time of peace, could not be granted by any of the Assemblies, without subverting the Constitution. In the warmth of prosecuting this idea, it was asserted, by more than one gentleman on that side, that the establishment of a Parliament in *Ireland*, did not by any means preclude *Great Britain* from taxing that Kingdom whenever it was thought necessary. That that right had always been maintained, and exercised too, whenever it was judged expedient; and that the *British* Parliament had no other rule in that exercise, than its own discretion. That all inferiour assemblies in this Empire, were only like the Corporate Towns in *England*, which had a power, like them, of making By-laws, for their own municipal government, and nothing more.

"On the other side, it was urged, that the clause in the Declaration of Rights, so much relied on, was calculated merely to restrain the prerogative, from the raising of any money within the Realm, without the consent of Parliament; but that it did not at all reach, nor was intended to interfere with, the taxes levied, or grants passed by legal Assemblies out of the Kingdom, for the publick service. On the contrary, Parliament knew, at the time of passing that law, that the *Irish* grants were subsisting, and taxes constantly levied in consequence of them, without their once thinking, either then, or at any other time, of censuring the practice, or condemning the mode as unconstitutional. It was also said, that different Parliaments, at different periods, had not only recognised the right, but gratefully acknowledged the benefit which the publick derived from the taxes levied, and the grants passed by the *American* Assemblies. As to the distinction taken, of a time of war, and the necessity of the case, they said it was frivolous and wholly groundless. The power of the Subject in granting, or of the Crown in receiving, no way differs, in time of war, from the same powers in time of peace; nor is any distinction on such a supposition made in the article of the Bill of Rights. They argued, therefore, that this article of the Bill of Rights is confined to what it was always thought confined, the prerogative in this Kingdom; and bound, indeed, the Crown; but could not, in securing the rights and liberties of the Subject in this Kingdom, intend to annihilate them every where else. That as the Constitution had permitted the *Irish* Parliament and *American* Assemblies to make grants to the Crown; and that experience had shewn, that these grants had produced both satisfaction and revenue, it was absurd to risk all in favour of theories of supremacy, unity, sovereign rights, and other names, which hitherto had led to nothing but confusion and beggary on all sides, and would continue to produce the same miserable effects as long as they were persisted in. That the mover had very wisely avoided these speculative questions, and confined himself to experience; and it would be well if they could persuade themselves to follow that example. The previous question was moved on the first proposition, and carried by 270 to 78."—*Ann. Regis.*

Mr. *Burke* then moved, That the said Colonies and Plantations have been made liable to and bounden by several subsidies, payments, rates, and taxes, given and granted by Parliament, though the said Colonies and Plantations have not their Knights and Burgesses in the said High Court of Parliament, of their own election, to represent the condition of their country, by lack whereof they have been often times touched and grieved by subsidies given, granted, and assented to in the said Court, in a manner prejudicial to the Commonwealth, quietness, rest, and peace of the subjects inhabiting within the same.

An amendment was proposed to be made to the question, by leaving out from the word "country" to the end of the question.

And the question being put, that the words proposed to be left out stand part of the question;

It passed in the Negative.

Then the main question, so amended, being proposed, That the said Colonies and Plantations have been made liable to, and bounden by, several subsidies, payments, rates, and taxes, given and granted by Parliament, though the said Colonies and Plantations have not their Knights and Burgesses in the said High Court of Parliament, of their own election, to represent the condition of their country;

And the previous question being put, that that question be now put;

It passed in the Negative.

Mr. *Burke* then moved, and the question being proposed, That from the distance of the said Colonies, and from other circumstances, no method hath hitherto been devised for procuring a representation in Parliament for the said Colonies.

And the previous question being put, that that question be now put;

It passed in the Negative.

Mr. *Burke* then moved, and the question being proposed, That each of the said Colonies hath, within itself, a body chosen in part, or in the whole, by the Freemen, Freeholders, or other free Inhabitants thereof, commonly called the General Assembly or General Court, with powers legally to raise, levy, and assess, according to the several usages of such Colonies, Duties and Taxes, towards defraying all sorts of publick services;

And the previous question being put, that that question be now put;

It passed in the Negative.

Mr. *Burke* then moved, and the question being put, That the said General Assemblies, General Courts, or other bodies legally qualified as aforesaid, have, at sundry times, freely granted several large Subsidies and Publick Aids for his Majesty's service, according to their abilities, when required thereto, by Letter from one of his Majesty's principal Secretaries of State; and that their right to grant the same, and their cheerfulness and sufficiency in the said Grants, have been, at sundry times, acknowledged by Parliament;

It passed in the Negative.

Mr. *Burke* then moved, and the question being put, That it hath been found, by experience, that the manner of granting the said Supplies and Aids by the said General Assemblies hath been more agreeable to the inhabitants of the said Colonies, and more beneficial and conducive to the publick service than the mode of giving and granting Aids and Subsidies in Parliament, to be raised and paid in the said Colonies;

It passed in the Negative.

Mr. *Burke* then moved, and the question being proposed, That it may be proper to repeal an Act, made in the seventh year of the reign of his present Majesty, entituled "An Act for granting certain Duties in the *British* "Colonies and Plantations in *America*, for allowing a "Drawback of the Duties of Customs upon the exporta-"tion from this Kingdom of Coffee and Cocoa Nuts, of "the produce of the said Colonies or Plantations; for dis-"continuing the Drawbacks payable on *China* Earthen "Ware exported to *America;* and for more effectually "preventing the clandestine running of Goods in the said "Colonies and Plantations:" and also, that it may be proper to repeal an Act made in the fourteenth year of his

Digitized by Google

present Majesty's reign, entituled "An Act to discontinue "in such manner, and for such time, as are therein men-"tioned, the landing and discharging, lading or shipping, "of Goods, Wares, and Merchandise, at the Town, and "within the Harbour of *Boston*, in the Province of *Mas-"sachusetts Bay*, in *North America*:" and also, that it may be proper to repeal an Act made in the fourteenth year of his present Majesty's reign, entituled "An Act for the im-"partial Administration of Justice, in the cases of persons "questioned for any acts done by them in the execution "of the Law, or for the suppression of Riots and Tumults "in the Province of the *Massachusetts Bay*, in *New England*:" and also, that it may be proper to repeal an Act made in the fourteenth year of his present Majesty's reign, entituled "An Act for the better regulating the Govern-"ment of the Province of the *Massachusetts Bay*, in *New "England*:" and also, that it may be proper to explain and amend an Act made in the thirty-fifth year of the reign of King *Henry* the Eighth, entituled "An Act for "the trial of Treasons committed out of the King's Do-"minions."

And an objection being made, that the said proposed question was a complicated question, including several distinct propositions, the same was, by consent of the House, divided into five separate questions.

And the first question being proposed, That it may be proper to repeal an Act made in the seventh year of the reign of his present Majesty, entituled "An Act for grant-"ing certain Duties in the *British* Colonies and Planta-"tions in *America*; for allowing a Drawback of the Duties "of Customs, upon the exportation from this Kingdom of "Coffee and Cocoa Nuts, of the produce of the said "Colonies or Plantations; for discontinuing the Drawbacks "payable on *China* Earthen Ware exported to *America*; "and for more effectually preventing the clandestine run-"ning of Goods in the said Colonies and Plantations;"

An amendment was proposed to be made to the question, by leaving out the words "may be" and inserting the word "is" instead thereof.

And the question being put, that the words "may be" stand part of the question;

It passed in the Negative.

And the question being put, that the word "is" be inserted instead thereof;

It was resolved in the Affirmative.

Then the main question, so amended, being put, That it is proper to repeal an Act made in the seventh year of the reign of his present Majesty, entituled "An Act for grant-"ing certain Duties in the *British* Colonies and Planta-"tions in *America*; for allowing a Drawback of the Duties "of Customs, upon the exportation from this Kingdom of "Coffee and Cocoa Nuts, of the produce of the said "Colonies or Plantations; for discontinuing the Drawbacks "payable on *China* Earthen Ware exported to *America*; "and for more effectually preventing the clandestine run-"ning of Goods in the said Colonies and Plantations;

It passed in the Negative.

And the second question being proposed, That it may be proper to repeal an Act made in the fourteenth year of the reign of his present Majesty, entituled "An Act to dis-"continue, in such manner, and for such time, as are "therein mentioned, the landing and discharging, lading "or shipping, of Goods, Wares, and Merchandise, at the "Town, and within the Harbour of *Boston*, in the Province "of *Massachusetts Bay*, in *North America*;"

An amendment was proposed to be made to the question, by leaving out the words "may be" and inserting the word "is" instead thereof.

And the question being put, that the words "may be" stand part of the question;

It passed in the Negative.

And the question being put, that the word "is" be inserted instead thereof;

It was resolved in the Affirmative.

Then the main question, so amended, being put, That it is proper to repeal an Act made in the fourteenth year of the reign of his present Majesty, entituled "An act to "discontinue in such manner, and for such time, as are "therein mentioned, the landing and discharging, lading "or shipping, of Goods, Wares, and Merchandise, at the "Town, and within the Harbour of *Boston*, in the Prov-"ince of *Massachusetts Bay*, in *North America*;"

It passed in the Negative.

And the third question being proposed, That it may be proper to repeal an Act made in the fourteenth year of the reign of his present Majesty, entituled "An Act for the "impartial Administration of Justice in the cases of per-"sons questioned for any acts done by them in the exe-"cution of the Law, or for the suppression of Riots and "Tumults in the Province of the *Massachusetts Bay*, in "*New England*;"

An amendment was proposed to be made to the question, by leaving out the words "may be" and inserting the word "is" instead thereof.

And the question being put, that the words "may be" stand part of the question;

It passed in the Negative.

And the question being put, that the word "is" be inserted instead thereof;

It was resolved in the Affirmative.

Then the main question, so amended, being put, That it is proper to repeal an Act made in the fourteenth year of the reign of his present Majesty, entituled "An Act for "the impartial Administration of Justice in the cases of "persons questioned for any acts done by them in the "execution of the Law, or for the suppression of Riots "and Tumults in the Province of the *Massachusetts Bay*, "in *New England*;"

It passed in the Negative.

And the fourth question being proposed, That it may be proper to repeal an Act made in the fourteenth year of the reign of his present Majesty, entituled "An Act for the "better regulating the Government of the Province of the "*Massachusetts Bay*, in *New England*;"

An amendment was proposed to be made to the question, by leaving out the words "may be" and inserting the word "is" instead thereof.

And the question being put, that the words "may be" stand part of the question;

It passed in the Negative.

And the question being put, that the word "is" be inserted instead thereof;

It was resolved in the Affirmative.

Then the main question, so amended, being put, That it is proper to repeal an Act made in the fourteenth year of the reign of his present Majesty, entituled "An Act for "the better regulating the Government of the Province of "the *Massachusetts Bay*, in *New England*;"

It passed in the Negative.

And the fifth question being proposed, That it may be proper to explain and amend an Act made in the thirty-fifth year of the reign of King *Henry* the Eighth, entituled "An Act for the trial of Treasons committed out of the "King's Dominions;"

An amendment was proposed to be made to the question, by leaving out the words "may be" and inserting the word "is" instead thereof.

And the question being put, that the words "may be" stand part of the question;

It passed in the Negative.

And the question being put, that the word "is" be inserted instead thereof;

It was resolved in the Affirmative.

Then the main question, so amended, being put, That it is proper to explain and amend an Act made in the thirty-fifth year of the reign of King *Henry* the Eighth, entituled "An Act for the trial of Treasons committed out of the "King's Dominions;"

It passed in the Negative.

Mr. *Burke* then moved, and the question being put, That from the time when the General Assembly or General Court of any Colony or Plantation in *North America* shall have appointed, by Act of Assembly, duly confirmed, a settled salary to the offices of the Chief Justice and Judges of the Superiour Courts, it may be proper that the said Chief Justice and other Judges of the Superiour Courts of such Colony shall hold his and their office and offices during their good behaviour, and shall not be removed therefrom, but when the said removal shall be

Digitized by Google

adjudged by his Majesty in Council, upon hearing on complaint from the General Assembly, or on a complaint from the Governour, or the Council, or the House of Representatives, severally, of the Colony in which the said Chief Justice and other Judges have exercised the said office;

It passed in the Negative.

Mr. *Burke* then moved, and the question being proposed, That it may be proper to regulate the Courts of Admiralty and Vice Admiralty, authorized by the fifteenth chapter of the fourth *George* the Third, in such a manner as to make the same more commodious to those who sue, or are sued, in the said Courts;

And the previous question being put, that that question be now put;

It passed in the Negative.

HOUSE OF COMMONS.

MONDAY, *March* 27, 1775.

Mr. *Hartley* rose and said:

I find myself under the necessity of making some apology to the House for the trouble which I am going to give them this day, and to assure them that it is with the greatest deference that I presume to obtrude any sentiments of mine, upon the important subject of *America*. Though I have so lately had the honour of a seat in this House, yet I have for many years turned my thoughts and attention to matters of publick concern and national policy. This question of *America* is now of many years standing—of the greatest publick notoriety, as to the facts upon which it turns; and every opinion has been so fully debated, over and over, that any man, who has given his mind to publick business, may be supposed equally informed, out of the House, as in it.

When I threw out the Propositions, casually, before Christmas, which I shall offer more formally to you to-day, my view was in no sort hostile to the Administration. I saw the difficulty that we were got into by our own precipitancy; that unhappy dilemma, which offered nothing but ruin in going forward, or disgrace in the retreat. I was in hopes, from some phrases dropped by the noble Lord at the head of the Treasury, in the beginning of the session, of others being more sanguine and more impatient than himself, that he, at least, would have shewn some disposition to relent; and I still believe, if he were at liberty to follow his own inclination and judgement, that it would be so. I am the more warranted in thinking so, from the proposition which the noble Lord himself offered to the House some time ago, [*See Folio* 1598.] There was in that proposition a show of conciliation to captivate one side of the House, and sufficient to betray what were his own wishes; but on the other side there was the reality of every unrelenting and vindictive measure annexed, to prove that there still were others more sanguine and more impatient than himself, over whom, with all his abilities, with all his eloquence, with all the advantages of his situation, he could not maintain his ascendant. Whatever struggles the noble Lord may have had with himself, or his friends, they are all at an end; the die is cast for war with *America*. It was found that any conciliatory proposition must have been, in some degree, a concession, which none of his unrelenting friends would consent to.

However, by the noble Lord's Proposition, there is one concession made to *America*, under the authority of this House, which cannot be recalled, and which, finally and conclusively, condemns the conduct of every Administration for these ten years past, one excepted—I mean the repeal of the Stamp Act. If it can be proper now to offer to the Colonies to pay upon requisition, what can this Nation say for having kept out of the only right road for ten years? How can we censure the Colonies for any errours committed by them, which were the consequences of our own beginning at the wrong end? Though a threat is now annexed to the noble Lord's requisition, yet if, at first, we had begun with a requisition instead of taxing, it would have been more just and prudent. There could be no justice or prudence in threatening a people who had always contributed most freely; who never would have called our supposed right in question, but for our misapplication of it. Therefore, sir, when I have brought back the noble Lord's compulsory requisition to my free requisition, it stands confessed, upon the very nature of his proposition itself, that I have set it upon its own true original ground.

There is another objection to the noble Lord's plan, which, as I have mentioned it upon a former occasion, I shall only remind you of in a few words: I mean a breach of faith with the Colonies. A Secretary of State writes, in 1769, a circular letter to the Colonies to assure them that you will never raise a revenue by taxing. A few years after, upon a negotiation with the *East India* Company, the three-penny Tea Tax becomes not only merely a quit-rent for the point of honour, but rises to an actual revenue. Then you plead that you did not break your word, as the revenue arising was not in your original intentions, but only casual, from a regulation of trade. But what can you say now? The noble Lord boasts that he has put the question upon the true ground, a demand for a substantial revenue; a demand attended with threats of compulsion. What is this less than raising a revenue by a tax?

But, in any case, let the noble Lord think what he will of his proposition, why has he not, in so many weeks, given it some practicable shape? Why has he not offered some act of Parliament to give it effect? However, as he has omitted that, I shall take the proposition without its objectionable parts, and propose an Address to the King to give it force; in which motion, I hope to meet with the support of those gentlemen who gave it countenance originally, when it came from the noble Lord. I shall give the whole substance of the proposition, only leaving out, in the Address to the King, any threats of the compulsion which you meditate in reserve. If you think that you have the right of taxing, I pass it over in silence; if you have the power, I do not—I cannot take that away. Then make a free requisition, and be contented to keep to yourselves the satisfaction of thinking, that you have something in reserve, in case of non-compliance. Keep that *sub silentio*, at least, till you find that it becomes necessary. I am not an advocate either for the right or the expediency of taxing the *Americans*, but the contrary. However, as far as we go the same road of requisitions, let us go together.

As what I have to offer will be founded upon requisitions to the Colonies, I will endeavour to answer an objection beforehand, which I have heard in this House: it is to the plan of Royal requisition. This objection to the interference of the Royal name, comes from a side of the House from which one should least have expected it. However, if this be an objection, mine are not Royal requisitions. My motion originates from the House of Commons, to desire the King, as the Executive Magistrate, to put their plan into effect. If the power of making requisitions to the Colonies is not in the King, my motion is to give the authority and sanction of Parliament to this measure. It is so far from being my proposition to enable the Crown to raise what supply it can from *America*, independent of Parliament, that my motion is the very first which has ever had in contemplation to lay a Parliamentary control upon that power, and to require that all answers from *America* shall be laid before this House for the very purpose of controlling that power in the Crown. I have so doubly guarded that point, that my motion is not even for the Crown to demand a supply from *America*, but for services to be performed in *America*, for the defence, security, and protection of the Colonies themselves.

I would wish to state to the House the merits of this question, of requisitions to the Colonies, and to see upon what principles it is founded; to revise and settle the accounts between *Great Britain* and her Colonies; and then, upon a foundation of distributive justice, to come to some settlement. We hear of nothing now but the protection which we have given to them; of the immense expense incurred on their account. We are told that they have done nothing for themselves; that they pay no taxes; in short, every thing is asserted about *America* to serve the present turn, without the least regard to truth. I would have these matters fairly sifted out.

Digitized by Google

To begin with the late war. The *Americans* turned the success of the war at both ends of the line. General *Monkton* took *Beausejour*, in *Nova Scotia*, with fifteen hundred Provincial Troops and about two hundred Regulars. Sir *William Johnson*, in the other part of *America*, changed the face of the war to success with a Provincial Army, which took Baron *Dieskau* prisoner. But, sir, the glories of the war, under the united *British* and *American* arms, are recent in every ones' memory. Suffice it to decide this question, that the *Americans* bore, even in our judgement, more than their full proportion; that this House did annually vote them an acknowledgement of their zeal and strenuous efforts, and a compensation for the excess of their zeal and expenses, above their due proportion. They kept, one year with another, near twenty-five thousand men on foot, and lost in the war the flower of their youth. How strange must it appear to them to hear of nothing down to *March* 14, 1763, but encomiums upon their active zeal and strenuous efforts; and then, no longer after than the year 1764, in such a trice of time, to see the tide turn, and from that hour to this to hear it asserted that they were a burthen upon the common cause; asserted even in that same Parliament, which had voted them compensations for the liberality and excess of their services.

Nor did they stint their services to *North America;* they followed the *British* arms out of their Continent to the *Havana* and *Martinique*, after the complete conquest of *America*. And so they had done in the preceding war. They were not grudging of their exertions; they were at the siege of *Carthagena;* yet what was *Carthagena* to them, but as members of the common cause, of the glory of this country? In that war, too, sir, they took *Louisbourg* from the *French*, single-handed, without any *European* assistance: as mettled an enterprise as any in our history!—an everlasting memorial of the zeal, courage, and perseverance of the Troops of *New England*. The men themselves dragged the cannon over a morass which had always been thought impassable, where neither horses nor oxen could go, and they carried the shot upon their backs. And what was their reward for this forward and spirited enterprise? for the reduction of this *American Dunkirk?* Their reward, sir, you know very well; it was given up for a barrier to the *Dutch*. The only conquest in that war which you had to give up, which would have been an effectual barrier to them against the *French* power in *America*, though conquered by themselves, was surrendered for a foreign barrier. As a substitute for this, you settle *Halifax* for a *Place d'Armes*, leaving the limits of the Province of *Nova Scotia* as a matter of contest with the *French*, which could not fail to prove, as it did, the cause of another war. Had you kept *Louisbourg* instead of settling *Halifax*, the *Americans* may say, at least, that there would not have been that pretext for imputing the late war to their account. It has been their forwardness in your cause that made them the objects of the *French* resentment. In the war of 1744, at your requisition, they were the aggressors with the *French* in *America*. We know the orders given to Monsieur *D'Anville*, to destroy and lay all their Sea-port Towns in ashes; and we know the cause of that resentment: it was to revenge their conquest of *Louisbourg*.

Whenever *Great Britain* has declared war, they have taken their part. They were engaged in King *William's* wars and Queen *Anne's*, even in their infancy. They conquered *Acadia* in the last century for us, and we then gave it up. Again, in Queen *Anne's* war they conquered *Nova Scotia*, which, from that time, has always belonged to *Great Britain*. They have been engaged in more than one expedition to *Canada*, ever foremost to partake of honour and danger with the mother country.

Well, sir, what have we done for them? Have we conquered the country for them from the *Indians?* Have we cleared it? Have we drained it? Have we made it habitable? What have we done for them? I believe precisely nothing at all, but just keeping watch and ward over their trade, that they should receive nothing but from ourselves, and at our own price. I will not positively say, that we have spent nothing; though I do not recollect any such article upon our Journals; but I mean, not any material expense in setting them out as Colonists. The Royal Military Government of *Nova Scotia* cost, indeed, not a little sum; above £500,000 for its plantation, and its first years. Had your other Colonies cost any thing similar, either in their outset or support, there would have been something to say on that side; but, instead of that, they have been left to themselves for one hundred or one hundred and fifty years, upon the fortune and capital of private adventurers, to encounter every difficulty and danger. What Towns have we built for them? What deserts have we cleared? What country have we conquered for them from the *Indians?* Name the Officers; name the Troops; the Expeditions; their dates. Where are they to be found? Not in the Journals of this Kingdom. They are no where to be found.

In all the wars which have been common to us and them, they have taken their full share. But in all their own dangers, in all the difficulties belonging separately to their situation, in all the *Indian* wars which did not immediately concern us, we left them to themselves, to struggle their way through. For the whim of a Minister, you can bestow half a million to build a Town, and to plant a Royal Colony of *Nova Scotia;* a greater sum than you have bestowed upon every other Colony together, since their foundation.

And notwithstanding all these, which are the real facts, now that they have struggled through their difficulties, and begin to hold up their heads, and to shew that Empire which promises to be the foremost in the world, we claim them and theirs, as implicitly belonging to us, without any consideration of their own rights. We charge them with ingratitude, without the least regard to truth, just as if this Kingdom had, for a century and a half, attended to no other object; as if all our revenue, all our power, all our thought, had been bestowed upon them, and all our national debt had been contracted in the *Indian* wars of *America*, totally forgetting the subordination in commerce and manufactures, in which we have bound them; and for which, at least, we owe them help towards their protection.

Look at the preamble of the Act of Navigation, and every *American* Act, and see if the interests of this country is not the avowed object. If they make a Hat or a piece of Steel, an Act of Parliament calls it a nuisance: a Tilting Hammer, a Steel Furnace, must be abated in *America* as a nuisance. Is it so with their fellow-subjects on this side of the *Atlantic?* Are the Hats and Cloths of *Gloucestershire* nuisances? Are the Tilting Hammers of *Pontipool* nuisances? Are the Cutleries of *Sheffield* and *Birmingham* nuisances? Are the Stockings of *Nottingham* nuisances? Are the Linens of *Scotland*, *Ireland*, or *Broomsgrove*, nuisances? Are the Woollen Cloths of *Yorkshire*, the Crapes of *Norwich*, or the Cottons of *Manchester*, nuisances? Sir, I speak from facts. I call your Books of Statutes and Journals to witness. With the least recollection, every one must acknowledge the truth of these facts.

But, it is said, the Peace Establishment of *North America* has been, and is, very expensive to this country. Sir, for what has been, let us take the Peace Establishment before 1739, and 1748. All that I can find in your Journals, is four Companies kept up at *New-York*, and three Companies in *Carolina*. As to the four Companies at *New-York*, this country should know best why they put themselves to that expense; or whether they were really at any expense at all; for these were Companies of fictitious men. Unless the money was repaid into the Treasury, it was applied to some other purpose; for these Companies were not a quarter full. In the year 1754, two of them were sent up to *Albany*, to attend Commissioners to treat with the *Six Nations*, to impress them with a high idea of our military power; to display all the pomp and circumstance of war before them, in hopes to scare them; when, in truth, we made a very ridiculous figure. The whole complement of the two Companies, did not exceed thirty, tattered, tottering invalids, fitter to scare the crows. This information I have had from eye-witnesses.

It has not fallen in my way to hear any account of the three *Carolina* Companies: these are trifles. The substantial question is, what material expense have you been at in the periods alluded to, for the Peace Establishment of *North America?* Ransack your Journals, search your publick offices for Army or Ordnance expenses. Make out your bill, and let us see what it is. No one yet knows it. Had there been any such, I believe the Administration

Digitized by Google

would have produced it before now, with aggravation, as was the case a few years ago with the *East India* Company, who had their effects arrested for a long bill, when they little expected it, and that bill too, not very scrupulously charged; but when money is in the case, whether from the East or from the West, Ministers can make as long bills as other people.

But, is not the Peace Establishment of *North America* now very high, and very expensive? I would answer that by another question; why should the Peace Establishment since the late war, and the total expulsion of the *French* interest, be higher than it was before the late war, and when the *French* possessed above half the *American* Continent? If it be so, there must be some singular reason.

I cannot suppose that you mean, under the general term of *North America*, to saddle all the expenses of *Canada*, *Nova Scotia*, *Cape Breton*, *Newfoundland*, *Florida*, and the *West Indies*, upon the old Colonies of *North America*. You cannot mean to keep the sovereignty, the property, the possession, (these are the terms of the cession in the Treaty of 1763,) to yourselves, and lay the expense of the Military Establishment, which you think proper to keep up, upon the old Colonies.

Sir, the Colonies never thought of interfering in the Prerogative of making War or Peace; but if this Nation can be so unjust as to meditate the settling the expense of your new conquests separately upon them, they ought to have had a voice in settling the terms of Peace. It is you, on this side of the water, who have first brought up the idea of separate interests, by planning separate and distinct charges. It was their men, and their money, which had conquered *North America*, and the *West Indies*, as well as yours, though you seized all the spoils; but they never thought of dictating to you what you should keep, or what you should give up, little dreaming that you reserved the expense of your Military Governments for them. Who gave up the *Havana*? Who gave up *Martinique*? Who gave up *Guadaloupe*, with *Mariegalante*? Who gave up *Santa Lucia*? Who gave up the *Newfoundland* Fishery? Who gave up all these, without their consent, without their participation, without their consultation, and after all, without equivalents? Sir, if your Colonies had but been permitted to have gathered up the crumbs which have fallen from your table, they would have gladly supported the whole establishment of *North America*.

Your Colonies have now shewn you the value of lands in *North America*; and, therefore, you have vested in the Crown the sovereignty, property, and possession of infinite tracts of land, perhaps as extensive as all *Europe*, which the Crown may dispose of at its own price, as the land rises in *America*, and grants become invaluable; and to enable the Crown to support an arbitrary Military, nay, even a *Romish* Government, till these lands rise to their future immense value, you are casting about to saddle the expense either upon the *American* or the *British* supplies. The *Americans* must, indeed, be in a state of insanity, if they do not see the tendency of all this; and we, ourselves, must be more insane and blind even than the *Americans*; we, who have already seen the patronage of the *East Indies* put into the hands of the Crown, and who now see the sovereignty, property, and possession of *North America*, with every military and despotick power, vested solely in the King's hands; we, who are made to learn every hour, by precept and example, that Charters, being but the breath of Kings, are to be annihilated by the breath of pliable Parliaments; we must be, sir, I say, more insane than them, if we do not see the tendency of all this, and if we do not provide, in time, for our own security, as well as for that of *America*. I will not suppose, that we can be so improvident as not to attend to these important, and, perhaps, not very distant events; nor, with respect to the present question, will I suppose that Parliament meditates so great an injustice, as to require your old Colonies to support the charge of all your new conquests, and all the rest of *America*.

This country is very liberal in its boasting of its protection and parental kindness to *America*. Is it for that purpose that we have converted the Province of *Canada* into an absolute and military Government, and have established the *Romish* bigotry dominant, as a terrour upon all our ancient and Protestant Colonies? What security, what protection do they derive? In what sort are they the better for the conquest of the *French* Dominions, if we take that opportunity to establish a Government, Civil, Military, and Ecclesiastical, in the utmost degree hostile to the Government of our own Provinces, and with the intent to set a thorn in their sides? Is this affection and parental kindness? Surely, you do not expect that they should be taxed and talliaged to pay for this rod of iron which you are preparing for them!

Now, sir, I come to a point, in which I think you may be said to have given some protection. I mean the protection of your Fleet to the *American* Commerce. And even here I am at a loss by what terms to call it; whether you are protecting yourselves or them. They are your Cargoes, your Manufactures, your Commerce, your Navigation. Every Ship from *America* is bound to *Great Britain*. None enter an *American* Port, but *British* Ships and Men. While you are defending the *American* Commerce, you are defending *Leeds* and *Halifax*, *Sheffield* and *Birmingham*, *Manchester* and *Hull*, *Bristol* and *Liverpool*, *London*, *Dublin*, and *Glasgow*. However, as our Fleet does protect whatever Commerce belongs to them, let that be set to the account. It is an argument to them, as well as to us. As it has been the sole policy of this Kingdom, for ages, by the operation of every commercial Act of Parliament, to make the *American* Commerce totally subservient to our own convenience, the least that we owe to them in return is—protection.

Sir, I have now stated my sentiments upon the preliminary matters. I have endeavoured to state the services, in war, of the *Americans*, with ours, and their mutual proportions; in which, by our own confession, the *Americans* have taken more than their share. I have stated the expense of your Military Establishment for them, such as it has been, or such as it need to be, always protesting against the imposition of the charge of the conquered Provinces upon them; and I have stated the necessity and convenience of your Fleet to their Commerce. Let this line of dividing the question be pursued to what minuteness you will, in order that we may come to a fundamental judgement; let debtor or creditor fall on which side it will, I have no bias to either side of the argument; but to have perfect and liberal justice done, and reconcilement, if possible, effected upon sound and equitable principles. I will beg leave to read to the House, a draft of a Letter of Requisition, which I have drawn up after the manner of former requisitions to the Colonies, and which I have endeavoured to adapt to the present circumstances.

Here he read the following draught* of a Letter of Requisition to the Colonies:

"His Majesty having nothing so much at heart, as to see every part of his Dominions put into a state of security, both by Sea and Land, against any attack, or even apprehension of attack, from foreign Powers, has, therefore, particularly taken into his consideration the necessity of keeping up a respectable Marine Establishment, as well for the actual protection of the commercial interests of *Great Britain* and *America*, as to maintain, undiminished, the power and pre-eminence of the Royal Flag of *Great Britain*, and to preserve that Navy, which has, in the time of war, carried us triumphant over all your enemies, from falling into neglect or inaction in the time of peace. The Naval power of *Great Britain* is, more especially, necessary for the protection of his Majesty's *American* subjects, from the special nature of their case; who have, indeed, each of them, by their respective Militias, a provincial security by Land, but from the want of a similar establishment at Sea, are particularly unguarded on that element. The Colonists are dependent upon the security of the Sea, not only for their own trade, but likewise for that supply of *British* Manufactures, which, if they were under the neces-

* This draught is made out according to the usual and official forms, and upon the model of former Letters of Requisition to the Colonies. Whenever it has been thought proper to require aids from the Colonies, it has been the invariable custom for the Secretary of State to write a Circular Letter to the Governours of the several Provinces, stating the occasion of the demand, the circumstances of the case, and the necessity, importance, or expediency of the services required, with directions to lay the same before the respective *Assemblies*, "to use his "influence with them, and to recommend it to them, to take these "matters into their consideration, and to comply with such reasonable "requisitions." *The* American *Colonies have ever complied, most cheerfully and liberally, with all such reasonable and constitutional requisitions.*

Digitized by Google

sity of providing for themselves, would draw them off from those objects of their colonization, which are more beneficial to them—the possessing, and bringing into culture, the extensive and fertile lands of *America*. It is, therefore, the peaceable pursuit and enjoyment of all and every one of these advantages, for which they are beholden to his Majesty's Royal Navy for protection.

"His Majesty has likewise taken into his consideration the state of the *American* Colonies, with respect to their military defence by land. The glory of all the *American* conquests, in the late war, was accomplished by the active zeal, and strenuous efforts of the *British* and *American* united arms; in the prosecution of which, his Majesty has repeatedly had experience, that his faithful and loyal subjects of *America*, have contributed more than their proportion. His Majesty is, therefore, well pleased, that his *American* subjects should reap, upon the fortunate termination of that war, the advantages of security most peculiarly beneficial to their situation. He considers this security as no more than a just and adequate recompense for the liberality, zeal, and courage of their exertions, in the conquest of all those hostile Provinces, and in the extirpation of all those foreign, *European* interests, which have for many years been hovering, with an evil aspect, over the *British American* Colonies, and circumscribing their early growth.

"His Majesty considers, that the establishment and confirmation of his newly-acquired Dominions, for the peace, safety, and tranquillity of his ancient and loyal Colonies, requires the same union of mind and measures between all his subjects, on each side of the *Atlantic* Ocean, by which they were acquired; and that suitable and proportionate provisions should be made, by the respective parts of his Majesty's Dominions, according to the interest or advantages to each, respectively, resulting; the sovereignty, property, and possession of the said conquered Dominions, being ceded to *Great Britain* on the one side, and a permanent and peaceable security, from all foreign enemies, or foreign forces, being the beneficial advantage acquired, and from the time of their conquest enjoyed, by the *American* Colonies on the other. His Majesty, therefore, on this subject, considers, that in reason, by much the greater part of the expenses of the establishment of the conquered Provinces should fall where the sovereignty, property, and possession are vested.

"With respect to the military defence of his Majesty's ancient Colonies, the same plan may be adopted, which has obtained in former times of peace, as no greater standing force need be added to the Militias of each Province, than was found necessary, before the expulsion of all foreign interests from *North America*. Upon consideration of each of these branches requiring some Military Establishment, his Majesty thinks it necessary, with the consent of Parliament, to keep up some standing forces in *America*, as well for the security of his newly acquired Dominions, as to be in readiness, in case any of his ancient Colonies should be attacked, to act in conjunction with the Militia of any such Colony, for the required defence. His Majesty, therefore, upon consideration of the premises, both with respect to the necessary Naval and Military Establishments, thinks it not unreasonable, to order Requisitions to be made to the several Assemblies of his loyal Colonies in *North America*, for a suitable and voluntary provision, for the purposes of defending, protecting, and securing the said Colonies.

"And to make the execution of this matter as convenient, and as satisfactory as possible, to his subjects in *America*, his Majesty recommends the mode to the option of the Colonies; as it will be equally satisfactory to him, if the Colonies, themselves, will undertake the performance of the services, under his Majesty's orders, by equipping, arming, and maintaining, a suitable number of Vessels, with the proper complement of Men, to be under the command of such Naval Officers, as his Majesty shall from time to time appoint: and in like manner to levy, clothe, pay and provide for, such proportion of forces upon the Military Establishment of *America* as shall be equitable upon the circumstances of the case, and upon consideration of the respective abilities of each Province; such forces to Act either separately, or in conjunction, with any other of his Majesty's Forces, and to be under the supreme command of all such Officers as his Majesty shall think proper to appoint. His Majesty will order an account to be laid before the several Assemblies, of the Naval and Military Establishments, which his Majesty hereby requires them to furnish.

"His Majesty is not unmindful of the many restraints and prohibitions which the Colonies are under, in respect to their Commerce and Manufactures; and that many of the regulations established by the authority of the *British* Parliament, operate to the same effect (though indirectly) as taxes. This is the accepted condition of their emigration, to continue subordinate to the *British* Commerce, and instrumental to the support and extension of *British* Manufactures, while they are left at liberty themselves, to spread into the Continent of *North America*. But as many of these regulations and restraints were formed in old times, when the principles of Commerce were, perhaps, ill understood, and as it may be found that many of them are nugatory, or vexatious to the *American* Colonies, without being beneficial to *Great Britain*; his Majesty hopes, that an amicable compliance with the above-mentioned reasonable requisitions, and an ostensible contribution on the part of the Colonies, to the general Parliamentary supply, will pave the way for many relaxations in the articles of Commerce. And his Majesty gives the strongest assurances to his Colonists, that he will, at all times, recommend to his Parliament, to revise, repeal, explain, amend and relax, all such restraints and prohibitions, as shall appear to be frivolous, unjust, impolitick and oppressive to the Colonies.

"It is with great grief that his Majesty, who is the common father of his people, and views with an equal eye of affection, his subjects in every part of his Dominions, has of late years observed the very unhappy divisions, which have subsisted between his *British* Parliament and the Assemblies of his *American* subjects; and, that needless and imprudent discussions of speculative points, from mutual misapprehensions, have been converted into anger and animosities, which threaten the most fatal consequences. His Majesty is too well acquainted with the natural justice and moderation of his *British* Parliament, to believe that they could ever entertain the thought of any known or intended injustice or grievance to their fellow-subjects in *America*; and from the many recent and repeated proofs of obedience, loyalty, and affection from the Colonists, and of their liberality and disinterested zeal for the honour of his Majesty's Arms, which they have freely and cheerfully followed into distant climates, after the complete conquest of *America*; he is equally assured, that his *American* subjects are incapable of being influenced by narrow or selfish motives. His Majesty has the fullest confidence in the repeated declarations of his *American* Colonies, who have separately, and collectively, declared "That they do sincerely "recognise their allegiance to his Crown, and all due sub-"ordination to the Parliament of *Great Britain*; that they "shall always retain the most grateful sense of the assist-"ance and protection which they have received; that their "lives and fortunes are entirely devoted to his Majesty's "service, to which, on his Royal Requisitions, they have "ever been ready to contribute to the utmost of their "ability." Therefore, his Majesty has the fullest dependence, "that whenever the exigencies of the state may "require it, they will, as they have heretofore done, cheer-"fully contribute their full proportion of men and money." His Majesty entertains the most confident hope, from the upright intentions of both parties, that, upon a cool re-consideration of the original matters in dispute, which his Majesty has endeavoured to state upon the grounds of reason, with fairness and impartiality, all unhappy animosities and civil distractions will be composed upon the solid foundations of equity and justice; and that all things will be restored to that happy state of harmony and mutual affection which subsisted at the termination of the late glorious war; and that every hostile and vindictive Act, or Declaration, which has passed from the commencement of these unfortunate troubles, will be buried in everlasting oblivion.

"It would be a grievous affliction to his Majesty, to see the courage of his faithful subjects averted to civil dissensions, and the lustre of the national Arms stained with civil blood; to see the general peace and tranquillity broken, and invitations thereby thrown out to his enemies, to disturb

Digitized by Google

the glories of his reign; to see the unhappy divisions of this Kingdom against itself, giving courage to their secret resentments, and tempting them, in an evil hour, to re-assume those hostile purposes against his Majesty's Dominions, which the united and compacted powers of the whole House of *Bourbon* were unable, in the late glorious war, to accomplish, against the then united and compacted Arms of *Great Britain* and *America*. His Majesty's most earnest and most anxious wishes are, to see unanimity restored amongst all his subjects, that they may long enjoy, in peace, the fruits of those common victories which have heretofore cemented them in one general cause; that living in harmony and brotherly kindness one towards another, and in one common obedience to the supreme Legislature, they may join all hands with one heart, to support the dignity of his Crown, the just authority of Parliament, the true and combined interests of *Great Britain* and *America*; and thus transmit to posterity, with everlasting honour, the united Empire of these Kingdoms."

This is the plan, and the terms, or to the effect, that according to the best of my judgement, a Requisition on the present subject should be drawn. I have endeavoured to state the case in such a manner as may open a way to reconcilement on both sides. Make your requisitions free, and let them be founded in reason and justice; and there are no subjects in any Kingdom that will be deaf to reason, justice, common interest, and mutual obligations: and I am sure, from the repeated liberality and zeal of our Colonies, we, of all the Kingdoms in the world, have the least reason to distrust those of our own consanguinity.

I cannot think it a possible thing in our Constitution, that any one seriously, upon a moment's reflection, can admit the thought of denying to the *Americans* their judgement upon the necessity or application of money required. That is the right of all free subjects, without which they have nothing that they can call their own. Let your requisitions be free, for reasonable and substantial services, and faithfully performed, and there is no example of a refusal in such a case, in any state. That consents are withheld, and ought so to be, in case of grievances unredressed, our own history abounds with examples. Our rights and liberties would have long ago been trampled under foot, but for that reserved power in the Commons. But a refusal, in a reasonable case, is, as yet, without example. Absurdity and caprice are not the principles which govern men in the great concerns of state: but reason over-rules all little caprices. In *Holland*, the consent not only of the States General, but of the Provincial States, and in many instances, I believe, of every Town in each Province, is necessary for great acts of state; and yet that negative never stands in the way against reason. Where measures have common sense, and common reason, for their foundation, they will never be obstructed; where they have not, they ought to be defeated.

But it is said, that we can hear of no terms with the *Americans*, who have been in a state of resistance to our authority. Sir, I wish to cast no retrospect, but only to look forward to reconciliation, and to prevent the shedding of blood. The Resolution of the noble Lord has confessed, and the House has adopted the truth of it, that Requisition is the proper way. Your Colonies have been calling out to you incessantly for ten years, to make your demands by constitutional requisitions. This House, after a ten years misunderstanding, has confirmed that to be, in their opinion too, the right way. Then why not close now, at least, upon that ground, without retrospect. The Colonies have been driven to resistance against their wills, lest they should have nothing that they could surely call their own. The right to take any Nation's money indefinitely, without their consent, without measure, without account, without any inquiry into the application, is not to be conceded or compromised by any Nation upon the earth. Resistance or ruin must infallibly be the consequence; and those who are compelled to resistance, by your having persevered in the principle of taking by force, till the noble Lord's proposition, which has, at least, condemned it, have been forced to deny that authority, which they always had, and always would have wished to acknowledge and support. It was that unconquerable and irresistible impulse of nature, self-defence, which cut off all retreat; then let us cast no retrospect. If the grounds of this unhappy dispute can be settled, all may be peace yet. If the *Americans* could be assured that you would not again make resistance absolutely necessary to their security, and very being as a people, they are ready enough to acknowledge their subordination, and all the rights of *Great Britain*. Let them know, that peace and security to their rights and properties shall be the certain condition of acknowledging the supreme Legislation of this country, and the matter is ended.

Sir, after I shall have received the determination of the House upon the motion for Requisitions, I shall take the liberty to offer three other motions, for a suspension of the three vindictive *American* Bills of the last session. The connexion of these motions with the preceding, is too obvious to require any explanation or debate. I would only take leave to say, that I should not have moved for a mere suspension of these Bills, if a motion for their repeal had not already been rejected by this House. Having given an unavailing vote for their repeal, I now come to entreat for the next degree, at least for suspension. You have excommunicated *Boston*, and proscribed the whole Province of *New England*, unheard: then recollect your justice, and whether you send even the noble Lord's compulsory Requisition to *America*, or this motion of mine for a free Requisition; suspend your vindictive hand, and, whilst you treat for peace, arrest the sword.

Sir, I have now offered what I have to say upon this important subject. I have given it my most serious, I may say, my only attention, ever since I have been in a situation to give a responsible vote upon it; and I heartily wish that some means or other may be found in time to stop the effusion of civil blood. And here, sir, I offer my poor sentiments to the House, and to the noble Lord, as in the place of Minister. It is a great responsibility that will lie at his door, who is to have the recommendation, I might say the decision, of the measures to be adopted. We, on this side the House, who have opposed the whole system of *American* measures, have not done it merely for the sake of opposition. We have not sheltered ourselves under "No, no;" but we have declared our principles, we have offered our plans; and they must now remain with *Great Britain* and *America*, at large, to discuss and weigh their merits, to accept, or to reject them. The noble Lord has a great ascendant in this House. Perhaps his plan, if he has any thing to be called a plan, may find advocates and voices here. But our country at large, *Great Britain* and *America*, must finally decide. My honourable friend near me (Mr. *Burke*) has, with unrivalled ability, opened to you his principles and plan. The Earl of *Chatham* has, in the other House, offered his provisional Bill, for conciliation, to the Ministry there; and for myself, sir, it is with the greatest deference and humility that I presume to offer any thing of mine, in conjunction with such great names and abilities. I can only plead the sincerity of my intentions as an apology for my presumption. All our plans tend to one centre, and to one point of reconciliation, to save the effusion of blood between those who ought to be, reciprocally, good and useful friends. If the noble Lord has any secret feelings of relenting, as many of his friends, and many more who would be his friends, most sincerely wish, let him stand out, and do justice to his feelings. His country calls upon him, not to give way to sanguinary and impatient councils, contrary to his own better judgement. This is the decisive hour; the fate of *Great Britain* and *America* are depending.

The eyes of all this country, and *America* too, are turned towards the noble Lord, as the ostensible and responsible Minister, to receive his final determination as to the measures which are to decide the safety or ruin of this Empire. The ways of peace are still before him. If war is to be the measure with *America*, let him consider that it is not a majority of this House that can conquer *America*. The support of reason and justice to his measures will stand him better in stead, than the noisy tumult of a majority; in which majority there may be lurking, treacherous counsellors, and pretended friends, secretly urging him to his ruin, even against his own judgement. The important responsibility is out of measure. When the debates and measures of this year are transmitted to *America*, they may, perhaps, tell the noble Lord:—Had you pursued a plan of equity and justice, all had been peace. At home,

Digitized by Google

one plan of conciliation has already been proposed, for which the City of *London*, foreseeing the certain ruin of other measures, has given thanks to its great and noble author, as an earnest for the rest of the Kingdom. If *Great Britain* and *America* should come to one mind of peace, they may unite to crush those men who keep them asunder.

He then moved,

"That an humble Address be presented to his Majesty, "that he will be graciously pleased to give orders, that "Letters of Requisition be written to the several Prov-"inces of his Majesty's Colonies and Plantations in *Ame-"rica* to make provisions for the purposes of defending, "protecting, and securing the said Colonies and Planta-"tions; and that his Majesty will be pleased to order all "such Addresses as he shall receive, in answer to the "aforesaid Letters of Requisition, to be laid before this "House."

Sir *Cecil Wray* seconded the motion: he declared he did it as it recurred to a system which had been in use before the present troubles had begun, namely, before the unfortunate passing of the Stamp Act, and wished all the rest of our disputes could also be put on the same foundation. He observed, in respect to the right of taxation, that the Parliament of *Britain* had no right to tax those it did not represent; that representation had originally been for the sole purpose of taxation, and that it was only by chance, and an usurpation by the people from the Crown, that the Representatives had acquired the rights of Legislation. This appeared from our ancient Parliaments; in which, after the Parliament had granted taxes, they applied, by Petition, to the Crown to remedy certain grievances, which the Crown sometimes did, by making an Ordinance for that purpose; and that, even in the most despotick *German* Governments, the Prince could not, at this day, impose internal taxes without the approbation of the States, or Representatives of the people. That even if Parliament had the right to tax *America* he should be against using that power; as, in that case, justice would demand that we should give to *America* an equal power of paying taxes; that that could only be done by opening the trade of the whole world to *America*, in common with *Britain;* a measure which no one could wish to see adopted, as it would then be at the expense of the latter, and a very considerable defalcation ensue in its power of then paying the taxes it now does. That *Britain*, in his opinion, was, at present, low taxed, in comparison with either of the neighbouring Nations, or of what it was at the period before the commencement of the National Debts. That the quantum of taxes are not to be estimated by the sum of money raised, but by the proportion such sum bears to the ability of the persons taxed: for instance, if a farmer who, at the last mentioned era, paid one hundred Pounds a year rent, and now is enabled to raise three hundred Pounds more than the sum he could then, by the increased price of his Goods, he cannot be said to have his rent raised, but rather lowered, if his landlord makes him pay two hundred Pounds rent instead of one. He next observed, how impolitick it was to undervalue the courage of those we were to engage with; mentioned the high spirit shewn by the people of *Genoa*, in driving out the veteran *Germans*, when raised by enthusiastick valour. He observed, too, that perhaps the character given of the *Americans* was as true of our own common people; that in all conflicts between them and the military, a very few muskets from a few red coats, had always dispelled the most mutinous; at the same time mentioned that the cause of this was the total disuse of arms; for those very people, when once disciplined, became the best of Soldiers. In his opinion, the sole power this country ought to have over the Colonies, which was of necessity, not of right, vested in the *British* Parliament for the good of the whole, should only be exerted in saying what the Colonists should not do, not what they should do; that, in particular, it was requisite for Parliament to have a watchful eye on the Navigation Act, and on all others which regulated the external commerce of all parts of our Dominions, as on those, and on our trade, depended the sole power of paying our taxes.

Lord *North* opposed the motion. He entered into the reasons for which the present measures had been adopted; and said that it could not, in the present state of affairs, betwixt us and the Colonies, be consistent with our dignity in the least to recede. The propositions made to Parliament against the measures adopted by the House, were very different from one another, and, therefore, inconsistent—Lord *Chatham's*, Mr. *Burke's*, and the present; and that Parliament having adopted his own, which were more consistent with the dignity and superiority claimed by *Britain* over her Colonies, it would now be very unparliamentary to adopt new measures which would, in effect, overturn it. He objected to Royal Requisitions, as projected, as he could not see the difference betwixt such a requisition and the demand by *Charles* the First of Ship-money; as it was the same thing whether we asked for Ships, or Money to build Ships. He observed, that if we adopted this proposal, it would not bring us back to the state we were in before the Stamp Act passed; nor could the idea of the gentleman, who seconded the motion, of Parliament's having a right to say what the Colonies should not do, take place without the consent of the Colonies; as in the instance of burning the Tea, assaulting the Magistracy, destroying the King's Stores and other acts of violence, the Colonies had been lately guilty of, which they would say they had a right to do, notwithstanding our prohibition of them.

Sir *Cecil Wray* said he did not mean that this measure would bring us back to the state we were in with the Colonies before the Stamp Act; but approved of the measure, as being similar to those in practice before the passing the Stamp Act; and that, as to the Prohibitory Acts, he did not mean such as the noble Lord had mentioned, which were only acts of self-defence against the execution of unjust, tyrannical laws, but regulations of external trade, and things of that nature, which, for the good of the whole, it was the duty of Parliament to regulate.

Mr. *T. Townshend* observed, that though the present measures were adopted by a large majority in Parliament, yet, if they did not succeed, the noble Lord would find himself responsible; that it had been frequently said, that the disturbances in *America* arose from the advice and speeches made in *England;* that this he would call calumny, unless some gentleman would get up and avow this doctrine, and produce convincing proofs that this was so.

Lord *W. Campbell* answered, that he had said so in debate, and he had a right to do so; he had letters in his pocket proving it; but the Papers on the table were sufficient to convince every gentleman of it, without applying to private proofs.

Mr. *Lyttelton* observed, that the quarrel which brought on the late war was not for a quantity of derelict land in *America*, but that the *French* had endeavoured, by their encroachments, to obtain another Port on the Sea-coast, *Quebec* being shut up by the ice for many months in the year, and *Louisiana* by no means a flourishing Colony; that this Port and communication would have been by the River *St. John;* that, therefore, the war must be considered as an *American* war.

Sir *G. Savile* shewed, that the three different propositions mentioned, had been made at different times; that when one could not be obtained, a second, (something different, according to the rule of Parliament,) and now a third, again differing, were made; that this did not shew a difference of measures, but only a desire of obtaining something in favour of ourselves and the Colonies. He expressed his surprise that the noble Lord should liken requisitions of this nature to Ship-money; the dispute in the latter case was not the demand, but the manner of enforcing that demand under the sanction of law.

Mr. *Vyner* was surprised at two assertions of the seconder of the motion; the first, that *Britain* was not high taxed; he did not know what could be called so, if the present state was not. Did we not pay three Shillings in the Pound? Was not every article of life taxed? As to the second, namely, the cowardice of the people of *England*, that too he utterly denied; they were, indeed, inferiour to regular Troops, but that these Troops were *Englishmen*, and as brave as any in the world.

Mr. *Tuffnell* attempted to shew, that the war, though begun in *America*, was the plan of the *French* Minister, but that he did not mean it should have taken place so soon as it did.

The question then being put on the motion,

Digitized by Google

It passed in the Negative.

Mr. *Hartley* then moved, and the question being put, That leave be given to bring in a Bill to suspend, for the term of three Years, the force and execution of an Act passed in the last session of Parliament, entituled "An Act "to discontinue in such manner, and for such time, as are "therein mentioned, the landing and discharging, lading or "shipping of Goods, Wares, and Merchandise, at the "Town and within the Harbour of *Boston*, in the Prov-"ince of *Massachusetts Bay*, in *North America*;"

It passed in the Negative.

Mr. *Hartley* then moved, and the question being put, That leave be given to bring in a Bill to suspend, for the term of two Years, the force and execution of an Act of Parliament, passed in the last session of Parliament, entituled "An Act for the impartial Administration of Justice "in the cases of persons questioned for any acts done by "them in the execution of the Law, or for the suppression "of Riots and Tumults, in the Province of *Massachusetts* "*Bay*, in *New England*;"

It passed in the Negative.

Mr. *Hartley* then moved, and the question being put, That leave be given to bring in a Bill to suspend, for the term of three Years, the force and execution of an Act passed in the last session of Parliament, entituled "An "Act for the better regulating the Government of the "Province of *Massachusetts Bay*, in *New England*;"

It passed in the Negative.

HOUSE OF COMMONS.

Friday, *March* 24, 1775.

Ordered, That leave be given to bring in a Bill to amend and render more effectual, in his Majesty's Dominions in *America*, an Act passed in this present session of Parliament, entituled "An Act for punishing Mutiny and "Desertion, and for the better Payment of the Army and "their Quarters;" and that the Lord *Barrington* and Sir *Charles Whitworth* do prepare and bring in the same.

Monday, *March* 27, 1775.

The Lord *Barrington* presented to the House, according to order, a Bill to amend and render more effectual, in his Majesty's Dominions in *America*, an Act passed in this present session of Parliament, entituled "An Act for pun-"ishing Mutiny and Desertion, and for the better Payment "of the Army and their Quarters;" and the same was received and read the first time.

Resolved, That the Bill be read a second time.

Tuesday, *March* 28, 1775.

A Bill to amend and render more effectual, in his Majesty's Dominions in *America*, an Act passed in this present session of Parliament, entituled "An Act for punishing "Mutiny and Desertion, and for the better Payment of the "Army and their Quarters," was read a second time.

Resolved, That the Bill be committed.

Resolved, That the Bill be committed to a Commitee of the Whole House.

Resolved, That this House will, upon *Thursday* morning next, resolve itself into a Committee of the Whole House upon the said Bill.

Thursday, *March* 30, 1775.

Ordered, That the Order of the Day, for the House to resolve itself into a Committee of the Whole House, upon the Bill to amend and render more effectual, in his Majesty's Dominions in *America*, an Act passed in this present session of Parliament, entituled "An Act for punishing "Mutiny and Desertion, and for the better Payment of the "Army and their Quarters," be now read;

And the said Order being read accordingly,

Ordered, That it be an instruction to the said Committee, that they have power to receive a clause, or clauses, for extending the provisions of the said Bill to his Majesty's Marine Forces.

Then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had gone through the Bill, and made several amendments thereunto, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received to-morrow morning.

Friday, *March* 31, 1775.

Sir *Charles Whitworth*, according to Order, reported from the Committee of the Whole House, to whom the Bill to amend and render more effectual, in his Majesty's Dominions in *America*, an Act passed in this present session of Parliament, entituled "An Act for the punishing Mutiny and "Desertion, and for the better Payment of the Army and "their Quarters," was committed, the amendments which the Committee had made to the Bill; and which they had directed him to report to the House; and he read the Report in his place; and afterwards delivered the Bill, with the amendments, in at the Clerk's table, where the amendments were once read throughout; and then a second time, one by one; and upon the question severally put thereupon, were agreed to by the House.

Ordered, That the Bill, with the amendments, be engrossed.

Wednesday, *April* 5, 1775.

An engrossed Bill to amend and render more effectual, in his Majesty's Dominions in *America*, an Act passed in this present session of Parliament, entituled "An Act for "punishing Mutiny and Desertion, and for the better Pay-"ment of the Army and their Quarters;" was read the third time.

Resolved, That the Bill do Pass, and that the Title be, An Act to amend and render more effectual, in his Majesty's Dominions in *America*, an Act passed in the present session of Parliament, entituled "An Act for punishing "Mutiny and Desertion, and for the better Payment of the "Army and their Quarters, and for extending the provi-"sions of the said Act to his Majesty's Marine Forces in "*America*."

Ordered, That Sir *Charles Whitworth* do carry the Bill to the Lords, and desire their concurrence.

HOUSE OF LORDS.

Thursday, *April* 6, 1775.

A Message was brought from the House of Commons, by Sir *Charles Whitworth*, and others;

With a Bill, entituled "An Act to amend and render "more effectual, in his Majesty's Dominions in *America*, "An Act passed in the present session of Parliament, en-"tituled 'An Act for punishing Mutiny and Desertion, and "for the better Payment of the Army and their Quarters,' "and for extending the provisions of the said Act to his "Majesty's Marine Forces in *America*;" to which they desire the concurrence of this House.

The said Bill was read the first time.

Friday, *April* 7, 1775.

The Bill entituled "An Act to amend and render more "effectual, in his Majesty's Dominions in *America*, An Act "passed in the present session of Parliament, entituled "'An Act for punishing Mutiny and Desertion, and for the "better Payment of the Army and their Quarters,' and for "extending the provisions of the said Act to his Majesty's "Marine Forces in *America*;" was read the second time.

Ordered, That the said Bill be committed to a Committee of the Whole House.

Ordered, That the House be put into a Committee upon the said Bill on *Monday* next.

Monday, *April* 10, 1775.

The House, according to order, was adjourned during pleasure, and put into a Committee upon the Bill, entituled "An Act to amend and render more effectual, in his Ma-"jesty's Dominions in *America*, an Act passed in the pre-"sent session of Parliament, entituled 'An Act for punish-

Digitized by Google

"ing Mutiny and Desertion, and for the better Payment of "the Army and their Quarters,' and for extending the pro- "visions of the said Act to his Majesty's Marine Forces "in *America*."

After some time the House was resumed,

And the Earl of *Galloway* reported from the Committee, That they had gone through the Bill, and directed him to report the same to the House without any amendment.

TUESDAY, *April* 11, 1775.

The Bill entituled "An Act to amend and render more "effectual, in his Majesty's Dominions in *America*, an Act "passed in the present session of Parliament, entituled 'An "Act for punishing Mutiny and Desertion, and for the bet- "ter Payment of the Army and their Quarters,' and for "extending the provisions of the said Act to his Majesty's "Marine Forces in *America*;" was read the third time.

The question was put, "Whether this Bill shall Pass?"

It was resolved in the Affirmative.

An Act to amend and render more effectual in his Majesty's Dominions in AMERICA, *an Act, passed in the present session of Parliament, entituled, "An Act for "punishing Mutiny and Desertion, and for the better "Payment of the Army and their Quarters," and for extending the provisions of the said Act to his Majesty's Marine Forces in* AMERICA.

Whereas, in and by an Act, made in this present session of Parliament, entituled, "An Act for punishing Mutiny "and Desertion, and for the better Payment of the Army "and their Quarters," several regulations are made and enacted for the better government of the Army, and their observing strict discipline, and for providing Quarters for the Army, and Carriages on marches, and other necessary occasions, and inflicting Penalties on Offenders against the same Act, and for many other good purposes therein mentioned; but the same may not be sufficient for the Forces that may be employed in his Majesty's Dominions in *America:* And whereas, during the continuance of the said Act, there may be occasion for marching and quartering of Regiments and Companies of his Majesty's Forces in several parts of his Majesty's Dominions in *America:* And whereas, the Publick Houses and Barracks in his Majesty's Dominions in *America* may not be sufficient to supply Quarters for such Forces: And whereas, it is expedient and necessary that Carriages and other conveniences upon the march of Troops in his Majesty's Dominions in *America* should be supplied for that purpose, *Be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords, Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same,* That for and during the continuance of this Act, and no longer, it shall and may be lawful to and for the Constables, Tithingmen, Magistrates, and other Civil Officers, of Villages, Towns, Townships, Cities, Districts, and other places within his Majesty's Dominions in *America*, and in default or absence, for any one Justice of the Peace, inhabiting in or near any such Village, Township, City, District, or place, and for no others, and such Constables, Tithingmen, Magistrates and other Civil Officers aforesaid, are hereby required to quarter and billet the Officers and Soldiers in his Majesty's service in the Barracks provided by the Colonies; and if there shall not be sufficient room in the said Barracks for the Officers and Soldiers, then, and in such case only, to quarter and billet the residue of such Officers and Soldiers (for whom there shall not be room in such Barracks) in Inns, Livery Stables, Ale-Houses, Victualling-Houses, and the Houses of Sellers of Wine by retail, to be drank in their own houses, or places thereunto belonging; and all Houses of persons selling of Rum, Brandy, Strong Waters, Cider, or Metheglin, by retail, to be drank in Houses; and in case there shall not be sufficient room for the Officers and Soldiers in such Barracks, Inns, Victualling, and other Publick Ale-Houses, that in such, and no other case, and upon no other account, it shall and may be lawful for the Governour and Council of each respective Province in his Majesty's Dominions in *America*, to authorize and appoint, and they are hereby directed and empowered to authorize and appoint such proper person or persons, as they shall think fit, to take, hire, and make fit, and in default of the said Governour and Council appointing and authorizing such person or persons, or in default of such person or persons, so appointed, neglecting or refusing to do their duty, in that case it shall and may be lawful for any two or more of his Majesty's Justices of the Peace, in or near the said Villages, Towns, Townships, Cities, Districts, and other places, and they are hereby required to take, hire, and make fit for the reception of his Majesty's Forces, such and so many uninhabited Houses, Out-Houses, Barns, or other Buildings, as shall be necessary to quarter therein the residue of such Officers and Soldiers for whom there should not be room in such Barracks and Publick Houses as aforesaid, and to put and quarter the residue of such Officers and Soldiers therein.

II. *And it is hereby declared and enacted,* That there shall be no more billets at any time ordered than there are effective Soldiers present to be quartered therein: and in order that this service may be effectually provided for, the Commander-in-Chief in *America*, or other Officer, under whose orders any Regiment or Company shall march, shall, from time to time, give, or cause to be given, as early notice as conveniently may be, in writing, signed by such Commander or Officer, of their march, specifying their numbers and time of marching, as near as may be, to the respective Governours of each Province through which they are to march, in order that proper persons may be appointed and authorized, in pursuance of this Act, to take up and hire, if it shall be necessary, uninhabited Houses, Out-Houses, Barns, or other Buildings, for the reception of such Soldiers as the Barracks and Publick Houses shall not be sufficient to contain or receive.

III. And, whereas, doubts have been entertained whether Troops can be quartered otherwise than in Barracks, in case Barracks have been provided sufficient for the quartering of all the Officers and Soldiers within any Town, Township, City, District or place, within his Majesty's Dominions in *North America:* And, whereas, it may frequently happen, from the situation of such Barracks, that if Troops should be quartered therein, they would not be stationed where their presence may be necessary and required: *Be it therefore enacted by the authority aforesaid,* That, in such cases, it shall and may be lawful for the persons hereby authorized, to quarter Troops as aforesaid, in any of the Provinces within his Majesty's Dominions in *North America*, and they are hereby respectively authorized, empowered and directed, on the requisition of the Officer, who, for the time being, has the command of his Majesty's Forces in *North America*, to cause any Officers or Soldiers in his Majesty's service to be quartered and billeted in such manner as is by this Act directed, where no Barracks are provided by the Colonies.

IV. *And be it enacted by the authority aforesaid,* That if it shall happen at any time, that any Officers or Soldiers in his Majesty's service shall remain within any of the said Colonies without Quarters for the space of twenty-four hours, after such Quarters shall have been demanded, it shall and may be lawful for the Governour of the Province to order and direct such and so many uninhabited Houses, Out-Houses, Barns, or other Buildings, as he shall think necessary to be taken, (making a reasonable allowance for the same,) and made fit for the reception of such Officers and Soldiers, and to put and quarter such Officers and Soldiers therein, for such time as he shall think proper.

V. *And be it further enacted by the authority aforesaid,* That if any Military Officer shall take upon himself to quarter Soldiers in any of his Majesty's Dominions in *America*, otherwise than is limited and allowed by this Act; or shall use or offer any menace or compulsion to or upon any Justice of the Peace, Constable, Tithingman, Magistrate, or other Civil Officer before mentioned, in his Majesty's Dominions in *America*, tending to deter and discourage any of them from performing any part of the duty hereby required or appointed; such Military Officer, for every such offence, being thereof convicted, before any two or more of his Majesty's Justices of the Peace, living within or near such Villages, Towns, Townships, Cities, Districts, or other places, by the oaths of two or more credible witnesses, shall be deemed and taken to be, *ipso facto*, cashiered, and

Digitized by Google

shall be utterly disabled to have or hold any military employment in his Majesty's service, upon a certificate thereof being transmitted to the Commander-in-Chief in *America*; unless the said conviction shall be reversed upon an appeal brought within six months in the proper court for hearing appeals against convicting by Justices of the Peace: and in case any person shall find himself aggrieved in that such Constable, Tithingman, Magistrate, or other Civil Officer, shall have quartered or billeted in or upon his House a greater number of Soldiers than he ought to bear in proportion to his neighbours, and shall complain thereof to one or more Justice or Justices of the Peace of the Village, Town, Township, City, District, or other place, where such Soldiers are quartered; such Justice or Justices has or have hereby power to relieve such person, by ordering such and so many of the Soldiers to be removed and quartered upon such other person or persons as they shall see cause; and such other person or persons shall be obliged to receive such Soldiers accordingly.

VI. *Provided also, and be it further enacted*, That no Justice or Justices of the Peace, having or executing any Military Office or Commission in his Majesty's Regular Forces in *America*, may, during the continuance of this Act, directly or indirectly, act or be concerned in the quartering, billeting, or appointing any Quarters for any Soldier or Soldiers, according to the disposition made for quartering of any Soldier or Soldiers by virtue of this Act, (except where there shall be no other Justice or Justices of the Peace,) but that all warrants, acts, matters or things, executed or appointed by such Justice or Justices of the Peace, for or concerning the same, shall be void, any thing in this Act contained to the contrary notwithstanding.

VII. *Provided nevertheless, and it is hereby enacted*, That the Officers and Soldiers so quartered and billeted as aforesaid, (except such as shall be quartered in the Barracks and hired uninhabited Houses or other Buildings as aforesaid,) shall be received, and furnished with Diet, Small Beer, Cider or Rum, mixed with Water, by the owners of the Inns, Livery Stables, Ale-Houses, Victualling-Houses, and other Houses in which they are allowed to be quartered and billeted by this Act, paying and allowing for the same the several rates hereinafter mentioned, to be payable out of the Subsistence Money, for Diet and Small Beer, Cider or Rum, mixed with Water.

VIII. *Provided always*, That in case any Inn-holder or other person, on whom any Non-Commission Officers or Private Men shall be quartered, by virtue of this Act, in any of his Majesty's Dominions in *America*, (except on a march, or employed in recruiting, and likewise except the Recruits by them raised, for the space of seven days at most, for such Non-Commission Officers and Soldiers who are recruiting, and Recruits by them raised,) shall be desirous to furnish such Non-Commission Officers or Soldiers with Candles, Vinegar and Salt, and with Small Beer or Cider, not exceeding five pints, or half a pint of Rum, mixed with a quart of Water, for each man *per diem, gratis*; and allow to such Non-Commission Officers or Soldiers the use of fire, and the necessary Utensils for dressing and eating their meat, and shall give notice of such his desire to the Commanding Officer, and shall furnish and allow the same accordingly; then, and in every such case, the Non-Commission Officers and Soldiers so quartered shall provide their own Victuals; and the officer to whom it belongs to receive, or that actually does receive, the pay and subsistence of such Non-Commission Officers and Soldiers, shall pay the several sums hereinafter mentioned, to be payable out of the Subsistence Money for Diet and Small Beer, to the Non-Commission Officers and Soldiers aforesaid, and not to the Inn-holder or other person on whom such Non-Commission Officers and Soldiers are quartered, any thing herein contained to the contrary notwithstanding.

IX. And whereas, there are several Barracks in several places in his Majesty's said Dominions in *America*, or some of them, provided by the Colonies, for the lodging and covering of Soldiers, in lieu of Quarters, for the ease and convenience, as well of the inhabitants of and in such Colonies as of the Soldiers, *It is hereby further enacted*, That all such Officers and Soldiers so put and placed in such Barracks, or in hired uninhabited Houses, Out-Houses, Barns, or other Buildings, shall, from time to time, be furnished and supplied there by the persons to be authorized or appointed for that purpose by the Governour and Council of each respective Province, or upon neglect or refusal of such Governour and Council, in any Province, then by two or more Justices of the Peace residing in or near such place, with Fire, Candles, Vinegar and Salt, Bedding, Utensils for dressing their Victuals, and Small Beer or Cider, not exceeding five pints, or half a pint of Rum, mixed with a quart of Water, to each man, without paying any thing for the same.

X. And that the several persons who shall so take, hire, and fit up, as aforesaid, such uninhabited Houses, Out-Houses, Barns, or other Buildings, for the reception of the Officers and Soldiers, and who shall so furnish the same, and also the said Barracks, with Fire, Candles, Vinegar, and Salt, Bedding, Utensils for dressing Victuals, and Small Beer, Cider, or Rum, as aforesaid, may be reimbursed and paid all such charges and expenses they shall be put to therein, *Be it enacted by the authority aforesaid*, That the respective Provinces shall pay unto such person or persons all such sum or sums of money so by them paid, laid out, or expended, for the taking, hiring, and fitting up such uninhabited Houses, Out-Houses, Barns, or other Buildings, and for furnishing the Officers and Soldiers therein, and in the Barracks, with Fire, Candles, Vinegar, and Salt, Bedding, Utensils for dressing Victuals, and Small Beer, Cider, or Rum, as aforesaid; and such sum or sums are hereby required to be raised in such manner as the publick charges for the Provinces respectively are raised.

XI. *Provided always, and be it enacted by the authority aforesaid*, That if any Officer within his Majesty's said Dominions in *America*, shall take, or cause to be taken, or knowingly suffer to be taken, any money of any person for excusing the quartering of Officers or Soldiers, or any of them, in any House allowed by this Act, every such Officer shall be cashiered, and be incapable of serving in any military employment whatsoever.

XII. And whereas, some doubts may arise, whether Commanding Officers of any Regiment or Company within his Majesty's said Dominions in *America* may exchange any men quartered in any Village, Town, Township, City, District, or place, in his Majesty's said Dominions in *America*, with another man quartered in the same place, for the benefit of the service, *Be it declared and enacted by the authority aforesaid*, That such exchange, as above mentioned, may be made by such Commanding Officers respectively, provided the number of men do not exceed the number at that time billeted on such House or Houses; and the Constables, Tithingmen, Magistrates, and other chief Officers of the Villages, Towns, Townships, Cities, Districts, or other places where any Regiment or Company shall be quartered, are hereby required to billet such men so exchanged accordingly.

XIII. *And be it further enacted by the authority aforesaid*, That if any Constable, Tithingman, Magistrate, or other chief Officer or person whatsoever, who, by virtue or colour of this Act, shall quarter or billet, or be employed in quartering or billeting any Officers or Soldiers within his Majesty's said Dominions in *America*, shall neglect or refuse for the space of two hours to quarter or billet such Officers or Soldiers, when thereunto required, in such manner as is by this Act directed, provided sufficient notice be given before the arrival of such Forces; or shall receive, demand, contract, or agree for any sum or sums of money, or any reward whatsoever, for or on account of excusing, or in order to excuse, any person or persons whatsoever from quartering, or receiving into his, her, or their House or Houses, any such Officer or Soldier; or in case any Victualler, or any other person within his Majesty's Dominions in *America*, liable by this Act to have any Officer or Soldier billeted or quartered on him or her, shall refuse to receive or victual any such Officer or Soldier so quartered or billeted upon him or her, as aforesaid; or in case any person or persons shall refuse to furnish or allow, according to the directions of this Act, the several things herein before directed to be furnished or allowed to Officers and Soldiers, so quartered or billeted on him or her, or in the Barracks, and hired uninhabited Houses, Out-Houses, Barns, or other Buildings, as aforesaid, at the rate hereinafter mentioned, and shall be thereof convicted before one of the Magistrates of any one of the supreme, chief, or princi-

Digitized by Google

pal Common Law Courts of the Colony where such offence shall be committed, either by his own confession, or by the oath of one or more credible witness or witnesses, (which oath such Magistrate of such Court is hereby empowered to administer,) every such Constable, Tithingman, Magistrate, or other chief Officer or person so offending, shall forfeit, for every such offence, the sum of Five Pounds sterling, or any sum or sums of money not exceeding Five Pounds, nor less than Forty Shillings, as the Magistrate, before whom the matter shall be heard, shall, in his discretion, think fit, to be levied by distress and sale of the Goods of the person offending, by warrant under the hand and seal of such Magistrate before whom such offender shall be convicted, to be directed to a Constable or other Officer within the Village, Town, Township, City, District, or other place, where the offender shall dwell; and shall direct the said sum of Five Pounds, or such other sum as shall be ordered to be levied in pursuance of this Act, as aforesaid, when levied, to be paid into the Treasury of the Province or Colony where the offence shall be committed, to be applied towards the general charges of the said Province or Colony.

XIV. And, that the Quarters both of Officers and Soldiers in his Majesty's said Dominions in *America*, may hereafter be duly paid and satisfied, *Be it enacted by the authority aforesaid*, That from and after the twenty-fourth day of *March*, in the year one thousand seven hundred and seventy-five, every Officer to whom it belongs to receive, or that does actually receive, the pay or subsistence money, either for a whole Regiment, or particular Companies, or otherwise, shall immediately, upon each receipt of every particular sum which shall, from time to time, be paid, returned, or come to his or their hands, on account of pay or subsistence, give public notice thereof to all persons keeping Inns, or other places where Officers or Soldiers are quartered by virtue of this Act, and shall also appoint the said Innkeepers, and others, to repair to their Quarters at such times as they shall appoint, for the distribution and payment of the said pay and subsistence money to the said Officers or Soldiers, which shall be within four days at farthest after receipt of the same, as aforesaid; and the said Innkeepers and others shall then and there acquaint such Officer or Officers with the accounts or debts (if any shall be) between them and the Officers and Soldiers so quartered in their respective Houses; which account the said Officer or Officers are hereby required to accept of, and immediately pay the same, before any part of the said pay or subsistence be distributed either to the Officers or Soldiers; provided the accounts exceed not, for a Commission Officer of Foot, being under the degree of a Captain, for such Officer's Diet and Small Beer, per diem, One Shilling; and if such Officer shall have a Horse or Horses, for each Horse or Horses, for their Hay and Straw, per diem, Six Pence; nor for one Foot Soldier's Diet and Small Beer, Cider, or Rum, mixed as aforesaid, per diem, Four Pence; and if any Officer or Officers, as aforesaid, shall not give notice, as aforesaid, and not immediately, upon producing such account stated, satisfy, content, and pay the same, upon complaint and oath made thereof by any two witnesses, before two of his Majesty's Justices for the Village, Town, Township, City, District, or other place, where such Quarters were, (which oath such Justices are hereby authorized and required to administer,) the Paymaster or Paymasters of his Majesty's Guards and Garrisons, upon certificate of the said Justices before whom such oath was made of the sum due upon such accounts, and the persons to whom the same is owing are hereby required and authorized to pay and satisfy the said sums out of the arrears due to the said Officer or Officers, upon penalty that such Paymaster or Paymasters shall forfeit their respective place or places of Paymaster, and be discharged from holding the same for the future: and in case there shall be no arrears due to the said Officer or Officers, then the said Paymaster or Paymasters are hereby authorized and required to deduct the sums he or they shall pay, pursuant to the certificates of the said Justices, out of the next pay or subsistence money of the Regiment to which such Officer or Officers shall belong; and such Officer or Officers shall, for every such offence, or for neglecting to give notice of the receipt of such pay or subsistence money, as aforesaid, be deemed and taken, and is hereby declared to be, *ipso facto*, cashiered.

XV. And where it shall happen that the Pay or Subsistence Money due to any Officer or Soldier within his Majesty's said Dominions in *America*, shall, by occasion of any accident, not be paid to such Officer or Soldier, or such Officer or Soldier shall neglect to pay the same, so that Quarters cannot be or are not paid as this Act directs; and where any Forces shall be upon their march in his Majesty's said Dominions in *America*, so that no Subsistence can be remitted to them to make payment as this Act directs, or they shall neglect to pay the same, in every such case *it is hereby further enacted*, That every such Officer shall, before his or their departure out of his or their Quarters, where such Regiment, Troop, or Company, shall remain for any time whatsoever, make up the accounts with every person with whom such Regiment or Company shall have quartered, and sign a certificate thereof, and give the said certificate, so by him signed, to the party to whom such money is due, with the name of such Regiment or Company to which he or they shall belong, to the end the said certificate may be forthwith transmitted to the Paymaster of his Majesty's Guards and Garrisons, who is hereby required immediately to make payment thereof to the person or persons to whom such money shall be due, to the end the same may be applied to such Regiment or Company, respectively, under pain as before in this Act directed for non-payment of Quarters.

XVI. And for the better preventing abuses in quartering or billeting the Soldiers in his Majesty's Dominions in *America*, in pursuance of this Act, *Be it further enacted by the authority aforesaid*, That it shall and may be lawful to and for any one or more Justices of the Peace, or other Officer, within their respective Villages, Towns, Townships, Cities, Districts, or other places in his Majesty's said Dominions in *America*, by warrant or order under his or their hand and seal, or hands and seals, at any time or times, during the continuance of this Act, to require and command any Constable, Tithingman, Magistrate, or other chief Officer, who shall quarter or billet any Soldiers in pursuance of this Act, to give an account in writing unto the said Justice or Justices, or other Officer requiring the same, of the number of Officers and Soldiers who shall be quartered or billeted by them, and also the names of the Housekeepers or persons upon whom, and the Barracks and hired uninhabited Houses or other Buildings, as aforesaid, in which and where every such Officer or Soldier shall be quartered or billeted, together with an account of the street or place where every such Housekeeper or person dwells, and where every such Barrack or hired uninhabited House or Buildings is, or are, and of the Signs (if any) which belong to their Houses, to the end that it may appear to the said Justice or Justices, or other Officer, where such Officers or Soldiers are quartered or billeted, and that he or they may, thereby, be the better enabled to prevent or punish all abuses in the quartering or billeting them.

XVII. *And be it further enacted by the authority aforesaid*, That, for the better and more regular provision of Carriages for his Majesty's Forces in their marches, or for their Arms, Clothes, or Accoutrements in his Majesty's said Dominions in *America*, all Justices of the Peace within their several Villages, Towns, Townships, Cities, Districts and places, being duly required thereunto by an order from his Majesty, or the General of his Forces, or of the General Commanding, or the Commanding Officer there, shall, as often as such order is brought and shown unto one or more of them by the Quartermaster, Adjutant, or other Officer of the Regiment, Detachment, or Company, so ordered to march, issue out his or their warrants to the Constables, Tithingmen, Magistrates, or other Officers of the Villages, Towns, Townships, Cities, Districts, and other places, from, through, near, or to which such Regiment, Detachment, or Company, shall be ordered to march, requiring them to make such provision for Carriages, with able men to drive the same, as shall be mentioned in the said warrant, allowing them reasonable time to do the same, that the neighbouring parts may not always bear the burden; and in case sufficient Carriages cannot be provided within any such Village, Town, Township, City, District, or other place, then the next Justice or Justices of the Peace, of the Village, Town, Township,

Digitized by Google

City, District, or other place, shall, upon such order as aforesaid being brought or shown to one or more of them, by any of the Officers as aforesaid, issue his or their warrants to the Constables, Tithingmen, Magistrates, or other Officers of such next Village, Town, Township, City, District, or other place, for the purposes aforesaid, to make up such deficiency; and such Constable, Tithingman, Magistrate, or other Officer, shall order or appoint such person or persons, having Carriages within their respective Villages, Towns, Townships, Cities, Districts, or other places, as they shall think proper, to provide and furnish such Carriages and Men according to the warrant aforesaid, who are hereby required to provide and furnish the same accordingly.

XVIII. *And be it further enacted*, That the pay or hire for a *New-York* Wagon, carrying twelve hundred pounds gross weight, shall be Seven Pence sterling for each mile, and for every other Carriage in that and every other Colony in his Majesty's said Dominions in *America*, in the same proportion, and at or after the same rate or price for what weight every such other Carriage shall carry; and that the first day's pay or hire for every such Carriage shall be paid down by such Officer to such Constable, Tithingman, Magistrate, or other Civil Officer, who shall get or procure such Carriages for the use of the owner or owners thereof; and the pay or hire for every such Carriage, after the first day, shall be paid every day, from day to day, by such Officer as aforesaid, into the hands of the driver or drivers of such Carriages respectively, until such Carriages shall be discharged from such service, for the use of the owner and owners thereof.

XIX. *Provided, always, and be it further enacted*, That no such Wagon, Cart, or Carriage, impressed by authority of this Act, shall be obliged or liable, by virtue of this Act, to carry above twelve hundred weight, any thing herein contained to the contrary notwithstanding.

XX. *Provided, also*, That no such Wagon, Cart, or Carriage, shall be obliged to travel more than one day's march, if within that time they shall arrive at any other place where other Carriages may be procured; but in case other sufficient Carriages cannot be procured, then such Carriages shall be obliged to continue in the service till they shall arrive at such Village, Town, Township, City, District, or other place, where proper and sufficient Carriages for the service of the Forces may be procured.

XXI. *And be it further enacted by the authority aforesaid*, That if any Constable, Tithingman, Magistrate, or other Civil Officer, within his Majesty's Dominions in *America*, shall wilfully neglect or refuse to execute such warrants of the Justices of the Peace as shall be directed to them for providing Carriages, as aforesaid; or if any person or persons appointed by such Constable, Tithingman, Magistrate, or other Civil Officer, to provide or furnish any Carriage and Man, shall refuse, or neglect to provide the same, or any other person or persons, whatsoever, shall wilfully do any act or thing, whereby the execution of the said warrants may be delayed, hindered, or frustrated; every such Constable, Tithingman, Magistrate, Civil Officer, or other person so offending, shall, for every such offence, forfeit any sum not exceeding Forty Shillings sterling, nor less than Twenty Shillings, to be paid into the Treasury of the Province where any such offence shall be committed, to be applied towards the aforesaid contingent charges of the Province: and all and every such offence and offences, and all and every other offence and offences in this Act mentioned, and not otherwise provided, shall and may be inquired of, heard, and fully determined, by two of his Majesty's Justices of the Peace, dwelling in or near the Village, Town, Township, City, District, or place, where such offence shall be committed, who have hereby power to cause the said penalty to be levied by distress and sale of the offender's Goods and Chattels, rendering the overplus, if any, to the owner.

XXII. And whereas, the allowance hereby provided for the payment of the Carriages that may be necessary in the marching of Troops may not be a sufficient compensation for the same, and to satisfy the Constables, Tithingmen, Magistrates, and other Civil Officers, their charges and expenses therein; for remedy whereof, *Be it further enacted by the authority aforesaid*, That the Constables, Tithingmen, Magistrates, and Civil Officers, procuring such Carriages, shall pay a reasonable expense, or price, for every Carriage so procured; and that every such Constable, Tithingman, Magistrate, Civil Officer, or other person, shall be re-paid what he or they shall so expend, together with his or their own charges and expenses attending the same, by the Province or Colony where the same shall arise.

XXIII. *Provided always, and be it further enacted by the authority aforesaid*, That where it shall be necessary to take Wagons or other Carriages for long marches beyond the settlements, an appraisement shall be made of the value of such Horses and Carriages, at the time of taking them up to be employed in such marches beyond the settlements, by two indifferent persons, one to be chosen by the Commanding Officer of such Forces, and the other by the owner of such Cattle or Carriages, a certificate of which appraisement shall be given to the owner or owners of such Cattle or Carriages respectively: and in case any of the Cattle or Carriages, so taken up for such service, shall, in the execution thereof, be lost or destroyed, that then, and in every such case, upon producing the said certificate, and proper vouchers, upon oath, of such loss or destruction, to the Paymaster General of his Majesty's Guards and Garrisons, the said Paymaster shall, and he is hereby required to, pay to the respective owners of such Cattle or Carriages the sums specified in such certificates and vouchers to be the value of such Cattle or Carriages so lost or destroyed.

XXIV. And whereas several Soldiers being duly enlisted in his Majesty's service, do often Desert such service; for remedy whereof, *Be it further enacted by the authority aforesaid*, That it shall and may be lawful to, and for the Constable, Tithingman, Magistrate, or other Civil Officer of the Village, Town, Township, City, District, or place, within the said Dominions in *America*, where any person who may be reasonably suspected to be such Deserter, shall be found to apprehend, or cause him to be apprehended; and to cause such person to be brought before any Justice of the Peace, or other Chief Magistrate, living in or near such Village, Town, Township, City, District, or place, who hath hereby power to examine such suspected person; and if, by his confession, or the testimony of one or more witness or witnesses, upon oath, or the knowledge of such Justice of the Peace, or other Magistrate, it shall appear to be found, that such suspected person is a listed Soldier, and ought to be with the Regiment or Company to which he belongs, such Justice of the Peace or other Magistrate shall forthwith cause him to be conveyed to the Jail of the Village, Town, Township, City, District, County, or place, where he shall be found, or to the House of Correction, or other publick Prison in such Village, Town, Township, City, District, County, or place, where such Deserter shall be apprehended, and transmit an account thereof to the Commander-in-chief of his Majesty's Forces in the said Dominions in *America*, or to the Commanding Officer of the Forces posted nearest to such Justice or Justices, or other Magistrate or Magistrates, for the time being, to the end that such person may be proceeded against according to law; and the Jailer or keeper of such Jail, House of Correction, or Prison, shall receive the full subsistence of such Deserter or Deserters, during the time that he or they shall continue in his custody, for the maintenance of such Deserter or Deserters, but shall not be entitled to any fee or reward on account of the imprisonment of such Deserter or Deserters, any law, usage, or custom, to the contrary notwithstanding.

XXV. *Provided always*, That if any person shall harbour, conceal, or assist any Deserter from his Majesty's service, within his Majesty's said Dominions in *America*, knowing him to be such, the person so offending shall forfeit, for every such offence, the sum of Five Pounds; or if any person shall knowingly detain, buy, or exchange, or otherwise receive any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Soldier or Deserter, or any other person, upon any account or pretence whatsoever, within his Majesty's Dominions in *America*, or cause the colour of such Clothes to be changed, the person so offending shall forfeit, for every such offence, the sum of Five Pounds; and upon conviction upon the oath of one or more credible witness or witnesses, before any of his Majesty's Justices of the Peace, the said respective penalties

Digitized by Google

of Five Pounds, and Five Pounds shall be levied by warrant, under the hands of the said Justice or Justices of the Peace. by distress and sale of the Goods and Chattels of the offenders, one moiety of the said first mentioned penalty of Five Pounds to be paid to the Informer, by whose means such Deserter shall be apprehended, and one moiety of the said last mentioned penalty of Five Pounds to be paid to the Informer, and the residue of the said respective penalties to be paid to the Officer to whom any such Deserter or Soldier did belong; and in case any such offenders, who shall be convicted as aforesaid of harbouring or assisting any such Deserter or Deserters, or having, knowingly, received any Arms, Clothes, Caps, or other Furniture belonging to the King, or having caused the colours of such Clothes to be changed, contrary to the intent of this Act, shall not have sufficient Goods and Chattels whereon distress may be made to the value of the penalties recovered against him for such offence, or shall not pay such penalties within four days after such conviction, then, and in such case, such Justice of the Peace shall and may, by warrant under his hand and seal, commit such offender to the common Jail, there to remain, without bail or mainprize, for the space of three months, or cause such offender to be publickly whipped, at the discretion of such Justice.

XXVI. And, whereas, evil disposed persons frequently endeavour to delude his Majesty's good subjects who have engaged themselves as Soldiers in the service of his Majesty and their country, and to prevail with them to Desert the same, for remedy whereof, and for the more effectual and exemplary punishment of offenders in that behalf, within his Majesty's Colonies and Plantations in *America*, *Be it further enacted by the authority aforesaid*, That if any person or persons whatsoever, (other than such as are or shall be enlisted as Soldiers, against whom sufficient remedy is already provided by law,) shall, by words, or other means whatsoever, directly or indirectly, persuade or procure any Soldier or Soldiers in the service of his Majesty, his heirs or successors, within any of the said Colonies or Plantations, to desert or leave such service, or shall go about and endeavour, in manner aforesaid, to persuade, prevail, or procure such Soldier or Soldiers to desert or leave such service as aforesaid, and being thereof lawfully convicted, shall, for every such offence, forfeit to his Majesty, his heirs and successors, or any other person or persons who shall sue for the same, the sum of Forty Pounds, to be recovered by bill, plaint, or information, in any of his Majesty's Courts of Record within the Province or place where the offence shall be committed, wherein no essoin, protection, or wager of law shall be allowed; and if it shall happen that such offender, so convicted as aforesaid, shall not have Goods or Chattels, Lands or Tenements, to the amount or value of the said sum of Forty Pounds, to pay and satisfy the said penalty, or that from the circumstances or heinousness of the crime it shall be thought proper and convenient, the Court before which the said conviction shall be made as aforesaid, shall award the said offender to Prison, there to remain for any time not exceeding six months, without bail or mainprize, and also to stand in the Pillory for the space of one hour, in some Market Town next adjoining to the place where the offence was committed, in open Market there, or in the Market Town itself, where the fact was committed.

XXVII. *Provided always*, That no such action shall be brought, or prosecution carried on by virtue of this Act, unless the same be commenced within six months after the offence committed.

XXVIII. *And be it further enacted*, That no Commission Officer shall break open any House within his Majesty's Dominions in *America*, to search for Deserters, without warrant from a Justice of the Peace, and in the day-time; and that every Commission Officer who shall, in the night, or without warrant from one or more of his Majesty's Justices of the Peace, (which said warrants the said Justice or Justices are hereby empowered to grant,) forcibly enter into, or break open, the Dwelling House or Out-Houses of any person whatsoever, under pretence of searching for Deserters, shall, upon due proof thereof, forfeit the sum of Twenty Pounds.

XXIX. And, whereas, several crimes and offences have been, and may be, committed by several persons not being Soldiers, at several Forts or Garrisons, and several other places within his Majesty's Dominions in *America*, which are not within the limits or jurisdiction of any Civil Government there hitherto established, and which crimes and offences are not properly cognizable or triable and punishable by a Court Martial, but by the Civil Magistrate, by means whereof several great crimes and offences may go unpunished, to the great scandal of Government: for remedy whereof, *Be it enacted by the authority aforesaid*, That from and after the twenty-fourth day of *March*, in the year one thousand seven hundred and seventy-five, and for so long afterwards as this Act shall continue in force, if any person or persons, not being a Soldier or Soldiers, do or shall commit any crime or crimes, or offence or offences, in any of the said Forts, Garrisons, or places within his Majesty's Dominions in *America*, which are not within the limits or jurisdiction of any Civil Government hitherto established, it shall and may be lawful for any person or persons to apprehend such offender or offenders, and to carry him, her, or them before the Commanding Officer for the time being of his Majesty's Forces there; and such offender being charged upon oath, in writing, before the said Commanding Officer, and which oath the said Commanding Officer is hereby empowered to administer; that then, and in every such case, the said Commanding Officer shall receive and take into his custody and safely keep every such offender, and shall convey and deliver, or cause to be conveyed and delivered, with all convenient speed, every such offender to the Civil Magistrate of the next adjoining Province, together with the cause of his or her detainer, to be committed and dealt with by such Civil Magistrates or Magistrate, according to law; and every such Civil Magistrate is hereby commanded and required to commit every such offender, that he or she may be dealt with acccording to law; and in every such case, it shall and may be lawful to prosecute and try every such offender in the Court of such Province or Colony where crimes and offences of the like nature are usually tried, and where the same would be properly tried, in case such crime or offence had been commited within the jurisdiction of such Court; and such crime shall and may be alleged to be committed within the jurisdiction of such Court; and such Court shall and may proceed therein to trial, judgement, and execution, in the same manner as if such crime or offence had been really committed within the jurisdiction of such Court, any law, usage, custom, matter, or thing whatsoever, to the contrary notwithstanding.

XXX. *And be it further enacted by the authority aforesaid*, That every Bill, Plaint, Action, or Suit against any person or persons, for any act, matter, or thing to be acted or done in pursuance of this Act, or the said other in-part recited Act, in any of his Majesty's Dominions in *America*, shall be brought and prosecuted in and before some principal Court of Record in the Colony where such matter or thing shall be done or committed; and in case the same shall not be done or committed within the jurisdiction of any such Court, then in the Court of the Colony next to the place where the same shall be done and committed, and in no other Court whatsoever.

XXXI. *And be it further enacted by the authority aforesaid*, That where any Troops or Parties upon command have occasion, in their march, in any of his Majesty's Dominions in *America*, to pass regular Ferries, it shall and may be lawful for the Commanding Officer either to pass over with his party as passengers, or to hire the Ferry Boat entire to himself and his party, debarring others for that time in his option; and in case he shall choose to take passage for himself and party as passengers, he shall only pay for himself, and for each person, Officer or Soldier under his command, half of the ordinary rate payable by single persons at any such Ferry; and in case he shall hire the Ferry Boat for himself and party, he shall pay half of the ordinary rate for such Boat or Boats; and in such places where there are no regular Ferries, but that all passengers hire Boats at the rate they can agree for, Officers, with or without parties, are to agree for Boats at the rates that other persons do in the like cases.

XXXII. *And be it further enacted by the authority aforesaid*, That all sum and sums of Money mentioned in this Act, and all penalties and forfeitures whatsoever to be incurred or forfeited for any offence, cause, matter or thing whatsoever, to be done, committed, or omitted to be done

Digitized by Google

in his Majesty's Colonies and Dominions in *America*, contrary to the true intent and meaning of this Act, shall be, and shall be paid and forfeited in lawful Money of the Colony or place where the same shall be forfeited or become due, at the rate of Four Shillings and Eight Pence, sterling Money, for a *Spanish* milled Dollar, and not otherwise.

XXXIII. *Provided always, and be it enacted by the authority aforesaid*, That nothing in this Act contained, touching the quartering his Majesty's Forces, and the supplying them in their Quarters, and the furnishing Carriages on their marches, and on other necessary occasions, shall extend, or be construed to extend to any Province, Colony, or Plantation, during such time as any law of such Province, Colony, or Plantation which shall have received the confirmation of his Majesty in Council, shall be in force for providing Quarters for his Majesty's Officers and Soldiers, and for furnishing them in their Quarters, and for providing Carriages for them on marches, or on any other necessary occasion, within such Province, Colony, or Plantation.

XXXIV. *Provided always, and be it enacted*, That whenever any Troops shall march through, or be stationed in any place in *North America*, it shall and may be lawful for the Civil Magistrates, Selectmen, or other person or persons, (appointed by Act of Parliament, or by any Law of such Province, Colony, or Plantation as aforesaid, to quarter and make provision for Troops,) as likewise for the Officer commanding the Troops so marching or stationed as aforesaid, by mutual agreement, signed by the respective parties, to provide Quarters for the said Troops, in any manner most convenient to them and to the country, any Act or thing to the contrary notwithstanding, so as that no expense be brought on the Crown by such agreement.

XXXV. *And be it further enacted by the authority aforesaid*, That if any Action, Bill, Plaint, or Suit, shall be brought or commenced against any person or persons, for any act, matter, or thing done or acted in pursuance of this Act, that it shall and may be lawful to and for all and every person or persons so sued to plead thereto the general issue, that he or they are not guilty, and to give the special matter in evidence to the Jury who shall try the cause; and if the verdict therein shall pass for the defendant or defendants, or the plaintiff or plaintiffs therein shall become nonsuit, or suffer a discontinuance, or by any other means judgement therein shall be given for the defendant or defendants therein; that in every such case the Justice or Justices, or other Judge or Judges of the Court in which such action shall be brought, shall, by force and virtue of this Act, allow unto such defendant or defendants his or their treble costs, which he or they shall have sustained or be put to by reason of the defence of such suit, for which costs such defendant and defendants shall have the like remedy as in other cases where costs are by the law given to defendants.

XXXVI. And whereas, during the continuance of this Act, there may be occasion for the marching and quartering of some of his Majesty's Marine Forces in some parts of his Majesty's Dominions in *America*, *Be it therefore further enacted by the authority aforesaid*, That this Act, and all and singular the clauses and provisions herein mentioned and contained, as well relating to the quartering and billeting of his Majesty's Land Forces in his Dominions in *America*, and providing them with Carriages on their marches, as also relating to all and every other provision, regulation, penalty, punishment, matter, and thing herein provided, enacted, and made, with respect to the said Land Forces, shall be deemed, construed, and taken to extend, and the same, and all and every part and parts thereof, and of this Act, are, in all respects, and to all intents and purposes whatsoever, hereby extended to his Majesty's Marine Forces, while on shore, in any of his Majesty's Dominions in *America*, as fully and effectually, to all intents and purposes, as if the said Marine Forces had herein been particularly mentioned in conjunction with his Majesty's other Forces.

XXXVII. *And be it further enacted by the authority aforesaid*, That this Act, and every thing herein contained, shall continue and be in force in all his Majesty's Dominions in *America*, from the twenty-fourth day of *March*, in the year one thousand seven hundred and seventy-five, until the twenty-fourth day of *March*, in the year of our Lord one thousand seven hundred and seventy-seven.

HOUSE OF COMMONS.

TUESDAY, *April* 11, 1775.

Lord *North* moved, That the House do resolve itself into a Committee of the Whole House, on the 27th instant, to consider of the Encouragement proper to be given to the Fisheries of *Great Britain* and *Ireland*.*

He introduced his motion with disclaiming any motives of resentment against *America*, by the present measure, or meaning it either directly or indirectly to oppress that country. He said, that Fisheries, well conducted and properly directed, were an inexhaustible fund of riches; for while they extended our commerce, and kept open a continual advantageous intercourse with foreign Nations, they increased our naval strength, and were, consequently, the great source of that power which gave us the pre-eminence over all the other Nations of *Europe*.

Mr. *Burke* thanked his Lordship for the friendly disposition he had now shown towards his (Mr. *Burke's*) native country; observing, at the same time, that, however desirous he might be to promote any scheme for the advantage of *Ireland*, he would be much better pleased that the benefits thus held out should never be realized, than that *Ireland* should profit at the expense of a country which was, if possible, more oppressed than herself.

Mr. *Thomas Townshend* condemned, in the most point-

* As the *American* Fisheries were now abolished, it became necessary to think of some measures for supplying their place, and particularly to guard against the ruinous consequences of the foreign markets either changing the course of consumption, or falling into the hands of strangers, and those, perhaps, inimical to this country. The consumption of Fish Oil, as a substitute for Tallow, was now become so extensive as to render that also an object of national concern; the City of *London* alone expending about three hundred thousand Pounds annually in that commodity. Whatever present purposes the evidence lately before the House might answer, in showing that there was a sufficient fund of Money, Ships, Men, and inclination, ready for an immediate transfer of the Fisheries, not only without loss, but with great gain and benefit, it soon became evident that the Minister did not choose to risk matters of such infinite importance upon the veracity of those representations.

It seemed also necessary, in the present state of publick affairs, that the Kingdom of *Ireland* should be taken more notice of, and some greater consideration paid to her interests, than had been the practice for many years. The question between the Colonies and Parliament, particularly in the manner in which it had been lately argued, was not calculated to quiet that Kingdom. The repose of all parts still at rest was never more necessary. In the crisis to which matters were now evidently tending, little doubt remained that even assistance would be requisite from that country; besides, her patience, her sufferings, and her forbearance were to be held up as a mirror, and in contrast to the Colonies; and though these merits had long passed unregarded, this did not seem a fit reason to encourage an opinion, that a similar conduct would never obtain any reward. The nature of the benefit was, however, to be considered, and nothing could seem better adapted than a donation which would be an advantage instead of a loss to the giver. A share in the first fruits of a spoil was also a lure of undoubted efficacy for enticing future service. It was not, in itself, very considerable; but it was said it might be considered as a beginning; and small benefits carry weight with those who had not been habituated to great favours.

It was shown, in the course of the late evidence before the House, that the Exports, from this country to *Ireland*, amounted to two million four hundred thousand Pounds annually; besides her supporting a large and excellent Standing Army, at all times ready for our defence; and the immense sums of her ready cash which her numerous Absentees, Pensioners, and Placemen spend in this country. Yet, from oppressive restrictions in Trade, some of them highly impolitick and prejudicial to ourselves, that country is cut off from the benefit of her great natural staple commodity, as well as excluded, in general, from the advantages which she might derive from her admirable situation, and her great number of excellent Harbours.

The Minister, accordingly, moved for a Committee of the Whole House, to consider of the encouragement proper to be given to the Fisheries of *Great Britain* and *Ireland*. This attention to *Ireland* was generally approved of, and, after some conversation upon the hardships which that country suffered, it was proposed by some gentlemen who were particularly attached to its interests, to extend the motion by adding the words, *Trade and Commerce*, and thereby affording an opportunity of inquiring particularly into the state of that Kingdom, and of granting such relief and indulgence in those respects, as could be done without prejudice to ourselves.

The Minister did not object to the reasonableness or expediency of entering upon this subject at a proper time; but said that the proposed amendment would introduce a mass of matter much too weighty and extensive for present consideration; that he would, therefore, confine the motion to the immediate objects of the Fisheries, leaving the other matter at large.—*Ann. Regis.*

Digitized by Google

ed terms, the narrow, weak, and ill-founded policy which had directed the *English* Councils in respect to *Ireland*, ever since that country had become a part of the *British* Dominions; and recommended, very warmly, an inquiry into the state of the *Irish* Commerce and Manufactures, in order that such of them as did not immediately interfere with those of *Great Britain*, might receive every possible encouragement consistent with the general interests of the whole Empire.

Mr. *Conolly* drew a very melancholy picture of the present state of *Ireland*, and recapitulated many instances of the eminent loyalty of that country, and of the repeated proofs she had given, for a series of years back, of her readiness to contribute, much beyond her ability, to the common support. Besides the merits she had to plead on these grounds, he pointed out the absurdity of several of the restraints laid upon the *Irish* Commerce; and endeavoured to show that some of those were as unkind as impolitick; and that there were some branches of trade, particularly that to the *Levant*, which might be laid open, much to the advantage of both countries, and to the complete rivalship of the *French*.

Mr. *Burke* rose a second time, and predicted the most happy conclusion from the dawning favourable disposition of the Minister. He, therefore, offered an amendment, by proposing to insert the words, "Trade and Commerce."

Lord *North* observed, that the amendment suggested by the honourable gentleman would introduce a mass of matter much too weighty and extensive for present consideration; that nothing of the kind was intended by the present motion; and that it arose purely from matter which came out in the course of a discussion on the *Massachusetts Bay* Fishery Bill, though he could assure the House that it was by no means dictated by a spirit of resentment, but was simply taken up on the mere independent idea which the motion expressed, that of encouraging the Fisheries of *Great Britain* and *Ireland*, as an independent proposition.

The question was then put, and it was carried in the Affirmative.

Resolved, That this House will, upon *Thursday* fortnight, the 27th day of this instant, *April*, resolve itself into a Committee of the Whole House, to consider of what Encouragements it may be proper to give to the Fisheries carried on from *Great Britain* and *Ireland*.

THURSDAY, *April* 27, 1775.

Ordered, That the Order of the Day for the House to resolve itself into a Committee of the Whole House, to consider of what Encouragements it may be proper to give to the Fisheries carried on from *Great Britain* and *Ireland*, be now read.

And the said Order being read accordingly—

Lord *North* observed, that when the present proposition was first moved, he wished it to be understood, and explained himself so at the time, that the only object meant to be considered was the Fishery alone; but since that time application had been made, and it had been thought reasonable, that as several Regiments serving in the *West Indies*, *North America*, and his Majesty's Governments of *Gibraltar* and *Minorca*, were paid by that Kingdom, and by the law, as it now stood, no Clothing, Accoutrements, &c., could be sent from thence, to allow such Clothing, &c., to be sent, under certain restrictions, directly from *Ireland*. His Lordship next proceeded to observe, that the Linen being the staple manufacture of *Ireland*, and it being dreaded that the *American* Non-Importation Agreement might cut that country off from the annual supplies of Flax-seed from *North America*, though, for his own part, he had no reason to think so, as he imagined such an unnatural combination, from the very nature of it, must shortly be dissolved: he begged leave to submit to the consideration of the House, considering the immediate urgent circumstances which now presented themselves, if it would not be proper to grant a small bounty on the importation of Flax-seed into *Ireland*, for a limited time. He said he was fully aware of the seeming oddity of such proposal, and of the jealousies and alarm such a measure might probably occasion; but when the motives which induced him were properly considered, and that no fraud could be carried into execution; doubted not but the House would immediately subscribe to their propriety. He assured the House, before he sat down, that the indulgence given to export the Clothing for the Troops should be carefully guarded; and that as to the bounties paid on the importation of Flax-seed into *Ireland*, there could be no fraud, because the Parliament of that Kingdom had already granted a similar bounty, which usually amounted, on an average, to seven thousand five hundred Pounds *per annum*; therefore the certificates, in one instance, would be vouchers to the *British* Parliament, to prevent even the suspicion of fraud, or imposition of any kind whatever. His Lordship then moved the two following instructions:—

"*Ordered*, That it be an instruction to the said Committee, that they do consider of allowing the Clothing and Accoutrements necessary for his Majesty's Forces, which are to be paid out of any of his Majesty's Revenues arising in the Kingdom of *Ireland*, and are sent from thence, upon his Majesty's service, to be exported from *Ireland* to the places where such Forces shall be so ordered to serve."

"*Ordered*, That it be an instruction to the said Committee, that they do consider of what Encouragement it may be proper to give to promote the importation of Flax-seed into *Ireland*, for a limited time."

Ordered, That the Minutes of the examination of witnesses, taken before the Committee of the Whole House, to whom the Bill to restrain the Trade and Commerce of the Provinces of *Massachusetts Bay* and *New-Hampshire*, and Colonies of *Connecticut* and *Rhode-Island*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *British* Islands in the *West Indies*; and to prohibit such Provinces and Colonies from carrying on any Fishery on the banks of *Newfoundland*, or other places therein to be mentioned, under certain conditions, and for a time to be limited, was committed, and also on the report of the said Bill, be referred to the said Committee.

Then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. *Cooper* took the Chair of the Committee.

Lord *North* moved the following Resolutions:

Resolved, That it is the opinion of this Committee, that the following Bounties should be paid; that is to say, Forty Pounds for twenty-five Vessels, of the burthen of fifty tons and upwards, that shall first arrive from *Newfoundland* with a cargo of bank Fish, and not less than ten thousand in tale; and, disposing of the same, shall catch a second cargo of the same.

Resolved, That Twenty Pounds per Vessel, for one hundred Vessels that shall next arrive, as before mentioned, be paid.

Resolved, that Ten Pounds a Vessel, for the next one hundred Vessels that arrive, as above mentioned, shall be paid.

Upon this he remarked, that the design of it was to encourage the going out early enough to make two voyages a year, which was very practicable. He observed, that there could not be a doubt but it would be infinitely for the advantage of this country to make *Newfoundland*, as much as possible, an *English* Island, rather than an *American* Colony; that sedentary Fisheries ought to be discouraged, and the bank Ship Fishery encouraged, which was the great nursery of Seamen; that the experiment was not an expensive one, as the whole demand could not exceed four thousand Pounds, a sum not great enough to alarm any one.

Resolved, That it is the opinion of this Committee, that the following Bounties shall be paid: Five Hundred Pounds to the Ship that shall bring home the greatest quantity of Oil, being the Oil of not less than one Whale, caught in Seas to the South of the *Greenland* and *Davis's* Straits' Fisheries; Four Hundred Pounds to the first that shall bring home the next greatest quantity; Three Hundred Pounds to the next greatest quantity; and Two Hundred Pounds to the next greatest quantity.

Resolved, That it is the opinion of this Committee, that the Duties on the import of Oil, Blubber, Bone, &c., from *Newfoundland*, &c., shall cease and determine.

He explained this point, by observing, that while these Imports from *Greenland* were allowed Duty-free, the same

Digitized by Google

from *Newfoundland*, &c., were charged with a Duty; an absurdity he was, till lately, ignorant of.

Resolved, It is the opinion of this Committee, that the Duties at present payable on the importation of Seal-skins, shall cease and determine.

Lord *North* said, that it appeared from Mr. *Lyster's* examination, that many more Seal-skins would be imported, were it not for a Duty of about four Pence half-penny each, which they paid at present; it was, therefore, thought right to exonerate them from that charge.

Resolved, It is the opinion of this Committee, that it shall be lawful for the subjects of *Ireland* to export Provisions, Hooks, Lines, Nets, Tools, and Implements, for the purpose of the Fishery.

He remarked, that the *Irish* being tied from these Exports at present, was, in effect, excluding them from the Fishery. He, however, observed, that this Resolution must be followed with limitations, in order to prevent a clandestine supply of the Colonies with *Irish* Manufactures.

Resolved, It is the opinion of this Committee, that it shall be lawful to export from *Ireland* Clothes and Accoutrements for such Regiments on the *Irish* Establishment as are employed abroad.

His Lordship remarked on this Resolution, that as the *Irish* were burthened with the expense of several Regiments serving elsewhere, which they were ill able to bear, he thought it but fair to allow them to export the Clothing and Accoutrements of such Regiments, which, at present, they could not do by law; that the Export must be guarded very carefully against frauds, which would not be difficult, as the Clothes would consist only of Uniforms.

Resolved, It is the opinion of this Committee, that a Bounty of Five Shillings a barrel should be paid on the import to *Ireland*, of Flax-seed, from any place whatsoever.

Upon this Resolution, Lord *North* said, that he had framed it much more in obedience to the desires and apprehensions of others, than in consequence of any he had himself. But as some gentlemen were apprehensive that the Non-Exportation Agreements of the Colonies would be lasting, and have the effect of doing a great prejudice to *Ireland*, by withholding Flax-seed; and as it was found that the Seed raised in *Ireland* was not so good as that imported from abroad, he had, in compliance of these ideas, come into the present proposition; that his own opinion was directly contrary. He was clear, that engagements so very contrary to their interests, could never be lasting; however, for a limited time, he agreed to the Bounty.

These Resolutions were all agreed to without opposition.

Mr. Speaker resumed the Chair.

Mr. *Cooper* reported from the Committee, that they had come to several Resolutions, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received to-morrow morning.

FRIDAY, *April* 28, 1775.

Mr. *Cooper*, according to order, reported from the Committee of the Whole House, to whom it was referred to consider of what Encouragements it may be proper to give to the Fisheries carried on from *Great Britain* and *Ireland*, the Resolutions which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were read, and are as followeth, viz:

Resolved, That it is the opinion of this Committee, that the following Bounties be allowed to certain Ships, of the burthen of fifty tons, or upwards, employed in the *British* Fishery on the banks of *Newfoundland*, for a limited time, under certain conditions and limitations; that is to say, a Bounty of Forty Pounds each, to twenty-five such Ships that shall first arrive in each year in the Island of *Newfoundland*, with a cargo of Fish, not less than ten thousand by tale, catched on the banks thereof; and shall, after landing the same, proceed for and return with one cargo of Fish more, at least, catched on the said banks; and a Bounty of Twenty Pounds each, for one hundred such Ships which shall next arrive at the said Island with a like cargo, and shall afterwards proceed again to the said banks, and return from thence in manner before mentioned; and a Bounty of Ten Pounds each for another one hundred of such Ships which shall next arrive at the said Island with a like cargo, and shall afterwards proceed again to the said banks, and return from thence in manner before mentioned.

Resolved, That it is the opinion of this Committee, that the following Bounties be allowed to five Ships belonging to *Great Britain*, *Ireland*, or the *Isle of Man*, employed in the Whale Fishery in the Gulf of *Saint Lawrence*, or on the Coasts of *Labrador*, *Newfoundland*, or in any Seas to the Southward of the *Greenland* Seas and *Davis's* Straits, for a limited time, under certain conditions and limitations; that is to say: to the Vessel that shall arrive in each year in any Port of *Great Britain*, with the greatest quantity of Oil, being the produce of one or more Whale or Whales taken or killed by the Crew of such Vessel, a Bounty of Five Hundred Pounds; to the Vessel that shall, in like manner, arrive in the same year with the next greatest quantity of such Oil, a Bounty of Four Hundred Pounds; to the Vessel that shall so arrive in the same year with the next greatest quantity of such Oil, a Bounty of Three Hundred Pounds; to the Vessel that shall so arrive in the same year with the next greatest quantity of such Oil, a Bounty of Two Hundred Pounds; to the Vessel which shall so arrive in the same year with the next greatest quantity of such Oil, a Bounty of One Hundred Pounds; the Oil so to be imported by each of the said Ships being the produce of one Whale at the least.

Resolved, That it is the opinion of this Committee, that the liberty granted by law to import into this Kingdom, Duty free, Oil or Blubber, and Whale Fins from *Greenland*, and from the parts and Seas adjacent, and from those of *Newfoundland*, and of any other of his Majesty's Colonies and Plantations in *America*, in Ships belonging to *Great Britain*, be extended to Oil and Blubber of Fish, and to Whale Fins of Whales catched by Ships belonging to *Great Britain*, in any part of the Ocean; and that the like liberty be granted to his Majesty's subjects of *Ireland* and the *Isle of Man*.

Resolved, That it is the opinion of this Committee, that the like Bounties which are granted by an Act of the eleventh year of his present Majesty's reign, to Ships fitted out from *Great Britain* or *America*, for the Whale Fishery, to the *Greenland* Seas and *Davis's* Straits, be allowed, under certain restrictions, to Ships fitted out for that purpope from the Kingdom of *Ireland* and from the *Isle of Man*.

Resolved, That it is the opinion of this Committee, that the Duty payable upon the importation of Seal-skins, catched by Vessels belonging to *Great Britain*, *Ireland*, or the *Isle of Man*, and fitted out from thence, respectively, shall cease, and be no longer paid.

Resolved, That it is the opinion of this Committe, that power be given to his Majesty's subjects, residing in *Ireland*, to ship and transport from thence to *Newfoundland*, or any part of *America*, where the Fishery now is, or may hereafter be, carried on, Provisions, Hooks, Lines, Netting, or other Tools or Implements of the product or manufacture of *Great Britain* or *Ireland*, necessary for, and used in, the Fishery by the Ships or Vessels carrying out the same, and the Craft belonging to, and employed by, such Ships in the said Fishery.

Resolved, That it is the opinion of this Committee, that the like power be given to his Majesty's subjects residing in the *Isle of Man*, to transport from thence, for the same purpose, the like Provisions, Tools, and Implements, of the product or manufacture of *Great Britain* or the *Isle of Man*.

Resolved, That it is the opinion of this Committee, that Clothing and Accoutrements necessary for his Majesty's Forces, which are paid out of any of his Majesty's Revenues arising in the Kingdom of *Ireland*, and are sent from thence, upon his Majesty's service, be allowed to be exported from *Ireland* to the places where such Forces shall be so ordered to serve, under certain restrictions and limitations.

Resolved, That it is the opinion of this Committee, that a Bounty of Five Shillings per hogshead be allowed upon all Flax-seed, imported from any place whatsoever, into the Kingdom of *Ireland*, for a limited time, and that such

Digitized by Google

Bounty be paid out of any moneys arising from the Revenue under the management of the Commissioners of the Customs in *England*.

The said Resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

Ordered, That a Bill, or Bills, be brought in upon the said Resolutions, and that the Lord *North*, Mr. *Jenkinson*, Mr. *Rigby*, Mr. *Ellis*, Mr. *Thomas Townshend*, the Lord *Clare*, Lord *George Germaine*, Mr. *Conolly*, Mr. *Cooper*, and General *Irwin*, do prepare and bring in the same.

THURSDAY, *May* 4, 1775.

Mr. *Jenkinson* presented to the House, according to order, a Bill for the Encouragement of the Fisheries carried on from *Great Britain*, *Ireland*, and the *British* Dominions in *Europe*, and for securing the return of the Fishermen, Sailors, and others, employed in the said Fisheries, to the Ports thereof, at the end of the fishing season; and the same was received and read the first time.

Resolved, That the Bill be read a second time.

Ordered, That the said Bill be read a second time upon *Tuesday* morning next.

TUESDAY, *May* 9, 1775.

Ordered, That the Order of the Day, for the second reading of the Bill, be now read.

And the said Order being read accordingly;

The said Bill was read a second time.

Resolved, That the Bill be committed.

Resolved, That the Bill be committed to a Committee of the Whole House.

Resolved, That this House will, upon *Thursday* morning next, resolve itself into a Committee of the Whole House, upon the said Bill.

THURSDAY, *May* 11, 1775.

Ordered, That the Order of the Day, for the House to resolve itself into a Committee of the Whole House upon the Bill, be now read.

And the said Order being read accordingly;

Ordered, That it be an instruction to the said Committee, that they have power to extend certain provisions of the said Bill, to the Islands of *Guernsey* and *Jersey*.

Then the House resolved itself into the said Committee.

Mr. Speaker left the Chair.

Sir *Charles Whitworth* took the Chair of the Committee.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, that they had gone through the Bill, and made several amendments thereunto, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received upon *Monday* morning next.

MONDAY, *May* 15, 1775.

Sir *Charles Whitworth*, according to Order, reported from the Committee of the Whole House, to whom the Bill was committed, the amendments which the Committee had made to the Bill; which, upon the question severally put thereupon, were agreed to by the House.

A clause was offered to be added to the Bill, That any Ship, clearing out with Goods from *Newfoundland*, shall be liable to the same limitations and restrictions as if this Act had not been made.

And the said clause was twice read; and, upon the question put thereupon, agreed to by the House to be made part of the Bill.

Ordered, That the Bill, with the amendments, be engrossed.

WEDNESDAY, *May* 17, 1775.

The Bill was read the third time.

Resolved, That the Bill do Pass; and that the Title be, An Act for the Encouragement of the Fisheries carried on from *Great Britain*, *Ireland*, and the *British* Dominions in *Europe*; and for securing the return of the Fishermen, Sailors, and others, employed in the said Fisheries, to the Ports thereof, at the end of the fishing season.

Ordered, That Mr. *Jenkinson* do carry the Bill to the Lords, and desire their concurrence.

HOUSE OF LORDS.

THURSDAY, *May* 18, 1775.

A Message was brought from the House of Commons, by Mr. *Jenkinson*, and others;

With a Bill, entituled "An Act for the Encouragement "of the Fisheries carried on from *Great Britain*, *Ireland*, "and the *British* Dominions in *Europe*; and for securing "the return of the Fishermen, Sailors, and others, employed in the said Fisheries, to the Ports thereof, at the end "of the fishing season;" to which they desire the concurrence of this House.

FRIDAY, *May* 19, 1775.

The Bill, entituled "An Act for the Encouragement of "the Fisheries carried on from *Great Britain*, *Ireland* and "the *British* Dominions in *Europe*; and for securing the "return of the Fishermen, Sailors, and others, employed "in the said Fisheries, to the Ports thereof, at the end of "the fishing season;" was read the second time.

Ordered, That the said Bill be committed to a Committee of the Whole House.

Ordered, That the House be put into a Committee upon the said Bill on *Monday* next.

MONDAY, *May* 22, 1775.

The House, according to order, was adjourned during pleasure, and put into a Committee upon the Bill, entituled "An Act for the Encouragement of the Fisheries "carried on from *Great Britain*, *Ireland*, and the *British* "Dominions in *Europe*; and for securing the return of the "Fishermen, Sailors, and others, employed in the said "Fisheries, to the Ports thereof, at the end of the fishing "season."

After some time the House was resumed:

And the Lord *Scarsdale* reported from the Committee, "That they had gone through the Bill, and directed "him to report the same to the House without any amend-"ment."

The Bill was read the third time.

The question was then put, "Whether this Bill shall Pass?"

It was resolved in the Affirmative.

HOUSE OF COMMONS.

WEDNESDAY, *May* 3, 1775.

Ordered, That the Order of the Day, for the House to resolve itself into a Committee of the Whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty, be now read.

And the said Order being read accordingly;

The House resolved itself into the said Committee.

Lord *North* moved the following Resolutions:

1. "That persons who, on the 24th of *April* last, were "possessed of Three per centum Annuities, shall be at liber-"ty to accept eighty-eight Pounds for every one hundred "Pounds towards the redemption of £1,000,000 of the "said Funds or Stocks; one moiety to be paid on or before "the 15th of *July*, and the other on or before the 20th of "*October* next, with interest to the 5th of *July* 1775; "and for every one hundred Pounds of such subscription, "shall receive six tickets in a Lottery to consist of 60,000 "tickets, at twelve Pounds ten Shillings each; and the "capital Stock of such subscription shall be annihilated. "That books shall be opened at the Bank, the 8th of "*May*, from nine in the morning till six in the afternoon, "for the purpose of receiving said subscription. No per-"son to subscribe more than £20,000 nor less than £100; "and after the whole is summed up, the same to be rate-"ably divided among the subscribers, in proportion to the "quantity of Stock subscribed, over and above the said "£1,000,000 of Annuities to be so annihilated.

Digitized by Google

2. "That towards raising the Supply, £1,915,552 16*s.* "11*d.* be issued out of the sinking fund.

3. "That £1,250,000 be raised by loans on Exchequer "Bills, to be charged on the first Aids, to be granted next "session.

4. "That £15,000, out of the Moneys remaining in "the Exchequer the 5th of *April*, 1766, the produce of "*American* Duties, be applied towards maintaining the "Forces and Garrisons in the Plantations.

5. "That Moneys paid into the Exchequer after the "5th of *April*, 1775, and before the 5th of *April*, 1776, "produce of the Duties on the importation and export-"ation of Gum Senega and Gum Arabick, be applied "towards the Supply."

He observed, that £3,800,000 of light or diminished Money had been paid into the Bank, under the first Act; that £4,800,000 had been paid in like manner, under the Royal Proclamation of receiving Guineas not under five penny-weights three grains, nor more than six grains; that it was computed, that when the second Proclamation was issued for calling in all Guineas under full standard, upwards of £4,000,000 more would be called in, the whole amounting to about £14,000,000 and the expense of melting down, receiving, interest paid to the Bank, gratuities to the country Commissioners, and re-coinage to about £650,000; that the deficiencies on Land and Malt were computed at £450,000, that is, £50,000 lower than they were the last year; that the whole of the Grants consisted of the Land and Malt, estimated at £2,250,000, the Exchequer Bills £1,250,000, the profits on a Lottery £150,000, the produce of the Sinking Fund, from the 5th *January* to the 5th *April*, £886,000, the three next quarters produce of said Fund £1,915,000, which would make the whole of the Sinking Fund £2,800,000, and Miscellaneous Savings, with the expected produce of the sale of *French* Prizes £17,000, and sales of Lands in the Ceded Islands, £50,000, taken together, would amount to £300,000; while, on the other hand, the services were, the Navy £1,700,000, the Ordnance £300,000, the Army £1,600,000, Exchequer Bills of last year 1,250,000, Army Extraordinaries £270,000, Miscellaneous of Grants and Coinage £348,000. So that on the whole, the Grants would be £6,550,000, and the services voted £5,550,000, which would leave a surplus of £1,000,000 excess of Grants, with which he proposed to pay off the above £1,000,000 of Three per centum Annuities, for the sum of £880,000, which last surplus again of £120,000, would remain to make good the deficiences of the Grants, or to balance the £100,000 voted for the purchase of the Queen's Palace and *Somerset* House.

His Lordship then poceeded to state the Publick Debts, as they appeared on the 5th of *January* last, compared with their amount on the 5th of *January*, 1773. At the latter period they were £123,000,000 funded, and £13,000,000 unfunded, which, with the fractions, made in the whole £136,000,000; at the former, £124,000,000 funded, £3,000,000 unfunded, in the whole £127,000,000; paid off £9,000,000. His Lordship did not state the respective interests paid at those periods, but generally stated the decrease in the following manner: Total decrease on the whole £440,000 per annum, and £30,000 by the present operation, in the whole £470,000, out of which take for the Navy Bills unfunded, £20,000, and the Exchequer Bills in circulation, at four per cent. £40,000, both these sums, with the trifling discount on Navy and Victualling Bills, would leave a clear decrease in the interest money paid to the publick creditors of the sum of £400,000 per annum.

After he had stated the several sums necessary to the explanation of the financial operation, which he was about to submit to the House, he observed, that the Nation might think that the reduction of the National Debt proceeded very slowly; but when it was considered, the very heavy burdens contracted during the late glorious and successful war, the consequent increase of interest, and that that war was entered into at the express desire of the people, joined with the numerous, and singular, advantages derived to this country, both in respect of commerce and territory, the Nation, uniting all these considerations, had much less reason to be impatient or complain. The four great wars we have maintained since the Revolution, said his Lordship, neither originated from the ambition of our Princes, nor the corruption of Ministers; and the vast sums expended, however enormous, or heavily at present we may feel the weight, were for the most part laid out, either directly in the protection or advancement of our own immediate interests, or, in upholding those with which they were essentially connected. Our endeavours have, in general, corresponded to the glory of our motives, and the magnitude of our designs, as taking the lead among the great Powers of *Europe*, by protecting others, securing our own interests, and setting limits to the ambition of the enemies of both. The war commenced at the Revolution, was a popular war; so was that which followed about the succession. The rupture in 1739 with *Spain*, originated entirely in popular motives. I will, not, however, pretend to say it was as well-founded as the two preceding, at least, so well-timed, though I have no doubt that it might, in the end, become as necessary. The late war was, if possible, still more popular than any of the rest, as it was, in the beginning, undertaken without any view to Continental connexions, but purely to protect our subjects in *America*, which, I shall ever think, ought to be a very strong incentive to them, to assist us to alleviate those burthens we now feel, and of which they have been the primary cause.

I will now beg leave to return to the subject that naturally falls more immediately under the consideration this day, which is the reduction of this heavy load of debt, and the approbation of the Fund allotted for that purpose to other uses. A person of confessed ingenuity (Dr. *Price*) has written a pamphlet with great ability, on this subject, and condemned the great Minister, (Sir *Robert Walpole*) who first devised the Sinking Fund, for departing from his own plan. I admire the ingenuity of the author. I have partly, since I came into my present situation, adopted his plan of reduction, as much as times and circumstances would permit; yet, I am far from approving all of what he recommends; nor can I lightly condemn an able Minister, of approved judgement, high abilities, and great experience, while I remain ignorant of the true motives which influenced his conduct, or, perhaps, the total impracticability of his acting up to his own ideas: plans on paper, or measures proposed in the closet, often becoming difficult in the execution, or inexpedient, though they should be practicable. Another very popular topick is, taking off the taxes from the necessaries of life, in order to relieve the lower order of the people. Besides a thousand impediments, that I shall forbear to insist on, which might grow out of such a measure, to obstruct it, I fear it would not answer the ends proposed, though every possible obstruction were removed, because the effect might be, that the tax would be lost, and the revenue suffer, without the least benefit to the consumer, as means would be probably devised still to keep the commodity up at the taxed price. On the whole, the vast riches of this country, its extensive credit, which it has never yet violated in respect of either its domestick or foreign creditors, its prodigious commerce, its surprising paper circulation, which must be immense, when it is considered that the money alone in circulation is considerably more than fourteen millions, as appears by the documents this day referred to; all this great system of power, riches, and external strength, I say, taken together, with the magnificence, splendour, and luxury of individuals, induce me to believe, that though the national, and consequent, annual burdens be enormous, they are far from being disproportioned to our abilities to pay. I just beg leave to mention one circumstance more before I sit down, to shew the difficulty of a hasty reduction of the publick debts, by the means we are necessarily obliged to pursue. A very able deceased Minister (Mr. *Pelham*) reduced the National Debt, by lowering the interest: we are necessitated to effect the same purpose, by paying off the principal itself, our progress must be, therefore, more slow. That gentleman payed off twenty millions with ease, by only laying an obligation on the annuitants, to receive their principal, or reduce their annuities; and the consequence was, that they gladly accepted of the offer, and consented to take three instead of four per cent. What was the reason then? And what would be the probable consequence now? The Funds were up at par at the former period; they are now considerably below, owing, it may be presumed, to the greater quantity being in the market, so that

Digitized by Google

the publick creditors would, at this period, be as desirous of receiving their capitals, as they were at the former to accept of the reduced annuities. I do, therefore, recur to my first assertion, that we must proceed slowly in the proposed reduction, or lay on new taxes, in order to effect our purpose with greater facility and expedition; for I repeat it, there is no other method of getting at the principal, but either by reducing it directly by specifick payments of the capital, or by being able, by the rise of the Fund, to lower the interest.

Mr. *Hartley* rose, chiefly to point out the impropriety of anticipating the produce of the Sinking Fund, and of charging more on it than it would be able to bear; the manner of making up the accounts at the Exchequer for the last year, which produced a surplus of two hundred thousand Pounds, or the total receipt of one week, with part of the Debt payed in by the *East India* Company, having swelled the Sinking Fund much beyond its natural size. That, therefore, the sum it was now rated at, was considerably too high. He next entered into a string of observations, relative to the ill-judged policy of pushing matters to extremity with *America*, and the probability, nay, the inevitable certainty, of the interference of *France* and *Spain*; and of a general *European* war, should the sword be once drawn against our brethren on the other side of the *Atlantic*. He concluded with drawing a most melancholy picture of the consequences such an event must produce, in its operations on our trade, manufactures, finances, publick credit, external strength, and internal prosperity; reminding the country gentlemen, at the same time, that this would, in all probability, be the last year they would, even in time of peace, enjoy the benefit of a three Shillings in the Pound Land Tax, though they had been prevailed on to give their support to measures so evidently destructive of their own interest, and of the Nation at large, because they were, in the first instance, to bear no part of the additional burthens such measures were to create.

Mr. *Vyner* answered, that he was certain the landed gentlemen were not actuated by the motives imputed to them by the honourable gentleman; but purely from the apparent necessity of the measure itself, in support of which they were ready to risk any event, sooner than forego those advantages of trade and riches, which were inseparably involved in the supremacy of *Great Britain* over her Colonies; for were that once given up, the others would soon follow. In support of such a cause, therefore, he was willing to pay not only four Shillings, but fourteen Shillings in the Pound: and as he entertained not a single doubt but we should prevail in the contest, we ought to oblige *America* to pay the expense she had wantonly put us to, and which would likewise enable us to bring back our quondam Peace Establishment, that of a Land Tax of two Shillings in the Pound.

Mr. *T. Townshend*, after condemning the bad policy of reducing the Land Tax, from four Shillings to three Shillings in the Pound, some years since, as one great means of retarding the reduction of the National Debt, observed upon two items, for which his Lordship took credit; one was the sum of £17,000 charged on the sale of *French* prizes in the *West Indies*, the other a sum of £50,000, said to be the produce of sales of the Lands in the Ceded Islands, which have been voted regularly, year after year, since 1771; and had as regularly returned into the Ways and Means, without a shilling of them being actually brought to the credit of publick accounts.

Lord *North* replied, that one honourable gentleman seemed to delight in drawing a gloomy picture of the dreadful consequences of breaking with *America*. He said the predicted evils would be easily averted, by *America* returning to its duty. There had been an offer made which would at once obviate all difficulties, if they were sincere; if not, and they should pertinaciously refuse terms, virtually correspondent to their own ideas, the question would then be a very simple one; that is, whether they were to be independent, or whether we should avail ourselves of those rights we were indubitably entitled to, in order to secure to the Nation those great benefits derived from our trade and commerce with that country, which must be forever lost, if we acquiesced in the unreasonable and unnatural claims it now set up. As to the honourable gentleman's fears respecting a breach with our Colonies being productive of a *French* and *Spanish* war, his Lordship replied, that the wisdom and prudence of the *French* Minister would prevent him, as a friend to the interest of his country, to hazard any such experiment; nevertheless, *France* was an opulent, powerful Nation, abounding in native wealth and internal strength, and might break with us, either now or in the event of an *American* civil war, if she pleased, nor could he see how any mode of stating an account of debtor and creditor on the present occasion, could possibly prevent it.

Governour *Johnstone* closed the conversation by observing, that though his Lordship was no conjurer to effect miracles by stating an account, it had always been customary with the Minister, on this day, to give a kind of state of the Nation, both respecting her finances, the terms she stood on with foreign Powers, and the general posture of affairs in *Europe*. This mode had been likewise adopted by his Lordship uniformly, since his coming into office; it was a matter of the first consequence to the commercial part of the Nation, as a means of preventing publick and private imposition, by preventing artful men from improperly operating on our Funds. The reason of the thing was as clear, he said, as the custom was invariable; and is it not for this very purpose, said he, that you admit the Merchants and Traders of *London* this day into your gallery. Besides, I remember on the last occasion of this kind, how much this House was edified, by the extensive knowledge, and minute information given by the noble Lord, respecting the political state of *France*, her annual revenues, encumbrances, &c. Then it was poor, weak, ruined, bankrupt *France*, unable to lift her head. Now, within twelve months, the face of things are changed; she is rich, powerful, and opulent; and we are told that we have no other assurance of the preservation of the publick tranquillity, not even for a day, or an hour, but the wisdom of her councils, and the prudence and political discretion of her Ministers. Whatever I might have thought of his Lordship's former account, I certainly agree with him in the latter; and though the Administration in that country be not yet formed, so as to act upon any permanent system, I believe as soon as that event takes place, we may expect to be engaged in a war with the two branches of the House of *Bourbon*; and I believe, likewise, the present approaching breach with our Colonies will be the means of accelerating it.

The Resolutions were agreed to.

Mr. Speaker resumed the Chair.

Sir *Charles Whitworth* reported from the Committee, That they had come to several Resolutions, which they had directed him to report, when the House will please to receive the same.

Ordered, That the Report be received to-morrow morning.

Sir *Charles Whitworth* also acquainted the House, That he was directed by the Committee to move, that they may have leave to sit again.

Resolved, That this House will, upon *Friday* morning next, resolve itself into a Committee of the Whole House, to consider further of Ways and Means for raising the Supply granted to his Majesty.

THURSDAY, *May* 4, 1775.

Sir *Charles Whitworth*, according to order, reported from the Committee of the Whole House, to whom it was referred to consider further of Ways and Means for raising the Supply granted to his Majesty, the Resolutions which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the Clerk's table, where the same were read, and are as followeth, viz:

Resolved, That it is the opinion of this Committee, that any person or persons, bodies politick or corporate, who, on the 24th day of *April* last past, was or were possessed of, interested in, or entitled unto any Annuities, being part of the Capital or Joint Stock of Three Pounds per centum Annuities consolidated by several Acts of Parliament, of the twenty-fifth, twenty-eighth, twenty-ninth, thirty-second, and thirty-third years of the reign of his late Majesty King *George* the Second, and of several subsequent Acts which were made payable and transferable at the Bank of

Digitized by Google

England, or of the Annuities consolidated by the Acts of the twenty-fifth and twenty-sixth years of the reign of his said late Majesty King *George* the Second, and of the fifth year of the reign of his present Majesty, called *Reduced Annuities*, also payable and transferable there, or of certain Three Pounds per centum Annuities, which are payable and transferable at the *South Sea* House, called *Old South Sea* Annuities and *New South Sea* Annuities, or of Three Pounds per centum Annuities, which were created by an Act of the twenty-fourth year of the reign of his said late Majesty, King *George* the Second, and made payable and transferable at the *South Sea* House, shall be at liberty, between the hours of nine of the clock in the morning and six in the afternoon, on the eighth day of this instant *May*, to deliver or transmit to the chief Cashier, or other proper officer appointed to receive the same at the Bank of *England*, a writing, signed with his or their name or names, signifying his, her, or their consent, to accept in lieu of his, her, or their interest, in any part of the said Principal or Capital Stocks, and in full satisfaction and discharge thereof, the sum of eighty-eight Pounds in money for every one hundred Pounds, and so in proportion any greater or less sum, composing one or more entire sum or sums of one hundred Pounds, or fifty Pounds of such Principal or Capital Stock, and expressing what sum or sums, part of the said Capitals or Joint Stocks, he, she, or they are desirous of subscribing towards the redemption of one million of the whole of the said Joint Stocks; and in case the several sums so subscribed shall, together, exceed the sum of one million, the several distinct sums so subscribed shall be reduced in such proportion as the total sum subscribed bears to one million, as near as the same can be done, so that no fractional part of fifty Pounds be admitted, but that the sum to be allowed on each subscription shall be fifty Pounds, or a multiple of fifty Pounds; and that every person, body politick or corporate, shall receive forty-four Pounds for each fifty Pounds contained in such sum or sums allowed, in respect of his, her, or their subscription of such Principal or Capital Stock; one moiety thereof to be paid on or before the 15th day of *July* next, and the other moiety on or before the 20th day of *October* next, together with the interest due on the Capital Stock so subscribed, to the 5th day of *July*, 1775.

That every person or persons, bodies politick or corporate, shall, for every one hundred Pounds of such subscription, be entitled to receive six tickets in a Lottery to consist of sixty thousand tickets, at the rate of twelve Pounds ten Shillings each, (and in that proportion for any greater or less sum,) the said tickets to be paid for in manner following: that is to say; that every person or persons, bodies politick or corporate, so subscribing as aforesaid, shall, on or before the 18th day of this instant, *May*, make a deposite of one Pound, in respect of the money to be paid for each ticket, as a security for making the future payments to the Cashiers of the Bank of *England* on or before the times hereinafter limited; that is to say, for and in respect of every such ticket, two Pounds on or before the 22d day of *June* next; three Pounds on or before the 28th day of *July* next; three Pounds on or before the 29th day of *August* next; and three Pounds ten Shillings on or before the 2d day of *October* next; that upon such payments being completed, tickets shall be delivered, as soon as the same can be prepared, to the persons entitled thereto; that the sum of six hundred thousand Pounds shall be distributed into prizes for the benefit of the proprietors of the fortunate tickets in the said Lottery, which prizes shall be paid at the Bank of *England*, in money, to such proprietors upon demand, on the 1st day of *March*, 1776, or as soon after as certificates can be prepared, without any deduction whatsoever; and that all the moneys so to be received by the said Cashiers shall be paid into the receipt of his Majesty's Exchequer, to be applied, from time to time, to such services as shall then have been voted by this House, in this session of Parliament; and that every person or persons, bodies politick or corporate, so possessed of, interested in, or entitled to, any of the said Annuities, and so subscribing as aforesaid, shall have a certificate from the said Cashiers of the Governour and Company of the Bank of *England*, for such of the Annuities as are payable at the Bank, and from the Accountant General, or other proper officer of the *South Sea* Company, in respect of such of the Annuities as are payable at the *South Sea* House for the amount of the Principal or Capital Stock of their said subscription, or of such sum to which such subscription shall or may be reduced as aforesaid, and of all such sum and sums of money as he, she, or they shall be entitled to receive in consideration thereof, and in lieu, and in discharge of his, her, or their capital, so subscribed or reduced as aforesaid; and the holders or bearers of such certificates shall be paid at the Bank of *England*, or at the *South Sea* House, respectively, the several sums of money expressed in such certificate, together with interest, after the rate of three Pounds *per centum per annum* on the Capital Stock subscribed, in the manner and at the times herein before described; that, upon payment of such sum or sums of money, with such interest, the whole of the Principal or Capital Stock of such subscription shall stand discharged, and be annihilated, and the Annuity payable in respect thereof shall, from the said fifth day of *July*, 1775, cease, and be extinguished.

That books be opened at the Bank of *England*, on the 8th day of this instant, *May*, for receiving such subscription and consent as aforesaid; and that no person or persons, bodies politick or corporate, be admitted to subscribe, or signify his, her, or their, consent for any sum or sums, amounting in the whole to more than twenty thousand Pounds, or to less than one hundred Pounds, Principal or Capital Stock.

Resolved, That it is the opinion of this Committee, that, towards raising the Supply granted to his Majesty, there be issued and applied the sum of one million, nine hundred and fifteen thousand, five hundred and fifty-two Pounds, sixteen Shillings, and eleven Pence, three-farthings, out of such moneys as shall, or may, arise of the surpluses, excesses, or overplus moneys, and other revenues composing the fund commonly called the Sinking Fund.

Resolved, That it is the opinion of this Committee, that, towards raising the Supply granted to his Majesty, the sum of one million, two hundred, and fifty thousand Pounds be raised by Loans or Exchequer Bills, to be charged upon the first Aids to be granted in the next session of Parliament; and such Exchequer Bills, if not discharged, with interest thereupon, on or before the 5th day of *April*, 1776, to be exchanged and received in payment, in such manner as Exchequer Bills have usually been exchanged and received in payment.

Resolved, That it is the opinion of this Committee, that a sum not exceeding fifteen thousand Pounds, out of such moneys as remain in the receipt of the Exchequer, and that shall be paid in there on or before the fifth day of *April*, 1776, of the produce of all or any of the Duties and Revenues, which, by any Act or Acts of Parliament, have been directed to be reserved for the disposition of Parliament, towards defraying the necessary expenses of defending, protecting, and securing the *British* Colonies and Plantations in *America*, be applied towards making good such part of the Supply as hath been granted to his Majesty for maintaining his Majesty's Forces and Garrisons in the Plantations, and for Provisions for the Forces in *North America*, *Nova Scotia*, *Newfoundland*, and the Ceded Islands, for the year 1775.

Resolved, That it is the opinion of this Committee, that such of the moneys as shall be paid into the receipt of the Exchequer, after the 5th day of *April*, 1775, and on or before the 5th day of *April*, 1776, of the produce of the Duties charged by two Acts made in the fifth and fourteenth years of his present Majesty's reign, upon the importation and exportation of Gum Senega and Gum Arabick, be applied towards making good the Supply granted to his Majesty.

The said Resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House.

Ordered, That a Bill, or Bills, be brought in upon the said Resolutions; and that Sir *Charles Whitworth*, the Lord *North*, Mr. *Charles Townshend*, the Lord *Beauchamp*, Mr. *Cornwall*, Mr. Attorney General, Mr. Solicitor General, Mr. *Cooper*, and Mr. *Eden*, do prepare and bring in the same.

Digitized by Google

HOUSE OF COMMONS.

MONDAY, *May* 15, 1775.

Mr. *Burke* informed the House, that he had in his hand a paper of importance from the General Assembly of the Province of *New-York;* a Province which yielded to no part of his Majesty's Dominions in its zeal for the prosperity and unity of the Empire, and which had ever contributed as much as any, in its proportion, to the defence and wealth of the whole. He observed, that it was a complaint, in the form of a Remonstrance, of several Acts of Parliament, some of which, as they affirmed, had established principles, and others had made regulations, subversive of the rights of *English* subjects. That he did not know whether the House would approve of every opinion contained in that paper; but, as nothing could be more decent and respectful than the whole tenour and language of the Remonstrance, a mere mistake in opinion upon any one point, ought not to hinder them from receiving it, and granting redress on such other matters as might be really grievous, and which were not necessarily connected with that erroneous opinion. He represented this direct application from America, and dutiful procedure of *New-York*, in the present critical juncture, as a most desirable, and even fortunate, circumstance; and strongly urged, that they never had before them so fair an opportunity of putting an end to the unhappy disputes with the Colonies as at present; and he conjured them, in the most earnest manner, not to let it escape, as, possibly, the like might never return. He thought this application from *America*, so very desirable to the House, that he could have made no sort of doubt of their entering heartily into his ideas, if the noble Lord (*North*) some days before, in opening the budget, had not gone out of his way, to pass a panegyrick on the last Parliament; and, in particular, to commend, as acts of lenity, and mercy, those very laws, which the Remonstrance considers as intolerable grievances. This circumstance, indeed, did somewhat abate the sanguine hopes of success which he had entertained for this dutiful procedure of the Colony of *New-York*. That he was so ill as not to be able to trouble them, if he were willing, with a long speech. He had several times in the session expressed his sentiments very fully upon every thing contained in that Remonstrance; as for the rest, it spoke so strongly for itself, that he did not see how people in their senses could refuse at least the consideration of so reasonable and decent an Address. He then moved, "That the Representation and Remonstrance "of the General Assembly of the Colony of *New-York* "be brought up."

Lord *North* moved that the entry in the Journals of the House of the 7th day of *December*, 1768, of the proceedings of the House, touching the Petition of the Representatives of Freemen in Assembly of *Pennsylvania*, then offered to be presented to the House, might be read. And the same was read accordingly.

Lord *North* also moved that an Act, made in the sixth year of the reign of his present Majesty, entituled, "An "Act for the better securing the Dependency of his Ma-"jesty's Dominions in America, upon the Crown and Par-"liament of *Great Britain*," might be read. And the same was read accordingly.

He then spoke greatly in favor of *New-York*, and said, that he would gladly do every thing in his power to shew his regard to the good behaviour of that Colony; but the honour of Parliament required, that no paper should be presented to that House, which tended to call in question the unlimited rights of Parliament. That they had already relaxed in very essential points; but could not so much as hear of any thing which tended to call in question their right of taxation. As to the *Quebec* Duties, by which the Province of *New-York* was affected, as he did not pretend to be infallible, he confessed they were not laid exactly as they ought to be, and he was willing to give satisfaction in that point immediately. This, however, was but a trifle to the general objects of the Remonstrance.

He then moved an amendment, which was an indirect, though effectual, negative upon the motion, by inserting after the word "Remonstrance" the words "in which "the said Assembly claim to themselves rights derogatory to, and inconsistent with, the Legislative authority of Par-"liament, as declared by the said Act."

Mr. *Cruger*. No person can be less disposed to trouble the House than I am; but when a subject so important and interesting is before us, I am confident I shall be forgiven, though I intrude on your patience for a few minutes. Sir, I pant after peace between this country and its Colonies, and will gladly join my feeble voice to any proposal or overture that tends to an amicable settlement of the dispute. Any other mode of determining, must inevitably injure both. The strength and prosperity of *Great Britain* and *America* have a common foundation; they stand on the same basis, and one cannot be shaken without endangering the other. It is, therefore, the interest of both parties, to discover a disposition to be reconciled, not to be too severe in marking each others errours, to remember their old friendship, and calmly and dispassionately advance to a renewal of confidence for the future. The Assembly of *New-York* have pursued this path; they have endeavoured to put a truce to resentment and tumult; and, while the other Colonies (in the phrenzy of riot, commotion and despair) have nearly annihilated the powers of their Legislatures, and rush on to civil war, they dutifully submit their complaints to the clemency of the mother country.

Such conduct, sir, cannot but meet the approbation of this House. The Legislature cannot but invite subjects thus peacefully to pursue every legal way of redress: on the contrary, should this application be attended with no success, the Colonies will be discouraged from such attempts, and the Assembly of *New-York* be driven into the common stream of opposition, to escape the charge of ineffectual and imprudent singularity. Although almost every other Colony on the Continent has transferred the business of petitioning from their own proper Legislature to a General Congress, the Province of *New-York* has ventured to be singular in reverence and obedience to her Colonial Constitution, and has resolutely adhered to her duty, uninfluenced by the example of her neighbours.

Policy and justice recommend the encouragement of such a spirit and conduct. It will induce others to copy their example; the citizens of *New-York* have, during the present unhappy dispute, distinguished themselves by their temperate conduct. If they meet the protection and patronage of Government, they will be animated to pursue the same path with greater alacrity and firmness. In their present Addresses to the Throne, and both Houses of Parliament, though they may have extended their claims and complaints a little too far, still let us make a generous allowance for the difficulty of their situation: they could not, at this particular crisis, wholly disregard the opinion of their sister Colonies, and, indeed, every lover of this liberal Constitution cannot but, at least, forgive the apprehension and disquietudes of freemen, under a claim which stamps them with the character of slaves. I mean the claim held up by this country of binding them, without the consent or security of their own Representatives, in all cases whatever—than which there cannot be a more complete description of the most ignominious servitude; and it is reserved to distinguish the Administration of this day—to assign as a reason for rejecting a Petition from *British* subjects, and in an *English* House of Commons, that they claimed a right of giving and granting their own money by their own Representatives.

And, sir, as a refutation of many unjust charges alleged against them, they particularly disclaim all intentions and desire of Independence. They confess the necessity of a superintending power in Parliament, and explicitly state their conviction of its utility and equity when exercised for the regulation of Trade. They look up to the Legislature for redress; they entreat the exertions of its wisdom and benevolence to propose and adopt some method to terminate the present destructive dispute, for the happiness, and to the satisfaction, of both countries. They gratefully acknowledge the blessing which they have derived from the parental state; they deeply lament the interruption of your affection, and hope to avert your indignation by remonstrance and prayer. What more humble would *Englishmen* ask from *Englishmen* and the sons of *Englishmen?* Permit me then, sir, to beseech the House not to turn a deaf ear to their requests; but to embrace the first favourable opportunity of bringing them back to their duty, and leading them on to higher acts of obedience by new instances, on our part, of mildness, remission, and friendship.

Digitized by Google

Mr. *Cornwall* said it was contrary to every idea of the supremacy of Parliament to receive a paper in which the Legislative rights of Parliament were denied; before such a paper could be brought up, the Declaratory Act ought to be repealed: but the paper was not of that magnitude; it was only from twenty-six individuals.

Mr. *Jenkinson*, on the same side, urged that the House had never received Petitions of this nature: but that here the name of a Petition was studiously avoided, lest any thing like an obedience to Parliament should be acknowledged. The opposition of the Colonies was not so much against the tax which gave rise to the present dispute, as to the whole Legislative authority of Parliament, and to any restrictions of their trade. He reprobated every part of the Remonstrance, and, therefore, was not for suffering so disrespectful a paper to be brought up.

Mr. *Aubrey*. After all the abilities that have been exerted this session, in behalf of the rights of *America*, it would be inexcusable in me, were I to presume to detain the House more than a few moments with any thing that I might have to offer upon the subject before us: but, as I have ventured to deliver my sentiments here upon some occasions, I am unwilling to give a silent vote upon this; because I think it a very critical, as well as a very important one. The Petitioners, 'tis true, who now apply to us, remonstrate against our right of internal taxation; but they acknowledge, with great decency and respect, the supreme government of this Legislature over the whole Empire, as well as its authority, to the utmost extent, to regulate the Trade and Commerce of the Colonies, and at the same time, they give us the strongest assurances, "that they are, "as they ever have been, ready to bear their full propor-"tion of Aids, whenever the Crown, with the consent and "approbation of Parliament, may make such requisitions "as the publick service shall call for." Sir, this Remonstrance may be in opposition to our Declaratory Act: but it is in defence of their customary and prescriptive exemption from *British* taxation; the loss of which exemption will put them into the condition of slaves, whose all will then depend only upon the justice or the generosity of their masters.

Though I am ready, sir, to declare in the words of the greatest Minister this country knows, that I think "we "have no right under Heaven to tax the *Americans* with-"out their consent;" yet, for the sake of argument, I will admit that such a right, if we reason strictly and logically, may be made out partly from the words of some of their Charters, and partly upon the nature of sovereignty itself: but, whatever the right may be, every one knows that, till of late, it was never exercised, and was, therefore, grown, at best, obsolete, if a thing never practised, can properly be called so. Now, a right that is become obsolete, is very near akin to no right at all; and when revived, is as offensive as if it had never previously existed. Among the oppressive measures of *Charles* the First, it was none of the least that he revived obsolete claims. Indeed, some of our modern historians (and those I allude to are at present most in fashion) have reduced the whole of his oppressions to this denomination: but, sir, this Nation was incensed, and the greater part rose in arms against him for this practice. And do we wonder that the *Americans* are so little disposed to claims that had laid dormant so long, and which few of them, if any, had ever so much as heard of? After looking backward to the origin of this right, let us now look forward to its consequences. And here the *Americans* seem equally excusable for not admitting a principle which may be abused to their ruin, and which is not unlikely to be so abused. Whenever a Minister wants money for bad purposes, and finds the Nation clamorous against his raising it at home, what so natural for him as to supply his wants by the plunder of another Nation, whose clamours either do not reach him, or, from their distance, are too weak to disturb his repose. The temptation, sir, is as great as the necessities of Ministers are frequent; and both together will easily overcome their scruples. I cannot, therefore, think that the *Americans* can be too tenacious of that customary privilege of taxing themselves, which is their only security against being reduced to beggary and famine. And I shall only farther add, that as long as Government persists in attempting to tax the *Americans* without their consent, so long shall I think myself justified in taking every opportunity of voting on the side of that oppressed, perhaps I might say, devoted people.

Mr. *Fox* said, the right of Parliament to tax *America* was not simply denied in the Remonstrance, but as coupled with the exercise of it. The exercise was the thing complained of, not the right itself. When the Declaratory Act was passed, asserting the right in the fullest extent, there were no tumults in *America*, no opposition to Government in any part of that country; but when the right came to be exercised, in the manner we have seen, the whole country was alarmed, and there was an unanimous determination to oppose it. The right, simply, is not regarded; it is the exercise of it that is the object of opposition. It is this exercise that has irritated, and made almost desperate, several of the Colonies; but the noble Lord *(North)* chooses to be consistent; he is determined to make them all mad alike. The only Province that was moderate, and in which *England* had some friends, he now treats with contempt. What will be the consequence, when the people of this moderate Province are informed of this treatment? That Representation which the cool and candid of this moderate Province had framed, with deliberation and caution, is rejected; is not suffered to be presented—no, not even to be read by the Clerk. When they hear this, they will be inflamed; and, hereafter, be as distinguished by their violence, as they have, hitherto, been by their moderation. It is the only method they can take to regain the esteem and confidence of their brethren in the other Colonies, who have been offended at their moderation. Those who refused to send Deputies to the Congress, and trusted to Parliament, will appear ridiculous in the eyes of all *America;* it will be proved, that those who distrusted and defied Parliament had made a right judgement; and those who relied upon its moderation and clemency, had been mistaken and duped. The consequence of this must be, that every friend the Ministers have in *America*, must either abandon them, or lose all credit and means of serving them in future.

The noble Lord (*North*) acknowledges the *Quebec* Duties are not laid exactly as they ought to be. This matter is not introduced in the Remonstrance on account of its being a grievance; but to shew how extremely ignorant the present Ministers are of the proper mode of *American* taxation. What is there to hinder the people of *New-York* from trading with the interiour country as before? Every thing is just the same; there are no Troops to hinder them passing and repassing as usual. Is there so much as an Officer to receive that Duty which is directed to be paid? It is mentioned to convince you of your ignorance in taxing *America*. You make an Act of Parliament, to raise a revenue in that country, and you not only make a capital blunder in it, but stumble at the threshold of collecting it.

Governour *Johnstone* observed, that when Mr. *Wilkes* had formerly presented a Petition, full of matter which the House did not think fit to enter into, they did not prevent the Petition being brought up; but separated the matter which they thought improper, from that which they thought ought to be heard. The House might make use of the same selection here. Ministers have long declared, they wished for a dutiful application from one of the Colonies, and now it is come they treat it with scorn and indignity. He was severe on Mr. *Cornwall's* saying it came only from twenty-six individuals. These twenty-six are the whole Assembly. When the question to adopt the measures recommended by the Congress, was negatived by a majority of one only, in this Assembly of twenty-six individuals, the Ministers were in high spirits; and these individuals were then represented as all *America*.

During the Debate, the question was frequently called for, and being, at length, put upon Lord *North's* amendment, the House divided: Yeas, 186; Noes, 67.

So it was resolved in the Affirmative.

Then the main question, so amended, being put, "That "the said Representation and Remonstrance, *in which the* "*said Assembly claim to themselves rights derogatory to,* "*and inconsistent with, the Legislative authority of Par-* "*liament, as declared by the said Act*, be brought up:"

It passed in the Negative.

Digitized by Google

HOUSE OF LORDS.

WEDNESDAY, *May* 17, 1775.

Lord *Camden* presented to the House the following Petition:

To the Right Honourable the Lords Spiritual and Temporal, in Parliament assembled:

The Petition of his Majesty's loyal and dutiful subjects, settled in the Province of QUEBEC, *humbly sheweth:*

That since the commencement of Civil Government in this Province, your Lordships' humble Petitioners, under the protection of *English* laws, granted us by his sacred Majesty's Royal Proclamation, bearing date the 7th day of *October*, which was in the year of our Lord 1763, have been encouraged to adventure their properties in Trade, Estates, and Agriculture, to a very considerable amount, thereby rendering the Province a valuable acquisition to *Great Britain:* that, to their inexpressible grief, they find, by an Act of Parliament, entituled "An Act for making "more effectual provision for the government of the Prov-"ince of *Quebec*, in *North America*," they are deprived of the Habeas Corpus Act and Trial by Juries, are subjected to arbitrary fines and imprisonment, and liable to be tried, both in civil cases and matters of a criminal nature, not by known and permanent laws, but by Ordinances and Edicts which the Governour and Council are empowered to make void at their will and pleasure, which must render our persons and properties insecure, and has already deeply wounded the credit of the country, and confined our views, in trade, to very narrow limits. In this cruel state of apprehension and uncertainty, we humbly implore your Lordships' favourable interposition, as the hereditary guardians of the rights of the people, that the said Act may be repealed or amended, and that your humble Petitioners may enjoy their constitutional rights, privileges, and franchises, heretofore granted to all his Majesty's dutiful subjects. And your Petitioners, as in duty bound, will ever pray.

Quebec, November 12, 1774.

Before the Clerk read the Petition,

Earl *Gower* said, he should be glad to be informed through what channel the Petition came into the noble Lord's hands, as he understood that such a Petition had been in Town for some months; but not coming in a manner in which his Majesty's Ministers could take the desired notice of it, he did not see how the House could entertain it, without it came accompanied with the necessary forms. He heard, he said, that a gentleman, no way connected with the Province, had such a Petition in his possession; but how the House could be satisfied that the Petition, now presented, was the Petition of the persons to whom it was attributed, was not in his power to determine.

Lord *Camden* replied, it mattered very little how the Petition came into his hands; this, however, he would venture to assure the House, that it was genuine; and if their Lordships conceived any suspicion that it was unfairly or surreptitiously obtained, the Agent of the Colony (Mr. *Maseres*) would give them the fullest satisfaction on that head.

The Petition was then read by the Clerk.

Ordered, That the said Petition do lie on the table.

Then it was moved, "That the Bill, entituled 'An Act "for making more effectual provision for the government "of the Province of *Quebec*, in *North America*,'" might be now read.

The same was accordingly read by the Clerk:

Which done,

Lord *Camden* acquainted the House, that the Petition having been, previously, offered to every Peer in Administration, had, at last, been delivered to himself to present to that House; a task which he had undertaken, not having those reasons that might have influenced the Lords in Office to decline it; because he had, uniformly, from principle and conviction, opposed the Act which they had planned, and by their persuasive powers carried through the House.

His Lordship then observed, that after the fullest examination of the Act in question, he found it so thoroughly impolitick, pernicious, and incompatible with the Religion and Constitution of our country, that no amendment, nor any thing short of a total repeal of it would be sufficient. He remarked on the provisions of the Act as being wholly inconsistent with the reasons recited in it; and he concluded that they were not the true reasons on which it was founded; that there must be other secret motives and designs which had produced the measure, and which could be best discovered by attending to the purposes the Act was calculated to answer, which, from the provisions made therein, appeared to be no other than to prevent the farther progress of freedom and the Protestant Religion in *America*, and to secure a Popish *Canadian* Army to subdue and oppress the Protestant *British* Colonies of *America*. His Lordship arranged his objections to the Act under the three following heads:—First, The extension of the limits of *Quebec*. Second, The establishment of Popery there; and Third, The civil despotism in which the inhabitants of that immensely extended Province are to be perpetually bound, by being deprived of all share in the Legislative power, and subjected, in life, freedom, and property, to the arbitrary Ordinances of a Governour and Council, appointed by, and dependent on, the Crown.

Under the first of these heads his Lordship proved, that there could be no good reason for so extending the limits of *Quebec*, as to make them comprehend a vast extent of country, two thousand miles in length from North to South, and bounded on the West only by the South Sea. That this enlargement could only be intended to extend the shackles of arbitrary power and of Popery over all the future settlements and Colonies of *America*. That by drawing the limits of that Province close along the interiour settlements of all the old *English* Colonies, so as to prevent their further progress, an eternal barrier was intended to be placed, like the *Chinese* wall, against the further extension of civil liberty and the Protestant religion. His Lordship then animadverted particularly on the instructions lately transmitted to General *Carleton*, whereby the regulation of all the *Indian* trade of *North America* is put into the hands of the Governour and Council of *Quebec*, and the other Colonies are obliged, in their intercourse with the *Indians*, to submit to the laws, not of the *British* Parliament, but of a despotick unconstitutional Legislature in *Canada*; a measure calculated to produce endless contentions and animosities.

Under the second head his Lordship proved, that the Popish religion, though not in express terms, is, in effect, really and fully established in the Province of *Quebec*. By confirming not only the Laity, in a free exercise of their religion, but the Romish Clergy, in the enjoyment of all their former tythes and ecclesiastical dues, rights, &c., and the Bishop, (the Pope's representative,) in the exercise of all his spiritual powers and functions, and in the disposal of one hundred and eighty ecclesiastical benefices; and also by dispensing with the Oath of Supremacy, whereby every officer of Government in that Province, both civil and military, even the Governour himself, may be of the Romish religion. And here his Lordship particularly referred to the Act of the first *Elizabeth*, which forever excludes the Pope from all jurisdictions within the Kingdom of *England*, and the Dominions thereunto belonging, or which may, at any future time, be acquired; and prescribes an Oath of Supremacy to be taken through this Kingdom and all its Dominions. This Act his Lordship represented as the great support and barrier of the Protestant religion; and as being, in its nature, as sacred and fundamental as the Act of Settlement, or even as Magna Charta itself;—and yet, said his Lordship, this has been unnecessarily and wantonly violated by the *Quebec* Act, whereby the oath which it prescribes is wholly dispensed with in that Province. His Lordship observed, that the capitulation with Sir *Jeffery Amherst* promised the people of *Canada* only a toleration in the exercise of their religion, and that, by the Definite Treaty of Peace, they were only to be allowed to "profess the worship of their religion, according to the "rights of the Romish Church, as far as the laws of *Great* "*Britain* permit;" that the utmost which the inhabitants of *Canada* had expected, in consequence of this, was a religious toleration, such as is allowed to Protestant dissenters in *England*, whose Clergy not only receive no tythes, but are exposed to a train of penalties from which they have in

Digitized by Google

vain solicited relief. And that the Popish Clergy of *Quebec* were so far from expecting any grant of tythes, that they had not even asked for them in the course of more than ten years, which had since elapsed. That they were unexpected, unreasonable bounties, "*quod nemo Divûm promittere auserat.*" His Lordship farther observed, that by thus clothing the Popish Clergy with wealth and power, and the rites of the Romish religion, with that alluring splendour, magnificence, and pomp, which are its chief supports, an impolitick, insuperable, bar was placed against the conversion of the people of *Canada*, from their present attachment to the Popish religion, and their desire of returning again to the dominion of *France*.

Under the third and last head, his Lordship took an extensive review of the History and Constitution of *England*, as well as of the Royal prerogative, in respect to new dominions and conquered countries; he animadverted on the doctrine said to have been delivered by Lord *Mansfield* in the cause respecting the duty of four and a half per cent. levied by the Crown in *Grenada*, and clearly proved, that, in all accessions of territory to the Crown, the King is, constitutionally, intrusted and required to extend to his new subjects the laws of *England*, and the benefit of a constitution similar to that of our own country; that he can give no less than those rights and privileges which, by the Common Law, as well as by the Act of Settlement, are declared to be "the birthright of every *British* subject;" that, accordingly, this had been invariably done in every acquisition of territory and dominion, particularly in the case of *Ireland*, of the Counties Palatine (*Chester* and *Durham*) of *Wales*, of *Berwick* upon *Tweed*, of *Calais*, of *Jamaica*, of *New-York*, of *St. Christopher's*, of *Grenada*, &c.; that the same was also promised to be done in the Province of *Quebec*; and that, by the Proclamation of 1763, the faith of the Crown was solemnly plighted to the settlers in that and the other new Colonies, that their respective Governours "shall summon and call General Assemblies within "the said Governments, respectively, in such manner and "form as is used and directed in those Colonies and Prov-"inces in *America*, which are under our immediate gov-"ernment;" and, continues the Proclamation, "we have "also given power to the said Governours, with the consent "of our said Councils, and the Representatives of the peo-"ple, so to be summoned as aforesaid, to make, constitute, "and ordain Laws, Statutes, and Ordinances, for the publick "peace, welfare, and good government of our said Colo-"nies, and the people and inhabitants thereof, as near as "may be agreeable to the laws of *England*, &c., and in "the mean time, and until such Assemblies can be called "as aforesaid, all persons inhabiting in, or resorting to, our "said Colonies, may confide in our Royal protection for the "enjoyment of the benefit of the laws of our Realm of "*England*," for which purpose Courts of Justice were to be erected, &c., all which, Lord *Camden* observed, had been done and fulfilled in every other Province, excepting that of *Quebec*, to which many settlers had been allured by this Proclamation, who, by a most disgraceful violation of the Royal faith, were since, with the rest of that Province, subjected to the civil laws of *France*, and to the despotism of a Governour and a dependent Council, instead of being allowed an Assembly, and laws made by the Representatives of the people, as they were solemnly promised. His Lordship also represented, that the tyrannical Government thus established, is considered as the most oppressive act of injustice by all the Protestant, and even by all the Popish, inhabitants of *Quebec*, except the Romish Clergy and *French* Noblesse, who are willing to submit to a despotick Government, for the sake of tyrannizing over the peasantry of *Canada*. He likewise observed, that the slavery imposed by the Act in question is so repugnant to the success of commerce, and abhorrent to the feelings of native *British* subjects, that if it be not soon repealed, both the former and latter will abandon that Province.

His Lordship having, by these and many other facts and arguments, proved the impolicy, injustice, tyranny, and iniquity of the Act in question, declared, that it deserved to be reprobated by the unanimous voice of Parliament, and that it would, necessarily, receive the censure of their Lordships, if there remained the smallest regard for liberty and the Constitution in one part of the House, or for the Protestant religion in the other.

His Lordship concluded with offering the following Bill:

A Bill to repeal an Act made in the last session of the last Parliament, entituled "An Act for making more "effectual provision for the government of the Prov-"ince of QUEBEC, *in* NORTH AMERICA."

Whereas, an Act was passed in the last session of the last Parliament, entituled "An Act for making more "effectual provision for the government of the Province "of *Quebec*, in *North America*;"

And whereas, the said Act, contrary to the example of all former times, and to the faith of his Majesty's Proclamation, issued in the year 1763, has established an arbitrary Government in the said Province;

And whereas, the said Act, by permitting both the Clergy and Laity there to hold offices and benefices, without taking the Oath of Supremacy, and by granting to the Popish Clergy, in the said Province, the enjoyment of their accustomed dues and rights, has entirely stopped the growth and propagation of the Protestant religion, and in the room thereof has established the religion of the Church of *Rome* in the said Province forever;

And whereas, the said Act, by enlarging the boundaries of the said Province, and making the Legislature thereof co-extensive with the same, may put the *Indian* trade, among other things, under the sole management of that Legislature, as, in truth, appears to be already done, by the instructions lately given to Governour *Carleton*, by which that trade, which had before been freely carried on by all his Majesty's subjects in *North America* without restriction, is now to be confined to such regulations as the said Legislature may think fit to impose upon it, and thereby the rights of his Majesty's other Colonies unwarrantably abridged and invaded; and, by a like extension of the said Legislature, the said other Colonies may come to be excluded from having any intercourse or correspondence whatsoever with the *Indian* Nations of that vast Continent, without the leave or permission of the said Legislature, which would naturally give rise to unnatural divisions, and endless controversies between his Majesty's subjects of the old Colonies, and the inhabitants of the new Province of *Quebec*;

May it, therefore, please your most excellent Majesty, *That it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and the Commons in this present Parliament assembled, and by the authority of the same*, That from and after the first day of *May*, 1776, the above mentioned Act, and the several matters and things therein contained, shall be, and is, and are, hereby repealed and made void, to all intents and purposes whatsoever.

The said Bill was read the first time.

Lord *Camden* then acquainted the House, that he had delayed the proposed repeal until the first day of *May* next, to the end that time might be obtained in the interval to provide a better plan of government for the Province of *Quebec*.

The Earl of *Dartmouth* then moved, "That the said Bill be now rejected."

The Earl of *Dartmouth* said, he should decline entering into a detailed view of the vast mass of matter which had been travelled over by the noble Lord. He made the same objection to the mode of obtaining the Petition, and the manner of presenting it, as Earl *Gower* had done. He said, that the Petition had been offered to be delivered to him so early as the 23d or 24th of *January*; but, besides, that his sentiments were clearly in favour of the Act, he could not, with propriety, receive any paper, importing to be a Petition from the inhabitants of that Province, unless it came through the channel of the Governour and Council. But, said his Lordship, supposing that the Petition had been fairly obtained, what does it literally, or substantially, import? Does it desire a repeal? Does it even hint at any such thing? How, then, can the noble and learned Lord come, upon the ground of this Petition, to Parliament to desire a repeal, when the very utmost the Petitioners themselves look for is, that they may have the benefit of the Habeas Corpus law, and the Trial by Jury? The former of which, it is evident, they are entitled to, by the laws of *England*, and the latter they now enjoy in all criminal matters. His Lordship then read the Address

Digitized by Google

presented to Governour *Carleton*, from the *French* inhabitants, on his arrival, and their Address to the King, wherein they express their gratitude to his Majesty, for restoring them to their ancient rights and privileges. These, he insisted, were the most indubitable proofs, that the *French Canadians* were made happy by the change, and that by no one rule of good policy, justice, or a regard to publick faith, could it be expected that nearly one hundred thousand peaceable loyal subjects should be rendered unhappy and miserable, purely to gratify the unreasonable request of two or three thousand persons, who wished for what was impracticable, and looked upon themselves deprived of what they were actually in possession of.

On these grounds he moved for the rejection of the Bill.

The Duke of *Richmond* said, the present motion of repeal was not supported solely on the contents of the Petition now presented, but on the idea that every noble Lord had a right to propose an amendment, and move for a repeal, of any law which they deemed impolitick or oppressive. His Grace observed, that great industry had been used on a former occasion, and he made no doubt would be much resorted to, and great stress would be laid on the same mode of reasoning this day, that suppose the powers vested by the Act might, on account of giving the *Canadians* some civil Constitution, suited to the immediate necessity of the case, somewhat exceed those modes of legislation and government usually exercised where no such necessity existed; yet the acknowledged disposition of those, to whom this power was delegated, removed the most distant jealousy or suspicion, that this trust would be abused. That this maxim, said his Grace, applied directly, is certainly true in fact, though notoriously fallacious in every other respect, by way of argument; for where would it lead us, but directly to the establishment of arbitrary power? I am confident, there is not a Lord in this House, who has made politicks his study, or has taken time to consider the different Constitutions of Government that have been framed and established, but will agree with me, that the true end of all civil regimen, is the happiness and prosperity of the governed; and that, consequently, the best Government is that which is best exercised. But I trust there is not a noble Lord who will openly contend, that, because the person to whom the execution of the laws is intrusted, probably will employ the trust thus committed to his charge with fidelity, and a sacred regard for the interests of his people, that, therefore, they should, from their unbounded confidence in him, foolishly and blindly make a surrender of their rights and liberties; thinking his virtues and abilities transmissible and hereditary with his political office. To guard against this mistake, our Constitution was first framed, and every one law enacted to secure to us the blessings we at present enjoy, is directed not to bind good Princes, or direct wise ones, but to prevent weak or bad men from abusing that trust, necessary, from the nature of civil Government, to be lodged somewhere. I will even come more immediately to the point before your Lordships, to the personal character of the Governour, who is charged with the execution of those monstrous arbitrary powers which are the subject of this day's debate. I do not, for my part, believe there is a more worthy or deserving man breathing. I know him well; I have, I may say, lived with him for several years, and I am convinced of his high integrity and eminent skill in his profession; but will it follow, that because I know General *Carleton* to be a man to whom I might safely trust every thing I hold dear and sacred, that, therefore, I must wish to trust the Governour of *Quebec*, be he whom he may, with powers which, from their nature, if exercised at all, must be productive of oppression and injustice; and if badly exercised by any future Governour who may happen to succeed him, may be turned into an engine of oppression and tyranny equal to those claimed by the most absolute despot on earth? His Grace, besides his general argument, applied particularly to the Bishops to rise and explain themselves on the article of religion; and whether they were of opinion that it was proper that Popery should be indulged with a Legislative establishment in any part of the *British* Empire?

Lord *Lyttelton*. My Lords: the noble mover has told your Lordships, that the Bill which passed last session, for establishing a Government in *Canada*, was a Bill, "abhorrent to the *British* Constitution, and that it ought to be "repealed by the unanimous voice of this House." I shall first put his Lordship in mind, that this Bill was not made for the meridian of *England*; that it was framed for the conquered subjects of *France*, consonant to the faith of Treaties, and to the stipulations agreed upon by the conqueror, which was part of the solemn pact, between *Great Britain* and *France*, covenanted for, and ratified by, both Nations at the conclusion of the war: and then, my Lords, I will go a step further; I will meet the noble Lord on his own ground; and will uphold that the general principles and policy of this *Canada* Bill were founded in wisdom; that the principles of it, which his Lordship affirms to be repugnant to Christianity, emanated from the Gospel, and are coeval with the religion of our Saviour; that they breathe forth the spirit of their Divine Master; for they are neither principles of Popery, nor servitude: they are principles, my Lords, of toleration, unrestrained by prejudice, and unfettered by absurd and odious restrictions. The inhabitants of *Canada* were Catholics before they were conquered by *England*, they are Catholics now, but under the jurisdiction of a Protestant Parliament, and under the cognizance of Protestant Bishops, who form a part of that Parliament, and who, I believe, were unanimous in allowing them the free exercise of their religion. In regard to the policy of the Bill, I cannot but think it to be indisputably excellent, because it tends, by the beneficence of its aspect, to remove those rooted prejudices which are carefully instilled into the minds of all the subjects of *France*, against the laws and the Constitution of *England*.

This Bill, my Lords, has more effectually opened their eyes, than the perusal of all our Statute books; it has given them, with the mild code of our criminal law, a share of those blessings which we derive from freedom; it has abolished the torture; it has raised the people from the oppression and tyranny under which they crawled, and has perpetuated in their hearts that dominion, which has so recently been acquired by our arms. But, says the noble Lord, (and here he seems to press on triumphantly his arguments) you have, by this Bill, affected the interests of commerce, those interests that ought to be most dear to *Great Britain*: they ought to be so, indeed, my Lords; and so far are those interests from being hurt, that it has been the chief purpose of the Bill to improve them: they have flourished under it, even beyond the most sanguine expectation; for, my Lords, since the Non-Importation Agreement has been entered into by all the other Provinces of *America*, who but the *Canadians* have opened a channel for *British* Manufactures? Who but the *Canadians* have kept alive your drooping commerce, by taking prodigious quantities of Goods from *England*, which by their spirit and diligence have, notwithstanding the unlawful combinations of the *Americans*, penetrated and pervaded every part of the Continent? Notwithstanding the factious Resolutions of the Assemblies; notwithstanding the inflexible enmity of the Congress, the *Canadians* have opened a way for the *English* Trader: by their means he has found a passage into *America* for his various sorts of Merchandise; they have been carried into all the Provinces; they have even crossed over the peninsula of *Boston*. These, my Lords, these are the consequences you have derived from this *Canada* Bill; reprobated, indeed, by the noble Lord, but most cordially received by the loyal *Canadians*, who take every occasion to shew how sensible they are of its utility, and how desirous of testifying their gratitude.

But the noble and learned Lord has not confined his opposition to the general principles and policy of this Act: he has, with the designing subtlety of a Lawyer, attacked the law part of the Bill: he has told your Lordships, that the intention of it was to throw an unlimited power into the hands of the Crown; that the design was manifest, because they were denied the Habeas Corpus: he has assured you, that by excepting the *Canadians* from the salutary influence of this excellent provision made for the liberty of the subject, you have altered the tenour of that wholesome policy, which has always induced, and by law should always compel, *Great Britain* to give to all conquered countries the full and perfect system of *English* freedom in return for their allegiance. The noble Lord has instanced the case of *Jamaica*, of *Barbadoes*; but, above all, of *Ireland*. Has the noble Lord forgot, then,

Digitized by Google

that *Ireland*, though in possession of the criminal law of *England*, has not the Habeas Corpus Act? That Act, which is a special privilege monopolized by *Great Britain*, is not even extended to *Ireland;* but *Ireland* has what is, in fact, equivalent to it, and so has *Canada*. Would the noble Lord then desire, that those new conquered subjects of *England*, against whom he shews such strong and irreconcileable hatred, should be indulged with a privilege which even Liberty herself seems to be jealous of, and which has, hitherto, been denied to the loyal inhabitants of *Ireland?* My Lords, he does desire it; he would do any thing to answer his purposes—to increase the storm—to perplex, to distress Administration. Animated by these views, I am not surprised, that he hates the nobility of every country; they stand in his way. He would rub them out of his system of Government. He has told your Lordships that it is the Noblesse, and the Priests of *Canada*, that are only benefited by this Bill; and that it would be better for the Province, if both Prelates and Nobility were whipped out of it: these are his Lordship's sentiments; Republican sentiments, my Lords, which, with less impropriety, might have come from the mouth of a factious burgher of *Geneva*, but which are foreign from the genius of the *British* Constitution. He concluded with calling upon Administration to know what the *Spaniards* were about, affirming that the great Armament fitting out in the *Spanish* Ports could not be intended against the *Moors*.

The Duke of *Manchester* replied to the charges of faction thrown out by the last noble Lord on Opposition in general. He said, he often happened to differ from Administration; but he had never till that day heard such difference of opinion directly imputed as a crime, or branded with an indecent and ill-founded epithet.

The Earl of *Rochford*. As far as it may be consistent with the nature of my office, I will inform the House of what I know concerning the Armament the noble Lord speaks of. By the best accounts I have been able to collect, the Armament consists of no more than twelve or thirteen Men-of-War of the line at most; what the inferiour Vessels of force, or the number of Frigates may be, I cannot precisely say. I understand, the Land Forces, so far from being prepared to get aboard the Transports, at a short warning, though they may amount to about thirty thousand men, are composed partly of Cavalry and Guards, which can never be meant for a Naval Expedition. Whatever suspicions such appearances may create, I am to inform your Lordships, that our Minister at the Court of *Madrid* has been instructed to press for explanations, and has received the strongest assurances, that nothing was intended against *Great Britain* or her allies. I cannot say that I have any great reliance on assurances in general; but yet, ridiculous as it may appear to us, that the *Spaniards* should incur so immense an expense, in preparations for chastising the *Moors:* when their policy and religion are considered, and that the *Moorish* war is taken up on conscientious notions of religion, our wonder will in a great measure cease. Besides, there are many other motives which might, probably, induce *Spain* to arm at this time, without having any hostile intentions against this country. *Sicily* is disturbed by civil commotion, and threatened with latent discontents, which his Catholic Majesty feels for, almost as much as if they were in his own Kingdom. A kind of war actually subsists between *Spain* and *Portugal* in the *Brazils*. There is a revolt in *Mexico*, and the total silence of the Consuls and the Merchants, whose business it is to give information, join to strengthen me in the same opinion. The *Portuguese* Envoy at this Court seems perfectly undisturbed, and free from apprehensions of any invasion of his country; and that if he should be mistaken, and that those Armaments are actually intended against *Portugal*, I shall, for my part, think *Great Britain* as much interested in the event, as if part of her own dominions were actually attacked.

The Earl of *Bristol*. I have not the least doubt, my Lords, but the *Spaniards* have a very powerful Naval Armament in great forwardness for the Sea; and though I cannot think, from the tonnage and construction of the Transports, they are calculated to convey Troops beyond the Ocean, yet I must confess, *Britain*, however conscious she may be of her Naval superiority, has just reason to be seriously alarmed. The noble Earl speaks of insurrections in *Mexico*, of a kind of war at present subsisting between the subjects of his Catholic Majesty and the *Portuguese* in the *Brazils:* and how deeply his Catholic Majesty concerns himself in the latent discontents which threaten to disturb the Kingdom of *Sicily*. I need not repeat again, that, in my opinion, this Armament can never be intended to cross the Ocean; neither do I think, if the transport service were calculated for that purpose, would it be at all necessary to collect such a strong military force, so near the water-side; And I beg leave to differ from his Lordship, when he supposes they are scattered through the different Provinces in cantonments; for if I be not misinformed, though they are not, perhaps, just ready to embark, they are, nevertheless, stationed in such a manner as to be drawn together at a very short warning. In such a state of uncertainty, if intended at all for actual service, it may be asked, whither are they destined? For my part, if I were to hazard a conjecture, I should be inclined to imagine for the Coast of *Africa*, for *Lisbon*, or *Gibraltar;* and the more so, against either of the two latter, for the very reason the noble Earl in office has assigned, that the Land Forces consisted in a good measure of Cavalry, and the *Spanish* and *Walloon* Guards, who never serve out of the Kingdom, but who might, very consistently with their usual designation, either co-operate with a Fleet in attacking *Lisbon* or *Gibraltar*. Every noble Lord in this House, by consulting the situation of the rendezvous, and its vicinity to *Gibraltar*, may readily conclude with what facility the Fleet and Transports might turn down into *Gibraltar Bay*. It is true, that *Gibraltar* is almost invulnerable on the land side, and that very strong defences and additional works have been, within the three or four last years, erected towards the sea. Yet, how much soever I may be inclined to depend on the bravery of the Troops, and the ability of the Officers in superiour command, I would feel very sensibly for the fate of that fortress, if attacked, and if not quickly relieved by Naval succours from *England*. I am certain, before those additional works were raised, it could not hold out against a Fleet of seventeen Ships-of-the-Line a single day; and even now it is possible it would be obliged to submit in a week, though it might hold out much longer. A great deal will, however, depend, should such a disagreeable event take place, on the present state of our Navy. If we have a force equal, or superiour to theirs, ready at a short notice, it is probable the gallantry of the Troops might be able to baffle every attempt of the assailants, till succours should arrive. The noble Earl, at the head of the Admiralty, who has, much to his honour, done more than any man who has presided at that Board for upwards of a century, can inform the House, whether or not a sufficient Naval Force could be made ready, so as to answer the necessity of so critical an emergency.

Lord *Lyttelton*. I did not press the noble Earl, in office, to betray the secrets of it, nor divulge matters of state; I wished, only, to give his Majesty's Ministers, if they thought proper, an opportunity of averting part of the censure which might be, undeservedly, thrown on them, in case an unexpected blow should happen to be struck, and prevent the fraud and imposition the people might be liable to from a few among them, perhaps, who might have better or earlier intelligence than the rest. I have, it is true, no great opinion of *Spanish* politicks, yet I must abide by my former assertion, that I am convinced, however conscientious his Catholic Majesty may be, and desirous of propagating the Christian faith, and extirpating the enemies of the Cross, his Majesty, much less his Ministers, would never put the Nation to the enormous expense of the present Armament, merely to make proselytes in the wilds and deserts of *Africa*. The *Spanish* Cabinet is composed, like those of other Princes, of men of different abilities and dispositions; and business is transacted in it, as it is in all others, where there is no Prime Minister, by a plurality of voices. I can never, therefore, be persuaded to think that a majority of men, trained up to publick business, could ever be led to adopt so preposterous a measure. The noble Earl, in office, seems to place too great a reliance on the positive assurances given by the *Spanish* Court; and I will tell your Lordships why I think so. It is because I am well informed; I know it to be the current language of the

Digitized by Google

several branches of the House of *Bourbon*, that they do not look upon themselves bound to give us any previous information of their hostile intentions, either by declaration of war, or otherwise, on account of our capture of the *French* Ships, before the commencement of the late war. On the whole, the noble Earl, who spoke last, has put the matter upon the clearest and most incontrovertible footing, not upon the faith of *Spanish* assurance, or their ideas of political justice or injustice, but on what are our powers of immediate resistance, should such an attempt be made. I do, therefore, call upon the noble Earl, at the head of the Admiralty, to inform the House what Force we have immediately ready to put to Sea, should the first accounts from that quarter bring us intelligence that *Gibraltar* was attacked by a *Spanish* Fleet.

The Earl of *Sandwich*. The noble Lord who spoke last, has called upon me, particularly, to come to certain explanations which I do not, by any means, think myself obliged to give, nor his Lordship authorized to ask. However, as the main part of his inquiry depends upon facts, already sufficiently publick, I can, with propriety, tell his Lordship, that we have seventeen Sail-of-the-Line, fit for immediate service; that the number of Men wanting to complete the Ships, to their full complement, is not more than four thousand five hundred; that, by issuing Press-warrants, they might be readily procured in a week; and that the whole Armament would be ready to proceed to Sea within ten days. In a very little time we shall have eighty Men-of-War, of the line, with all the necessary Stores for their equipment, ready, as occasion may require, to be drawn out into actual service; which is a force superiour to any the united efforts of our enemies can possibly bring against us.

The Earl of *Bristol*. The noble Earl has told us that we have seventeen Sail-of-the-Line ready to proceed to Sea, at a few days notice; but I should be glad to know, in the event of *Gibraltar* being attacked, with such a Fleet as has been, this day, mentioned, whether his Lordship is of opinion it would be prudent to send the whole Force, he speaks of, to the immediate relief of that Fortress.

The Earl of *Sandwich*. I can hardly think myself enabled, from my official situation, to answer the noble Earl's question. That is a matter of state, not, in my opinion, at all connected with the immediate business of my Department. If I was ordered to comply with such a requisition, I must, certainly, obey it, whatever might be my own private opinion, my sentiments in this House, or the arguments I might use elsewhere, when it came under deliberation as a matter of state. For instance, if I received directions to order out half the number, or the whole, or keep the Fleet at home, to defend our own Coasts, the question would not turn on what I, in my official capacity, wished to do; but what the majority of his Majesty's servants had, really, decided. As to the Force, and the facility of sending it to Sea, I need only appeal to the noble Earl himself, to whom, in a great measure, the Nation is obliged for that arrangement. When his Lordship sat, as a member, at the Board at which I have the honour to preside, I stood much indebted to him for his assistance in effectuating the plan, by which we are enabled, at all times, to have a Fleet ready to put to Sea, on a few days notice, by converting the Guard-Ships, which, formerly, were almost totally useless, into Vessels fit for immediate service; and, though still I have his private assistance, I must confess I have great reason to regret his absence from that Board.

The Archbishop of *Canterbury*, in answer to what had fallen from the two noble Dukes, and the noble Lord who presented the Bill, observed, that so far from the Protestant Religion being totally neglected at *Quebec*, four Clergymen, of the Church of *England*, were actually established in that Province, with a stipend of two hundred Pounds per annum each; that more would be appointed, as soon as the necessity of the case, or an increase of population, should require it; and denied that the Popish religion was established in *Canada*, or that it was possible for Parliament to have acted otherwise, consistent with the faith of the capitulation, or the terms of the Definitive Treaty.

The Earl of *Shelburne*. It is with great reluctance that I presume to trouble your Lordships on a subject which has been so ably and fully discussed by so many noble Lords, much better informed and capable to decide on it. I cannot, however, be so entirely wanting in my duty, as a member of this House, to pass over, in total silence, some things which have fallen in the course of this day's debate. A noble Lord, who spoke early, has said, that there are some present who regret the absence of a certain noble Lord from his place (the Earl of *Chatham.)* If that be a crime, I am willing to share part of the imputation, for I own myself one of that number, though I, by no means, agree with his Lordship in the motives he has assigned for that absence, nor in the supposed sentiments attributed by him to the noble Earl, respecting the *Quebec* Act. I am, on the contrary, convinced that he would have been present in his place, on this occasion, were it not for an accident; and so far from approving of the Bill in every other part but relative to the sedentary Fishery, that, from every thing I could learn then, and in every private conversation I have had the honour to have since had with him, I have found his sentiments to be for condemning the Bill *in toto*. I believe the noble Lord has but a confused recollection of the true state of that matter, otherwise he must have remembered that his Lordship's supposed reconcilement to the Bill was no part of what he now alludes to, but that the very Ministers themselves disapproved of divesting the Commodore, on the *Newfoundland* station, of the control over the Fishery on the Coast of *Labrador*. The other parts of the Bill having been already so fully discussed, I shall just crave your Lordships' patient attention to a few words on the dangerous consequences which must flow from annexing this fishery to the Province of *Quebec*, and taking it out of the superintendence and control of the Commander of his Majesty's Ships-of-War, on the *Newfoundland* station. By the Bills lately passed, it seems to be the professed policy of those in power to reserve the whole of the *Newfoundland* Fishery for the benefit of the inhabitants of *Great Britain* and *Ireland*. I will say nothing of the immediate spirit which has given rise to this policy; but this I will venture to affirm, that not a single reason was adduced, either from the evidence at your Lordships' Bar, or in the House, that did not directly apply to evince the supreme folly of annexing the *Labrador* Fishery to the Province of *Quebec*. It was both proved and pressed, in argument, that the spirit of the Act of the twelfth of *William* the Third should be strictly adhered to, that of preventing settlers, and making as many Sailors as possible; in fine, strongly condemning the permission of a sedentary Fishery. What was the evidence of a most able and experienced Naval Officer (Sir *Hugh Palliser)* on that occasion? That the settlers had done every thing in their power to defeat the periodical Fishery from *Europe;* that they destroyed their Nets, seduced the Men to run away, and get over to the Continent; and that they supplied the Fishermen with *French* spirituous liquors, and other *French* commodities. Now, my Lords, I would submit, if there be any one Lord in this House who will take upon him to affirm, that every one of those evils will not increase an hundred fold; or that we shall be able to prevent them on the Coast of *Labrador*, where, if aggrieved, the party must go all the way to *Quebec* to seek redress against *Frenchmen* and *French* smuggling, when even numberless evils were, by the nature of the service, obliged to be left uncorrected, under, almost, the very eye of the Commodore. The Peltry, or Skin trade, my Lords, is a matter which, I presume to affirm, is of the last importance to the trade and commerce of the Colonies and this country. The regulation of this business has cost his Majesty's Ministers more time and trouble than any one matter I know of. The noble Earl, (of *Hillsborough,)* it is true, differed from me, among others of his Majesty's servants, on the regulating the trade with the *Indians;* but it was never so much as dreamt of, that the whole Skin trade, from *Hudson's Bay* to the Forks of the *Mississippi*, should be at once taken from the several *American* Colonies, and transferred to the *French Canadians;* or, which is substantially the same thing, that, by a Royal instruction, the sole direction of it should be vested in the Governour of *Quebec*. For, I will be bold to contend, whatever colourable construction may be put on it, it will operate as a complete exclusion and total monopoly, so far as the Protestant *British* Colonies can possibly be interested.

However foreign the *Spanish* Armament may be to the

Digitized by Google

subject of this debate, or irregular it may have seemed to introduce it in such a manner, I must confess myself very ready to dispense with mere forms, when matters of such singular importance, so pressingly call for our most serious deliberation. I remember, a few years since, that we were lulled into a security, which must, inevitably, have proved fatal, but for the strange revolution which took place in the *French* Cabinet, the dismission of that bold, enterprising Minister, *Choiseul*, who had planned the destruction of this country, in revenge for the disgraces *France* had suffered, and the repeated injuries, he imagined, she had received, in the course of a long, glorious, and successful war, carried on by *Great Britain*. I will not pretend to dive into the secrets of Cabinets farther than I am well warranted, or presume to point out the persuasive arguments employed to bring over the woman, to whose influence this unexpected turn of affairs is attributed; but this, I will venture to assert, because I have the proofs in my power, that *Gibraltar*, *Minorca*, *Jamaica*, and the greater part of our possessions in the *East* and *West Indies*, would have been among some of the first sacrifices that would have fallen; had it not, I may say, been for the miraculous interposition of Providence in our favour. We were, then, not a whit less consistent than we are now; though we had not a single Line-of-battle-Ship fit for actual service. I trust, however fashionable it may be to hold the same language at present, we should not again trust to the chapter of accidents, but that we will make an inquiry into the true state of our Navy, as well as the conduct of the persons to whose care it has been intrusted; and, whenever that day shall come, I pledge myself to your Lordships, that I will take an active and decided part in bringing to condemnation such as have been wanting in their duty. Two things have come out in the debate, which I cannot bring myself to subscribe to; one is, that the *Spaniards* are not to be depended on; and that the language of the House of *Bourbon* is justifiable, because we took their Ships before a declaration of war. On the former, I shall only observe, that I presume the *Spaniards*, in their publick transactions, have as much honour as any other Nation; and that, though I was but a child at the time, by the best and most impartial account I have read on that affair, I never could discover but *Great Britain* was fully justified in her conduct on that occasion. I shall trouble your Lordships with but one observation more, relative to the determined pacifick system of the Court of *Versailles*, so confidently set forth and relied on by the first noble Earl in office, who spoke in this debate; and I trust your Lordships will think it fully in point, should the Court of *Spain*, by their conduct, create the occasion. In 1741, in the second or third year of the *Spanish* war, during the ministry of Cardinal *Fleury*, a man of the most pacifick dispositions that ever directed the Councils of *France*, Lord *Waldegrave* being then our Ambassador at *Paris*, frequently pressed his Eminency relative to an Armament then fitting out at *Brest*, to know its destination, or whether particularly it was meant to join and co-operate with the *Spanish* Fleet. The Cardinal always assured him, in the fullest and most explicit terms, that *France* was resolved to take no part whatever in the quarrel subsisting between the two Crowns. His Lordship, however, went out one day, and heard it publickly asserted in the streets, that the Fleet had sailed from *Brest*, and were destined to reinforce the *Spanish* Fleet, then cruizing in the *Mediterranean*; on which, he immediately repaired to the Cardinal to upbraid him with his breach of promise, if the fact should turn out to be true. "You were not misinformed, my Lord," replied the Cardinal, "the Fleet is actually sailed, and for "the purpose you heard. I confess, likewise, that I had, "frequently, solemnly assured you of the contrary: and I "further own, that *Spain* is entirely in the wrong, and that it "is, perhaps, neither prudent nor politick in us to take part "in their business; but I would wish you, my Lord, at the "same time, to perfectly understand, though we do not ap-"prove of the motives of their going to war, and will always "carefully avoid to encourage them in their broils in the "first instance, when engaged for any time, we can never "submit to remain inactive spectators of their ruin, and "your consequent aggrandizement."

Lord *Mansfield* rose to defend the general principles of the Bill, and to reply to the objections urged by those who were in favour of the repeal. His Lordship, though he did not directly own the sentiments imputed to him, containing certain doctrines in law and politicks, said to have been maintained by him in giving judgement in the cause of *Campbell* against the Receiver General of *Grenada*, relative to the four and a half per cent. Duties, claimed by the King on the exported produce of that Island, virtually proved, nevertheless, that the sentiments were not without foundation, because he endeavoured to defend every single proposition they contained.

Lord *Camden* went over the same ground again, by either maintaining his former positions, illustrating the facts on which they were built, or replying to every answer that had, in the course of the debate, been attempted to be made to his original objections, and at the conclusion, claimed the victory, in reference to those objectionable doctrines adverted to; observing, that the learned Lord *(Mansfield)* had deserted the main proposition, on which all the others rested; namely, that the King, coming in as a conqueror, could give the conquered any constitution he pleased; or, if the new subjects claimed the benefit of capitulation or cession, the King might, at his option, stand in the place of the former Prince; whereas, the learned Lord was now obliged to confess, contrary to his former opinion, that a King of *England* could not, in any circumstances, or coming in under any title, exercise an arbitrary power, or reign over any of the subjects of the *British* Empire in a despotick manner, against the spirit of the Constitution.

This law contest lasted near two hours; but Lord *Camden* having, in reply to something Lord *Mansfield* said, such as, that some constitution was better than none, pledged himself to produce a better in twenty-four, or even twelve hours; the Earl of *Denbigh* demanded, why the learned Lord had not produced one before.

The question was then put on the Earl of *Dartmouth's* motion to reject the Bill: The House divided. Contents, 88; Non-Contents, 28.

It was resolved in the affirmative;

Ordered, That the said Bill be rejected.

List of the Minority.—Dukes, *Gloucester*, *Cumberland*, *Richmond*, *Manchester*.—Marquis, *Rockingham*.—Earls, *Abingdon*, *Scarborough*, *Stanhope*, *Cholmondeley*, *Fitzwilliam*, *Radnor*, *Effingham*, *Spencer*.—Bishop, *Exeter*.—Lords, *Craven*, *Ponsonby*, *Ravensworth*, *Archer*, *Wycombe*, *Beaulieu*, *Camden*. PROXIES.—Dukes, *Devonshire*, *Portland*.—Earls, *Stamford*, *Tankerville*.—Viscount, *Torrington*.—Bishop, *Asaph*.—Lord, *King*.

HOUSE OF COMMONS.

THURSDAY, *May* 18, 1775.

Sir *George Savile* presented the following Petition:—

To the Honourable the Commons of GREAT BRITAIN, *in Parliament assembled:*

The humble Petition and Memorial of his Majesty's ancient subjects, the Seigneurs, Freeholders, Merchants, Traders, and others, settled in his Majesty's Province of Quebec, Sheweth,

That, under the sanction of his Majesty's Royal Proclamation of the seventh day of *October*, 1763, which promises to all persons inhabiting in, or resorting to, the said Province, the enjoyment of the benefit of the Laws of the Realm of *England*, until Assemblies should be called therein, the Petitioners settled themselves in the said Province, having intrusted their own properties, as well as very considerable sums of their friends, in Goods and Merchandise from *Great Britain*, and intrusted the same into the hands of the *Canadians*, as well for the purpose of Internal Trade in the Province, as for outsets in carrying on the traffick of Furs and Peltries in the *Indian* Countries and Fisheries below *Quebec*; many of them having purchased Lands and Houses, and been employed in Agriculture, and the exportation of Grain and other Produce to foreign markets, to the great benefit and emolument of the said Province, which has flourished chiefly by the industry and en-

Digitized by Google

terprising spirit of the said subjects, who, under the protection of *British* Laws, and by the assistance of annual supplies of *British* Manufactures, and other Goods and Merchandise, obtained upon credit from the Merchants of *Great Britain*, have been enabled to carry on at least four parts in five of all the Imports and Exports, which are principally made in *British* Bottoms, the latter consisting of Furs, Peltries, Wheat, Fish, Oil, Pot-Ash, Lumber, and other Country Produce; and for the more convenient carrying on the said Trade and Commerce, they have built Wharves and Store-Houses, at a very great expense, insomuch, that the property, real and personal, now in *British* hands, or by them intrusted to *Canadians*, at a long credit, is one-half of the whole value of the Province, exclusive of the wealth of the different communities, which the Petitioners have, in part, set forth in their Petition to his Majesty, dated at *Quebec*, the 31st day of *December*, 1773, praying that he would be graciously pleased to require his Governour, or Commander-in-Chief, to call a General Assembly, in such manner, and of such constitution and form, as to his high Majesty should seem best adapted to secure the peace, welfare and good government of their Province; wherefore, with concern, the Petitioners observe, that in certain examinations taken before the House, the *British* subjects at *Quebec*, have been grossly abused and misrepresented, as well as to their numbers, as in their importance in the said Province, for the numbers of the new subjects have, the Petitioners conceive, been greatly exaggerated; it being, by the last computation, about seventy-five thousand; and that by an enumeration of the *British* subjects, they amount, at this time, to upwards of three thousand souls, besides many that the Petitioners cannot immediately ascertain, that are dispersed in the *Indian* countries carrying on traffick with the Savages, besides the Merchants and Traders, with their families, settled at *Detroit* and its dependencies, and at the Fisheries below *Quebec*; and that an Act has lately passed, for the making more effectual provision for the government of the Province of *Quebec*, in *North America*, which is said to have been passed upon the principles of humanity and justice, and at the pressing instance and request of the new subjects, signified to his Majesty by a Petition, setting forth their dislike to the *British* Laws and form of Government, and praying in the name of all the inhabitants and citizens of the Province to have the *French* Institutes in their stead, and a total abolition of Trials by Jury, together with a capacity of holding places of honour and trust, in common with his Majesty's ancient subjects; and the Petitioners beg leave to inform the House, that the said Petition was never imparted to the inhabitants in general, that is, the Freeholders, Merchants, and Traders, who are equally alarmed with the Petitioners, at the *Canadian* Laws being to take place, but was in a secret manner carried about, and signed by a few of the Seigneurs, Chevaliers, Advocates, and others in their confidence, at the suggestions, and under the influence of their Priests, who, under colour of *French* Laws, have obtained an Act which deprives his Majesty's ancient subjects of all their rights and franchises; destroys the Habeas Corpus Act, and the inestimable privilege of Trial by Juries, the only security against the venality of a corrupt Judge, and gives unlimited power to the Governour and Council to alter the Criminal Laws; which Act has already struck a damp upon the credit of the country, and alarmed the Petitioners with the just apprehensions of arbitrary fines and imprisonment, and which, if it takes place, will oblige them to quit the Province, or in the end it must accomplish their ruin, and impoverish or hurt their generous creditors, the Merchants in *Great Britain*, &c.; to prevent which, the Petitioners pray, that the said Act may be repealed or amended; that they may have the benefit and protection of the *English* Laws, in so far as relates to personal property; and that their liberty may be ascertained, according to their ancient constitutional rights and privileges heretofore granted to all his Majesty's dutiful subjects throughout the *British* Empire.

And your Petitioners, as in duty bound, will ever pray.
Quebec, November 12, 1774.

Sir *George Savile* took a retrospect of the *Quebec* Act: said the prayer of the Petition relative to the Habeas Corpus Act, was not a matter involved in nice distinctions of law, or to be fathomed and decided by the rules of deep political investigation; it was an alternative which struck with equal force the meanest as the most enlightened understanding; it was simply, whether people would wish to be freemen or slaves, under a Government which, if honestly or wisely administered, held out freedom, indiscriminately, to every individual entitled to its protection. And he would be bold to maintain, that the proposition in favour of an Habeas Corpus Law was so self-evident, and carried with it such intuitive, forcible conviction, that the *English*, *French*, Popish, and Protestant, Whites, Blacks, Tawnies, nay, the very Beasts of the fields, and Reptiles crawling on the Earth, were they capable of distinguishing between the value of personal liberty, and being shut up in a prison, at the will of a tyrant, would unite in one voice, in crying out for the enjoyment of so inestimable a blessing as the Habeas Corpus Act. He turned to the Ministry, observing with indignation, the mean subterfuges they were driven to, when they endeavoured to persuade Parliament, that a Governour who was obliged, literally, to comply with his instructions, assisted by five Popish Counsellors, would do what they (the Ministry) did not think fit to let Parliament do. He said, he was informed, that orders had been given to raise a *Canadian* Regiment of *French* Papists. When those guardians of the Laws of *England*, and the Protestant Religion, are embodied, where will they march? or for what service are they destined? Not, I hope, to quell the Protestant peaceable Settlers, nor yet the still more favoured and loyal *French* Papists; but to sit, I presume, mere inactive spectators. No, that I cannot believe. I am not lawyer enough to point out how far they might legally march, but were I to form any conjecture about the limits they would set to themselves, with arms in their hands, and the instant they would forbear to act, I should presume that the limits would be some River or Lake, over which they had no means of conveyance, and the instant they would cease to act in a military manner would be, when all their Powder, Ball and Ammunition were spent. I am, therefore, strongly against raising or embodying any Regiment of *French* Papists. He concluded, with moving,

"That an Act, made in the fourteenth Year of the reign "of his present Majesty, entituled, 'An Act, making more "effectual provision for the government of the Province "of *Quebec*, in *North America*,'" might be read.

And the same was read accordingly.

He then moved, "That leave be given to bring in a Bill to repeal the said Act."

Mr. *T. Townshend* seconded the motion, and condemned the Bill throughout, as unjust, impolitick, and unconstitutional. He said, the *Canadians* themselves had been deceived, as they were assured they should have the benefit of an Assembly, the Habeas Corpus Act, and Trial by Jury.

Mr. *De Grey* entered into a view of the state of the Colony before the passing of the Bill, destitute of all law, order, or security in point of property; and insisted that the present Government, however exceptionable in some respects, was better than none, and ought to be continued till the Province was prepared to receive an Assembly.

Mr. *Howard* spoke warmly against the Act. It was brought in at the end of the last session, when the House had not the information it now possessed; he was against it then, and should ever continue to be so, as a disgrace to the Statutes. He was severe on Dr. *Shebbeare*, whom he represented as pensioned for vilifying the characters of King *William* and Queen *Mary* and the late King, and writing against the Revolution.

Lord *North* said, if the honourable gentleman who made the motion, had been informed of what had passed in the other House the preceding day, he presumed, he never would have made it, as he knew no Bill could pass without the consent of the Lords. [Mr. *T. Townshend* cried "to order, to order," and it was instantly echoed from almost every part of the House. His Lordship insisted what he said was not disorderly.] For his part, his opinion, in regard to the Act, was the same as it was when it passed, and as well now, as then, he looked upon the Act to be on principles of the most just and sound policy. He avowed the intention of arming the *Canadians*. He said, he stood up in his place to assert, that if the refractory Colonies cannot be reduced to obedience by the present force,

Digitized by Google

he should think it a necessary measure to arm the Roman Catholics of *Canada*, and to employ them in that service. He further observed, that when *Great Britain* and *America* were contending about sovereignty, if any Colony had discovered a proper sense of duty, and united itself in principle with this country, it was liable to objection from the gentlemen on the other side; but if it joined the other Colonies against the Legislature (for the quarrel was not with the Ministry but the Parliament) those gentlemen would, he could venture to affirm, hold a different language: and declared, whatever others might think on the subject, he did not approve of Juries in civil cases. However, he would venture to affirm, the dispute with *America* was not so alarming as some people apprehended; he had not the least doubt it would end speedily, happily, and without bloodshed.

Mr. *Fox*, alluding to Lord *North's* observation, that the Bill originated in the Lords, observed, that this construction or apology arose, because his Lordship did not choose to own who was the real planner of it; that withholding from the *Canadians* an Assembly, and putting arms in their hands, shewed he was more afraid of their tongues than their swords; and that after eleven years shameful neglect and procrastination, he was convinced, if the disputes had not arisen with our *American* Colonies, the Act of last year would never have been thought of; but the Colony left without law or any political regulation whatever.

Sir *Robert Smyth*. Not having had the honour of a seat in the last Parliament, and never before this day an opportunity of publickly declaring my sentiments upon this Bill, I am in some measure indebted to my honourable friend who has given me that opportunity by the proposition of to-day. However great my opinion may be of the abilities and integrity of my worthy friend, however high my esteem for his private, as well as his Parliamentary character, however just my respect for his abilities, or my deference for his judgement, I find myself obliged, upon many occasions, to differ from him upon publick questions; such, I confess, is the case with respect to the present proposition. I do not mean to enter into the detail of this argument, which has been very ably and minutely discussed, but shall content myself with giving my general reasons why I approve of this Bill. When the glory of our arms had extended into almost every part of the globe, and a very considerable addition of territory, acquired by war, became confirmed to us by the subsequent Treaty of Peace, it was the duty of a wise, as well as a warlike Nation, that what had been acquired by conquest, should be established by proper and wholesome regulations: what had been the object of our ambition to conquer necessarily became the object of our policy to arrange. The Province of *Canada*, the most extensive as well as the most valuable of our acquisitions, was in such a state of confusion at the expiration of the war, that it has been the object of successive Administrations for these ten years past, to give it a permanent system of jurisprudence. But the fluctuating state of our politicks, the rapid changes of measures, and the precarious tenure by which Ministers held their employment, made them more anxious about preserving their own power at home, than forming establishments for our distant Provinces abroad. The very great disproportion between the *Canadian* and *British* subjects, as was proved at your bar, made it an object of justice as well as of sound policy, that the *Canadian* Laws should form the basis of your system, and that the *English* Laws should only be adopted in criminal cases, where Trial by Jury gives them an advantage over every other system that ever was instituted. Whoever reflects upon the excellencies of the *British* Laws, whoever considers them in theory, or sees the daily advantages of them in practice, whoever justly admires them for their peculiar lenity, moderation, equity, and impartiality, would wish to see them extended over the whole face of the *British* Empire; but, if there are local and circumstantial reasons, arising from the national character of the people, their language, customs, usages, institutions, and I will even add, their prejudices, which in this case ought to be consulted, and not only consulted, but in some measure indulged; if there are reasons arising from these various circumstances, that make it impossible for the *English* Laws to be adopted in their original purity, I will venture to affirm, that a Legistor is not only justified, but that it is an essential part of his duty, so to alter and modify these laws, as may best adapt them to the peculiar genius and temper of the people, so as to become the best rule of civil conduct possible, and the best calculated to promote their general happiness. It was ever the maxim of the greatest Legislators of antiquity, to consult the manners and dispositions of the people, and the degrees of improvement they had then received, and to frame such a system of laws as was best suited to their then immediate situation. Thus, sir, when *Lycurgus* was reproached with not having given to the *Spartans* the most perfect code of laws, he acknowledged they were not the best he was capable of giving them, but the best they were then capable of receiving. Therefore, sir, I shall content myself with dissenting from the present motion, and supporting the *Quebec* Bill upon grounds, and from reasons, founded upon the general principles of the fitness, policy, expediency and necessity of the measure.

Colonel *Barré*, after complimenting Sir *Robert Smyth* on his great powers of eloquence, assured him, if he had heard the evidence at the Bar last year, he would have been of another way of thinking. He sported a good deal with the Comptroller's white wand, and was called to order.

Sir *W. Meredith* observed, that whatever magick power it might contain, it was no weapon of defence.

Colonel *Barré* said, he might have been disorderly, but desired, for his own justification, and the satisfaction of the House, if there was any standing order of the House respecting the Comptroller and his wand, that it might be read, otherwise he should look upon himself at liberty to allude to Mr. Comptroller and his wand as often as either came in the way; for if they did not contain any great store of wit themselves, they at least bore a strong resemblance to another well known facetious knight, they were the occasion of producing it in others. He said, that in the discussion of the *Quebec* Bill last year, he had often asked who was the father of it, but could never receive any satisfactory answer till this day, when the noble Lord's speech, and that irresistible partiality parents are known to have for their own offspring, gave him reason to believe that the noble Lord himself was the true father of that monstrous production of tyranny, injustice, and arbitrary power. He next took notice of the *Spanish* Armament; said he supposed the conquest of *Gibraltar* was what they had in contemplation; that he advised the noble Lord last year to order some additional works towards the Sea, as the only place in which it was vulnerable; but it was now too late, for if the *Spaniards* attacked it with a Fleet, the fate of it must be decided in spite of all the possible assistance *Britain* could give it.

The question then being put on Sir *George Savile's* motion to repeal the Act; the House divided: Yeas, 86; Noes, 174.

So it passed in the Negative.

HOUSE OF LORDS.

THURSDAY, *May* 18, 1775.

The Duke of *Manchester* presented to the House, "A "Memorial of his Majesty's faithful subjects and Repre- "sentatives of the Colony of *New-York*, in General As- "sembly convened;" and moved, "That the said Memorial might be read by the Clerk."

The Earl of *Dartmouth* observed, that it was usual for a Lord, when he presented a Petition, to state the subject of it, in order for the House to have an idea how far it was proper to give leave for it to be read.

The Duke of *Manchester* replied, that he could not take upon him to state the matter of the Petition without doing injustice to it; but, in general, it was to complain of grievances; and read the concluding words.

The Earl of *Buckinghamshire* said, it ought certainly to be opened more fully; and desired to know if it did not contain matter derogatory to the supreme Legislative power of *Great Britain*.

Digitized by Google

The Earl of *Denbigh* observed, that the title of the paper rendered it inadmissible. It was called a Memorial: now, Memorials are presented from one crowned head to another; but as to a Memorial from an *American* Assembly, it was unheard of, and ought not to be read.

Earl *Gower* added, that the title given to the paper was suspicious: a Petition from the same Assembly had been presented to the King, the Colonies not denying the supreme rights of his Majesty; a Remonstrance to the Commons; and now a Memorial to the Lords. They dropped the usual word Petition, lest, from that, it should be imagined that they acknowledged the supreme power of those branches of the Legislature; upon this account, therefore, the contents of it ought to be opened to the House.

The Duke of *Manchester* replied, that if the House insisted on his performing the office of Clerk he would submit, but till then he should decline reading it; and as to opening the subject of it, he had done it already.

The Earl of *Hillsborough* said, that the Orders of the House were not to be dispensed with; a Lord was not allowed to present a Petition, unless he opened the purport of it; that the noble Duke reading it in his place, as a part of his speech, would be accepted by the House; or if the Duke thought that it would be too great a burden for him to read it himself, then the Clerk might stand by his Grace, and read the Memorial, as a part of his speech.

The Duke of *Richmond* ridiculed this idea. What, my Lords, the Clerk go and stand by a Lord, and read a paper, as a part of that Lord's speech! Very pretty, truly! Why, then, we need not, any of us, be at the trouble of making speeches; we need only get our speeches written for us, and have the Clerk read them; we may, then, any of us, prove as eloquent as the noble Earl himself. Objections have been made to the term Memorial, as if belonging to Sovereigns, and denying our rights: that is very strange, surely; when it is well known every Ensign in the Army, who has objections to the treatment he receives, has the right of presenting a Memorial to the King; I think, therefore, there is nothing in the term derogatory to the dignity of this House.

The Earl of *Sandwich* contended, that the noble Duke had been repeatedly called on to open the contents of the Memorial, but would not comply; for as to telling the House, merely, it was a complaint of grievances, that was not satisfactory; as this was the case, he moved, as an amendment to the Duke of *Manchester's* motion, to insert after "Memorial" these words: "the contents thereof not having been opened."

The Duke of *Richmond* observed, that this amendment threw a reflection on the noble Duke who brought in the Memorial, which would be highly unjust: that, in his opinion, the contents had been opened; that is, the principal part of the Memorial, the prayer of it, which was, for a redress of grievances; therefore, if the amendment was accepted, he must move another, to do justice to the noble Duke, by an explanation of how far he had opened it; and moved to add the concluding words of the Memorial, which the Duke of *Manchester* had read.

Earl *Gower* said, that the noble mover had not opened the contents; for merely saying it was for a redress of grievances, and reading the concluding words, was saying nothing, unless he mentioned what those grievances were: a friend of the House of *Stuart* might petition for the redress of a grievance, and that grievance might be the want of the Throne; thus, if the particulars are not mentioned, we can judge of nothing.

Lord *Camden* stated the great injustice of not allowing a Lord to open the contents of a Petition in any way he thought proper; there could be but two ways, one forcing him to read the whole, which was a drudgery they could not think of; the other, touching the heads of it: now, if a Lord is to open the contents particularly, and upon that opening the fate of the Petition is to depend, then it must depend upon the capacity and abilities of the individual who does it, which would be throwing a negative upon Petitions in general. But he was so great a friend to Petitions being received and read, let them come from whom they might, and under whatever name, that throwing these obstructions upon them must be very mischievous. That the amendment in favour of the noble Duke was highly reasonable, and ought to be accepted.

Lord *Mansfield* attempted to shew, that a Lord must open the contents of a Petition, and that the Duke had not done it.

The Earl of *Shelburne* reminded the House, that when the City of *London* presented their Remonstrance to the King, lawyers were consulted upon the legality of not receiving it; yet so highly was the right of a subject to petition thought of, that it was determined it must be received, under whatever name.

The Earl of *Effingham*. The turn which this debate has taken, makes it unnecessary for me to remark on any thing which, in the course of it, has fallen from any noble Lord; but as I wish to call your Lordships' attention rather to the subject matter, than to the form and manner, of the paper offered to you, I hope I shall stand excused, if I treat the latter as trifling, when put in competition with the salutary or dreadful effects of admitting or rejecting the means, now in your hands, of restoring harmony to this distracted Empire. What may be the fate of the amendment proposed, I know not; but I fear it is too easily to be guessed, from the complexion of the House, what will be that of the Memorial. If any thing, my Lords, can add to the reluctance with which I, at any time, trouble your Lordships, it is a consciousness of my own inability to treat this subject as it ought to be treated. Indeed, the importance of it is such, as would deter me from entering into it at all, did I not think that, in the precarious situation in which this country stands at present, it is the duty of every man to avow his principles and sentiments with firmness and integrity. The indulgence which I have before experienced, encourages me to expect again, from your candour, that attention, which I have not, like many among your Lordships, the abilities to command. I confess I wish to avoid the discussion of our right to such a power as we are contending for; that is to say, a power of taxing a set of subjects who are not represented among us, and who have full power to tax themselves in the ordinary and constitutional manner. Were any particular Province, among the *Americans*, to refuse grants of money in proportion to others, or to commit any act in abuse of their Charters, I think that supreme controlling power, which the Province in question allows in its full extent, would give us the charge, "*Ne quid detrimenti, res capiat publica.*" And in that case, my Lords, almost the whole Empire would be united against the wrong-headed few, who would be soon brought to reason. But I am satisfied that, without such necessity, we have no more right to exercise the power of taxation in that country, than a *Roman* Dictator had to begin his office with a declaration, that his power should be perpetual, and was necessary in the ordinary business of Government. Therefore, my Lords, whatever has been done by the *Americans*, I must deem the mere consequence of our unjust demands. They have come to you with fair arguments, you have refused to hear them; they make the most respectful remonstrances, you answer them with bills of pains and penalties; they know they ought to be free, you tell them they shall be slaves. Is it, then, a wonder, if they say, in despair, "for the short remainder of our lives, we will be free!" Is there one among your Lordships, who, in a situation similar to that which I have described, would not resolve the same? If there could be such a one, I am sure he ought not to be here. To bring the history down to the present scene. Here are two armies in presence of each other; armies of brothers and countrymen; each dreading the event, yet each feeling that it is in the power of the most trifling accident, a private dispute, a drunken affray in any publick house in *Boston*; in short, a nothing, to cause the sword to be drawn, and to plunge the whole country into all the horrours of blood, flames, and parricide. In this dreadful moment, a set of men more wise and moderate than the rest, exert themselves to bring us all to reason. They state their claims and their grievances; nay, if any thing can be proved by law and history, they prove them. They propose oblivion, they make the first concessions; we treat them with contempt, we prefer poverty, blood, and servitude, to wealth, happiness, and liberty. My Lords, I should think myself guilty of offering an insult to your Lordships, if I presumed to suppose there was any amongst you who could think of what was expedient, when once it appeared

Digitized by Google

what was just. I might otherwise have adverted to the very formidable Armament preparing by *Spain;* but as that argument ought to have no consideration with your Lordships, I shall not suppose it would have any; and for that reason will entirely reject it. What weight these few observations may have, I do not know; but the candour your Lordships have indulged me with, requires a confession on my part which may still lessen that weight. I must own I am not personally disinterested. Ever since I was of an age to have any ambition at all, my highest has been to serve my country in a military capacity. If there was on earth an event I dreaded, it was to see this country so situated as to make that profession incompatible with my duty as a citizen. That period is, in my opinion, arrived; and I have thought myself bound to relinquish the hopes I had formed, by a resignation,* which appeared to me the only method of avoiding the guilt of enslaving my country, and embruing my hands in the blood of her sons. When the duties of a soldier and a citizen become inconsistent, I shall always think myself obliged to sink the character of the soldier in that of the citizen, till such time as those duties shall again, by the malice of our real enemies, become united. It is no small sacrifice which a man makes, who gives up his profession; but it is a much greater, when a predilection, strengthened by habit, has given him so strong an attachment to his profession as I feel. I have, however, this one consolation, that, by making that sacrifice, I, at least, give to my country an unequivocal proof of the sincerity of my principles.

The question was then put, "Whether these words shall be inserted?"

It was resolved in the Negative.

The question was then put, "Whether the said Memorial shall be read?"

It was resolved in the Negative.

HOUSE OF LORDS.

Friday, *May* 26, 1775.

His Majesty being seated on the Throne, adorned with his Crown and Regal Ornaments, and attended by his Officers of State, (the Lords being in their Robes,) commanded the Gentleman Usher of the Black Rod to let the Commons know "It is his Majesty's pleasure that they attend him, immediately, in this House."

Who being come, their Speaker, after the following Speech, in relation to the Money Bills to be passed, delivered them to the Clerk:

Sir: Your faithful Commons present to you three Money Bills: the first for raising Money, by loans of Exchequer Bills, for the Service of the year 1775; the second for establishing a Lottery, and for paying off one million Pounds Three per centum Annuities, and for other purposes therein mentioned; and the other for appropriating the surpluses of the Sinking Fund for the service of the current year.

These are all necessary grants, but they are yet very heavy, and are what nothing but the particular exigencies of the times could justify, in a time of profound peace. The unhappy differences in *America*, have been the chief cause of this expense; and I trust that when the people of *America* see, in a proper light, the conduct of this country, they will learn to pay the proper obedience to the laws; if, on the contrary, they should persist in their Resolutions, and that the sword must be drawn, your faithful Commons will do every thing in their power to maintain and support the supremacy of the Legislature. A great part of the session has been taken up in determining complaints respecting Controverted Elections. I cannot but admire the wisdom of the last Parliament in enacting that law; neither can I withhold the praise justly due to the Committees who have acted so much to the satisfaction of the publick, and so fully in discharge of their own consciences. On the whole, sir, I make no doubt but you will faithfully apply the Money, thus granted, to the purposes for which it was appropriated.

After his Majesty had given his assent to several Bills, he was pleased to make a most gracious Speech from the Throne, to both Houses of Parliament, as followeth, viz:

My Lords and Gentlemen:

I cannot, in justice to you, forbear to express my entire satisfaction in your conduct, during the course of this important session.

You have maintained, with a firm and steady resolution, the rights of my Crown, and the authority of Parliament, which I shall ever consider as inseparable. You have protected and promoted the commercial interests of my Kingdoms; and you have, at the same time, given convincing proofs of your readiness (as far as the Constitution will allow you) to gratify the wishes, and remove the apprehensions, of my subjects in *America;* and, I am persuaded, that the most salutary effects must, in the end, result from measures formed and conducted on such principles.

The late mark of your affectionate attachment to me, and to the Queen, and the zeal and unanimity which accompanied it, demand my particular thanks.

I have the satisfaction to acquaint you, that, as well from the general dispositions of other Powers, as from the solemn assurances which I have received, I have great reason to expect the continuance of peace. Nothing, on my part, consistent with the maintenance of the honour and interest of my Kingdoms, shall be wanting to secure the publick tranquillity.

Gentlemen of the House of Commons:

It gives me much concern, that the unhappy disturbances in some of my Colonies have obliged me to propose to you an augmentation of my Army, and have prevented me from completing the intended reduction of the

*A Letter from the Right Honourable *Thomas Howard*, Earl of *Effingham*, and Captain in General *Gage's* Regiment of Foot, destined for *Boston*.

Adelphi Buildings, *April* 12, 1775.

My Lord: I beg the favour of your Lordship to lay before his Majesty the peculiar embarrassment of our present situation.

Your Lordship is no stranger to the conduct which I have observed in the unhappy dispute with our *American* Colonies.

The King is too just, and too generous, not to believe that the votes I have given in Parliament, have been given according to the dictates of my conscience. Whether I have erred or no, the course of future events must determine. In the mean time, if I were capable of such duplicity, as to be any way concerned in enforcing those measures, of which I have so publickly and solemnly expressed my disapprobation, I should ill deserve, what I am most ambitious of obtaining, the esteem and favourable opinion of my Sovereign.

My request, therefore, to your Lordship is this: that, after having laid these circumstances before the King, you will assure his Majesty, that he has not a subject who is more ready than I am, with the utmost cheerfulness, to sacrifice his life and fortune, in support of the safety, honour, and dignity of his Majesty's Crown and person; but the very same principles which have inspired me with these unalterable sentiments of duty and affection to his Majesty, will not suffer me to be instrumental in depriving any part of his people of those liberties, which form the best security for their fidelity, and obedience to his Government.

As I cannot, without reproach from my own conscience, consent to bear arms against my fellow-subjects in *America*, in what, to my weak discernment, is not a clear cause; and as it seems now to be finally resolved, that the Twenty-second Regiment is to go upon the *American* service, I desire your Lordship to lay me, in the most dutiful manner, at his Majesty's feet, and humbly beg that I may be permitted to retire.

Your Lordship will also be so obliging to entreat, that, as I waive what the custom of the service would entitle me to, the right of selling what I bought, I may be allowed to retain my rank in the Army, that, whenever the envy or ambition of foreign Powers should require it, I may be enabled to serve his Majesty and my country in that way, in which, alone, I can expect to serve them with any degree of effect.

Your Lordship will easily conceive the regret and mortification I feel, at being necessitated to quit the military profession, which has been that of my ancestors for many generations; to which I have been bred almost from my infancy; to which I have devoted the study of my life; and, to perfect myself in which, I have sought instruction and service in whatever part of the world they were to be found.

I have delayed this to the last moment, lest any wrong construction should be given to a conduct which is influenced only by the purest motives. I complain of nothing; I love my profession; and should think it highly blameable to quit any course of life, in which I might be useful to the publick, so long as my constitutional principles, and my notions of honour, permitted me to continue in it.

I have the honour to be, with great respect, your Lordship's most obedient and most humble servant, Effingham.

Lord Barrington, *Secretary at War.*

Lord *Barrington* declined laying the above Letter before the King, saying, it should come through the Lord Lieutenant of *Ireland*, as the Regiment was there. Lord *Effingham* replied, he might do as he pleased with the Letter, but that he would not go to *America*.

Digitized by Google

establishment of my Naval Forces. I cannot, sufficiently, thank you for the cheerfulness and publick spirit with which you have granted the Supplies for the several Services of the current year.

My Lords and Gentlemen:

I have nothing to desire of you, but to use your best endeavours to preserve and to cultivate, in your several Counties, the same regard for publick order, and the same discernment of their true interests, which have, in these times, distinguished the character of my faithful and beloved people; and the continuance of which cannot fail to render them happy at home, and respected abroad.

After which the Lord Chancellor, by his Majesty's command, said:

My Lords and Gentlemen:

It is his Majesty's royal will and pleasure, that this Parliament be prorogued to *Thursday*, the 27th day of *July* next, to be then here held; and this Parliament is, accordingly, prorogued to *Thursday*, the 27th day of *July* next.

PETITION FROM THE FREEHOLDERS, ETC., OF QUEBEC.

To the King's Most Excellent Majesty:

The most humble Petition of the subscribers, your Majesty's ancient and loyal subjects, Freeholders, Merchants, and Planters, in the Province of QUEBEC, *in* NORTH AMERICA, *Sheweth:*

That, whereas, your Majesty, by your Royal Proclamation, bearing date at *St. James's*, the seventh day of *October*, one thousand seven hundred and sixty-three, was most graciously pleased to publish and declare, "That out "of your Majesty's paternal care for the security of the "liberty and properties of those who then were, or should "thereafter become, inhabitants of the four several Gov-"ernments, therein mentioned, (of which this your Ma-"jesty's Province was denominated to be one) your Ma-"jesty had, in the Letters Patent, by which the said Gov-"ernments were constituted, given express power and "direction to your Governours, that so soon as the state "and circumstances of those Governments would admit of "it, they should, with the advice of your Majesty's Coun-"cils, summon and call General Assemblies, within the "said Governments, respectively, in such manner and form "as is used and directed in those Colonies and Provinces, "in *America*, which are under your Majesty's immediate "government. And, also, that your Majesty had been "graciously pleased to give power to your said Govern-"ours, with the consent of your Majesty's said Councils, "and the Representatives of the people, so to be sum-"moned as aforesaid, to make, constitute, and ordain Laws, "Statutes, and Ordinances, for the publick peace, welfare, "and good government of your Majesty's said Colonies, and "of the people and inhabitants thereof, as near as might "be agreeable to the laws of *England*, and under such regu-"lations and restrictions as are used in other Colonies." And, whereas, it has graciously pleased your Majesty, in the Letters Patent of Commission to your Captain-General and Governour-in-Chief, and in case of his death, or during his absence, in the Letters Patent of Commission to your Majesty's Lieutenant Governour of this Province, to give and grant unto him full power and authority, with the advice and consent of your Majesty's Council, so soon as the situation and circumstances of this Province would admit of it, and when, and as often as need should require, to summon and call General Assemblies of the Freeholders and Planters within this Government, in such manner as he, in his discretion, should judge most proper. And whereas your Petitioners, whose properties, real and personal, in this Province are become very considerable, having well considered its present state and circumstances, and humbly conceiving them to be such as to admit the summoning and calling a General Assembly of the Freeholders and Planters, did, on the third day of *December*, last past, present their humble Petition to the Honourable *Hector Theophilus Cramahé*, Esquire, your Majesty's Lieutenant Governour, and now Commander-in-Chief, stating as above, and humbly praying that he would be pleased, with the advice and consent of your Majesty's Council, to summon and call a General Assembly of the Freeholders and Planters within this Government, in such manner as he, in his discretion, should judge most proper. And your Majesty's said Lieutenant Governour, on the eleventh day of *December*, last past, after having taken the said Petition into his consideration, was pleased to inform your Petitioners that the subject of the said Petition was a matter of too much importance for your Majesty's Council here to advise, or for him, your said Lieutenant Governour, to determine upon, at a time that, from the best information, the affairs of this Province were likely to become an object of publick regulation; but that he would transmit the said Petition, by the first opportunity, to your Majesty's Secretary of State.

Your Majesty's Petitioners being fully convinced, from their residence in the Province, and their experience in the affairs of it, that a General Assembly would, very much, contribute to encourage and promote Industry, Agriculture, and Commerce, and (as they hope) to create harmony and good understanding between your Majesty's new and old subjects, most humbly supplicate your Majesty to take the premises into your royal consideration, and to direct your Majesty's Governour, or Commander-in-Chief, to call a General Assembly, in such manner, and of such constitution and form, as to your Majesty, in your royal wisdom, shall seem best adapted to secure its peace, welfare, and good government. And your Petitioners, as in duty bound, shall ever pray, &c.

Montreal, January 10, 1774.

Jenkin Williams,	Zachary Smith,	Ezekiel Solomons,
John Welles,	John Lynd,	Levy Solomons,
Randle Meredith,	James Hanna,	James Doig,
Alexander Davison,	John White Swift,	James Finlay,
John Lees, Jun.,	R. Gray,	John Gregory,
N. Byard,	Robert M'Fie,	Benj. Frobisher,
P. Mills,	Alexander Lawson,	Joseph Bindon,
John Halsted,	Frederick Petry,	James M'Gill,
James Tod,	Francis Anderson,	John Stenhouse,
Arthur Davidson,	Hugh Ritchie,	Alexander Henry,
John Majer,	George Hipps,	Solomon Milleberges,
J. Melvin,	Daniel Robertson,	William Murray,
Simon Fraser, Jun.,	John Wharton,	Alexander Henry,
Duncan Munro,	Dumas,	James Price,
W. Lindsay,	Samuel Morrison,	William Heywood,
D. Lynd,	George Singleton,	Jean El Wadery,
William Laing,	Alexander Paterson,	Hugh Farries,
William Keith,	Charles Paterson,	John Sunderland,
Charles Hay,	Peter Arnold,	Samuel Edge,
Daniel Morrison,	Edward Antill,	Abraham Holmes,
Charles Grant,	John Lilly,	Samuel Holmes,
William Grant,	John Porteous,	Richard Livingston,
Zachary Macaulay,	John Thomson,	John Richardson,
John M'Cord,	Edward Chinn,	John Jones,
Adam Lymburner,	G. Christie,	Robert Simpsell,
John Renaud,	Chabrand de Lisle,	James Fraser,
Alexander Fraser,	*Minister*,	James Noel,
Jonas Clarke Minot,	Pierre du Calvet,	J. Pullman,
Murdoch Stuart,	J. Grant,	Robert Cruckshank,
Michael Cornud,	Alexander Hay,	John Neagle,
Robert Woolsey,	Edward Wm. Gray,	Peter Forbes,
D. Gallway,	Richard Huntley,	Allan M'Farlin,
Thomas M'Cord,	John Blake,	John Trotter,
John Ross,	James Blake,	Nicholas Brown,
John Burke,	George Measam,	Philip Brichmerr,
Francis Smith,	Richard Dobie,	Edward Cox,
Rod. Macleod,	Thomas Walker,	Roger M'Cormick,
Godfrey King,	Thomas Walker, Jr.,	Philip Loch,
John Saul,	Richard Walker,	John Marteilhe,
George Jenkins,	William Weir,	James S. Godard,
Malcolm Fraser,	John Kay,	Peter M'Farland,
John Lees,	William M'Carty,	Andrew Porteous,
Alexander Martin,	Law. Ermatinger,	C. Dumoulin,
Simon Fraser,	James D. White,	G. Young,
Henry Boone,	Thomas M'Murray,	Thomas Duggan,
Charles Lemarchant,	James Morrison,	J. Duggan,
John De Mercier,	Jean Bernard,	William Aird,
Jacob Row,	Richard M'Neall,	John Migad, Major,
James Sinclair,	Joseph Howard,	Daniel M'Killip.
George King,	J. Vander Heyden.	

To the Right Honourable the Earl of DARTMOUTH, *one of his Majesty's principal Secretaries of State.*

The Memorial of the Freeholders, Merchants, Planters, and others, his Majesty's ancient and loyal subjects, now in the Province of QUEBEC, *Sheweth:*

That your Lordship's Memorialists, encouraged by the capitulation of *Canada*, confirmed by the Definitive Treaty of Peace, and his Majesty's Royal Proclamation of the 7th *October*, 1763, did purchase Lands, Plant, Settle, and carry

Digitized by Google

on Trade and Commerce in this Province, to a very considerable amount, and to the manifest advantage of *Great Britain*, in confident expectation of the early accomplishment of his Majesty's said Proclamation, giving express power and direction to his Governour, with the advice and consent of his Council, to summon and call General Assemblies, to make, constitute, and ordain, Laws, Statutes, and Ordinances, for the publick peace, welfare, and good government of the said Province, as near as might be agreeable to the Laws of *England*. For which reasons your Memorialists have drawn up and transmitted herewith, their most humble Petition to the King, praying his Majesty will, out of his royal and paternal care of all his dutiful and loyal subjects of this Province, be graciously pleased to relieve them from the apprehensions they are under of their property being endangered, and losing the fruits of their labour, exposed to Ordinances of a Governour and Council, repugnant to the Laws of *England* which take place before his Majesty's pleasure is known, and are not only contrary to his Majesty's commission and private instructions to his said Governour; but, we presume, equally grievous to his Majesty's new and ancient subjects.

Your Lordship's Memorialists further see, with regret, the great danger the children, born of Protestant parents, are in, of being utterly neglected, for want of a sufficient number of Protestant Pastors, and thereby exposed to the usual and known assiduity of the Roman Catholic Clergy of different orders, who are very numerous in this country, and who, from their own immense funds, have lately established a Seminary for the Education of Youth, in this Province, which is the more alarming, as it excludes all Protestant Teachers of any science whatever.

Wherefore, your Lordship's Memorialists humbly pray, that you will be pleased to present their said Petition to his Majesty, and also pray your Lordship's intercession and good offices in that behalf.

And your Lordship's Memorialists, as in duty bound, shall ever pray.

Montreal, January 15, 1774.

EDWARD W. GRAY, JAMES M'GILL,
R. HUNTLEY, JAMES FINLAY,
LAWRENCE ERMATINGER, EDWARD CHINN.
WILLIAM HAYWOOD,

A Committee appointed at a General Meeting of the Inhabitants of Montreal.

This Petition and Memorial were sent over to *Francis Maseres*, Esq., Cursitor Baron of the Exchequer, (who had formerly been Attorney General of the said Province,) in order to be by him presented to the Earl of *Dartmouth*: and he did accordingly present them to that noble Lord soon after he had received them, that is, about the beginning of the month of *March*, 1774.

LETTER FROM MASERES TO THE QUEBEC COMMITTEE.

Inner Temple, (London) March 19, 1774.

GENTLEMEN: I have presented the papers you have done me the honour of transmitting to me, concerning your desire of having an House of Assembly in the Province of *Quebec*, to my Lord *Dartmouth*, and have waited upon his Lordship at his levee, since I did so. But his Lordship has not informed me of the sentiments of himself, or any other of his Majesty's Ministers of State, concerning your request: so that I cannot, yet, transmit to you any information upon that subject. But I conjecture, that his Majesty's servants are of opinion, that the state of the Province is not yet quite ripe for the establishment of an Assembly, and that they rather incline, for the present, to supply the want of one, by establishing a Legislative Council, nominated by the King, with sufficient powers to do the necessary business of the Province, till the more natural and constitutional measure, of a General Assembly, shall appear to them more practicable. If such a Council should be established, I hope it will be made as popular and independent as may be, that it may be respected by the people, and act agreeably to their sense and true interests. With a view to which, I have suggested to his Majesty's Ministers, and others, that it would be expedient that the members of it should be thirty-one in number, and not either removeable or suspendable by the Governour; and that seventeen of them should be necessary to make a House, and do business; and that a fortnight's notice should be given in the *Quebec Gazette*, before every meeting of them, to prevent the Governour's packing them; and that every member should be at liberty to propose a Bill in it, as well as to assent to those proposed by the Governour; and that it should not have the power of laying taxes, but only that of making Laws; and that it should consist only of Protestants. But whether this plan is approved, or not, by his Majesty's Ministers, I know not. If it should be approved, and carried into execution, I confess I should think the inhabitants of the Province would be likely to be governed more happily under it for seven or eight years to come, than under the influence of an Assembly into which the Papists should be admitted. As to an Assembly of Protestants only, I see no objection to the establishment of one, but the danger of disobliging the Catholics of the Province, who are so much superiour in number. If that can be got over, and the Catholics can be brought to acquiesce in the erection of an Assembly, in which they are not permitted to sit, by indulging them with the liberty of voting in the election of the members of it, as I remember to have heard some gentlemen suggest when I was in the Province, or by some other compromise or expedient, I should be very glad to see your Petition for an Assembly immediately complied with, as, indeed, I suppose it would, in that case, be. But, whatever may be my own opinions upon this subject, I shall always faithfully and cheerfully represent yours to the King's Ministers, and deliver such papers and messages as you shall think proper to intrust to me. And, in order to facilitate the attainment of your wishes, I here beg leave to hint to you, that I believe it would greatly contribute to that end, if you would previously declare, that you conceive the *British* Parliament to have a complete legislative authority over the Province of *Quebec*, and that such authority will continue after the establishment of an Assembly; and that you, and the other petitioners, are willing, that every member of such future Assembly, should be required to recognise the said supreme authority in every article whatsoever, both of Legislation and Taxation, in the plainest and strongest terms, before he is permitted to take his seat. Such a previous declaration, would greatly tend to remove the prejudices now subsisting in the minds of many people in *England* against the erection of new Houses of Assembly in *America*, arising from the conduct of the Assembly at *Boston*, and in others of the *American* Provinces, in totally denying the supreme authority of Parliament, and thereby dismembering and dividing, as much as in them lies, the *British* Empire, into so many distinct and separate states, independent of each other, though subject to the same King, like the Electorate of *Hanover*. I know nothing that would contribute more to your obtaining an Assembly, than your making a declaration of this kind. I hope soon to wait on Lord *Dartmouth* again, and to hear from his Lordship the King's answer to your Petition. When I have received it, I will transmit it to you without delay. In the mean time, I return you my sincere thanks for the honour you have done me, in approving my endeavours for the settlement of the Province of *Quebec*, and your declaration of your belief that I am heartily interested in that good cause, to which I shall always think it the greatest glory of my life to have contributed, if any of the measures I have proposed for that purpose should, hereafter, be adopted, though, at present, I see but little reason to flatter myself that they will be so. I remain with great regard, gentlemen, your most obedient and humble servant,

FRANCIS MASERES.

To the Committee of the Petitioners for an Assembly in the Province of *Quebec*.

PETITION OF THE ROMAN CATHOLIC INHABITANTS OF QUEBEC.

A Petition of divers of the Roman Catholic Inhabitants of the Province of QUEBEC, *to the King's Majesty; signed and transmitted to the Earl of* DARTMOUTH, *his Majesty's Secretary of State for* AMERICA, *about the month of* DECEMBER, 1773, *and presented to his Majesty about the month of* FEBRUARY, 1774.

SIR: Your most obedient and faithful new subjects, in the Province of *Canada*, take the liberty to prostrate them-

Digitized by Google

selves at the foot of your throne, in order to lay before you the sentiments of respect, affection, and obedience, towards your august person, with which their hearts overflow, and to return to your Majesty their most humble thanks for your paternal care of their welfare.

Our gratitude obliges us to acknowledge, that the frightful appearances of conquest by your Majesty's victorious arms, did not long continue to excite our lamentations and tears. They grew every day less and less, as we gradually became more acquainted with the happiness of living under the wise regulations of the *British* Empire. And even in the very moment of the conquest, we were far from feeling the melancholy effects of restraint and captivity. For the wise and virtuous General who conquered us, being a worthy representative of the glorious Sovereign who entrusted him with the command of his Armies, left us in possession of our Laws and Customs: the free exercise of our Religion was preserved to us, and afterwards was confirmed by the Treaty of Peace; and our own former countrymen were appointed judges of our disputes concerning civil matters. This excess of kindness towards us we shall never forget. These generous proofs of the clemency of our benign conqueror will be carefully preserved in the annals of our history; and we shall transmit them from generation to generation to our remotest posterity. These, sir, are the pleasing ties by which, in the beginning of our subjection to your Majesty's Government, our hearts were so strongly bound to your Majesty; ties which can never be dissolved, but which time will only strengthen and draw closer.

In the year 1764, your Majesty thought fit to put an end to the Military Government of this Province, and to establish a Civil Government in its stead. And from the instant of this change we began to feel the inconveniences which resulted from the introduction of the Laws of *England*, which, till then, we had been wholly unacquainted with. Our former countrymen, who, till that time, had been permitted to settle our civil disputes, without any expense to us, were thanked for their services and dismissed; and the Militia of the Province, which had, till then, been proud of bearing that honourable name under your Majesty's command, was laid aside. It is true, indeed, we were admitted to serve on Juries: but at the same time we were given to understand, that there were certain obstacles that prevented our holding places under your Majesty's Government. We were also told that the Laws of *England* were to take place in the Province, which, though we presume them to be wisely suited to the regulation of the mother country, for which they were made, could not be blended and applied to our customs, without totally overturning our fortunes, and destroying our possessions. Such have been, ever since the era of that change in the Government, and such are still, at this time, our just causes of uneasiness and apprehension; which, however, we acknowledge to be rendered less alarming to us, by the mildness with which your Majesty's Government has been administered.

Vouchsafe, most illustrious and generous Sovereign, to dissipate these fears, and this uneasiness, by restoring to us our ancient laws, privileges, and customs, and to extend our Province to its former boundaries. Vouchsafe to bestow your favours equally upon all your subjects in the Province, without any distinction! Preserve the glorious title of Sovereign of a free people: a title, which surely would suffer some diminution, if more than an hundred thousand new subjects of your Majesty in this Province, who had submitted to your Government, were to be excluded from your service, and deprived of the inestimable advantages which are enjoyed by your Majesty's ancient subjects. May Heaven, propitious to our wishes and our prayers, bestow upon your Majesty a long and happy reign! May the august family of *Hanover*, to which we have taken the most solemn oaths of fidelity, continue to reign over us to the end of time!

We conclude, by entreating your Majesty to grant us, in common with your other subjects, the rights and privileges of citizens of *England*. Then our fears will be removed, and we shall pass our lives in tranquillity and happiness, and shall be always ready to sacrifice them for the glory of our Prince, and the good of our country.

We are, with the most profound submission, your Majesty's most obedient, most loyal, and most faithful subjects, FR. SIMONNET, *&c., &c.*

Memorial in support of the Requests made by his Majesty's most obedient and most faithful new subjects, in CANADA, *in their foregoing Petition.*

The improvement of so vast a country as *Canada* is, if considered as having the same boundaries as it had in the time of the *French* Government; a country in which there are at present more than an hundred thousand inhabitants, of whom more than nineteen in twenty are new subjects of the King; the increase of Agriculture in this country; the encouragement of its Trade and Navigation; a settlement of the Laws by which its inhabitants are to be governed, built upon solid and immoveable foundations, so as to remove, and cut up by the roots, the confusion which, at present, overspreads the Province, in consequence of the want of clear and known laws established by an incontestable authority; are points which are now proposed to the consideration of the *British* Government, and are worthy objects of its attention and wisdom.

The continuance of our ancient laws, customs, and privileges, in their whole extent, (because it is impossible to change, or alter them, without destroying and totally overthrowing our titles to our estates and our fortunes,) is a favour, and even an act of justice, which we hope for from the goodness of his Majesty.

We ardently desire to be admitted to a share of the civil and military employments under his Majesty's Government. The thought of being excluded from them is frightful to us. We have taken the most solemn oath of fidelity to his Majesty, and the august family of *Hanover;* and, ever since the conquest of the country, we have behaved like loyal subjects. And our zeal and attachment to our gracious Sovereign, will make us always ready to sacrifice our lives for his glory, and the defence of the state.

The Province, as it is now bounded, by a line passing through the forty-fifth degree of north latitude, is confined within too narrow limits. This line is only fifteen leagues distant from *Montreal*. And yet it is only on this side, that the lands of the Province are fertile, and that agriculture can be cultivated to much advantage. We desire, therefore, that, as under the *French* Government our Colony was permitted to extend over all the upper countries, known under the names of *Michilimackinac*, *Detroit*, and other adjacent places, as far as the River *Mississippi*, so it may now be enlarged to the same extent. And this reannexation of these inland posts to this Province is the more necessary, on account of the Fur trade which the people of this Province carry on to them; because, in the present state of things, as there are no Courts of Justice, whose jurisdiction extends to those distant places, those of the Factors we send to them with our Goods to trade with the *Indians* for their Furs, who happen to prove dishonest, continue in them, out of the reach of their creditors, and live upon the profits of the Goods intrusted to their care; which entirely ruins this Colony, and turns these Posts into harbours for rogues and vagabonds, whose wicked and violent conduct is often likely to give rise to wars with the *Indians*.

We desire, also, that his Majesty would be graciously pleased to re-annex to this Province the Coast of *Labrador*, which formerly belonged to it, and has been taken from it since the peace. The fishery, for Seals, which is the only fishery carried on upon this Coast, is carried on only in the middle of Winter, and sometimes does not last above a fortnight. The nature of this fishery, which none of his Majesty's subjects, but the inhabitants of this Province understand; the short time of its continuance, and the extreme severity of the weather, which makes it impossible for Ships to continue, at that time, upon the Coast, are circumstances which all conspire to exclude any fishermen from Old *England* from having any share in the conduct of it.

We further most humbly represent, that, by means of the ravages and calamities of the late war, and the frequent fires that have happened in our towns, this Colony is not, as yet, in a condition to defray the expenses of its own Civil Government, and, consequently, not in a condition to admit of a General Assembly. We are, therefore, of opin-

Digitized by Google

ion, that a Council, that should consist of a greater number of members than that which has hitherto subsisted in the Province, and that should be composed partly of his Majesty's old subjects, and partly of his new ones, would be a much fitter instrument of Government for the Province in its present state.

We have reason to hope, from the paternal care which his Majesty has hitherto shewn for our welfare, that the powers of this Council will be restrained by his Majesty within proper bounds, and that they will be made to approach, as near as possible, to the mildness and moderation which form the basis of the *British* Government.

We hope the rather that his Majesty will indulge us in the above requests, because we possess more than ten out of twelve of all the seigniories in the Province, and almost all the lands of the other tenure, which are holden by rent-service.

FR. SIMONNET, *&c., &c.*

PETITION FROM THE PROVINCE OF QUEBEC, DELIVERED TO THE EARL OF DARTMOUTH, ON THE 18TH OF JANUARY, 1775, TO BE BY HIM PRESENTED TO THE KING.

To the King's Most Excellent Majesty:

The Petition of your Majesty's most loyal and dutiful, your ancient subjects settled in the Province of QUEBEC, *most humbly Sheweth:*

That we, upon the faith of your sacred Majesty's Royal Proclamation, bearing date the seventh day of *October*, which was in the year of our Lord, one thousand seven hundred and sixty-three, did come and settle ourselves in the said Province, purchasing Houses and Lands, and carrying on extensive Trade, Commerce, and Agriculture, whereby the value of the Land, and wealth of its inhabitants, are more than doubled; during all which time, we humbly crave leave to say, that we have paid a ready and dutiful obedience to Government, and have lived in peace and amity with your Majesty's new subjects. Nevertheless, we find, and, with unutterable grief, presume to say, that, by a late Act of Parliament, entitled "An Act for "the making more effectual provision for the government "of the Province of *Quebec*, in *North America*," we are deprived of the franchises granted by your Majesty's royal predecessors, and by us inherited from our forefathers; that we have lost the protection of the *English* Laws, so universally admired for their wisdom and lenity, and which we have ever held in the highest veneration, and in their stead the Laws of *Canada* are to be introduced, to which we are utter strangers, disgraceful to us as *Britons*, and, in their consequences, ruinous to our properties, as we thereby lose the invaluable privilege of Trials by Juries. That, in matters of a criminal nature, the Habeas Corpus Act is dissolved, and we are subjected to arbitrary fines and imprisonment, at the will of the Governour and Council, who may, at pleasure, render the certainty of the Criminal Laws of no effect, by the great power that is granted to them, of making alterations in the same.

We, therefore, most humbly implore your Majesty to take our unhappy state into your royal consideration, and grant us such relief as your Majesty, in your royal wisdom, shall think meet. And your Petitioners, as in duty bound, will ever pray.

Quebec, November 12, 1774.

Quebec Committee.
Zach. Macaulay,
John Aitkin,
John Paterson,
Randle Meredith,
John Lees,
John Welles,
S. Fargues,

Montreal Committee.
Thomas Walker,
James Price,
John Blake,
Isaac Todd,
Alex. Paterson,
John Porteous,

John M'Cord,
Charles Grant,
Robert Woolsey,
Nicholas Bayard,
C. Le Marchant,
John Painter,
Thomas M'Cord,
Henry Grebassa,
Robert Willcocks,
John Renaud,
hristy Cramer,
George Gregory,
Lewis Chaperon,
Frederick Petry,
James Cuming,
William Laing,
George Jenkins,

Thomas M'Murray,
Allen Paterson,
James Symington,
Abram Holmes,
John Neagle,
Peter Arnoldi,
Daniel Robertson,
Alexander Milmine,
Thomas Fraser,
A. Porteous,
Joseph Ingo,
Adam Scott,
James Finlay,
Pat. M'Clement,
William Pantree,
Jacob Bittez,
Leach Smith,

G. Young,
William Ashby,
Gavin Lourie,
Phil. Brickman,
Benj. Holborn,
Joseph Borrel,
John Conolly,
John Durocher,
B. Janis,
J. Joran,
Jacob Maurer,
Simon Levy,
Edward Chinn,
Richard M'Neall,
R. Cruickshanks,
John Comfort,
Adam Wentsel,

Francis Smith,
Alex. Wallace,
Richard Dobie,
George Measam,
Samuel Jacobs,
Nicholas Brown,
Michael Morin,
William Kay,
John Lilly,
John Sunderland,
J. Grant,
James Morrison,
James Sinclair,
John Chisholm,
James Jeffry,
Robert M'Fie,
Fancis Atkinson,
David Shoolbred,
Jonas C. Minot,
Godfrey King,
John Land,
Caleb Thorne,
John Lees, Jun.,
Robert Jackson,
Hugh Ritchie,
Alex. Lawson,
Charles Daily,
Edw. Manwaring,
Michael Flanagan,
J. Melvin,
George Munro,
James Hanna,
Joseph Torrey,
T. Walker, Jun.,
James D. White,
John Bell,
Andrew M'Gill,
Samuel Holmes,
James Blake,
James Noel,

John Saul,
Francis Anderson,
Simon Fraser,
John Ross,
John M'Cluer,
James Woods,
John Lees,
Lemuel Bowles,
Thomas Davidson,
Patrick O'Donell,
Archibald Lawford,
Simon Fraser, Jun.,
Richard Vincent,
Daniel Cameron,
James Galbraith,
Roderick M'Leod,
John White Swift,
John Bondfield,
William Callander,
David Geddes,
Samuel Morrison,
John Thompson,
Alexander Hay,
James Doig,
Joseph Bindon,
Andrew Hays,
George Singleton,
John Stonhouse,
John Kay,
D. Salesby Franks,
J. Richardson, Jun.,
James Loach,
Ezekiel Solomons,
James Perry,
J. Beck,
Law. Ermatinger,
Simon M'Tavish,
J. Pullman,
James Frazer,

Allan M'Farlain,
J. Vander Heyden,
Hinrick Gonnerman,
John Hare, Jun.,
George W. Knowles,
Benjamin Frobisher,
William Murray,
James Anderson,
John Trotter,
Christopher Chron,
William England,
Meeshach Leeng,
Thomas Boyd,
John Mittleberger,
Sol. Mittleberger,
Isaac Judah,
Peter M'Farlane,
James May,
Jacob Schieffelin,
Benaiah Gibb,
John George Walk,
Michael Philips,
C. Dumoulin,
Francois Dumoulin,
Duncan Cumming,
William Haywood,
Robert M'Cay,
James Robinson,
Jean Bernard,
Lazarus David,
P. Bouthillier,
Richard Walker,
Josiah Bleakley,
Aaron Hart,
Levy Solomons,
Alexander Fraser,
Malcom Fraser,
John M'Cord, Jun.,
Henry Dunn.

PETITION PRESENTED TO THE KING, BY MESSRS. LANE, MOLLESON, AND BRIDGEN, FROM THE COMMITTEE OF MERCHANTS, MARCH 23, 1775.*

To the King's Most Excellent Majesty:

The humble Address and Petition of the Merchants, Traders, and others, of the City of LONDON, *concerned in the Commerce of* NORTH AMERICA:

We, your Majesty's dutiful and loyal subjects, the Merchants, Traders, and others, concerned in the Commerce of *North America*, beg leave to approach, and humbly lay before, your Majesty, those grievances, from the weight of which we are obliged to seek refuge in your royal wisdom and justice. An application of this extraordinary nature, we hope, will not be attributed to any design on our part to disturb your Majesty's Government, but to our present uncommon sufferings, the severity of which is aggravated by the prospect of future calamities.

We are constrained, with very deep concern, to observe, that the Ministers of your Majesty have, for some years past, adopted a new mode of Government, with regard to the Colonies; a mode which has created great disquietude in the minds of your Majesty's *American* subjects, and has been productive of repeated interruptions of the valuable Commerce carried on between this country and *America*. An evil of such magnitude awakes us from that silence which we have hitherto observed, in confidence that your Majes-

* While the *Americans* are preparing for opposition, the *British* Ministry are no less active in pursuing measures to counteract their endeavours; to increase their distresses; and to incite the Parliament to enact such laws, as either to render them desperate, and force them to resistance, or, by a tame acquiescence, to resign their boasted privileges of free *English* subjects. With this view to all the other Acts complained of by them as unconstitutional, an Act has passed, not only to restrain the Trade, but to cut off the subsistence of nearly one-sixth part of the inhabitants of the Provinces of *Massachusetts Bay* and *New-Hampshire*, the Colonies of *Connecticut* and *Rhode-Island*, and *Providence* Plantation, by prohibiting them from carrying on any fishery on the banks of *Newfoundland*, the coast of *Labrador*, in the Gulf of *St. Lawrence*, on the coast of *Cape Breton* or *Nova-Scotia*, or any other part of *North America*, without a certificate from a Governour or Commander-in-Chief of one of the *British* Colonies aforesaid; which certificate depends entirely on the will of the Governour, and may be granted or withheld just as he shall please to direct.

Against this Act, so grievous in itself, so destructive to the commercial interests of this country, and so ruinous to individuals, the *American* Merchants petitioned both Houses of Parliament; but their Petition made no impression on either House. They, therefore, as their last resource, in all humility, determined to approach the Throne, and to seek that redress from the clemency of the King, which they had been denied by the unfeeling insensibility of his Ministers and their adherents. Accordingly a Petition was presented by a committee of this body, on the 23d of March.

This Address and Petition was soon after followed by another, which was presented at *St. James's*, by four of the principal people, called Quakers. To these Petitions it does not appear, by the papers, that any answer was given.—*Gent. Mag.*

Digitized by Google

ty's Ministers, perceiving the effects of this fatal innovation, would revert, at length, to those wise regulations by which the Government of the Colonies had been successfully administered. In the measures of late pursued, we have the unhappiness to find that experience has been disregarded; and that the mischiefs resulting from this errour, which, by the application of seasonable and moderate remedies, might have been prevented, have been suffered to grow to a degree of alarming inveteracy. The interruption of Commerce, the distress of Manufactures, the diminution of your Majesty's Revenues, are mischiefs which are lost in the contemplation of more disastrous consequences—the alienated affections of your Majesty's subjects in *America*, and the horrours of a civil war.

If the subjects of your Majesty in *North America* have been led into any acts of extravagance, we confide in your Majesty's justice, to explain their present proceedings by that loyalty which has distinguished them upon former occasions. Your Majesty will estimate their conduct by the integrity of their intentions; and, if they have been betrayed, by repeated provocations, or excessive punishment, into any measures which may not be approved, your Majesty will impute them to their true cause, and will make a just distinction between the turbulence of a faction, and the eager contentions of a free people.

To enforce this system of severity towards the Colonies, an Act has been passed by both Houses of Parliament, and is now awaiting your Majesty's royal assent, "to restrain "the Trade and Commerce of the Provinces of *Massachu-* "*setts Bay* and *New-Hampshire*, and Colonies of *Con-* "*necticut* and *Rhode-Island*, and *Providence* Plantation, "in *North America*, *to Great Britain*, *Ireland*, and the "*British* Islands in the *West Indies*; and to prohibit such "Provinces and Colonies from carrying on any Fishery on "the banks of *Newfoundland*," &c.

By the operation of this Act, many thousands of your Majesty's subjects in those Provinces, bereft of their occupation, and, in vain, desirous of exerting their usual industry, will either remain a burthen on the community, or suffer themselves to be hurried away by a spirit of enterprising despair. The loss they will sustain, by the interruption of so valuable a branch of their Commerce, will be aggravated by the want of provisions, which they derive from that source. Their minds, already too much irritated, will be still more inflamed; and, to their other causes of discontent, will be added, the strong and irresistible impulse of famine. So forcible an incentive it is scarcely to be supposed that human nature can withstand. The most moderate will, at length, give way to the impatience of complaint; the most loyal will forget their duty in the severe conflict of obedience and necessity.

We are sensible, indeed, from the imperfect institution of human judicatures, that it is not possible, in all cases, to discriminate the innocent from the guilty; but no arguments, in our apprehension, can justify a mode of punishment that involves thousands, who, confessedly, are not guilty of the offence for which it is inflicted; a punishment, that is not to be averted by the future deportment of the unfortunate persons who are the innocent victims of it, but which may be entailed upon them forever, by the persevering resistance of their neighbours.

The impolicy of this Act, we apprehend, will afford an argument no less weighty to induce your Majesty to withhold your assent from it. It must be admitted, if the *European* market could be supplied by the Merchants of *Great Britain* or *Ireland*, that it cannot be supplied upon the same terms, and, consequently, that it will create an opening for the *French* to interfere and rival us in that beneficial commerce. Nor can it be urged, that they are prevented from so doing, by the limits to which their Fishery is confined; for it is not improbable, but that they may take a sufficient quantity of fish within their own limits, to supply the *European* market; and, even if that were not the case, they would undoubtedly effect it by other means. Whatever reliance may be placed in theory upon the invisible lines drawn by Treaty, as the boundaries of their right of Fishery, we are well acquainted, by experience, how easily those limits are eluded or transgressed. But, if this profitable branch of trade should be once interrupted, it will be as a River diverted from its course, and will either lose itself entirely, or wander into new channels, from whence no human effort can recall it.

We, therefore, most humbly pray your Majesty to withhold your royal assent from an Act, which is no less repugnant to good policy than justice. We acknowledge the many blessings which we and our ancestors have enjoyed under the Princes of your Majesty's illustrious House; and, feeling an unfeigned satisfaction in the paternal regard which your Majesty has repeatedly expressed for the welfare and happiness of all your subjects, with the greater confidence we entreat the exertion of that just and necessary prerogative which the Constitution has wisely placed in your Majesty's hands. Permit us, at the same time, to express our wishes that your Majesty may temper, with clemency, those rigorous measures with which your *American* subjects are threatened. The benevolence of your Majesty will inspire you, upon this occasion, with a recollection of the high deserts of the ancestors of this unfortunate people, who, flying from the house of bondage, and guided by the spirit of freedom, and their own enlightened conscience, traversed the vast Ocean, and encountered all the perils of a dreary Wilderness.

Your Majesty will contemplate, likewise, the extensive benefits gradually derived from their patient industry and perseverance, and weighing the great commercial advantages that, for many years, have accrued to these Kingdoms from the *American* Colonies, and the dreadful consequences of the disorders which now distract them, will pursue such lenient measures as can alone restore true harmony, and promote the happiness and prosperity of the *British* Empire.

PETITION OF THE QUAKERS.

To George *the Third, King of* Great Britain, *and the Dominions thereunto belonging, the Address and Petition of the people called Quakers.*

May it please the King:

Gratefully sensible of the protection and indulgence we enjoy, under thy Government, and with hearts full of anxious concern for thy happiness, and the prosperity of this great Empire, we beg leave to approach thy Royal presence.

Prompted by the affection we bear to our brethren and fellow-subjects, impressed with an apprehension of calamities, in which the whole *British* Empire may be involved, and moved by an ardent desire to promote thy royal intention of effecting a happy reconciliation with thy people in *America*, we beseech thy gracious regard to our Petition.

From the intercourse subsisting between us and our brethren abroad, for the advancement of piety and virtue, we are persuaded there are not, in thy extensive Dominions, subjects more loyal, and more zealously attached to thy royal person, thy family, and government, than in the Provinces of *America*, and amongst all religious denominations.

We presume not to justify the excesses committed, nor to inquire into the causes which may have produced them; but, influenced by the principles of that religion which proclaims, "Peace on earth, and good will to men," we humbly beseech thee to stay the sword, that means may be tried to effect, without bloodshed, and all the evils of intestine war, a firm and lasting union with our fellow-subjects in *America*.

Great and arduous as the task may appear, we trust men may be found, in this country, and in *America*, who, properly authorized, would, with a zeal and ardour becoming an object so important, endeavour to compose the present differences, and establish a happy and permanent reconciliation, on that firm foundation, the reciprocal interest of each part of the *British* Empire.

That the Almighty, by whom Kings reign, and Princes decree justice, may make thee the happy instrument of perpetuating harmony and concord through the several parts of thy extensive Dominions, that thy clemency and magnanimity may be admired in future generations, and a long succession of thy descendants fill, with honour to themselves, and happiness to a grateful people, the Throne of their ancestors, is the fervent prayer of thy faithful subjects.

Digitized by Google

PETITION OF THE MAYOR, ALDERMEN, AND LIVERY OF LONDON, PRESENTED TO THE KING APRIL 10, 1775.*

To the King's Most Excellent Majesty:

The humble Address, Remonstrance, and Petition of the Lord Mayor, Aldermen, and Livery of the City of LONDON, *in Common-Hall assembled:*

We, your Majesty's dutiful and loyal subjects, the Lord Mayor, Aldermen, and Livery of the City of *London*, beg leave to approach the Throne, and to declare our abhorrence of the measures which have been pursued, and are now pursuing, to the oppression of our fellow-subjects in *America*. These measures are big with all the consequences which can alarm a free and commercial people; a deep, and, perhaps, fatal wound to Commerce; the ruin of Manufactures; the diminution of the Revenue, and consequent increase of Taxes; the alienation of the Colonies; and the blood of your Majesty's subjects.

But your Petitioners look with less horrour at the consequences, than at the purpose of those measures. Not deceived by the specious artifice of calling despotism dignity, they plainly perceive that the real purpose is, to establish arbitrary power over all *America*.

Your Petitioners conceive the liberties of the whole to be inevitably connected with those of every part of an Empire founded on the common rights of mankind. They cannot, therefore, observe, without the greatest concern and alarm, the Constitution fundamentally violated in any part of your Majesty's Dominions. They esteem it an essential, an unalterable principle of liberty, the source and security of all constitutional rights, that no part of the Dominion can be taxed without being represented. Upon this great leading principle, they most ardently wish to see their fellow-subjects, in *America*, secured in what their humble Petition, to your Majesty, prays for—Peace, Liberty, and Safety. Subordination in Commerce, under which the Colonies have always cheerfully acquiesced, is, they conceive, all that this country ought, in justice, to require. From this subordination such advantages flow, by all the profits of their commerce centring here, as fully compensate this Nation for the expense incurred, to which they, also, contribute, in Men and Money, for their defence and protection, during a general war; and, in their Provincial wars, they have manifested their readiness and resolution to defend themselves. To require more of them would, for this reason, derogate from the justice and magnanimity which have been hitherto the pride and character of this country.

It is, therefore, with the deepest concern that we have seen the sacred security of Representation, in their Assemblies, wrested from them; the Trial by Jury abolished, and the odious powers of Excise extended to all cases of Revenue; the sanctuary of their Houses laid open to violation, at the will and pleasure of every Officer and Servant in the Customs; the Dispensation of Justice corrupted, by rendering their Judges dependent, for their seats and salaries, on the will of the Crown; Liberty and Life rendered precarious, by subjecting them to be dragged over the Ocean, and tried for treason or felony here; where the distance, making it impossible for the most guiltless to maintain his innocence, must deliver him up, a victim to Ministerial vengeance. Soldiers and others, in *America*, have been instigated to shed the blood of the people, by establishing a mode of trial which holds out impunity for such murder; the capital of *New England* has been punished with unexampled rigour, untried and unheard, involving the innocent and the suspected in one common and inhuman calamity; Chartered Rights have been taken away, without any forfeiture proved, in order to deprive the people of every legal exertion against the tyranny of their rulers; the Habeas Corpus Act, and Trial by Jury, have been suppressed, and *French* Despotick Government, with the Roman Catholic Religion, have been established, by law, over an extensive part of your Majesty's Dominions, in *America*; dutiful Petitions for redress of those grievances, from all your Majesty's *American* subjects, have been fruitless.

To fill up the measures of these oppressions, an Army has been sent to enforce them.

Superadded to this, measures are now planned, upon the most merciless policy, of starving our fellow-subjects into a total surrender of their liberties, and an unlimited submission to arbitrary Government.

These grievances have driven your Majesty's faithful subjects to despair, and compelled them to have recourse to that resistance which is justified by the great principles of the Constitution, actuated by which, at the glorious period of the Revolution, our ancestors transferred the Imperial Crown of these Realms from the Popish and tyrannical race of the *Stuarts*, to the illustrious and Protestant House of *Brunswick*.

Your Petitioners are persuaded that these measures originate in the secret advice of men who are enemies, equally, to your Majesty's title, and to the liberties of your people. That your Majesty's Ministers carry them into execution by the same fatal corruption which has enabled them to wound the peace and violate the Constitution of this country; thus they poison the fountain of publick security, and render that body, which should be the guardian of liberty, a formidable instrument of arbitrary power.

Your Petitioners do, therefore, most earnestly beseech your Majesty to dismiss, immediately and forever, from your Councils, these Ministers and advisers, as the first step towards a full redress of those grievances which alarm and afflict your whole people. So shall peace and commerce be restored, and the confidence and affection of all your Majesty's subjects be the solid supporters of your Throne.

—

The King's Answer, delivered to the Lord Mayor by the Earl of HERTFORD, *Lord Chamberlain.*

It is with the utmost astonishment that I find any of my subjects capable of encouraging the rebellious disposition which, unhappily, exists in some of my Colonies in *North America*.

Having entire confidence in the wisdom of my Parliament, the great Council of the Nation, I will steadily pursue those measures which they have recommended for the support of the constitutional rights of *Great Britain*, and the protection of the commercial interests of my Kingdoms.

—

THE LORD CHAMBERLAIN'S LETTER TO THE RIGHT HONOURABLE THE LORD MAYOR, THE DAY AFTER HIS PRESENTING TO HIS MAJESTY THE HUMBLE ADDRESS, ETC., OF THE COMMON-HALL.

MY LORD: The King has directed me to give notice that, for the future, his Majesty will not receive, on the Throne, any Address, Remonstrance and Petition, but from the Body Corporate of the City.

I, therefore, acquaint your Lordship with it, as Chief Magistrate of the City; and have the honour to be, my Lord, your Lordship's most obedient humble servant,

HERTFORD.

—

THE LORD MAYOR'S ANSWER TO LORD HERTFORD'S LETTER.

Mansion House, May 2d, 1775.

MY LORD: It is impossible for me to express, or conceal the extreme astonishment and grief I felt at the notice your Lordship's letter gave me, as Chief Magistrate of the City, "that, for the future, his Majesty will not receive, "on the Throne, any Address, Remonstrance and Petition, but from the Body Corporate of the City."

I entreat your Lordship to lay me, with all humility, at the

* On *Monday*, the 10th of *April*, at two o'clock, the Lord Mayor, accompanied by the Sheriffs, and the Aldermen *Bull*, *Sawbridge*, *Hayley*, *Lewes*, and *Newenham*, went up to *St. James's*, with the Address, Remonstrance, and Petition of the Lord Mayor, Aldermen, and Livery, in Common-Hall assembled, "praying for the removal of his "present Ministers, for their iniquitous measures with respect to our "fellow-subjects in *America*." The Lord Chamberlain having previously informed the Sheriffs, that his Majesty would not receive more than the usual number of Liverymen, the following gentlemen were appointed a Committee of the Livery, to attend the Lord Mayor from *Guildhall* to *St. James's*, on this occasion, viz: *William Lee*, Esq., Mr. *Luke Stavely*, Mr. Deputy *Howse*, Mr. *William Saxby*, Mr. *Henry John Mascall*, Mr. *Richard Hern*, Mr. *John Crompton*, Mr. *Thomas Gorst*, and Mr. *John Jacob*. When the City Council had read the paper, he gave it to the Lord Mayor, who delivered it to the King, with a half bent knee, and the most profound reverence. His Majesty handed the Petition to the Lord in waiting, and then deliberately taking a paper from his pocket, read the answer. A silence of two minutes ensued, when the Lord Mayor made a low bow, then retreated backwards to the middle of the room, made a second, and, in like manner, a third, at the door, when the King moved his hat to his Lordship, and thus ended the business.

Digitized by Google

King's feet, and as I have now the honour to be Chief Magistrate, in my name to supplicate his Majesty's justice and goodness in behalf of the Livery of *London*, that he would be graciously pleased to revoke an order, highly injurious to their rights and privileges, which, in this instance, have been constantly respected and carefully preserved by all his royal predecessors. The Livery of *London*, my Lord, have approved themselves the zealous friends of liberty and the Protestant succession; they have steadily pursued only those measures which were calculated to secure the free Constitution of this country; and this, your Lordship well knows, has created them the hatred of all the partisans of the exiled and proscribed Family. They form the great and powerful body of the Corporation, in whom most important powers are vested, the election of the First Magistrate, the Sheriffs, the Chamberlain, the Auditors of the Receipt and Expenditure of their Revenues, and of the four Members, who represent, in Parliament, the Capital of this vast Empire. The full Body Corporate never assemble, nor could they legally act together as one great aggregate body: for, by the Constitution of the City, particular and distinct privileges are reserved to the various members of the Corporation, to the Freemen, to the Liverymen, to the Common Council, to the Court of Aldermen. His Majesty's Solicitor General, Mr. *Wedderburn*, was consulted by the City in the year 1771, respecting the legality of Common-Halls, and the Remonstrances of the Livery. In conjunction with Mr. Sergeant *Glynn*, Mr. *Dunning*, and Mr. *Nugent*, he gave an opinion, which I have the honour of transcribing from our record.

"We apprehend that the head Officer of every Corporation may convene the Body, or any class of it, whenever he thinks proper; that the Lord Mayor, for the time being, may, of his own authority, legally call a Common-Hall; and we see no legal objection to his calling the two last. We conceive it to be the duty of the proper officers of the several Companies, to whom precepts for the purpose of summoning their respective Liveries have been usually directed, to execute those precepts; and that a wilful refusal on their part, is an offence punishable by disfranchisement."

The City, my Lord, have been careful that all their proceedings should be grounded in the true principles of Law and the Constitution, notwithstanding it is the clear right of the subject to petition the King for the redress of grievances; a right which so many thousands of our fellow-subjects, my Lord, have justly thought it their duty, very frequently, to exercise in the last ten years; yet the City, from excess of caution, took a great legal opinion in the case, and I find the following words entered in their Journals by the express order of the Common-Hall:

"The Livery of *London*, legally assembled in Common-Hall, either on Midsummer, Michaelmas, or any other day, have an undoubted right to take into consideration any matter of publick grievance they may think proper. It is beyond dispute that the right is inherent in them." A Jury have likewise declared this in a solemn verdict.

I have been thus particular, my Lord, on this subject from our records, because I differ in one point from the last opinion, which I quoted; for I know there is no right or privilege of this free people, or of mankind, but what has been *disputed*, and even *denied*, by pensioned pens and tongues in the service of the arbitrary Ministers of arbitrary Kings.

Your Lordship, I am sure, will now no longer suffer a doubt to remain in your mind as to the legality of Common-Halls, or of their extensive powers, and, therefore, I presume to lay claim, on behalf of the Livery of *London*, to the ancient privilege of presenting to the King, on the Throne, any Address, Petition, or Remonstrance. In this manner, have the Addresses of the Livery constantly been received, both by his present Majesty and all his royal predecessors, the Kings of *England*. On the most exact research, I do not find a single instance to the contrary. This immemorial usage, in the opinion of the ablest lawyers, gives an absolute right, and is as little subject to controversy, as any fair and just prerogative of the Crown. Other rights and privileges of the City have been invaded by despotick Monarchs; by several of the accursed race of the *Stuarts*, but this, in no period of our history. It has not even been brought into question till the present inauspicious era. I have an entire confidence, my Lord, that a right left uninvaded by every tyrant of the *Tarquin* race, will be sacredly preserved under the Government of our present Sovereign, because his Majesty is perfectly informed, that, in consequence of their expulsion, his family was chosen to protect and defend the rights of a free people, whom they endeavoured to enslave.

It cannot escape your Lordship's recollection, that at all times when the privileges of the Capital were attacked, very fatal consequences ensued. The invasion of the liberties of the Nation, we have generally seen preceded by attempts on the franchises of the first City in the Kingdom, and the shock has spread from the centre to the most distant point of the circumference of this wide extended Empire. I hope his Majesty's goodness will revoke an order, which might, perhaps, in this light, be considered as ominous to the people at large, no less than injurious to the citizens of this Metropolis. Such a measure only could quiet the alarm, which has already spread too far, and given gloomy apprehensions of futurity.

The privilege, my Lord, for which I contend, is of very great moment, and peculiarly striking. When his Majesty receives, on the Throne, any Address, it is read by the proper officer to the King, in the presence of the Petitioners; they have the satisfaction of knowing that their Sovereign has heard their complaints; they receive an answer. If the same Address is presented at a levee, or in any other mode, no answer is given; a suspicion may arise, that the Address is never heard, or read, because it is only received, and immediately delivered to the Lord, in waiting. If he is tolerably versed in the supple, insinuating arts practised in the magick circle of a Court, he will take care never to remind his Prince of any disagreeable and disgusting, however important and wholesome, truths; he will strangle in its birth the fair offspring of Liberty, because its cries might awaken and alarm the parent, and thus the common father of all his people may remain equally ignorant and unhappy in his most weighty concerns.

Important truths, my Lord, were the foundation of the last humble Address, Remonstrance and Petition, to the King, respecting our brave fellow-subjects in *America*. The greatness, as well as goodness of the cause, and the horrours of an approaching civil war, justified our application to the Throne. It comprehended every thing interesting to us, as a free and commercial people, the first principles of our common liberty, and the immense advantages of the only trade we enjoy, unrivalled by other Nations. I greatly fear, that your Lordship's letter, immediately following his Majesty's unfavourable answer to the Remonstrance, will be considered as a fresh mark of the King's anger against our unhappy brethren, as well as of his displeasure against the faithful citizens of his Capital. The Livery, possessing the purest intentions, the most noble and exalted views for the publick good, will comfort themselves with the appeal to that justice in the Sovereign's heart, which cannot fail of soon restoring them to the royal favour; but the *Americans* may be driven to despair, unless a merciful Providence should graciously interpose, and change the obdurate hearts of those unjust and wicked Ministers, who have been so long permitted, by Divine vengeance, to be a scourge both to us and our brethren. The true friends of liberty, I am sure, will not be remiss in their duty. I doubt not, my Lord, from that love of your country, and zeal for his Majesty's glory, which have equally distinguished your Lordship, that the Livery of *London* will have your hearty concurrence with them, as well as your powerful intercession with the King for the revocation of the late order. Such a conduct will secure to your Lordship the esteem and affection of all good men, and add to the unfeigned respect, with which I have the honour to be, my Lord, your Lordship's most obedient, humble servant, JOHN WILKES.

To the Right Honourable, the Earl of *Hertford*, Lord Chamberlain of the King's Household.

Digitized by Google

INDEX.

Abingdon, Earl of, Views on Bill Restraining Trade, &c., - - - - - - - 1687
Ackland, William, Speech on Lord North's Conciliatory Proposition, - - - - 1607, '11
Adam, William, Views on Address to the King, - 1559
Same on Lord North's Conciliatory Proposition, - - - - - - - 1606
Adams, John, Letter from Dr. Samuel Cooper, on arrival of Troops, - - - - - - 878
Adams, Samuel, Letters to Arthur Lee, 238, 332, 1239
Letter from Richard H. Lee, - - - 445
Letter to same, - - - - - 447
Letter to Dr. Chauncy, - - - 793
Agents of Colonies, in London—
William Bollan, for Massachusetts, - - 30
Benjamin Franklin, for Pennsylvania, - 1281
Arthur Lee, for Virginia, - - - 1281
Edmund Burke, for New-York, - - 1289
Letters to them, - - - - 929, '38
Letter from them to Pennsylvania, - - 1281
Petition to be heard before the House of Commons, - - - - - 1524, '32
Allen, Ethan, and others, reward for them as Rioters, - - - - - - - - - 1323
Annapolis, Supplies from, to Boston, (Note,) - 593
Appleton, Nathan, to Josiah Quincy, Jun., - - 980
Arms, Motion to take up, in Massachusetts, - - 1039
Shipped from England, - - - - 1225
Procured for Massachusetts, - - - 1365
General Supplies for same, - - 1366–7–8
Warlike Stores for 15,000 Men in Massachusetts, - - - - - - - 1367
Army. (*See Parliament and Massachusetts Bay.*)
British, at Boston, brigaded, - - - 1068
6,000 Men and Officers, to be shipped, - - - - - - 1224
Motion to fix at 17,547 Men, - 1479
Massachusetts Constitutional, Rules and Regulations, - - - - - - - 1350
Same, Army to be raised, - - - 1359
Association, Articles of, by Continental Congress, 913
Astley, Sir Edward, Speech on Government of Massachusetts Bay, - - - - - - 74
Aubrey, Mr., advocates presentation of Remonstrance of General Assembly of New-York, - 1821
Austin, Nicholas, of New-Hampshire, gives satisfaction for procuring Artificers to erect Barracks at Boston, - - - - - - - - 974
Bailey, Mr., Remarks on Petition of West India Planters, - - - - - - - - 1744
Baltimore, Supplies from to Boston, - - - 593
Barré, Colonel, Speech on Address to the King, 36, 1473, 1565
Speech on Boston Port Bill, - - 40, 46
Speech on Government of Massachusetts Bay, - - - - - - - 85
Speech on Administration of Justice in same, 113, 120, '5
Speech on Repeal of Tea Duty, - - 165
Speech on Quebeck Bill, - 184, '7, 205
Speech on Petition of London Merchants, - 1529
Speech on Supplies for 1775, - - 1591, '96
Speech on Lord North's Conciliatory Proposition, - - - - - - - 1607
Supports the Quebeck Petition, - - 1838
Barclay, David, Agent for London American Merchants, attends House of Commons to examine Witnesses in support of their Petition, - - 1638
Barrington, Lord, Motion to fix Land Forces at 17,547 Men, - - - - - - 1479
Motion for Supplies for 1775, - - - 1596
Beauchamp, Lord, Speech on Administration of Justice in Massachusetts Bay, - - 119
Same on Repeal of Tea Duty, - - 164
Motion and draft of Address to the King, - 1471
Speech on Supplies, - - 1478–9, 1598
Views on Bill Restraining Trade with the Northern Colonies, - - - - - 1625
Beebe, Dr., tarred and feathered, - - - 787
Belfast, Ireland, Petition from Merchants and others, to the House of Commons, - - - - 1631
Birmingham, Merchants and Traders to Edmund Burke, - - - - - - - 1221
Petition from Town and Neighbourhood, 1524, '33
Bollan, William, Agent. (*See Agents.*)
Appears before the House of Lords, - - 30
Petition to the House of Commons, 35, 46, 79
Same to the House of Lords, - - - 60
Letters to Committee of Council of Massachusetts Bay, - - 225, '7, '9, '30, '1
Boston. (*See Letters.*)
Committee of Correspondence, - - 27
Destruction of Tea, - - - 28, '9
Port Bill, Parliamentary Proceedings, 35, 40
Passage and Act, - - - - 60, '1
Town Meeting, - - - - 331–2
Address to Governour Hutchinson—Protest of Merchants—Address of Lawyers, &c., 361–3
Circular and Covenant against Importing, - 397
Merchants and others to Governour Gage, and his Answer, - - - - 398–9
Resolutions of June, 1774, - - - 423
Letter, describing progress of feelings there and at Salem, - - - - - 429
Address, signed "An American," - - 434
Letter published at, - - - - 487
Town Meeting, concerning Committee of Correspondence, - - - - 489
Protest against the Committee, - - 490
Supplies to. (*See States, Counties, Towns.*)
Committee of, to Baltimore Committee, - 594
Meeting concerning employment of the Poor, 637
Committee of, to the Committee of New-Jersey, - - - - - - - - 728
Application of Donations from abroad, 743, 784, 1172
Juries refuse to be sworn, reasons therefor, 747
Anonymous publications at, - - - 669, 756, 1183, 1216, '60
Selectmen, interview with Governour Gage, on Obstructions at Boston Neck, - - 775
Committee of, to Israel Putnam, - - 784
Elects Representatives to Assembly and Provincial Congress at Concord, - - 798
Committee, to Mechanicks, not to assist the Troops in building, &c., - - 802, '20
Committee, to Mechanicks in New-York, - 804
Future intentions of Parliament respecting, 820
Town Meeting recommend an increase of Watchmen, - - - - - - 968

Digitized by Google

Boston, Town Meeting, on Answer of Gov. Gage to Peyton Randolph, President of Congress, 1077
Committee of, to Philadelphia Committee, - 1100
Same to New-York Committee, - - 1106
Provincial Congress Report, - - - 1357
Poor families to be removed, - - - 1361
Brattle, General, Letter to General Gage, - - 739
Brewton, Miles, Letter to Josiah Quincy, Jun., - 534
Bridgeport Manufacturers, Petition to the House of Commons, - - - - - - - 1627
Bristol, Earl of, Speech on Petition from Quebeck, 1829–31
Bristol, Petition from Merchants' Society, - - 1519
Petition from Merchants and others, - 1521
Brush, Mr., Speech against necessity of appointing Delegates to second Continental Congress, - 1290
Buckingham, Earl of, amendment to Bill Restraining Trade, &c., - - - - - 1688
Views on New-York Memorial, - - 1838
Bull, Alderman, on Bill Restraining Trade with the Southern Colonies, - - - - - - 1714
Buller, Mr., Speech on Repeal of Tea Duty, - 165
His Motion for Supplies, - 1476, 1589
Burgoyne, General, Speech on Repeal of Tea Duty, - - - - - - - 164
Speech on Lord North's Conciliatory Resolution, - - - - - - - 1619
Burke, Edmund, Motions and Speech on Address to the King, - - - - - - 33, '4
Speech on Boston Port Bill, - - - 50
Speech on Government of Massachusetts Bay, - - - - - - - 90
Speech on Administration of Justice in same, 121
Speech on Repeal of Duty on Tea, - - 135
Speech on Quebeck Bill, - 187, 204, '5, '9
Letter, imputed to him, - - - - 337
Speech at the Hustings, 16th October, 1774, 876
Agent of New-York, - - - - 1289
Speech on Address to the King, 1474, 1547, '64
Speech on Supplies, - - 1478, '86, '88
Speech on Petition of London Merchants, - 1516
Presents Petition of Merchants' Society of Bristol, - - - - - - - 1519
Speech on Petition of London Merchants, 1527–30
Motion to inquire into the manner of procuring and signing Petitions, - - - 1536
Speech on Restraining Trade, &c., with the Northern Colonies, - - 1625, '55, '59
Remarks on Questions to Witnesses, - - 1743
Introduces his Resolutions for Conciliation with America, 22d March, 1775, - 1745–78
Views on encouraging Fisheries of Great Britain and Ireland, - - - 1805–7
Presents Remonstrance of General Assembly of New-York, 15th May, 1775, - 1819
Butler, Zebulon, Memorial to Assembly of Connecticut on disputed territory adjoining Pennsylvania, 859
Byng, Mr., Speech on Boston Port Bill, - - 44
Speech on Government of Massachusetts Bay, - - - - - - 66, 88
Speech on Administration of Justice therein, 119
Speech on Quebeck Bill, - - - 209
Camden, Lord, Speech on Address to the King, 1467 1571–3, '84
Same on Lord Chatham's Motion to Recall the Troops from America, - - - 1501
Same on Lord Chatham's Provisional Bill, - 1510
Views on Bill Restraining Trade, &c., 1663 1675, '86
Presents Petition from Quebeck against late Act, - - - - - - 1823, '34
Views on New-York Memorial, - - 1839
Campbell, Lord Frederick, opposes Mr. Burke's Resolutions, - - - - - - 1776–7
Campbell, Lord William, on Mr. Hartley's Proposition for Conciliation, - - - - - 1792
Canada, Boundary, - - - - - - 204, '7
Montreal Committee, against late Act of Parliament, - - - - - - 891
Address to, by Continental Congress, - 934
Canada, Massachusetts Committee of Correspondence, - - - - - - - 999
Letter from Montreal, - - - - 1164
Carleton, General, examined in the House of Commons on the Quebeck Bill, - - - 189
Arrives at Quebeck, as Governour, - - 791
Address to him by Clergy and Quebeck City, 791
Carlisle, Earl of, Speech on Restraining Trade of Northern Colonies, - - - - - - 1673
Carmarthen, Marquis of, on Government of Massachusetts Bay, - - - - - - 87
Same on Administration of Justice there, - 117
Same on Address to the King, - - 1473
Canterbury, Archbishop of, on Petition from Quebeck, - - - - - - - - - 1831
Cavendish, Lord John, Speech on Quebeck Bill, - 184
Same on Address to the King, - - 1472
Same on Supplies, - - 1478–9, 1591
Same on Petition of London Merchants, - 1517
Same on Lord North's Motion for Address to the King, - - - - - - 1549
Supports Mr. Burke's Resolutions, - - 1776
Chatham, Lord, Speech on Quartering Troops in America, - - - - - - - 167
Speech on Quebeck Bill, - - - 211
His opinion of Proceedings of Continental Congress, - - - - 1058, '67, '85
Thanks to him from London Common Council, and his Answer, - - - - 1233
Speech and Motion for an Address to his Majesty to Recall Troops from America, 1498
His Provisional Bill, and Speeches thereon, 1503–14
Chauncy, Dr., from Samuel Adams, - - - 793
Chauncy, Charles, to Josiah Quincy, Jun., - - 958
Clare, Lord, Speech on Repeal of Tea Duty, - 165
Speech on Petition of London Merchants, - 1517
Speech on Bill Restraining Trade, &c., - 1659
Clerke, Sir J. P., Views on Lord North's Conciliatory Resolution, - - - - - - - 1617
Clymer, George, to Josiah Quincy, Jun., - - 406
Colden, Lieutenant Governour. (*See New-York.*)
Committees of Correspondence. (*See States, Counties, Towns, passim.*)
Commons, House of. (*See Parliament.*)
Concord, Provincial Congress meet there 22d of March, 1775, - - - - - 1343
Warlike Stores and Supplies there, - 1365–70
Congress, Continental—
Recommended, - - - 416, '21, '6
Meets at Philadelphia, 5th September, 1774, 893
Credentials produced—Rules established—Mr. Duché, Chaplain—Peyton Randolph, President—Charles Thomson, Secretary—Committees appointed, - - - 899
Dinner to Delegates, (Note) - - - 900
Suffolk Resolutions, - - - - 901
Resolution on Non-Importation, - - 905
Mr. Galloway's Plan for a union between Great Britain and the Colonies, - - 905
Resolution of Non-Exportation, - - 906
Address to his Majesty to be prepared, - 906
Boston Committee of Correspondence, - 907
Resolutions thereon, - - - - 908
Letter to Governour Gage, and Resolution advising people of Boston and Massachusetts to conduct themselves peaceably, - 909 939, 1077
Memorial to the People to be prepared, - 910
Address to the People of Great Britain, do., 910
Resolution on Rights and Grievances of the Colonies, - - - - - - - 910
Plan of Association adopted and signed 20th October, 1774, - - - - - 913
Address to the People of Great Britain, - 917
Memorial to the People of the Colonies, - 922
Resolution against Transportation for Trial, 928
Recommend a new Congress for 10th May next, - - - - - - - 928
Letter to the Colonies of St. Johns, &c., - 929

Digitized by Google

Congress, Continental—
Letter to the Agents of Colonies in London, 929
Address to Inhabitants of Quebeck, - - 930
Address to the King, - - - 934, 1083
Estimate of Population, (Note) - - 936
Agents to whom the Address to the King were to be sent, (Note) - - - 938
Answer of Governour Gage, (received after Congress adjourned,) - - - 939, 1077
Congress, General, proposed by Rhode-Island, June 15, 1774, - - - - - - - 416
Proposed by Pennsylvania, June 18, 1774, 426
Proposed by Massachusetts, June 17, 1774, 421
Connecticut, Governour of, to Governour of Pennsylvania, on Boundaries, - - - 261
Further Proceedings in Pennsylvania, 604, 610, 1177
Farmington Proceedings, May, 1774, - 336
Resolutions of House of Representatives, 1774, - - - - - - - 355
Joseph Johnson, a Mohegan Chief, petitions to remove his Tribe to Oneida, - - 386
Norwich Resolutions, - - - - 390
Essex Resolutions, - - - - - 391
Letter from Congregational Ministers to the Clergymen in Boston, and the Answer, 442–3
Windsor Town Proceedings, - - - 445
Delegates to Continental Congress appointed, - - - - - - - - 554
Silas Deane asks Governour Trumbull for certain Records and Documents, and complains of the neglect and destruction of the Publick Records, - - - - 710
Rev. Samuel Peters, how treated by "Sons of Liberty," - - - - - - 711
Matthew Griswold to Governour Trumbull, on proceedings of certain citizens of Connecticut at Great Barrington, Massachusetts, - - - - - - - 724
Colonel Willard, member of new Council, his treatment, - - - - - - 731
New Council, (Note,) - - - - 731
Court at Hartford resolve not to exercise any authority under the Act to regulate Massachusetts, - - - - - - - 747
"Juba," to the General Congress, - - 754
Dr. Beebe tarred and feathered, - - 787
Army of Observation suggested, - - 787
Resolutions of Delegates of several Towns, 788
Stamford Meeting and Resolves, - - 827
The Delegates in Congress, to Governour, - 854
Assembly meets—Resolutions—Memorial of Zebulon Butler, on territory claimed by Pennsylvania, - - - - - - 858
Ebenezer Hazard's Memorial on the Lands West of Pennsylvania, part whereof is known as the "Connecticut Western Reserve," 861–7
Silas Deane to Gov. Trumbull, on Congress, 888
Danbury Town Meeting, - 1038, 1215
Fairfield Proceedings, - - 1075, 1236, '58
Joseph Trumbull to the Governour, about Ammunition, - - - - - - 1077
Gunpowder and Lead purchased, - 1139, '77
Condition of Militia and Munitions of War, 1173
Ridgefield Resolutions, - - 1202, '10, '36
Newtown Resolutions, - - - - 1215
Wethersfield Proceedings, - - - 1236
Ridgebury "Liberty Men," - - - 1238
Reading Association, and Proceedings of Committee, - - - - - - 1258
Litchfield County Proceedings, - - 1270
Committee from Massachusetts, on raising an Army, - - - - - - - 1359
Connolly, Mr., his views on encouraging Fisheries of Ireland, - - - - - - - - 1807
Connolly, Captain, on Indian Affairs, - 465–485
Letter to Col. George Washington, - - 1222
Conway, General, Speech on Address to King, - 35
Speech on Boston Port Bill, - - - 45
Conway, General, Speech on Government of Massachusetts Bay, - - - - - 72, 89
Speech on Administration of Justice there, - 117
Speech on Restraining Trade, &c., of Southern Colonies, - - - - - - 1715
Cooper, Mr. Grey, Speech on Boston Port Bill, - 51
Cooper, Samuel, to John Adams—Arrival of Troops, 878
Cornwall, Mr., Speech on Administration of Justice in Massachusetts Bay, - - - 122
Speech on Repeal of Tea Duty, - - 134
Speech on Supplies for 1775, 1478, '88, 1591
Speech on Lord North's Conciliatory Proposition, - - - - - - - 1607
Opposes Mr. Burke's Resolutions, - - 1776
Opposed to presentation of Remonstrance of General Assembly of New-York, - - 1821
Copper Currency, created for Virginia, - - 982
Court, Supreme, of Massachusetts, Salaries by the King, - - - - - - - - 27
Proceedings thereon by House of Representatives, - - - - - - - 31
Coxe, Mr., Views on Motion for Supplies of 1775, 1596
Croghan, George, Correspondence on Indian Affairs, - - - - - - - - - 465
Cruger, Mr., Speech on Supplies for 1775, - 1482
Presents Petition from Bristol, - - - 1521
Speech on Lord North's Motion for Address to the King, - - - - - - 1544
Speech on Remonstrance of General Assembly of New-York, - - - - 1820
Cushing, Thomas, to Josiah Quincy, Jun., - - 1080
To Arthur Lee, - - - - - - 1208
Dartmouth, Earl of, Letter to Governour Gage, - 380
Letter to Lieut. Governour Penn, - - 519
Letters to Lieutenant Governour Colden, - 519, 953, 1035
Circulars to Governours, 881, 953, 1034, '85
Rumour of his Retiring, - - - 1059, '68
Speech on Lord Chatham's Provisional Bill, 1504
Lays certain Papers from America before the House of Lords, - - - 1489, 1569
Speech on Address to his Majesty, - - 1584
Motion and Views on Bill Restraining Trade, 1670
Motion to reject Bill to repeal Act for Government of Quebeck, - - - - 1826
Objects to New-York Memorial, - - 1837
Davis, George, examined on North American Fisheries, - - - - - - - - - 1669
Dean, Silas, asks for certain Records from the Governour of Connecticut, and complains of neglect, - - - - - - - 710
Letter to Governour Trumbull, - - 888
D'Bernicre, Ensign, Narrative of a Reconnoisance of part of Massachusetts, - - - - 1263
De Grey, Mr., Views on Quebeck Petition, - 1836
Delaware—
Meeting called at New-Castle, June, 1774, 419
Speech at Lewestown, at General Meeting, July, 1774, - - - - - - 658
Convention at New-Castle—appoint Delegates to General Continental Congress, and their Instructions, - - - 663–8
New-Castle Resolutions—Militia Enrolled, 1022
Motion of Lord North to include Delaware in the Bill Restraining the Trade, &c., of Southern Colonies, - - - - - 1708
Dempster, Mr., Speech on Boston Port Bill, - 44
Speech on Administration of Justice in Massachusetts Bay, - - - - - 124
Speech on Quebeck Bill, - - - 184
Denbigh, Earl of, Speech on right to the Floor, - 1571
Speech on Address to his Majesty, - - 1572
Speech on Bill Restraining Trade, &c., - 1674
Speech on New-York Memorial, - - 1839
Desertion and Mutiny, Act to Punish, - 1793–5
Dickinson, John, to Josiah Quincy, Jun., - 434, 947
His Draught of Argument in Convention for the Assembly of Pennsylvania, - 557–93
Letters to Arthur Lee, - - - 726, 947
Dowdeswell, Mr., Speech on Boston Port Bill, 39, 49

Digitized by Google

Dowdeswell, Mr., Speech on Government of Massachusetts Bay, - - - - - 69, 79
Speech on Administration of Justice there, 117, '20
Speech on Repeal of Tea Duty, - - 166
Drayton, Hon. William Henry, Charge to Grand Jury, - - - - - - - - 959
Presentments and Address thereon, - 961–2
Duché, Rev., Chaplain to first Continental Congress, 899
Dudley, Petition of Merchants and others to House of Commons, - - - - - - - 1523
Dudley, Viscount, on Bill Restraining Trade, &c., of Northern Colonies, - - - - - - 1675
Dulany, Daniel, Jun., to Arthur Lee, - - 354
Dundas, Mr., Solicitor General of Scotland, Views on Lord North's Conciliatory Proposition, 1607
Speech on Bill Restraining Trade, &c., 1654, '60
Dunning, Mr., Speech on Government of Massachusetts Bay, - - - - - - - 83
Speech on Administration of Justice there, 121
Speech on Quebeck Bill, - - 182, 208
Speech on Lord North's Motion for Address to the King, - - - - - - 1542
Speech on Lord North's Conciliatory Resolution, - - - - - - - 1610
Speech on Bill to Restrain Trade, &c., with Northern Colonies, - - - - - 1623
Duntze, Sir John, on Bill Restraining Trade, &c., of Southern Colonies, - - - - - - 1715
Edmiston, Rev. William, Proceedings against him by Committee of Baltimore County, - - 1146
Effingham, Earl of, Speech on Amendment to the Bill Restraining Trade, &c., - - 1689
Speech on New-York Memorial, - - 1840
Tenders his Resignation in the Army, - 1841
Elliot, Sir Gilbert, Speech on Government of Massachusetts Bay, - - - - - - - 77
Speech on Petition of London Merchants, - 1516
Speech on Lord North's Conciliatory Proposition, - - - - - - - - 1607
Ellis, John, examined in the House of Commons on Petition of West India Planters, - - - 1731
Ellis, Mr. Welbore, Speech on Boston Port Bill, - 50
Speech on Government of Massachusetts Bay, - - - - - - - 71
Speech on Lord North's Conciliatory Proposition, - - - - - - - - 1606
Exports, in 1772–3, from England to America, - 1533
1547, 1749
For many Years—ordered, - - - 1589
From Scotland to American Colonies, &c., 1627
1629, '50–1, '99
Fasting and Prayer, recommended in Virginia, - 350
Recommended in Massachusetts, - - 1363
Fisheries, of North America, Witnesses examined in House of Commons, - - - 1638
Of Newfoundland, Prohibited by Act of Parliament, - - - - - - - 1691
Of Scotland, Whale, - - - - - 1661
Of Great Britain and Ireland, Encouraged, 1805
1809, '12
Flax-seed, Bounty on Importing into Ireland, - 1809
Florida, East and West, Proclamation erecting the Government thereof in 1763, - - 172
Estimates for Civil Establishment, - - 1709
Fox, Charles J., Speech on Boston Port Bill, 45, '8
Speech on Government of Massachusetts Bay, - - - - - - 77, 90
Speech on Repeal of Tea Duty, - - 164
Speech on Quebeck Bill, - - 184, 211
Speech on Address to the King, - - 1473
Speech on Supplies for 1775, 1482, 1591
Speech on Petition of London Merchants, 1517
1529–30
Speech on Lord North's Motion for Address to the King, - - - - - - 1543
Speech on Lord North's Motion to Postpone Consideration of American Papers, - 1568
Speech on Lord North's Conciliatory Proposition, - - - - - - - 1605
Speech on Bill Restraining Trade, &c., 1653–9
Fox, Charles J., Speech on Call for Papers, - 1669
Supports Mr. Burke's Resolutions, - - 1776
Supports Remonstrance of General Assembly of New-York, - - - - 1822
Supports Quebeck Petition, - - - 1837
Fox, Stephen, Speech on Regulating Massachusetts Bay, - - - - - - 67, 87
Speech on Repeal of Tea Duty, - - 134
Franklin, Benjamin. (*Vide Agents.*)
Letter to Thos. Cushing, Speaker, on Boston Port Bill, - - - - - - 235
Fuller, Mr. Rose, Speech on Boston Port Bill, 41, '5
Speech on Government of Massachusetts Bay, - - - - - - - - 71
Speech on Administration of Justice there, 126
Speech on Supplies for 1775, - 1479, '86
Gage, Governour, arrives at Boston, 13th May, 1774, (Note,) - - - - - - 331
Letters to Earl of Dartmouth. (*See Massachusetts.*)
Letter to Governour Trumbull, - - 344
Address to General Court, - - - 346
Answer to a Letter from Continental Congress, - - - - - - 939, 1077
Letter to him from Williamsburg, - - 945
Orders Reconnoisance of part of Massachusetts, - - - - - - - 1263
Galloway, Joseph, his Plan for a union between Great Britain and the Colonies, - - - 905
Gascoigne, Mr., Speech on Boston Port Bill, - 43
Georgia, Proclamation concerning, in 1763, - 173
Meeting of Inhabitants, called on state of Boston, &c., - - - - - - 549
Governour Sir James Wright to the Earl of Dartmouth on Proceedings in Georgia and Carolina, - - 633, 708, '31, 867, 1040
General Meeting at Savannah, - - - 638
Governour Wright's Proclamation disapproving of Savannah Meeting, - - - 690
Resolutions of Meeting at Savannah, - 700
Committee to receive Subscriptions for Poor of Boston, - - - - - - 701
Letter from St. John's Parish—approve of General Congress—200 barrels Rice subscribed for Boston, - - - - - 766
Proclamation of Governour Wright on Survey, Sale and Apportionment of Publick Lands, - - - - - - - 889
Proclamation of Peace and Intercourse with Creek Indians, - - - - 1137, '53
Governour Wright's Speech to General Assembly, and their Answer, - - - 1152
Declaration of Rights and Association, - 1156
Extract of a Letter from, to New-York, - 1160
St. John's Parish Proceedings, - - - 1161
Provincial Congress, - - - - 1162
Resolutions at Charlestown, South Carolina, 1163
Darien Resolutions, - - - - 1135
Proclamation of Governour concerning supposed Murder of a British Seaman, - 1253
Estimates of Civil List, - - - - 1710
Germain, Lord George, Speech on Address to the King, - - - - - - - 34
Speech on Government of Massachusetts Bay, - - - - - - 67, 89
Speech on Petition of London Merchants, - 1530
German Officers sail for America, (Note,) - - 1340
Gilbert, Colonel, denounced by Massachusetts, - 1356
Goddard, William, proposes to establish Post Offices, 500
Gordon, Mr. Cosmo, Speech on Lord North's Motion for Address to the King, - - - 1543
Glasgow, Petition from Merchants and Traders, - 1622
Glover, Mr., Agent and Manager of Evidence before House of Commons on West India Trade, 1720, '33
Glynn, Mr. Serjeant, Speech on Quebeck Bill, 184, 208
Proposed as a Candidate for Parliament from Middlesex, in conjunction with Mr. John Wilkes—their Sentiments, - - 805–6
Gower, Earl, Speech on Lord Chatham's Motion to Recall Troops from America, - - 1502

Digitized by Google

Gower, Earl, Speech on Lord Chatham's Provisional Bill, - - - - - - 1509, '11
Speech on Point of Order—Right to the Floor, - - - - - - - 1571
Speech on Address to the King, - - 1572
Speech on Quebeck Petition, - - - 1823
Speech on New-York Memorial, - - 1839
Grafton, Duke of, Speech on Lord Chatham's Provisional Bill, - - - - - - 1508
Speech on Address to the King, - - 1574
Speech on Bill to Restrain Trade, &c., - 1685
Granby, Marquis of, on Bill to Restrain Trade, &c., 1713
Grant, Colonel, on Lord North's Motion for Address to the King, - - - - - - 1543
Grants in New-Hampshire, Earl of Dartmouth to Governour Colden, - - - - - - 1035
Grenada, Proclamation of Government thereof, 1763, 172
Grenville, Mr., on Lord North's Motion for Address to the King, - - - - - - - 1544
Grey, Mr., Speech on Administration of Justice in Massachusetts Bay, - - - - - - 125
Griffin, Sir John Griffin, on Bill to Restrain Trade, &c., - - - - - - - 1636
Griswold, Matthew, to Governour Trumbull, on the Proceedings at Great Barrington, - - - 724
Gunpowder, Manufactory begun in Pennsylvania, 1066
Premium offered in Virginia, - - - 1247
Haldimand, General, to Earl of Dartmouth, on Disturbances at Boston, - - - - - 289, 373
Hancock, John, Governour Gage withdraws his Commission as Colonel, - - - 709
President of Provincial Congress of Massachusetts, - - - - - - - 1328
Hanna's Town, Penn., Proceedings at, - - 1271–6
Harris, Mr., Speech on Government of Massachusetts Bay, - - - - - - - - 74
Hartley, Mr., Views on Address to the King, - 1473
Views on Supplies, - 1479, '84–5, 1598
Speech on Lord North's Conciliatory Resolution, - - - - - - - 1617
Motion and Speech on Bill Restraining Trade, &c., - - - 1657, 1702, '12
Calls for Letter from Earl of Dartmouth to Lieutenant Governour Colden, - - 1699
His Propositions for Conciliation, - - 1781
On Ways and Means for Supplies, - - 1815
Harvey, Capt., Speech on Lord North's Address to the King, - - - - - - - - 1552
Hayley, Alderman, Motion on Petition of London Merchants, - - - - - - 1515
Presents second Petition from same, - - 1525
Hazard, Ebenezer, Memorial to Connecticut concerning Lands West of Pennsylvania, - 861–67
Herbert, Mr., Speech on Boston Port Bill, - - 41
Hey, Chief Justice, examined in House of Commons on Quebeck Bill, - - - - - 193
Higginson, Stephen, examined before the House of Commons on American Fisheries, &c., - - 1645
Hillsborough, Earl of, Motion and Draft of Address to the King, - - - - - - 1466
Speech on Lord Chatham's Provisional Bill, 1511
Views on New-York Memorial, - - 1839
Hotham, Mr., Speech on Petition of London Merchants, - - - - - - - 1256
Supports Mr. Burke's Resolutions, - - 1776
House of Commons. (*See Parliament.*)
Howe, Lord, Views on Bill Restraining Trade, &c., 1653
Howard, Mr., Speech on Quebeck Petition, - 1836
Huddersfield, Petition in favour of the power and conduct of Parliament, - - - - - 1700
Hutchinson, Governour of Massachusetts, Address of Episcopal Churches, - - - - 346
Writes from London to pay for the Tea destroyed, - - - - - - - - 524
Imports and Exports, England and America, 1772, and 1773, - - - - 1533, '47
For many Years, ordered, 1589, 1629, '50–1
Scotland, &c., - - - - - - 1699
"*Independence on Great Britain*," Letters from London to New-York, - - - - 1035, '37
"*Independence on Great Britain*," Letter from Hartford to New-York, - - - - - 1139
Indians and Indian Affairs—The King's Proclamation of Protection, 1763, - - - 174
Publication at Philadelphia, May, 1774, - 345
Letter concerning them at and near Fort Pitt, - - - - - - - 363
Disturbances in Virginia, - - - 373
394, 405, '45, 536, 707, '22, '37, '87, 808
1013, 1226
Joseph Johnson, a Mohegan Chief, petitions Connecticut about removal of his Tribe to Oneida, - - - - - - - 386
Same preaches at New-York, - - - 387
Letter from Fort Pitt concerning Captain Connolly, &c., - - - - 429, '49
Letter from Cumberland, Maryland, concerning Colonel Cresap, - - - 435
Letter from Charlestown, South Carolina, respecting the Creeks and Cherokees, - 451
Letter from Captain Connolly respecting Shawanese and others, - - 454, 1222
Correspondence of Alexander McKee, 463–4
Proceedings of Pennsylvania Council, 454, 545
General Correspondence, Virginia and Pennsylvania, - - - - - - 454–485
Æneas Mackay to Governour Penn, - 471
Letter from Carlisle respecting Connolly and Cresap, - - - - - - - 506
Congress of the Six Nations at Johnson Hall, New-York, - - - - - 550
Proceedings in Assembly of Pennsylvania, 602
605, '9, 1278
Disturbances in Pennsylvania, - 737, 1013
Earl of Dartmouth to Governour Dunmore, 774
Council held by Lord Dunmore, - 871, '6
Cherokee Chief executed for murder, on demand of South Carolina, - - 974
Proclamation of South Carolina concerning Indian Intercourse, - - - - - 975
Lord Dunmore's War, - - - 1014–20
Logan's Speech to Lord Dunmore, - - 1020
Fight between Creeks and Choctaws, near Mobile, - - - - - - - 1099
Proclamation by Georgia—Peace and Intercourse with Creeks, - - - 1137, '53
Proclamation of Virginia for their Protection, - - - - - - - 1169
Stockbridge Indians in Massachusetts enlisted as Minute Men, - - - - - 1347
Mohawk Indians, Address to them from Massachusetts, - - - - - - 1349
Ireland, Belfast, Petition from Merchants and others, 1631
Rosen's Proclamation under James the Second, against Londonderry, - - - 1672
Waterford, Petition on Restraining Trade, &c., - - - - - - - 1693
Bill to encourage Fisheries, - - - 1805
Export of Clothing and Provisions therefrom, - - - - - - - 1809
Bounty on Flax-seed imported, - - 1809
Irnham, Lord, Speech on Address to the King, - 1556
Jamaica, Memorial of Assembly to the King's Council, - - - - - - - 1072
Products and Property, in 1767, (Note,) - 1074
Petition and Memorial to House of Commons, - - - - - - - 1743
Jefferson, Thomas, Draft of certain Resolutions, - 690
Jenkins, Seth, examined in both Houses of Parliament on North American Fisheries, &c., 1650, '63
Jenkinson, Mr., Speech on Boston Port Bill, - 44
Speech on Government of Massachusetts Bay, - - - - - - - 73
Same on Quebeck Bill, - - - - - 206
Views on Petition of London Merchants, - 1527
Views on Lord North's Conciliatory Proposition, - - - - - - - 1606
Opposes Mr. Burke's Resolutions, - - 1776
Opposes presentation of Remonstrance of General Assembly of New-York, - - 1821

Digitized by Google

Johnson, Joseph, a Mohegan Indian, petitions Connecticut for removal of his Tribe to Oneida, 386
Preached in New-York, - - - 387
Johnson, Dr., "Taxation no Tyranny," supposed to be written by, - - - - 1331
Answer to the above, - - - - 1449
Johnson, Sir William, his death announced to the Council of Pennsylvania, - - - - 645
Johnstone, Governour, Speech on Boston Port Bill, 53
Remarks on his Speech (Note,) - - 56
Speech on Government of Massachusetts Bay, - - - - - - - 73
Speech on Address to the King, - - 1473
Speech on Supplies for 1775, - 1480, 1590
Speech on Petition of Bristol Merchants' Society, - - - - - - - 1520
Speech on Lord North's Address to the King, - - - - - - - 1559
Speech on Lord North's Conciliatory Resolution, - - - - - - - 1622
Speech on Bill to Restrain Trade with Northern Colonies, - - - - - - 1623
Speech on Ways and Means for Supplies, 1816
Supports Remonstrance of General Assembly of New-York, - - - - - 1822
Jolliffe, Mr., his views on Address to the King, 1556
"*Juba*," a Paper addressed to the General Congress, - - - - - - - - - 754
Juries, in Boston, refuse to be sworn, - - 747
Grand Jury in South Carolina presents as a grievance the claim of England to Tax the Colonies, - - - - - - 961–2
Essex County, New-Jersey, Grand Jury to Chief Justice Smyth, - - - 967
King of Great Britain, his Message to House of Lords, on Disturbances in Boston, - - 5
Same to House of Commons, - - 32
Proclamation creating Copper Currency for Virginia, - - - - - - - 982
His Answer to both Houses, 10th February, 1775, - - - - - - - 1569
Speech to both Houses, 26th May, 1775, - 1842
Petitions to him by Mayor, Aldermen, &c., and also by Merchants of London—Answer and Proceedings thereon, 1850–56
Kirkland, Rev. Mr., Letter to him from Massachusetts Assembly, concerning Mohawk and other Indians, - - - - - - - - - 1349
Ladies, Association of, in North Carolina, - - 1349
Lands granted to Officers and Soldiers in French War, 1763, - - - - - - - 173
Lane, John, examined before House of Commons on the American Fisheries—Credit of Merchants, &c., - - - - - - - - - - 1648
Lee, Richard, President of Maryland Council, to Governour Penn, - - - - - 546
Letter from Governour Penn, - - - 739
Lee, Charles, General, Letter to the Duke of —— 949
Military Preparations attributed to him in England, - - - - - - 1066
Lee, Richard Henry, to Samuel Adams, - - 445
From Colonel Adam Stephen, - 1209, '44
Lee, Arthur. (*Vide Agents.*)
Letters to R. H. Lee, - 228, 1040, '58, '68
Letter to Francis L. Lee, - - - 237
Letter from Daniel Dulany, Jun., - - 354
Letters from John Dickinson, - - 726, 947
Letter from Thomas Cushing, - - 1208
Letters from Samuel Adams, 238, 332, 1239
Letter from Joseph Warren, - - - 1252
Agent from Virginia, - - - - - 1289
Leeds, Petition from the Borough to House of Commons, - - - - - - - - 1537
Petition from Merchants, - - - 1538
Letters, Copies and Extracts from, the names of the writers being omitted, originally, but which appeared in the publick prints under their present form—
To the Colonies in 1774, - - - 348
From Boston to Philadelphia, - - 380, 1216
Letters, From Philadelphia to New-York, - - 386
1180, 1215, '33, '70
From Philadelphia to Boston, - - 388
To P. P., on Repeal of Stamp Act, - - 395
From Norwich, England, to New-York, on conduct of Lord North, - - - 404
From Charlestown, South Carolina, to New-York and Philadelphia, - - - 408
From a Gentleman in England, 436, '93, '98, 614
From New-York to Boston, - 505, 1191, 1203
From London, - - - - - - 230
240, '41, '48, '89, 506, '13, 628, '41, '61, '62
668, 701, '08, '71, 815, '29, 1025, '35, '52, '65
1067, '83, '85, 1101, '03, 1202, '10, '14, '23
1225, '34
From a Gentleman in Virginia, with subscriptions for Boston, - - - - - 517
From Boston to New-York, - - - 344
646, 1039, 1178, 1248
From a Member of Parliament to Colonel Charles Lee, - - - - - 769
From Georgia to a Gentleman in New-York, 773
1160
From Maryland to London, - - - 809
From Montreal to New-York, - - 853, 1164
To Peyton Randolph, late President of Congress, and divers Letters referred to in Note, - - - - - - - - 939
From an Officer in camp, at Boston, to his friend in Edinburgh, - - - 957, 1068
From Williamsburg to Governour Gage, - 945
From Charles Lee to the Duke of ——— 949
From a Gentleman at Bladensburg, Maryland, to his brother in Glasgow, - - 953
From a Gentleman in New-York to his correspondent in London, - - - 969
From a Gentleman in Amsterdam to his correspondent in Philadelphia, - - - 979
From an Officer at Boston to his friend in London, - - - - - 991, 1049
From Georgia to Philadelphia, - - 1033
From Boston to New-York—Motion to take up Arms, in the Provincial Congress of Massachusetts, - - - - - 1039
From a Gentleman in Philadelphia to a Member of Parliament, - - - 1066–7
From King's County, New-York, to Mr. Rivington, Printer, - - - - 1076
From Yorkshire to New-York, - - - 1080
From a Gentleman in Connecticut to his friend in Newport, - - - - 1133
From Hartford, Connecticut, to New-York, speaking of "Independence," - - 1139
From Bristol to New-York, - - - 1139
From a Gentleman in Massachusetts to his friend in London, - - - 1167, 1227
From a Gentleman in Baltimore to his friend in New-York, - - - - - 1190
From a Merchant, in Annapolis, to Philadelphia, - - - - - 1194, 1208
From Philadelphia to Mr. James Rivington, Printer, - - - - 1211, '31, '70
From Connecticut to the same, - - 1227
From Kent, in Delaware, - - - 1230
Considerations respecting the Measures of England, - - - - - - 1369
Taxation no Tyranny, - - - - 1431
Answer to the above, - - - - 1449
From an old English Merchant to Lord Sandwich, - - - - - - 1681
Lewis, Mr., Views on Petition of London Merchants, - - - - - - - 1527
Liverpool, Petition from Merchants, &c., to House of Commons, - - - - - - 1531
Lister, Benjamin, examined before Parliament on Fisheries, &c., - - - - - 1652–68
Logan, a Shawanese Chief, Speech to Lord Dunmore, - - - - - - - - 1020
London, Petition from Merchants on Quebeck Bill, 186
Petition from Lord Mayor, &c., on same, 194, 214

Digitized by Google

London, Meeting of the Livery at Guildhall, and candidates for Parliament, - - - 817
West India Merchants meet, - - 1082, 1147
Merchants, and others, concerned in American Commerce, Proceedings and Documents, - - - 1086–'91, 1107, 1219
Society of the Supporters of the Bill of Rights, - - - - - - - 1145
Samuel Clay Harvey's Address to Lord North, - - - - - - - 1204
Thanks of Common Council to Lord Chatham, and his Answer, - - - 1233
Resolutions of Common Council, - - 1252
Merchants' Petition to House of Commons, 1513
Second Petition to same, - - - 1525
Petitions laid on the table, - - - 1587
Petition against Bill to Restrain Trade, &c., 1633–5, 1661
Petition of Merchants, &c., to the King on his Throne, - - - - - - 1850
Petition of Mayor, Aldermen, &c., to same, 1852
King's Answer to above—Lord Chamberlain's Letter to the Lord Mayor, John Wilkes, and his Reply, - - 1852–56
Lords, House of. (*See Parliament.*)
Lotbiniere, M. De, examined in House of Commons on Quebeck Bill, - - - - - 195
Louisbourg, Lord Sandwich refers to the conduct of the Americans there, and is answered by "An old English Merchant," - - - - - - 1681
Lovell, James, to Josiah Quincy, Jun., - - 948
Lownes, Joseph, declines acting on Committee for County of Philadelphia, (Note,) - - - 1011
Lumley, Lord, Views on Lord North's Address to the King, - - - - - - - - 1549
Luttrell, John, Speech on Restraining Trade, &c., of Southern Colonies, - - - - - - 1705
Luttrell, Mr. Temple, Speech on Supplies for the year 1775, - - - - - - 1477, 1592
Speech on Petition of London Merchants, - 1517
Speech on Lord North's Motion for Address to the King, - - - - - - 1544
Speech on Lord North's Conciliatory Resolution, - - - - - - - 1613
Speech on Bill Restraining Trade, &c., of Southern Colonies, - - - 1704, '6
Lyttelton, Lord, Speech on Quebeck Bill, - - 212
Speech on Address to the King, - - 1466, 1576, '78, '84
Speech on Lord Chatham's Motion to recall the Troops, &c., - - - - - 1500
Speech on Lord Chatham's Provisional Bill, 1507
Speech on Petition from Quebeck, - 1827, '30
Mackworth, Mr., Motion on Quebeck Bill, - - 207
Views on Lord North's Address to the King, 1565
Mackay, Æneas, to Governour Penn, on Indian Affairs, - - - - - - - - - - 471
Macartney, Sir George, Speech on Address to the King, - - - - - - - - 1473
Speech on Petition of London Merchants, - 1517
M'Dougall, Mr., declines nomination to Congress, (Note,) - - - - - - - - 315
M'Kee, Alexander, Correspondence on Indian Affairs, - - - - - - - - 463–4
Malcolm, John, seized by the people of Boston, - 31
Manchester, Duke of, Speech on Lord Chatham's Provisional Bill, - - - - - - 1513
Speech on Address to the King, - - 1584
Speech on Bill Restraining Trade, &c., 1673–4, 1688
Speech on Petition from Quebeck, - - 1829
Manchester, Petition from Merchants, and others, - 1530
Mansfield, Lord, Remarks on Point of Order, Right to the Floor, - - - - - - 1570
Speech on Address to the King, - - 1572, 1575, '77, '79, '84
Remarks on Petition from Quebeck, - - 1834
Remarks on New-York Memorial, - - 1840
Manufactures, Tools used in England not to be Exported, - - - - - - 220
Manufactures, Plan for an American Manufactory, 1256
Paper Manufacture encouraged in Massachusetts, - - - - - - - - 1334
Saltpetre, - - - - - - - - 1334
Fire-Arms, - - - - - - - - 1341
Marriott, Doctor, Examined in House of Commons, on Quebeck Bill, - - - - - - 195
Martin, Colonel Samuel, Letter from him, - - 639
Martin, Governour, of South Carolina, discourages Publick Meetings, &c., - - - - - 706
Marblehead, Proceedings to carry out the plans of the Continental Congress, &c., - - - 969
Maryland—
Meeting and Resolutions of Chester Town, 334
Meeting and Resolutions of Talbot Court House, - - - - - - - - 347
Meeting and Resolutions of Annapolis, 352, '4
Meeting and Resolutions of Queen Anne, 366
Meeting and Resolutions of Baltimore County, - - - - - - 366, 1142, '46
Meeting and Resolutions of Kent County, - 379
Meeting and Resolutions of Harford County, 402
Meeting and Resolutions of Anne Arundel, 384, 972, 1061, 1140
Meeting and Resolutions of Frederick County, - - - - - 403, '33, 704, 1173
Meeting and Resolutions of Charles County, 409, 703, 1081, 1168
Meeting and Resolutions of Caroline, recommend a Congress, - - - - - 426
Convention at Annapolis, 22d June, 1774, 438
William Goddard proposes to establish Post Offices, - - - - - - - - 500
Richard Lee, President of Council, to Governour Penn, - - - - - - 546
Supplies sent to Boston, - - - - 593
Charles County Committee—Proceedings concerning certain Teas on board Brigantine Mary and Jane, - - - - 703
Frederick County Committee, on same, - 704
Boundary Line with Pennsylvania, - - 455, 546, 737, '89
Teas, and Vessel bringing it, burned by the owners, at Annapolis, - - - 885, 1061
Proclamation of Governour Eden, - - 972
Committee of Observation for Baltimore County, - - - - - - - - 975
Committee of Observation for Calvert County, - - - - - - - - - 982
Committee of Observation for Charles County, - - - - - - - - - 985
Committee of Observation for Frederick County, - - - - - - - - 986
Convention approve Proceedings of Continental Congress, - - - - - 999
Magistrates in Frederick County—Address to Delegates in Congress, - - - 992
Grand Jury, to same, - - - - - 993
Tea destroyed at Elizabethtown, (now Hagerstown,) - - - - - - 1009
Prince George Committee, 1011, '55, 1141
Convention at Annapolis, 8th December, 1774, Delegates to Continental Congress, Instructions, - - - - - - 1031
St. Mary's County Committee, - - 1059
Governour Eden to Earl of Dartmouth, - 1076
Militia, organizing, - - - - - - 1081
Merchant, in Annapolis, to his friend in Philadelphia, - - - - - - 1194
Papers from, not presented to the House of Commons, - - - - - - 1513
Massachusetts Bay—
Committee in House of Lords, - - 10
Report of same, - - - - - 12–31
Proceedings in House of Representatives on Justices' Salaries, - - - - - 31
Bill better Regulating the Government of, - 65
Passed Parliament, - - - - 91, '6
Copy of the Act, - - - - - - 104
Reasons of Dissentient Lords, - 93, '5

Digitized by Google

Massachusetts Bay—
Bill for Impartial Administration of Justice in, 111
Copy of the Act, - - - - - - 129
Letter from Benj. Franklin to Mr. Speaker Cushing, on Boston Port Bill, - - 235
Marblehead Address to Governour, - 358, '60
Middlesex to Governour Hutchinson, - 364
Governour Gage to Earl of Dartmouth, 333, '68 450, 514, 615, '38, 741, '67, '69, '95, 804, '14 880, 950, '81, 1046, '69, 1244, 1634, '98, 1708
House of Representatives' Answer to Governour Gage, - - - - - - 400
Council's Address to same, - - - 400
Merchants and others, of Salem, to same, 401, '24
House of Representatives, 17th June, 1774, recommend a meeting of Delegates from all the Colonies at Philadelphia, in September, 1774, and appoint Delegates, - 421
£500 voted to pay expenses of Delegates, - 422
Resolutions concerning Boston and Charlestown, and recommend non-consumption of Teas, &c., - - - - - - 422
Worcester Justices, to Governour Gage, - 444
Governour Gage's Proclamation against Boston Committee of Correspondence, - 491
Plymouth Justices to Governour Gage, and his Answer, - - - - - - 515
Governour's Proclamation of Pardon to Deserters, - - - - - - - 555
Suffolk Justices to Governour Gage, and his Answer, - - - - - - - 613
Easton, Bristol County, Freeholders, &c., to same, - - - - - - - 613
Proclamation of the Governour for Encouragement of Piety, &c., - - - 625
Governour Gage to Governour Trumbull, of Connecticut, on maltreatment of Francis Green, of Boston—Bissell and others to Governour—Answer of Governour Trumbull, - - - - - - 629, '33
John Hancock's Commission, as Colonel, withdrawn by Governour, - - - 709
Proceedings of the People on opening Courts at Great Barrington, - - - - 724
Proclamation of Governour forbidding Meeting at Salem, - - - - - - 729
Account of above Meeting, - - - 730
New Council appointed, - - - - 731
Thomas Oliver, Lieutenant Governour, 8th August, 1774, - - - - - - 731
Proceedings of the People at Taunton, on new Council and Sheriff, - - - 732
General Brattle to General Gage, "Minute Men," - - - - - - - 739
Worcester threatens Resistance by Arms, 742, '95
Salem Committee arrested—Admiral Graves threatens Salem and Marblehead, - - 744
Middlesex Resolutions, at Concord, 31st August, 1774, - - - - - - 750
Middlesex, Inhabitants collect in large bodies with Arms, &c.—advance to Cambridge—resignation of Counsellors—Thomas Oliver, Lieutenant Governour, statement, 762–6
Governour Gage to Earl of Dartmouth, 2d September, 1774—"Civil Government near its end"—"Nothing can be done but by forcible means," - - - 767
Suffolk County Resolutions—Committee to call on the Governour, their correspondence, - - - - - - 776–82
Cumberland County Resolutions—Sheriff Tyng's Declaration—Report of Committee, - - - - - - - 798–802
Resolves of Committees at Boston, - - 807
Governour Gage, by Proclamation, postpones meeting of General Court, - - - 809
Provincial Congress, 7th October, 1774, at Salem—constituted out of Members of the General Court and others—Names and doings—publick and secret sessions, 829–53

Massachusetts Bay—
General Court convened in 1774, - - 357
Governour Gage's Proclamation against their Proceedings, - - - - - - 973
York County Congress Proceedings, - 983
Provincial Congress, 23d November, 1774, at Salem—Bayonets procured—Thanks to the other Colonies—Delegates to Continental Congress—its Proceedings approved of—Committee to correspond with Canada—Address to the Clergy—Census ordered—Manufactures recommended—Military Tacticks proposed—Address to Inhabitants—Militia Returns to be made, 993–1008
Motion in Provincial Congress "to take up Arms against the King's Troops," 10th December, 1774, - - - - - 1039
Salem, a publication at, speaks of "United Colonies," - - - - - - 1053
Barnstable Proceedings, - - - - 1092
Marshfield Proceedings, - - 1177–8, 1249
Worcester Convention, - - - - 1192
Plymouth Selectmen to Governour Gage, 1218
The Colony and her abettors declared in Rebellion, 10th February, 1775, 1223–5
Address to the Provincial Congress, - - 1260
Reconnoisance of part of the Colony ordered by Governour Gage, - - - 1263
King's Troops march from Marblehead to Salem, and return—proceedings at Salem, 1268
Provincial Congress at Cambridge, February, 1775—John Hancock, President—Delegates to Continental Congress—Resolves against assisting King's Troops—Committee of Safety—General Officers—Address to Inhabitants—Hampshire and Berkshire Counties ask for Arms—Militia and Minute Men to be enumerated—Warlike Stores to be ascertained—Manufacture of Saltpetre encouraged—Pedlars discouraged—Militia Exercise recommended—Manufacture of Arms—Committee from Connecticut—Committee of Correspondence—Day of Fast and Prayer—Adjourn to meet at Concord, 22d March—Congress met—Preparations for Defence encouraged—Rules and Regulations for a Constitutional Army—recusant Counsellor's names—Stockbridge Indians enlist as "Minute Men"—new Provincial Congress, if Governour does not call the Assembly—Mohawk Indians addressed—Col. Gilbert denounced—Proceedings at Billerica—Army to be raised—Delegates to Connecticut, Rhode-Island, and New-Hampshire, on that subject—County Committees—Six Artillery Companies to be trained—Families assisted to remove from Boston—adjourn till 10th May, 1323–66
Committee of Safety, to procure Army Provisions, - - - - - - - 1365
Committee of Safety, to procure Army Supplies generally, - - - - 1366–8
Warlike Stores for 15,000 Men, - - 1367
One-fourth of the Militia to assemble, - 1368
Governour Gage's Letter, of 18th January, 1775, to Earl of Dartmouth, laid before House of Commons, - - - - 1634
Maseres, Mr., examined in House of Commons on Quebeck Bill, - - - - - 191
Agent of the Colony of Quebeck, - - 1823
Mason's and Dixon's Line, - - - 455, 739
Mayne, Sir Wm., Speech on Address to the King, 1473
Speech on Supplies for 1775, - - 1479–84
Speech on Address to the King, - - 1554
Speech on Bill to Restrain Trade, &c., with the Southern Colonies, - - - 1712
Meredith, Sir William, Speech on Government of Massachusetts Bay, - - - - 84

Digitized by Google

Meredith, Sir Wm., Speech on Supplies for 1775, 1487
Speech on Petition of London Merchants, - 1515
Speech on Bill to Restrain Trade, &c., with the Northern Colonies, - - - 1624
Middlesex, England, Wilkes and Glynn, proposed as Candidates for Parliament, - - - 805–6
Minute Men, - - - - - - - 1050
Montague, Mr. Frederick, Speech on Boston Port Bill, - - - - - - - 43
Speech on Repeal of Tea Duty, - - 165
Montgomery, John, Correspondence on Indian Affairs, - - - - - - - - 463–4
Montreal, Petition from, for a General Assembly, - 1844
Moreton, Mr., Speech on Administration of Justice in Massachusetts Bay, - - - - - - 122
Morris, Gouverneur, Letter to Mr. Penn, - - 342
Murray, James, Commission as Governour of the Province of Quebeck, - - - - - - 175
Mutiny and Desertion, Act to Punish, - 1793–5
Nantucket, Motion to exempt Whale Fisheries from Bill Regulating Trade, &c., - - - - - 1653
Naturalization, Petitioned for in New-York, - 1297
Newbern, North Carolina, Convention, 24th August, 1774, - - - - - - - - 733
New-Castle, Petition from Manufacturers to House of Commons, - - - - - - - 1535
Newfoundland, Proclamation of the King, 1763, - 172
New-Hampshire—
Committee at Portsmouth, May, 1774, 337, 1223
Votes in House of Representatives on Fort William and Mary, &c., - - 361–2
Governour Wentworth to the Earl of Dartmouth, - - - - - - - 393
512, '16, '36, 745, '86, 981, 1013, 1041–2
Portsmouth Committee of Inspection—Meeting dispersed by Sheriff, - - 534–5–6
Francestown Resolves, - - - - - 888
Nicholas Austin gives satisfaction for procuring Artificers to work on Barracks at Boston, - - - - - - - 974
Earl of Dartmouth to Governour Colden, on New-Hampshire Grants, - - - 1035
Powder in Castle William and Mary seized, 1041–2
Cannon do. do. - - 1042–3, '53, '69
Address to the Inhabitants of British America, &c., - - - - - 1063, 1246
Epsom Resolves, - - - - - - 1105
Exeter Meeting, - - - - - - 1105
Convention at Exeter, 25th January, 1775, and Address, - - - - - - 1180
Brentwood Proceedings, - - - - 1222
Hollis Proceedings, - - - - - 1229
Plymouth Town Meeting, - - - - 1245
Committee from Massachusetts on raising an Army, - - - - - - - 1359
New-Jersey—
Governour Franklin to Earl of Dartmouth, 368
428, 1697
Letter from a Member of Assembly, - - 380
Lower Freehold Resolutions, - - - 390
Essex County Resolutions, 403, 1012, '94
Bergen County Resolutions, - - - 450
Morris County Resolutions and Proceedings, 452
1106
Hunterdon County Resolutions, - 524, 1163
Middlesex County Resolutions, - 553, 1083
Sussex County Resolutions, - - - 594
Monmouth County Resolutions, - - 610
County Committees—General Meeting—Resolutions and Delegates to Continental Congress, - - - - - - 624
Anonymous Address on the expected Congress, - - - - - - 634, 728
Same, exhorting to Moderation, - - 642
Same, against Colonial Proceedings, - - 987
Committee of Correspondence to Committee of Boston, - - - - - 657, 728
Essex County Grand Jury to Chief Justice Smyth, - - - - - - - 967
Committee to Freeholders of Essex County, 1009
New-Jersey—
Committee chosen at Newark—Thanks to Congress Delegates—Resolution concerning James Rivington, Printer, New-York, 1028
Elizabethtown Committee—Proceedings, 1051
1234
"A Freeholder of Essex" to the Committee, - - - - - - - 1094
"Y to Z, of New-Jersey," - - - 1096
Woodbridge Committee—Proceedings, 1102, 1249
Proceedings of the Council, - - - 1117
Assembly Proceedings, - - - - 1121
Shrewsbury Proceedings, - - - 1165
Burlington Proceedings, - - - - 1235
Hanover Proceedings, - - - - 1240
Letter from Governour Franklin to Earl of Dartmouth, 1st February, 1775, - - 1697
New-York—
Lieutenant Governour Colden to Earl of Dartmouth, on arrival of Tea, &c., 248–51
General Correspondence with, - - - 372
517, 669, 773, 819, 957, 1030, '92
South Haven Resolutions, - - - 407
East Hampton Resolutions, - - - 420
Huntington Resolutions, - - - 453
Orange Town Resolutions, - - - 506
Sir William Johnson's death announced, - 645
Earl of Dartmouth to Lieutenant Governour Colden, - - 672, 782, 1035, 1101
Poughkeepsie Resolutions, - - - 702
Rye Resolutions, - - - - 703, 802
West Chester Resolutions, - - - 726
Tryon County Resolutions, - - - 740
Queen's County Resolutions, - - 1027
1035, 1168, '91
Albany County Justices' Resolutions, - 1063
Albany Committee to the Publick, - - 1097
Ulster County Proceedings, 1100, '83, 1201, '30
Ord, Colonel Thomas, prays authority to locate Lands, - - - - - - 1101
Dutchess County Proceedings, - - 1164
Letter to Annapolis—Vote of Assembly on Proceedings of Continental Congress, - 1188
Hanover Proceedings, - - - - 1191
Suffolk County Address to the Americans, &c., - - - - - - 1211, '57
General Assembly meets—Lieutenant Governour's Address—Answers thereto—Pennsylvania Boundary—New-Jersey Resolutions—Petition to the King—Memorial to the House of Lords—Representation and Remonstrance to the House of Commons to be prepared—Roads recommended—Thanks to Delegates in Continental Congress—to the Merchants and Inhabitants—Motion to appoint Delegates to next Continental Congress—Speeches thereon—Naturalization—Votes on Grievances—Letters from London Agents—Salaries fixed—Petition, &c., sent to Edmund Burke, Agent—also to the other Provinces—Rioters in the County of Charlotte, - - - 1281–1324
Mr. Burke presents Remonstrance of House of Assembly to House of Commons, - 1819
New-York City—
Committee of Correspondence, 293–330
On Association of Congress, - - - 330
Handbills in circulation, - - - - 782
Letter from Committee of Mechanicks in Boston, - - - - - - 803–4
Meeting of Mechanicks, - - - 809
Notice of Boston Mechanicks, - - 820
Anonymous Addresses to the People, 821
886, 978, 1074
Letter to A. Elliot, Collector, and his Answer respecting Arms and Powder seized, 1070–2
Letter from Boston Committee, - - 1106
Committee of Mechanicks to Delegates in Congress, and Answer, - - - 987

Digitized by Google

New-York City—
Same under Association of Congress, 992, 1203
Committee of Inspection, - - - 967
Grand Jury Address to Justices, - - 1227
Proceedings in case of Ship James, - - 1243
Proceedings in case of Ship Beulah, - 1257
North Carolina—
Recommends Subscription for relief of Boston, - - - - - - - 433, 619
Wilmington Resolutions and Circular Letter, - - - - - - - 618, '19
Letter with a Vessel loaded with Provisions for Boston, - - - - - - 670
Parker Quince and his Crew make no charge for Vessel or Freight carrying the above Provisions, - - - - - - 670
Governour Martin and Privy Council discourage Publick Meetings—Governour's Proclamation, &c., - - - - 705–7
Convention at Newbern, August 24, 1774—Deputies to Continental Congress appointed—their Powers and Instructions, 733–7
Governour Martin to Earl of Dartmouth, - 761
Association of Ladies, - - - - - 891
Halifax County Proceedings, - - - 1055
North, Lord—
Comments on presenting certain Papers, 32, 222
Speech on Boston Port Bill, 37, 42, 44–5, 52–7
Speech on Government of Massachusetts Bay, - - - - 65, '8, 72, 80, 91
Speech on Impartial Administration of Justice there, - - - - - 112, '17, '18
Speech on Repeal of Tea Duty, - - 166
Speech on Quebeck Bill, - - 187, 207
Rumour of his retiring, - - - 1059, '68
Samuel Clay Harvey's Address to him, 1204
Speech on Address to his Majesty, - - 1473
Views on Supplies for 1775, 1480, '4, '5, 1589
Views on Petition of London Merchants, 1517 1529–30
Views on Petition of Bristol Merchants, 1520
Views on the divers American Papers laid before the House of Commons, and Address to the King, - - - 1541–66, '8
His Conciliatory Resolution, - 1597–1622
His Bill to Restrain Trade, &c., with Northern Colonies, - - - - 1622, '95
His Views on a call for Papers, - - 1699
Bill to Restrain Trade, &c., with Southern Colonies, - - - - - 1701, '12
Opposes Mr. Hartley's Proposition for Conciliation, - - - - - - - 1791
On encouraging Fisheries in Great Britain and Ireland, - - - 1805, '7, '8
On Ways and Means for Supplies of 1775, 1811
Opposes Remonstrance of General Assembly of New-York, - - - - 1819
Opposes Petition from Quebeck, - - 1836
Norton, Mr. Speaker, "The Law does not know the word *Rebellion*," - - - - - 1623
Norwich City, Petition from Merchants and others to House of Commons, - - - - 1523
Nottingham, Town and Neighbourhood, Petition to House of Commons, 1632, '60, 1701, '43
Petition of Hosiers, - - - - 1567
Nova Scotia, Proclamation of the King in 1763, - 173
Estimates for Civil List, - - - - 1709
Oliver, Thomas, appointed Lieutenant Governour of Massachusetts, 8th August, 1774, - 731
Forced by the People to resign as President of Council, - - - - - 764
Ord, Colonel Thomas, prays for grant to locate Lands in New-York, - - - - - - - 1101
Order, priority in Debate, - - - - 1570
On reading a Memorial, - - - - 1837
Palliser, Sir Hugh, examined in House of Lords on North American Fisheries, - - - 1670
Papers called for—objected to, - - - - 1699
Parliament—Meets 7th of March, 1774—Proceedings, - - - - - - 5–224
Parliament, Dissolved, and new one called, 30th September, 1774, - - - - - 810
Meet 29th November, 1774—Addresses—King's Speech—Proceedings in House of Lords—divers Speeches—Protest on Address, - - - - - - 1461–'69
Sir Fletcher Norton, Speaker House of Commons attends House of Lords—Address of House—Debates on Supplies—Motion for Land Forces to be increased—Papers relating to Disturbances in North America—Lord Chatham's Motion to Recall Troops from America, - 1461–1504
Proceedings in House of Lords, February 1, 1775—Lord Chatham's Provisional Bill, 1503
Papers presented to House of Commons, 1513 1534, '39, '47, 1634, '97, 1708
Conference on Address to the King, - 1569
Protest of Minority in House of Lords, - 1585
Supplies for 1775, - - - - - 1595
Lord North's Conciliatory Resolution, and Debates thereon, - - - - - 1597
Message from the King, 10th February, 1775, on Land and Sea Forces, - - - 1621
Lord North's Motion and Speech on Bill to Restrain Trade, &c., of Northern Colonies, - - - - - - - 1622
Witnesses examined on said Bill, - 1638, '79
Amendments to said Bill reported, - - 1687
Bill to Restrain Trade, &c., of Southern Colonies, - - - - - - 1701, '16
Proceedings on Petition of West India Planters, &c., - - - - - - - 1721
Mr. Burke's Resolutions for Conciliation, 22d March, 1775, - - - - - - 1745
Act to punish Mutiny and Desertion, - 1793
Fisheries of Great Britain and Ireland encouraged, - - - - - - 1805
Ways and Means for Supplies of 1775, - 1811
Mr. Burke presents to House of Commons Remonstrance of the General Assembly of New-York, - - - - - - 1819
Amended on motion of Lord North, - 1822
Petition from Quebeck against late Act, 1823–33
Memorial of General Assembly of New-York, presented in House of Lords by Duke of Manchester, - - - 1837
Question of Order as to reading it, - 1837–42
Money Bills presented to the King for his assent, - - - - - - - 1841
Speech from the King, 26th May, 1775, - 1842
Paulet, Mr., Speech on Administration of Justice in Massachusetts Bay, - - - - - 126
Pedlars and Petty Chapmen, discouraged, - - 1340
Peltries and Skins, Witnesses examined on Trade, 1652
Motion to Repeal Duty, - - - 1809
Pennant Mr., Speech on Repeal of Tea Duty, - 133
Penn Thomas, and others, Petition concerning Quebeck Bill, - - - - - - - 185
Pennsylvania—
Proceedings on Virginia Boundary, - - 252, 262–88, 454–85, 604, '10, 790, 856, 956 1013, '50, 1179, 1271, '76
Letter from Governour of Connecticut, - 261
Governour Penn to Earl of Dartmouth, - 368 514, 661, 773, 815, 952, '56, 1698
Governour Penn refuses to call Assembly, - 391
Lancaster Resolutions, in 1774, - - 415
Philadelphia Resolutions for General Congress, &c., - - - - - - 426
Chester County Resolutions for General Congress, &c., - - - - - - 428
Northampton County Resolutions for General Congress, &c., - - - - 436
Council Proceedings respecting Indians and Virginia, - - - - - - 454–'85
Committee of Correspondence with Massachusetts, - - - - - - - 485
Council Proceedings on Indian Affairs, 545–9, 644, '74

Digitized by Google

Pennsylvania—
Convention of County Deputies—Proceedings—Resolutions and Instructions to Representatives in General Assembly, July 1774, - - - - - - 555–'93
Assembly meets—Message on Indian Affairs—Resolutions of several of the Colonies—Communication from Provincial Committee—Delegates to Continental Congress—Instructions to them—Circular to the respective Assemblies, - - 602–10
Anonymous Addresses to the People, - 654 718, '53, 811
Earl of Dartmouth to Governour Penn on Maryland Boundary, and Correspondence with Governour of Maryland - - 737
Governour Penn to Earl of Dartmouth. informing him of the Meeting of the General Congress, - - - - - - 773
The Earl's Answer, and also on Indian Disturbances, - - - - - - - 774
Maryland Boundary—Proceedings in Council, &c., - - 455, 546, 737, '89, 954
Assembly meets—Indian Affairs—Benjamin Franklin's Correspondence, - - - 794
Assembly meets—John Dickinson appointed a Delegate in Congress—Indian Affairs, - 869
Council meets—Road from Windgap to Wyoming to be laid out, - - - 954
Committee for Philadelphia County, - - 1010
Committee for Berks County, 1022, 1144
Assembly meets—Deputies to Congress, - 1023
York County Proceedings, - 1048, 1235
Chester County Proceedings, - - - 1052
Manufacture of Gunpowder begun, - - 1066
Bucks County Committee, - - - 1144
Convention, January, 1775, approve Proceedings of Continental Congress, - - 1169
Answers of the Governour to Specifick Interrogatories by the Earl of Dartmouth, - 1194
Bedford County encourages Manufactures, - 1226
Bedford County Letter to Provincial Congress, - - - - - - - 1229
Council Proceedings on the case of the Isabella, Schooner, - - - - - 1241
Council on violent Proceedings at Hanna's Town, by the Virginians, - - 1271–6
General Assembly meets—Resolves of New-Jersey submitted—no Message from Governour—finally advises Representation of Grievances—Answer to said Message—Letter from Agents in London, - 1275–82
Pennsylvania and New-York Boundary Line, 1286
Percy, Lord, arrives at Salem, July, 1774, - 515
Peterborough, Bishop of, Speech on Address to the King, - - - - - - - - - 1582
Peters, Rev. Samuel, Proceedings of "Sons of Liberty" with him, - - - - - - - 711
Peters, Rev. Richard, Letter concerning Indians, and Connecticut Boundary Line, - - - 280
Petitions. (*See States, Provinces, Towns, Counties.*)
Pomfret, Earl of, Remarks on Address to the King, 1572
Poole, Town and County, Petition in support of the Bill to Restrain Trade, &c., with Northern Colonies, - - - - - - - - - - 1637
Post Offices, Constitutional American, proposed to be established by William Goddard of Maryland, - - - - - - 500–4
Advised to be taken into the charge of the Colonies, - - - - - - - 1226
Powy's, Mr. Thomas, Views on Lord North's Conciliatory Resolution, - - - - - - 1618
Pownall, Governour, Speech on Boston Port Bill, 52
Speech on Government of Massachusetts Bay, - - - - - - - - 74–6
Speech on Lord North's Conciliatory Resolution, - - - - - - - 1600
Speech on Bill Restraining Trade, &c., - 1660
Pultney, Mr., Speech on Administration of Justice in Massachusetts Bay, - - - - - - 126
Putnam, Israel, to Captain Trumbull, - - - 783
Letter to him from Boston, - - - 784
Letters and Statements concerning the reported Disturbances at Boston, (Note,) 942
Philadelphia—
Publications at, - 335, '47, '74, '77, '94, 410
Committee appointed—their Letters and Proceedings, - - - - 340–1 956, '65, 1026, '56, 1100, 1231, '43
Mechanicks Meeting, - - - - - 405
Recommends Delegates to General Congress to be chosen by each Provincial Convention, - - - - - - - - 441
Publication signed "a Freeman" handed about, - - - - - - - 607
"Queries to America," a Publication, - 755
Address to the People of America, and an Answer, - - - - - - 976–9
Committee discourage killing Mutton, 1010, '50
Queries addressed to the several Committees, - - - - - - - 1011
Plan for an American Manufactory, - - 1256
Phipps, Captain, Speech on Boston Port Bill, - 45
Speech on Administration of Justice in Massachusetts Bay, - - - 116, '17, '22
Speech on Repeal of Tea Duty, - - 133
Privilege, Breach of, Council of New-Jersey, 1120, '31
Power of House of Commons to call for Papers, - - - - - - - - 1699
Protest, Minority in House of Lords on the Act Better Regulating Government of Massachusetts Bay, - - - - - - 93–95
Minority on Administration of Justice there, 128
Minority on Lord North's Address to the King, - - - - - - - 1585
Minority on Bill Restraining Trade, &c., in the Northern Colonies, - - - 1690
Quakers, of Philadelphia, refuse to join in Suspension of Business, 1st June, 1774, - - 365
Address to their Friends, - - - 1093
Their Testimony against present condition of Affairs, - - - - - 1176, 1270
Letter from Boston to Philadelphia concerning them, - - - - - - - 1210
In *England*—Petition against Bill to Restrain Trade, &c., with the Northern Colonies, - - - - - - - 1637
Petition the King, - - - - - - 1852
Quartering Troops in America, - - 165–70
Quebeck—
Bill for Governing Province, - 169, 214, 1823
King's Proclamation of Government in 1763, 172
Boundaries changed, - - - 204, '17
Commission for James Murray as Governour, 175
Witnesses on, examined, - - - - 188
Petitions from, - - - . 186, '94, 215
Petition against late Act, - - - 1823
Petition for a General Assembly, - - 1844
Petition from Montreal, - - - - 1844
Francis Maseres to the Quebeck Committee, - - - - - - - - - 1845
Catholicks' Petition for Restoration of their Ancient Laws—Participation in the Civil and Military Employments, and Extension of Territorial Limits, &c., - - 1847–50
Quince, Parker, and Crew, from North Carolina, make no charge for Freight of Supplies to Boston, 670
Quincy, Josiah, to Josiah Quincy, Jun., - - 951
Quincy, Josiah, Jun., Letter from George Clymer, 406
Letters from John Dickinson, - - 434, 947
Letter from Miles Brewton, - - - 534
Letter to John Dickinson, - - - 725
Letter from James Lovell, - - - 948
Letter from Josiah Quincy, - - - 951
Letter from Charles Chauncy, - - - 958
Letters from Joseph Reed, - - 892, 963
Letter from Nathaniel Appleton, - - 980
Letter from Thomas Cushing, - - - 1080
Radnor, Earl of, Views on Bill Restraining Trade, &c., - - - - - - - - - 1684–5

Digitized by Google

Randolph, Peyton, chosen President of first Continental Congress, - - - - - 893
His Letter, as President, to Gov. Gage—Governour's Answer thereto, 909, '39, 1077
Anonymous Letter to him, as late President, &c., - - - - - - - 939
Rebels, divers persons to be treated as such, - 1202
Rebellion in Massachusetts, declared to be, - 1223–5
Divers opinions, - - - - - - 1623
Reconciliation, Propositions for. (*See Lord Chatham, Lord North, Mr. Burke, and Mr. Hartley.*)
Reed, Joseph, to Josiah Quincy, Jun., at London, 892, 963
Rhode-Island—
Meeting at Providence, May, 1774, - - 333
Meeting at Westerly, - - - - 336
Meeting at Newport, - - - - - 344
Publication at Newport, - - - - 364
Resolutions of the General Assembly on the Boston Port Bill, and recommending General Congress—Delegates appointed, - 416
Address to the People of Boston, - - 626
Providence Town Meeting, and Instructions to their Deputies in General Assembly, concerning Boston, - - - 705, '46–7
Providence contribution to Boston, - 989
Cannon on Fort Island seized, - - 1039, '41
Providence Committee Proceedings, - - 1049
Newport Committee, to Philadelphia, - 1098
Committee from Massachusetts, on raising an Army, - - - - - - 1359
Rice, Mr., Speech on Repeal of Tea Duty, - 133
Motion and Speech on Bill Restraining Trade, &c., - - - - - 1653–4
Richmond, Duke of, Speech on Administration of Justice in Massachusetts Bay, - - 128
Speeches on Addresses to the King, 1466 1576, '9, '81, '3
Speech on Lord Chatham's Motion to Recall Troops from America, - - - 1503
Speech on Lord Chatham's Provisional Bill, 1512
Speech on propounding Questions to Witnesses, &c., - - - - - - 1663
Speech on motion to reject Quebeck Bill, - 1827
Views on New-York Memorial, - - 1839
Rigby, Mr., Speech on Government of Massachusetts Bay, - - - - - 76, 88
Speech on Supplies for 1775, - - 1482, '86
Opposes call for Papers, - - - - 1699
Speech on Bill Restraining Trade, &c., with the Southern Colonies, - - 1713, '15
Rivington, James, Letter to him from Philadelphia, - - - - - - - - - - 1211
Robinson, Mr., his views of the measures of England, - - - - - - - - - - 1369
Roads, from Windgap to Wyoming, ordered, - 954
Rochford, Earl of, Speech on Lord Chatham's Motion to Recall Troops from America, - 1502
Speech on Address to the King, - - 1578
Speech on Petition from Quebeck, - - 1829
Rockingham, Marquis of, Speech on Administration of Justice in Massachusetts Bay, - 127
Speech on Lord Chatham's Motion to Recall Troops, - - - - - - 1502
Speech on Address to the King, - - 1571
Speech on presenting Petition from London Merchants, against Bill Restraining Trade, &c., - - - - - - - - 1661
Speech on said Bill, - - - 1670, '86
Rodney, Cæsar, to Thomas Rodney, - - 792–3–4
Rosen, Le Mareschal, his Proclamation against Londonderry, in Ireland, - - - - 1672
Rowe, Mr., presents Imports and Exports of Scotland, - - - - - - - - - 1630
Ruggles, Timothy, Plan of Association against contemplated Independency, - - - - - 1057
Rules and Regulations of the Massachusetts Constitutional Army, - - - - - - 1350
Salem. (*See Massachusetts.*)
Sandwich, Earl of, Speech and Motion on Lord Chatham's Provisional Bill, - - 1507
Sandwich, Earl of, Speech on Address to the King, - - - - - - 1580–1
Views on Bill Restraining Trade, &c., 1662, '81
Letter to him from "An old English Merchant," (Note,) - - - - - - 1681
Speech on Petition from Quebeck, - - 1831
Views on New-York Memorial, - - 1839
Savannah. (*See Georgia.*)
Savile, Sir George, Speech on Government of Massachusetts Bay, - - - 71, 91
Presents Petition of Colonial Agents, 1524, '32
Views on Supplies for 1775, - - - 1598
Speech on Bill to Restrain Trade with the Northern Colonies, - - - - 1624
Speech on Mr. Hartley's Conciliatory Proposition, - - - - - - - - 1792
Presents Petition from Quebeck, - - 1833
Sawbridge, Mr., Speech on Boston Port Bill, 39, 52, '7
Speech on Administration of Justice in Massachusetts Bay, - - - 118, '19, '25
Speech on Quebeck Bill, - - - 185
Views on Lord North's Address to the King, 1565
Views on Supplies for 1775, - - - 1595
Views on Lord North's Conciliatory Resolution, - - - - - - - 1619
Views on Bill Restraining Trade, &c., with the Southern Colonies, - - 1704, '14
Supports Mr. Burke's Resolutions, - - 1776
Sayre, Mr., and others, Petition to House of Lords, 30, 58
Scollay, John, to Arthur Lee, - - - - 369
Scotland, Imports and Exports to and from American Colonies, - - - 1627–9, '50
Whale Fisheries, - - - - - - 1661
Imports and Exports, - - - - 1669
Scott, Joseph, sells Munitions of War to the Governour of Massachusetts, and is obliged to escape, - - - - - - 806, '10
Scott, Mr., Views on Address to the King, - - 1559
Views on Lord North's Conciliatory Resolution, - - - - - - - 1611
Sheep, Exportation thereof prevented by the people of New-York, - - - - - - - 963
Shelburne, Earl of, Speech on Lord Chatham's Motion to Recall Troops from America, 1499
Speech on Lord Chatham's Provisional Bill, 1508
Speech on Address to the King, 1575, '78–9
Speech on Bill to Restrain Trade, &c., - 1683
Views on Petition from Quebeck, - - 1831
Views on New-York Memorial, - - 1840
Shuldham, Molyneux, examined in House of Lords on American Fisheries, - - - - - - 1669
Skins, witness examined in Parliament on Trade, 1652
Duties thereon to cease, - - - - 1810
Skynner, Mr., Speech on Administration of Justice in Massachusetts Bay, - - - - - - 122
Smith, Devereux, Correspondence on Indian Affairs, 467
Smith, General, Views on Address to the King, - 1473
Smith, Rev. Dr. William, Address to the People, 18th June, 1774, - - - - - - 427
Smythe, Sir Robert, Speech on Address to the King, 1564
Opposes the Quebeck Petition, - - 1838
Society, American Philosophical, Petition Assembly of Pennsylvania, - - - - 1278, '81
Sons of Liberty, Farmington, Connecticut, - 336
Proceedings with Rev. Samuel Peters, - 711
South Carolina—
Receives intelligence of Boston Port Bill, - 370
Publication at Charlestown, 4th June, 1774, 382
Resolution of General Committee, - 408, 881
Address to the Province, by "A Carolinian," 430
Committee of Charlestown, to receive contributions for Boston, - - - - 448
Anonymous Address to the Inhabitants of the Province, 4th July, 1774, - - - 509
Letter from Charlestown, on Deputies to Congress, &c., - - - - - - 525
General Resolutions at Charlestown, - - 525
Detailed account thereof, - - 531–4
Lieutenant Governour Bull, to Earl of Dartmouth, - - - 662, '72, 993, 1050

Digitized by Google

South Carolina—
Assembly ratify nomination of Deputies to Congress, - - - - - - - 671
Assembly apply to the Governour for Arms and Ammunition to defend against the Indians—he prorogues the House, - - 672
Committee of Inquiry chose to see that no Teas are landed, - - - - - 857
Hon. William H. Drayton's Charge to Grand Jury, - - - - - - - - 959
Presentments and Address under same, 961–2
Demands execution of a Cherokee Chief for murder, - - - - - - - - 974
Proclamation of Governour Bull, concerning Indian intercourse, - - - - - 975
Provincial Congress at Charlestown, January, 1775, - - - - - - - - 1109
Resolutions of General Committee concerning Georgia, - - - - - - 1163
Proceedings at Charlestown, on importation of certain prohibited articles, - - 1269
Stafford County, England, Petition to House of Commons, - - - - - - - - 1535
Stanley, Lord, Views on Petition of London Merchants, - - - - - - - - - 1518
Stanley, Mr. Hans, Speech on Boston Port Bill, 44
Speech on Government of Massachusetts Bay, - - - - - - - - - 84
Speech on Administration of Justice there, 121
Speech on Petition of London Merchants, - 1526
Speech on Address to the King, - - 1556
Speech on Lord North's Conciliatory Resolution, - - - - - - - - 1619
Stephen, Colonel Adam, to Richard H. Lee, 1209, '44
Stirling, Lord, challenged while a Member of Council of New-Jersey—Proceedings thereon, 1120, '31
St. Asaph, Bishop of, Speech on Government of Massachusetts Bay, - - - - - - - 97
St. Clair, Arthur, Correspondence on Virginia and Pennsylvania Boundaries, and Indian Disturbances, - - 262–8, 454–5, 956, 1013, '50, 1179
St. John, Mr., Speech on Government of Massachusetts Bay, - - - - - - - - - 87
Suffolk, Earl of, Speech on Lord Chatham's Motion to Recall Troops, - - - - 1498
Views on putting Questions to Witnesses, 1663, '84
Sugar Colonies, Petition from Planters to House of Commons, - - - - - - - 1540
Imports and Exports, &c., 1772–3, 1547, 1703
Petition laid upon the table, - - - - 1588
Supplies for 1775, Debates on, - - 1475, 1589
For 1775, reported, - - - - - - 1595
Ways and Means for, Resolutions of Lord North, - - - - - - - - - 1811
Sutton, Sir Richard, Speech on Government of Massachusetts Bay, - - - - - - 77
Views on Lord North's Conciliatory Resolution, - - - - - - - - - 1619
Views on Bill Restraining Trade, &c., with the Northern Colonies, - - 1625
Views on Bill Restraining Trade, &c., with the Southern Colonies, - - - 1715
Taxation no Tyranny, - - - - - - 1431
Answer to the above, - - - - - - 1449
Taxes, in England and America, comparative rate in 1775, - - - - - - - - - 1541
Tea, Message of the King, - - - - - 5
Acts of People in Boston—Tea destroyed, December, 1773, - - - - 28–'9
Message of the King, - - - - - - 30
Lord North's Comments on presenting certain Papers, - - - - - 32, 222
Motion by Mr. Fuller to repeal the Duty, 131, '33
Apology for conduct of America, London Gazetteer, - - - - - - - - 242
At New-York—one parcel prevented from being landed, and another destroyed, 22d April, 1774, - - - - - - - - 248
Non-Consumption recommended by Massachusetts, - - - - - - - - - 422
Tea, At Portsmouth, New-Hampshire, re-shipped June, 1774, - - - - - - - 499
Resolution of Fairfax County, Virginia, - 599
Proceedings in Charlestown, South Carolina, 663, 857
Proceedings of a Committee of Charles County, Maryland, - - - - - - 703
Proceedings of Frederick County, Maryland, - - - - - - - - - 704
Proceedings at Norfolk, Virginia, - - 727
Proceedings at Piscataqua, New-Hampshire, 786
Samuel Dyre, of Boston, carried off to England for assisting to burn the Tea at Boston, 855
Proceedings at Yorktown and Gloucester, Virginia, - - - - - - - 964–5
Proceedings at Elizabethtown, Maryland, (now Hagerstown,) - - - - - 1000
Third Article of Association, recommending Non-Consumption of Tea, published at Philadelphia and New-York, - - 1269
Temple, Earl, Speech on Lord Chatham's Provisional Bill, - - - - - - - - - - 1513
Thompson, William, Letter to Governour Penn on Indian Affairs, - - - - - - 473, '83
Thomson, Charles, chosen Secretary of the Continental Congress, - - - - - - 893
Thurlow, Attorney General, on Government of Massachusetts Bay, - - - - - - 90
Same on Quebeck Bill, - - - 183, 208
Same on Lord North's Motion for Address to the King, - - - - - - - 1543
Views of *Rebellion* in Massachusetts, - 1623
Tompkyns, Mr., presents to House of Commons value of Exports and Imports from England to North America, for the years 1772–3, - - - - - - - - 1533
Same generally, - - - 1547, 1629, '30
Townshend, Lord, Speech on Lord Chatham's Motion to Recall Troops from America, - - 1502
Townshend, Mr. T., Speech on Government of Massachusetts Bay, - - - - - - 85
Speech on Administration of Justice there, 116, '22
Speech on Repeal of Tea Duty, - - 164
Speech on Quebeck Bill, 180, '87, 205, '09
Views on Address to the King, - 1474, 1556
Views on Supply Bill, - 1476, '80, '86, 1596
Views on Petition of London Merchants, 1517, '27
Views on Lord North's Conciliatory Resolution, - - - - - - 1607, '19
Views on Bill to Restrain Trade with Northern Colonies, - - - 1624, '54, '9
Advocates call for Papers, &c., - - 1699
Speech on Bill Restraining Trade, &c., with Southern Colonies, - - - - - 1715
Views on Mr. Hartley's Proposition, - 1792
Views on encouraging Fisheries of Great Britain and Ireland, - - - - - 1806
Views on Ways and Means for Supplies of 1775, - - - - - - - - 1815
Views on Quebeck Petition, - - - 1836
Trade, with the Northern Colonies—Lord North's Bill to Restrain, - - - 1622, '91
with Southern Colonies also, - - 1701, '16
Treasury Board, Minute of, to Governour Gage, - 246
Troops, Bill for Quartering in America, - 165–'70
Imported from Halifax, - - - 743
Imported from Newfoundland, - - - 878
Imported 6,000 to be sent out, - - 1224
2,000 additional asked for, - - - 1589
King's Troops march from Marblehead to Salem, - - - - - - - - 1268
Trowbridge, Petition in favour of Parliament, - 1703
Tryon, Governour, his Answers to the Lords of Council, - - - - - - - - - 724
Tuffnell, Mr., supports Mr. Burke's Resolutions, 1776, '92
Turner, Mr. Charles, Views on Lord North's Conciliatory Resolution, - - - - - - 1619
United Colonies—(see Publication at Salem,) - 1053
Van, Mr., Speech on Boston Port Bill, - - 45
Speech on Administration of Justice there, 118

Digitized by Google

Van, Mr., Speech on Address to the King, - - 1474
Remarks on Questions to be asked Witnesses, 1743
Virginia—
Proceedings on Pennsylvania Boundary, 252 262, '88, 454, '85, 545–9, 790, 1013, '50, 1179 1271–6
Letter from a Member of Assembly, May, 1774, - - - - - - - 340
Proceedings of House of Burgesses—Dissolved by Governour Dunmore, - 350, '52
Proceedings at Norfolk, 370–2, 451, 518, 1217
Fredericksburg Resolutions, - - - 373
Lord Dunmore to Earl of Dartmouth, 387, 1061
Prince William Resolutions, - - 388, 1034
Frederick County Resolutions, - - 392
Dunmore Resolutions, - - - 417
Thomson Mason's Addresses from Williamsburg, - - 418, '95, 519, '41, 620, '48
New Assembly ordered, - - - 419
Westmoreland County Proceedings and Resolutions, - - - - 437, 1203, '22
Spottsylvania County do. do. - - 448
Richmond County do. do. - 492, 1021
Prince George County do. do. - - 493
James City County do. do. - 499, 1007
Culpepper County do. do. - - 522
Assembly prorogued by Lord Dunmore, July, 1774, - - - - - - 523
Essex County Proceedings, - - 527, 1026
Fauquier County Proceedings, - - 528
Nansemond County Proceedings, - - 529
New Kent County Proceedings, - - 535
Chesterfield County Proceedings, - 537, 1007
Gloucester County Proceedings, - 538, 1051
Caroline County Proceedings, 539, 1031, '47
Henrico County Proceedings—Instructions to Delegates, - - - - - - 550
Middlesex County Proceedings, - - 551
Dinwiddie County Declarations, - - 552
Surry County Resolutions, - - - 593
Supplies collected for Boston, - - 593, 787
York County Resolutions, - - - 596
Fairfax County Proceedings, 597, 1051, 1145
Hanover County—Address to John Syme and Patrick Henry, Jun., &c., 615, 1248
Stafford County Resolutions, and Address to John Alexander and Charles Carter, 617
Elizabeth City County Resolutions, - 634
Albemarle County Resolutions, - - 637
Accomack County Resolutions and Proceedings, - - - - - - 639, 1059
Princess Ann County Proceedings, - 640, 1026
Buckingham County Resolutions, - - 643
Anonymous Address to the Convention, - 647
Same to the People of Virginia, - 685, 882
Convention at Williamsburg, 1st August, 1774—Instructions to Deputies to General Congress, - - - - - 686–90
Mr. Jefferson's View on the Rights of British America, - - - - - - 690
William Preston's Letters on Indian Depredations, - - - - - - 707, 808
Norfolk Proceedings on Tea imported, - 727
Adam Stephen to R. H. Lee, - - 740
Anonymous Letter to the Members of Congress, - - - - - - - 759
Earl of Dartmouth to Lord Dunmore, - 774
Courts suspended, - - - - - 775
Resolutions of certain Officers under Lord Dunmore, - - - - - 962, 1671
Proceedings at Yorktown and Gloucester, on Teas imported, - - - - 964–5
Proceedings in Westmoreland against David Wardrobe, - - - - - - 970
Williamsburg Merchants, to Peyton Randolph, and others, - - - - - 972
King's Proclamation, creating Copper Currency for Virginia, - - - - - 982
Committee of Henrico County, - 985, 1037
Committee of Elizabeth City County, - 991
Virginia—
Committee of Warwick County, - - 994
Lord Dunmore returns from Indian War, 1014–20
Isle of Wight Proceedings, - - - 1026
King and Queen County Proceedings, - 1037
Address of the Council to Lord Dunmore, and his Answer, - - - - - 1043
Northampton Proceedings, - - 1044, '46
Charles City Proceedings, - - 1049, '91
Orange County Proceedings, - - - 1056
Williamsburg Committee chosen, - - 1059
Charlotte County Committee and Proceedings, - - - - - - - 1138
Militia organizing—Ammunition procuring, 1145
Fincastle Meeting, and Address to the Delegates in Continental Congress, - - 1165
Proclamation by Governour Dunmore, for protection of the Indians, - - - 1169
Northumberland County Proceedings against Gambling, - - - - - - 1178
Pittsylvania Proceedings, - - - 1182
Lancaster County Proceedings, - - 1213
Cumberland County Proceedings, - - 1247
Augusta County Proceedings, - - 1253
Botetourt County Proceedings, - - 1255
Copy of Act of 16th April, 1764, for preservation of Peace in Virginia, &c., laid before House of Commons, - - - 1632
Vyner, Mr., Views on Mr. Hartley's Proposition for Conciliation, - - - - - - 1792
Views on Ways and Means for Supplies, - 1815
Wagener, Melchior, withdraws from Pennsylvania Convention, - - - - - - - 1170
Wakefield, and adjacent Towns, Petition House of Commons, - - - - - - - - 1628
Walker, George, examined as witness on West India Trade in Parliament, - - - - - 1722
Wallace, Mr., Motion on Bill for Administration of Justice in Massachusetts Bay, - - 120, 124
Walsingham, Captain, Views on Supplies for 1775, 1591
Ward, Mr., Speech on Boston Port Bill, - - 44
Same on Government of Massachusetts Bay, 74
Wardrobe, David, Proceedings against him in Westmoreland County, Virginia, - - - - - 970
Warren, Sir Peter, Earl of Sandwich quotes him against American courage, and is contradicted in a Letter from "An old English Merchant," - 1681
Warren, Joseph, communicates a Letter of Samuel Adams, and warns them against the intention of exciting prejudices in the minds of Episcopalians, - - - - - - 802
His Interrogatories to General Gage, and his Answer, - - - - - - - 806
Letter to Josiah Quincy, Junior, - - 990
Letter to Arthur Lee, - - - - - 1252
Watson, Brook, examined on Fisheries of North America, - - - - - - - 1638, '67
Ways and Means for raising Supplies for 1775, - 1811
Wedderburn, Solicitor General—
Speech on Administration of Justice in Massachusetts Bay, - - - - - 115, '21
Speech on Motion to Repeal Tea Duty, - 163
Speech on Quebeck Bill, - - - 209
Speech on Address to the King, 1474, 1565
Speech on Petition of London Merchants, - 1529
Declares Rebellion in America, - - 1623
West Indies, Merchants in London, Meetings, 1082, 1147
Imports and Exports to and from England, in 1772, - - - 1548, 1629, 1702
Planters' Petition considered, and witnesses examined, - - - - - - 1721
Wetmore, Timothy, his opinion of the Rights of Parliament, (Note,) - - - - - - - 803
Weymouth, Lord. Speech on Lord Chatham's Motion to Recall Troops from America, - - 1504
Whigs and Tories, Letter from a British Officer, 1068
Whitehaven, Petition from Merchants to House of Commons, - - - - - - - - 1630
Willard, Abijah, Member of Council of Massachusetts, his treatment by the people, - - - 731

Digitized by Google

Wilkes, John, and John Glynn, candidates for Parliament, their sentiments, - - 805–6
Speech on Lord North's Address to the King, 1549
Answer, as Lord Mayor, to the Earl of Hertford, - - - - - - - - 1854
Wilkins, Isaac, Speech against necessity of sending Delegates to second Continental Congress, - 1293
Witnesses, on state of Quebeck Province, examined in House of Commons, - - - - 188
A witness declines answering in House of Commons, - - - - - - 1534
Several examined on Bill to Restrain Trade with the Northern Colonies, 1638, '63, '70
Several examined on West India Trade, - 1721
Discussion as to Questions to be asked and answered, - - - - - - 1743
Wolverhampton, Petition from Merchants and others, to House of Commons, - - - - - - 1531
Woolbridge, Thomas, from Committee of London American Merchants, declines answering as a witness, - - - - - - - - 1534
Worcester, Massachusetts, threatens Resistance by Arms, - - - - - - - - 742
Demands resignation of Timothy Paine, - 745
Meeting to form Companies, and choose Officers, - - - - - - - - 806
Address to Gov. Gage, and his Answer, - 868
Convention at, - - - - - - 1192
Warlike Stores and Supplies deposited there, 1365–6–7
Wray, Sir Cecil, seconds Mr. Hartley's Proposition for Conciliation, - - - - - - - 1791
Wright, Sir James, to Earl of Dartmouth, from Savannah, - - - - - - - - 1040
Yonge, Sir George, Speech on Government of Massachusetts Bay, - - - - - - 73

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

973.2
f.Am3
1:Ser.4

FEB 1 1966

Digitized by Google

UNIVERSITY OF MINNESOTA
wils v.1
Folio 973.2 Am3
American archives. Fourth series : conta
3 1951 002 076 378 C

Digitized by Google

UNIVERSITY OF MINNESOTA
wils v.1
Folio 973.2 Am3
American archives. Fourth series : conta
3 1951 002 076 378 C

Digitized by Google

UNIVERSITY OF MINNESOTA
wils v.1
Folio 973.2 Am3

American archives. Fourth series : conta

3 1951 002 076 378 C

Digitized by Google